



**ITEM 12. CONSIDER SECOND READING AND ADOPTION OF ORDINANCE NO. 158, AN ORDINANCE TO AMEND RULE 28-B TO ESTABLISH THE JURISDICTION AS LEAD AGENCY FOR EVALUATION OF A WATER USE CREDIT TRANSFER AND TO ALLOW APPROVAL OF AN APPLICATION BY THE GENERAL MANAGER**

**Presented by: Stephanie Pintar, Water Demand Manager**

**December 9, 2013**

# Summary of Ordinance 158

- Amends Rule 28-B, Water Use Credit Transfers
- Clarifies that Jurisdiction first reviews and approves any proposed Water Use Credit as CEQA lead agency
  - Makes a determination and findings before referring a transfer application to the District (the responsible agency)
- Final determination by the General Manager
  - Ensures all conditions of Rule 28 are met
- Staff decisions are appealable to the Board by public or Board member





# Summary of Ordinance 158

- Letter received from attorney Molly Erickson on behalf of Save Our Carmel River (SOCR) (11/18/2013)
- Letter questioned CEQA determination and the ability of a Jurisdiction to adequately review a project's effects on the environment as a whole.
- The letter also expressed concern about notification of decisions and the cost to appeal a decision of the General Manager.
- Counsel advises that the Board may continue with consideration of adoption of Ordinance No. 158.

# Recommendation

- The Board should receive public comment
- Consider second reading and adoption of Ordinance No. 158



# 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