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MEMO

TO: Nine Mile Creek Watershed District Board of Managers
FROM: Lauren Foley and Michael Welch
DATE: February 10, 2021
RE: District Rule Revision Memo

Background

Since the adoption of the current NMCWD Rules in May 2018, staff, the engineers and attorney have collected ideas on how to improve their function and refine their substantive requirements. Some of these proposed changes have been discussed with the managers in past as part of permit reviews that came before the Board. Recently, we began drafting proposed changes for presentation to the managers.

The initial draft changes included in the packet for this month's meeting, are broken into two types: those that are merely correct or improve or clarify the operation of the rules (referred to as "housekeeping" changes). These changes are meant to simplify and clarify, and to correct small errors. Changes that are more substantial – implicating policy and programmatic considerations – will likely require discussion with the managers. Attached are the following:

- A draft set of rule changes.
- A matrix describing the proposed changes and providing background and – for non-housekeeping changes – explanation. Changes that staff judge as needing particular input from the board are highlighted. In a couple of places we have noted topics that were considered and discussed, but on which we have not drafted changes – e.g., NMCWD's wetland-replacement ratios, changes to the buffer requirements.

Request

No Board action required. The information is presented to start the discussion on proposed rule revisions. For the February regular meeting, the managers should start reviewing the proposed changes, look for any of the proposed housekeeping changes that may be worthy of a larger discussion, and otherwise provide feedback. Discussion on the more substantial changes will be scheduled for upcoming workshop agendas.

March 9, 2021 Update: Items that were covered in discussion at 3/4/21 Board Workshop are shaded in gray. Discussion for 3/17/21 meeting can begin with unshaded boxes.