




MEMORANDUM

TO: The Honorable Stephen O. Hedstrom
Presiding Judge of the Superior Court

FROM: Scott De Leon, Director 

SUBJECT: Grand Jury Report Response

DATE: August 19, 2014

The 2013-14 Grand Jury Report (Report) reviewed the general topic of "Water Quality". The review and write-up was prepared by the Planning and Public Works Committee and within that analysis they included the Department of Water Resources (Department) on two components of that review: Drinking Water Systems, and Water Quality. I will offer comments on the Recommendations prepared for the Report for these issues.

Drinking Water Systems: The Department is not responsible for the operation and maintenance of water supply systems; however the Grand Jury commented that safe public drinking water is developed from surface and ground water sources. Though the Grand Jury did not identify the Watershed Protection District (WPD) by name, the Department does perform the tasks of the WPD which, according to California Water Code Chapter 62, is responsible for "...the conservation and protection of all waters within the district, including both surface water and groundwater...". This nexus, though rather loose in my opinion, is the basis for the Grand Jury's Discussion and Analysis shown on page 36 of their Final Report.

In the aforementioned Discussion and Analysis section, the first two paragraphs provide information that needs to be clarified. I offer the following:

The first sentence of the first paragraph includes the Public Works Department as an agency responsible for water quality in Clear Lake. This is not the case, and I suspect the confusion is created by the fact that I am the Director of both the Water Resources and Public Works Departments.

The second sentence incorrectly indicates only three public water systems drawing water directly from Clear Lake. While it's possible that the Grand Jury intended to refer to the three public entities (County of Lake, City of Lakeport and City of Clearlake) the actual number of water purveyors that obtain water from Clear Lake is seventeen (17).

The third sentence of the first paragraph indicates that issues such as coliform bacterial sampling, blue-green algae blooms, turbidity and chemical pollutants are public health concerns of this Department. The Department does not perform coliform bacterial

sampling, and though we often answer questions related to the blue-green algae blooms and other lake-related issues, the public health concerns are more under the purview of the Lake County Health Department, and we do provide support to that Department.

The final three sentences of the second paragraph in the Discussion and Analysis section again place public health issues as the responsibility of the Department. While we do coordinate with Special Districts and provide information to the public about water issues, the public health related issues are referred to the Lake County Health Department. Much of the last sentence of the paragraph is incorrect, as the Department of Water Resources does not respond to sewage spills or quarantines.

It should be noted that many of the aforementioned clarifications are made in subsequent paragraphs of the Report.

Though none of the Recommendations list the Department by name, the Department of Water Resources or more specifically the Watershed Protection District will also be involved in Recommendation R3, which addresses the goal of not allowing future development to over-extend our water supply. It appears that the State of California will be mandating that local agencies create Sustainable Groundwater Management Plans. This new, unfunded mandate will fall under the responsibility of the Watershed Protection District.

Water Quality: The Discussion and Analysis section of this topic has many general statements that pertain to this Department, Special Districts and the Health Department. The statements that are relative to Water Resources are generally accurate, and the minor corrections that could be made are not significant enough to mention at this time. In the Recommendations section of this topic the Grand Jury has suggested that the Department hire a qualified scientist to assist in the evaluation of the various studies and information about the lake. I completely concur with the Grand Jury's recommendation, however available funding will not support the additional position at this time. It is hoped that should Measure S, the proposed 0.5-cent sales tax increase for lake-related programs, finally pass in November, then existing revenues could be used to fund the additional position. Their second recommendation suggests continuing the contract with Blue Water Satellite for future measurement of nutrients in Clear Lake using satellite technology. Staff is currently working with Blue Water Satellite on a quality assurance study to ensure the results are accurate before we continue ordering additional scans. Staff concurs with the Grand Jury that new technologies should be pursued to maximize information about Clear Lake.

I would like to thank the 2013/2014 Grand Jury for their work in studying the very complicated topic of "Water Quality". If you have any questions regarding my responses, please feel free to contact me.