



Legislation Text

File #: 17-348, **Version:** 1

Report Prepared by: Mike Conway, Assistant to the City Manager

SUBJECT: Opposition to Senate Bill 252, Water Wells

REPORT IN BRIEF

Approve opposition to Senate Bill (SB) 252, Water Wells.

RECOMMENDATION

City Council- Adopt a motion approving staff to oppose SB 252, (Dodd) Water Wells.

ALTERNATIVES

1. Approve, as recommended by staff; or,
2. Approve, subject to other than recommended by staff (identify specific findings and/or conditions amended to be addressed in the motion); or,
3. Deny; or,
4. Refer to staff for reconsideration of specific items (specific items to be addressed in the motion); or,
5. Continue to a future meeting (date and time to be specified in the motion).

AUTHORITY

Charter of the City of Merced, Section 200.

CITY COUNCIL PRIORITIES

As provided for in the 2017-18 Adopted Budget

DISCUSSION

SB 252, Water Wells, D. Dodd, D-Napa, 5, is another attempt to impose CEQA-like regulations on local governments without using the California Environmental Quality Act. This is another bill that creates an unfunded mandate.

This bill would require for any new municipal wells the City allows that we would have to hold a meeting and provide 10-day notice to property owners within 300-feet of the proposed well. We also would have to adopt an ordinance stating that the City will comply with SB 252.

The bill doesn't clarify how it will work with other ground water regulations in place. Other ambiguous parts of the legislation include who is actually required to conduct the meeting and provide notice, and who is to receive notice.

Staff has provided a letter of opposition to the Senate Committee Chair and will continue to use a variety of methods to oppose the bill that can include letters, phone calls, personal meetings, testimony and media outreach.

Staff plans to bring before Council a complete Legislative platform in August for its discussion and approval. Once a Legislative platform is approved, staff will be able to respond quickly to requests for letters, calls, emails, testimony and to other legislative actions, as needed, based on the adopted platform.

IMPACT ON CITY RESOURCES

No appropriation of funds is needed.

ATTACHMENTS

1. SB 252 Summary
2. SB 252 Opposition Letter