



**BOARD OF SUPERVISORS
COUNTY OF INYO**

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MARK TILLEMANS
MATT KINGSLEY

KEVIN D. CARUNCHIO
Clerk of the Board

**AMENDED - Resolution No. 2014-09
RESOLUTION OF THE BOARD OF SUPERVISORS,
COUNTY OF INYO, STATE OF CALIFORNIA,
PROCLAIMING THE EXISTENCE OF A LOCAL DROUGHT EMERGENCY**

WHEREAS, Government Code Section 8630 empowers the Board of Supervisors to proclaim the existence of a local drought emergency when Inyo County is threatened or likely to be threatened by the conditions of extreme peril to the safety of persons and property that are or are likely to be beyond the control of the services, personnel, equipment, and facilities of this County; and,

WHEREAS, Pursuant to Inyo County Section 2.56.060, the Inyo County Director of Emergency Services has requested the Board of Supervisors to proclaim the existence of a local drought emergency; and,

WHEREAS, California Government Code section 8558 (c) states that a “local emergency” means the duly proclaimed existence of conditions of extreme peril to the safety of persons and property within the territorial limits of the County both incorporated and unincorporated caused by the condition of drought; and,

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

WHEREAS, the Governor’s proclamation acknowledged that the State of California is experiencing record dry conditions that have persisted since 2012, with 2014 projected to become the driest year on record; and,

WHEREAS, the Governor’s proclamation also noted that the snowpack in California’s mountains is approximately 20 percent of normal average for this date; and,

WHEREAS, the Governor’s proclamation called upon all Californians to reduce their water usage by 20 percent; and,

WHEREAS, the Governor’s proclamation called upon local water suppliers and municipalities to implement water shortage contingency plans immediately in order to avoid or forestall outright restrictions that could become necessary later in the drought season; and,

WHEREAS, the snow pack water content in the southern Sierra Nevada measured by California Department of Water Resources snow sensor network indicates that the snow pack water content is currently below that which was present during mid-January in the winter of 1976-1977, the driest winter recorded by the snow sensor network; and,

WHEREAS, the California Department of Water Resources has predicted that for winter 2013-2014, there will be dry conditions in most of California, especially in southern California; and,

WHEREAS, runoff from the Sierra Nevada to the Owens Valley was between 50 percent and 60 percent of normal during runoff-years 2012-2013 and 2013-2014; and,

WHEREAS, the Owens River measured near Big Pine is flowing at 40 percent of its average January flow rate and Bishop Creek is currently flowing at 39 percent of its average January flow rate; and,

WHEREAS, creeks, ditches and ponds in residential areas of Inyo County, including the Bishop area, have dried up due in part to persistent drought conditions; and,

WHEREAS, precipitation measured at Bishop Airport by the National Weather Service during calendar year 2013 was 1.33 inches, which was the lowest since 1947 and 25 percent of normal; and

WHEREAS, the winter of 2013-2014 has so far provided scant precipitation on the Owens Valley floor; and,

WHEREAS, the National Drought Mitigation Center reports that the Owens Valley is in extreme drought and has been in extreme drought conditions for eight (8) or more weeks; and,

WHEREAS, conditions of drought exacerbate already perilous fire conditions constantly threatening towns and communities in Inyo County; and,

WHEREAS, tourism and agriculture are the largest segments of the Inyo County economy; and,

WHEREAS, persistent drought conditions have negatively impacted and continue to threaten the territorial economy; and,

WHEREAS, as lakes are drained, resorts, hotels, restaurants, and businesses that support water-based tourism suffer losses in revenue that will become catastrophic if drought conditions continue; and,

WHEREAS, due to the drought conditions in Inyo County, the County's agricultural production has declined and will further decline in 2014 should the drought conditions persist; and,

WHEREAS, on January 15, 2014, the Secretary of the United States Department of Agriculture designated 27 California counties, including Inyo County, as primary natural disaster areas due to drought which makes farm operators in the designated counties eligible to be considered for certain assistance including emergency loans, from the U.S. Farm Service Agency for production losses; and,

WHEREAS, on January 17, 2014, the California State Water Resources Control Board notified all water rights holders in California that, in the coming months, if dry weather conditions persist, the State Water Board will notify water rights holders in critically dry watersheds of the requirement to limit or stop diversions of water under their water right, based upon the priority of their right; and,

WHEREAS, numerous domestic wells in the Bishop area have become inoperable due to low groundwater levels, requiring that the wells be replaced which has caused extreme hardship and has forced residents to incur high costs to deepen or replace such wells; and,

WHEREAS, due to the drought conditions and associated water management issues, domestic wells in other areas in Inyo County may experience problems similar to those in the Bishop area if the drought conditions persist; and,

WHEREAS, the period of January 2011 to April 2015 has been declared the driest period on record for California and precipitation was 30 to 60 percent of normal in 2014-2015; and

WHEREAS, beginning in 2014, fluctuations in hydrologic conditions in the area served by the Bishop Creek Water Association and known as West Bishop, created by lower-than-normal releases to Bishop Creek and other drought conditions, created a phenomenon where shallow domestic wells are becoming inoperable and homes, properties, and roads are being negatively affected by high groundwater conditions; and,

WHEREAS, in 2016, as irrigation flows in West Bishop begin to return to normal, the problems associated with shallow wells and high groundwater conditions are only being exacerbated; and,

WHEREAS, ground saturation now threatens and is beginning to damage County roads in neighborhoods as well as other public infrastructure like water mains and gas lines; and,

WHEREAS, now more than 100 properties are estimated to be threatened or adversely affected by high water tables; and,

WHEREAS, analyzing the conditions and making recommendations for mitigating damage to public and private property is beyond the capability of local resources; and,

WHEREAS, these conditions are likely to remain beyond the services, equipment, personnel, and fiscal resources of the County of Inyo; and,

NOW, THEREFORE, BE IT RESOLVED AND PROCLAIMED by the Board of Supervisors of the County of Inyo that for the reasons set forth herein, a local drought emergency now exists throughout Inyo County; and,

BE IT FURTHER RESOLVED that federal and state agencies are requested to provide financial and other assistance to residents, water suppliers, water rights holders, ranchers, farmers, business owners and local governments in Inyo County to help them mitigate the effects of the persistent drought conditions; and,

BE IT FURTHER RESOLVED that Inyo County's water users heed the Governor's request to reduce water usage by 20 percent; and,

BE IT FURTHER RESOLVED that water suppliers and municipalities in Inyo County heed the Governor's request to implement water shortage contingency plans immediately in order to avoid or forestall outright restrictions that could become necessary later in the drought season; and,

BE IT FURTHER RESOLVED that the Bishop Creek Water Association, the City of Los Angeles Department of Water and Power and other involved agencies, utilities and individuals do whatever they can to equitably allocate the available water to creeks and ditches in the Bishop area to mitigate to the extent possible, the hardships resulting from the dry creeks, wells, ditches, lakes, and ponds during this extended drought period and during a period of recovery; and,

BE IT FURTHER RESOLVED that water associations in Inyo County, the City of Los Angeles Department of Water and Power and other involved agencies, utilities, and individuals do whatever they can to equitably allocate the available water to creeks and ditches in Inyo County area to mitigate to the extent possible, the hardships resulting from the dry creeks, wells, ditches, lakes, and ponds during this extended drought period and during a period of recovery; and,

BE IT FURTHER RESOLVED that the City of Los Angeles Department of Water and Power continue discussions with representatives of the County, ranchers, and farmers in the Owens Valley, and others with the goal of working together to develop mutually acceptable plans for equitably managing the water resources of the Owens Valley, and that the City of Los Angeles Department of Water and Power commence discussions with representatives of the County, ranchers, and farmers in the Owens Valley, and with the parties to the 1997 MOU concerning temporary modifications of land management plans for Los Angeles-owned non-urban lands in the Owens Valley during this extended drought period and during a period of recovery; and,

BE IT FURTHER RESOLVED that the Great Basin Unified Air Pollution Control District immediately commence discussions with the City of Los Angeles Department of Water and Power, representatives of the County, and other involved agencies and individuals to develop and implement alternative dust abatement measures in order to reallocate potable water currently used on Owens Lake to human, agricultural and economic uses elsewhere in the Owens Valley during this extended drought period and during a period of recovery; and,

BE IT FURTHER RESOLVED, PROCLAIMED AND ORDERED that during the existence of this local drought emergency the powers, functions, and duties of the emergency organization of this County shall be those prescribed by State law, by ordinances, and resolutions existing and passed in conjunction with this emergency, and that this emergency shall be deemed to continue to exist until the Board of Supervisors of the County of Inyo, State of California, proclaims its termination. Further, it is directed that this emergency proclamation be forwarded to the Director of the Governor's Office of Emergency Services and the Governor of the State of California, with a request for any and all assistance, including that available under the California Disaster Assistance Act (CDAA); and,

BE IT FURTHER RESOLVED, PROCLAIMED AND ORDERED that the Board of Supervisors of the County of Inyo hereby authorizes the undertaking of all extraordinary police and planning powers in response to this local drought emergency including but not limited to the ability to modify, amend, or issue planning codes, building and safety codes, environmental health codes, and such other codes, orders, and regulations as determined necessary for the duration of the emergency;

BE IT FURTHER RESOLVED, PROCLAIMED AND ORDERED that public employees, officers, and governing bodies within the territory are hereby granted full immunity to the extent allowed by law for actions undertaken in compliance with this proclamation;

BE IT FURTHER RESOLVED, PROCLAIMED AND ORDERED that during the existence of this local drought emergency, the Inyo County Director of Emergency Services may request the Board of Supervisors to amend this proclamation of a local drought emergency and, if this Board is not in session, to amend this proclamation as necessary and, if this proclamation is amended by the Director of Emergency Services, this Board shall take action to ratify the amendment within seven days thereafter or the amendment shall have no further force or effect; and,

BE IT FURTHER RESOLVED, PROCLAIMED AND ORDERED that this Board of Supervisors will review the need for continuing the local drought emergency at least once every 14 days until this Board terminates the local drought emergency; and,

BE IT FURTHER RESOLVED, PROCLAIMED AND ORDERED that, due to deteriorating conditions in west Bishop, the Board of Supervisors requests that State of California resources be provided for technical assistance to analyze the underlying causes and make recommendations to mitigate damage to public and private property caused by drought-related fluctuations in hydrologic conditions in the area known as West Bishop.

DECLARED this 28th day of January 2014, AND AMENDED THIS 28th day of June, 2016.

Passed and adopted this 28th day of June, 2016 by the following vote.

AYES:

NOES: -0-

ABSTAIN: -0-

ABSENT: -0-

Jeff Griffiths, Chair, Inyo County Board of Supervisors

Attest: *KEVIN D. CARUNCHIO*
Clerk of the Board

by: _____