



Monterey County

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Board Report

Legistar File Number: 18-127

February 13, 2018

Introduced: 2/6/2018

Current Status: Agenda Ready

Version: 1

Matter Type: General Agenda Item

Approve refund of the appeal fee, payable to Valle Del Sol Properties in care of Anthony Lombardo and Associates in the amount of \$753.00, in connection with appeal of denial of Well Permit Application No. 17-12919.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

Approve refund of the appeal fee, payable to Valle Del Sol Properties in care of Anthony Lombardo and Associates in the amount of \$753.00, in connection with appeal of denial of Well Permit Application No. 17-12919.

SUMMARY/DISCUSSION:

The Monterey County Health Department received an application on October 20, 2017, for a water well construction permit from Maggiora Bros. Drilling, Inc., for Well ETS-20. Monterey County Environmental Health well permit applications are handled ministerially unless the well application indicates the well will pump water great than 1000 gallons per minute (high capacity well). The protocol for processing a high capacity well permit application is to obtain review by the Monterey County Water Resources Agency. The application was forwarded to the Water Resources Agency and subsequently denied. (Permit No. 17-12919.)

On December 15, 2017, Anthony Lombardo and Associates, representing Valle Del Sol Properties also known as RAMCO Enterprises, filed a Notice of Appeal of the Denial Findings and paid an appeal fee of \$753. After further review, the Health Department Environmental Health Bureau determined that the application was a duplicate of an application for Well Permit 17-12898, received for Well ETS 20 on September 6, 2017 and approved on September 8, 2017. (Permit No. 17-12898.) Therefore, EHB issued a corrected denial of Well Permit Application 17-12919 because it duplicated a prior application that had already been approved. (Corrected Water Well Construction Permit Denial, dated Jan. 11, 2018; January 11, 2018 letter.) RAMCO then withdrew its appeal. Because the appeal was withdrawn, staff recommends that the Board of Supervisors approve and authorize a refund of appeal fee of \$753.00.

OTHER AGENCY INVOLVEMENT:

County Counsel has reviewed this report.

FINANCING:

The requested refund of \$753.00 was deposited into accounting string 001-4000-HEA005-8272-5750 on December 22, 2017. Monies refunded will be paid from this

accounting string. Costs associated with requesting a refund is \$200 which includes staff time to research and process this request.

While this work is not directly in support of a Health Department strategic initiative, it is in support of one or more of the ten essential public health services, specifically to enforce laws and regulations that protect health and ensure safety.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

Check the related Board of Supervisors Strategic Initiatives:

☐ Economic Development:

- Through collaboration, strengthen economic development to ensure a diversified and healthy economy.

☐ Administration:

- Promote an organization that practices efficient and effective resource management and is recognized for responsiveness, strong customer orientation, accountability and transparency.

☒ Health & Human Services:

- Improve health and quality of life through County supported policies, programs, and services; promoting access to equitable opportunities for healthy choices and healthy environments in collaboration with communities.

☒ Infrastructure:

- Plan and develop a sustainable, physical infrastructure that improves the quality of life for County residents and supports economic development results.

☐ Public Safety:

- Create a safe environment for people to achieve their potential, leading businesses and communities to thrive and grow by reducing violent crimes as well as crimes in general.

Prepared by: Robin Kimball, Management Analyst I, x1297

Approved by: Elsa Jimenez, Director of Health, x4526

Attachments:

Water Well Construction Denial 17-12919, on file with the Clerk of the Board

Appeal of Well Construction Denial 17-12919, on file with the Clerk of the Board

January 11, 2018 Letter re: appeal of Denial of Well Permit Application No. 17-12919, on file with the Clerk of the Board

Corrected Water Well Construction Denial 17-12919, on file with the Clerk of the Board

Email Notification of RAMCO Withdrawal of Appeal, on file with the Clerk of the Board