

15A NCAC 02G .0504 ALLOCATION OF WATER SUPPLY STORAGE

- (a) The segment of Jordan Lake proposed for a water supply withdrawal must be classified by the Commission as a drinking water source prior to any allocation of Jordan Lake water supply storage. Prior to the first allocation of water supply storage at Jordan Lake, the Commission shall hold one or more public meetings on the amount(s) requested by each applicant, the suitability of Jordan Lake water for public water supply use, the availability of alternative water sources, and the best utilization of the water resources of the region. For future allocation decisions, additional public meetings may be held as determined by the Commission.
- (b) The Commission will assign Level I allocations of Jordan Lake water supply storage based on an intent to begin withdrawing water within five years of the effective date of allocation, on consideration of projected water supply needs for a period not to exceed 20 years, and on the design capacity of the associated withdrawal and treatment facilities.
- (c) The Commission will make Level II allocations of Jordan Lake water supply to applicants based on projected water supply needs for a period not to exceed 30 years.
- (d) The Commission will initially keep 50 percent of the water supply storage unallocated to meet future water supply needs as they develop.
- (e) If additional storage is requested by holders of Level II allocations, these parties must submit an application addendum to the Commission for review.
- (f) When holders of Level II allocations have documented an immediate need and wish to commence withdrawals within five years, their Level II allocations will be changed to Level I upon review and approval by the Commission.
- (g) The department will issue a notice that it has received applications for Level I and Level II allocations and requests for increases in allocations, with a 30-day period for comment. If there is significant public interest, the department may hold a public meeting to obtain comments and information, with appropriate notice.
- (h) To protect the yield of Jordan Lake for water supply and water quality purposes, the Commission will limit water supply allocations that will result in diversions out of the lake's watershed to 50 percent of the total water supply yield. The Commission may review and revise this limit based on experience in managing the lake and on the effects of changes in the lake's watershed that will affect its yield. For applicants whose discharge or intake represents a diversion pursuant to G.S. 153A-285 or 162A-7, the Commission will coordinate the review of the diversion with the review of the allocation request.
- (i) Where applications for allocations exceed storage capacity, the Commission will assign, reassign, or transfer allocations based on the applicants' or holders' need(s) and alternative water sources available (as defined in the application requirements), the existing or proposed average degree of utilization of the resource (relative to the total allocation application), the level of financial commitment (relative to the applicant's or holder's total costs in developing Jordan Lake as a water supply source), the effects on the lake's yield, and the level of sharing facilities or other cooperative arrangements with other local governments.

History Note: Authority G.S. 143-54(a)(11); 143-215.3(a)(1); 143B-282; 153A-285; 162A-7;
Eff. March 1, 1988;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. February 16, 2019.