



**PROCLAMATION BY THE BOARD OF SUPERVISORS OF THE COUNTY OF \_\_\_\_\_, STATE OF CALIFORNIA, PROCLAIMING EXISTENCE OF A LOCAL DROUGHT EMERGENCY**

**WHEREAS**, California Government Code section 8630 empowers the Board of Supervisors to proclaim the existence of a local drought emergency when \_\_\_\_\_ 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**, 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 caused by the drought; and

**WHEREAS**, pursuant to \_\_\_\_\_, the \_\_\_\_\_ County Director of Emergency Services *[or some other entity that the county charter or ordinance delegates the power to proclaim an emergency to]* has requested the Board of Supervisors to proclaim the existence of a local emergency; and<sup>1</sup>

**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; and

**WHEREAS**, the Governor’s proclamation also noted that the snowpack in California’s mountains is alarmingly below the normal average level for this date; and

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

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<sup>1</sup> This paragraph is only necessary when the emergency is being proclaimed by someone other than the Board of Supervisors (i.e. local ordinances may allow for emergency services or other delegated authority to declare an emergency.)

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

**WHEREAS**, [*describe the specific water issues presented in your county; for example, the \_\_\_\_\_ River is flowing at 30 percent of its average February flow rate and \_\_\_\_\_ Creek is currently flowing at 25 percent of its average February flow rate;*] and,

**WHEREAS**, [*describe impact on the county’s economy; for example, loss of tourism/ agriculture/ recreation*]; and

**WHEREAS**, [*describe any impact on domestic wells if applicable; for example, numerous wells in the \_\_\_\_\_ 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**, persistent drought conditions have negatively impacted and continue to threaten the County’s economy; and

**WHEREAS**, conditions of drought exacerbate already perilous fire conditions threatening towns and communities in \_\_\_\_\_ County; and

**WHEREAS**, on January 15, 2014, the Secretary of the United States Department of Agriculture designated 27 California counties, [*including Alameda, Alpine, Amador, Calaveras, Contra Costa, El Dorado, Fresno, Inyo, Kings, Kern, Los Angeles, Madera, Mariposa, Merced, Mono, Monterey, Sacramento, San Benito, San Bernardino, San Joaquin, San Luis Obispo, Santa Clara, Santa Barbara, Stanislaus, Tulare, Tuolumne, and Ventura*] as 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 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 right 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**, these conditions are likely to be beyond the services, equipment, personnel and fiscal resources of the County of \_\_\_\_\_.

**NOW, THEREFORE, BE IT RESOLVED AND PROCLAIMED** by the Board of Supervisors of the County of \_\_\_\_\_ that for reasons set forth herein, a local drought emergency now exists throughout \_\_\_\_\_ 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 \_\_\_\_\_ County to help them mitigate the persistent drought conditions; and

**BE IT FURTHER RESOLVED** that \_\_\_\_\_ County's water users heed the Governor's request to reduce water usage by 20 percent.

**BE IT FURTHER RESOLVED** that water suppliers and municipalities in \_\_\_\_\_ 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.

**BE IT FURTHER RESOLVED** that all county water associates, power companies, other involved agencies, utilities, and individuals do whatever they can to equitably allocate the available water to mitigate to the extent possible the hardships resulting from the lack of water during this extended drought period of recovery.

**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, 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 \_\_\_\_\_, 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.**

**BE IT FURTHER RESOLVED, PROCLAIMED AND ORDERED** that the Board of Supervisors of the County of \_\_\_\_\_ 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 or 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 County 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 \_\_\_\_\_ County Director of Emergency Services *[or some other entity that the county charter or ordinance delegates the power to proclaim an emergency to]*<sup>2</sup> 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 *[or some other entity that the county charter or ordinance delegates the power to proclaim an emergency to]* the Board shall take action to ratify the amendment within \_\_\_\_\_ days thereafter or the amendment shall have no further force or effect.

**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 \_\_\_\_\_ days until this Board terminates the local drought emergency. [Note: Government Code section 8630(c) requires the governing board to review the local emergency **at least once every 30 days** until the governing body terminates the local emergency.]

**DECLARED** this \_\_\_\_\_ day of \_\_\_\_\_ 2014.

\_\_\_\_\_  
Chairperson, \_\_\_\_\_ County Board of Supervisor

<sup>2</sup> This paragraph is only necessary when the emergency is being proclaimed by someone other than the Board of Supervisors (i.e. local ordinances may allow for emergency services or other delegated authority to declare an emergency.)