



## Statement Regarding August 8, 2017, Franklin Board of Mayor and Aldermen Meetings

The Harpeth Conservancy is a 501(c)(3) non-profit organization dedicated to clean water and healthy ecosystems for rivers in Tennessee, championed by the people who live here. We have represented the public interest in restoring and protecting the Harpeth River since 1999. Our approach employs scientific expertise and collaborative relationships to develop, promote, and support broad community stewardship and action for the Harpeth River and all of Tennessee's waters.

We want to address item 21 on the Work Session agenda: the engagement of counsel for the appeal of the discharge permit for the Franklin sewage treatment plant. Harpeth Conservancy has appealed the permit because it allows the City to more than double the amount of phosphorus pollution it is currently actually discharging into the Harpeth River. Even at current levels of discharge, the river is on the state's list of impaired waters for excessive phosphorus. The state has identified this pollution as coming from the City's sewer plant and stormwater runoff. The permit Franklin seeks does not result in any restoration of the river, or even hold the line at current phosphorus pollution levels.

Phosphorus is a principal concern because it causes the growth of potentially toxic blue-green algae and other harmful algae blooms. Examples of this happening can be seen all across the country, from the Great Lakes to California and Florida. Experts say that the Harpeth River is at or beyond a tipping point for the growth of blue-green and other harmful algae blooms.

We want to make sure that the BOMA and the public are aware of the positions that the City is taking in this matter. The City sought, from the Tennessee Department of Environment and Conservation, permission to more than double the amount of phosphorus it is currently actually discharging into the river. The City has now filed its own permit appeal, and states in its appeal that "... no phosphorus limit is necessary for Franklin." Further, Franklin's own permit appeal states that "If TP [total phosphorus] limits more stringent than those set forth in the prior NPDES permit are deemed to be appropriate, the limits should be higher than 63,693 lbs/yr." 63,000 lbs / year, the annual limit of the new permit, is more than double the amount the City is now discharging into the river. At current discharge levels the river is still on the state's 303(d) list, but the City seeks permission to discharge more than double that amount.

These claims also contradict the statements in the settlement agreement the City entered into with the Harpeth Conservancy little more than a year ago to resolve the federal

### SCIENCE-BASED CONSERVATION FOR THE RIVERS OF TENNESSEE

*Harpeth River Watershed Association, DBA Harpeth Conservancy, is a Tennessee non-profit corporation and a 501(c)(3) organization.*

*All donations are tax deductible to the full extent allowed by law.*

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TDEC permission to more than double the amount of phosphorus it is currently actually discharging into the river.

The City is taking this position to increase its pollution in spite of the river's status on the state's 303(d) list as being impaired for phosphorus, and thus legally unable to accept more pollution, and that the sources of that pollution are the City's sewage treatment plant and stormwater runoff.

There is no issue of the City begin able to afford systems to control phosphorus discharges into the river. The City is borrowing almost \$100 million to build the plant expansion, and is even prioritizing the installation of chemical processes to control phosphorus pollution if this is needed.

We understand that either or both of the proposed biosolids systems mentioned in the contract amendment can also be utilized reduce phosphorus and other pollution in the river. We would strongly urge the BOMA and the City's Water Management Department to explicitly make one of their selection criteria an evaluation of the Cambi and Lystek systems' relative abilities to reduce phosphorus pollution in the river.

Harpeth Conservancy stands ready to work cooperatively with the City to help restore and protect the river and is prepared to assist the City in evaluating the two technologies' ability to cleanup and protect the river. As a part of this effort, Harpeth Conservancy also looks forward to a serious commitment by the City to live up to prior obligations and to work amicably with us.