



US Army Corps  
Of Engineers  
Wilmington District

# PUBLIC NOTICE

Issue Date: March 30 2007  
Comment Deadline: April 30, 2007  
Corps Action ID #: SAW-2005-20159-1

All interested parties are hereby advised that the Wilmington District, Corps of Engineers (Corps) is holding a scoping meeting for work in jurisdictional waters of the United States that is proposed by Western Wake Regional Wastewater Management Facilities Project Managers. Specific plans and location information are described below and shown on the attached plans. This Public Notice and all attached plans are also available on the Wilmington District Web Site at [www.saw.usace.army.mil/wetlands](http://www.saw.usace.army.mil/wetlands)

**Applicant:** Western Wake Regional Wastewater Management  
Facilities Project Partners  
c/o Mr. Kim Fisher  
Town of Cary  
420 James Jackson Avenue  
Cary, North Carolina 27513

## Authority

The Corps will evaluate this application and decide whether to issue, conditionally issue, or deny the proposed work pursuant to applicable procedures of Section 404 of the Clean Water Act.

## Location

The proposed project will be located within the wastewater treatment service area of the Towns of Apex, Cary, Holly Springs and Morrisville, as well as the Wake County portion of Research Triangle Park, North Carolina.

## Existing Site Conditions

Site conditions of the project area vary from developed residential, commercial and industrial areas within the Townships and rural areas outside of the city limits. The construction of the wastewater facility and associated structures (sewer lines, pump stations, discharge structures) will have impacts in these urban and rural areas and will also have impacts to a variety of landscapes including stream crossings.

### **Applicant's Stated Purpose**

The Project is being implemented by Western Wake Partners to provide wastewater service for planned growth and development and to comply with regulatory mandates issued by the North Carolina Environmental Management Commission (EMC) and the Department of Environment and Natural Resources (NC DENR). The Towns of Apex, Cary and Morrisville obtain their drinking water from Jordan Lake in the Cape Fear River Basin and discharge treated effluent to locations within the Neuse River Basin. Obtaining water from one basin and discharging it to another river basin is known as an interbasin transfer (IBT), and it requires a permit from the EMC. In July 2001, the EMC granted the communities their IBT certificate but placed a requirement in it to return wastewater to the Cape Fear River Basin by January 1, 2011. Thus, these communities must construct wastewater transmission and disposal facilities in order to comply with the terms and conditions of the IBT certificate issued by the EMC.

The Town of Holly Springs currently discharges wastewater into Utley Creek of the Cape Fear River Basin. The North Carolina Division of Water Quality desires to limit the amount of effluent discharged to Utley Creek; therefore, any increase in discharge from this treatment facility is conditional upon the ability of Holly Springs to utilize the outfall structure listed within this proposal by the year 2011.

### **Project Description**

This project will be a regional wastewater pumping, conveyance, treatment, and discharge project to serve the Towns of Apex, Cary, Holly Springs and Morrisville, as well as the Wake County portion of Research Triangle Park (service area), North Carolina.

The proposed project is being reviewed to address a number of issues which includes an alternatives analyses, direct environmental impacts, secondary and cumulative environmental impacts, environmental justice concerns, endangered species, and potential project costs.

*Alternative Analysis:* The purpose of the alternatives analyses is to present a discussion of the environmental impacts associated with a reasonable number of alternatives. The proposed project and a reasonable number of alternatives will be evaluated and compared in the Draft Environmental Impact Statement (DEIS). The factors to be considered will be similar for each of the alternatives. Impacts are expected to differ primarily in the degree to which specific factors may be affected.

The alternative analysis will evaluate alternative wastewater management options. Presently eight wastewater management options have been identified to be evaluated in the DEIS. These eight wastewater management alternatives include the following:

- 1) No Action;
- 2) Regional System with Cape Fear River Discharge;
- 3) Regional System with Jordan Lake Discharge;
- 4) Independent Systems;
- 5) Purchasing Capacity from Other Systems;
- 6) Optimum Operation of Existing Facilities;
- 7) Regional Land Application System;
- 8) Water Reuse System.

*Alternative Discharge Locations:* Four alternative discharge locations have been identified to be evaluated in the DEIS. These four alternative discharge locations include the following:

- 1) Cape Fear River below Buckhorn Dam;
- 2) New Hope Arm of Jordan Lake (above Jordan Lake Dam and below US 64);
- 3) Cape Fear River/Haw River above Buckhorn Dam;
- 4) Harris Lake/Utley Creek.

*Alternative Water Reclamation Facility Sites:* Preliminary investigations identified 30 potential locations for the Water Reclamation Facility (WRF). The DEIS will analyze all 30 potential locations to identify the impacts and use the information to make an appropriate site selection.

*Alternative Raw Wastewater Pumping and Conveyance:* Alternative raw wastewater pump station sites and force main routes will be evaluated in the DEIS for the preferred WRF site and discharge location.

*Alternative Effluent Pumping and Conveyance:* The effluent pump station will be located at the WRF site; therefore, selection of an effluent pump station site is inherent in the WRF site selection process. Alternative effluent force main routes will be evaluated in the DEIS for the preferred WRF site and discharge location.

*Alternative Outfall Configurations at Cape Fear River:* The DEIS will include evaluation of two configurations for the outfall structure. The alternatives to be evaluated include (a) bank discharge structure, and (b) instream diffuser.

*Direct Environmental Impacts:* The DEIS will identify and discuss the direct impacts of the proposed Project and feasible alternatives on topography, floodplains, soils, land use, wetlands, prime farmlands, public lands, historic and archaeological resources, air quality, noise, water resources, forest resources, shellfish and fish, wildlife and natural vegetation, the introduction of toxic substances, shore erosion and accretion, energy needs, safety, food and fiber production, mineral needs, and property ownership. Geographic Information System (GIS) data and mapping will be used to evaluate direct environmental impacts of the proposed Project and alternatives.

*Secondary and Cumulative Environmental Impacts:* The Western Wake Partners have developed Secondary and Cumulative Impacts Master Mitigation Plans to address secondary and cumulative impacts that are expected to result from the Western Wake Regional Wastewater Management Facilities project as well as other infrastructure projects that will be implemented in the Partners' jurisdictions in the future. Additional secondary and cumulative impacts will be addressed in the DEIS as recommended by the United States Army Corps of Engineers (USACE). GIS data and mapping will be used to evaluate and quantify secondary and cumulative impacts of the proposed Project to stream and wetland resources.

*Environmental Justice:* In accordance with Executive Order 12898, the DEIS will include an evaluation of the proposed Project's impact on minority and low-income populations. US Census Bureau data and GIS mapping will be used to determine the existence of all minority and low-income populations in the Project service area and in the affected area for the preferred WRF site.

*Endangered Species:* A biological assessment will be included as an appendix to the document for the preferred alternative in accordance with the Endangered Species Act.

*Project Costs:* Project costs will be evaluated based on 20-year present-worth costs and Phase 1 capital costs. 20-year present-worth costs allow for a direct comparison of long-term cost-effectiveness, and Phase 1 capital costs allow for a direct comparison of short-term capital requirements which have an immediate impact on sewer rates, fees, and charges. Mitigation costs for direct impacts to streams and wetlands will be estimated based on the Ecosystem Enhancement Program's schedule of fees.

*NEPA/SEPA Preparation and Permitting:* Because the proposed Western Wake Regional Wastewater Management Facilities Project requires approvals from federal and state agencies under both the National Environmental Policy Act (NEPA) and the State Environmental Policy Act (SEPA), a joint Federal and State Environmental Document will be prepared. The US Army Corps of Engineers will serve as the lead agency for the Federal process.

Based on the size and complexity of the proposed Project, the applicant has been encouraged by US Army Corps of Engineers and NCDENR staff to identify and address the environmental impacts of the Project through the DEIS process. Within the DEIS, the applicant will conduct a thorough environmental review, including an evaluation of reasonable, feasible, and financially responsible alternatives. After review of the DEIS and Final EIS, a Record of Decision (ROD) will be issued for the EIS document. The ROD will document the completion of the EIS and serve as a basis for further permitting decisions by federal and state agencies.

This notice is to inform interested parties of our issued April 3, 2007 Notice of Intent to prepare a DEIS for this project, which can be found on the Federal Register website, [www.access.gpo.gov/su-docs/fedreg/a050519c.html](http://www.access.gpo.gov/su-docs/fedreg/a050519c.html) (that is an underscore"- " after su). Once you have connected with the website, go to Engineers Corps to locate subject

matter. Additionally, a scheduled scoping meeting for drafting the EIS will be held at the City of Apex Town Hall, on April 19, 2007 at 6:00 P.M. The scoping meeting is designated to solicit comments from the public; Federal, State and local agencies and officials; and other interested parties to incorporate in the DEIS document. The purpose of these comments concerning public interest factors, ranging from navigation to biological resources to private and public lands, will identify issues to be addressed in the DEIS.

As disclosed in the Notice of Intent, any written comments pertinent to the proposed work, as outlined above, must be submitted to this office, Attention: Henry Wicker, until 4:15 p.m., April 30, 2007. Questions can be directed to Mr. Wicker at telephone (910) 251-4930, Wilmington Regulatory Division Office.

