



Enhanced Regulatory Outreach Program

Notice of Public Meeting

Date/Time: Wednesday, December 4, 2013, 2:00 p.m.

Location: Flood Control District Administration Building
New River Conference Room
2801 West Durango Street, Phoenix, Arizona 85009

The Flood Control Advisory Board of the Flood Control District of Maricopa County will host a Public Meeting to discuss proposed revisions to the Floodplain Regulations for Maricopa County. The subject matter to be discussed includes:

Case#/Title: FCD 2013-001/Appeals Process Revision.

Overview: Revision to the following sections of the Floodplain Regulations for Maricopa County: Paragraph E of Section 401, Paragraph B of Section 404, and Section 409. The proposed text amendment will accomplish the following:

- Clarify that appeals on reactivated sand and gravel permits are limited to the requirement for written notification, or the revised permit renewal date, and that reactivation of a voluntarily-suspended sand and gravel permit is not a new permit.
- Remove from Section 409 (Appeals) language pertinent to variances, which are separately addressed in the regulations; and, clarify parties' appeal abilities by distinguishing the allowable bases of appeal for "any person", "applicants", and "regulated persons".
- Specify information that is required to be included in a written notice of appeal: name and address of the person requesting the interpretation, the regulation that requires clarification, any facts relevant to the requested interpretation and the person's proposed interpretation of the applicable regulation. This information is consistent with the requirements for applicants who are seeking a clarification of interpretation pursuant to A.R.S. § 48-3649.
- Remove the requirement to stay all activities during the pendency of an appeal. Clarify the scope of Floodplain Review Board interpretations as affecting only the dispute between the appellant and District employees, rather than being generally applicable. The edit is intended to ensure that the Maricopa County Enhanced Regulatory Outreach Policy's requirements are applied to broader regulation interpretations.
- Clarify that, following an appeal to the Floodplain Review Board, the appellant (rather than "any person") has the right to pursue further appeal to the Board of Directors; and that an appellant aggrieved by a Board of Directors decision may file a special action in the Superior Court of the State of Arizona.

For more information and to follow Maricopa County's regulatory adoption process step by step, please visit: <http://www.maricopa.gov/regulations/>. Also, you may submit comments at: <http://www.maricopa.gov/regulations/comments.aspx>.