

July 7, 2014

To: Lake LAFCo / Executive Director, John Benoit
From: Watershed Protection District - Municipal Service Review Committee
Subject: Corrections and Recommended Changes to Draft Reviewed on May 21, 2014

The Watershed Protection District service review committee met on June 18, to review the public comments provided on May 21, editorial corrections needed, and changes recommended in response to written and verbal public input provided during the Commission hearing.

The following list proceeds through the content of the review draft provided for the May 21 hearing and provides a page-sequential list of corrections and recommended changes.

An additional finding to recommend a full review of the Lake County Clean Water Program authorities, organizational structure and capacity requirements to meet the most recent NPDES Stormwater Management permit (Water Quality Order 2013-0001-DWQ, February 2013) would be beneficial for District Board of Directors' understanding of the relationship between former and current program and services mandates.

The Committee appreciates the opportunity to complete the substantial task of crafting a beneficial and useful service review to assist the Commission, the District's Board of Directors, staff, and county administration for clarification of the District's duties and needs for development of the final draft for your consideration.

Respectfully yours,

Betsy Cawn
Mike Dunlap
Maurice Taylor

Reference documents:

1. May 19, 2014 - Comments (Memo from Betsy Cawn)
2. May 28, 2014 - LAFCo Meeting Minutes
3. March 25, 2004 - Letter to Senator Wes Chesbro re legislation requested to form the Lake County Watershed Protection District
4. Senate Bill 1136, enacted January 1, 2005
http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=200320040SB1136
5. Lake LAFCO Watershed Protection District MSR Review Draft, May 2014
http://www.lakelafco.org/uploads/1/1/4/5/11454087/watershed_protection_msr_public_review_draft_5-13-14.pdf

The following list references page and paragraph numbers as found in the May 2014 Review Draft available from the Lake LAFCo website (hyperlink found above).

1. Page 2, 1st Paragraph, Recommendation [R-1]: Display list of Commission agency members and voting status for public understanding of Commission composition, as follows:

County of Lake

Denise Rushing, Supervisor District 3, Vice Chair
Jim Comstock, Supervisor District 1
Jeff Smith, Supervisor District 2 (Alternate)

Cities

Stacey Matina, City of Lakeport
Denise Loustalot, City of Clearlake
Martin Scheel, City of Lakeport (Alternate)

Special Districts

Frank Gillespie, Butler-Keys CSD
Gerry Mills, Lakeport FPD
Jim Abell, South County FPD (Alternate)

Appointed Members of the Public at Large

Ed Robey, Chair
Suzanne Lyons (Alternate)

2. Page 2, 5th Paragraph, Recommendation [R-2]: Delete last sentence (“The Committee consisted of the following individuals:”) and move list of Committee members to Section 5-3 - Preparers, as Item 4 on Page 31.
3. Page 4, Footnote 2, Correction [C-1]: Date of document is “Fiscal Years 2003-2004 through 2007-2008” per County website:
<http://www.co.lake.ca.us/Assets/CDD/Stormwater+Mgt/Clean+Water+PDFs/Stormwater+Management+Plan.pdf>
4. Page 5, 3rd Paragraph, Correction [C-2]: Remove second reference to “Clear Lake Cache Formation” (redundant); remove “Middle Creek” (lies within “Upper Lake Valley”).
5. Page 5, Footnote 3, Correction [C-3]: Replace hyperlink as shown with
http://www.co.lake.ca.us/Government/Directory/Water_Resources/Department_Programs/Groundwater_Management.htm.
6. Page 6, 4th Paragraph, Correction [C-3]: Remove “between” (redundant) in the first sentence.
7. Page 7, 1st Paragraph, Recommendation [R-3]: Provide footnote citing Advisory Council Bylaws, and provide access to Bylaws document on program webpages:
http://www.co.lake.ca.us/Government/Directory/Water_Resources/cwp/documents.htm,
http://www.co.lake.ca.us/Government/Directory/Water_Resources/cwp/Advisory_Info.htm.
8. Page 7, 1st Paragraph, Recommendation [R-4]: Modify the last two sentences as shown:

~~“Workgroup recommendations are presented to the Advisory Council ~~who~~ which then review and present recommendations to the County Board of Supervisors and both City Councils directs staff to make recommendations to their respective legislative for final approval. It is the responsibility of the cities and the County to implement the program as recommended by the Program Workgroups and Advisory Council. and as adopted by the County Board of Supervisors and both City Councils.”~~

9. Page 7, 3rd Paragraph, Recommendation [R-5]: Replace last sentence as shown:

“However, the permit-mandated formation of a unified “Management Workgroup” has not been achieved. The Advisory Council’s lack of activity in FY 2014-2015 puts at risk the co-permittees’ permit requirement compliance defined in WQO-2013-0001-DWQ.” ~~in practice this step may not be fully realized presently.~~

10. Page 7, Footnote 5, Correction [C-4]: Date of transfer of responsibility for program coordination services to the Community Development Department was July, 2009.

Comment: Documentation of these decisions should be found in the Clean Water Program Advisory Council minutes; however, no other documentation (such as direction to staff from Board of Directors) has been found to confirm transfer of program management authorities or responsibilities.

11. Page 8, 4th Paragraph, Correction [C-5]: Title of 1994 document is “Causes & Control of Algal Blooms in Clear Lake,” also commonly referred to as the “Clean Lakes Report.” Note that a 2008 publication titled “Monitoring and Implementation Plan, Clear Lake Mercury and Nutrient TMDL’s” is found on the County website when searching for the “Clean Lakes Implementation Plan (1994)” (of 69 results). Determine which document is the appropriate reference material and so cite.

<http://www.co.lake.ca.us/Assets/WaterResources/Algae/Clear+Lake+TMDL+Monitoring+and+Implementation+Plan.pdf>

12. Page 9, 5th Paragraph, Recommendation [R-6]: Clarify relevance of distinction between unincorporated “disadvantaged communities” and incorporated ones, all of which are within the Sphere of Influence of the Watershed Protection District (and for Floodplain Management Program services, all residents in either city or county jurisdiction pay property taxes that support the District).

Comment: LAFCo might benefit from a report on the variety of substantiations for designation of “disadvantaged” (and “severely disadvantaged,” a category that is recognized by grant funding authority for California Department of Water Resources programs).

13. Page 10, 2nd Paragraph, Correction [C-6]: Replace “impose and collect fees” with “incur indebtedness and issue bonds, cause taxes, fees or assessments to be levied and collected for the purpose of paying any obligation of the district, and to contract with the County of Lake” before “to carry out the purposes of the District.”

Reference: SB 1136, Section 7, items 9, 10, and 14 of Section 5 of the California Water Code, Chapter 62 (Sections 12741 and 12742), and Section 21180 of the Public Contract Code. Add footnote as appropriate.

14. Page 11, 1st Paragraph, Recommendation [R-7]: Modify the last sentence as shown:

~~“As previously mentioned,~~ The District’s role in managing the Lake County Clean Water Program is defined in the joint powers agreement between the cities, County, and the District. *However, the District itself lacks a local enabling ordinance defining its responsibilities to meet NPDES stormwater management permit compliance requirements and structural authority to obtain interagency services from County departments and to administer revenues or expenditures.”*

15. Page 11, 4th Paragraph (last sentence), Recommendation [R-8]: Modify the last sentence as shown:

“The Board of Supervisors meets concurrently as the Board of Directors of LCWPD (as with other dependent districts) to consider items specific to LCWPD, as a result of recent Board agenda management changes. Given the importance of the LCWPD’s responsibilities, existing confusion regarding the District’s legal status and operational capacities in accordance with SB 1136, and significant organizational support needed to address the District’s increased workloads, the District’s Board of Directors should conduct separately identified, publicly noticed hearings to enhance transparency and accountability.”

16. Page 11, 5th Paragraph, Recommendation [R-9]: Delete this paragraph and remove footnote #15.

17. Page 12, 1st Paragraph, Corrections [C-7]: In the first sentence, insert “(RMC)” after the word “Committee”. In the second sentence, replace “Clear Lake Basin Resource Management Committee (RMC)” with “RMC” before the word “supported”. At the end of the first bullet item, insert the word “Draft” following the parenthetically enclosed publication year (i.e., “(2000)”.

18. Page 12, 2nd Paragraph, Recommendation [R-10]: Replace the third sentence as shown:

“It may be beneficial for the District’s Board of Directors to spearhead the revival of this organization, given the extensive regional coordination that is necessary to meet minimum permit requirements and water quality standards established by the Central Valley Regional Water Quality Control Board. maximize impact of any watershed related programming.”

19. Page 12, 4th Paragraph, Correction/Recommendation [C-8/R-11]: Modify the second sentence and ensuing text as shown:

~~“Information regarding the District and the County Department of Water Resources (the department that staffs the District) is made available on the County website. While comprehensive, it is often unclear whether it is the District or the Department of Water Resources program being discussed and the layout could be improved to align with major categories of services offered by the District. The Department District is encouraged to ensure clarity of the information available on its website for use by the general public. There is also a separate website specific to the Department’s District’s Invasive Mussel Program. The Department District sends out mailers and newsletters regarding flood issues and invasive species, and issues a number of press releases on invasive species and water quality issues. The Department District has reportedly tried to make made use of local media to increase~~

exposure to the public about Clear Lake and the issues it faces. The Department ~~District~~ participates in special events, such as local fairs, *and* the International Sports Expo, ~~and Blue Herron [sic] Days~~, where it distributes information on invasive species and aquatic weeds. The Department ~~District~~ has participated in and provided assistance at several lake clean-up efforts, and regularly makes presentations at local schools on Earth Day.”

20. Page 13, 1st Paragraph, Correction [C-9]: Modify the paragraph as follows:

“The District was administered as part of the County Department of Public Works until ~~it~~ *the Department of Water Resources* was separated and made into an individual department by the Board of Supervisors in 2010. ~~Named the Water Resources Department, this department~~ *The Department of Water Resources* is responsible for all functions of LCWPD.[?-1] Until recently, [?-2] *the Department of Water Resources Department managed district provided District services separately from and what is referred to as Lakebed Management. as separate functions. At the end of 2013, County Counsel informed the Department that the Lakebed Management services could be offered under the umbrella of LCWPD. However, the funding for the Lakebed Management services must continue to be tracked through separate funds, as use of revenues from that program are legally limited to services directed at Clear Lake. While recent changes incorporated Lakebed Management under the umbrella of LCWPD jurisdiction, Lakebed Management revenues and expenditures are tracked through separate funds in compliance with the State Lands Commission statutes of 1973.*” [Footnote 16]

[Footnote 16 - correct citation to reference documentation from County Counsel or provide link to State Lands Commission grant:

http://www.slc.ca.gov/Granted_Lands/Lake.html]

21. Page 13, 2nd Paragraph, Correction/Recommendation [C-10/R-12]: Modify the last sentence as follows:

“~~There are no~~ *Several* volunteers ~~that offer~~ *provide their* services to the District; *for water quality monitoring (sampling and satellite imagery projects), ongoing multi-agency negotiations for restoration of the Middle Creek Marsh, and compliance with the NPDES Stormwater Management Permit requirements. some* volunteers occasionally assist with a stormwater and water sampling effort.”

Add: “*The District would benefit from collection of volunteer hours as in-kind matching funds for future grant applications and development of broader stakeholder support for District programs.*”

22. Page 14, 3rd Paragraph, Correction [C-11]: Remove fourth bullet item, “Scotts Valley Groundwater Management Plan” (County website search results 41 items, none as cited).
23. Page 15, 1st Paragraph (eighth bullet) Correction [C-12]: Following “Budget Unit 8108” remove “Upper Middle Creek Basin” and replace with “Flood, Zone #8.”
24. Page 17, 1st Paragraph (table, line 7), Correction [C-13]: Following “Budget Unit 8108” remove “Upper Middle Creek Basin” and replace with “Flood, Zone #8.”

25. Page 17, 3rd Paragraph, Correction [C-14]: Replace subsection title “Upper Middle Creek Basin” with “Flood Zone #8”; repeat action in 1st and 4th sentences.
26. Page 18, 3rd Paragraph (table, line 7), Correction [C-15]: Following “Budget Unit 8108” remove “Upper Middle Creek Basin” and replace with “Flood, Zone #8.”
27. Pages 20, 21, 22 (all), Recommendation [R-13]: Replace table with text provided as follows, and note points of concern for each entry. For purposes of this review, the font has been changed to Helvetica for the contents of the table sections as shown:

FLOOD CONTROL/FLOODPLAIN MANAGEMENT

1. Project/Service Name: **Flood Control/Floodplain Management**
Category: Flood Control
Description: The LCWPD serves as the local agency implementing the NFIP for the **unincorporated County**. Implementation includes working with the County Building and Safety Department to enforce minimum construction standards for new construction, enforcing standards on new development in the floodplain, providing information on the program to the public, and administering the Community Rating System program, which lowers NFIP premiums by 15 percent in the unincorporated areas of the County. [Budget units?]

Comment: NFIP ratings and Floodplain Management funding is derived from all residents in the Clear Lake Basin lowlands, including those located in cities that also pay property taxes that fund the Watershed Protection District but whose local jurisdictions are responsible for flood protection services. District inter-jurisdictional responsibilities are unclear. Lacks Budget Unit citation.
2. Project/Service Name: **Upper Lake Levees [Flood Zone #8]**
Category: Flood Control
Description: The District provides maintenance for approximately 11 miles of levees (3.5 miles of levees were returned to State responsibility in 2000) broken down into three zones of benefit. The levees were designed to provide protection from 50-200 year flood events, depending on location. Levee maintenance is overseen by the State (California Department of Water Resources) and the U.S. Army Corps of Engineers (USACE). Maintenance is done by LCWPD, with some services contracted to private companies (i.e. mowing, herbicide application). Levee maintenance is funded by a benefit assessment approved in 1999 and is included in Budget 8108.

Comment: The “project” may be the Upper Lake levee maintenance services, and if so the identification of the Budget Unit belongs in the text (as it is), and does not belong with the title (inconsistent).
3. Project/Service Name: **Middle Creek Marsh Ecosystem Restoration and Flood Damage Control Project**
Category: Flood control, **watershed stewardship**
Description: This project has been ongoing since 1995 in cooperation with the State CDWR/Central Valley Flood Protection Board and the USACE. Project costs are shared between cooperators. Property acquisition was begun using CDWR Flood Protection Corridor (FPCP) funds. The project was designed to eliminate flood risk to 18 residential structures, numerous outbuildings and approximately

1,650 acres of agricultural land, as well as restore damaged habitat and the water quality of the Clear Lake watershed by decommissioning substandard levees. LCWPD owns and maintains approximately 367 acres of property purchased for the Middle Creek Restoration Project.

Comment: The term "watershed stewardship" is a real catch-all that is not actually supported by any "program" directives -- ordinances, policies, plans -- for implementation of authorized spending directives. What is the Budget Unit?

4. Project/Service Name: **Highland Springs Reservoir**
Category: Flood control, watershed stewardship, recreation
Description: Highland Springs Reservoir was constructed circa 1964 to reduce flooding from Adobe Creek. Project capital costs were funded by the National Resource Conservation Services (NRCS). Project operation and maintenance is funded by property taxes through Budget 8101. A park was developed adjacent to the Highland Springs Reservoir in the late 1960's in cooperation with the California Wildlife Conservation Board for recreation purposes. **While not included in the defined powers of LCWPD**, it is ancillary to LCWPD facilities. Maintenance is the responsibility of a caretaker and assistant caretaker who are residents contracted by and under the direction of LCWPD. Costs associated with the facility are paid through Budget 8109.

Comment: What are the "defined powers of the LCWPD" referred to here (SB 1136, NPDES stormwater management permit, local ordinances)?

5. Project/Service Name: **Adobe Creek Reservoir**
Category: Flood control
Description: Adobe Creek Reservoir was constructed circa 1964 to reduce flooding from Adobe Creek. Project capital costs were funded by the NRCS. Project operation and maintenance is funded by property taxes through Budget 8101. Property surrounding the reservoir is owned by LCWPD, but the property is not accessible to the public and is not regularly maintained.

Comment: Identify Budget Unit.

6. Project/Service Name: **Adobe Creek Channel**
Category: Flood control
Description: This flood control project (channel enlargement and straightening) was constructed circa 1964 to reduce flooding from Adobe Creek. Project capital costs were funded by NRCS. Operations and maintenance are funded by property taxes through Budget 8101.

7. Project/Service Name: **Culvert Maintenance**
Category: Flood control
Description: LCWPD only participates in culvert maintenance on District projects/property. LCWPD cooperates with the County Road Department (DPW) in upgrading inadequate culverts and bridges, by reviewing designs and providing input. Culverts are also upgraded within development projects if they are impacted. [Budget unit?]

STORMWATER MANAGEMENT

8. Project/Service Name: **Lake County Clean Water Program - Stormwater**
Category: Stormwater management, water quality
Description: Contract administration of a joint effort between the County of Lake, City of Clearlake and City of Lakeport to comply with NPDES permit requirements by reducing the damage caused by polluted stormwater runoff and impacts of increases in peak flows from development. Specific activities conducted by the District in order to fulfill this function include overall coordination of the program, and annual reporting. The actual programs are implemented by different staff members in several departments in each entity. This program was originally with LCWPD, however it was transferred to the County Community Development Department several years ago. The program is in the process of being transferred back to LCWPD.

Comment: The last two sentences (highlighted) could be eliminated. Refer to the joint powers authority agreement of 2003, which is still the governing document and does not reflect temporary responsibilities delegated to CDD in 2009. Identify the Budget Unit.

9. Project/Service Name: **Development Review**
Category: Stormwater management, floodplain management
Description: LCWPD staff review of plans for parcel maps, subdivision and major developments (i.e. commercial facilities). Review ensures that designs are in accordance with the Lake County Hydrology Design Standards, mitigation of drainage impacts is addressed, erosion issues are addressed, and the plan includes proper floodplain management.

Comment: "Development Review" entails stormwater runoff modifications, and does not address water supply capacities for source protection in compliance with fire suppression standards and treatment plant capacities (surface water supplies).

The referenced "Standards" are dated 1999, and may need to be updated in line with new state Stormwater Management permit requirements. Integration with permit mitigations as a function of permit compliance requirements may impact relevant ordinances.

<http://www.co.lake.ca.us/Assets/WaterResources/Lake+County+Hydrology+Standards.pdf>

GROUNDWATER MANAGEMENT

10. Project/Service Name: **Kelsey Creek Detention Facility**
Category: Groundwater management
Description: This is a groundwater recharge facility constructed to mitigate for geothermal development by the State in the upper watershed. Capital costs were funded by CDWR, as were annual maintenance costs. When CDWR sold the Bottle Rock geothermal power plant, maintenance funding ceased. Maintenance funds are now funded by property taxes through Budget 8105.
11. Project/Service Name: **Groundwater Data Collection**
Category: Groundwater management
Description: The District monitors groundwater levels on a regular basis. The

District monitors 82 wells in the major groundwater basins in cooperation with CDWR. Several of these wells were added to the CASGEM monitoring network. Semi-annual groundwater level data is submitted to CDWR-Northern District for input into the CDWR Water Data Library. This data is made available to the public on CDWR's website. The District monitors 14 (of the 82) wells in Big Valley on a monthly basis. There is no funding specific to a groundwater quality monitoring program.

Comment: Identify the funding requirements and the appropriate Budget Unit.

LAKEBED MANAGEMENT/SHORELINE PROTECTION

12. Project/Service Name: **Invasive Mussel Inspection/Prevention Program**
Category: Lakebed management, water quality
Description: Administration of the vessel inspection program, which provides trained inspectors, screeners and decontamination services, plus outreach and education to the public about the prevention of infestation of water bodies by Quagga and Zebra Mussels.

Comment: Identify the Budget Unit.

13. Project/Service Name: **Lakebed Encroachment Permitting**
Category: Lakebed management
Description: Issuing of permits for construction of piers, docks, and other lakebed amenities to property owners who then pay an annual lease fee to the County of Lake. In addition, the District submits an annual report to the State Lands Commission.

Comment: State Lands Commission requirement for "regular review" have not been applied since 1984. Identify the Budget Unit.

14. Project/Service Name: **Aquatic Plant Management**
Category: Lakebed management, water quality
Description: Monitoring of applications of aquatic herbicides by licensed applicators, and provision of annual report to the Central Valley Regional Water Quality Control Board.

Comment: Implementation of the approved "Clear Lake Integrated Aquatic Plant Management Plan" requires annual review and five-year updating; existing and currently approved plan is dated 2004. Identify the Budget Unit.

15. Project/Service Name: **Public Access Maintenance**
Category: Lakebed management
Description: Management of contracts to weed harvesting and pesticide applicators for maintenance of public access "boat lanes" and fishing areas adjacent to the shoreline.

Comment: Identify the Budget Unit.

WATER QUALITY PROTECTION/SUPPLY MANAGEMENT

16. Project/Service Name: **Clear Lake Clean Water Program - TMDL Compliance**
Category: Water quality protection

Description: LCWPD interfaces with the Central Valley Regional Water Quality Control Board (CVRWQCB) on implementation of the nutrient TMDL. As program manager LCWPD is responsible for program management and administration, permit management, and technical program management. Implementation is through projects like the Middle Creek Restoration Project (above) and implementation of County regulations (frequently in cooperation with other County departments).

Comment: Remove "Clean Water Program -" to accurately name the "Clear Lake TMDL Compliance" as the Project/Service Name).

17. Project/Service Name: **Water Quality Monitoring Program**

Category: Water quality protection

Description: Water quality monitoring has been dependent on availability of grant financing. Mercury hotspot monitoring has been conducted in the Clear Lake watershed (**2009 Clear Lake Watershed Mercury and Nutrient Assessment**). Watershed loadings of mercury and nutrients were estimated for the Clear Lake watershed based on a previous monitoring program (1994 and 2009 assessments). Monitoring has not been conducted in the Putah Creek watershed, due to lack of funding. LCWPD cooperates with CDWR on their Clear Lake water quality monitoring program through the Lakebed Management budget.

Comment: The correct title of the document describing "Mercury hotspot monitoring" is the "Final Report, Clear Lake Watershed TMDL Monitoring Program." Identify the Budget Unit.

18. Project/Service Name: **Algae Management**

Category: Water quality protection

Description: Program consists of crisis management, as well as mitigation and cleanup of nuisance algae when necessary, depending on climate conditions.

Comment: Identify the Budget Unit.

19. Project/Service Name: **Water Rights**

Category: Water supply management

Description: LCWPD monitors the operation of Clear Lake by Yolo County Flood Control and Water Conservation District to ensure compliance with operating criteria as established/endorsed by the courts. Yolo County Flood Control and Water Conservation District's predecessors obtained the water rights for Clear Lake between 1853 and 1912. In addition, LCWPD applied for water rights for additional water storage within the Middle Creek Restoration Project area. LCWPD is actively pursuing these water rights.

Comment: The County's "Groundwater Management Ordinance" protects from "exporation" of ground water supplies out of the county boundaries, and needs to be updated in concert with other authorities for compliance with the NPDES

Stormwater Management permit (WQO-2013-0001-DWQ). Identify the Budget Unit.

20. Project/Service Name: **Westside Integrated Regional Water Management Plan**
Category: Water quality protection, water supply management
Description: The Westside Sacramento IRWM Plan, a 20-year water management and implementation plan, was completed in 2013. The LCWPD is one of the coordinating committee members for implementation of the IRWM plan.

Comment: Identify the Budget Unit.

WATERSHED STEWARDSHIP

21. Project/Service Name: **Watershed Planning**
Category: Watershed stewardship
Description: The Clear Lake Integrated Watershed Management Plan is anticipated to be updated in 2014, with the project led by the District.

Comment: Identify the Budget Unit.

22. Project/Service Name: **Review and Revision of Ordinances and Policies**
Category: **Watershed stewardship**
Description: LCWPD works with other departments to develop ordinances and regulations that reduce erosion and sediment delivery to protect water quality. Specifically, LCWPD has reviewed the Wetlands Policy and has developed a **model wetland management plan**, revised the **Shoreline Ordinance** to include recommendations from the **Wetlands Policy**, and revised the **Grading Ordinance** to address erosion and habitat protection issues.

Comment: A search of the Lake County Website revealed no document titled "wetland management plan" (in 94 results); clarify the appropriate documentation resources. The Shoreline Ordinance was last revised in 2003, at the time of the first Stormwater Management Permit issuance, and requires updating along with all authorities respective to implementation of the permit. A habitat conservation plan in accordance with related ordinances and the approved "Wetlands Policy" is needed. Identify the Budget Unit.

[END OF REVISED TABLE CONTENTS + REVIEW NOTES]

28. Page 23, 2nd Paragraph, Correction [C-16]: Remove "Colusa County" from list of WRWMMG participants (Colusa County dropped out following completion of the draft WIRWMP in 2013).
[http://www.westsideirwm.com/documents/Implementation%20MOU/A-112B WESTSIDE MOU IRWMP signedfinal.pdf](http://www.westsideirwm.com/documents/Implementation%20MOU/A-112B%20WESTSIDE%20MOU%20IRWMP%20signedfinal.pdf)
29. Page 26, Section 4.3, Finding 3-1, Correction [C-17]: Remove "minimally adequate" and replace with "minimal."
30. Page 26, Section 4.3, Finding 3-2, Correction [C-18] and Recommendation [R-14]: Remove "adequate" and replace with "minimal." Remove "reorganization of the

District website” and replace with “development of a District website” and remove “to enhance clarity.”

31. Page 26, Section 4-3, Finding 3-3, Correction [C-19]: Remove first sentence (lacks supporting documentation). Recommendation [R-15]: Replace first sentence as follows:

“The District’s workload increased significantly with the enactment of SB 1136 in 2005, adding responsibility for the County’s ‘National Pollutant Discharge Elimination System’ (NPDES) permit requirements and establishing its revenue generating authorities to fund NPDES-mandated stormwater management actions. A ‘change of organization’ provided by LAFCo was not requested by the District’s Board of Directors, resulting in additional programs and service requirements without development of additional organizational management capacities and appropriate revenues.”

32. Page 27, Section 4-4, Title, Correction [C-20]: Remove “of agency.”

33. Page 27, Section 4-4, Finding 4-3, Recommendation [R-16]: Replace “units be summarized in the County budget for ease of public understanding” with “be described in a complete, integrated budget plan encompassing all planned spending (a.k.a., ‘budget units’), revenues, assets and liabilities, and unfunded budget requirements.”

Comment: Given the lack of comprehension expressed by members of the District’s Board of Directors, as well as some of those Directors who are also LAFCo Commissioners, the MSR Committee and members of the public, fragmented budget units (many of which are lacking identification in the “Program/Project” table -- see detailed comments above), and missing analysis of revenues/expenditures/costs and important but unfunded mandates, development of a District budget would be a great service to all involved.

Also see written comments, Item 30, submitted on May 21, 2014:

“The term ‘local accountability and governance’ refers to public agency decision making, operational and management styles that include an accessible staff, elected or appointed decision-making body and decision making process, advertisement of, and public participation in, elections, publicly disclosed budgets, programs, and plans, solicited public participation in the consideration of work and infrastructure plans; and regularly evaluated or measured outcomes of plans, programs or operations and disclosure of results to the public.”

<http://opr.ca.gov/docs/MSRAppendices.pdf>

34. Page 28, Section 4-4, Finding 6-2, Correction [C-21]: Replace “a lack of participation and interest, and have become inactive or have been formally disbanded” with “a lack of leadership and staff support, including the multi-jurisdictional ‘Resource Management Committee’ (and several of its long-standing subcommittees), ‘Clear Lake TMDL Stakeholders Committee’ (responsible for compliance with Central Valley Regional Water Quality Control Board water quality protection requirements), and the ‘Clear Lake Advisory Committee.’”

Recommendation [R-17]: Replace “The District should review means to ensure continued stakeholder input and involvement in its functions” with “The District

should determine cost of services needed to implement required multi-jurisdictional coordination and stakeholder participation processes to meet its regulatory mandates and public service program requests.”