**MEMORANDUM**

Date: June 7, 2023

To: Siskiyou County Board of Supervisors

From: Bill Carroll, Deputy County Counsel

Re: **Amendment of ordinances regarding permitting of water trucks**

**Discussion**

In relation to local regulation of water truck vehicles, County Counsel recommends the Board enact a proposed ordinance to repeal permitting requirements to operate water trucks within the County. The corresponding code sections that would be repealed are Sections 3-4.1501 through 3-4.1506, which comprise the entirety of Article 15 of Chapter 4 of Title 3 of the Siskiyou County Code, titled "Restrictions on Water Trucks Using Certain Specified County Highways". The County has been enjoined from enforcing these code sections since September 3, 2021 by the United States District Court for the Eastern District of California and the County remains enjoined. Repealing these code sections is recommended as part of the process of resolving extended litigation over these provisions.

**California Environmental Quality Act (CEQA)**

The proposed ordinance, if it were to have any direct or indirect physical change on the environment, would come within the “common sense” exemption of CEQA (14 CCR 15061(b)(3)) in that the proposed repeal of the administrative permit ordinance established only an administrative overlay to an already ongoing usage. Therefore, the ordinance can be seen with certainty as having no significant direct or indirect effect on the environment.

**Recommended motion**

That the Board:

1. Introduce, waive, and approve the first reading of an ordinance repealing Article 15 of Chapter 4 of Title 3 of the Siskiyou County Code regarding restrictions of water trucks.

2. Find that the ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3).

3. Direct the clerk to schedule a public hearing on, and second reading of, the ordinance.