

June 25, 2006

Daniel M. Blaisdell, PE
Assistant Chief, Engineering Branch
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North Carolina Division of Water Quality
1633 Mail Service Center
Raleigh, NC 27699-1633

Dear Mr. Blaisdell:

As you heard at the June 15, 2006 Public Hearing, there are numerous reasons to reject the Draft EIS submitted by the Western Wake Partners. These include federal rules from the EPA on Environmental Justice, errors in the Western Wake Partners cost analysis, and severe problems with the process used to select the currently proposed site, the Seymour farm. I will not re-iterate what was said that evening, as you have the notebooks full of information provided by our community association. I would like to emphasize one point, and provide a response to some excuses I expect will be given by the Western Wake Partners.

First the point of emphasis. On June 15, 2006, I spoke of the unnecessary environmental danger of pumping raw sewage for miles – I believe there are currently planned 10 miles of affluent pipes- compared to treating the sewage locally and pumping the treated effluent to the Cape Fear River Basin. I sited past sewage leaks in the towns and commented that at least when they occur in the towns the people have municipal drinking water. We rely on wells. Currently, Cary is spilling 200,000 gallons of raw sewage PER HOUR. If that were occurring in New Hill it would be an environmental disaster putting the health of families and livestock at risk. Please don't let the towns move forward with a plan that creates such an unnecessary environmental hazard.

On to rebutting potential responses from the towns:

There are several arguments the Western Wake Partners may use against changing the site for the sewage treatment plant.

1. The partners may argue, "We've already gone too far, changing the site will create a delay". In fact there has been hint in their previous discussions that this is why they were acting so quickly – to create the impression that they had already gone too far to change anything. In response I would point out that their original timeline called for obtaining a site by the summer of 2006. They will not be far off schedule. Swift, but bad, decisions should not be rewarded. The partners ignored all concepts of environmental justice in picking the Seymour farm for the sewage treatment plant site, despite the fact that the data was readily available.

2. The partners may also say “We’ve already paid for the Seymour farm for the sewage treatment plant. Changing sites will create additional expense”. Response: State statute allows for land condemned for public projects to be returned to the original owner for the original cost plus the costs of any improvements made (none at this point). The WWP’s will regain the cost of the Seymour farm. I hesitate to mention a second alternative, given the greed I’ve witnessed in one of these towns, but they could maintain ownership. When an alternative sewage treatment site is developed, the WWP’s could then provide sewer service to the Seymour property and sell it, turning a tidy profit in the process. In my opinion, this would be unethical and unfair to the Seymours, but it does show the partners won’t lose anything financially by changing the site.

3. President Bill Clinton issued Executive Order 12898, on “Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations”. It is obvious that the current plan violates the most basic principles of environmental justice (Please consult the environmental justice section of the New Hill community response). The selected site is in a predominantly minority, low-income neighborhood and the sewage treatment plant will benefit predominantly white, economically privileged towns of the Western Wake Partnership. However, the partners may argue that there are no state environmental justice regulations, and that permitting this facility is a state matter, so federal environmental justice rules don’t apply to them. However, the Clean Water State Revolving Funds are 80% federal, with just a 20% match from the state. Because federal funding is supporting the project, federal environmental justice doctrine applies.

Thank you for considering these comments.

Sincerely,

Dr. David G. Bristol
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