

Comments of Patrick Byker, Durham Resident

2614 Stuart Dr. Durham 27707

June 30, 2010 DWQ Public Hearing

Neal Middle School

I support the compromise regarding the proposed Falls Lake Rules struck by Durham County, the City of Durham, Wake County and Raleigh. However, I have the following concerns that I wish to enter for the record of this public hearing.

First, use of chlorophyll-a as a pollutant indicator is outdated, antiquated and fundamentally inaccurate. It is time to move beyond chlorophyll-a as an indicator. DWQ's failure to do so ~~is~~ is a major shortcoming that must be addressed immediately.

Second, somehow a recognition that Falls Lake north of I-85 is fundamentally different in its function from Falls Lake at the Raleigh drinking water intake has been absent from DWQ's analysis. This is a fundamental analytical flaw that distorts water quality conditions.

Third, City of Durham residents have for decades paid water and sewer rates significantly higher than residents of Raleigh. That increase

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is due the high level of treatment failing place in Durham's water reclamation facilities. City of Durham residents clearly have done more than their fair share to promote clean water in the Falls Lake basin. Accordingly, if Raleigh residents need to pay higher treatment costs, they will only be catching up to what Durham residents have done for the past twenty years.

Fourth, it is incumbent on any proposed regulations to ^{address} ~~the~~ the vital questions, "Who pays? Who benefits?" For City of Durham residents, these proposed rates represent an astronomical unfunded mandate. Until DWQ can honestly answer "Who pays? Who benefits?", it lacks the component of fundamental fairness necessary to justify such costly regulations. The questions "Who pays, who benefits" were often asked by Willie Lovett, a former pillar of the Durham community. DWQ ~~should~~ should be mindful of Mr. Lovett's wisdom in asking such questions.

Respectfully submitted,
Patrick Byker