

Capacity Assurance Program (CAP) Development Decision Matrix

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Item	Description	Date of DWQ/ Stantec Recommendation	Date Presented to Task Force for Consideration	Date of Task Force Approval	Council Action
1. General CAP Requirements					
1.1.	Banking Unit Credits to be banked at Recurring SSO locations predicted by the hydraulic model for the 2-year/24-hour design storm under existing land use conditions. Additional banks defined at capacity limited portions of sewersheds not located upstream of a Recurring SSO and major pump stations and WWTPs.	5/21/2012	6/14/2012	6/14/2012	Part of implementing ordinances
1.2.	Essential Facilities Accept exception provided in CD for Essential Facilities. Further define public schools as any school that meets the non-profit clause in the tax code, 501(c)(3) and use definition for health care facilities used by Kentucky Division of Family and Health Services for licensing.	6/11/2012	6/14/2012		Part of implementing ordinances
1.3.	CAP Implementation Date LFUCG will commence implementation of CAP within 30 days of EPA approval of CAP Plan. Full CAP implementation within XXXX days of CAP Plan approval by the EPA.				
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1.8.					
1.9.					
1.10.					
2. Credit Earning Activities					
2.1.	Removal of Connections/Use of Record Credits earned through removal of connections (i.e. building demolition) or through flow reduction from redevelopment to a land use that generates less sewage flow shall be associated with the parcel and not be available to the public. The property owner may voluntarily assign the credits back the credit bank. The property owner may utilize earned credits on another property they own if located in same credit bank.	5/21/2012	6/14/2012	6/14/2012	Part of implementing ordinances
2.2.	Developer Earned Credits and Cost-Sharing Program Credits may be earned by a private entity at the same earning rates as those documented in the CAP Plan. Credits earned by private entity may only be spent in the credit bank that they were earned. Private entity credits will expire after XXXX months and be posted to the public credit bank. Private entity credits must be spent before the private entity may utilize publicly available credits.				
2.3.	Credit Harvest Date The credit harvest date identified in CD is January 3, 2012 (effective date). LFUCG is going to include a letter to accompany the CAP Plan requesting earlier credit harvest date.	6/4/2012	6/14/2012	6/14/2012	Resolution
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2.5.					
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2.9.					
2.10.					
3. Allocation of Hydraulic Capacity (Credit Spending)					
3.1.	Sanitary Sewer Capacity Allocation Agreement Formal documentation how capacity allocation requests are made. Where/how is it introduced into the land development process?				
3.2.	Review Time for Capacity Requests Capacity requests will be reviewed and approved, conditionally approved, or denied within XX-days of the application receipt.				
3.3.	Allocations Available hydraulic capacity (situations where no credit transaction is required) is allocated on a what basis (first-come, first-serve)?. Allocating credits in lieu of capacity from the credit bank will be on what basis?				
3.4.	Expiration Capacity/credit allocations from public credit bank are reserved for XX months or never expire ? If expiration, unused credits are forfeited no later than XX months after allocation.				
3.5.	Hydraulic Model Capacity requests will require review using the hydraulic model only under the following conditions: X, Y, and Z.				

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3.6.	Grandfathering	All existing tap-on or sewer extension permits that have been or will be approved prior to the implementation date will be permitted to connect to the system for up to XX months after the implementation date with. Notices will be sent to those with existing permits to inform them of the expiration of their permits?				
3.7.	Third Party Trading or Selling	Capacity or credit allocations (may/may not) be traded or sold between properties. If capacity is allocated to specific property, and that property is sold, what happens? How would be trades be documented, verified, tracked, etc.?				
3.8.	Capacity Allocation/Credit Reservation Expiration Period	Capacity or credit allocations associated with a development plan on file (in accordance w/ Chapter 16 - Zoning, Article 21 of LFUCG's Ordinances) shall be reserved for XX years?				
3.9.	Unused Capacity or Credits	At the expiration date (if there is one), all unused capacity or credits reserved through the <u>Sanitary Sewer Capacity Allocation Agreement</u> must be returned to the credit bank for allocation to others?				
3.10.	Fees for Allocating Credits in Lieu of Capacity Certification	A (fee/deposit) of \$\$\$ per 100 gallons per day of credit capacity allocated (will/will not) be collected upon execution of the <u>Sanitary Sewer Capacity Allocation Agreement</u> . Unused credits may be returned for a XX% refund. Fees for forfeited (expired) credits are (refundable/non-refundable)?				
3.11.	Fees for Capacity Allocations	There (will/will not) be additional, new fees for allocation of hydraulic capacity (i.e. no credits needed).				
3.11.	Review Fee	There (will/will not) be a fee for Sanitary Sewer Capacity Allocation review requests.				