

FINAL MINUTES
Monterey Peninsula Water Management District
Rules and Regulations Review Committee
October 19, 2011

Committee Members present: Judi Lehman, Chairperson
Brenda Lewis (participated by phone and Skype connection)
Kristi Markey

Committee Members absent: None

Staff Members present: David Stoldt, General Manager
Henrietta Stern, Project Manager
Stephanie Pintar, Water Demand Manager
Arlene Tavani, Executive Assistant

District Counsel present: David C. Laredo

Call to Order

The meeting was called to order at 8:30 am in the District conference room.

Comments from the Public

No comments.

Action Items

1. **Receive Minutes of August 5, 2010 Committee Meeting**
On a motion by Director Markey and second of Director Lehman, minutes of the August 5, 2010 committee meeting were unanimously approved on a vote of 3 – 0.

Discussion Items

2. **Review Meeting Rules Regarding Board Conference Attendance/Travel**
The committee discussed the issue and requested that the Board of Directors consider a modification to the travel policy that would require Board approval for travel outside of California. The committee members agreed that for other travel requests, the current practice of review by the Board Chair and Vice Chair is adequate. The committee requested that staff notify the Directors when one of their members is registered for a conference.
3. **Report on Timing for Acquiring Proof of Availability of Water for County Projects Requiring District Approval**
The committee members expressed a concern that the County of Monterey approves projects within the unincorporated area before a request is made to the District to

determine that a water sources is available. Staff noted that the County has begun development of new rules that would address this concern. The committee requested that District staff advise Monterey County that if there is no water allocation for a project, a formal determination from the MPWMD Board or staff (whichever is required) must be issued before the project is considered by the County. The District should also ensure that a water permit is issued in accordance with the building permit conditions set by the jurisdiction, i.e., if the jurisdiction requires drought tolerant landscaping or a cistern system, the District's water permit should be based on compliance with those conditions.

4. Discuss Amending Rule 90, Variance, to Limit the Time Period for Filing a Request for Variance

District staff explained that there is no rule that limits the time to file an application for a variance. The committee requested that staff develop a draft ordinance that establishes a variance application deadline for the different types of permits that the District issues. The draft ordinance will be presented to the Water Demand Committee for consideration, and then to the Board of Directors for a decision.

5. Discuss Establishment of a Rule that would Require the District to Post Notice of Well Testing for Completion of Water Distribution System Applications

Staff was directed to develop new rules that would require the District to coordinate the well test. The District could contract with a hydrologist to conduct the well test and be responsible for noticing requirements. The applicant would reimburse the District for costs associated with the consultant and the well test. Property owners of wells within 1,000 feet of the applicant's well could be given 14-days advance notice of the well test. The committee must determine if the new noticing regulations will be implemented by an update to the Rules and Regulations, or if amendments to the Implementation Guidelines would be sufficient. District staff will present proposed rules at a future Rules and Regulations Review committee meeting.

Public Comment: David Beech requested that following the pre-application response, the District should send written notification to all well owners within 1,000 feet. The hydrologist could be notified of anyone who chose to have their well monitored. The notice should be sent at least two weeks in advance, but 30 days would be preferable to ensure that anyone on vacation will have time to respond. According to Mr. Beech, under this procedure, the District would be in control of who responds, and would notify the hydrologist of which wells will be monitored.

Other Items

No items were discussed.

Schedule Next Meeting Date

No meeting date was set.

Adjournment

The meeting was adjourned at 9:40 am.