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September 14, 2007

Mr. Rich Gannon
Planning Section
Division of Water Quality
North Carolina Department of Environment and Natural Resources
1617 Mail Service Center
Raleigh, North Carolina 27699-1617

Via e-mail: Rich.Gannon@ncmail.net

Re: Proposed Jordan Lake Rules

Dear Mr. Gannon:

I am attaching the following for inclusion on the records for the public comment period for the Jordan Lake Rules:

***NARRATIVE AND CALCULATIONS, COSTS IMPACTS FOR NEW
DEVELOPMENT FROM THE PROPOSED JORDAN LAKE NUTRIENT MANAGEMENT
RULES IN GUILFORD AND ALAMANCE COUNTIES IN THE HAW RIVER ARM OF
THE JORDAN LAKE WATERSHED***

I would first like to express my personal appreciation to you and to Mr. Jason Robinson for your always prompt and congenial responses to my requests for assistance as I have attempted to become knowledgeable regarding the Jordan Lake Rules. I know this is not easy for you, when you know that I have spoken in public against adoption of the rules as proposed, and you know that I am still preparing further comment in opposition to the rules, as drafted. You and Mr. Robinson are to be commended for your professionalism.

I would like to go on record as being opposed to the proposed Jordan Lake Rules, as drafted, for the following reasons:

- I believe the costs associated with new development activities are extremely understated in the Fiscal Analysis, June 11, 2007 edition, as supported by my attached calculations.
- As I have noted in the narrative of the attached calculations, I am of the opinion that implementation of the rules as drafted will promote urban sprawl as a secondary impact. The costs associated with increased costs of infrastructure to serve developments encouraged to locate outside of urban areas are not included in the Fiscal Analysis. The potential for greater loss of agricultural and forest lands are also not discussed.
- After completing the research associated with the costs of new development, it appears to me that implementation of Phase II rules, along with existing watershed protection rules in the basin, will result in significant reductions in phosphorous within the watershed, so much so that I question why phosphorous

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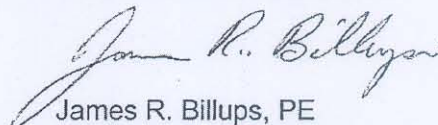
is included for management in the basin in the first place. It is difficult to tell from the Fiscal Analysis, but I would think that phosphorous will be reduced to a level that the point source reduction requirements could be eliminated, and still achieve the target level of phosphorous reduction in the basin. Why spend the money on point source reduction of phosphorous if it is not necessary?

- I believe there is a point of diminishing return associated with increasing buffer widths beyond those required under Phase II regulations, and that the costs in terms of loss of opportunity for use of the additional buffer widths are not commensurate with the benefits to be gained.
- As I interpret the draft rules, I see nutrient reduction in existing development to be targeted at the same rate as nutrient reduction for all other areas of the management strategy. I am of the opinion that the rules requiring nutrient management in existing development are impractical, extremely costly, and will place the Jordan Lake Basin at an economically competitive disadvantage relative to the rest of the state and other surrounding states.
- It would seem logical to think that with the huge amounts of monies that will be spent to implement the nutrient management program, much more cost-effective nutrient reduction could be achieved taking advantage of the economies of scale to provide in-stream treatment, saving the taxpayers of North Carolina vast sums of money, and still achieving the goals for restoration of water quality in Jordan Lake. This option is not discussed, and should be considered before implementing the proposed rules.
- I am of the opinion, based upon the testimony I have heard from knowledgeable water resources officials in the Haw River Basin, that the Haw River is not a significant contributor to the poor water quality of Jordan Lake. I further believe that with the short residence time in the lake from waters originating in the Haw River Basin, the impact of vast amounts of monies spent in the Haw River Basin on nutrient management will be negligible with regard to water quality in Jordan Lake.

I appreciate your inclusion of these comments on the record, and thank you for your consideration of these comments.

Respectfully submitted,

Anderson & Associates, Inc.



James R. Billups, PE
Regional Vice President