

RESOLUTION NO. 2000-7

**AN URGENCY RESOLUTION ADOPTING A MORATORIUM ON THE
DRILLING OF WELLS WITHIN DISTRICT BOUNDARIES**

I. Recitals and Findings

WHEREAS, the Board of Directors ("Board") of the Irish Beach Water District desires to require the approval of the District prior to the commencement of any groundwater well drilling within the District; and,

WHEREAS, the District is in the process of studying the feasibility and appropriateness of a resolution which would limit well drilling where it threatens the District's water supply, and is currently in the process of adopting a policy for the issuance of well permits; and,

WHEREAS, California Water Code Section 35400 provides that the District has the power generally to perform all acts necessary or proper to carry out fully its mandate as set forth in the state Water Code; and

WHEREAS, California Water Code Section 35409 provides that the District may commence, maintain, intervene in, defend and compromise actions and proceedings to prevent interference with or diminution of the natural flow of any natural subterranean supply of waters which may be used or be useful for any purpose of the District, be of common benefit to the land or its inhabitants, or endanger the District's inhabitants or land; and

WHEREAS, the Board held a public hearing on Nov. 11, 2000 to consider the enactment of this resolution temporarily prohibiting the drilling of groundwater wells within District boundaries; and,

WHEREAS, the Board finds that allowing the drilling of wells prior to fully evaluating and approving the District's proposed well permit policy poses a current and immediate threat to the public health, safety and welfare because such activity may jeopardize the District's water supply as well as the health and safety of District residents; and,

WHEREAS, the Board, therefore desires to create a temporary moratorium, effective immediately, on the drilling of water wells within District boundaries.

II. Action To Be Taken

NOW, THEREFORE BE IT RESOLVED that the Board of Directors for the Irish Beach Water District hereby orders effective immediately a temporary moratorium on the drilling of groundwater wells within District boundaries.

* * * * *

I hereby certify that the foregoing Resolution was regularly introduced and adopted by the Board of Directors of the Irish Beach Water District at a meeting held on the 11 day of NOVEMBER, 2000 by the following vote:

AYES: POUNG, BURMANIA, LUBECK, WHITAKER,
FRAME

NOES: _____

ABSTAIN: _____

ABSENT: _____

ATTEST: Stephen Whitaker
Secretary of the Board