

# Burlington councilmen skeptical about state's offer to "help" with city streams

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A state agency has offered to do some free stream restoration in Burlington, which could help the city comply with certain state and federal regulations.

But the agency's offer has received a skeptical welcome from Burlington's city council, which has come to see the state as a source of "unfunded mandates" rather than a provider of pro bono services.

The council ultimately agreed to consider the offer from the state's Ecosystem Enhancement Program (EEP), a branch of North Carolina's Department of Environment and Natural Resources that undertakes projects throughout the state.

The agency's proposed deal would require Burlington to hold a few hearings and cooperate with the agency's work. In return, the agency would develop a plan to improve Burlington's streams, hire a consultant to figure out how to implement the plan, and follow through on some of the plan's recommendations.

The council heard the details of this proposal on Monday, when several officials from the EEP appeared at the council's monthly work session. The agency's representatives said that the project would address erosion along the Little Alamance Creek, which has been damaged by runoff and development.

Deborah Amaral, the EEP's supervisor of central operations, told the council that her agency wants to restore portions of these creeks to demonstrate what other cities can do with their own eroded streams.

"It may be a case of the cart before the horse with these projects," Amaral told the council on Monday. "But we thought

they would be a good demonstration, and we chose to talk to you."

The inspiration for the EEP's proposal actually came from a project that the agency is already doing in Burlington.

A year or two ago, the agency offered to help with an anti-erosion program that Burlington's recreation department has launched at two of the city's parks. By then, the department had already set up some "demonstration buffers" along creeks in City and Willowbrook parks, where vegetation is allowed to grow freely to limit erosion. The department has also put up signs to explain the project to residents who might otherwise think that the city has forgotten to mow in these areas.

The EEP has agreed to do several things to expand on the city's project. It has hired a consultant to explore other measures that would prevent erosion, and the agency now plans to implement the consultant's suggestions, which include the "relocation" of one stream that has meandered away from its natural flood plain.

Gary Hicks, the city's public works director, said that the EEP has become interested in erosion outside the two parks since it began to work on this project.

"There are essentially two projects," Hicks told the council on Monday. "The EEP wants to do an environmental assessment of the basin while they're here."

The EEP's representatives assured the councilmen that they have nothing to lose by signing off on the agency's second project. They promised to pay for everything with money from a "mitigation fund," which relies on fees that companies pay the state when they want to do something that damages the environment. They also assured

the council that the city doesn't have to accept the recommendations that it gets from the agency.

Even so, some of the councilmen were leery about the agency's offer in light of other experiences they've had with the state's environmental department. Mark Jones, the city's mayor pro tem, reminded his colleagues about the department's plan to clean up Jordan Lake, which demands expensive upgrades at the city's sewer plants and tax-payer-funded runoff controls in the city's newer subdivisions.

"This is the same arm of the state government that brought us the Jordan Lake thing," Jones told his colleagues. "The federal government is putting in all sorts of storm water regulations, which we're already doing, and DENR is putting us in this Jordan Lake thing, which - pardon me - I'm calling a debacle."

Councilman David Huffman also raised some concerns about the EEP's erosion controls. He conceded that the agency's measures might not cost the city a dime, but he insisted the city would be responsible if these measures somehow conflict with state or federal requirements.

The EEP's representatives assured the council that they aren't affiliated with the state agency responsible for the Jordan Lake rules.

Meanwhile, city staff members insist that the EEP's project would only benefit Burlington. Tony Laws, the city's recreation and parks director, said that the agency's work could help the city comply with state and federal regulations, such as the proposed Jordan Lake rules.

"They're here to help us," Laws said in an interview. "They won't do anything that we have to pay for."