

June 26, 2006

Mr. E. Leo Green
Chairman, Water Resources Committee
PO Box 609
Wilson, NC 27893

Dear Mr. Green:

By introduction, I am Dr. David Bristol, a resident of New Hill, North Carolina and Vice President of the New Hill Community Association. I am writing to you about what I consider to be a grave injustice to the unincorporated town of New Hill. As I am sure you know, the towns of Cary (lead agency), Apex, Holly Springs and Morrisville formed the "Western Wake Partners" (WWP) to work on an integrated plan for sewage disposal. In part they need to meet a demand that certain of these towns that take drinking water from the Cape Fear River Basin return treated wastewater to the same river basin by 2011.

There is no argument that they need to comply with interbasin transfer regulations, and that an integrated planning approach to sewage treatment is best when dealing with multiple municipalities in a common portion of the county. However, the site they have chosen ignores the most basic premises of environmental justice, as determined by the Environmental Protection Agency. The WWP also made errors in their cost analysis, and serious errors in their site selection process. These errors are detailed on the enclosed CD which lists the New Hill Community's objections to the WWP's draft Environmental Impact Statement.

The site selected is a low income, predominantly minority community (approximately 50% African American, 12% Hispanic, 5% Native American and 17 % over the age of 65). The WWP's tried to hide this fact by using an entire 48 square mile census node, one that did not even include the whole piece of land condemned for the project, to compare the population of the selected site with the populations of the towns. It is in close proximity to two churches, playgrounds and retirement homes. It was not the top site on any preliminary studies, yet it is being targeted for this plant.

Yesterday and today there have been numerous articles in the News and Observer and local television stations of a multimillion gallon sewage spill in Cary. Fortunately, the citizens who live there still have access to municipal drinking water. When such a spill occurs in New Hill it will endanger the wells we rely on for drinking water for people and agricultural production. An environmentally safer alternative to the current plan is to treat the sewage locally, and have longer effluent pipes to the Cape Fear River.

I am writing with two very specific requests. It is my understanding that the Water Resources Committee that you chair deals with issues of interbasin transfer. I am asking that:

1. You urge the appropriate people in the Division of Water Quality to reject the current draft EIS for the multitude of reasons included on the CD.
2. Please indicate to the WWPs that the target date for the end of the interbasin transfer of water remains at 2011, but that the EMC is willing to extend that for a short period of time if necessary for them to obtain a better site for the sewage treatment plant.

I am making the second request because I feel sure the WWPs will indicate they can't consider another site and still meet the 2011 deadline. In reality, their original timeline indicated they were to acquire land in the summer of 2006, so another site selection could occur without significant delay to the completion of the project. However, if they do make a good faith effort to find a better, safer site I would hope that state agencies could show a little flexibility on the deadline date.

One final point. I realize that environmental justice is a federal issue, as directed by President Bill Clinton under Executive Order 12898, on Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations. North Carolina does not have it's own environmental justice statutes, so the WWPs may state that environmental justice rules do not apply. However, the construction loans being provided to the towns are 80% federal money, so environmental justice applies.

Sincerely,

David G. Bristol
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