

Overview of Rule Changes (Preview for Workshop Discussion) 2/26/15

- I. **Note:** Yellow Highlights are Legal Edits since Tuesday
- II. **Drivers for Rules Change**
- III. **Core Topic Area - Definitions** (Rule 2-1 on pg 5)
 - Clearly defined new use types; Provided further clarification on currently defined use types
 - 'Modification' vs 'Repair' vs 'Replacement' vs 'Substantial Alteration'
 - 'Maximum Production Capacity' (pg 17)
 - 'Unreasonable Impacts' (pg 26,27)
- IV. **Core Topic Area - Transport** (Rule 3-1.3.1 on pg 38)
- V. **Core Topic Area - Application Checklist Requirements** (Rule 3-1.4 on page 41)
 - A. Notice Requirements (pg 44, pg 48)
 - B. Permit Volume Requests > 200 MGY – Additional Application Requirements (pg 49)
 - C. Hydrogeological Report and Aquifer Tests (pg 53-57)
 - D. Permit Requests Determined to Have Potential for Unreasonable Impacts (pg 49)
 - Phased Permitting, Based on Actual Data, Works with a Trigger Backstop
- VI. **Core Topic Area – Actions on Permits** (Rule 3-1.6 on pg 65,66)
- VII. **Core Topic Area - Permit Compliance, Monitoring, Mitigation** (Rule 3-1.11 on pg 73)
 - A. Compliance Monitoring (pg 77)
 - B. Mitigation (pg 78)
- VIII. **Core Topic Area – General Permits- Test Well and Aquifer Test Permit** (Rule 3-1.20 on pg 87)
 - A. Conducting Formal Aquifer tests and Hydrogeological Reports (pg 91)
- IX. **Other Topic Areas -**
 - A. Authorized Agent documentation - Application Checklist Requirements (Rule 3-1.4 on pg 41)
 - B. Permit Renewal (Rule 3-1.8 on pg 69) Bill D.
 - C. Permit Amendments (Rule 3-1.9 on pg 70)
 - D. Regulation of Spacing (Rule 3-1.12 on pg 80,81)
 - E. Aggregation (Rule 3-1.14 on pg 82)
 - F. Fees (Rule 3-1.16 on pg 83,84)
 - G. Replacement Wells (Rule 3-4.6 on pg 108)
 - H. Conservation Rate Structure (Rule 3-6.1 on pg 112)
 - I. Conflict of Interest (Rule 4-1.4 on pg 137) Bill D.
 - J. Notice and Hearing (Rule 4-1.11 on pg 162) Bill D.

X. What to Expect at Rule Workshop:

- A. Presentation Summary
- B. In depth Discussion on Core Topic Areas
- C. Some Permit Request Scenarios

XI. Timeline for Next Steps:

- **Th 2/25 - Rule Overview**
- **Tue 3/1 – Workshop for Focused Discussion on Rules Changes**
- **Th 3/3 - Noon Deadline for Board comments. Notice is Posted for Rule Hearing**
- **Th 3/10 – Additional Discussion of Rule at Board Meeting**
- **Wed 3/23 – Public comments due by close of business**
- **Th 3/24 – Rule Hearing. Adopt Rules**

“Unreasonable Impacts” – a significant drawdown of the water table or reduction of artesian pressure as a result of pumping from a well or well field, which contributes to, causes, or will cause:

1. **well interference** related to one or more water **wells ceasing to yield water** at the ground surface;
2. **well interference** related to a significant **decrease in well yields** that results in one or more water wells being unable to obtain either an authorized, historic, or usable volume or rate from a reasonably efficient water well;
3. **well interference** related to the **lowering of water levels below** a feasible pumping lift or **reasonable pump intake level**;
4. **the degradation of groundwater quality** such that the water is unusable or requires the installation of a treatment system.
5. **the Desired Future Condition (DFC) to not be achieved**;
6. **depletion of groundwater supply over a long-term basis**, including but not limited to chronic reductions in storage or overdraft of an aquifer;
7. **springflows to be significantly diminished** or an established minimum springflow rate to not be achieved; or

For permits issued under rule 3-1.55.1 and 3-1.55.4 (HB 3405) the District shall consider (1-5) listed above in any determination of unreasonable impacts.