



September 30, 2013

Mr. Benne Hutson, Chair
North Carolina Environmental Management Commission
c/o EMC Recording Clerk
Directors Office – Division of Water Resources
1617 Mail Service Center
Raleigh, NC 27699-1617

Subject: Notice of Intent to Modify the Interbasin Transfer Certificate for the Towns of Cary, Apex, and Morrisville, and Wake County

Dear Mr. Hutson:

The Towns of Cary, Apex and Morrisville, and Wake County (on behalf of the Wake County portion of Research Triangle Park), cooperate under various organizational arrangements for raw water supply, water treatment, water distribution, wastewater collection, and wastewater treatment. The four parties jointly hold an interbasin transfer (IBT) certificate issued by the Environmental Management Commission (EMC) on July 12, 2001. Together, we have developed long-range plans for secure water supply and responsible water resource management, including IBT. Based on those plans and by way of this letter, we are respectfully notifying the EMC of our intent to request a modification to our IBT certificate.

The current IBT certificate allows transfers from the Haw River subbasin (Jordan Lake is the water supply source) to the Neuse River subbasin up to 24 million gallons per day (mgd) on a maximum day basis. The attached map (Exhibit 1) shows the service areas for each of the communities relative to river basin boundaries, and also illustrates the Towns' water supply/wastewater management strategies and facilities, which are the same as those presented when the current IBT certificate was issued.

The requested modification will address:

- Recently adopted changes to G.S. 143-215.22L;
- As requested by DWR, inclusion of transfers to the Cape Fear River subbasin (consumptive uses in the southwestern portion of the Town of Apex service area), so that the modified certificate addresses transfers from the Haw River subbasin to both the Neuse River and Cape Fear River subbasins; and
- Extension of the certificate term to cover a 30-year planning period, ensuring the modified certificate addresses IBT through 2045 (previous certificate was based on 2030 planning).

The Towns expect to request that the modified certificate allow transfers of up to about 35 mgd from the Haw River subbasin, calculated as a daily average of a calendar month. The exact amount will be refined during the course of further analysis and hydrologic modeling, as part of the required environmental assessment.

The Towns have maintained compliance with the IBT Certificate issued in 2001– including the maximum day limit and eight additional conditions – and no significant environmental impacts have occurred as a result of the

ongoing transfer. This is consistent with both the Environmental Impact Statement (EIS) and the Record of Decision for the IBT certificate, which predicted no significant direct impacts. One condition specifically requires the return of reclaimed water to either the Haw or Cape Fear subbasins after 2010. This is currently met by transferring wastewater to the Durham County Triangle WWTP (which discharges to Jordan Lake) for treatment and starting in mid-2014 will be met by discharging reclaimed water from the Western Wake Regional Water Reclamation Facility to the Cape Fear River below Jordan Lake.

We will continue to work closely with DWR as we work through the next steps in the new IBT certificate modification process.

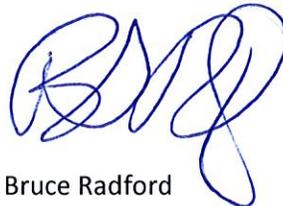
Please direct any correspondence regarding this Letter of Intent and the subsequent process to:

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Sincerely,



Benjamin T. Shiver
Manager, Town of Cary



Bruce Radford
Manager, Town of Apex



Martha Wheelock
Manager, Town of Morrisville



David Cooke
Manager, Wake County

c: Tom Reeder, Director, NC DENR Division of Water Resources
Tom Fransen, NC DENR Division of Water Resources
Ian McMillan, NC DENR Division of Water Resources
Harold Brady, NC DENR Division of Water Resources
Leila Goodwin, Town of Cary
Adam Sharpe, CH2M HILL

EXHIBIT 1
 TOWNS OF CARY, APEX, AND MORRISVILLE, AND RTP SOUTH PLANNING AREA
 OVERVIEW

