

August 20, 2007

Rich Gannon
DENR/DWQ, Planning Section
1617 Mail Service Center
Raleigh, NC 27699-1617

Re: Jordan Lake Rules

Dear Mr. Gannon:

These written comments represent my opposition to the proposed Jordan Lake Rules. As a retired City Manager and citizen of Graham, NC, I have definite concerns with the financial impact this rule will have on my community. During my 23 year tenure as city manager, Alamance County was known as the "Textile" capital of the State. The textile industry was a major financial contributor to both the city's general fund and the water/sewer fund. The "Exodus" of the textile industry caused a major negative impact on revenues for the city. While treatment costs have continued to escalate, the actual amount of water treated has declined. The city has recently invested millions of dollars in facility upgrades, while actually treating and selling less water than we were twenty years ago. What's disappointing about the issue is that these facility improvements were just completed in 2002 and 2003. The Division of Water Quality knew of the nutrient issue yet still did not require the city to include nutrient removal in our wastewater treatment plant upgrade. Obviously it would have cost the citizens far less to have incorporated this in our recently completed construction. Even though the City of Graham's wastewater effluent discharge currently meets the proposed point source nitrogen requirements of the rule, these rules as written will mandate millions more in expenditures just to assure compliance. I encourage you to phase in the nitrogen requirement for point sources and these requirements be implemented at our next major plant upgrade.

New Development and Retrofit rules should not be required of existing Phase II communities. It makes no sense to me to include these regulatory requirements before implementation of the Phase II rule. It is obvious to me that the Division of Water Quality should not include these development rules until there is evidence of the potential positive nutrient reductions from the Phase II stormwater rules. Phase II rules should be considered in development of the Jordan Lake Rules and I would suggest that Phase II communities be exempt from the Jordan Lake Rules.

I can visualize the implementation of the proposed Jordan Lake Rules having a devastating impact on my community. Many of our residents are retired and live on a fixed income. They simply will not be able to afford the additional cost this rule will impose on them. Young first time home buyers struggling to save for a down payment on a home of their own will not be able to find affordable housing because the current proposed rules will add thousands of dollars to the cost of a home.

Existing Industrial customers in our community have indicated that this rule will necessitate them to relocate to another area not affected by these rules. They are already struggling with competition from cheaper imports and realizing lower profit margins.

Local developers are concerned about passing the additional cost associated with the rule to potential builders and homeowners. The additional cost will definitely make properties less marketable due to the increased cost from rule implementation. This will force developers to look at areas in the State not impacted by the Jordan Lake Rule. Economic development will deteriorate in our community.

I strongly urge the Division of Water Quality to reconsider this rule and hopefully make my recommended changes. The passage of this rule in its current form will have a "snow-ball" effect that will be devastating to this area of the State. Thank you for the opportunity to respond.

Respectfully Submitted,


Ray Fogleman