

ANNOUNCEMENT

PUBLIC HEARINGS & PUBLIC COMMENT PERIOD FOR PROPOSED WATER SUPPLY NUTRIENT STRATEGY FOR B. EVERETT JORDAN RESERVOIR

The North Carolina Division of Water Quality, on behalf of the NC Environmental Management Commission is seeking public comment **through August 14, 2007** on a set of proposed rules to control nutrient inputs to B. Everett Jordan Reservoir. Dates and locations for three public hearings are as follows:

PUBLIC HEARING 1

Location: Century Hall @ The Century Center
100 N. Greensboro St.
Carrboro, NC 27510

Date: Thursday, July 12, 2007

Time: 6:30 p.m.

PUBLIC HEARING 2

Location: Koury Business Center, Room 101
Elon University
401 N. O'Kelly Ave.
Elon, NC 27244

Date: Tuesday, July 17, 2007

Time: 1:30 – 4:00 p.m.

PUBLIC HEARING 3

Location: Koury Business Center, Room 101
Elon University
401 N. O'Kelly Ave.
Elon, NC 27244

Date: Tuesday, July 17, 2007

Time: 6:30 p.m.

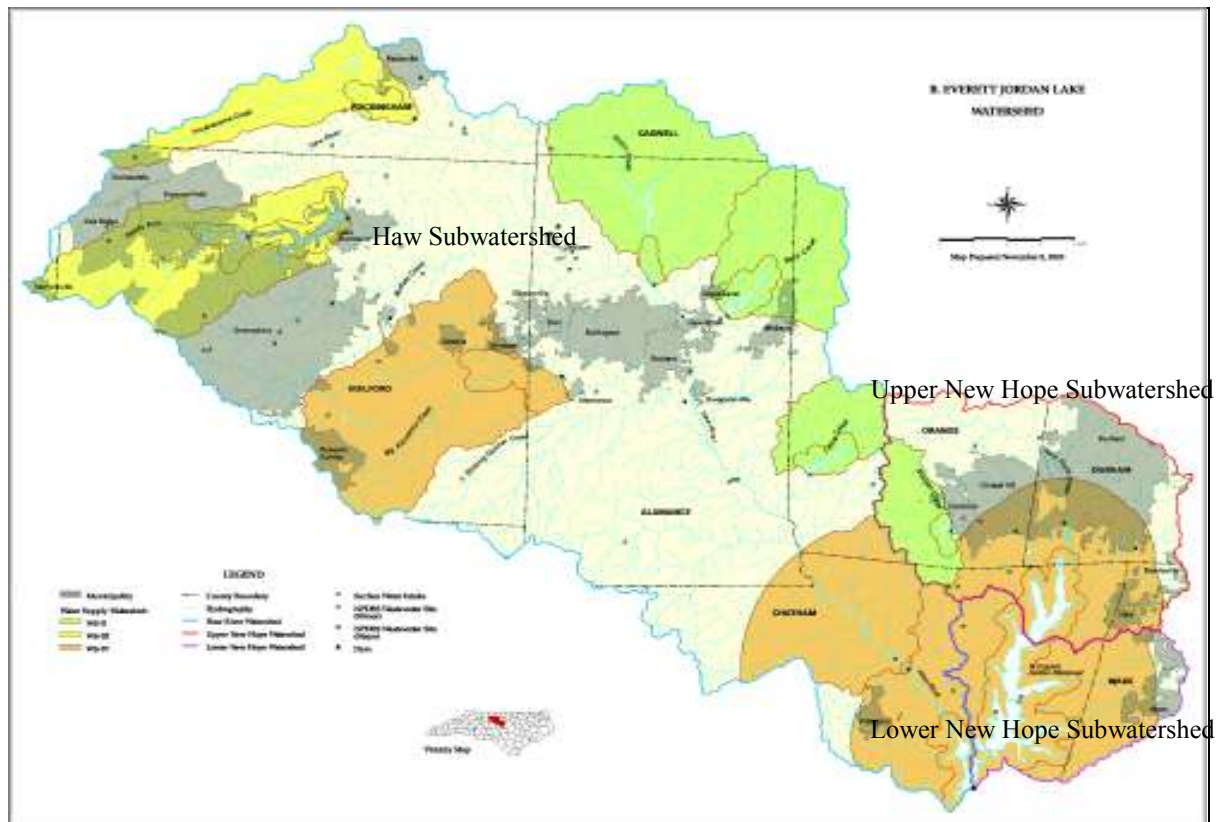
REASON FOR PROPOSED NUTRIENT RULES

B. Everett Jordan Reservoir in the upper Cape Fear River Basin serves as a drinking water source for the growing communities of Apex, Cary, Durham, Morrisville, RTP, and Chatham County. In addition, the reservoir is a popular recreational resource and supports a wide range of aquatic and water dependent wildlife. Since its impoundment in 1983, the reservoir has consistently shown substantial nutrient over-enrichment. The NC Environmental Management Commission, which is responsible for protecting and restoring water quality in North Carolina, designated it a 'Nutrient Sensitive Water' and required development of a nutrient control strategy. Initial requirements reduced phosphorus concentrations in wastewater discharges to streams in the reservoir watershed. Despite these measures, in 2002 the Upper New Hope Creek Arm of the reservoir was found by the Division to no longer meet its designated uses due to excess nutrient inputs. The Division made the same determination for the rest of the reservoir in 2006. The Commission has determined that additional nutrient management actions are needed to recover the uses of Jordan Reservoir. In addition, the Clean Water Responsibility Act of 1997, adopted by the NC General Assembly as S.L. 1997-458, includes requirements to address water quality problems in Nutrient Sensitive Waters including Jordan Reservoir. It mandates stricter nutrient concentration limits for point source discharges to these waters, and it directs the Commission to establish goals for reducing overall nutrient inputs. Point and nonpoint, or stormwater runoff, sources are to share proportionally in responsibility for reducing inputs. In addition, the reservoir's status as impaired waters invokes federal Clean Water Act requirements to develop and implement nutrient loading reduction goals for the reservoir in the form of a 'total maximum daily load' (TMDL).

SCOPE OF RULES

The proposed strategy is designed to comprehensively reduce nitrogen and phosphorus loading to each of the three arms of Jordan Reservoir (shown in map below). The set of rules targets point and major nonpoint nutrient sources. The rules are designed to distribute reduction responsibility proportionally among all sources relative to a common starting point of 2001. The segmented hydrologic behavior of Jordan Reservoir requires three sets of loading goals corresponding to the three reservoir arms shown on the map: the Upper New Hope, Lower New Hope, and Haw. A total of 12 rules are proposed that require new management actions for agriculture runoff, new and existing development stormwater runoff, municipal and industrial wastewater, fertilizer applicators and protection of riparian buffers across all land uses.

JORDAN RESERVOIR WATERSHED



PARTIES AFFECTED

- A nutrient management rule would be administered by the Division and would affect **fertilizer applicators**, both agricultural and turf and landscape applicators
- An agriculture rule would be administered by the Division and would affect **all agricultural operations**.
- A stormwater management for new development rule would be administered by **all local governments** and would directly affect **developers**.
- A stormwater management for existing development rule would be administered by the Division and directly affect **local governments**.
- Riparian buffer rules would be administered primarily by **local governments** and would affect **property owners across all land uses**.
- A wastewater discharge rule would be administered by the Division and would affect **public and private wastewater dischargers**.

- A state and federal stormwater rule would be administered the Division and would primarily affect the **NC Department of Transportation** and the **five state universities** in the watershed.

The proposed effective date for the final rules pursuant to this public comment process is March 1, 2008.

HOW TO SUBMIT COMMENTS

The Commission is very interested in all comments pertaining to this proposed set of rules. The Division of Water Quality encourages those interested and potentially affected by this proposal to review the information below and make comments on the proposed strategy.

At the public hearings, participants will have the opportunity to make oral comments and submit written comments. The Hearing Officers will limit the length of time each speaker is allowed, if necessary, in order to allow all who wish to speak that opportunity.

Written comments may also be submitted to the address below **until August 14, 2007**. Written comments may be submitted to Rich Gannon or Jason Robinson of the Division's Planning Section at the postal address, e-mail address, or fax number listed below.

FOR ADDITIONAL INFORMATION

The following information related to the proposed rules is available on the Division website at:
<http://h2o.enr.state.nc.us/nps/JordanNutrientStrategy.htm>

- This announcement (3 pp)
- Summary of the reservoir's history and the need for and nature of the rules (8 pp)
- Text of the 12 proposed rules (compiled (81 pp) and individual)
- Fiscal analysis of costs to affected parties (187 pp)
- Links to draft TMDL and related water quality modeling information
- Final Report of 2003-2004 stakeholder goal-setting/conceptual strategy process (38 pp)

Secondary supporting information is also available as follows:

- Related Division of Water Quality rules:
http://www.ncwaterquality.org/admin/rules/codes_statutes.htm
- Full records of 2003-2004 stakeholder process that set strategy goals and developed a conceptual strategy can be found at the following website by following the path below:
<http://www.tjcog.dst.nc.us/downloads.shtml> - [jorlkstk](#)
> REGIONAL PLANNING > WATER RESOURCES > Jordan Lake Stakeholder Project

You may also request hard copies of information from or direct questions to:

Rich Gannon or Jason Robinson
DENR-Division of Water Quality, Planning Section
1617 Mail Service Center, Raleigh, NC 27699-1617
Phone (919) 733-5083, ext. 356 or 537, Fax (919) 715-5637
Rich.Gannon@ncmail.net or Jason.T.Robinson@ncmail.net