

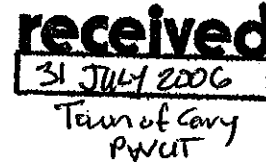


Michael F. Easley, Governor

William G. Ross Jr., Secretary
North Carolina Department of Environment and Natural Resources

Alan W. Klimek, P.E. Director
Division of Water Quality

July 27, 2006



Mr. Robert K. Fisher, P.E.
Director of Public Works and Utilities
Town of Cary
Post Office Box 8005
Cary, North Carolina 27512-8005

SUBJECT: Western Wake Partners
Draft Environmental Impact Statement
Hearing Officers' Report, DENR Public Hearing
June 15, 2006
Project No. CS370616-03

Dear Mr. Fisher:

A copy of the Hearing Officers' report regarding the June 15, 2006 DENR Public Hearing is enclosed for your use. The Hearing Officers' recommendations are included in Section IV of the report, and the Division concurs with these recommendations. Following is a further discussion of each one:

Siting Process

- To address this recommendation and ensure that appropriate sites have been properly evaluated, a revised Draft Environmental Impact Statement should contain a more detailed discussion and presentation of how the service factors, weighting factors, and cost analyses were used to select the currently proposed WRF site.
- The second recommendation under this heading addresses Environmental Justice (EJ). A revised Draft EIS should provide additional information to address this recommendation. To better evaluate demographics around the WRF proposed site, it is suggested that a radius be extended from the WRF site to the furthest point on the boundary of the New Hill Historic District. A second radius that is twice the length of the first radius should also be extended from the WRF site. The areas encompassed by the resulting circles should then be analyzed for the Environmental Justice demographics.

One
North Carolina
Naturally

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In the event that any other WRF sites are considered, whether due to the revised EJ analysis or not, they too should be analyzed in a similar manner. Additional guidance regarding Environmental Justice, including the EPA Region 4 EJ Review process dated May 2000 and EJ Guidance from the Council on Environmental Quality (CEQ), is enclosed for your use. The information in Appendix A of the CEQ Guidance appears particularly useful.

- The third recommendation under this heading is self-explanatory. However, in the event that additional information cannot be obtained, the Department of Environment and Natural Resources will be glad to facilitate a meeting in our offices.

Environmental Impacts

- A review of the Town of Apex's "Secondary and Cumulative Impacts Master Mitigation Plan" (SCIMMP) indicates in Section 1.2 that the study area for the plan is the town's planning area. Based on Figure 1-1 from the SCIMMP, it appears that the New Hill area of Wake County is included in the town's planning area. Thus, please confirm whether the Apex SCIMMP *currently* covers the WRF site and the New Hill area. If so, this should be clarified in all affected sections of a revised Draft EIS.
- The second recommendation is self-explanatory.

Influent and Effluent Pipeline

The revised DEIS should include a more detailed discussion of proposed operational, maintenance, monitoring and spill-release-response plans. These proposed plans might be incorporated into any non-discharge permits issued for the construction and operation of the proposed transmission facilities.

Public Input

This recommendation is self-explanatory.

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As stated in the conclusion of the Hearing Officers' Report, before the Division of Water Quality can consider the Draft EIS a complete document to be submitted to the State Clearinghouse, each recommendation must be addressed in a revised Draft Environmental Impact Statement. Please contact Mr. Daniel M. Blaisdell, P.E. at (919) 715-6211 if you, the Western Wake Partners, or their consultants, have any questions regarding this matter.

Sincerely,



Coleen H. Sullins
Deputy Director

Enclosures

Cc: Town of Apex - Mayor Keith Weatherly
Town of Morrisville - Mayor Jan Faulkner
Town of Holly Springs - Mayor Richard G. Sears
Wake County Manager - David Cook
Daniel Blaisdell, P.E.
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