

Catawba Riverkeeper Foundation . Environment North Carolina
. Environmental Defense . Friends of the Deep River .
Friends of the Rocky River . Haw River Assembly .
Neuse River Foundation . North Carolina Coastal Federation .
Pamlico Tar River Foundation . RiverLink . Winyah Rivers
Foundation

September 14, 2006

Comments on the Draft Jordan Reservoir Water Supply Nutrient Rules

We, the undersigned, are representatives of non-profit organizations in North Carolina working to protect our waters and the environment. We strongly support proposed rules by the Division of Water Quality to reduce nutrient pollution in Jordan Lake.

Like many large reservoirs in North Carolina, Jordan Lake is suffering from excessive algae growth due to nutrient pollution from both point and non-point sources. The tremendous growth in population in the Piedmont and other regions of the state are putting pressure on our streams and reservoirs that endangers their biological integrity. Jordan Lake and other reservoirs that are nutrient sensitive or impaired are vitally important as sources of drinking water, recreation and habitat for wildlife and aquatic species. We believe it is the responsibility of the state to ensure the health of these reservoirs for its citizens and to enact rules to protect these waters. Cleaner water in our reservoirs will also mean cleaner waters in all the tributary streams that feed the reservoir. All residents of the watershed will benefit from cleaner water where they live.

The Jordan Lake rules provide the minimum protections needed from all sources that are contribute to the nutrient pollution. These rules will meet the requirements of the NC HB 515 “Clean Water Responsibility Act” of 1997, as well as the EPA Total Maximum Daily Load. The rules will requires reductions in nutrient loading from ALL sources including wastewater treatment plants, stormwater from existing development, stormwater from new development, from state and federal entities including DOT), agricultural lands as well as protection of existing riparian buffers. These rules are based on nutrient reduction rules for the Tar-Pamlico and Neuse river basins, with some appropriate changes to meet the specific requirements of the Haw River watershed and the three separate hydrological management zones of Jordan Lake.

We strongly support the rule for “Stormwater Management for Existing Development”

If these rules are going to accomplish the goal of a healthier Jordan Lake then we must find ways to reduce pollution from existing sources – not just new development. We must reduce the pollution that rushes into creeks in cities and suburbs after every rain from yards, roads, and parking lots. Creeks in almost all of the towns and cities in this watershed that are on the federal “impaired waters” 303 (d) list – North and South Buffalo creeks in Greensboro, Little Troublesome in Reidsville, Little Alamance Creek in Burlington, Robeson Creek in Pittsboro, Bolin, Booker and Morgan creeks in Chapel hill, Third Fork and Northeast creeks in Durham. The state has the opportunity, through passage of this rule, to encourage new stormwater technologies, as well as time proven practices such as cisterns and rain gardens, to make urban streams cleaner and healthier. The rule allows local governments tremendous flexibility in choosing the methods and timelines to enact the loading reductions. It will provide information for cost effective nutrient reduction BMP’s that can be a model for other watersheds across the state with nutrient impaired waters.

We urge you to consider strengthening the rules as follows:

Clean up nitrogen in wastewater by 2011– the Lake can’t wait until 2016

10 big municipal and county wastewater treatment plants and 55 smaller facilities discharge their treated effluent into creeks that flow to Jordan Lake. During droughts it is estimated that up to 90% of the water flowing into Jordan Lake has been through a treatment plant at least once, and the concentration of nutrients is at its highest. Jordan Lake cannot wait until the year 2016 as proposed in the current rules for nitrogen to be reduced from the wastewater treatment plants. The 2011 implementation date that was in the earlier draft of the rules should be reinstated.

Require training and management plans for all bio-sludge applications in the watershed.

The Nutrient Management rule will mandate training or management plans for applicators of fertilizers in the watershed. We urge you to extend this rule to mandate management plans for all bio-sludge applications (from wastewater treatment plants) as well. The solids from waste water treatment plants that are land applied as fertilizer needs to be more carefully managed in order not to cause nutrient pollution to ground and surface waters (as well as other problems with pollutants and public health). This should be spelled out in the section of the rules .0263 concerning nutrient (fertilizer) application management.

A Statewide Issue

Excessive nutrients -- phosphate and nitrogen -- create algae blooms and very high alkaline pH that stress and kill fish and aquatic life in many of our North Carolina reservoirs. This makes drinking water treatment more difficult and expensive, and makes lakes much less attractive for recreation. Enacting strong rules soon for Jordan Lake is pivotal in the future protection of water bodies in our state. The summer 2007 drought across all of North Carolina is a wake-up call that water is indeed a precious resource. The NC Drinking Water Reservoir Protection Act and the need to enact TMDL’s on other NC nutrient impaired reservoirs, such as Falls Lake, make it

clear that this is a problem that reaches beyond Jordan Lake. Keeping waters clean is a responsibility we all must share. We can't afford not to.

We appreciate your consideration of our comments. If we can answer any questions please contact Elaine Chiosso at the Haw River Assembly, (919 542-5790, chiosso@hawriver.org) or the representatives of organizations listed below.

Sincerely,

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