

WESTERN WAKE PARTNERS



February 16, 2007

Ms. Coleen H. Sullins, P.E.
Deputy Director
Division of Water Quality
1617 Mail Service Center
Raleigh, NC 27699-1617

Subject: Western Wake Partners
Draft Environmental Impact Statement
Siting Process Information

Dear Ms. Sullins:

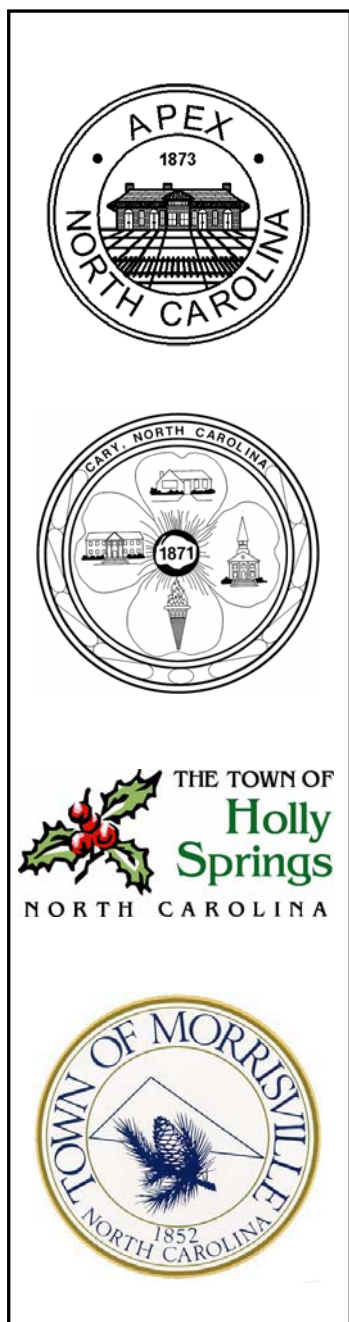
In response to comments from the Division of Water Quality (DWQ) following the public hearing on the Preliminary Draft EIS on June 15, 2006, the Project Partners are submitting a revised PER Technical Memorandum No. 05 – Water Reclamation Facility Siting. This revised TM includes updated information per DWQ direction and guidance for the site selection process, and completes our submittal of all information requested from NCDENR relative to the April 2006 Preliminary Draft EIS.

DWQ Information Request

After receipt of the NCDENR Hearing Officer's report for the June 15, 2006 public hearing, DWQ clarified specific recommendations and information requests of the hearing officers in a letter to the Project Partners dated July 27, 2006. These requests pertained specifically to the WRF Siting Process, Secondary and Cumulative Impacts (SCI), Influent and Effluent Pipelines, and Public Input. The Project Partners responded to this request on September 5, 2006 and on October 2, 2006 DWQ indicated that SCI and Pipelines had been adequately addressed, but requested additional information regarding site selection and environmental justice. In correspondence submitted on November 9, 2006, the Project Partners outlined a public participation program and were directed to proceed with that program on December 7, 2006. In additional correspondence dated January 10, 2007, the Project Partners provided the specific information requested by DWQ in the October 2, 2006 letter and further indicated that they were assembling comprehensive data to re-evaluate the site selection process.

Revised TM No. 05 – Water Reclamation Facility Siting

As required by NCDENR Environmental Justice guidance, the attached TM includes a re-evaluation of potential WRF sites. A similar level of information and analysis is used for each of 13 sites. Any prior use of service factors and weighting



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factors has been eliminated in this re-evaluation. Each of the sites has been evaluated both qualitatively and quantitatively based on the following factors:

- Private property impacts
- Environmental impacts
- Project costs
- Environmental Justice
- Potential effects from changes to Harris Lake surface elevation

Public Participation Program

As requested in DWQ's July 28 letter and as outlined in the Partner's November 9 response, a public participation program has been conducted. In discussing our public participation program with DWQ staff in December, the Partners were directed to conduct this participation program for each of the 3 sites that exceeded NCDENR criteria for environmental justice issues: sites 14, 20 and 28. Based on the detailed re-evaluation of all 13 sites included in Revised TM No. 05, sites 20 and 28 have other factors, which would be unaffected by public input, that make them undesirable sites for a WRF. Therefore, the public participation program has only been conducted for site 14; however, the Partners remain willing to conduct the additional public participation efforts if NCDENR believes the information is necessary to complete the EIS.

The attached TM includes a summary of the public participation program, and a more detailed report will be included in Appendix I of the Draft EIS.

NCDENR Guidance for Environmental Justice

The TM also documents compliance with the five elements of NCDENR environmental justice guidance:

- *Minority and income statistics* were included in the Preliminary Draft EIS and are summarized again in the TM.
- Discussion is provided regarding potential *disparity in provision and location of sewer treatment and transport facilities*.
- *Historical impacts from environmental management or public facilities* on minority populations are discussed.
- The *public participation* process is summarized.
- The *re-evaluation of alternatives* is presented, and *mitigation measures* to minimize adverse impacts are summarized.

Recommended Site

The conclusion of the site re-evaluation is that Site 14 remains the preferred site for the Western Wake WRF. The only potential negative factor for Site 14 is the environmental justice demographics, but potential adverse impacts, based on concerns identified by nearby residents during the public participation program, will be mitigated with measures which are outlined in the TM.

Sites 25 and 30 also have desirable characteristics for a WRF, but Site 25 impacts more property owners directly and has higher costs; and Site 30 has significant impacts on intermittent streams and Wildlife Resources Commission Gamelands, has higher costs, and the impact of potential changes to the elevation of Harris Lake is uncertain. Further, a shift to either of these two sites at this point in this process will delay the project approximately 18 months due to the land acquisition process, site and environmental surveys, and WRF and pipeline design revision processes.

The Project Partners are very interested in meeting with DWQ and NCDENR representatives at your earliest convenience to discuss this additional information. Based on any comments the agencies have on the revised WRF site selection analysis, we can jointly determine the path forward on the EIS and other permitting processes.

If you have any questions or want to set up a meeting to discuss this information, please contact me at (919) 462-4092.

Sincerely,



Robert K. (Kim) Fisher, P.E.
Director of Public Works and Utilities
Town of Cary
Project Coordinator
Lead Agency for Western Wake Regional WWMF Project

cc: Dan Blaisdell/CG&L
Bobby Blowe/CG&L
Melba McGee/NCDENR
Mary Penny Thompson/NCDENR
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Western Wake Partners Policy Advisory Committee
Western Wake Partners Technical Advisory Committee