

# Lincoln County Wastewater Allocation Policy

## 1) Purpose

Lincoln County (the "County") has made a significant public investment in improvements and increased capacity to the County's wastewater treatment, disposal facilities, sewage collection, and transmission system in order to avoid the environmental damage and danger to public health caused by limited or inadequate collection and treatment of wastewater. In recognition that the capacity of the County's treatment and disposal facilities is finite and further that adding additional capacity is a large expenditure for the County, this Wastewater Allocation Policy (the "Policy") has been established to create a plan for tracking the distribution of, and the limitation of, the wastewater treatment capacity. Accordingly, the purpose of this Policy is to effectively allocate available wastewater capacity to new development within Lincoln County.

The goal of this Policy is to extend the time frame that it takes to allocate the full capacity of the Killian Creek Wastewater Treatment Plant, which is the County's only wastewater treatment facility at this time. This Policy intends to set the County's total max yearly allocation at 200,000 gallons per day, subject to the procedures set forth below. The maximum yearly allocation shall be effective upon adoption and any allocations issued within the current calendar year shall be applied retroactively to that maximum.

## 2) Applicability

This Policy shall apply to all parties seeking new or additional allocation of wastewater treatment capacity from the County.

## 3) Definitions

- (a) **Allocation:** Wastewater treatment plant capacity in gallons per day ("gpd") which are reserved for development. Only applies to allocation granted for Lincoln County wastewater treatment facilities. Allocation does not commit any capacity in the collection system. Also, the developer shall remain responsible for any necessary improvements in the collection system to carry proposed flow to the wastewater treatment facility.
- (b) **Economic Development Projects:** Any projects meeting the eligibility criteria of the Lincoln County Economic Development Incentive Policy.
- (c) **Residential Allocation:** Any requested allocation that contains a residential component including all one and two family dwellings, commercial with upper-story residential and multi-family apartment complexes.
- (d) **Non-Residential Allocation:** Any allocation request not meeting the definition of Residential Allocation.

#### 4) Policy

- (a) The yearly maximum allocation of wastewater shall be limited to 200,000 gpd throughout the County. Those maximum yearly allocations will not be distinguished between residential and non-residential allocation, unless and except if the standards established in Section 4(e) of this Policy are triggered.
- (b) The total yearly maximum allocation amount shall be reset on January 1<sup>st</sup> of each year, and shall be calculated on a calendar year.
- (c) Phasing of Developments
  - i. Any construction project's phasing plan shall be complete prior to the submittal of a request for allocation to the County's Public Utilities office. Upon the granting of allocation to a specific project, no additional sub phasing shall be allowed.
  - ii. Each phase of a project must have a separate Design Manual submittal, as required by the County.
  - iii. Each project's phase submittal will not be reviewed by the County until the prior phase has received approval of its construction plan from Public Utilities office.
  - iv. The County shall not allow partial certification/activation of water and sewer infrastructure.
- (d) Allocation shall be granted on a first come, first serve basis if, and only if, there is allocation remaining in the yearly maximum at the time of construction plan approval.
- (e) Allocations shall proceed under the process and procedures described herein until such a time that the County's allocated wastewater treatment capacity reaches the thresholds contained under this section and in 15A NCAC 02T .0118 otherwise known as the "80/90" rule. At such time that the thresholds are met the following standards will apply:
  - i. At such time that the wastewater treatment facility reaches allocation of seventy percent (70.00%) of its capacity, then the County shall proceed with an engineering evaluation of any future wastewater treatment, utilization, and disposal needs. Also, at that time the maximum yearly allocation of 200,000 gpd shall be decreased to 100,000 gpd on January 1<sup>st</sup> of the following year, and shall continue for the following years.
  - ii. At such time that the wastewater treatment facility reaches allocation of eighty percent (80.00%) of its capacity and the County is actively designing facilities for the expansion of its wastewater treatment capacity, the max yearly allocation shall be maintained at 100,000 gpd but the County will only allow allocation to be provided to non-residential projects until construction commences on an expansion of the wastewater treatment capacity.
  - iii. At such time that the waste water treatment facility reaches allocation of ninety percent (90.00%) of its capacity maximum then all yearly allocations shall be halted and no additional allocation will be issued until construction

commences on a proposed expansion of the wastewater treatment capacity. Once construction commences then the maximum yearly allocation of 100,000 shall be reinstated but will only be provided to non-residential projects.

## 5) Economic Development

- a. There shall be establish an allocation reserve of 400,000 gpd for Economic Development Projects, as defined herein.
  - i. This specific reserve shall be used to supplement the maximum yearly allocation for Economic Development Projects, if a need shall arise for additional allocation in a single year for any Economic Development Project.
  - ii. All maximum yearly allocation established under this Policy shall be used before this specific reserve allocation is applied to the remaining requested allocation by an Economic Development Project.



  
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