

Final Draft

December 10, 2012

Mr. Chuck Wakild, Director
Division of Water Quality
NC Department of Environment and Natural Resources
512 North Salisbury Street
Raleigh, North Carolina, 27699-1601

Subject: Request to Review Robeson Creek Discharge for Town of Pittsboro, NC

Dear Mr. Wakild:

The Town of Pittsboro, NC is fortunate to see early signs of growth and development return to the heart of North Carolina's Piedmont region. As expected, we here in Pittsboro are excited about new economic development opportunities which will add to our rich quality of life and our local business community. However, we are mindful of our responsibility to preserve, protect, and restore the important environmental resources of the community that contribute to the rich quality of life afforded in Pittsboro.

We are very grateful to the staff of the North Carolina Department of Environment and Natural Resources (NCDENR) for working closely with the Town of Pittsboro to process our Environmental Impact Statement (EIS) for a wastewater treatment plant expansion project that included a dual discharge to Robeson Creek (0.75 mgd) and the Haw River (2.47 mgd). The Record of Decision (ROD) for the EIS was issued on March 29, 2010, and the Town received approval for the permit renewal and modification on June 2, 2011. Once again, I want to extend my sincere appreciation to NCDENR staff for taking the time to work with the Town to achieve this significant milestone for the current and future citizens of Pittsboro.

Since receiving the approved permit renewal and modification on June 2, 2011, the Town has been working to evaluate options to implement the wastewater treatment upgrade and expansion project with a dual discharge to Robeson Creek and the Haw River. In August 2012, the Town Board of Commissioners received an engineering report indicating that the capital cost for the discharge to the Haw River was approximately \$5.1 million. Given the scope, scale, and nature of this project and the associated costs, the Town of Pittsboro respectfully requests an opportunity to meet with you and representatives of your staff to review the dual discharge requirements defined in the approved permit renewal and modification. *Specifically, the Town would like to discuss the possibility of working with NCDENR and other stakeholders on a watershed-based study to evaluate the potential to eliminate or modify the dual-discharge requirement and increase the Town of Pittsboro's discharge to Robeson Creek from 0.75 mgd to a level that is sustainable for the ecological function of Robeson Creek.*

In making this request to collaborate on a watershed-based study, the Town clearly understands that Robeson Creek was listed as an impaired water body on the 2010 North Carolina 303(d) Impaired Waters List, and that impairment is related to habitat degradation contributions from both non-point and point sources. However, we would very much like to work with NCDENR staff and representatives from the

date

Page 2 of 2

Robeson Creek Watershed Council (RCWC), the Haw River Assembly, the NCSU School of Biological and Agricultural Engineering Department, and other stakeholders to identify the optimum combination of point- and non-point source nutrient reduction measures that can be cost-effectively implemented to mitigate the adverse impacts of excessive nutrient loading, restore the designated uses of Robeson Creek, and accommodate an increased discharge to Robeson Creek from the Pittsboro WWTP. For this purpose of the watershed-based study requested in this letter, the Town would preliminarily view cost-effectiveness in terms of offsetting or minimizing the \$5.1 million required to construct an effluent pumping station and outfall to the Haw River, and the associated annual operations and maintenance costs.

Please know that the Town of Pittsboro is committed to meeting the Town's responsibilities to achieve phosphorus reduction targets established for the Robeson Creek TMDL and the nitrogen and phosphorus reduction targets established for the Jordan Lake TMDL. However, we believe that a unique opportunity exists for the Town to work collaboratively with NCDENR staff and other important stakeholder groups to identify innovative and creative strategies to cost-effectively meet the TMDL requirements through a combination of planned, coordinated, and targeted nutrient reduction measures for both point and non-point sources of nitrogen and phosphorus. Our ultimate objectives – in order of priority – will be to:

- ✓ Meet or exceed the effluent limitations and allocations required by the June 2, 2011 permit renewal and modification, including the Robeson Creek TMDL for Total Phosphorous and the Jordan Lake TMDL and wastewater rule
- ✓ Work with your staff and other important stakeholder groups to restore the designated uses of Robeson Creek via a holistic watershed-based investigation,
- ✓ Work to address our impaired 303(d) listed water bodies using point and non-point source nutrient management and education strategies, and;
- ✓ Receive a permit modification for increased discharges into Robeson Creek from the Pittsboro WWTP to the extent it is feasible and based on maintaining the ecological function of the receiving waters.

Attached to this letter request, are letters of interest from key stakeholder groups that would like to participate with NCDENR staff and the Town of Pittsboro to identify opportunities to preserve, protect, and restore the health and condition of Robeson Creek through innovative and alternative approaches. Rest assured, the Town of Pittsboro has no preconceived expectations regarding the findings of such a watershed-based investigation, but given the magnitude of the costs for an effluent pumping station and pipeline, and the importance of Robeson Creek as a community environmental resource, we believe it is in the best interest of our citizens to make this request of NCDENR at this time.

Thank you very much for considering our request. I look forward to meeting with you and your staff soon to discuss the feasibility of initiating this proposed watershed-based investigation which will benefit Robeson Creek, Jordan Lake and the citizens of the Town of Pittsboro.

Mr. Dee Freeman, Secretary, NCDENR
Request to Review Robeson Creek Discharge for Pittsboro, NC

date

Page 2 of 2

Sincerely,

Randy Voller, Mayor
Town of Pittsboro, North Carolina

Cc: Mr. Dee Freeman, DENR Secretary
Mr. Bryan Gruesbeck, Town Manager

Attachments:

- (a) Letter from Haw River Assembly
- (b) Letter from Robeson Creek Watershed Council