

**NOTICE OF PUBLIC HEARING for Jordan Lake Water Supply Storage Allocations  
Round 2 and Proposed Increase in Interbasin Transfer  
Towns of Cary, Apex, and Morrisville and Wake County (for RTP South)**

The North Carolina Environmental Management Commission (EMC) will hold two public hearings to receive comments on the Division of Water Resources' recommendations for Round 2 of Jordan Lake water supply storage allocations. The Commission will also receive comments on the petition for an increase in interbasin transfer from the Haw River Basin to the Neuse River Basin by the Towns of Cary, Apex, and Morrisville, and Wake County (for RTP South). This transfer is associated with increased water withdrawals from Jordan Lake. Notice of these hearings is given in accordance with North Carolina Administrative Code T15A:02G.0504(g) and N.C. General Statutes 143-354(a)(11) and 143-215.221(d).

The first public hearing will be conducted from 5:00 to 7:00 PM on March 5, 2001 at 512 N. Salisbury Street, Ground Floor Hearing Room, Archdale Building, Raleigh. The second public hearing will be conducted from 5:00 to 7:00 PM on March 6, 2001 at Fayetteville State University, Shaw Auditorium, Fayetteville. In addition, Division of Water Resources staff will be available to answer questions from 4:00 PM to 5:00 PM at each hearing location. The public may inspect the staff's recommendation report, the interbasin transfer petition, and the final Environmental Impact Statement (EIS) during normal business hours at the offices of the Division of Water Resources, 512 N. Salisbury Street, Room 1106, Archdale Building, Raleigh. These documents may also be viewed at the Division's web site: <http://www.ncwater.org/jordan/index.htm>.

The purpose of this announcement is to encourage those interested in these matters to provide comments and to comply with the public participation requirements regarding each of these matters. You may attend the public hearings and make relevant oral comments and/or submit written comments, data, or other relevant information. Written submissions of oral comments at the hearing are requested. The hearing officer may limit the length of oral presentations if many people want to speak. If you are unable to attend, written comments can be mailed to Tom Fransen, Division of Water Resources, DENR, 1611 Mail Service Center, Raleigh, NC 27699-1611. Comments may also be submitted electronically to [Tom.Fransen@ncmail.net](mailto:Tom.Fransen@ncmail.net). All comments must be received before 5:00 PM, March 9, 2001.

**Jordan Lake Water Supply Storage Allocations**

Jordan Lake is a U.S. Army Corps of Engineers multi-purpose reservoir located primarily in Chatham County in the Haw River Basin. The State of North Carolina has contracted for the use of the entire water supply storage in Jordan Lake and, under G.S. 143-354(a)(11), can assign this storage to local governments having a need for water supply storage. Initial allocations of water supply from Jordan Lake were made in 1988. The State is currently in the second round of allocations. Ten communities have requested new or additional allocations from Jordan Lake. Several of those requests involve interbasin transfers between the Cape Fear River and Neuse River basins.

In December 1997, the EMC decided on allocation requests not involving a transfer. The EMC deferred its decision on those requests involving a transfer until the required environmental documentation could be completed. In addition, the EMC deferred its decision on Chatham County and Harnett County pending additional information.

The requested allocations were based on water demands in 2025, with some requests based on average daily demands and some based on maximum daily demands. The Division of Water Resources decided to base its recommendations on average daily demands in 2015, resulting in smaller allocations. Because long-range projections are so uncertain, the Division believes that a more conservative incremental allocation process is the best way to manage this important regional resource. If allocations are made as recommended, 56 million gallons per day (mgd) of the total estimated yield of 100 mgd will remain available for future allocations to local governments. The recommendation allocations include: an additional 5.0 mgd for the Towns of Cary and Apex, bringing their total allocation to 21.0 mgd; 2.5 mgd for the Town of Morrisville; 1.5 mgd for Wake County acting for RTP South; no additional allocation for Chatham County, keeping their allocation at 6.0 mgd; and no allocation for Harnett County.

**Interbasin Transfer Request**

In conjunction with their request for a water supply allocation from Jordan Lake, the applicants (Towns of Cary, Apex, and Morrisville and Wake County acting for RTP South) have requested to increase their interbasin transfer from the Haw River Basin to the Neuse River Basin from 16.0 to 27.0 mgd. Water would be withdrawn from the Cary-Apex intake on Jordan Lake and discharged from existing permitted wastewater treatment plants located on tributaries of the Neuse River. Under the Regulation of Surface Water Transfers Act (G.S. 143-215.221), persons intending to transfer 2.0 mgd or more, or increase an existing must first obtain a certificate from the Environmental Management Commission. As part of the petition process,

the applicants completed an environmental impact statement. Review of the environmental impact statement by the Department of Environment and Natural Resources has been completed in accordance with the State Environmental Policy Act.

North Carolina G.S. 143-215.22I(e) requires the notice of public hearing include *a conspicuous statement in bold type as to the effects of the water transfer on the source and receiving river basins*. This statement follows in the next paragraph.

**The proposed transfer is an increase of 11 million gallons per day (mgd) in a previously approved transfer of 16 mgd, for a total maximum day transfer of 27 mgd. The proposed increase in the transfer will reduce the average annual flow of the Cape Fear River downstream from B. Everett Jordan Lake at Lillington, NC by a maximum of 0.49 percent (about one-half of one percent). Any impacts on downstream water quality or water supplies would occur under low flow conditions. Low flows are augmented by water released from B. Everett Jordan Lake, where two-thirds of the Lake's storage capacity is set aside for this purpose. Because the water stored for flow augmentation will not be affected by use of the water supply storage, the transfer will not affect flows at low flow periods when downstream water availability is a concern.**

**Based on review of the operating rules for B. Everett Jordan Lake, the Environmental Impact Statement, and the Cape Fear hydrologic model analysis, the Department determined that the proposed transfer will have no significant direct environmental impacts in either the source or receiving basins. However, secondary impacts due to urban growth supported by the additional water supply will occur in both the source and receiving basins. These impacts include loss of wildlife habitat, increased stormwater runoff, and increased sedimentation. Existing local, state, and federal environmental protection programs will mitigate these impacts to some degree.**

*The public is invited to comment on the applicants' petition and supporting environmental documentation.* The Commission is considering and seeking comments on three options with regard to the interbasin transfer request. The options, in no particular order, are: (a) grant the certificate for the 27.0 mgd interbasin transfer request; (b) deny the 27.0 mgd interbasin transfer request; or (c) grant the certificate, including any conditions necessary to achieve the purposes of the statute or to provide mitigation measures. The public is invited to comment on the following possible conditions and to suggest any other appropriate conditions, including other limitations on the amount of the transfer.

1. Allow the requested maximum day interbasin transfer amount of 27 mgd until 2010, but reduce it to 16 mgd after 2010.
2. Require Cary and Apex to have a wastewater plant discharging to the Cape Fear River on-line by 2010.
3. Require Apex, Morrisville, and Wake County to enact ordinances similar to the Neuse Buffer Rules for the parts of their jurisdictions that are within the Jordan Lake watershed. (Cary has already adopted a buffer ordinance.)
4. Require applicants to develop a compliance and monitoring plan for reporting maximum daily transfer amounts, compliance with certificate conditions, progress on mitigation measures, and drought management activities.

For more information, visit our project website at: <http://www.ncwater.org/jordan/index.htm>. You may also contact Tom Fransen in the Division of Water Resources at 919-715-0381, or email: [tom.fransen@ncmail.net](mailto:tom.fransen@ncmail.net).