

**COUNTY OF LAKE
BOARD OF SUPERVISORS**

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July 1, 2003

Senator Wesley Chesbro
California State Senate
State Capitol, Room 5100
Sacramento, California 95814

Re: Proposed Amendments to the Lake County Flood Control and Water Conservation District Act (Act 4145 of Water Uncodified Acts)

Dear Senator Chesbro:

The Lake County Board of Supervisors requests your support to sponsor legislation that would amend the Lake County Flood Control and Water Conservation District Act (Act 4145 of Water Uncodified Acts). The proposed amendments to the Act would provide the District with authorization to participate in the National Pollutant Discharge Elimination System (NPDES) stormwater management system; add authorization to charge property related fees as a financing mechanism and change the title of the act to Lake County Watershed Protection Act.

The 1987 amendment to the Federal Clean Water Act required the Environmental Protection Agency (EPA) to establish permit application requirements for eliminating non-point source pollution in stormwater. Local jurisdictions have been charged with the responsibility for non-point pollution. The requirement to obtain an NPDES permit was divided into two phases, with the larger urban counties and cities included in Phase I and the more rural counties in Phase II. Phase II is now taking place.

The Lake County Board of Supervisors and the City Councils of Lakeport and Clearlake agreed at a joint meeting in February 2002, that the Flood Control District, being countywide, would be an appropriate agency to undertake the responsibility of stormwater management in Lake County. However, the Flood Control Act needs to be amended to provide specific authorization to participate in the NPDES program and to provide the District with funding mechanism's to finance the costs of the mandated program mechanisms in accordance with the requirements of Proposition 218.

The proposed amendment to the Act would authorize the District to participate in the NPDES stormwater management system and add authorization to charge property related fees as a financing mechanism.

The Lake County Flood Control and Water Conservation District was formed in 1954, to provide for the controlling, conservation, diversion, storage and disposition of flood and storm waters and other surface waters and for the protection of watercourses, lakes, groundwater, watersheds harbors, public highways, life and property in the district from flood or storm waters. The District was also formed to develop and improve the quality of waters within the district for all beneficial uses and to improve the quality of all waters with the district. Today, in addition to protecting homes,

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businesses, and farmlands from devastating floods, the District provides leadership for water quality protection and projects associated with watershed protection.

Recognizing that water was a valuable resource, the act was amended in 1995 to provide for groundwater management. The District has actively and successfully pursued watershed management grants, is the local sponsor for the Middle Creek Flood Damage Reduction and Ecosystem Restoration Project, provides staff support and funding for the various Coordinate Resource Management and Planning (CRMPS) in the county and most recently has assumed the leadership for the countywide stormwater quality management program.

Federal and State regulations now encourage comprehensive watershed planning and the involvement of project stakeholders through out the life of a project. This has the practical effect of encouraging District collaboration with watershed stakeholders. Residents, community leaders, CRMPS, Indian Tribes, organizations and regulatory agencies have become partners in District program and facility planning at the watershed level.

Traditionally, the District has augmented its revenues through federal and state funding programs sponsored by such agencies as the U. S. Army Corps of Engineers, Federal Emergency Management Agency, National Resource Conservation Service and the State Department of Water Resources. These programs were generally designated for flood reduction and recovery projects. Funding for these traditional programs has declined.

Future funding opportunities for the District are associated with comprehensive watershed protection and planning.

In light of the fact that there has been a significant evolution in the District's mission, the Board of Supervisors believes that changing the name of the District and the Act to the Lake County Watershed Protection Act would more appropriately reflect the current purposes of the District.

We request that you favorably consider sponsoring our proposed Amendments.

We appreciate your continued commitment to Lake County. Please contact any member of the Board of Supervisors if you have any questions or are in need of additional information.

Thank you for your time and consideration in this matter.

Sincerely,



Lake County Board of Supervisors
Gary L. Lewis, Chair