

**MARIN RESOURCE CONSERVATION DISTRICT
SERVICE REVIEW AND
SPHERE OF INFLUENCE UPDATE**

Marin Local Agency Formation Commission

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I. INTRODUCTION

This report is presented as part of a process mandated by Section 56425 of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. As stated in that section, "In order to carry out its purposes and responsibilities for planning and shaping the logical and orderly development and coordination of local government agencies so as to advantageously provide for the present and future needs of the county and its communities, the Local Agency Formation Commission shall develop and determine the sphere of influence of each local governmental agency within the county." As used in this section, "*sphere of influence*" means a plan for the probable physical boundaries and service area of a local government agency.

In determining a sphere of influence, the Commission is required to consider and make written findings with respect to the following factors:

- The present and planned land uses in the area, including agricultural and open space lands.
- The present and probable need for public facilities and services in the area.
- The present capacity of public facilities and adequacy of public services which the agency provides or is authorized to provide.
- The existence of any social or economic communities of interest in the area if the commission determines they are relevant to the agency.

Changes to State law effective on January 1, 2001 require LAFCOs to study the service relationships between agencies providing municipal services within different sub-regions in each county prior to the periodic review of adopted spheres of influence. In this report, discussion of service review determinations precedes recommendations for the sphere of influence of the public agency under study, the Marin Resource Conservation District.

The actual effect of these or any other adopted spheres of influence will be to provide LAFCO and local communities with policy guidance on matters relating to the boundaries and organization of local government agencies. In short, the purpose of the Commission's sphere determinations is to answer the question, "What local agencies should provide which services to what geographical area as communities change?" More information on LAFCO and on all of Marin County's local governments, services and boundaries may be found on the Commission's website at <http://lafco.marin.org>.

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II. MUNICIPAL SERVICE REVIEW

Background

The Marin Resource Conservation District (MRCD) is charged with protecting and restoring natural resources within a jurisdictional boundary that includes most of the rural Marin County. The origins of resource conservation districts dates back to the national “dust bowl” crisis of the 1930s as drought and attendant soil losses destroyed millions of acres of cropland. In 1935, Congress established the Soil Conservation Service as part of the United States Department of Agriculture (USDA) for the purpose of conserving natural resources on agricultural lands. To deliver these services locally, state governments began adopting legislation to allow for the formation of conservation districts to provide assistance and leadership in the management of soil and water resources.

In 1959, MRCD was formed pursuant to the provisions of the California Public Resources Code to provide non-regulatory soil and water conservation services to farmers and ranchers in Marin County. On occasion, the range of services provided by MRCD has expanded to include soil erosion services for non-agricultural lands and watershed management projects.

Resource conservation districts (RCDs) are grassroots government organizations that advise and assist individual landowners and public agencies in planning and implementing conservation practices for the protection, restoration, or development of land, water, and related natural resources. As a local government entity, RCDs can work with any local, state or federal agency through simple cooperative agreements. Many times an RCD can get conservation activities on the ground faster, cheaper and with greater local sensitivity than other types of government programs.

RCDs work in urban areas as well as with farmers and ranchers on agricultural concerns. California’s size and geographical diversity, along with an ever-growing population, make natural resource stewardship a great challenge. California currently has 103 RCDs, most of which are funded primarily through grants, although a few of the RCDs receive property tax revenues. The U.S. Department of Conservation and the Natural Resources Conservation Service (NRCS) provide training and in-kind support, as well as a watershed grant program for districts.

State Law and Governing Statutes

RCDs are “single purpose special districts” organized under the State Public Resources Code, Division 9 (Sections 9001-9978). A central component of Division 9 is its authorization for RCDs to be formed for the purpose of addressing local resource conservation needs. Particular emphasis is placed upon the conservation of soil and water resources, although, under the Code, an RCD may be formed for the control of runoff, the prevention or control of soil erosion, the development and distribution of water, and improvement of land capabilities, wildlife habitat restoration, forest fuel management, conservation education and other purposes. Each RCD within the state of California is an autonomous special district able to define its own local goals and objectives based on the issues and needs within its service area.

Each district is governed by a locally elected or appointed board of directors, consisting of five, seven or nine trustees that reside within the district. The board members may be elected or appointed by the Board of Supervisors based upon the recommendations of the supervisor(s) representing the district area.

Marin Resource Conservation District

The MRCD was established by vote of west Marin landowners on May 19, 1959 pursuant to the provisions of the California Public Resources Code.

The MRCD has established a set of comprehensive goals, objectives and implementing actions to carry out its mission within the County. Goals include the following:

- Active support of their district’s agricultural economy and heritage.
- Control of soil erosion.
- Riparian habitat restoration
- Conservation of rangeland, cropland, and forests
- Improvement of water quality
- Outreach and education

The Mission Statement for the Marin Resource Conservation District is:

“...to conserve and enhance Marin’s natural resources, including its soil, water, vegetation and wildlife. It is our belief that the health of the county’s natural landscape is dependent upon a robust agricultural economy and the active preservation of its agricultural heritage. In addition, it is our firm conviction that the agricultural productivity of the county is dependent upon by the diligent application of practices which conserve and enhance our natural resources.”

Service Area

The district covers 257,000 acres, taking in much of the rural acreage in the county as shown on Map 1. The district generally covers the watersheds of Stemple, Walker, San Antonio, and Lagunitas Creeks and Tomales Bay and Point Reyes National Seashore (see Table 1 and Map 1). Although cities and most suburban communities are excluded, nearly all the watershed lands that would benefit from conservation treatment are included. The district does not include San Geronimo Valley, Woodacre and portions of Nicasio, Bolinas and Stinson Beach (see Map 2).

It is estimated that about 230,000 acres are in some form of agriculture divided into more than 270 ranches utilizing the greater part of the land for non-irrigated pasture and range and leaving approximately 550 acres for irrigated pasture and about 50 acres of cropland irrigation.¹

**Table 1. Major Watersheds in the
Marin Resource Conservation District Service Area**

Walker Creek Watershed
Tomales Bay Watershed (West Shore)
Tomales Bay Watershed (East Shore)
Stemple Creek/Estero de San Antonio
Estero Americano
Lagunitas Creek Watershed
San Antonio Creek Watershed
Point Reyes National Seashore
Pine Gulch Watershed
Webb Creek
Redwood Creek
Lone Tree Creek
Tennessee Valley
Rodeo Lagoon

¹ Marin Resource Conservation District Long Range Plan, 1979-1980



District Services

MRCD is a non-regulatory agency that is responsible for land use practices and policies that result in the conservation of soil, water and related resources. The district serves as a liaison for State, Federal, and local resources with private landowners to conserve soil and water resources. The district helps to prioritize problems, and implement programs in its area. The district also assists in developing community wide interest in proper natural resources management for the future.

MRCD is governed by a five-member Board of Directors elected for a term of four years. The board members are land owners familiar with the conservation needs of the District, County and State wide².

MRCD staff consists of a full time Executive Director and Watershed Coordinator (2 FTE). They receive bookkeeping services from a part-time sub-consultant and also obtain consulting services from various consulting firms. In fiscal year 2007/08, the District's total income was \$927,625 with \$213, 691 (23%) allocated to administrative expenses. Of those expenses, \$136,000 (approximately 15% of total revenue) was budgeted for personnel costs.

In the past 15 years, the MRCD has administered over 8 million dollars in government and private foundation grants for watershed erosion control and restoration projects.

One example of a grant that MRCD has administered is from a program called Conserving Our Watersheds, a State Water Resources Control Board fund which seeks to help landowners implement 25 best management practices on rangelands in the Tomales Bay and Stemple Creek watersheds. Over the years, this application process has become streamlined in order to get the funding distributed faster. Examples of the practices to be implemented in west Marin County include:

- Stream fencing
- Spring development
- Water tanks and troughs
- Stream revegetation
- Livestock crossings
- Streambank repairs
- Gully repairs

² Ibid.

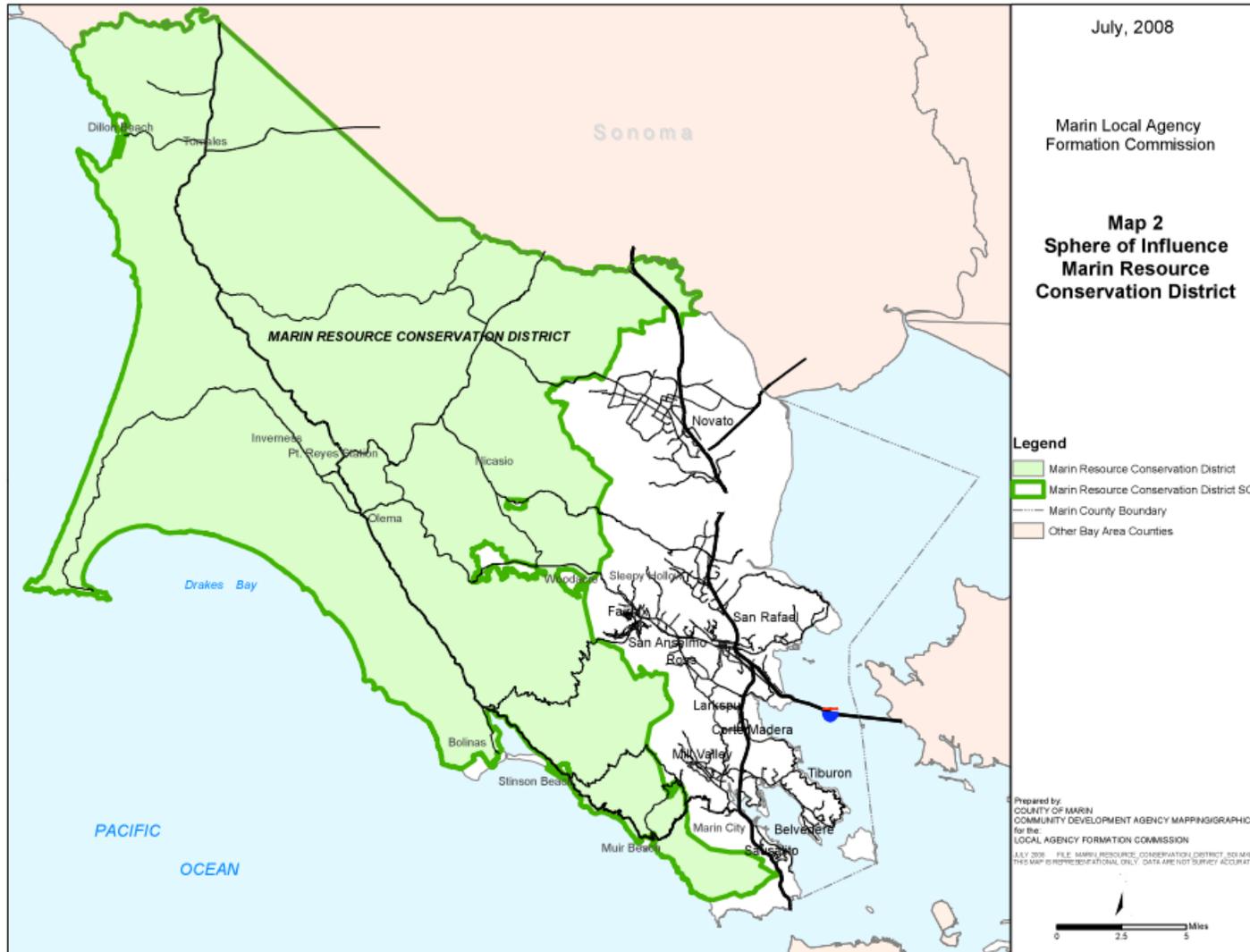
Because funding from any grant program is limited and carries with it specific selection criteria, MRCD administers a selection process for the projects in order to maximize response to natural resource concerns. There is an expert team that evaluates and ranks the sites and ultimately narrows down the approval list.

The grant also calls for monitoring of select projects by UC Cooperative Extension and planting by school children under the Students and Teachers Restoring a Watershed (STRAW) program.

In 2008, MRCD received a \$1 million grant that will be distributed in the following manner:

Personnel services	\$220,363
Operating expenses	\$ 6,691
Professional and consultant services	\$317,946
Construction	\$455,000

The construction costs will be divided between six different properties. The projects being implemented include riparian fencing projects to exclude livestock from riparian areas, alternative water developments, gully repairs, bioengineered streambank repairs, and road repairs.



Municipal Service Review Determinations for Marin Resource Conservation District

The following sections address the Municipal Service Review factors specified in Government Code Section 56430.

1. Government Structure Options

The unique role and expansive boundaries of MRCD indicate that no additional government structure alternatives other than consolidation with another resource conservation district in Sonoma County. Since the purpose of resource conservation districts is to connect local conditions and land characteristics to federal and state funding opportunities, enlargement of MRCD through such a consolidation would be likely to diminish rather than improve the focus of MRCD on agricultural conditions in west Marin County.

As noted elsewhere in this report, MRCD does work cooperatively with Sonoma County RCDs on projects involving watersheds that cross the county boundary.

2. Infrastructure Needs and Deficiencies

The MRCD operates in an office in the community of Point Reyes Station. The MRCD owns specialized farm implements, a no-till drill and soil aerator which are rented out to the farmers and ranchers who farm watersheds in the district or have parcels which drain into Marin County watersheds. The MRCD may purchase additional farm equipment and expand staff/office equipment in the future. The District has not identified any specific equipment needs for the implementation of its current programs.

3. Growth and Population Projections

Marin County encompasses 333,000 acres and had an estimated population of 247,289 people in 2000. An estimated 178,554 people, or 72% of the population, live in the incorporated cities. The remaining 28% of residents, or 68,735 people, live in unincorporated communities and rural areas. The western portion of the county, the area served by the MRCD, has a number of established communities, including Inverness, Bolinas, Stinson Beach, Pt. Reyes Station, and Tomales.

Countywide, the growth rate in Marin County between 1990 and 2000 was 7.4%, with growth rates in the incorporated cities at 15.8% in San Rafael, 10.0% in Corte Madera, and 4.3% in Mill Valley.

Land Use and Demographic Data for the West Marin Planning Area are shown in Table 2.

Table 2. Land Use and Demographic Data for the West Marin Planning Area

Information Category	1980 Actual	1990 Actual	2000 Actual	Theoretical Buildout
Demographics				
Population	11,356	11,793	12,334	15,993
Households	4,329	4,818	4,964	6,746
Average Household Size	2.62	2.45	2.48	2.33
Employed Residents	5,624	6,877	7,462	10,379
Jobs	1,252	1,358	1,409	5,528
Employed Residents/Job	4.49	5.06	5.30	1.87
Land Use				
Housing Units	5,657	6,095	6,360	7,307
Commercial/Industrial sq.ft.	<i>Census Data Not Available</i>	790,123	1,110,168	1,290,302

Sources: U.S. Census, Association of Bay Area Governments, Marin County Community Development Agency.

The 2000 population of the West Marin planning area was approximately 12,334 within a land area of 332,800 acres. According to the Marin County Community Development Agency, as of 2000 there were 6,360 housing units with a future development potential of 947 additional units, with maximum population of 15,993 under current zoning designations.

Services provided by MRCD are generally applied to land and water resources rather than to population within its boundaries.

4. Financing Constraints and Opportunities

The MRCD receives a small amount of annual funding from a County General Fund appropriation by the Marin County Board of Supervisors. In FY2007, the MRCD received \$100,000 from the County General Fund. MRCD's other funding comes from competitively sought government grants from local, state, and federal agencies. The District also receives funds from local foundations and other private sources.

Grant funding, which the district actively pursues, offers the greatest opportunity for the MRCD to increase its revenue. Grant funding is utilized for District outreach programs, providing technical information to the public and on-the-ground conservation projects. The District has received over \$500,000 in grant funds in FY2007, including approximately \$495,000 in State Aid and \$13,000 in Federal Aid. Such funding strengthens the District's ability to leverage its resources and to provide meaningful programs that directly relate to resource conservation issues. See example of grant funding in District Services section.

MRCD Grant Funding Sources

- Marin Municipal Water District
- State Water Resources Control Board
- US Department of Agriculture
- Department of Conservation
- State Coastal Conservancy
- California Department of Fish and Game
- Private Foundations

The MRCD has a Strategic Long Range Plan that includes goals, watershed issues, and an action plan for implementation over an eight year period (2000-2008).

5. Cost-Avoidance Opportunities

MRCD maintains a strong collaborative relationship with numerous local, state and federal agencies that are working toward a common goal of resource conservation within Marin County. By collectively pooling the distinctive resources and staff expertise of each agency, all agencies are able to accomplish more than they would working solely as autonomous entities.

MRCD works closely with the USDA Natural Resources Conservation Service who provides technical services and provides construction funding through Farm Bill programs. The University of California Cooperative Extension Service provides outreach/educational services.

Staff has not identified additional cost-avoidance opportunities applicable to MRCD.

6. Opportunities for Rate Restructuring

MRCD does not have an established fee schedule and it provides services and informational materials to the public at no charge. The District charges for the use of its farm equipment and will soon consider a fee for service program.

7. Opportunities for Shared Facilities

There are no obvious opportunities for shared facilities in the operations of the MRCD with other districts or agencies due to its unique role and lack of proximity to similar special districts.

8. Evaluation of Management Efficiencies

The budget process and annual financial documents adopted by board of directors are generally informative on the nature of services, allocation of resources to those services, and projections. The documents are written in plain language for a general audience.

The district has the staff resources and management capability to provide conservation services to the study area in both the short and long term given the contributions of state and federal conservation grant programs.

9. Local Accountability and Governance

The district maintains a website that is currently under construction. The website is expected to be completed by September 2009. It has the potential of being a resource for a broad range of service information and publications.

Board meetings are conducted on the second Wednesday of each month at the Marin County Farm Bureau Conference Room and are open to the public. MRCD provides an annual summary of past and projected projects for each fiscal year in accordance to their long-term plan.

III. SPHERE OF INFLUENCE REVIEW AND UPDATE

Description of Current Sphere of Influence

MRCD's sphere of influence was established by Marin LAFCO in 1984. The adopted sphere of influence is coterminous with MRCD boundaries. The boundary and sphere of influence includes all Marin County rural lands except for village areas of San Geronimo Valley, Woodacre, a portion of Nicasio, and developed portions of Bolinas and Stinson Beach. There have been no changes to the MRCD sphere or the boundary since its adoption.

Need/Demand for Services

As part of California's Total Maximum Daily Load (TMDL) plan, the State is placing new demands on Marin County property owners. Many Marin County ranchers will be required to make significant changes to their agricultural operations before 2009. The California Regional Water Quality Control Board (Regional Board) has set numeric targets for bacteria known as Most Probable Numbers (MPNs), which measure the amount of fecal coliform in Tomales Bay.

The Regional Board is mandating many Marin County ranchers to create plans towards reducing the runoff of animal waste into Tomales Bay. Ranchers will need to create a schedule for implementing projects and report on their progress details.

The Regional Board estimates the overall cost for landowners could vary between \$900,000 and \$2 million a year for the next ten years for implementation activities. This will affect roughly 150 landowners in the Tomales Bay watershed. These costs include animal waste control and grazing management measures such as technical assistance and evaluation, installing water troughs, and fencing off streams from cattle.³

Grants are available through organizations such as the State Water Resources Control Board, the State Coastal Conservancy or California Department of Fish and Game to ease the financial burden on ranchers and to help them adhere to this new set of rules. Most grants require matching contributions by the property owner which can be out-of-pocket or in-kind contributions. MRCD coordinates the award of grant funding by applying for grants using a list of specific local projects that meet grant requirements.

³ The Land Steward, November 2007. Volume 5, Issue #2, Page 4.

Ability to Extend Services

The MRCD mainly operates on grant funding from State and Federal agencies involved in land conservation. In the past, services were limited due to funding and staffing issues. However, due to funding that the County has allocated in recent years, MRCD is able to retain two full-time staff members. With this staffing, MRCD has improved its grant acquisition process, which funds its erosion control and stream restoration efforts. MRCD helps connect landowners with information about public and private grant money for conservation projects. Most assistance grants require that landowners match funding with cash or in-kind participation.⁴

There have been recent situations where the MRCD has extended services to areas outside of the district. The board reviews requests for assistance to landowners outside the district boundaries on a case by case basis. In the 1980s and again in 2006, the RCD extended construction services to these areas. In other years, the RCD has conducted assessment and outreach/education services to these areas.

Marin Countywide Plan

The Marin Countywide Plan has numerous policies in the Natural Systems and Agriculture element in the Biological Resources, Water Resources, and the Agriculture & Food sections suggesting continuing collaboration with the MRCD as it pertains to minimizing sedimentation and erosion, the Marin Coastal Watersheds Permit Coordination Program, and minimizing pesticide use. There are also policies to establish educational partnerships to protect water quality and to evaluate the feasibility of preparing a Hillside Agricultural Grading Program. Funding allocated by the County to help staff MRCD facilitates awards of state and federal grants that implement conservation and education policies in the Countywide Plan.

Discussion and Analysis

MRCD is providing an effective bridge between state and federal conservation programs and local land owners within its jurisdictional boundary. These conservation services have been instrumental in enhancing and restoring natural resources for the benefit of rural areas and have contributed to the preservation of local agricultural and open-space lands. MRCD has developed sufficient capacities and funding streams to continue to provide an effective level of conservation services within its existing sphere of influence.

4 Hydrology and Water Quality Background Report, November 2005. Page 46.

In 1990, the California Department of Conservation, Office of Land Conservation prepared a study called "*Taking Action: Recommendations for Implementing the Soil Conservation Plan.*" Included in the recommendations is the proposed increase of RCD jurisdictions to include the entire State of California. They suggest expansion of individual RCDs to conform to county boundary lines, except in special situations where resource conservation needs can be better served by boundaries which conform to LAFCO sphere of influence recommendations. The justification is that RCD boundaries that are coterminous with county jurisdictions will improve the administrative and economic efficiency of most RCDs.

Marin LAFCO might consider extending MRCD's sphere of influence to include additional lands that are outside its current jurisdictional boundary, specifically Nicasio and the San Geronimo Valley communities of Lagunitas, Forest Knolls, San Geronimo and Woodacre. Staff believes that it would not be appropriate to include these areas into the District's sphere of influence because the areas are primarily in residential land use and generally do not include agricultural lands. There have been infrequent exceptions for the district to provide services outside of its jurisdiction that have been approved by MRCD on a case by case basis. Additionally, including these areas into the district's sphere of influence would be in conflict with the MRCD Board's Mission Statement. The continuing exclusion of these areas from MRCD would be similar to the exclusion of other rural residential communities in west Marin such as Bolinas and Stinson Beach.

Recommendation

Staff recommends that the Commission affirm the existing sphere of influence that is coterminous with the Marin Resources Conservation District's current boundary.