

**SANTA BARBARA COUNTY
BOARD AGENDA LETTER**



Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Agenda Number:
Prepared on: 9/22/03
Department Name: Parks/Public Works
Department No.: 052
Agenda Date: 10/7/03
Placement: Departmental
Estimate Time: 1 hour 30 minutes
Continued Item: NO
If Yes, date from:

TO: Board of Supervisors

FROM: Terri Maus- Nisich - Director of Parks
Phil Demery, Director of Public Works

STAFF Terri Maus, Director of Parks 568-2461
CONTACT: Robert Almy, Water Agency Manager 568-3542

SUBJECT: Public Hearing - Lake Cachuma

Recommendation:

That the Board of Supervisors:

- A. Receive report on the status of issues pertaining to Lake Cachuma.
- B. Provide staff with further direction regarding additional actions as may be required in order to further the commitment made to the Lower Santa Ynez River Fish Management Plan as well as provision of recreational amenities for the region.
- C. Approve and authorize the Chair of the County Board of Supervisors to sign letter to Congressman Elton Gallegly requesting assistance for funding the \$12 million cost to recreational facilities, which will result from a proposed three-foot water surcharge of Lake Cachuma.

Alignment with Board Strategic Plan:

The recommendation(s) are primarily aligned with Goal No. 1. An Efficient Government Able to Respond Effectively to the Needs of the Community, and Goal No. 5.A High Quality of Life for All Residents.

Executive Summary and Discussion:

Since completion, Cachuma Reservoir provides an essential supply of water and important recreational opportunities to the region. In the decade since the contract for water supply was renewed, protection of fish has also become a higher public priority. Local interests, including the County and those who rely on the reservoir for water supply are now challenged to balance three public policy issues: 1) reliable water supply, 2) protection of endangered species, 3) public recreation.

The Federal Bureau of Reclamation constructed Bradbury Dam in the 1950's forming Lake Cachuma. The dam was constructed under contract with the Santa Barbara County Water Agency (SBCWA) on behalf of the Cachuma Project Member Units for the purpose of providing irrigation, domestic and industrial water supplies to the member units.

The Bureau owns all "project" facilities and operates Bradbury Dam. The operation and maintenance of the Cachuma Water Supply facilities, other than Bradbury Dam, were transferred in 1956 to the Member Units who formed the Lake Cachuma Operation Maintenance Board (COMB) to carry out these responsibilities.

County Recreation Area Lease and Resource Management Plan

The Cachuma Lake Recreation area encompasses 9,250 acres including Cachuma Lake (3,043 acres at full level) and the surrounding shores and rugged hillsides. Santa Barbara County Parks Department manages the recreation area pursuant to a contract between the Bureau of Reclamation and the County. The contract originally expired in 2003, but has been extended to 2005 in order to complete all necessary studies prior to negotiation of a longer-term lease. The Bureau and the County are in the early stages of long term lease negotiations, however the Bureau must first complete a Resource Management plan (RMP) for guidance on future land, resource and recreation management.

The RMP is a plan to guide the uses of Federal lands and facilities at Lake Cachuma. The goal of the RMP is to establish management objectives, guidelines and actions implemented by the Bureau directly, or through County Parks, that will protect the water supply and water quality functions, protect and enhance natural and cultural resources in the recreation area; and provide recreational opportunities and facilities consistent with the Cachuma Project purposes and the Bureau's policies. Specific issue areas to be addressed include, among others, recreational access to the north shore, body contact recreation and grazing practices. Scoping meetings for the RMP were held in March through May of 2002. Language regarding modifications to the draft RMP were provided to the Bureau from the County Parks Department.

Reliable Water Supply

Cachuma Reservoir provides supply to five "Member Units" (Carpinteria Valley Water District, Montecito Water District, City of Santa Barbara, Goleta Water District and SYRWCD Improvement District No. 1) as well as making releases to meet obligations to downstream users. Each of the Member Units rely on other supplies, but Cachuma water is essential to meeting overall demand. By individual policy the Member Units have each developed plans to provide reliable deliveries to their customers throughout a multi year drought in a cost effective manner. This is accomplished by utilizing Cachuma supplies as the "base" and due to availability and cost of other available sources based on reliability during prolonged drought. Regular review of their overall strategy (Contract Renewal FEIS/R 1995, Adoption of Urban Water Supply Plans, Draft EIS/R for LSYRFMP) leads County staff to conclude that the Member Units each have well conceived strategies to assure a reliable supply.

The State Water Resources Control Board (WRCB) has issued "water rights" permits under which the Bureau operates the reservoir. These permits, which provide for conditions of ongoing operation of the

reservoir, are the subject of hearings scheduled in October. The WRCB has circulated an environmental impact report (EIR) disclosing the potential impacts with alternative discussions relating to downstream releases of water to meet the needs of downstream water users and protect public trust resources such as steelhead trout. The Member Unites role in these proceedings is to represent the interests of their customers who rely on the supplies form the reservoir. The County's role in these hearings is to represent its interest in continued public recreation in Lake Cachuma County Park and Recreation Area. Other interests represented include downstream water users and regulatory agencies interested in biological interests.

Protection of Steelhead

Fish in the Santa Ynez River, including steelhead trout (*O. Mykiss*), have long been recognized as an important resource. Since 1993 local agencies, led by the Member Units, have first studied fish populations in the watershed and then developed a "Lower Santa Ynez River Fish Management Plan"(LSYRFMP) (October 2000). The County has been involved in both the studies and development of the Plan. The Plan serves as the basis for formal agreement between US Bureau of Reclamation (operator of Bradbury Dam) and National Marine Fisheries Service (responsible for listing *O. Mykiss* as an endangered species) for protection and enhancement of steelhead in the lower Santa Ynez River. Throughout the development of the Plan the Member Units committed significant resources to both baseline studies and the development of action alternatives toward the protection of the steelhead trout.

The Plan contains a number of elements, including modification/removal of existing instream barriers to fish migrations and increased reservoir storage allocated for releases to enhance downstream fish habitat. The County would participate in the implementation of certain parts of the Plan including 1) potential modification of certain County road stream crossings and 2) modification of Cachuma County park facilities to accommodate increased reservoir storage. Since increasing reservoir storage would inundate certain Park facilities, impacts to public recreation could occur if increased reservoir storage (surcharge) were to occur prior to modification of park facilities. Substantial allocation of water for downstream habitat enhancement could reduce local supplies if increased storage was not allowed and a prolonged drought was to occur.

Surcharge and Public Recreation Facilities

As a result of a biological opinion issued by the National Marine Fisheries Service on the endangered steelhead trout, the Federal Bureau of Reclamation is in the process of evaluating the impacts of raising Lake Cachuma to capture and retain and subsequently release additional water for the protection of habitat for the endangered steelhead trout. The Draft Environmental Impact Report Statement (EIR/S) handles the surcharge project. In addition the WRCB Draft Environmental Impact Report for Consideration of Modifications to the U.S. Bureau of Reclamation Water Rights Permits 11038 and 11310 To Protect Public Trust Values and Downstream Water Rights on the Santa Ynez River Below Bradbury Dam has been released. Comments on both documents were due to the respective agencies prior to this Board presentation and were therefore provided to the agencies in a timely manner. County Parks, Public Works/Water Agency and Planning and Development cooperated in preparing these comments with guidance from the County Counsel. In addition the County will participate in the Phase II hearings held by the State Water Resources

Control Board on above-mentioned water rights permits, to be held in Sacramento on October 21st through the 23rd to represent the County's interest. A notice of intent (NOI) has been filed with appropriate agencies in order to do so.

The Bureau of Reclamation and COMB are proposing a 3.0 foot increase above the existing full lake level of 750 feet. The three-foot surcharge proposed, will in some years, provide for additional water for downstream fish, water rights releases and for migration support. However, the surcharge will also impact various existing improvements around the lake and in particular facilities and improvements at the park.

The County of Santa Barbara has undertaken a study to determine the impacts of various elevation changes to the park facilities. These facilities include a water treatment plant, several sewer lift stations, water distribution systems, sewage collections system, roads, bridges, paths, parking lots, picnic and camping sites, boat ramps, boat docks and other facilities associated with the park. The study reveals that at an inundation level of 753, the most likely sustained level of surcharge; there are \$12 million in facilities, which are compromised. These include: water intake facility, water treatment plant, two sewer lift stations, marina, launch ramp, overflow parking, Mohawk Road, picnic areas, camping facilities, trails, boat works shops and the UC Santa Barbara Crew area.

While the County of Santa Barbara recognizes the great importance of the Water Rights issues, the Fish Management Plan and the Biological Opinion, it is not acceptable that the County is solely responsible for the costs of relocation of the facilities indicated. However, the County also recognizes the need to be proactive and take all actions necessary to secure the recreation facility and continue to provide for a regional recreation center utilized by over 900,000 persons annually. Therefore the County has continued to search for funds to close the \$12 million funding gap and pursue design of projects.

Mandates and Service Levels:

The fulfillment of the Biological Opinion issued by National Marine Fisheries Service (NMFS) is a mandate placed upon the Bureau of Reclamation and COMB. The proposed surcharge to Lake Cachuma, which is likely to result as a means to fulfill the mandate, has a significant impact to the overall operation of the Recreation Area. There are a variety of scenarios that may result ranging from a short-term closure of limited areas of the park to extended closure of critical areas necessary to the overall operation of the facility. Staff is continuing to develop operational strategies to address all likely scenarios.

Fiscal and Facilities Impacts:

As noted, given the proposed three-foot surcharge, over \$12 million in park facilities are impacted. Staff has been working diligently over the last several years to secure funding for relocation of facilities in order to continue to provide for recreational facilities. Attachment B references the key facilities as well as the cost, status of funding and the likely potential for receiving funds. In addition the County has listed Lake Cachuma as a key priority for our Federal lobbyists. They have been working to secure a Federal appropriation to assist the County in addressing this issue.

Special Instructions:

County Clerk to send copy of the minute order to County Parks Attention Terri Maus, Director of Parks

Subject: Public Hearing Lake Cachuma
Agenda Date: October 7, 2003
Page: 4.

Concurrence:

County Counsel
Public Works

Attachments:

- A. The Cachuma Project map
- B. Lake Cachuma – Impact Areas from 3 Foot Surcharge – Fiscal Impact
- C. Letter of Congressman Elton Gallegly

Office of Congressman Elton Gallegly
485 Alisal Road, Suite G-1A
Solvang, CA 93463

Re: Santa Barbara County - Lake Cachuma Recreation Area

Dear Congressman Gallegly:

Thank you for recently meeting with Santa Barbara County officials. We greatly appreciate your interest in this new and expanded portion of your congressional district. County officials and our Washington representatives have been working with you and your staff on several key issues of mutual concern.

One matter of great importance to Santa Barbara County involves the Lake Cachuma Recreation area, which is nestled in the heart of the 24th District and enjoyed by approximately 900,000 visitors annually. Over the course of the last 50 years, the County has invested millions of dollars in improvements, programs and staffing to develop this recreation area. This investment of public resources is currently threatened.

As you may be aware, as a result of a biologic opinion issued by National Marine Fisheries (NMFS), The Federal Bureau of Reclamation and the Cachuma Operation Member Units (COMB) are charged with enhancing habitat for the endangered steelhead trout. The proposed method to fulfill this charge is a three-foot increase in the lake level (surcharge) in order to provide for the water flow needs for the steelhead.

This surcharge will destroy County improvements and cost an estimated \$12 million to reconstruct recreational facilities directly attributed to the surcharge action. The Bureau of Reclamation insists that the County be held solely responsible for the cost to reconstruct. While the County of Santa Barbara acknowledges and respects the mandate of the biological opinion and, of course, the critical need to sustain water supply to the region, we challenge the BOR assertion that the County is solely responsible for the \$12 million in costs to reconstruct existing facilities. Instead, we have invited the BOR to work together with us in an effort to secure federal funds and meet the needs of all. In order to ensure that the recreational needs of the region are met, the County has worked diligently throughout the last several years to proactively seek funding for facility relocation should surcharge occur. However, a severe funding gap remains.

We are requesting your support and assistance in working toward a resolution of this issue and in preserving the Lake Cachuma Recreation Area for the benefit of future generations of citizens of our region. Recognizing that your schedule is extremely busy, we invite and encourage you and the appropriate staff to allow time for a briefing and tour of the Lake Cachuma Recreation area. This will permit you to experience first hand

the impact of the proposed surcharge and the concern it poses for the recreation area if the facilities are not relocated.

We strongly urge you to work with your colleagues on the House Resources Committee to see that that Bureau of Reclamation and the National Marine Fisheries Service are accountable for County property to be destroyed by the proposed surcharge of Lake Cachuma in order to fulfill the mandate provided in the biological opinion.

The County of Santa Barbara is committed to working with all agencies to ensure that needs pertaining to water supply, protection of endangered species, and public recreation are met. We look forward to working with your office further on this matter and are confident that by working together we can address the needs of all.

Sincerely,

Naomi Schwartz, Chair
Santa Barbara County Board of Supervisors

CC:

Patrick Murphy, Staff Director
Diana Waterman, Waterman and Associates