

**Testimony to the Environmental Management Commission
Regarding the Proposed Rules to Clean up Falls Lake**

Karen Rindge, Executive Director

WakeUP Wake County

July 1, 2010

Thank you for the opportunity to speak. I am Karen Rindge, Executive Director of WakeUP Wake County, a nonpartisan group representing 3,000 citizens concerned about rapid growth and Wake County's future. We are voters, business people, educators, homemakers, grandparents, students and more who want to ensure that our communities are healthy and competitive in the long run. We formed four years ago as a voice for taxpayers who believe we need to plan well for growth.

We're still growing significantly. The Triangle region will add 1.2 million people in the next two decades, posing an increased burden on our drinking water supplies. The Raleigh metro region is the second fastest growing in the nation, posing even greater dependence upon Falls Lake to provide clean water to downstream residents. We simply cannot afford to NOT act – to clean Falls. Half a million people – and growing – depend upon it.

WakeUP very much appreciates the hard work of DENR and municipal staff and officials in developing these draft rules. We are pleased to see your commitment and offer these comments.

1. Given expected growth, we have an opportunity to change how we develop to protect water by keeping stormwater on site. Despite advances in Low Impact Development (LID), the rules fail to emphasize its use. The rules direct new development to focus on old structural controls like detention basins, while only making LID optional. This is a major missed opportunity. **On-site stormwater capture and filtration to attain original hydrology should be required in all new development in the watershed.** Total water volume needs controls because stream bank erosion – which is directly related to the water volume flowing off properties – also carries nutrients. LID is the most cost effective way to control volume.

2. Stage I should be implemented on a much shorter timeframe than proposed (WakeUP has urged a shorter implementation timeframe throughout the rules process). The data shows the lower lake is much cleaner than the upper, thus much easier to achieve nutrient reduction goals. There is no reason to push the cleanup process out many years given that the goal only goes back to 2006 pollution levels. Given how impaired the lake is, we should act without delay. WakeUP recommends Stage I cleanup in 3-5 years and views even the seven

year option as a significant compromise.

3. Stage II is also critical, and we endorse the proposed rules for addressing both upper and lower Falls. We cannot abandon the upper lake given how polluted it already is. Nutrient reduction targets for the lake are supposed to be achieved within 25 years, but the rules already concede any hard requirements on this. The rules build in much flexibility for local and state governments and provide opportunity to adjust action. The rules must clean up the entire lake because:

Pollution won't stay in one part of the lake, so stopping with just the lower lake won't get the job done over the long run.

We need to plan now for future development's impact, so rules will help businesses and local governments plan wisely. The lake wouldn't be in as bad shape if upstream municipalities had planned development better fifteen years ago.

People swim, fish, and boat in the upper lake; fish and wildlife live there. Federal law requires that people using the lake and wildlife must be protected..

Putting off action to clean the upper lake will simply increase the financial burden for upstream governments in future years.

Durham took strong action years ago to ensure their water-supply watershed for Lake Michie was protected. The city has an obligation to take responsibility for its past irresponsible development decisions permitting widespread development in the Falls watershed.

4. While the state's cost estimate of \$1.5 billion has upstream governments concerned and opposing needed cleanup actions, it's critical to consider several points on the costs before rejecting action because of cost outcries:

The \$1.5 billion cost estimate is a worst-case, conservative estimate. And the cost would be shared by many parties – public and private. Just how much? Our nonprofit Falls coalition estimated that using 2010 population numbers, **the \$1.5 billion would cost each resident living in the watershed just 72 cents per day** (over the 25 year period). And this assumes no population growth, which there will be, which means even less per person. This does not seem an outlandish expense for clean water.

Downstream water users bear increasing costs to cleanup Falls. Raleigh Public Utilities' costs have already escalated due to expensive filtration and chemicals. Raleigh has projected sizable costs for increasing treatment of potentially half a billion dollars. These costs will be born by Wake taxpayers.

Local governments could and should push redevelopment of urban properties, **which would improve current stormwater runoff and share costs with developers.** Let's promote good development practices as development occurs. This will be cheaper for developers than developing on greenfields because they don't have to achieve as high percentage of nutrient reductions, while saving local governments retrofit costs.

Technology for stormwater capture/filtration is improving and the costs are coming down, especially because municipalities all over the country are driving the demand for it.

5. This is truly about the future for our community, and taking responsibility today, rather than passing problems to future generations. Thank you very much for the opportunity to testify.