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September 12, 2007

Dr. David H. Moreau, Chair  
North Carolina Environmental Management Commission  
Raleigh, NC 27699-1617

Dear Commission Members,

Thank you for the opportunity to comment on the proposed Jordan Lake Nutrient Strategy and Rules. And thank you for the work the EMC board and staff do in working to protect North Carolina's air, waters, mountains, and beaches.

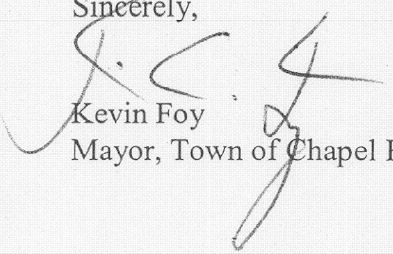
Protecting our environment by keeping our reservoirs clean is very important to local communities. Based on the recommendations of the Stakeholder group and the presentation by the North Carolina Division of Water Quality, I urge you to adopt the Jordan Lake Reservoir Supply Nutrient Strategy and Rules with a compliance date for nitrogen loading reduction requirements of not later than 2011. Immediate action is necessary to reduce levels of nitrogen at Jordan Lake. Ten years ago the state directed local governments, under the "Clean Water Responsibility Act" to reduce nitrogen levels from wastewater treatment plant effluent into the Jordan Lake Reservoir. But nitrogen levels have not been reduced and the threat to water quality is growing, especially as our region grows by a projected 60% over the next twenty years.

I understand that by adopting the Stakeholder group recommendations for an earlier date of compliance there will be financial and logistical consequences. But policymakers should err on the side of caution in protecting the environment, and weighing the potential consequences of delaying action against the potential environmental costs, we can conclude that the cautious route is to institute the earlier timeframe.

I am attaching a copy of a resolution that the Chapel Hill Town Council passed unanimously, which expresses the position I have outlined in this letter, and which has previously been forwarded to you.

Again, thanks to the commission for your efforts in protecting North Carolina's environment and especially your work to keep Jordan Lake clean.

Sincerely,

  
Kevin Foy  
Mayor, Town of Chapel Hill

AGENDA #16a(1)

**A RESOLUTION REQUESTING THE NORTH CAROLINA ENVIRONMENTAL MANAGEMENT COMMISSION TO ADOPT JORDAN LAKE RESERVOIR NUTRIENT RULES AND AN EFFECTIVE DATE NO LATER THAN 2011 FOR NITROGEN REDUCTIONS (2007-06-11/R-16)**

WHEREAS, the Jordan Lake Reservoir lies almost entirely within the boundaries of Chatham county; and

WHEREAS, the Jordan Lake reservoir is a popular recreation destination for over 1,000,000 visitors each year, including residents of Chatham and adjoining counties; and

WHEREAS, the Jordan Lake Reservoir is on the EPA 303(d) list of impaired waters due to excessive nutrients from wastewater effluents and non-point source pollution; and

WHEREAS, the State of North Carolina first directed local governments to reduce nitrogen levels from wastewater treatment plant effluent into the Jordan Lake Reservoir in 2007 under the "Clean Water Responsibility Act"; and

WHEREAS, those nitrogen levels have not been reduced; and

WHEREAS, the draft Jordan Lake Reservoir Supply Nutrient Strategy and Rules developed with the Stakeholder group and presented by the North Carolina Division of Water Quality to the Water Quality Committee of the North Carolina Environmental Management Commission in May 2005, set an implementation deadline for wastewater treatment plant nitrogen reductions beginning with calendar year 2011; and

WHEREAS, the nutrient loading into Jordan Lake Reservoir has increased since the rule making process began, and will continue to increase due to population growth in the greater Triangle and Triad areas of North Carolina until nitrogen reductions are required by law; and

WHEREAS, the draft Jordan Lake Reservoir Supply Nutrient Strategy and Rules presented by the North Carolina Division of Water Quality to the Water Quality Committee of the North Carolina Environmental Management Commission in January 2007 recommended that the implementation of the wastewater treatment plant nitrogen reductions be pushed back to 2016; and

WHEREAS, the threat to the water quality in Jordan Lake Reservoir and to the drinking water supply of Chatham County and other drinking water users as well as recreational users will be increased by the recommended delay in implementations from 2011 to 2016;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Chapel Hill that the North Carolina Environmental Management Commission is hereby requested to adopt Jordan Lake Reservoir Supply Nutrient Strategy and Rules with a compliance date for nitrogen loading reduction requirements of no later than 2011, as originally recommended, in order to protect the public health and welfare of the citizens of Chatham and other counties who adjoin the Jordan Lake Reservoir.

This the 11<sup>th</sup> day of June, 2007.