

Testimony of Terri Maus Nisich

I presently serve in the capacity of Director of Parks for the County of Santa Barbara. I have served in that position for one year. Prior to joining Santa Barbara County, I served the City of Santa Clarita for 15 years as Deputy City Manager, Director of Field Services and Director of Parks and Recreation and Community Services for the City of Santa Clarita. I received my Bachelors of Arts Degree in Economics and Political Science from the University of California at Santa Barbara and a Masters of Public Administration from California State University Northridge. My work experience involves capital project construction and rehabilitation, project management, property management, park and open space maintenance emergency operations, organizational effectiveness and process improvements for local governments, budget formulation and implementation, strategic planning at local, regional and international levels, and management and supervision of various professional and line positions.

The Lake Cachuma Recreation area encompasses 9,250 acres of land, including Lake Cachuma, its shoreline and surrounding hillsides. It provides an array of recreational opportunities to approximately 900,000 visitors annually. The Santa Barbara County Parks Department manages the recreation area pursuant to a contract, or land management agreement, between the Bureau of Reclamation and the County. The 50-year contract expired in January 2003, and it has been renewed for an interim period of 2 years in order to complete all necessary studies and documentation before negotiation of an extended lease term. The Bureau and County are in the early stages of long-term lease negotiations. However, before lease negotiations can be consummated, the Bureau must first complete a Resource Management Plan (RMP) for guidance on future land and resource and recreation management.

It is the intent of the County Parks Department to continue to serve as a non-federal partner providing for oversight of Lake Cachuma and surrounding facilities in order to ensure affordable, quality recreation to the County and the region as a whole. Over the last 50 years, the Bureau of Reclamation has been very pleased with the County's management and stewardship of the land and has congratulated the County on "successful operations at Lake Cachuma and providing for nationally recognized recreational opportunities for the people of California and

1 the entire Nation.” (See November 15, 2002 Bureau of Reclamation Letter to Santa Barbara  
2 County Parks Department, attached to testimony of Supervisor Joni Gray.) The Bureau has  
3 further indicated its willingness to work with the County to ensure the availability of these  
4 recreational opportunities well into the future, thus giving indication that the County will  
5 continue in its current role.

6 The County supports and, in fact, has been a leader in efforts to ensure reliable water  
7 supply and to protect endangered species. In addition, Santa Barbara County and the region are  
8 known for its ability to provide for expansive open spaces, and recreation opportunities for  
9 visitors and its citizens. The Santa Barbara County Parks Department is tasked with the  
10 responsibility of ensuring that open space and passive and active recreational opportunity is  
11 accessible, affordable and can be enjoyed by all.

12 Recreation in Santa Barbara County is multi-dimensional and the positive long-term  
13 impacts of providing for an array of recreational amenities are extensive. Communities which  
14 provide for sound open space experiences and recreational opportunities provide for relief from  
15 urban development, preserve the environment, promote health and wellness, foster human  
16 development, strengthen safety and security, enhance community image and sense of place, and  
17 provide support to economic development. The DEIR prepared for these hearings acknowledges  
18 the critical role recreation plays in the framework of fashioning balanced public policy decisions  
19 and creating an enhanced quality of life.

20 The County does not believe that the three critical policy issues identified by Supervisor  
21 Gray - reliable water supply, protection of endangered species and protection of public  
22 recreation and public trust resources - must be compromised in order to structure and implement  
23 sound public policy. With this in mind, the County has worked diligently to ensure that  
24 necessary facility relocation would be addressed should surcharge in fact occur. This effort was  
25 undertaken despite our firm conviction that the County is not solely responsible to fund park  
26 facility relocation in the event of surcharge.

27 Nonetheless, in order to provide for uninterrupted access to recreational opportunities for  
28 900,000 visitors and residents to Santa Barbara County, and to avoid disruption of economic

1 forces, the Parks Department studied the impact of various water elevation changes to the park  
2 facilities. That study is the Cachuma Lake Surcharge Analysis Preliminary Report, December  
3 2000 – Flowers and Associates (County Exhibit 7). The park facilities studied include a water  
4 treatment plant and intake facility, two sewer lift stations, water distributions systems, roads  
5 bridges, pathways, parking lots boat launch, marina and picnic and camping areas. The study  
6 reveals that at lake elevation level of 753' or the maximum surcharge, over \$10 million dollars  
7 in construction costs will be incurred to relocate and reconstruct critical public health and safety  
8 as well as essential operational and support facilities that will be severely impacted if not  
9 destroyed. Park facilities analyzed in the report can be classified in the following manner.

10

11 **Critical Facilities – Facilities that cannot sustain inundation without serious damage,**  
12 **would no longer meet set backs for standard design requirements and could possibly cause**  
13 **public safety and or health issues if inundated.**

14

15 Water Treatment and Intake Facility

16 Sewer lift station 2 and 3

17

18 **Essential Operational Facilities - Facilities that if inundated would not be accessible and**  
19 **that inaccessibility would deprive the public of essential recreational opportunities and**  
20 **public trust resources at Lake Cachuma.**

21

22 Boat Launch

23 Marina

24 *The Boat Launch and marina offer the only public access to recreation on the lake.*

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26 The Flowers and Associates study was reviewed in September and October of 2003 to  
27 determine if viable alternatives existed to construct interim facilities or modify present facilities  
28 to allow for 3-foot surcharge to occur expeditiously. Mr. Flavell, the consultant who prepared

1 the Cachuma Lake Surcharge Analysis Preliminary Report, December 2000, concluded that  
2 interim solutions do not exist.

3 Immediately following the December 2000 Surcharge Analysis study, the County began  
4 working to secure funds in order to address the \$12 million hurdle. As a result of this progress  
5 in funding the following has occurred:

- 6 • Conceptual design of the water intake and water treatment plant has commenced,
- 7 • Design of the sewer lift stations is complete and,
- 8 • The boat launch facility is now being re-designed to address a lake level of 753.

9 Furthermore, the County is continuing to seek other viable sources of funding to continue  
10 our design, permitting and reconstruction efforts. These efforts include participating in the  
11 Prop 50 water bond coalition. The Water Bond Coalition is a network of over 200 cities,  
12 counties and special districts located in Northern and Coastal California. (See Attachment A.)  
13 The Central Coast region members of this coalition rated the water treatment plant at Lake  
14 Cachuma a top priority for funding when such bond funds become available and the method of  
15 disbursement is determined. Those within the coalition immediately recognized the critical role  
16 Cachuma provides for recreation, the role of the water treatment plant in sustaining the County  
17 Park's operation, and the water quality and public safety issues that would result should the  
18 water treatment plant not be relocated prior to a surcharge.

19 The attached chart entitled "Lake Cachuma -- Impact Areas from 3 foot Surcharge"  
20 details funding and implementation efforts to date. While this chart indicates that there is a  
21 potential for an additional \$5.4 to \$5.7 million, a \$9.5 million funding gap exists, which must be  
22 overcome in order to move forward. In order to assist in closing that gap, the County has  
23 designated Lake Cachuma as a key Federal Legislative Priority and, by a unanimous 5-0 vote,  
24 the Board of Supervisors has requested that Congressman Elton Gallegly assist in our quest for  
25 funds to address this high priority matter.

26 In addition to project funding, there are other matters outside of the County's control that  
27 must be in place in order to complete the relocation of critical and essential operational facilities.  
28 These include 1) certification of an adequate EIR/S for the Lower Santa Ynez River Fish

1 Management Plan and the Cachuma Project Biological Opinion; and 2) completion of the  
2 Bureau of Reclamation's Lake Cachuma Resource Management Plan, coupled with the  
3 completion of successful long term lease negotiations. With these items in place, i.e., funding,  
4 adequate environmental review, a long term lease and permits, the County is willing to accept  
5 and work aggressively toward a 2- and 5-year phased approach to reconstruction of facilities  
6 impacted by a phased 1.8 foot and 3.0 foot surcharge.

7 The operational impacts on the lake, the attendant loss of recreational opportunities, and  
8 the economic loss to the County of Santa Barbara and neighboring municipalities and townships  
9 must be recognized if surcharge is authorized before relocation and reconstruction of critical and  
10 essential park facilities. As noted, the Lake Cachuma Recreation Area attracts approximately  
11 900,000 visitors each year. This generates over \$2 million annually, which directly offsets the  
12 cost of operation of the facility. The bulk of this revenue (\$1.6 million) is directly attributed to  
13 camping and day use of the County Park area, which requires its critical and essential  
14 operational facilities in order to continue to provide for the type of recreational experience  
15 currently enjoyed. In addition, the local business communities directly benefit from the influx of  
16 tourism/sales tax dollars that enhance the local economy and provide for essential services.

17 Given funding constraints, the need for completed environmental work, and a lease with  
18 the Bureau of Reclamation, it is the County's opinion that it is not technically possible to  
19 remove and reconstruct critical and essential facilities in a timeframe prior to the projected date  
20 of surcharge under DEIR Alternatives 3C, 4A or 4B. Therefore in commenting on the EIR for  
21 Modifications to the Bureau of Reclamation Water Rights Permits, the County stated that in  
22 order to most effectively, fairly and efficiently balance the interests affected by the imposition of  
23 the surcharge Plan, that the State Board consider a phased surcharge of Lake Cachuma from .75  
24 feet to 1.8 feet, ultimately reaching the full 3.0 foot surcharge level as County Park facilities are  
25 modified. The phased alternative would likely avoid immediate and direct impact to public  
26 recreation, minimize risks to water supply and provide for sufficient water to implement the  
27 Plan. This alternative therefore would best achieve the balancing of the three public interests  
28 affected: 1) reliable water supply, 2) protection of endangered species and 3) protection of

1 recreation and other public trust resources.

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3 Attachments:

4 Water Bond Coalition Participants

5 Chart: "Lake Cachuma – Impact Areas from 3 foot Surcharge"

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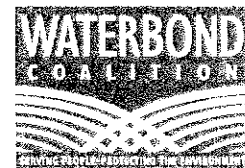
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COUNTY COUNSEL  
County of Santa Barbara  
105 East Anapamu Street  
Santa Barbara, CA 93101  
(805) 568-2950

# COALITION PARTICIPANTS

As of March 2003



## CITY

City of Arcata  
City of Blue Lake  
City of Burlingame  
City of Camarillo  
City of Cloverdale  
City of Cotati  
City of Crescent City  
City of Dublin  
City of Emeryville  
City of Etna  
City of Eureka  
City of Ferndale  
City of Fillmore  
City of Fort Bragg  
City of Fortuna  
City of Hayward  
City of Healdsburg  
City of Livermore  
City of Napa  
City of Novato  
City of Oakland  
City of Ojai  
City of Orinda  
City of Oxnard  
City of Pleasanton  
City of Point Arena  
City of Port Hueneme  
City of Redding  
City of Redwood City  
City of Rio Dell  
City of Rohnert Park  
City of San Buenaventura  
City of San Luis Obispo  
City of Santa Barbara  
City of Santa Cruz  
City of Santa Paula  
City of Santa Rosa  
City of Scotts Valley  
City of Seaside  
City of Sebastopol  
City of Shasta Lake  
City of Simi Valley  
City of Sonoma  
City of Thousand Oaks  
City of Trinidad  
City of Ukiah  
City of Watsonville  
City of Willits  
City of Willows  
City of Yuba City  
Town of Atherton  
Town of Windsor

## COUNTY

City & County of  
San Francisco  
County of Alameda  
County of Butte  
County of Contra Costa  
County of Glenn  
County of Humboldt  
County of Lake

County of Marin  
County of Mendocino  
County of Monterey  
County of Napa  
County of Nevada  
County of Placer  
County of San Luis Obispo  
County of San Mateo  
County of Santa Barbara  
County of Santa Cruz  
County of Shasta  
County of Siskiyou  
County of Sonoma  
County of Sutter  
County of Tehama  
County of Trinity  
County of Ventura  
County of Yolo

## SPECIAL DISTRICT

Alameda County Flood Control and Water  
Conservation District  
Alameda County Water District  
Alderpoint County Water District  
Anderson-Cottonwood Irrigation District  
Bella Vista Water District  
Brooktrails Township Community  
Services District  
Brown's Valley Irrigation District  
Butte Water District  
Cachuma Conservation Release Board  
Cachuma Operation and Maintenance Board  
Cambria Community Services District  
Carpinteria Sanitary District  
Carpinteria Valley Water District  
Casmalia Community Services District  
Castroville Water District  
Coastside County Water District  
Contra Costa Flood Control and Water  
Conservation District  
Contra Costa Water District  
County of San Luis Obispo Flood Control  
and Water Conservation District, Zone 3  
County Services District #41  
Covelo Community Services District  
Cuyama Community Services District  
Davenport County Sanitation District  
Dublin-San Ramon Services District  
East Bay Municipal Utility District  
Fox Canyon Groundwater  
Management Agency  
Freedom County Sanitation District  
Glenn-Colusa Irrigation District  
Goleta Water District  
Gridley Water District  
Gualala Community Services District  
Heritage Ranch Community Services District  
Hidden Valley Lake Community  
Services District  
Humboldt Bay Municipal Water District  
Humboldt Community Services District  
Hydesville County Water District  
Inverness Public Utility District

Jacoby Creek County Water District  
Laguna County Sanitation District  
Lake Berryessa Resort Improvement District  
Lake County Flood Control and Water  
Conservation Department  
Lake County Special Districts  
Las Gallinas Valley Sanitation District  
Laytonville County Water District  
Los Osos Community Services District  
Marin County Flood Control and Water  
Conservation District  
Marin Municipal Water District  
Marina Coast Water District  
Maxwell Irrigation District  
McKinleyville Community Services District  
Mendocino City Community Services District  
Mendocino County Resource  
Conservation District  
Mendocino County Water Agency  
Mendocino County Water Works District #2  
Mendocino Inland Water and Power  
Commission  
Millview County Water District  
Montara Sanitary District  
Montecito Water District  
Monterey County Water Resources Agency  
Napa County Flood Control and Water  
Conservation District  
Napa Sanitation District  
North Coast County Water District  
North Marin Water District  
Novato Sanitary District  
Occidental County Services District  
Orick Community Services District  
Orland-Artois Water District  
Pajaro Valley Water Management Agency  
Paradise Irrigation District  
Potter Valley Irrigation District  
Rains Creek Water District  
Reclamation District No. 108  
Reclamation District No. 1500  
Reclamation District No. 2068  
Redway Community Services District  
Redwood Valley County Water District  
Richvale Irrigation District  
San Miguel Community Services District  
San Simeon Community Services District  
Santa Barbara County Parks  
Santa Barbara County Water Agency  
Santa Clara Valley Water District  
Santa Cruz County Flood Control and Water  
Conservation District  
Santa Cruz County Resource  
Conservation District  
Santa Cruz County Sanitation District  
Santa Ynez River Water Conservation District,  
Improvement District #1  
Saticoy Sanitary District  
Shasta County Water Agency  
Sonoma County Water Agency  
Sonoma Valley County Sanitation District  
Soquel Creek Water District  
South County Regional Wastewater Authority

Stinson Beach County Water District  
Sutter Extension Water District  
Sutter Mutual Water Company  
Sweetwater Springs Water District  
Tehama-Colusa Canal Authority  
Trinity County Resource  
Conservation District  
Tomales Village Community  
Services District  
Trinifo Sanitation District  
Ukiah Valley Sanitation District  
Union Sanitary District  
Valley of the Moon Water District  
Vandenberg Village Community  
Services District  
Ventura County Watershed  
Protection District  
Ventura County Waterworks  
District No. 1  
Ventura County Waterworks  
District No. 16  
Ventura County Waterworks  
District No. 19  
Ventura Regional Sanitation District  
Weott Community Services District  
Western Canal Water District  
Westport County Water District  
Services District  
Yolo County Flood Control and Water  
Conservation District  
Yolo-Zamora Water District  
Yuba County Water Agency  
Zone 7 Water Agency

## ORGANIZATION

American River Conservancy  
Association of Bay Area Governments  
Association of California Water Agencies  
Association of Monterey Bay Area  
Governments  
Camp Meeker Recreation and  
Park District  
Contra Costa Clean Water Program  
Del Oro Water Company  
Ducks Unlimited  
Friends of Orinda Creeks  
La Cumbre Mutual Water Company  
Morro Estuary Greenbelt Alliance  
Nevada County Land Trust  
North Bay Watershed Association  
Northern California Water Association  
Orland Unit Water Users Association  
San Jose Water Company  
South Yuba River Citizens League  
The Sierra Fund  
Truckee River Watershed Council  
Truckee-Donner Land Trust  
Trust for Public Land  
Wildlands Inc.  
Yuba River Conservancy  
Yuba Watershed Foundation

## Lake Cachuma – Impact Areas from 3' Surcharge

Item	Description	Cost	Status / Funded	Potential for Funding
1	Water Intake Facility	\$998,000	\$50,000 for conceptual design (Bureau Grant & County General Fund) Grant Expires December 2004	Proposition 50 – Local coalition has prioritized this project for regional funding in the amount of \$ 5.4 million – will require matching funds from other funding source – anticipated @ 20-25% match required
2	Water Treatment Plant	\$3,780,000	Design 90% Complete \$300,000 available for construction (Bureau Grant & County General Fund) Approval required by RWQCB CEQA analysis required	Potential Bureau Grants @ \$75,000 - \$150,000 annually – would require equal matching funds from County. Other potential funding: Competitive Prop 50 funds Proposition 12 & 40 per capita funds
3	Sewer Lift Station No. 2	\$490,000		
4	Sewer Lift Station No. 3	\$444,550		
5	Marina / Launch Ramp	\$3,049,315		
			Design complete for new facility. Re-design required to move / relocate out of surcharge area. \$2.6 million available for construction (Boating & Waterways Grant). \$90,000 awarded by Bureau to redesign main ramp out of surcharge zone.	Unlikely – Boating & Waterways has awarded Phase III funds (last level of funding associated with final engineering cost estimate.) Grant expires May 2004.
7	Mohawk Road	\$206,200	No	Not Identified
8	Harvey's Cove Picnic Area	\$311,500	No	Not Identified
9	Barona Shores Trail	\$116,700	No	Not Identified
10	Tepee Island Access	\$268,200	No	Not Identified
11	Sweet Water Trail	\$378,000	No	Not Identified
12	Boat Works Shop	\$135,150	No	Not Identified
13	UCSB Crew / Overflow Area	\$70,485	No	Not Identified
	<b>Sub-Total Construction Costs</b>	<b>\$10,438,590</b>		
14	Design (8%)	\$800,000		
15	Permitting / CEQA / NEPA (8%)	\$800,000	(\$140,000 as described in No. 1 & 5)	
16	Construction Mgmt./Inspection (5%)	\$500,000	No	
	<b>Total</b>	<b>\$12,538,590</b>	\$3.04 million funded (with deadlines for expenditure) Approximately \$9.5 million Unfunded	\$5.4 - \$5.7 million potential