

## Citizens Must Demand Transparency

By Melissa Rooney; Published: Mar 14, 2009; Guest Column, Durham News

Jim Wise's "Curious Eye" toward Durham County's disappearing transparency (Durham News, Mar. 7) shouldn't be taken lightly. The backroom dealings could set a dangerous precedent for NC, especially Triangle jurisdictions and Jordan Lake. Let me elaborate...

After months of closed discussions regarding former Planning Director, Frank Duke's illegal administrative moving of critical watershed boundaries, based on developer Neal Hunter's 2005 Jordan Lake boundary survey (to permit the '751 Assemblage' mini-city), the county commissioners submitted this survey (and an October, 2008 supplementary survey) to the DWQ (Division of Water Quality), and directed staff to solicit proposals for an independent survey of Jordan Lake's boundary within Durham County.

On November 24 a public hearing was held to obligate money for the independent survey, as recommended by the county manager, county attorney, county engineer and planning director. Since there was little public notice, and all previous discussions were behind closed doors, only two citizens spoke at this meeting. Manager Ruffin insisted "there are not enough reference points in those first two surveys to pass muster with DWQ," but the board voted 3-2 to postpone further action until receiving DWQ's decision.

DWQ's Julie Ventaloro was inundated with requests, including a unanimous resolution by Chatham County Board of County Commissioners, to reject the survey based on conflict of interest or, at the very least, to give it the utmost scrutiny. Ventaloro questioned the "relatively large gap" (665 feet) between two essential survey points and informed our Planning Dept. that DWQ staff "are not trained surveyors, so any explanations, no matter how basic, will be very helpful."

On Feb. 4, DWQ approved Hunter's survey. The public was officially informed when the item was placed on the March 4 JCCPC (Joint City County Planning Committee) agenda. This delay is notable since an appeal must be filed within 60 days of DWQ's decision. Fortunately blogs covered the story on February 6. A subsequent online petition accumulated over 1500 signatures within a week.

Though they had questions regarding how far the lake extends into New Hope Creek, DWQ staff was instructed to follow procedure. DWQ insisted they are not the last word and advised Durham to obtain a regional survey. To this day, neither DWQ nor Planning staff has visited the site.

At the county's March 5 work session, the Jordan Lake boundary was added to the agenda after the meeting began. This came as a surprise to some of the commissioners, but not to the developer's attorneys who were there and allowed to speak.

If the 751 Assemblage team succeeds, it will be the first time that NC watershed maps are changed based on a private developer's partial survey. Citizens have every right to question this precedent-making event. Should Durham County solely be permitted to make decisions affecting the properties and water supply of multiple jurisdictions? Should DWQ have more authority?

The 751 team is still demanding an administrative change in Jordan Lake boundaries, without the planning commission and government public hearings required in our ordinance.

What are they afraid of? If they had confidence in their survey, wouldn't they welcome validation by an independent survey? Had they done so from the get-go, the issue would already be settled.

Contact commissioners and demand transparency and due process by attending the 3:30 March 23 work session. Let them know that, despite all attempts to dissuade us, we are watching!