



What's New?



Edition #4

March 15, 2017

The N.C. Attorney General-Department (AG) & N.C. Department of Environmental Quality (DEQ), Division of Energy, Mineral & Land Resources (DEMLR), (Plaintiff)
Versus,
Woodlake County Club Corporation (WLCCC) (Defendant)

A Case Update:

As the Restore Woodlake Committee has been reporting, the North Carolina Attorney General (NC-AG) filed a motion in Moore County Superior Court against Woodlake Country Club Corporation (WLCCC), seeking to enforce the outstanding Dam Safety Order (DSO) issued by the Department of Environmental Quality (DEQ). The NC-AG's motion was held over from Monday, March 13th and came before the court today, March 15th, 2017, at 2:00 pm. The Honorable Judge Webb presiding.

In attendance were representatives from:

- The N.C. Attorney General's Office.
- DEQ and DEMLR.
- The *Restore Woodlake* Committee/POA's Attorney.
- The *Restore Woodlake* Committee (RWLC).
- The Press:
 - The Pilot Newspaper.
 - CBS TV News.
 - WRAL TV News.
 - Channel 11 ABC TV News.
 - Time Warner News.
- A number of Woodlake residents.

Also in attendance was:

- Ms. Julie Watson, Vice President & General Manager of WLCCC (50% shareholder). She stated that she represented Mr. Steiner, the President of WLCCC.
- NOT in attendance, an Attorney for WLCCC.

The judge opened the court session by asking the NC-AG if they had secured a properly signed "Consent Judgement". The AG responded that they had reached a final Consent Judgement agreement with WLCCC, and that they wished the judge to review and rule upon it.

After spending some time reading the agreement and asking questions, the judge pointedly asked Ms. Watson (under oath), if she understood all the Consent Judgement's terms, requirements and milestones, as well as the legal consequences of not meeting those requirements or milestones, to which she responded "Yes". The judge signed the Consent Judgement at 2:22 pm and had it entered into the Court record. The Consent Judgement is available on the Restore Woodlake Website (<https://www.restorewoodlake.com/deq/>).

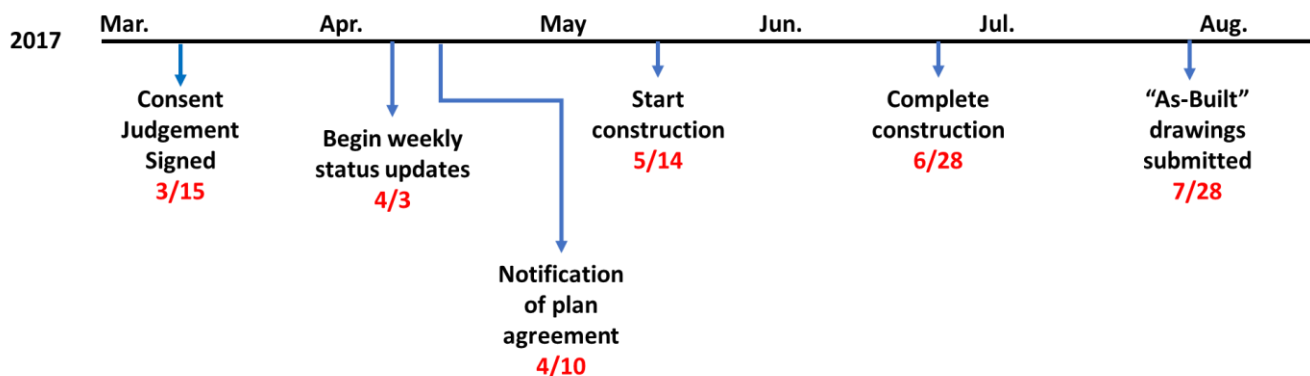
Since the Consent Judgement was signed by the judge, our motion to intervene was no longer possible, nor necessary. Our Committee received a letter of agreement with DEQ that permits our resident engineers to work collaboratively with DEQ engineers to ensure the dam breach is as benign as possible.

The Consent Judgement allows for two options:

- 1) Temporary full breach – Defendant will proceed with a temporary full breach of Woodlake in accordance with plans identified and approved by DEMLR on November 2nd, 2016.
- 2) Submittal of new temporary full breach plan – In choosing this option, defendant, no later than 12:00 pm on April 10th, 2017 shall submit new approvable plans to bring Woodlake dam into compliance with the dam safety law.

The Engineering subcommittee will be studying these plans and will provide additional details as soon as possible which will be after April 10th if option 2 is selected.

The Consent Judgement also has very specific actions and milestones (see pages 11-13 of consent judgement) that must be met and includes a weekly progress reporting requirement. A summary of the actions and milestones follow:



The Restore Woodlake Committee is now focused on our next steps in looking for alternatives to return the lake and dam to full functionality. As options are developed, we will keep the community informed.

We thank you for your continued support and Committee fund donations. We will continue to have ongoing legal representation bills and we will detail what the specific purpose and goals of that representation is in future communiqués.

As noted above, the Press was in attendance and it is likely they will air news reports at 10 and/or 11 pm this evening.