

A photograph of a wooden roof structure under construction, showing the intricate framework of beams and trusses against a clear blue sky. The structure is made of light-colored wood and is partially covered with a metal grate.

## **ITEM 13. CONSIDER SECOND READING AND ADOPTION OF ORDINANCE NO. 150 – NOTICING REQUIREMENTS FOR WATER DISTRIBUTION SYSTEM WELL CAPACITY TESTING**

Meeting Date: April 16, 2012

Contacts: Henrietta Stern, Joe Oliver



# Overview of Ordinance 150

- Amends Rule 21-A, Water Distribution System (WDS) Applications.
- Requires that Neighboring Well owners be notified of Well Capacity Tests; may request well monitoring during the test. Requires reasonable effort to accommodate neighbors' schedules.
- Requires documentation of contacts and responses before test begins to be accepted by MPWMD.
- Details in Implementation Guidelines.

# Background

- Board approved first reading on March 19, 2012.
- Board confirmed that new rules apply to the 2012 testing season and are not retroactive.
- Counsel explained that Pre-Applications or Applications received on or after the May 16, 2012 effective date are affected.

# Ordinance Components

- New Rule 21-A-2 requires notice documentation to be submitted to MPWMD before the well test begins.
- New Rule 21-A-12 requires notice documentation to be part of the materials submitted in a WDS Permit application package.
- New Rule 11 entry adds the definition of the term “Neighboring Well”.

# Impacts to Applicants

- Need to start WDS planning earlier to account for noticing requirements.
- Possible time constraints for Spring-Summer 2012 applicants.
- WDS Permit costs will be higher due to additional MPWMD staff time.

# Recommended Board Action

- Approve second reading and adoption of Ordinance No. 150.
- Direct staff to work with Rules & Regs Committee to prepare noticing memo (Implementation Guidelines) by the May 16, 2012 effective date.
- Filing of a Notice of Determination is not needed because this is not a “project” under CEQA.
- District Counsel previously reviewed this item.

# For More Information

Staff reports, ordinances and presentation materials can be found on the District's website at:

**[www.mpwmd.net](http://www.mpwmd.net)**

PowerPoint presentations will be posted on the website the day after the meeting