

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: May 21, 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 Ordinance affects only Pre-Applications or Applications received on or after the effective date.
- Effective date is June 20, 2012.



Ordinance Components

- New Rule 21-A-2 requires notice documentation to be submitted to MPWMD before the well test begins (contact to and response by neighbors). Slight change in wording for clarity was made at the request of Mr. Beech.
- 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 early-season 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 June 20, 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.

A photograph of a rocky stream flowing through a lush green forest, serving as a background for the top half of the slide.

For More Information

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

www.mpwmd.net

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