



MARIPOSA COUNTY

Public Works • (209) 966-5356



ORDINANCE 2016-1115

MEETING: January 19, 2016
TO: The Board of Supervisors
FROM: Tony Stobbe, Public Works Director
RE: Water Conservation and Drought Contingency Plan Ordinance

RECOMMENDED ACTION AND JUSTIFICATION:

Waive the Second Reading and Adopt an Ordinance Creating County Code Section 13.02.045, Adherence to Compulsory State Water Conservation and Drought Management Plans. The Ordinance will recognize the State of California regulatory requirement to develop, file and enforce a Drought Contingency Plan for all Public Water Utilities managed and controlled by Mariposa County under regulated authority of the State of California, State Water Resources Control Board, Division of Drinking Water.

The Drought Contingency Plan is a required planning and action document under the State Water Board Order 2014 - 0029, and was brought before the Board on December 15, 2015. Staff requests authority to monitor and enforce provisions within the Plan through this addition to the County Code by granting stated enforcement powers to the Public Works Director. It is not the intent of staff to codify the actual Drought Contingency Plan in County Code as it is intended to be a Water Conservation/Shortage action tool in order to best manage existing and future drought conditions. It is also staff's intent to be able to respond to potential changes to regulatory agency mandates by having the ability to make revisions to the Plan reflecting local water conditions without having to amend the Code.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The Board has routinely recognized drought conditions as an agenda item. On December 15, 2015, the Board approved the Drought Contingency Plan.

This Ordinance was introduced on January 5, 2016.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Should the Board decide not to grant authority to monitor and administer the Drought Contingency Plan to the Public Works Director the administration and enforcement responsibility would remain with the Board of Supervisors in their role of Directors and or Stewards of the various regulated public water utilities under control of the County.

ATTACHMENTS:

Ordinance 13.02.045 Formal (DOCX)

CAO RECOMMENDATION

Requested Action Recommended


Mary Hodson, CAO 12/28/2015

RESULT: ADOPTED [UNANIMOUS]

MOVER: Marshall Long, District III Supervisor

SECONDER: Kevin Cann, District IV Supervisor

AYES: Smallcombe, Jones, Long, Cann, Carrier

MARIPOSA COUNTY ORDINANCE NO. 1115

**AN ORDINANCE AMENDING CHAPTER 13.02
OF THE MARIPOSA COUNTY CODE**

WHEREAS, the Board of Supervisors desires to amend Chapter 13.02 of the Mariposa County Code; and

WHEREAS, this amendment will create section 02.045 to assign responsibility to the Public Works Director to develop and maintain a Drought Management Plan to satisfy State Statute, Executive Order, and Regulatory Agency requirements.

NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF MARIPOSA ordains as follows:

SECTION I: Chapter 13 Section 02.45 of Chapter 13 of the Mariposa County Code is hereby created to read as follows:

13.02.045 Adherence to compulsory State Water Conservation and Drought Management Plans.

Where applicable upon notification the Public Works Director shall develop and or modify a Water System Drought Contingency Plan in accordance with State Statute, Executive Order executed by the Governor of the State of California, or applicable Regulatory Agency action. Upon activation or changes in enforcement level(s) provisions within the Water System Drought Contingency Plan the Public Works Director shall advise the Board of Supervisors of the plan activation and level of enforcement. The Public Works Director shall make the Water System Drought Contingency Plan available to the public and file the plan with the appropriate regulatory agency.

SECTION II: This Ordinance shall become effective thirty (30) days after final passage pursuant to Government Code §25123.

PASSED AND ADOPTED by the Board of Supervisors of Mariposa County this 19th day of January, 2016, by the following vote:

AYES: SMALLCOMBE, JONES, LONG, CANN, CARRIER
NOES: NONE
ABSENT: NONE
ABSTAINED: NONE



JOHN CARRIER, Chairman
Mariposa County Board of Supervisors

ATTEST:



RENE' LAROCHE
Clerk of the Board

APPROVED AS TO FORM:



STEVEN W. DAHLEM
County Counsel