

# GROUNDWATER MANAGEMENT

AN APPLICATION AND REVIEW PROCESS FOR A  
MUNICIPAL SETTINGS DESIGNATION

HEALTH, ENVIRONMENT AND HUMAN SERVICES  
COMMITTEE

May 9, 2005

# PURPOSE

- ◆ To get feedback from the HEHS Committee.
- ◆ To obtain a recommendation from the HEHS Committee regarding presentation to the full City Council for vote.
- ◆ To present a proposed ordinance providing a process for submission, review and processing of applications for an ordinance supporting a Municipal Setting Designation (MSD).

# BACKGROUND

- ◆ Staff has briefed the Health, Environment and Human Services Committee several times regarding state legislation on the establishment of Municipal Setting Designations (MSD)
- ◆ Two pilot projects were undertaken by the City of Dallas and the Texas Commission for Environmental Quality (TCEQ) in 2004.
  - These resulted in the first two MSDs granted by the State of Texas.
  - The Statute requires:
    - ◆ City Ordinance Restricting Groundwater; or
    - ◆ City Resolution Supporting Restrictive Covenant
  - Staff believes use of ordinances is the better format.

# ONE KEY ISSUE

Whether to:

- ◆ Require the applicant to delineate the entire plume as part of their application

Or

- ◆ Include only that portion of the plume which is on the property

# RECOMMENDED OPTION

- ◆ If the Designated MSD Property does not contain the entire plume of contaminated groundwater, require a statement certified by a Professional Engineer or Professional Geoscientist to the effect that passage of the ordinance and granting of the MSD by the state will not:
  - Result in, cause or contribute to endangerment of health or the environment; or
  - Result in, create or contribute to any health or safety hazard.

# NEXT STEPS

- ◆ HEHS Respond to Questions by HEHS Committee
- ◆ Committee recommendation that the proposed ordinance be presented to the full Council for vote