



**PUBLIC HEARING ITEM 16:
Consider Second Reading and Adoption of
Ordinance No. 160 Amending MPWMD Rules and
Regulations for WDS Permits; and Adopt Revised
Fee Deposit Schedule**

**Meeting Date: April 21, 2014
Prepared by: Henrietta Stern**

Agenda Package

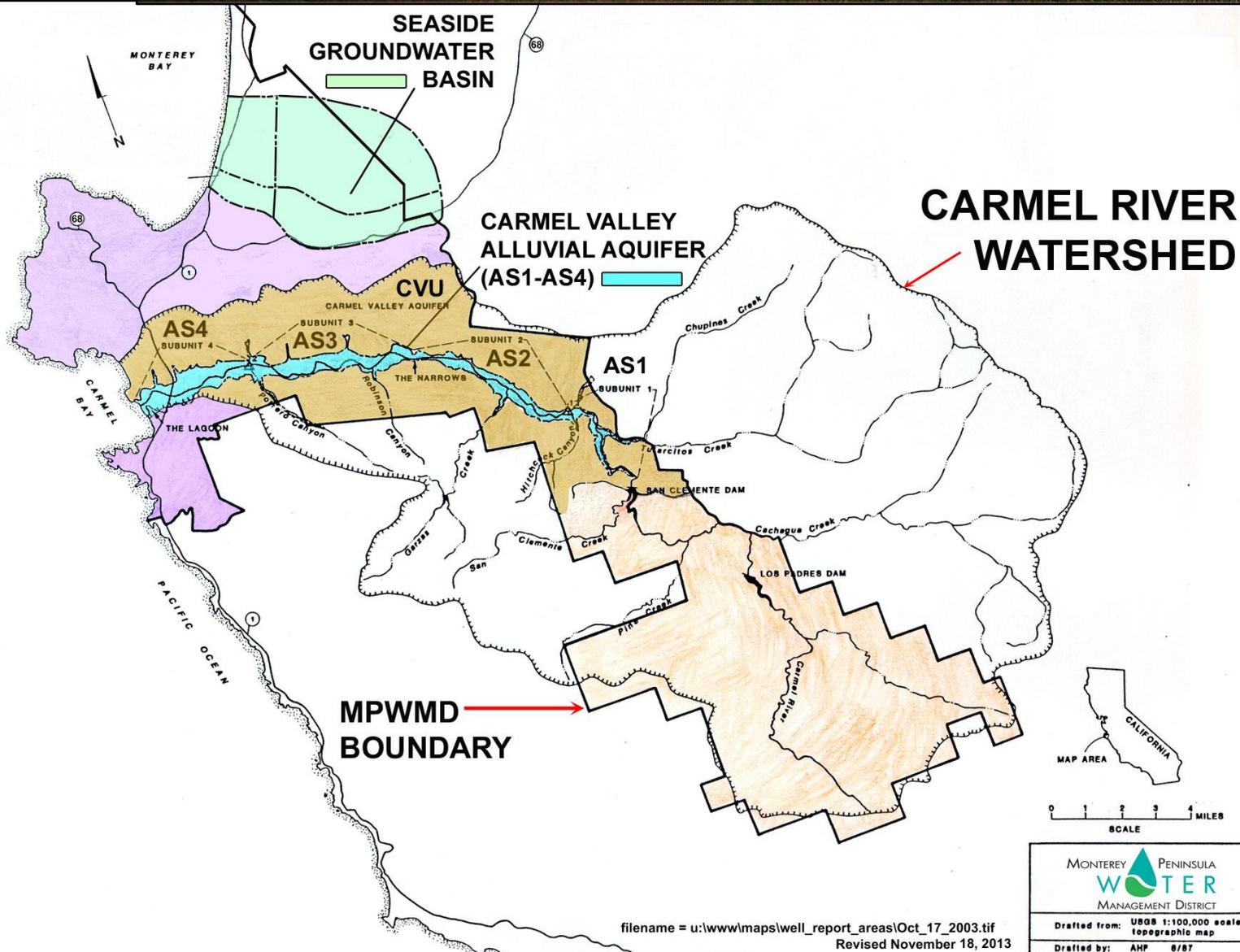
- Ordinance No. 160 amends Rules to create or amend Water Distribution Systems (Rules 11, 20, 21, 22 and 173). **Exhibit 16-A**
- Determination of permit review level is simplified (Table 22-A of Rule 22). **Exhibit 16-B**
- Resolution 2014-XX sets a revised fee deposit schedule for applications. **Exhibit 16-C**

Background

- Board approved first reading of Ordinance 160 and Draft Implementation Guidelines at its March 17, 2014 meeting.
- Ordinance 160 reflects Board goals to streamline permitting, avoid duplication, expand exemptions as allowed by CEQA, set System Limits if appropriate, and protect the water resource system.
- Draft Guidelines recommended a revised fee schedule for different permit pathways.

Water Resource Areas

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Proposed Ordinance 160

- Creates and revises definitions;
- Expands exemptions for non-MPWRS systems;
- Amends required application materials;
- Amends protocol for Exemption and Level 1, 2 and 3 WDS Permit categories;
- Amends protocol for Mobile WDS;
- Reduces regulation if $>1,000$ feet from MPWRS;
- Extra review if $\leq 1,000$ feet of MPWRS;
- Most rigorous review for systems in the Carmel Valley Alluvial Aquifer or Seaside Basin.



Changes from First Reading

- Rule 11: Clarify definition of Level 3 Permit (adds example);
- Rule 21-A: Clarify required application materials relating to Monterey County action;
- Table 22-A: Properly label table and correct error in one cell.
- Minor typos and grammatical corrections.

Revised Fee Deposit Schedule, Resolution 2014-XX

- **Exemption: \$1,000** (currently \$665)
- **Level 1 WDS Permit: \$1,200** (currently \$2,850)
- **Level 2 WDS Permit: \$1,200** (currently \$2,850)
- **Level 3 WDS Permit: \$3,000** (currently \$3,800)
- Fees reflect analysis of past permit processing costs and estimated future costs of staff, consultant and legal time, plus direct expenses.
- Refund provided if actual costs are lower.
- Additional fees at end of process if actual costs are higher.



Staff Recommendation

- 1) Approve second reading and adopt Ordinance No. 160 (including revised Table 22-A) effective May 21, 2014.
- 2) Direct staff to finalize Implementation Guidelines prior to effective date.
- 3) Adopt Resolution 2014-XX, including the attached revised fee deposit schedule.
 - Board previously determined that approval of Ordinance 160 is not a CEQA “project” (no direct or indirect physical effect). However, each WDS application is a “project.”

For More Information

District website:

www.mpwmd.net

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

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