

WESTERN WAKE PARTNERS

Report to the Policy Advisory Committee (PAC11-05)

Date: August 26, 2010
To: Policy Advisory Committee
From: Lead Agency
Prepared By: Leila Goodwin, P.E. – Town of Cary, Water Resources Manager and Tim Bailey, P.E., Town of Cary, Director of Engineering
Subject: Development of Land Management Plan

Discussion

Amendment No. 1 (January 26, 2005) to the Interlocal Agreement for Regional Wastewater Facilities Land Acquisition and Preliminary Work (July 28, 2004) gave the Town of Cary, as Lead Agency, the responsibility and authority to acquire land for the Western Wake Regional Wastewater Management Facilities (Facilities) on behalf of the Western Wake Partners (Partners). The agreement specifically addressed acquisition of, payment for, and ownership of the land required for the Water Reclamation Facility and Effluent Pump Station (WRF/EPS), the West Cary Pump Station, and the Beaver Creek Pump Station.

The Agreement for Design, Construction, Ownership, Management and Operation of Western Wake Regional Wastewater Management Facilities (August 22, 2005), as amended, most recently with Amendment No. 3 (May 13, 2008), specified cost shares for easement acquisition.

Now that the permitting process is further along, the Technical Advisory Committee has identified a number of options and questions related to land ownership and easement interests, and recommends that the Partners develop a Land Management Plan. The TAC is working with the Partners' attorneys to discuss issues such as multiple names on easements, development issues related to parcel subdivision, Generally Accepted Accounting Principals and shared capital assets, access to facilities for maintenance and operation, insurance requirements for capital assets and who controls the settlement of claims. The Lead Agency is also working with an attorney specializing in land management to identify any other issues that should be considered. It is anticipated that the Land Management Plan may recommend additional operating procedures be adopted and/or modifications to the Partner agreements.

Requested Action: This report is for information only. No action is requested.