

BOARD OF ALDERMEN

ITEM NO. C(10)

AGENDA ITEM ABSTRACT

MEETING DATE: June 19, 2007

**TITLE: Request to Approve Comments on Proposed Nutrient Management
Jordan Lake Rules**

DEPARTMENT: PLANNING	PUBLIC HEARING: YES _ NO <u>X</u>
ATTACHMENTS: A. Resolution B. List of possible comments C. Rules Summary of Jordan Lake Rules D. Memo from Syd Miller- Initial comments for local governments E. Tentative schedule of rules approval process (FOR INFORMATION CONTACT: Patricia McGuire – 918-7327

PURPOSE

In follow-up to a presentation on the proposed rule for Jordan Lake, staff has compiled a list of possible comments that may, if the Board desires, be forwarded to the Environmental Management Commission during the public comment period.

INFORMATION

Rules establishing a Nutrient Management Strategy and Total Maximum Daily Load have been drafted for the B. Everett Jordan Reservoir (Jordan Lake) to satisfy state Nutrient Sensitive Water requirements and federally-mandated pollutant limits. The Environmental Management Commission has approved the draft rules proceeding to public hearing. These rules will likely change the manner in which land develops in the watershed. In the current form, the rules will be the strictest watershed rules to date in North Carolina with the inclusion of measures that will require retrofitting of current development within locales already subject to the Phase II NPDES requirements. Both the Nutrient Sensitive Waters and TMDL programs include the development of a calibrated nutrient response model to support a management strategy to control nutrients and meet the state chlorophyll a standard.

Staff has prepared a list of possible comments that the Board of Aldermen may wish to forward to the Environmental Management Commission. As was noted in advance of a presentation on the rules in mid-May by Sydney Miller, Water Resources Program Manager, Triangle J Council of Governments has played an important role in coordinating the development of these rules and ensuring a high level of stakeholder participation. The summaries of the rules and fiscal analysis provided by Mr. Miller for the May 15 meeting are attached (*Attachments C and D*). A tentative schedule of action on the rules is also attached (*Attachment E*).

FISCAL IMPACT

Staff hopes to provide a rough estimate of possible costs associated with Jordan Lake rules implementation in Carrboro for the Board's consideration on June 19th.

STAFF RECOMMENDATION

Staff recommends that the Board of Aldermen adopt the attached resolution directing staff regarding desired next steps associated with the Jordan Lake rules (*Attachment A*).