



## RESOLUTION 25-11

### RESOLUTION OPPOSING THE FUQUAY-VARINA INTERBASIN TRANSFER AND REQUEST FOR ADDITIONAL COMMENT

**WHEREAS**, Brunswick County Public Utilities provide the following municipalities with wholesale water: Bald Head Island, Holden Beach, Oak Island, and Ocean Isle Beach and the following with retail water service for: Bolivia, Calabash, Carolina Shores, Caswell Beach, Holden Beach (parts), Leland (parts), Navassa, St. James, Sandy Creek, Shallotte, Sunset Beach, and Varnamtown. Brunswick County is one of the fastest growing counties in the state and serves 350,000 customers at the seasonal peak. Brunswick County's primary role is to treat water for potable use to its customers. The majority of this water is sourced from the Cape Fear River.

**WHEREAS**, on September 1, 2020, the Town of Fuquay-Varina (Town) submitted a Notice of Intent to Request an Interbasin Transfer (IBT) requesting an average day transfer of approximately 4 million gallons per day (MGD) and a maximum day transfer of 8 MGD from the Cape Fear River basin to the Neuse River basin.

**WHEREAS**, over five years after submitting its Notice of Intent, the Town released a draft Environmental Impact Statement (DEIS) identifying a preferred alternative of sourcing water from the Tri-Rivers Water Treatment Plant in the Cape Fear River basin and seeking approval to transfer 6.17 million gallons per day from the Cape Fear River basin (2-3) to the Neuse River basin (10-1). The DEIS is nearly 2,000 pages.

**WHEREAS**, the Town's DEIS does not account for any of the 6.17 million gallons per day to be returned from the benefiting Neuse River basin to the impacted Cape Fear River basin at any time.

**WHEREAS**, published documents indicate the Town has purchased a total of 6 million gallons of water capacity from the City of Sanford via the Tri-Rivers Water Treatment Plant.

**WHEREAS**, presently the Town receives up to a total of 4.25 MGD of potable water from the City of Raleigh, Harnett County, and Johnston County on a contractual basis.

**WHEREAS**, Lower Cape Fear Water and Sewer Authority, Brunswick County, Pender County, and the Cape Fear Public Utility Authority, (collectively, Cape Fear Basin Water Utilities) rely upon the Cape Fear River as the source of their raw water to serve their communities.

**WHEREAS**, data reflects that the removal, without return, to the Cape Fear River basin may result in the overallocation of the Cape Fear River at Kings Bluff, leading to substantial adverse environmental and economic effects to the impacted communities, particularly those served by the Cape Fear Basin Water Utilities.

**WHEREAS**, the potential impacts to the communities served by the Cape Fear Basin Water Utilities include increased risk of water shortages during periods of drought; less potential future economic development opportunities; and reduced water flow or quality for recreational use.

**WHEREAS**, the Town has not provided any measures or alternatives to avoid detrimental impacts upon the currently authorized Local Water Supply Plans of the Cape Fear Basin Water Utilities. Drought conditions throughout the State have affected the flow of the Cape Fear River, the net effect of the IBT would result in negative water quantity and quality, particularly during periods of drought or low river flow.

**WHEREAS**, although the communities served by the Cape Fear Basin Water Utilities will be detrimentally impacted by this IBT certificate request, those communities benefiting from the request will be positioned for growth and increased economic development.

**WHEREAS**, in December 2022, a public records request was sent on behalf of the Cape Fear Basin Water Utilities to the Town of Fuquay-Varina requesting documents related to the requested IBT certificate. Nearly three years later, the Town has yet to fulfill this request.

**WHEREAS**, in October 2023, a public records request was submitted on behalf of the Cape Fear Basin Water Utilities to the City of Sanford requesting documents related to the Sanford's expansion of its drinking water structure in the Cape Fear River basin. Over two years later, the Cape Fear Basin Water Utilities has not received any documents in response to this request.

**WHEREAS**, in July 2024, the Cape Fear Public Utility Authority submitted a public records request to DEQ requesting documents related to Fuquay-Varina's IBT certificate request. On October 23, 2025, fifteen months after the public records request was submitted, DEQ provided thousands of pages of additional documents in response to the CFPUA's public records request.

**WHEREAS**, on November 4, 2025, a week after LCFWASA received the documents from DEQ, it was announced that the Environmental Management Commission (EMC) would allow public comment relating to the Town's DEIS for its IBT certificate request, with a public comment deadline of February 1, 2026.

**WHEREAS**, although the Town required five years to develop its DEIS, and DEQ required fifteen months to fulfill a public records request, the Authority will have only three months within which to review thousands of pages of engineering and environmental records and conduct its own independent analysis.

**WHEREAS**, furthermore, the November 4, 2025 announcement stated that the EMC would hold a series of public hearings regarding the Town's DEIS, to be held December 4, 2025, in Fayetteville, NC; December 9, 2025, in Raleigh, NC; and December 11, 2025, in Pittsboro, NC.

**WHEREAS**, despite the substantial impact of the Town's DEIS and IBT certificate request to the Cape Fear Basin Water Utilities, the closest hearing location is nearly 100 miles away, in Fayetteville, NC.

**WHEREAS**, due process requires that those impacted be offered both notice and an opportunity to be heard. The locations of the hearings are centrally located to the beneficiaries of the Town's IBT certificate request, but do not provide the same access and opportunity to be heard by impacted communities, particularly the Cape Fear Basin Water Utilities.

**THEREFORE, BE IT RESOLVED:**

**THAT**, the Holden Beach Board of Commissioners formally opposes the Town of Fuquay-Varina IBT certificate request and draft Environmental Impact Statement as submitted and amended.

**THAT**, the Holden Beach Board of Commissioners opposes any IBT certificate request affecting the Cape Fear River basin that does not account for the return of the water so removed.

**THAT**, the Holden Beach Board of Commissioners requests the North Carolina Environmental Management Commission to allow the Cape Fear Basin Water Utilities additional time to respond and submit comments to the DEIS and requested IBT Certificate. The Board of Commissioners further requests that any extension of time be commensurate with the delay between when information was requested by the Cape Fear Basin Utilities and when it was actually delivered.

**THAT**, the Holden Beach Board of Commissioners requests the North Carolina Environmental Management Commission to hold an additional, fourth public hearing on the draft Environmental Impact Statement in New Hanover, Brunswick, and Pender County during the month of December 2025 or January 2026, to allow the public to attend and provide relevant comments on the DEIS and requested IBT Certificate.

Adopted this 16<sup>th</sup> day of December, 2025

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J. Alan Holden, Mayor

ATTEST:

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Heather Finnell, Town Clerk