

Subject: WWP Response to DENR
From: NCDeerHunter29@aol.com
Date: Tue, 10 Oct 2006 19:01:41 EDT
To: keith.weatherly@apexnc.org, bryan.gossage@apexnc.org, billjensen@nc.rr.com,
mjones@wakemed.org, gene.schulze@apexnc.org, bill.sutton@apexnc.org
CC: melba.mcgee@ncmail.net

Dear Mayor and Town Council Members,

I spoke with Larry Horton (NC CG&L) on Oct. 9, 2006 and he confirmed to me that the response submitted by WWP on Sept. 9, 2006 titled "Additional Information to the April 2006 Draft EIS for the Western Wake Regional Wastewater Management Facilities" was in fact a final submission and not a "draft". NC CG&L then responded to this WWP final document on Oct. 2, 2006.

At your Town Council meeting on Sept. 19, 2006 and then again at the WWP PAC meeting on Sept 26, 2006 it was requested that a WWP response be reviewed and agreed to by your Town Council before being sent to NC CG&L.

Mayor Weatherly, you stated to me after the PAC meeting that the document was a "draft". It is clear to me that this was not a true statement. This once again demonstrates the inaccurate communications from WWP to the New Hill community. We have been waiting for the final document so we could comment on it's content. I feel we were once again deceived.

Tommy Esqueda continues to say at various Town Council meetings that the submitted document is a "draft" when the State says otherwise. Tommy Esqueda is misleading you. If the document was a "draft" then why wasn't the document titled as a "draft"? Why then would the State officially response to the document on Oct. 2, 2006?

Paul Barth, President
New Hill Community Association
2108 New Hill - Olive Chapel Rd
New Hill, NC 27562
919-362-7905



PUBLIC WORKS AND UTILITIES DEPARTMENT

October 20, 2006

The Honorable Keith Weatherly
Town of Apex
PO Box 250
Apex, NC 27502

Dear Mayor Weatherly:

This is to address issues raised by Mr. Paul Barth's October 10, 2006 email to you.

The Sept 6, 2006, letter and Additional Information sent to CG&L that Mr. Barth references was a formal response by the Western Wake Partners to comments by CG&L on the "draft" Draft EIS. However, until CG&L considers the Draft EIS "final", the Partners do not consider any part of the overall package of the "draft" Draft EIS – including any Additional Information – to be "final" as Mr. Barth stated. We expect these draft documents will continue to receive review comments from the document "owner" (CG&L) to the author (the Western Wake Partners) until NCDENR approves the "final" Draft EIS for submittal to the State Clearinghouse for public comment.

On Sept 26th, the PAC asked that the TAC provide any future information to the PAC for review prior to sending it to CG&L. This request for advance review was made at the PAC meeting by Apex in response to discussions that occurred at the Apex Town Council meeting on Sept 19th regarding the Sept 6th Additional Information submittal. Information sent out prior to the Sept 26th PAC meeting was not sent to the PAC for advance review since the PAC had not yet directed this to happen.

In summary, the submission to CG&L by the Western Wake Partners on Sept 6 of "Additional Information" for the Draft EIS was not labeled "draft", but it was definitely considered work in progress, and the Western Wake Partners expected there to be further comments by CG&L before the Draft EIS could be considered "final" and submitted to the State Clearinghouse. On October 2nd, we did receive further comments and we continue to work on the "draft" Draft EIS so that it will meet DWQ and CG&L expectations. As requested by the PAC on Sept. 26th, further submittals to CG&L will be provided to PAC members for review before submittal to CG&L.

In closing, it's important for you to know that in addition to always having email and phone access to both TAC and PAC members, Mr. Barth was in attendance at the September 26th PAC meeting after which he had face-to-face access with nearly a dozen of us who could have personally dialogued with him on this matter. If he had

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brought this matter up then, we could have easily clarified the "draft" versus "final" Draft EIS status. Unfortunately, he chose to make assumptions without taking the opportunity to discuss them with us.

Please contact me with questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert K. Fisher". The signature is fluid and cursive, with a long horizontal stroke at the end.

Robert K. (Kim) Fisher, P.E.
Director of Public Works and Utilities

Cc: Bruce Radford, Apex Town Manager
Bill Coleman, Cary Town Manager
Western Wake Partners PAC Members
Dan Blaisdell, CG&L
Melba McGee, NCDENR
Paul Barth