



# Mendocino County

## Legislation Details (With Text)

**File #:** 22-0931      **Version:** 1      **Name:**  
**Type:** Approval      **Status:** Agenda Ready  
**File created:** 6/28/2022      **In control:** Board of Supervisors  
**On agenda:** 7/12/2022      **Final action:**  
**Title:** Discussion and Possible Action Including Direction to Staff to Conduct Legal Analysis Regarding Regulation of Water Extraction/Mining from Private Wells for Commercial Purposes and Water Hauling  
(Sponsors: Supervisor Haschak and Supervisor McGourty)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Draft Water Hauling Ordinance, 2. 7-11-22 Revised Draft Water Hauling Ordinance, 3. 7-11-22 Water Hauling Presentation

| Date      | Ver. | Action By            | Action | Result |
|-----------|------|----------------------|--------|--------|
| 7/12/2022 | 1    | Board of Supervisors |        |        |

**To:** Board of Supervisors

**From:** Supervisor Haschak and Supervisor McGourty

**Meeting Date:** July 12, 2022

**Department Contact:** Supervisor Haschak

**Phone:** 707-463-4221

**Department Contact:** Supervisor McGourty

**Phone:** 707-463-4221

**Item Type:** Regular Agenda

**Time Allocated for Item:** 1 Hour

### **Agenda Title:**

Discussion and Possible Action Including Direction to Staff to Conduct Legal Analysis Regarding Regulation of Water Extraction/Mining from Private Wells for Commercial Purposes and Water Hauling  
(Sponsors: Supervisor Haschak and Supervisor McGourty)

### **Recommended Action/Motion:**

Direct County Counsel to use the proposed ordinance to return to the Board with a legal analysis of a draft ordinance for extraction/mining from private wells for commercial purposes and water hauling.

### **Previous Board/Board Committee Actions:**

Board of Supervisors discussed these issues on March 15, 2022 and directed ad hoc to return to the Board with a more detailed draft of an ordinance.

### **Summary of Request:**

With the drought and increased aridity as ongoing issues in Mendocino County, people are increasingly concerned about wells going dry and aquifers being excessively tapped. This concern is exacerbated by

extraction and hauling of water for non-permitted cannabis grows. There are many reports of people with wells selling water that is then transported to distant locations for unpermitted usages, which may also be causing damage to roads and bridges that were not intended to handle regular traffic by heavy water trucks.

The purpose of this proposed ordinance is to:

1. Protect the County's groundwater resources
2. Avoid adverse effects to neighboring well owners
3. Limit environmental and social impacts of hauling water from private wells

In order to address the growing concerns about water scarcity, including water diversion for illegal purposes, the recommendation is that the Board of Supervisors direct staff to analyze the proposed ordinance language provided as guidance in drafting an ordinance for first reading to address water extraction and hauling issues in order to protect our county's water resources

**Alternative Action/Motion:**

Consider other options or take no action.

**Does This Item Support the General Plan?** Yes

**Strategic Plan Priority Designation:** A Safe and Healthy County

**Supervisory District:** All

**vote requirement:** Majority

**Supplemental Information Available Online At:** N/A

**Fiscal Details:**

**source of funding:** General Fund

**budgeted in current f/y:** No

**current f/y cost:** TBD-hourly rate of CoCo or Contracted Services **if no, please describe:** Unanticipated Expense

**annual recurring cost:** Unknown

**revenue agreement:** No

**budget clarification:** N/A

**Agreement/Resolution/Ordinance Approved by County Counsel:** N/A

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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 II

Final Status: Approved with Modification

Date: July 13, 2022

