Introduced: 6/11/2018 **Current Status:** Agenda Ready

Version: 1 **Matter Type:** BoS Resolution

Adopt a Resolution issuing report pursuant to Government Code 65858(d) regarding measures taken to alleviate conditions that led to the enactment of Interim Urgency Ordinance No. 5302 prohibiting, on a temporary basis and pending the development of new regulations, new wells in a defined "Area of Impact" where seawater intrusion is evident and in the Deep Aquifers in the Salinas Valley Groundwater Basin, with specified exemptions.

RECOMMENDATION:

It is recommended that the Board of Supervisors:
Adopt a Resolution issuing report pursuant to Government Code 65858(d) regarding measures taken to alleviate conditions that led to the enactment of Interim Urgency Ordinance No. 5302 prohibiting, on a temporary basis and pending the development of new regulations, new wells in a defined "Area of Impact" where seawater intrusion is evident and in the Deep Aquifers in the Salinas Valley Groundwater Basin, with specified exemptions.

SUMMARY:

The Board of Supervisors adopted Interim Ordinance No. 5302 on May 22, 2018, temporarily prohibiting new wells in seawater-intruded aquifers, with specified exceptions. The ordinance expires on July 5, 2018, unless extended. The Monterey County Board of Supervisors will consider, at a noticed public hearing on June 26, 2018, extension of Ordinance No. 5302. Pursuant to Government Code Section 65858, the Board is required to issue a report, as identified in the attached Resolution, prior to expiration of Ordinance No. 5302.

DISCUSSION:

Government Code 65858(d) requires that ten days prior to the expiration of an interim ordinance or any extensions thereof, the Board must issue a report describing measures taken to alleviate conditions that led to the adoption of the ordinance. Adoption of the attached Resolution issuing the Board's report complies with the statutory requirement.

The attached Resolution indicates the steps and measures taken to reduce the impact to seawater intruded aquifers in the Salinas Valley Groundwater Basin, in accordance with the Ordinance No. 5302. New applications for new wells in the defined "Area of Impact" where seawater intrusion is evident and in the Deep Aquifers in the Salinas Valley Groundwater Basin, exclusive of those identified as falling within a specified exemption, are not being accepted for approval. Environmental Health Bureau staff posted a copy of Ordinance No. 5302 and its Exhibits A and B on the County's Health Department website and sent informational letters to well-driller associates notifying them of Ordinance 5302 and the Bureau's limitations in accepting new well applications and the specified exemptions.

OTHER AGENCY INVOLVEMENT:
County Counsel has approved the Resolution as to form.

FINANCING:

Adoption of this Resolution will have no financial impact to the General Fund.

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.

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Approved by: Elsa Jimenez, Director of Health, x4526

Attachment:
Resolution is on file with the Clerk of the Board