

August 26, 1998

## Lake James

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The N.C. Division of Water Quality regulates "point-source" pollution — that is, pollution flowing into waterways that comes directly from wastewater treatment plants or manufacturing sources — and has a good enforcement record, regularly fining violators.

But the state does not regulate "non-point" sources of pollution, which account for most of the contaminants in water. Non-point source pollution comes from runoff from agricultural operations, construction projects, and urban stormwater runoff.

Buffers are vital to protecting waterways from non-point pollution, officials say, but buffers can only be enforced by local governments, none of which seem to be adequately staffed.

"It is a problem," said Mike Struve, water quality administrator with the Hickory-based Western Piedmont Council of Governments. "A lot of the counties in our area don't have large planning staffs. If someone calls them and says, 'Hey, someone here is not following your ordinances,' they can go and check it out. But if they don't get that phone call, they're not going to run

out."

Even Mecklenburg County doesn't have the necessary resources.

"Certainly we don't have time to ride around in boats and look at the waterfront," said Linda Beverly, subdivision administrator with the Charlotte-Mecklenburg Planning Commission.

Some developers have better records than others in protecting water quality. Crescent Resources, as the largest property owner at Lake James and other lakes in the chain and a major developer of waterfront property, has a lot to do with what the lakes end up looking like. Planners who have dealt with Crescent in the past say the company has tried to be sensitive to the environment.

"I think most of the development is pretty responsible," Beverly said. "Most of the problems come about through individual builders and property owners."

Beverly cites a Crescent development on Mountain Island Lake called The Overlook in which 100-foot buffers were required and diversion ditches and manmade wetlands built.

"They showed you could have

an economically feasible development but at the same time be environmentally sound. They really went all out," she said.

But some officials say even responsible development can become detrimental if density is high enough. Harmful nutrients from fertilizers, failed septic tanks and other problems can impact water quality, they say.

In response to growth pressures at Lake James, and after hearing of Crescent's plans for the South Pointe development, Burke commissioners in April 1997 issued a moratorium on lakeside development until a public sewer system can be installed. County officials said they wanted to protect the pristine lake from pollution.

County Commission Chairman J.R. Simpson said the moratorium was needed "because of the danger of septic tank runoff into the lake. There are several things that are potential causes of pollution. Much of it goes beyond county borders, but we can do something about what's going on at the lake on our section."

Commissioners are currently considering adopting a new subdivision ordinance that includes a

requirement that lakefront lots not served by a public sewer system be at least five acres in size. Developers, including Crescent, have blasted the proposal as unnecessary, saying septic tanks can be operated effectively on less acreage.

David Rust, environmental health supervisor with the Burke County Health Department, said septic systems can work effectively on less than five acres.

"If the soil is capable of absorbing the effluent and treating it, then there's not a problem," he said.

But Rust also noted some drawbacks to waterfront septic tanks.

"We often find the soil is less desirable around the lake," he said. "We tend to have slopes that are steeper, which causes soil to erode. And in a lakefront scenario, when a system fails the effluent is going downhill into the lake."

Crescent and other developers say new septic tank technology would virtually eliminate the possibility of a leak. But while conceding that the new systems are improved, Rust said they also have a flaw.

"The technology works well," he said. "The maintenance is where the problem is. The new systems require more maintenance because they have pumps and specialized drain fields. The biggest single problem we've seen with those systems is that homeowners are not maintaining them properly."

## Hurricane Bonnie

of Dare County," he