



## Legislation Text

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**File #:** AI 13-1479, **Version:** 1

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**Receive report from EAA staff and consider potential action on conceptual changes to the EAA Rules pertaining to the conversion of base irrigation groundwater.**

### STAFF RECOMMENDED MOTION:

The committee may make the following motion: Move the Permits/Enforcement Committee direct staff to begin development of proposed rules regarding the conversion of base irrigation groundwater based on the concepts discussed in the memorandum, as presented.

### SUMMARY:

The purpose of this agenda item is for EAA staff to present a memorandum regarding potential conceptual changes to the EAA's Base Irrigation Groundwater ("BIG") rules as they pertain to changes in land use and other limitations to property with BIG appurtenances. Currently, sections 711.338, 711.340, and 711.342 of the EAA rules address the ways in which a permit holder may convert Base Irrigation Groundwater to Unrestricted Irrigation Groundwater.

Under Section 711.342, conversion applications can be approved if the applicant can show a change in land use has occurred whereby 75% of the land that is the subject of the application meets the characteristics of the new development. In the alternative, such an application may be approved if the applicant demonstrates that the land that was historically irrigated is no longer practicable to farm. To provide such a showing, the historically irrigated land cannot have been irrigated for five or more years, and the applicant must meet two or more of the following limitations:

1. The land is located within a city's corporate limits or the city's extraterritorial jurisdiction;
2. The land is sufficiently boarded by development; and
3. The land has been re-zoned such that it can no longer be used for agricultural purposes.

At the December 13 Board of Directors meeting, staff discussed potential conceptual changes to how this rule has been implemented. At the February 28 committee meeting, staff will present a more formal memorandum regarding recommended changes and will seek authorization to begin drafting specific rule language intended to effectuate such changes. The memorandum is attached to this agenda item.

### M/WBE PARTICIPATION:

This agenda item does not involve the procurement of goods or services by the EAA and, therefore,

this section is not applicable.

STRATEGIC PLAN REFERENCE:

This agenda item does not relate to a specific goal within the Strategic Plan, but supports the general EAA mission.

FISCAL IMPACT:

None.