

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
ACTION AGENDA SUMMARY

DEPT: Environmental Resources

BOARD AGENDA # \*B-9

Urgent

Routine

CEO Concur with Recommendation YES  NO   
(Information Attached)

AGENDA DATE June 16, 2015

4/5 Vote Required YES  NO

SUBJECT:

Approval to Adopt a Resolution Requesting the Governor to Improve Environmental Water Accountability During the Drought

STAFF RECOMMENDATIONS:

Adopt a resolution regarding environmental water accountability urging the Governor to address curtailments during the ongoing drought.

FISCAL IMPACT:

There is no fiscal impact to Stanislaus County as a result of the adoption of this resolution

BOARD ACTION AS FOLLOWS:

No. 2015-269

On motion of Supervisor Monteith, Seconded by Supervisor De Martini  
and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Monteith, De Martini, and Chairman Withrow

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1)  Approved as recommended

2)  Denied

3)  Approved as amended

4)  Other:

MOTION:

ATTEST:

  
CHRISTINE FERRARO TALLMAN, Clerk

File No.

## Approval to Adopt a Resolution Regarding the Governor to Improve Environmental Water Accountability During the Drought

### **DISCUSSION:**

On January 17, 2014, the Governor proclaimed a statewide emergency due to severe drought conditions in the State of California. Further, on September 19, 2014, the Governor issued Executive Order (EO) B-26-14 authorizing the Governor's Office of Emergency Services (Cal OES) to provide California Disaster Assistance Act funding, as deemed appropriate, for local government assistance to provide emergency water supplies to households without water for drinking and sanitation purposes. On March 27, 2015, the Governor signed emergency legislation Assembly Bill (AB) 91 and AB 92 for the purpose of fast tracking more than \$1 billion in funding for drought relief and critical water infrastructure projects within the State.

The drought conditions continue to exist today to such an extent that we are now experiencing the most significant drought in California's recorded history. In response to the worsening situation, on April 1, 2015, the Governor issued EO B-29-15 calling for a 25% statewide reduction in potable water use. The Governor's Order found that conditions of extreme peril to the safety of persons and property continue to exist in California due to water shortage and drought conditions with which local authority is unable to cope.

On May 5, 2015, the State Water Resources Control Board adopted Resolution No. 2015-0032 to adopt an emergency regulation for statewide urban water conservation. On May 19, 2015, the Stanislaus County Board of Supervisors adopted an urgency measure to amend certain provisions of the local water conservation ordinance (Stanislaus County Code Chapter 14.12) to strengthen water conservation measures related to landscape irrigation and outdoor water use.

Additionally, water allocations to agricultural users within the Central Valley have been curtailed, in part or in whole, by decisions made by the United States Bureau of Reclamation, the California Department of Water Resources, the State Water Resources Control Board, and local irrigation districts and other water purveyors.

The State Water Resources Control Board is also currently considering amending the Water Quality Control Plan (Basin Plan) for the San Joaquin River Basin to further divert greater quantities of surface water out of the area of historical use for purposes of increasing in stream flows to enhance fishery habitat.

Of California's total developed water supply, more than 45% is dedicated for environmental purposes, 45% is designated for agricultural uses, and 10% is allocated for urban supply.

The totality of these circumstances compel Stanislaus County to request the Governor to take even more stringent actions directed at reducing the State's water consumption by imposing curtailments on water supplies currently dedicated to the environment and fishery habitat that are comparable to those now being mandated and burdening urban

## Approval to Adopt a Resolution Regarding the Governor to Improve Environmental Water Accountability During the Drought

and agricultural contractors and users. Fresno County has already taken similar action regarding notification of these concerns to the Governor.

It is recommended that the Board request the Governor to consider taking the following actions:

1. Direct the State Water Resources Control Board to take action making changes in Delta water operations necessary to provide additional water supplies for urban and agricultural users.
2. Meet and confer with the United States Department of the Interior and U.S. Department of Commerce to exercise the greatest possible flexibility in Biological Opinions regulating operations affecting endangered species under the Federal Endangered Species Act.
3. Support Congressional legislative efforts being undertaken by Senator Dianne Feinstein, and others, to enact Federal drought legislation that would benefit water supply availability in the San Joaquin Valley region.
4. Notify Stanislaus County of any and all actions, orders, negotiations and discussions undertaken on behalf of advancing the points enumerated above.
5. Continue to make available any and all State assistance programs and seek additional Federal assistance programs to provide relief to the individuals, growers, businesses, public agencies, and private agencies that are harmed by this disaster.

### **POLICY ISSUE:**

The recommended action supports the Board's priorities of A Safe Community, A Healthy Community, the Efficient Delivery of Public Services, A Well Planned Infrastructure System, and a Strong Local Economy by providing adequate protection of one of the County's most valuable natural resources.

### **STAFFING IMPACT:**

There is no impact on County staff as a result of the adoption of this Resolution.

### **CONTACT INFORMATION:**

Walter Ward, Water Resources Manager                      Telephone: 209-525-6710  
Jami Aggers, Director of Environmental Resources      Telephone: 209-525-6770

### **ATTACHMENTS:**

Resolution

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
STATE OF CALIFORNIA

Date: June 18, 2015

2015-269

On motion of Supervisor Monteith Seconded by Supervisor De Martini  
and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, De Martini, Monteith, and Chairman Withrow

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

THE FOLLOWING RESOLUTION WAS ADOPTED:

Item # \*B-9

**RESOLUTION REGARDING ENVIRONMENTAL WATER  
ACCOUNTABILITY DURING THE 2015 DROUGHT**

WHEREAS, on January 17, 2014, the Governor proclaimed a statewide emergency due to unprecedented drought conditions in the State of California; and,

WHEREAS, on September 19, 2014, the Governor issued Executive Order B-26-14 authorizing the California Office of Emergency Services to provide California Disaster Assistance Act funding, as deemed appropriate, for local government assistance to provide emergency water supplies to households without water for drinking and sanitation purposes; and,

WHEREAS, on March 27, 2015, the Governor signed emergency legislation (AB 91 and AB 92) that fast-tracks more than \$1 billion in funding for drought relief and critical water infrastructure projects; and,

WHEREAS, on April 1, 2015, the Governor issued an Executive Drought Order calling for a 25% state-wide reduction in potable water use; and,

WHEREAS, on May 5, 2015 the State Water Resources Control Board adopted Resolution No. 2015-0032 to adopt an emergency regulation for statewide urban water conservation; and,

WHEREAS, the Stanislaus County Board of Supervisors adopted an urgency measure to amend certain provisions of a local water conservation ordinance (Stanislaus County Code Chapter 14.12) to strengthen water conservation measures related to landscape irrigation and outdoor water use; and,

WHEREAS, water allocations to agricultural users within the Central Valley have been curtailed B in part or in whole B by decisions made by the United States Bureau of Reclamation, the California Department of Water Resources, the State Water Resources Control Board and local irrigation districts and other water purveyors; and,

WHEREAS, the State Water Resources Control Board is currently considering amending the Water Quality Control Plan for the San Joaquin River Basin (Basin Plan) to further divert greater quantities of surface water out of the area of origin and place of historical use for purposes of increasing instream flows to enhance fishery habitat; and,

WHEREAS, 45% California's total developed water supply is dedicated for environmental purposes, 45% is designated for agricultural uses and 10% is allocated for urban supply; and,

WHEREAS, these circumstances compel Stanislaus County to request the Governor to ensure that State actions to reduce water usage and to conserve water in the State consider and implement a reduction in water supplies dedicated to the environment and fishery habitat comparable to reductions in water use mandated for urban and agricultural contractors and users.

NOW THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS RESOLVES AS FOLLOWS:

The Stanislaus County Board of Supervisors requests the Governor to minimize the burden of water shortages on urban and agricultural contractors and users by acting to:

(1) direct the State Water Board to make changes in Delta water operations necessary to provide additional water supplies for urban and agricultural users by reducing allocations of water dedicated to the environment and fishery habitat comparable to reductions in water use mandated for urban and agricultural contractors and users; and,

(2) meet and confer with the U.S. Department of the Interior and U.S. Department of Commerce to exercise the greatest possible flexibility in Biological Opinions regulating operations affecting endangered species under the federal Endangered Species Act; and,

(3) support Congressional legislative efforts being undertaken by Senator Dianne Feinstein to enact federal drought legislation that would benefit water supply availability in the San Joaquin Valley region; and,

(4) continue to make available any and all State assistance programs, and seek additional Federal assistance programs, to provide relief to individuals, growers, businesses, public agencies, and private agencies that are harmed by this statewide emergency; and,

(5) notify this Board of Supervisors of any and all actions, orders, negotiations and discussions undertaken to advance the points enumerated above.

IT IS FURTHER RESOLVED that a copy of this resolution be forwarded to the Governor of California, the State Water Resources Control Board and the Director of the State Office of Emergency Services.

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk  
Stanislaus County Board of Supervisors,  
State of California

Christine Ferraro

File No.