



Legislation Text

File #: 21-1005, Version: 1

Memorandum

Date: October 5, 2021

To: The Honorable Lake County Board of Supervisors

From: Bruno Sabatier, Chair and District 2 Supervisor

Subject: Consideration of urgency ordinance amending water hauler ordinance prohibiting water hauling to commercial agricultural operations including cannabis cultivation sites

Executive Summary:

On August 24, 2021, the Board of Supervisors approved an urgency ordinance prohibiting water hauling to unpermitted cannabis sites. After reviewing the changes that were made on the day it was approved, it became apparent that the changes made to the originally submitted ordinance prohibited the enforcement as it is not apparent as to what is a legal grow and what is an illegal grow for cannabis cultivation for water haulers.

Upon further conversations about traditional agriculture, it was decided that since traditional agriculture does not rely on water trucks for crop cultivation that I would bring back an amendment to the ordinance to include all commercial agricultural operations including cannabis cultivation therefore helping to make this ordinance enforceable.

There are exceptions to this ordinance such as grazing animals, the raising of small animals and poultry, domestic livestock farming, dairying, and animal husbandry. This is meant for commercial crop activity only. Also, it provides guidance that this ordinance shall not apply to hauling for the purpose of construction use nor for residential use.

I am also requesting to reimplement a clarification for part of the cannabis ordinance that allows for water delivery during an emergency. I am again offering that a declared drought, one that is constant and known prior to harvesting this year is not an emergency that would allow for water delivery. Cannabis permits are provided based on land use reviews, providing water from unknown outside sources has not been reviewed and could be detrimental to other areas outside of the scope of the project if allowed to continue.

If not budgeted, fill in the blanks below only:

Estimated Cost: _____ Amount Budgeted: _____ Additional Requested: _____ Future Annual Cost: _____

Consistency with Vision 2028 (check all that apply):

☐ Well-being of Residents

☐ Public Safety

☒ Not applicable

☐ Disaster Prevention, Preparedness, Recovery

- | | | |
|--------------------------------------------------|------------------------------------------------------|-------------------------------------------|
| <input type="checkbox"/> Economic Development | <input type="checkbox"/> Infrastructure | <input type="checkbox"/> County Workforce |
| <input type="checkbox"/> Community Collaboration | <input type="checkbox"/> Business Process Efficiency | <input type="checkbox"/> Clear Lake |

Recommended Action: Approve the urgency ordinance amending ordinance 3011 regarding water haulers delivering to commercial agricultural operations including cannabis cultivation.