

Subject: FEIS Comments

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To: Henry.M.Wicker.Jr@usace.army.mil

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U.S. Army Corps of Engineers, Wilmington District

Regulatory Division

Attn: File Number 2005-20159

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Email address: Henry.M.Wicker.Jr@usace.army.mil

Dear Mr. Wicker,

I am writing in reference to the Final Environmental Impact Statement for the Western Wake Regional Waste Water Treatment Facility.

Mr. David Bowden on Maynard Road in Cary is not the only one being "Screwed by the Town of Cary."

Everyone living within one mile of Site 14, and everyone whose land will be taken for the sewage plant pipelines is being "Screwed by the Town of Cary."

Let me give some examples to support my contentions:

The selection of Site 14 was done in secret behind closed doors with total disregard for Open Meeting laws, with no input from New Hill residents. Need proof of this? Consider the following examples:

Susan Moran, Cary Public Information Officer wrote in an 11/30/2004 email;

"...the partners have agreed that we want to avoid publicity for as long as possible..."

Carl Dean, Holly Springs Town Manager wrote in a 12/16/2004 email;

“We need to develop a method to handle these utility projects without the public hearing requirement.”

Leila Goodwin, Water Resources Manager for the Town of Cary wrote in a 5/27/2005 email;

“If you get questions from the media, direct them to Susan Moran. If you get questions from citizen direct them to the web site.”

The Cary Town Council had planned to condemn Site 14 at their June 9, 2005 council meeting, however, because New Hill residents had not been told a sewage plant was being placed in the middle of their community, Cary, at the urging of Wake County Manager David Cooke, delayed this decision until their June 14, 2005 meeting.

The Communication plan on the Partner’s web site stated an Open House was scheduled for January 2005. No communication meeting occurred until New Hill accidentally discovered the plan to place a sewage plant in New Hill. Then Cary hastily arranged a public meeting for June 14. Not only did this meeting take place after Site 14 was selected, it took place after the sewage plant bond referendums were passed by the towns.

Cary’s consultants chose the original 29 sites then ranked them according to suitability for a sewage plant. It is very interesting that the Technical Memorandums produced by the consultants had the top 3 sites on property owned by Progress Energy (Reference TM 05). Yet when it came time to select a site, those top 3 sites were skipped, and the site ranked 4th (Site 14) was chosen. (Reference Technical Memorandum No. 05: Table 5-6 Weighted Scores and Ranking.)

When asked multiple times for reasons why the top 3 ranked sites were skipped, no response was given.

The July 28, 2004 Interlocal Agreement between the Western Wake Partners, Paragraph 2.04 states;

“In the event that any of the parcels must be acquired by the exercise of the power of eminent domain, the County will make the best efforts to institute such an action in its name on behalf of the municipal Parties no later than June 30, 2006.”

During the June 2005 Cary Town Council meeting when Site 14 was condemned, Mayor McAlister led the council to believe that if site acquisition did not happen immediately, the timely completion of the sewage plant would be in jeopardy. This led the Cary Town Council to condemn Site 14 one year ahead of schedule. Why the rush to condemn?

During the same meeting, Mayor McAlister also stated;

“As recently as yesterday, Ms. Dorrel and myself met with a representative group from New Hill and answered their questions.”

The Mayor is correct that he did meet with four people from New Hill. The Mayor gave the impression that he answered all questions even though he knew that he and Ms. Dorrel had not done so. The New Hill group had many unanswered questions, particularly about cost analysis. Again, the question has to be asked and needs answering, why the rush to condemn the land?

After Site 14 was condemned, we learned in a June 26, 2005 email from Cary Council member Jennifer Robinson that;

“Historical or societal issues were not considered when the site selection process was undertaken. For that I am very sorry.” and;

“I agree with you that this vote was one that doesn’t comply with “by the people and for the people.”

Other examples of WWP deceit are:

Keith Weatherly, Mayor of Apex, did not allow Apex Town Council to discuss and vote to approve or disapprove Site

14. Mayor Weatherly exceeded his authority by signing an approval letter for Site 14 without council involvement.

Our Wake County Commissioners abdicated their responsibility to represent New Hill community as shown in a June 1, 2005 email from Wake County Manager David Cooke;

“My goal is to help keep us on track without the Board of Commissioners from having to get involved or being dragged in.”

And this email was just a day after Mr. Cooke told the New Hill community that he had just learned about this project when in fact he had not only known about the project all along but he was an active member of the project team.

On the August 7, 2005 NBC 17 TV program, At Issue, in response to an inquiry about using Progress Energy sites, Cary’s Public Information Officer Susan Moran states;

“You’re talking about pumping raw sewage – twice as much as you need to.”

Afterwards when pressed for data to backup her allegation, no response was received.

Susan Moran has stated many times in the media that “New Hill will be served” by this facility. When challenged, Ms. Moran had to backtrack by saying that annexation of New Hill by one of the surrounding towns would be prerequisite.

Continuing with Cary town officials, Cary’s Town Manager stated that Progress Energy (PE) had been contacted regarding acquisition of their property for the sewage plant site and PE refused. This was a false statement made to mislead those reviewing the project. I and another community member met with PE Manager of Community Relations Mary Clayton and Director of Land Management Tom Trocheck. We were told that Cary had never asked PE about using their land. They only discussed easement for pipelines!

It is very hard for me to understand why Cary and the WWP will not respond to the public outcry to do the right thing for the people of New Hill.

Continuing this course of action is what prompts voters to take action, much like the action that was taken with the recent senatorial election in Massachusetts.

Paul Barth
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