



# Mendocino County

## Legislation Details (With Text)

**File #:** 21-0754      **Version:** 1      **Name:**

**Type:** Ordinance      **Status:** Agenda Ready

**File created:** 6/16/2021      **In control:** County Counsel

**On agenda:** 6/22/2021      **Final action:**

**Title:** Discussion and Possible Action Including Adoption of an Urgency Ordinance Establishing Water Use Requirements for Discretionary Cannabis and Other Permits During the 2021 Drought Emergency (Sponsor: County Counsel)

**Sponsors:** County Counsel

**Indexes:**

**Code sections:**

**Attachments:** 1. Ordinance 4493, 2. Urgency Ordinance Water Use.pdf, 3. 06-18-21 Sobrero Correspondence, 4. 06-21-21 MCA Correspondence, 5. 06-21-21 Maahs Correspondence, 6. 06-21-21 MCA Correspondence, 7. 06-21-21 Bush Correspondence, 8. 06-21-21 Clein Correspondence

Date	Ver.	Action By	Action	Result
6/22/2021	1	Board of Supervisors		

**To:** Board of Supervisors

**From:** County Counsel

**Meeting Date:** June 22, 2021

**Department Contact:** Christian M. Curtis

**Phone:** 234-6885

**Item Type:** Regular Agenda

**Time Allocated for Item:** 1 hr.

### Agenda Title:

Discussion and Possible Action Including Adoption of an Urgency Ordinance Establishing Water Use Requirements for Discretionary Cannabis and Other Permits During the 2021 Drought Emergency (Sponsor: County Counsel)

### Recommended Action/Motion:

Adopt urgency ordinance establishing water use requirements for discretionary cannabis and other permits during the 2021 drought emergency, and authorize Chair to sign same.

### Previous Board/Board Committee Actions:

The BOS received a presentation on April 12, 2021 about the current drought conditions. On April 20, 2021, the Board of Supervisors adopted a Resolution declaring a local emergency due to drought conditions, which was extended by the Board of Supervisors on June 8, 2021.

### Summary of Request:

Mendocino County is in the midst of an historic drought with the water levels in our reservoirs and wells at extremely low levels. Subsequent to the Board's adoption of an initial declaration of a local emergency, Governor Gavin Newsom declared a state of emergency due to drought conditions in the Russian River

watershed, and the State Water Resources Control Board has notified certain junior water rights holders of a need to limit water diversions in order to preserve drinking water availability.

Staff is proposing an urgency ordinance that would require that, prior to the approval of a discretionary cannabis or other types of permits, the entity considering the permit consider the anticipated water use of the proposed development and consider conditions of approval related to limiting or phasing any expansion of water use proposed as part of the project. These additional requirements will provide for more specific review of water usage and allow for implementation of conditions of approval that might limit, restrict or phase in the commencement of new water uses. The ordinance specifically includes the ability to place a moratorium on the newly permitted activity until the drought emergency is terminated by the Board.

**Alternative Action/Motion:**

Provide Staff with Alternate Direction

**Supervisory District:** All

**vote requirement:** 4/5ths

**Supplemental Information Available Online At:** n/a

**Fiscal Details:**

**source of funding:** n/a

**current f/y cost:** n/a

**annual recurring cost:** n/a

**budget clarification:** n/a

**budgeted in current f/y:** N/A

**if no, please describe:**

**revenue agreement:** No

**Agreement/Resolution/Ordinance Approved by County Counsel:** Yes

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**CEO Liaison:** Executive Office

**CEO Review:** Yes

**CEO Comments:**

**FOR COB USE ONLY**

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Executed By: Atlas Pearson, Deputy Clerk I

Date: June 25, 2021

Final Status: Adopted

Executed Item Type: Ordinance Number:  
4493

