

Clear Lake Nutrient Control Program Public Outreach Meeting

Potential Amendments to the Water Quality Control Plan for the Sacramento River and San Joaquin River Basins addressing the Clear Lake Nutrient Control Program

Draft Meeting Summary

Meeting Date: August 28, 2017

Meeting Time: 1:00 pm

Location: Lakeport City Hall
255 Park Street
Lakeport, CA 95453

Central Valley Regional Water Quality Control Board (Central Valley Water Board) staff held a public input meeting on August 28, 2017 to discuss the need and options for the development of an amendment to the Clear Lake Nutrient Control Program, which has a past-due compliance date of June 2017.

Michelle Wood, Senior Environmental Scientist, started the meeting with introductions and the goals for the meeting. The goals for the meeting were to obtain public input on options for potential changes to the Clear Lake Nutrient Control Program, as well as possible environmental impacts that could result from different options and ways to avoid or mitigate these possible impacts.

Ms. Wood introduced Taran Sahota and Holly Grover, Environmental Scientists and lead staff working on the Clear Lake Nutrient Control Program. She also introduced the meeting's facilitator, Gita Kapahi, Director of Office of Public Participation and the State Water Resources Control Board Tribal Liaison. Also present was Christine Joab, the Central Valley Water Board's notification and response coordinator for cyanobacteria and harmful algae blooms.

The meeting began with a 20-minute slide presentation by Central Valley Water Board staff. Ms. Sahota started the presentation with an overview of some of the key features of the Clear Lake Nutrient Control Program and then Ms. Grover gave a summary of the status of implementation efforts and the Central Valley Water Board's ideas for potential changes to the control program. The next two hours of the meeting focused on discussion of the meeting participants' questions, suggestions and concerns.

The goal of the meeting was discussed again, to gain public input and knowledge on options for potential changes to the Clear Lake Nutrient Control Program. To facilitate this goal, Central Valley Water Board staff posed ten questions in the public notice, public input meeting presentation slides, and posters presented at the meeting for discussion with the meeting participants:

1. Do you know of any ongoing or planned erosion control projects or nutrient reduction efforts not already identified on the handout?
2. Do you know of any study efforts underway?
3. Are there any feasible alternatives to revising the compliance date?
4. Can the TMDL load allocations be met in 10 years? 20 years?
Other timeframe?
5. Can you suggest specific milestones to track progress if the compliance date were to be extended?
6. What new types of implementation actions might be feasible during a time extension to further reduce nutrient inputs to Clear Lake?
7. If an alternative to extending the compliance date is possible, what new types of actions might be feasible?
8. Are there any potential environmental impacts that could happen from any new projects conducted as a result of a compliance date extension or other alternative? How might those impacts be mitigated?
9. Is there other information the Board should consider?
10. Do you have any additional questions or ideas?

During the course of the discussion following the slide presentation, fifteen (15) stakeholders submitted speaker cards and presented formal comments. Numerous stakeholders in the audience also raised concerns and asked questions. Some stakeholders responded to staff's ten discussion questions but most focused on expressing their concerns about Clear Lake water quality.

The following bullets summarize meeting participant comments regarding potential additions to the Nutrient Control Program.

- Monitoring – More monitoring sites are needed within the watershed to support evidence-based management.
- Sediment input to creeks – Need to identify erosive areas in the watershed and then implement erosion control.
- Middle Creek Flood Damage Reduction and Ecosystem Restoration Project – Need to continue efforts to acquire funding for this project, which could reduce phosphorus loading to the Upper Arm of Clear Lake by 28 percent.

The following bullets summarize participant comments regarding potential technologies and other actions to consider to reduce nutrient inputs/internal loading to the lake:

- Update septic code to allow cheaper forms of septic systems/treatment options
- Install rain gardens, use native species, and contour land to capture nutrients and reduce erosion
- Replant tule/native vegetation around shoreline to reduce erosion
- Permaculture

- Aeration
- Oxygenation
- Use algae for garden/mulch
- Mechanical harvesting of aquatic vegetation
- Ultra violet (UV) light treatment for aquatic vegetation
- Need better system for accessing septic tank information
- Bring back resource managers committee meetings
- Increase implementation the Lake County education and outreach program
- Increase enforcement of the Lake County grading permit
- Stormwater/shoreline ordinances need amendments and to be enforced

There were many other topics of concern, with some discussed more than others. For example, a meeting participant stated there are concerned citizens who are willing to create a citizens monitoring group and collect samples, and they would like information about the Water Board's Surface Water Ambient Monitoring Program training program for local citizens monitoring groups. Other topics included allocation enforcement, agriculture, internal loading of phosphorus, the Middle Creek Flood Control and Ecosystem Restoration Project, monitoring in the watershed, recent fish die-offs, and cyanobacteria blooms.

Several participants expressed questions and concerns regarding who is in charge of allocation enforcement (irrigated agriculture and storm water), why more enforcement is not occurring, and who is the agency responsible for policing the parties responsible for allocations. Stakeholders expressed concerns that grading violations within Lake County are going unenforced and allowing sediment erosion to continue.

Many comments centered on irrigated agriculture, specifically vineyards. One stakeholder stated that many states have banned phosphorus in fertilizer and wanted to know why California and Lake County cannot proceed with this. Water Board staff and other stakeholders clarified that Lake County's farmers don't apply phosphorus to their fields because of the soil's naturally high phosphorus levels, and that phosphorus in runoff from fields comes from soil erosion. Others commented that agriculture is increasing with more vineyards developing on steep slopes and stated that agriculture needs more oversight, monitoring and enforcement, especially if erosion is a contributor to phosphorus in the lake. Many stakeholders urged the halt of new vineyards. A participant also raised the concern that there is only one agricultural monitoring location in Lake County. [Water Board staff and other participants clarified that there are two monitoring locations.]

Discussion also focused on internal phosphorus loading from sediment in the lake and participant statements that the TMDL is not adequate because it does not consider the internal loading from lake sediments or the time it takes to "use up" the excess phosphorus in the lake sediments. Questions were asked as to how long nuisance blooms would occur after the loading allocations are met.

The Middle Creek Restoration Project was also one of the conversation topics. Some stakeholders stated they thought the project still needs to be pursued as the top priority, and asked the Water Board to write a support letter to the California Department of Water Resources to advocate for resources to purchase property within the project area. Other stakeholders expressed concerns that the project would never come to fruition, and that even if it did succeed, other on-the-ground implementation and tule/wetland restoration projects are needed in the meantime and long-term because the Middle Creek Restoration Project cannot make all the needed phosphorus reductions.

Several stakeholders stated that more monitoring is needed, particularly of major tributaries to the Lake as well as in the upper watershed and during peak storm events. One stakeholder mentioned that sources of erosion in the upper watershed may not be fully identified yet and more monitoring is needed to identify these areas before more erosion control projects can be implemented.

The recent fish die-offs and how to halt the increasing intensity of the die offs also was discussed. Stakeholders expressed concerns about the low dissolved oxygen concentrations at night that are contributing to the fish die-off and want to know what can be done to increase the oxygen to minimize the impacts, and how cyanobacteria are linked to the fish die-off.

Several stakeholders also had questions about what exactly does it mean to delay the compliance date for the Nutrient Control Program, and wanted to know the support rationale for extending the compliance date. Many commented that the Water Board should not delay the compliance date and should urge improvements in lake conditions to occur as soon possible because of the water quality, human health, and economic impacts.

Two stakeholders requested that the Water Board staff hold future meetings in evenings and weekends so more people can attend, and that staff record future meetings and put the recordings on the Water Board websites.

The meeting concluded after approximately 2.5 hours, with over 2 hours of comments and discussion. Water Board staff provided contact information to stakeholders seeking additional information or follow-up.

Action Items and Next Steps

Central Valley Water Board staff will consider all comments and concerns heard at the August 28, 2017 public input meeting, as well as any comment letters received. Staff will develop a TMDL Implementation Status Technical Report which will be released for public review in winter 2017. Later in 2018, staff will release a draft staff report that provides an alternatives evaluation for potential options to change the Clear Lake Nutrient Control Program.

For notifications and updates regarding this process, subscribe to the Clear Lake Nutrient TMDL electronic mailing list:

http://www.waterboards.ca.gov/resources/email_subscriptions/reg5_subscribe.shtml