

***LAKE LOCAL AGENCY
FORMATION COMMISSION***

***LAKE COUNTY
WATERSHED PROTECTION
DISTRICT***

***MUNICIPAL SERVICE REVIEW
PUBLIC REVIEW DRAFT***

MAY 2014

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1 INTRODUCTION

Prepared for the Lake County Local Agency Formation Commission (LAFCO), this report is a municipal service review of the Lake County Watershed Protection District. A municipal service review is defined as a State-required comprehensive study of services within a designated geographic area—in this case, Lake County.

The Lake LAFCO Commissioners are as follows:

Edward Robey	Public Member
Denise Rushing	County Member
Jim Comstock	County Member
Denise Loustalot	City Member
Stacey Mattina	City Member
Frank Gillespie	Special District Member
Gerry Mills	Special District Member
Suzanne Lyons	Public Member Alternate
Jeff Smith	County Member Alternate
Joey Luiz	City Member Alternate

Lake County LAFCO is required to prepare this municipal service review by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code §56000, et seq.), which took effect on January 1, 2001. The Act requires LAFCO review and update SOIs not less than every five years and to review municipal services before updating SOIs. The State requires the municipal service review to be reviewed every five years as part of the SOI update process as determined necessary by the Commission.

The requirement for service reviews arises from the identified need for a more coordinated and efficient public service structure to support California's anticipated growth. The service review provides LAFCO with a tool to study existing and future public service conditions comprehensively and to evaluate organizational options for accommodating growth, preventing urban sprawl, and ensuring that critical services are provided efficiently.

Government Code §56430 requires LAFCO to conduct a review of municipal services provided in the county by region, sub-region or other designated geographic area, as appropriate, for the service or services to be reviewed, and prepare a written statement of determinations with respect to each of the following six topics:

- Growth and population projections for the affected area;
- The location and characteristics of any disadvantaged unincorporated communities (DUC) within or contiguous to the sphere of influence;
- Present and planned capacity of public facilities and adequacy of public services, including infrastructure needs or deficiencies;
- Financial ability of agencies to provide services;
- Status of, and opportunities for, shared facilities; and
- Accountability for community service needs, including governmental structure and operational efficiencies.

The determinations serve the purpose of helping LAFCO and the District Board of Directors understand the agency under review. The determinations are not binding requirements for a special district or city. Determinations are subject to change as the agency evolves over time.

Lake LAFCO is responsible for determining if an agency is reasonably capable of providing needed resources and basic infrastructure to serve areas within its boundaries and, later, within the agency's Sphere of Influence.

The Final Municipal Service Review Guidelines prepared by the Governor's Office of Planning and Research (OPR) recommend that issues relevant to the jurisdiction be addressed through written determinations called for in the Cortese-Knox-Hertzberg Act. Determinations are provided for each of the six factors, based on the information provided in this Municipal Service Review.

With few exceptions, all cities and special districts are considered within LAFCO's jurisdiction, and are therefore, subject to the required MSRs. As determined by Lake LAFCO legal counsel, Lake County Watershed Protection District may be exempted from the MSR requirement;¹ however, the District chose to forego exemption in the hopes that an MSR would provide a useful tool to the District as it considers future service structure and needs.

The OPR Guidelines for Municipal Service Reviews recommend convening stakeholders as appropriate to facilitate collaborative efforts and address issues and challenges, as part of the MSR process. The Lake Commission formed a special committee in May, 2013, to include knowledgeable stakeholders in research and collection of relevant information about the District to include in the MSR. Members of the Committee include the appointed Public Member, Public Member Alternate, and private citizens with experience and knowledge of watershed management issues in Lake County. The Committee consisted of the following individuals:

Mike Dunlap
Betsy Cawn
Suzanne Lions
Ed Robey
Maurice Taylor

Thank you to the MSR Committee for hours of effort and research, as well as extensive time spent at meetings and reviewing the draft report.

¹ Legal counsel concluded that the District is subject to LAFCO jurisdiction for deciding changes of organization but that if the District applied to LAFCO pursuant to §56127, the Commission would be required to exempt it from LAFCO conducting authority protest procedures (Parts 4 and 5 of the Cortese Knox Hertzberg Act) as outlined in §56128.

2 SETTING

2.1 Lake County Water Supply

Lake County is primarily a rural county, with an economy based on agriculture and tourism. With a population of 64,000, there is significant demand for water. While demand for domestic water supply has diminished since 2008 following the crash in the real estate market, it is anticipated that slow steady growth will continue as the economy recovers, and increased demand will be placed on finite water supplies. Conversely, increases in demand for agricultural water supplies (almost entirely reliant on groundwater) have continued in Lake County with expansion of vineyard operations.

The boundaries of Lake County are a logical description of a region, as the County boundaries are essentially the watershed boundaries for the headwaters of the Eel River, Cache Creek and Putah Creek.² Lake County is the "county of origin" for source water supplies delivered to five surrounding counties from three distinct watersheds. The Eel River watershed provides water supplies (for multiple uses) to Mendocino and Sonoma Counties. The Upper Cache Creek watershed provides irrigation and recreation water resources to Yolo County. The Upper Putah Creek watershed provides water irrigation and recreation water resources to Napa, Solano, and Yolo Counties. Cache Creek water has been fully appropriated and Putah Creek water has been adjudicated, limiting options available for surface water supply development. Because a majority of surface water rights have been granted to out-of-County interests, local water use is primarily from groundwater basins that are fully contained within the County.

2.2 Lake County Hydrology

Watersheds

The subject of this report is the Lake County Watershed Protection District (LCWPD). As is implied in the name, the District is, in part, responsible for protection of the various watersheds which flow in Lake County.

A watershed is an area of land that drains down slope to the lowest point. Water moves through the watershed in a network of drainage pathways, both above and below ground. A critical part of a watershed is the common water bodies to which much of the drainage flows and the groundwater to which water may percolate.

The primary watershed in Lake County, and most substantial in size, is the Clear Lake Watershed, as most water flows into surrounding creeks and smaller lakes and then ultimately into Clear Lake and out through Cache Creek. Watersheds of tributaries to Clear Lake are referred to as sub-watersheds. The majority of LCWPD's services are provided within the Upper Cache Creek watershed and Clear Lake Basin.

Water Bodies

Clear Lake is the largest freshwater lake, which lies entirely in California. As such, it is the most recognizable geographic feature in Lake County to residents and tourists alike. The lake is a naturally formed freshwater lake, which is fed by runoff flowing into many streams as well as springs in Soda Bay. The only outlet of Clear Lake is Cache

² Lake County "Stormwater Management Plan" (2008), Page 20

Creek. In 1914, Cache Creek Dam was constructed in order to increase the lake's capacity and to regulate its outflow.

Clear Lake has been subject to nuisance algal blooms for much of the past century. It was added to the federal Clean Water Act Section 303(d) list of impaired water bodies for nutrients in 1986. Although Clear Lake water clarity improved significantly beginning in 1992, aquatic weeds and algal blooms are still a common problem during the hottest period of the year.

Groundwater

Groundwater is also a vital natural resource in Lake County, given that in an average year, groundwater meets about 60 percent of Lake County's urban and agricultural water demands.³ Groundwater is a preferred source for irrigation because it is generally considered more reliable than surface water, particularly during dry periods.

In Lake County, groundwater is provided from 12 separate groundwater basins and one source area, consisting of:

- Gravelly Lake
- North Fork Cache Creek
- Long Valley
- Clear Lake Cache Formation
- Lower Lake Valley
- Coyote Valley
- Callayomi Valley
- Middle Creek
- Upper Lake Valley
- Scotts Valley
- Big Valley
- Clear Lake Cache Formation
- Clear Lake Volcanics Groundwater Source Area

The water from these basins is generally of good quality; however, several of the basins have high levels of boron, iron, and manganese, as identified in the Department of Water Resource's Groundwater Bulletins on each individual basin. These contaminants, in high concentrations, can damage crops if used for irrigation.

There are concerns that some basins may suffer from overdraft during periods of drought, when there is inadequate recharge during winter months to replace water extracted during the summer months. Potential impacts of overdraft during these periods might include: water shortages for irrigation, water shortages for municipal use, deterioration of groundwater quality, dry wells, and ground subsidence. To mitigate these concerns, LCWPD conducts groundwater management throughout the County.

³ County of Lake Water Resources Website, viewed on 1/10/14 at http://www.co.lake.ca.us/Government/Directory/Water_Resources/Department_Programs/Groundwater_Management.htm#sthash.fSc5oSkq.dpuf

2.3 Clean Water Regulations

To prevent further deterioration of impaired water bodies, the United States Environmental Protection Agency (EPA) and state and regional water quality boards have established Total Maximum Daily Load standards (TMDLs) for many impaired water bodies. TMDLs set numerical targets for the amount of pollutants allowed in a water body and methods for meeting those targets. TMDLs are established for high-priority, impaired water bodies. In Lake County, TMDLs have been established for mercury⁴ and nutrients in Clear Lake and Cache Creek. Sources of these pollutants include resource extraction, erosion/siltation, agriculture, urban runoff, shoreline impairments, and grazing related sources.

Pollution sources are generally classified as either “point source” or “non-point source.” Direct pollution is caused and is potentially traceable to a specific pollution source; it is known as “point source pollution.” Point sources, such as factories and treatment plants, are most easily and commonly regulated; e.g., they are typically required to hold discharge permits. Indirect pollution is often conveyed into the waterways by stormwater runoff and is known as “non-point source pollution.”

Urban runoff, including stormwater, has been identified as a significant pollutant contributing to the overall contamination of water bodies. Unlike sewage, urban runoff is usually not treated. Although it may be filtered through catch basins, stormwater flows directly from streets and gutters into waterways. In order to control pollutants discharged into water bodies, the EPA relies on state, regional and local agencies to regulate and monitor requirements under the National Pollutant Discharge Elimination System (NPDES). LCWPD District was created, in part, to carry out this function, in conjunction with other agencies, in Lake County.

The Lake County Clean Water Program (LCCWP) Stormwater Program is a joint effort between of the County of Lake, City of Clearlake, and the City of Lakeport to reduce damage caused by polluted stormwater runoff and impacts of increases in peak flows from development, in order to maintain the beneficial uses of Clear Lake, prevent harmful impacts to its watersheds, and restore the natural ecosystems.

An agreement providing for implementation of the LCCWP became effective in September 2004 with signatures by all co-permittees (County of Lake, City of Clearlake, and the City of Lakeport) and the Watershed Protection District. This agreement provides the necessary framework and management structure for co-permittees to implement the program through the Lake County Clean Water Program Advisory Council and program working groups responsible for working on the required six Minimum Control Measures (discussed further below).

LCCWP is presently managed by LCWPD for compliance with the federal Clean Water Act, NPDES Stormwater Management Program for Small Municipal Separate Storm

⁴ Subsequent study by Regional Water Quality Control Board staff determined that the continuing source of mercury contamination in Clear Lake is the Sulphur Bank Mercury Mine, which is a US EPA Superfund Site and not a responsibility of the County of Lake.

Sewer Systems (MS4s), as mandated by the State Water Resources Control Board in Water Quality Order No. 2013-0001, effective July 1, 2013.⁵

Implementation of the Lake County Clean Water Program is codified in local ordinances that comprise the municipal codes of the three “co-permittees” forming the Lake County Clean Water Program Advisory Council. The Advisory Council is comprised of seven members—one representative (elected official) from each of the cities and the County, district staff, and three stormwater program coordinators from each of the co-permittees. The Advisory Council meets quarterly, under the direction of an appointed chair and vice chair selected annually by the Board of Supervisors. Storm Water Program Workgroups are responsible for evaluating, developing and coordinating specific portions of the program on behalf of the three co-permittees. Workgroup recommendations are presented to the Advisory Council who then review and present recommendations to the County Board of Supervisors and both City Councils 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.

Administration of Advisory Council operations and Stormwater Management Program compliance documentation is provided by LCWPD, with technical guidance from appointed implementation team members (one from each jurisdiction), and assigned multi-jurisdictional Program Workgroups for each of the Stormwater Management Program’s “Minimum Control Measures” (MCMs). The Minimum Control Measures for compliance with Water Quality Order No. 2013-0001 are as follows:

- Pre-construction erosion control
- Post-construction erosion control
- Municipal good housekeeping
- Illicit discharge detection and elimination
- Public education and outreach
- Public involvement and participation

Coordination of all efforts for compliance with the Minimum Control Measures and specified terms of the Water Quality Order is to be provided by a multi-jurisdictional management work group comprised of all MCM work group coordinators and the implementation team, which report to the Advisory Council. However, in practice this step may not be fully realized presently.

⁵ Between 2004 and 2008, LCWPD acted as an administrator of this program. In 2008, this function was transferred to the Community Development Department; however, LCWPD’s name was never removed from the agreements. Most recently, in 2013, this function was transferred back to LCWPD.

2.4 Population and Growth

Lake County's population, as well as the population of each city, for each year from 2000 to 2013 is shown below:⁶

LAKE COUNTY POPULATION 2000 TO 2013				
Year	Lake County Total	City of Clearlake	City of Lakeport	Unincorporated Areas
2000	58,325	13,147	4,820	40,358
2001	59,315	13,273	4,878	41,164
2002	60,565	13,452	4,971	42,142
2003	61,493	13,574	5,024	42,895
2004	62,292	13,729	5,053	43,510
2005	62,878	13,727	5,079	44,072
2006	63,404	13,767	5,071	44,566
2007	63,682	14,018	5,054	44,610
2008	63,805	14,189	5,024	44,592
2009	64,025	14,390	5,146	44,489
2010	64,665	15,250	4,753	44,662
2011	64,383	15,199	4,717	44,467
2012	64,412	15,179	4,705	44,528
2013	64,531	15,192	4,713	44,626

While Lake County as a whole has gained population since 2000, population growth has steadily slowed in recent years, with the countywide population remaining relatively steady over the past five years. Like the County, the City of Clearlake has experienced steady growth that has slowed in recent years and declined slightly between 2010 and 2013. The City of Lakeport experienced an increase in population until 2005 and has since experienced a downward trend with a decline in population to below 2000 levels. Population growth throughout Lake County has slowed significantly consistent with overall state and national trends.

The Department of Finance (DOF) makes population projections for the period from 2010 to 2050 for each municipality in the State. The DOF estimates that Lake County will experience overall growth of 47 percent during that period with approximately one percent average annual growth.

While LCWPD is not directly responsible for land use planning, which impacts future growth and development, the District makes recommendations regarding and takes part in the development of land use planning policies and documents. As reported by the District, many of the recommendations of the Clean Lakes Implementation Plan (1994) and the Floodplain Management Plan have been incorporated into the area plans that have been prepared over the last 10 years. It is also a policy of the Lake County

⁶ State of California, Department of Finance, E-4 Population Estimates for Cities, Counties and the State, 2001-2013, with 2000 Benchmark. Sacramento, California, May 2013.

Community Development Department Planning Division to consult with district staff to ensure new development is consistent with these plans prior to approval.⁷

Socio-Economic Setting

The County's socio-economic indicators qualify all of its shoreline communities as "disadvantaged" (less than 80 percent of the State's median household income). Only one third of the County's population is employed, with the majority of employees serving either the K-12 school districts or the County government.

As a result of the economic impairments in the general population, financial resources for watershed protection and source quality management are inadequate to meet the compliance requirements of federal/state pollution prevention permits. The County Board of Supervisors has proposed a one-half cent retail sales tax to provide revenues to the District for permit compliance and nuisance abatement or prevention programs to fully restore the beneficial uses of Clear Lake.⁸

Anticipated growth in Lake County is limited by lack of industries other than agriculture and tourism; economic development programs begun in 2000 dedicated county funding to eradication of blight and creation of tourist destination services. Estimated tourism revenue losses resulting from water quality impairment of Clear Lake are \$7 million a year (1994 dollars).⁹

Disadvantaged Unincorporated Communities

LAFCO is required to evaluate disadvantaged unincorporated communities as part of this service review, including the location and characteristics of any such communities. A disadvantaged unincorporated community is defined as any area with 12 or more registered voters, or as determined by commission policy, where the median household income is less than 80 percent of the statewide annual median of \$60,833.¹⁰ Eighty percent of the 2010 California Median Household Income would be \$48,666.

The California Department of Water Resources (DWR) has developed a mapping tool to assist in determining which communities meet the disadvantaged communities' median household income definition. DWR identified 12 disadvantaged communities within Lake County—two of which are the two cities in the County and are therefore not considered unincorporated. All 10 of the identified disadvantaged unincorporated communities are within LCWPD's bounds. These communities include Upper Lake (population 1,213), North Lakeport (population 3,541), Nice (population 2,267), Lucerne (population 2,680), Clearlake Oaks (population 1,498), Lower Lake (population 1,247), Clearlake Riviera (population 3,193), Soda Bay (population 945), Kelseyville (population 3,126), and Middletown (population 1,646).

However, DWR is not bound by the same law as LAFCO to define communities with a minimum threshold of 12 or more registered voters. Because income information is not available for this level of analysis, disadvantaged unincorporated communities that meet

⁷ Government Code §56033.5.

⁸ <http://www.co.lake.ca.us/Assets/BOS/Ordinances/LakeTaxProp.pdf?method=1>

⁹ Lake County Flood Control and Water Conservation District, The Causes and Control of Algal Blooms in Clear Lake, 1994, p. X. Available at <http://www.des.ucdavis.edu/faculty/Richerson/CleanLakesReport1994.pdf>

¹⁰ US Census Bureau, <http://quickfacts.census.gov/qfd/states/06/0685586.html>, November 7, 2012

LAFCO's definition with such a small population cannot be identified at this time, and only larger communities are readily identifiable with DWRs data.

3 LAKE COUNTY WATERSHED PROTECTION DISTRICT (LCWPD)

3.1 Formation

Lake County Watershed Protection District (LCWPD) was originally established as the Lake County Flood Control and Water Conservation District (LCFCWCD) in 1954 by a special act of the California Legislature—Lake County Flood Control Act, Chapter 62 of the State Water Code.¹¹ The District's formation was engendered by the County of Lake for the purpose of creating a separate government entity responsible for developing and managing domestic water supplies¹² and controlling and conserving flood and storm waters in Lake County.

LCFCWCD was transformed into LCWPD in 2004 by passage of Senate Bill 1136, which amended Chapter 62 of the California Water Code to rename the District and empower it to provide additional services as described in Section 4 of the Act.¹³ Specifically, the Act authorized the District to participate alone or jointly with Lake County, or cities or districts within Lake County, in the NPDES permit program in accordance with the Clean Water Act and authorized LCWPD to impose and collect fees to carry out the purposes of the District. Section 4 outlines the purposes of the District as follows:

Sec. 4 (a) The objects and purposes of this act are to provide for the control, impounding, treatment, and disposal of the flood and storm waters of the district, the conservation and protection of all waters within the district, including both surface water and groundwater, and the control of flood and storm waters of streams that have their source outside of the district, but which streams and the flood waters thereof flow into the district, to protect from flood or storm waters the watercourses, lakes, groundwater, watersheds, harbors, public highways, life, and property in the district, to develop and improve the quality of all waters within the district for all beneficial uses, including domestic, irrigation, industrial and recreational uses, and to protect and improve the quality of all waters within the district.

(b) The objects and purposes of this act are also to provide for the participation of the district in the national pollutant discharge elimination system (NPDES) permit program in accordance with the Clean Water Act (33 U.S.C. Sec. 1251 et seq.).

¹¹ "(Added by Stats.1954, 1st Ex. Sess., c. 62, p. 339, § 6. Amended by Stats.1955, c. 1936, p.2505, § 1; Stats.1959, c. 1532, p. 3836, § 2; Stats.1995, c. 430 (S.B. 156), § 33; Stats.2004, c.108 (S.B.1136), § 6; Stats.2005, c. 22 (S.B.1108), § 230.); Chapter 62 is incorporated in reference documents.

¹² California Water Code §62-5 Part 5

¹³ "Stats.2005, c. 22 (S.B.1108), §230."

The District provides several core services as delegated or regulated in joint powers agreements and the County Code. Responsibility for Clear Lake as a public trust asset was delegated to the County of Lake by the State Lands Commission (Chapter 639, Statutes of 1973). Lakebed Management services are offered and defined by County Code Chapter 23 *Shoreline Protection*. The District's responsibility for protection of groundwater resources is codified in County Code 28 *Groundwater* and Administration of aquatic plant management and invasive species prevention is defined in County Code Chapter 26/26A. 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.

3.2 Boundaries and Sphere of Influence

The District's bounds encompass all territory within Lake County as defined in its enabling act.¹⁴

The LAFCO Commission adopted a Sphere of Influence (SOI) for the District on August 21, 1985 through Resolution 6-85. The SOI is coterminous with the District's boundary and the County's boundary.

3.3 Governance

3.3.1 Governing Body

As a dependent special district of the County, the District is governed by the County Board of Supervisors, which acts as its Board of Directors. As the District's governing body, the Board authorizes its budgets and expenditures. Operations of the District are managed by the Lake County Department of Water Resources as directed by the Board of Supervisors. The Board of Supervisors consists of five supervisors elected by district to staggered four-year terms of office. The Board usually meets the first, second, third, and fourth Tuesday of each month. Meetings are held in the Board Chambers on the first floor of the Courthouse at 255 North Forbes Street in Lakeport, CA. Occasionally, for special purposes, the Board will schedule other meetings at different times and/or locations in the County. The Board meetings are open to the public and agendas are published the week prior to the meetings. The Board of Supervisors meets concurrently as the Board of Directors of LCWPD (as with all other dependent districts) to consider items specific to LCWPD.

3.3.2 Advisory Committees

In some circumstances where the Board of Supervisors governs a dependent special district, an advisory committee is appointed. Until recently, the Clear Lake Advisory Committee functioned to provide guidance and recommendations to the Board of Supervisors on matters related to Clear Lake. The Board had discretion to appoint between 7 and 23 members from nine local and state agencies and organizations to the committee. All Board appointments were for a two-year period. The committee was

¹⁴ California Water Code §62-1.

designed to meet monthly, alternating between Lakeport and Clearlake locations. At the beginning of 2014, the Board disbanded the Clear Lake Advisory Committee for a variety of reasons, including lack of a cooperative atmosphere among committee members contributing to an inability of the group to come to consensus on issues, and a frequent failure to establish quorum at meetings.¹⁵

Beginning in 1990 with a joint memorandum of understanding between federal, state, regional, and local jurisdictions, the Clear Lake Basin Resource Management Committee established planning processes addressing remediation of water quality impairments in Clear Lake. Incorporating academic and scientific studies funded by the US Environmental Protection Agency, California Department of Water Resources monitoring programs, and highly collaborative planning work group input, the Clear Lake Basin Resource Management Committee (RMC) supported development of these guidance documents to assist the Lake County Board of Supervisors administration of Clear Lake responsibilities. The RMC formed several subcommittees to assist in development of guidance planning, which collectively provided the following plans for management of watershed responsibilities:

- Clear Lake Basin Management Plan (2000)
- Clear Lake Integrated Aquatic Plant Management Plan (2004)
- Clear Lake Stormwater Management Plan (2004)
- Clear Lake Integrated Watershed Management Plan (2010)

The RMC is a standing committee assignment on the roster of Lake County Board of Supervisors committee assignments. However, in 2010, the RMC experienced a lack of interest in participation, (partially due to tighter budgets making less funds available to agency employees for travel) and meetings have not been held since. It may be beneficial for the District to spearhead the revival of this organization, given the extensive regional coordination that is necessary to maximize impact of any watershed related programming. Several local, State, and federal agencies, as well as the general public, are stakeholders in these projects and programs, and greater collaboration could enable the District to better leverage limited resources. Use of a conference calling system or video meeting system could promote greater levels of participation.

At present, LCWPD has four Citizens' Advisory Task Force Committees that meet twice a year to review and advise staff on flood control facility maintenance activities needed within their specific benefit zones—Zone 1 (Adobe Creek); Zone 4 (Scotts Creek); Zone 5 (Kelsey Creek); and Zone 8 (Middle Creek). Also, the Big Valley Groundwater Management Zone Commission meets 10 times a year to assist/guide staff in implementation of the Big Valley Groundwater Management Plan.

3.3.3 Outreach

LCWPD conducts several outreach efforts aimed at informing the public about services offered by the District and water-related issues faced in Lake County. Information regarding the District and the County Department of Resources (the department that staffs the District) is made available on the County website. While comprehensive, it is often

¹⁵ Lake County Board of Supervisors, Memo Re: Disbanding the Clear Lake Advisory Committee, December 26, 2013.

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 District is encouraged to ensure clarity of the information available on this website for use by the general public. There is also a separate website specific to the District's Invasive Mussel Program. The 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 District has reportedly tried to make use of local media to increase exposure to the public about Clear Lake and the issues it faces. The District participates in special events, such as local fairs, the International Sports Expo, and Blue Herron Days, where it distributes information on invasive species and aquatic weeds. The District has participated in and provided assistance at several lake clean-up efforts, and regularly makes presentations at local schools on Earth Day.

3.4 Management

The District was administered as a part of the County Department of Public Works until it was separated and made into an individual department by the Board of Supervisors in 2010. Named the Water Resources Department, this department is responsible for all functions of LCWPD. Until recently, the Water Resources Department managed district services 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.¹⁶ However, the funding for the Lake 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.

County Water Resources Department staff provides the personnel support to accomplish the various programs and activities of the District. The District is currently managed by the Public Works Director/Water Resources Director. A total of 6.75 full-time equivalent staff are allocated to the functions of LCWPD. Staffing for the District includes the Director of Public Works (25 percent), the vacant Deputy Water Resource Director, a water resources engineer, a water resources program coordinator, an invasive species coordinator, a water resources technician, a senior account technician (50 percent), and an office assistant II. All positions report to the Water Resources Director. The District also hires additional part-time help to assist with its Invasive Mussel Prevention Program. Through this sharing of resources with the County, the District is able to benefit from efficiencies and cost savings that might otherwise not be available (i.e., bulk purchasing, use of office space). There are no regular volunteers that offer their services to the District; however, some volunteers occasionally assist with a stormwater and water sampling effort.

As a dependent special district of the County, the County's other departments (outside the Water Resources Department) provide services to LCWPD, for example, the County's Auditor-Controller provides fiscal and auditing support. The District relies on contract service providers for maintenance of Highland Springs Recreation Area,

¹⁶ Interview of Scott DeLeon on 1/14/2014.

preparation of various planning and analysis documents, vegetation and rodent control eradication for various flood works throughout the county, mowing of levees, and herbicide spraying.

All staff are evaluated annually by the director of the District. Staff workload is tracked in detailed times sheets by various tasks in a cost accounting management software.

Overall functions of the District are not regularly reviewed or evaluated by the agency itself in the form of evaluating success in meeting goals or standards for services. However, the District does submit annual reports to the State Water Resources Control Board on the Clean Water Program and steps taken to comply with the Stormwater NPDES Permit, and sends an annual financial report to the State Lands Commission. The District does not conduct benchmarking with other similar service providers. It is recommended that the District consider adopting standards by which to evaluate the success of its various projects and its effectiveness in achieving short- and long-term goals. Reviewing best management practices of other similar service providers could provide the District with useful tools to advance services.

The District has several documents to guide its various efforts and services, including:

- Lake County Groundwater Management Plan (2006)
- Clear Lake Integrated Watershed Management Plan (2010) –
In conjunction with West Lake and East Lake Resource Conservation Districts
- Big Valley Groundwater Management Plan (1999)
- Scotts Valley Groundwater Management Plan
- Lake County Water Inventory and Analysis (2006)
- Stormwater Management Plan (2004 – 2008)
- Clear Lake Aquatic Plant Management Plan
- Lake County Floodplain Management Plan (2000)
- Westside Integrated Regional Water Management Plan (2013)

For financial planning and accounting purposes, the District relies on the County's annual budget and annual financial audit, in which the District is included as a component. Component units are included in the basic financial statements and consist of legally separate entities for which the County is financially accountable and that have substantially the same governing board as the County. Component units for the County include the Air Quality District, the Lake County Housing Commission, the Watershed Protection District, the County Service Areas, the Lighting Districts, and the Sanitation Districts. As such, LCWPD is included in the County's Comprehensive Annual Financial Report as a separate non-major special revenue fund and is reflected in the County's annual budget as a combination of several separate budget units. The District does not have a capital improvement plan. While the District is not required to conduct separate audits or budgets, it may consider compiling separate financial documents to enhance detail and clarity for the lay reader. Additionally, because the budget is divided among several different units that are not reported together, it may be unclear to the public which funds are used solely by the District. An independent audit may offer greater transparency, but would be more costly than the current system.

3.5 Financial Adequacy

The Watershed Protection District consists of eight budget units within the Department of Water Resources.

- Budget Unit 1672 - Lakebed Management
- Budget Unit 1673 - Lakebed Special Programs
- Budget Unit 1674 - Flood Corridor Property Maintenance
- Budget Unit 8101 - Flood, Zone #1
- Budget Unit 8104 - Flood, Zone #4
- Budget Unit 8105 - Flood, Zone #5
- Budget Unit 8107 – Water Resources Administration
- Budget Unit 8108 - Upper Middle Creek Basin
- Budget Unit 8109 - Flood Control and Water Conservation

Funding of the District's planning efforts is primarily from general property tax revenue that is distributed to the District. Most of the funds for special studies, or implementation of large projects, has been through grants obtained from State and/or federal funding sources or by developing partnerships with State and/or Federal agencies. Formation of project specific benefit assessment districts have been utilized by the District to fund ongoing operation and maintenance of flood control projects.

Lakebed Management – Budget 1672 and 1673

Budgets 1672 and 1673 are for Lakebed Management. Budget 1672 tracks revenues and expenditures for general lakebed services. Revenues in FY 12-13 were estimated to total \$271,596 and included fees for processing encroachment permits, interest, State and other government sources, and a transfer into the fund from Budget 1673. Expenditures from this budget unit totaled \$251,230 in FY 12-13. Administrative costs are cost allocated to the various budgets that fall within the special district. These costs to each budget unit are identified as intra-division services under Services and Supplies and the revenues are collected in Budget Unit 8107 (discussed further below). Intra-division expenses for Budget 1672 comprised five percent of expenditures in FY 12-13.

Budget 1673 is designed to track revenues from leases and permit fees for which uses are restricted to lake purposes. Revenues for this budget unit include permit fees (for new construction or alterations around the lake), interest, and contributions (lease payments from encroachments around Clear Lake). Revenues in recent years have reportedly fluctuated, due to foreclosures and closing of businesses around the lake. The only expenditure from this budget unit is an annual transfer to Budget Unit 1672.

Lakebed Management services are generally underfunded and would benefit from an additional sustainable funding source. The revenue that is generated solely for lake-related activities comes only from encroachment leases for piers, docks and landfill located at or below low lake level (lakeward of zero Rumsey). When those fees were originally established, programs like the Quagga Mussel Program, and weed and algae

abatement did not exist, and as more and more responsibility was placed on the District, the revenues to support additional programming were not equivalent to the costs of providing those services. In FYs 10-11 and 11-12, the District's staff expenditures on lake-related programs more than doubled revenues for those services, with the excess coming from the County's general fund. Contributions from the County's general fund to subsidize the District's operations were not available for FYs 12-13 and 13-14. The District is searching for additional financing sources and as a result the Board of Supervisors has placed a ½ cent sales tax measure on the June 2014 ballot. Revenues from the sales tax would go to the District for lake-related and watershed-related programs.

Flood Corridor Property Management – Budget 1674

Budget 1674 is used to track funds associated with Middle Creek Restoration Project. Funds for this project were originally received via a State grant for the Flood Protection Corridor Program to purchase privately-owned properties that are protected by levees in poor condition and transition the properties to open space and agricultural lands. Regular annual revenues into the budget unit consist of interest, lease revenue for agricultural activities on properties owned by the District, and annual grant contributions from the State for improvements and maintenance of the properties. Total revenues in FY 12-13 were \$10,788. Expenditures in that year were \$13,814. Expenditures in excess of revenues were covered by a roll-over fund balance.

Flood Zone #1 - Budget 8101

Flood Zone #1 activities include maintenance and operations of the Highland Springs Dam, the Adobe Creek retention structure, and Adobe Creek. Revenues in FY 12-13 for Flood Zone #1 from property taxes and interest totaled \$23,781. Expenditures in the same year totaled \$16,684, with a majority of expenses going to services and supplies. Of the total expenditures, 18 percent went to intra-division services.

Flood Zone #4 - Budget 8104

Flood Zone #4 activities include improvements to Scott's Creek. This activity began as a result of a planned State structure on the creek. Funds generated are used for clearing and debris removal to ensure conveyance capacity in Scott's Creek. Revenues from property taxes and interest to Budget Unit 8104 in FY 12-13 totaled \$8,775. Expenses in this year were entirely attributed to intra-division services and totaled \$2,815. This budget includes appropriations for staff support and a Fish and Game water quality certification permit.

Flood Zone #5 - Budget 8105

Budget Unit 8105 provides for the operation and maintenance of the Kelsey Creek Detention Structure. This budget unit includes funding for staff support and maintenance of structures. Like the other flood zone budget units, the primary revenues of Budget Unit 8105 consist of property taxes and interest. Revenues in FY 12-13 totaled \$7,044; while expenses of \$11,275 exceeded revenues in that year. Of total expenses, intra-division services comprised 60 percent.

Water Resources Administration - Budget 8107

Budget Unit 8107 combines the salaries and administrative expenses for employees previously budgeted separately for LCWPD and Lakebed Management and was created to provide efficient utilization of personnel with greater flexibility in work assignments. This fund is used to cost allocate the numerous administrative functions of the District to its various functions that are tracked in separate funds for transparency purposes. The intra-division services, which are reported as expenditures in the other budget units, act as the primary revenues in the form of “auditing and accounting” charges for services in Budget Unit 8107. A breakdown of the auditing and accounting charges for services by budget unit for FY 12-13 is provided in the following table. Revenues to this budget unit totaled \$510,210 in FY 12-13. Expenditures in that same year, which totaled \$513,141, were largely for employee salaries and benefits and some services and supplies.

Budget Unit	Intra-division Transfer	%
Budget Unit 1672 - Lakebed Management	\$128,446	25.4%
Budget Unit 1673 - Lakebed Special Programs	\$0	0%
Budget Unit 1674 - Flood Corridor Property Maintenance	\$874	0.2%
Budget Unit 8101 - Flood, Zone #1	\$3,061	0.6%
Budget Unit 8104 - Flood, Zone #4	\$2,815	0.6%
Budget Unit 8105 - Flood, Zone #5	\$6,743	1.3%
Budget Unit 8108 - Upper Middle Creek Basin	\$11,650	2.3%
Budget Unit 8109 - Flood Control and Water Conservation	\$352,384	69.6%
Total	\$505,973	

Because revenues reported into this fund are from other budget units, these funds may be more appropriately tracked as a transfer, as opposed to revenues. Because these charges for services are categorized as revenues and the related expenditures are further itemized within this budget unit, the funds are considered additional revenues and expenditures to the District when reporting totals. As an accounting mechanism, this strategy is a common practice. However, when reporting aggregates for the purposes of the audited financial statement and the State Controller’s Office, it may be appropriate to exclude the revenues and expenditures attributed to this budget unit in order to clearly depict actual district resources for the public.

Upper Middle Creek Basin - Budget 8108

Funding in this budget unit is used for operation and maintenance of the Upper Middle Creek Basin. Activities include gravel and brush removal and levee maintenance in locations where the District has easements. Contractors provide some of the activities in this budget unit, as well as the County Road Department and district staff. These activities are funded by benefit assessments for the Upper Middle Creek Basin, property taxes, fines and penalties, and the County’s general fund. Revenue’s totaled \$104,371 in FY 12-13. Maintenance and intra-division services, which comprised \$39,630 in expenditures, were the only expenses in that year.

Flood Control and Water Conservation - Budget 8109

Funding in Budget Unit 8109 is used for programs such as the National Flood Insurance Program, master drainage planning for all communities, compliance with water quality TMDL, watershed support programs, and the operation of the Highland springs recreational area, which was constructed as part of the Adobe Creek flood management program.

Primary revenues into this fund in FY 12-13 include property taxes, interest, and State grant funds, which totaled \$1.5 million. The primary expenditures are for flood protection, flood prevention, and enhancement/protection of water quality. Expenditures in the same year were \$1.8 million and were primarily attributable to capital improvements, intra-division services, and professional services.

The following table summarizes the District's total revenues and expenditures for each of the individual budget units in FY 12-13. Note that the Water Resources Administration (Budget Unit 8107) is not included here to give a more accurate representation of the District's actual resources.

Budget Unit	Revenues	Expenditures
Budget Unit 1672 - Lakebed Management	\$59,692 ¹	\$251,230
Budget Unit 1673 - Lakebed Special Programs	\$172,048	NA ²
Budget Unit 1674 - Flood Corridor Property Maintenance	\$10,788	\$13,814
Budget Unit 8101 - Flood, Zone #1	\$23,781	\$16,684
Budget Unit 8104 - Flood, Zone #4	\$8,775	\$2,815
Budget Unit 8105 - Flood, Zone #5	\$7,044	\$11,275
Budget Unit 8108 - Upper Middle Creek Basin	\$104,371	\$39,630
Budget Unit 8109 - Flood Control and Water Conservation	\$1,547,642	\$1,799,743
Total	\$1,934,141	\$2,135,191
Notes: 1) A primary revenue source of Budget Unit 1672 is a fund transfer from Budget Unit 1673. In order to properly reflect actual revenues into the District, these transferred funds are not included here. 2) All expenditures for Lakebed Management are accounted for in Budget Unit 1672. The transfer of funds to 1672 is not included here as an expenditure in order to prevent duplication of district expenditures.		

3.6 Nature of Services

LCWPD provides a broad range of services. Since its formation, LCWPD has developed six principal and distinct service activities with respect to water conservation and flood control, the overarching categories of which include:

1. Flood control and floodplain management;
2. Stormwater management;
3. Groundwater management;
4. Water quality protection and water supply management;
5. Lakebed management and shoreline protection; and
6. Watershed stewardship.

The District provides several programs in each of these categories. Specific projects and programs often fulfill multiple district objectives by benefitting more than one area of focus. For example, restoration of a creek may improve water quality, promote habitat protection/restoration/enhancement, and improve water supply reliability.

As is often the case with agencies that provide resource management services, the extent and scope of the District's services is often unclear to the general public. There is no central source available on the District's website that outlines and describes each specific program and the separate projects used to support those programs. It is recommended that the District make available a simple summary of all services provided to enhance transparency. For clarity, the specific programs offered by LCWPD and a brief explanation of the purpose of each program are listed in the following table.

Project/Service Name	Category of Service	Description
Flood Control/Floodplain Management		
National Flood Insurance Program (NFIP)	Flood control	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.
Upper Lake Levees	Flood control	The District provides maintenance is 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.
Middle Creek Marsh Ecosystem Restoration and Flood Damage Control Project	Flood control, watershed stewardship	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.
Highland Springs Reservoir	Flood control, watershed stewardship, recreation	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.
Adobe Creek Reservoir	Flood control	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.
Adobe Creek Channel	Flood Control	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.
Culvert Maintenance	Flood control	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.

Project/Service Name	Category of Service	Description
Stormwater Management		
Lake County Clean Water Program - Stormwater	Stormwater management, water quality	Contract administration of a joint effort between the County of Lake, City of Clearlake and the 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 of 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 transitioned back to LCWPD.
Development Review	Stormwater management, floodplain management	LCWPD staff review of plans for parcel maps, subdivisions 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.
Groundwater Management		
Kelsey Creek Detention Facility	Groundwater management	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.
Groundwater Data Collection	Groundwater management	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 DWR-Northern District for input into the DWR Water Data Library. This data is made available to the public on DWR'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.
Lakebed Management/Shoreline Protection		
Invasive Mussel Inspection/Prevention Program	Lakebed management, water quality	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.
Lakebed Encroachment Permitting	Lakebed management	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.
Aquatic Plant Management	Lakebed management, water quality	Monitoring of applications of aquatic herbicides by licensed applicators, and provision of annual report to the Central Valley Regional Water Quality Control Board.
Public Access Maintenance	Lakebed management	Management of contracts to weed harvesting and pesticide applicators for maintenance of public access "boat lanes" and fishing areas adjacent to the shoreline.

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Project/Service Name	Category of Service	Description
Water Quality Protection/ Supply Management		
Clear Lake Clean Water Program - TMDL Compliance	Water quality protection	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).
Water Quality Monitoring Program	Water quality protection	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.
Algae Management	Water quality protection	Program consists of crisis management, as well as mitigation and cleanup of nuisance algae when necessary, depending on climate conditions.
Water Rights	Water supply management	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.
Westside Integrated Regional Water Management Plan	Water quality protection, water supply management	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.
Watershed Stewardship		
Watershed Planning	Watershed stewardship	The Clear Lake Integrated Watershed Management Plan is anticipated to be updated in 2014, with the project led by the District
Review and Revision of Ordinances and Policies	Watershed stewardship	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.

Collaboration

In addition to working with other county departments, LCWPD coordinates its various programs with Yolo County Flood Control and Water Conservation District, Lake County Vector Control District, California Central Valley Flood Protection Board, California Department of Water Resources, State Lands Commission, State Water Resources Control Board, Central Valley Regional Water Quality Control Board, California Department of Fish and Game, U.S. Army Corps of Engineers, U.S.D.A. Forest Service, U.S. Bureau of Reclamation, Natural Resources Conservation Service, Bureau of Land Management, West Lake and East Lake Resource Conservation Districts, Federal Emergency Management Agency, and Cities of Clearlake and Lakeport.

Most recently, the District participated in the development of an Integrated Regional Water Management Plan (IRWMP) as part of the Westside Regional Water Management Group (WRWVG). WRWVG consists of LCWPD, Napa County Flood Control and Water Conservation District, Colusa County Resource Conservation District, Solano County Water Agency, and Water Resource Association of Yolo County, representing Yolo County and portions of Colusa, Lake, Napa, and Solano Counties. As stated in the memorandum of understanding, these agencies joined together with the intent of developing an IRWMP that will:

- *Foster coordination, collaboration, and communication among entities responsible for water-related issues and interested stakeholders to achieve greater efficiencies, provide for integration of projects, enhance public services, and build public support for vital projects; and*
- *Assist in the development of a comprehensive plan to facilitate regional cooperation in providing water-supply reliability, water recycling, water conservation, water-quality improvement, stormwater capture and management, flood management, wetlands enhancement and creation, and environmental and habitat protection and improvements, and other elements and to obtain funding for plan development.*¹⁷

The IRWMP was adopted in 2013. At the end of the planning process, the completed IRWM Plan described the water resources challenges and opportunities of the Westside Region and described an approach to addressing those challenges and opportunities. The Plan has also supported efforts to solicit state and federal grant funding to implement priority projects. State funding sources included Proposition 84 grants, awarded to projects that improve water supply reliability and quality (particularly in disadvantaged communities); improve flood management practices; and eliminate or reduce pollution in sensitive habitat areas.

¹⁷ Westside SAC IRWM, Kennedy Jenks Consultants, June 2013, Pages 1-9, 1-10.

3.7 Infrastructure

The District is responsible for maintaining 11 miles of levees and 13 miles of creeks and drainage ditches (does not include Historic Clover Creek through Upper Lake) in four zones of benefit and a groundwater recharge structure on Kelsey Creek. The District also operates and maintains the Adobe Creek Reservoir, the Highland Springs Reservoir, and the Highland Springs Recreation Area.

In total LCWPD owns approximately 2,700 acres of property in the Adobe Creek Watershed, which includes reservoirs, open space property, and recreation areas. LCWPD owns property in the vicinity of the Highland Creek and Adobe Creek Reservoirs (approximately 2,400 acres), which is maintained for watershed protection and passive recreational use. LCWPD also owns property purchased for the Middle Creek Restoration Project (approximately 367 acres).

A continued infrastructure need is the Adobe Creek Conjunctive Use Project, which would implement modifications of the primary spillway of Highland Creek Reservoir to permit additional storage in the spring. The additional storage would be released during the summer and fall to recharge the groundwater. Increased water supply would improve reliability and water quality by helping to reduce overdraft during peak demand periods. This project is on hold, due to lack of funding (a benefit assessment was voted down in 2005). CEQA approval and a water rights permit must be obtained before the project can proceed.

Due to current extreme drought conditions, the District must truck in water to allow for recreational uses at the Highland Springs Reservoir. In light of these low water conditions, modification of water supply system would be ideal to eliminate the need to truck in water during periods of low lake conditions.

Additionally, the District reported that ramp control is necessary at Clear Lake in order to have an effective invasive species control program. As it exists presently, the Lake has several boat launch sites where access is not controlled. All water craft must be inspected and hold a permit prior to entering the lake; however, there is no way to ensure that the craft does not visit another water body and return to Clear Lake after the original inspection. Any substantial advancements of the current invasive species control program will require a sizeable sustainable funding source. The District has indicated that a top priority of the proposed sales tax measure will be the advancement of this program.

4 MUNICIPAL SERVICE REVIEW DETERMINATIONS

4.1 Growth and Population Projections in Lake County

- 1-1) As of 2013, Lake County Watershed Protection District (LCWPD) has an estimated population of 64,531.
- 1-2) Population growth throughout Lake County has slowed significantly and most likely will not rebound significantly for some time. Over the long term, the Department of Finance projects 47 percent growth over the 40-year period from 2010 until 2050, or approximately one percent average annual growth.
- 1-3) While LCWPD is not directly responsible for land use planning, which impacts future growth and development, the District makes recommendations regarding, and takes part in, the development of land use planning policies and documents. The District should continue to coordinate watershed-related activities and requirements with County departments for new development as well as in the development of land use policies to ensure consistency with LCWPD plans and objectives.
- 1-4) Services offered by the District are necessary and in demand regardless of the rate of population growth experienced in the County. The District's core services are mandated by federal, State, and local regulatory instruments, when ensures a continued need for the District's operations. Demand for services is also impacted by other factors, such as presence of pollution sources, introduction of non-native or invasive species into local habitats, evolution of regulations, condition of infrastructure, and weather patterns.

4.2 The Location and Characteristics of Disadvantaged Unincorporated Communities Within or Contiguous to the Agency's SOI

- 2-1) There are 10 disadvantaged unincorporated communities within the District's bounds and SOI based upon mapping information provided by the State of California Department of Water Resources. The identified communities are Upper Lake (population 1,213), North Lakeport (population 3,541), Nice (population 2,267), Lucerne (population 2,680), Clearlake Oaks (population 1,498), Lower Lake (population 1,247), Clearlake Riviera (population 3,193), Soda Bay (population 945), Kelseyville (population 3,126), and Middletown (population 1,646).
- 2-2) There may be additional smaller communities that meet LAFCOs definition of a disadvantaged unincorporated community, which were not identifiable with the Department of Water Resources' data.

4.3 Present and planned capacity of public facilities and adequacy of public services, including infrastructure needs and deficiencies

- 3-1) The District appears to have minimally adequate capacity to handle present demand for services. The primary capacity constraint is limited financing for lakebed management services.
- 3-2) It appears that the District is providing adequate services given financial constraints, based on the breadth and quality of services provided, and professional management practices; however, several improvements could be made to enhance the level of services offered, including 1) greater outreach and coordination with stakeholder groups, 2) reorganization of the District website to enhance clarity, and 3) implementation, to the extent practicable, of successful invasive mussel prevention practices as demonstrated by other agencies.
- 3-3) LCWPD is a well-managed agency that conducts annual employee evaluations, tracks employee and district workload, and maintains up-to-date financial information and budgets. The District could improve upon long-term planning by developing a strategic plan, which establishes goals to guide its efforts and identifies measures of effectiveness in meeting these program objectives. Correspondingly, the District should regularly evaluate its success in meeting its goals outlined in the strategic plan.
- 3-4) The District could further capitalize on the use of volunteers to enhance the capacity of the services it offers.
- 3-5) The District is responsible for maintaining 11 miles of levees and 13 miles of creeks and drainage ditches (does not include Historic Clover Creek through Upper Lake) in four zones of benefit, a groundwater recharge structure on Kelsey Creek, two reservoirs, and a recreation area.
- 3-6) A continued infrastructure need is the Adobe Creek Conjunctive Use Project, which would implement modifications of the primary spillway of Highland Springs for groundwater recharge. This project is on hold, due to lack of funding.
- 3-7) Additional infrastructure needs include water supply modifications at the Highland Springs Reservoir and controlled boat ramps at Clear Lake.

4.4 Financial ability of agency to provide services

- 4-1) While watershed and flood control services benefit from State and federal grant funds, lakebed management and clean water program services are constrained by limited revenue streams. Historical lakebed management service levels are not sustainable without an additional reliable continuous revenue stream to fund additional programs that have been initiated since the inception of permit and lease fees shoreline structures.
- 4-2) The District would greatly benefit from a new regular revenue source, such as the new sales tax that is being pursued. Should the voters pass the sales tax measure, the District would be able to significantly enhance the services that it presently offers.
- 4-3) It is recommended that the District's budget units be summarized in the County budget for ease of public understanding.
- 4-4) When reporting aggregates for the purposes of the audited financial statement and the State Controller's Office, it may be appropriate to exclude the revenues and expenditures attributed to the administration cost allocation budget unit in order to clearly depict actual district resources for the public.
- 4-5) While not legally required, it may be prudent for the Board to consider conducting budgets and audits of the District's finances separate from the County's other departments to enhance transparency and accountability to the public, as well as improve clarity for the lay reader. As a first step towards enhancing public understanding of the District's funds, an improved summary of revenues and expenditures could be included in the County's budget.

4.5 Status of, and opportunities for, shared facilities

- 5-1) The District presently practices facility and resource sharing by being located at the County facilities and being operated as a County department. Through this arrangement, the District is able to benefit from efficiencies such as bulk purchasing.
- 5-2) While no other opportunities to share facilities were identified for LCWPD, the District could benefit from enhanced collaboration among stakeholder agencies. It may be beneficial for the District to spearhead the revival of the Resource Management Committee, given the extensive regional coordination that is necessary to maximize impact of any watershed-related programming. Several local, State, and federal agencies, as well as the general public, are stakeholders in these projects and programs, and greater collaboration could enable the District to better leverage limited resources. Use of a conference calling system or video meeting system could promote greater levels of participation.

4.6 Accountability for community service needs, including governmental structure and operational efficiencies

- 6-1) Accountability is best ensured when contested elections are held for governing body seats, constituent outreach is conducted to promote accountability and to ensure that constituents are informed and not disenfranchised, and public agency operations and management are transparent to the public. LCWPD appears to generally be accountable to the public based on these indicators; however, certain improvements could be made to enhance constituent understanding of the District and its services, including 1) making available a clear list of all services presently provided by the District, including relevant regulating policies and purposes, as part of a strategic plan, 2) reorganization of the District's website to align with the structural organization of the District and clearly define functions, funding, accountability, and programs, and 3) including in the County's budget a clear summary of the District's budget units.
- 6-2) Many of the District's advisory committees and venues for public input have suffered from a lack of participation and interest, and have become inactive or have been formally disbanded. The District should review means to ensure continued stakeholder input and involvement in its functions.
- 6-3) A governance structure option may be the transformation of LCWPD into an independent special district with a governing body separate from the Board of Supervisors. This option has several advantages and disadvantages. Further study of this option may be warranted to determine if it would be cost effective and beneficial to the programs and services offered by the District.
- 6-4) The District may benefit from a local enabling ordinance that defines LCWPD's policies, services, resources, management structure and statutory regulations under its authority. An example of such an ordinance was enacted by the County of Ventura in 2012.

5 APPENDICES

5.1 Acronyms and Abbreviations

AB	Assembly Bill
CKH Act	Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000
DOF	Department of Finance
DUC	Disadvantaged Unincorporated Community
DWR	California Department of Water Resources
EPA	Environmental Protection Agency
FY	Fiscal Year
LAFCO	Local Agency Formation Commission
LCCWP	Lake County Clean Water Program
LCFCWCD	Lake County Flood Control and Water Conservation District
LCWPD	Lake County Watershed Protection District
MCMs	Minimum Control Measures
MS4s	Municipal Separate Storm Sewer Systems
MSR	Municipal Service Review
NFIP	National Flood Insurance Program (NFIP)
NCFC&WCD	Napa County Flood Control and Water Conservation District
NPDES	National Pollutant Discharge Elimination System
CCRCD	Colusa County Resource Conservation District
RWMG	Regional Water Management Group
SCWA	Solano County Water Agency
SOI	Sphere of Influence
TMDLs	total maximum daily loads
USDA	United States Department of Agriculture
USDI	United States Department of the Interior
WRA	Water Resource Association (Yolo County)

5.2 References

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5.3 Preparers

1. John Benoit, Executive Officer LAKE LAFCO
PO Box 2694, Granite Bay CA 95746
Phone: 916-797-6003 johnbenoit@surewest.net
2. Christy Leighton, Planning Consultant
555 East Willow Street, Willows CA 95988
Phone: 530-934-4597 christyleighton@sbcglobal.net
3. Jennifer Stephenson, Policy Consulting Associates
1775 E. Palm Canyon Dr. #110-117, Palm Springs, CA 92264
Phone: 424-250-9384 jennifer@pccateam.com