
Central Valley Regional Water Quality Control Board

NOTICE OF PUBLIC OUTREACH MEETING Concerning the development of an amendment to the Water Quality Control Plan for the Sacramento River and San Joaquin River Basins addressing the Clear Lake Nutrient Control Program

Staff of the California Regional Water Quality Control Board, Central Valley Region (Central Valley Water Board), will hold a public outreach meeting to discuss the need and options for development of an amendment to the Water Quality Control Plan for the Sacramento River and San Joaquin River Basins (Basin Plan). The Central Valley Water Board is the lead state agency charged with the protection of water quality in the Central Valley. The Central Valley Water Board goes through a formal public process to amend its Basin Plan.

BACKGROUND

The Central Valley Water Board is considering amending the compliance date of 19 June 2017 for the total maximum daily load (TMDL) load and waste load allocations required by the Basin Plan's Clear Lake Nutrient Control Program to reduce phosphorus contributions to Clear Lake. The Clear Lake Nutrient Control Program was adopted in 2007 and implements the Clear Lake Nutrient TMDL to decrease the incidence of nuisance algal blooms in Clear Lake.

The Nutrient Control Program was based in part on modeling studies that predicted that a 40% reduction in average phosphorus loading will significantly reduce the incidence of algae blooms. A 40% reduction would equal an annual allowable loading of approximately 87,100 kg. TMDL waste load allocations for NPDES-permitted point source discharges to the lake are 2,000 kg phosphorus/yr for Lake County Stormwater Permittees and 100 kg/yr for California Department of Transportation (Caltrans). The load allocation for nonpoint source discharges is 85,000 kg/yr average annual load. Parties responsible for nonpoint discharges include the U.S. Bureau of Land Management, the U.S. Forest Service, Lake County and irrigated agriculture.

In September 2012, five years after TMDL adoption, the Clear Lake Nutrient Control Program was evaluated to determine if the TMDL was still appropriate based on new information. The Central Valley Water Board determined that the TMDL was still appropriate and phosphorus reductions should continue.

The Basin Plan states compliance with load and waste load allocations for phosphorus in Clear Lake is required by 19 June 2017. Many implementation activities have been completed and are in progress (see attached table). However, available information indicates it is not possible to attain all allocations by the compliance date primarily due to delays in acquiring funding to complete the Middle Creek Flood Damage Reduction and Ecosystem Restoration Project (Restoration Project). Approximately half of the properties needed for the Restoration Project have been acquired to date. Completion of the Restoration Project will restore a historical wetland where approximately 50% of the runoff from the Clear Lake watershed enters Clear Lake. The Restoration Project is expected to accomplish the majority of the Clear Lake's nutrient load reduction goal.

As a result, Central Valley Water Board staff will evaluate the need and options for amending portions of the Nutrient Control Program including the compliance date (19 June 2017).

EVALUATION SCOPE

Staff will consider several preliminary amendment alternatives, including:

- Extending the compliance date by 10 years for allocations not yet met.
- Extending the compliance date by 20 years for allocations not yet met.
- Developing milestones to track progress should the compliance date be extended.
- No action (do not amend the compliance date).

Other approaches may be considered as stakeholders and interested parties provide information during the public participation process.

PURPOSE OF PUBLIC OUTREACH MEETING

The purpose of the public outreach meeting is to provide a forum for public input on the potential development of an amendment to the compliance date for the Nutrient Control Program. Public input will assist the Central Valley Water Board in determining what environmental information responsible and trustee agencies, as well as other interested parties, may require to analyze the potential environmental impacts of potential changes to the compliance date.

Public input is helpful to the Central Valley Water Board in identifying the range of actions, alternatives, mitigation measures, and potentially significant environmental effects to be analyzed prior to the decision making process. The public participation process has been found to be an effective way to bring together and resolve the concerns of affected federal, State, and local agencies, the proponent of the actions, and other interested persons including those who might not be in accord with the proposed actions on environmental grounds. The meeting will be conducted by Central Valley Water Board staff, but a quorum of Central Valley Water Board members may be present at the meeting; however, no action will be taken by the Central Valley Water Board at the public outreach meeting.

The public outreach meeting will allow interested parties to provide comments on the potential environmental impacts from development and implementation of an amendment to the Basin Plan to amend the Basin Plan's Clear Lake Nutrient Control Program compliance date. Central Valley Water Board staff will present an overview of the program's regulatory performance to date and discuss several preliminary alternatives for an amendment that are being considered.

Questions to consider during the public outreach meeting include:

- Can the TMDL load and waste load allocations be met within 10 years (by June 2027) or 20 years (by June 2037)? Is there justification to consider other reasonable time frames to achieve compliance with the allocations? Are there any feasible alternatives to revising the compliance date? What are the reasonably foreseeable options for complying with each alternative?
- Is there information in addition to that associated with compliance with the current Nutrient Control Program that the Board should consider in making their decision?
- What are the potential environmental impacts of revising the compliance date, or of any alternatives? How might those impacts be mitigated?

- Are there specific milestones to measure progress that should be incorporated in any compliance date extension?
- Is there other information the Board Members should be aware of as they consider any proposed Basin Plan amendment to adjust the compliance date?

MEETING DATE AND LOCATION

Date: August 28, 2017

Time: 1:00 pm

Place: Lakeport City Hall
225 Park Street
Lakeport, CA 95453

The meeting facilities will be accessible to persons with disabilities. Individuals requiring special accommodations are requested to contact Holly Grover at (916) 464-4747 at least five working days prior to the meeting. Individuals requiring language translation services are requested to contact Holly Grover at (916) 464-4747 at least 14 days prior to the meeting. TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.

WHO SHOULD ATTEND

Public and private land owners, county officials in charge of land use and storm water management, federal, state and local regulators and water management officials, Tribal representatives, environmental groups, and other groups or individuals interested in nutrient reduction efforts for the Clear Lake watershed. If unable to attend in person, public comments regarding this Basin Plan amendment process or content can be forwarded to Central Valley Water Board staff prior to the meeting via regular mail or via e-mail to Holly Grover at holly.grover@waterboards.ca.gov.

CONTACT INFORMATION

If you have further questions, need to access background documents, or wish to make a presentation at the workshop, please contact Holly Grover at (916) 464-4747 or send an e-mail to holly.grover@waterboards.ca.gov.

Please bring the above information to the attention of anyone you know who could be interested in this matter.

Original signed by

Adam Laputz, Assistant Executive Officer

7/5/2017

Date

Attachment: Summary of Clear Lake Watershed Implementation Projects and Programs

Summary of Clear Lake Watershed Implementation Projects and Programs

Agency	Project/Program	Status
California Department of Transportation	Clear Lake Nutrient Data Collection Project	Complete
California Department of Transportation	2015 Caltrans Statewide Stormwater Management Plan	Complete and under implementation
California Department of Transportation	State Routes 20 and 29 - Repair and Improve 26 culverts, down-drains, drainage inlets and outlets	Anticipated Spring 2018
Lake County Watershed Protection District	Middle Creek Flood Damage Reduction and Ecosystem Restoration	Approximately 1/2 of the total properties have been acquired. Lake County pursuing additional funding.
Lake County	Schlinder Creek - reconnection of stream to historical floodplain	Conceptual
Lake County	Molesworth Creek - reconnection of stream to historical floodplain	Conceptual
Lake County	Tule Mitigation and Replanting Bank	Seeking funding
Lake County Stormwater Co-permittees	Lake County Clean Water Program	Under implementation
Lake County and West Lake Resource Conservation District	Clear Lake Integrated Watershed Management Plan	Complete
Lake County and West Lake Resource Conservation District	Kelsey Creek, Middle Creek and Scotts Creek Watershed Assessments	Complete
US Bureau of Land Management	Cow Mountain Recreation Area Implementation Plan	Complete
US Bureau of Land Management	Soil Conservation Plan for OHV trail system within the Cow Mountain OHV Recreation Area	Complete
US Bureau of Land Management	Eight Mile Valley Sediment Reduction and Habitat Enhancement	In process
US Bureau of Land Management	South Cow Mountain - Annual Trail Maintenance	In process
US Bureau of Land Management	Mendo-Lake Road Improvement	Complete
US Forest Service	Fuel Reduction - Mendocino National Forest	In process
US Forest Service	Middle Creek Watershed Road Stormproofing Project	Complete
US Forest Service	Grazing Permits - Best Management Practices	Under implementation
US Forest Service	Soil and Water Conservation Handbook	Complete and under implementation
USDA Natural Resources Conservation Service	Tule Lake Wetland Restoration Project	Complete
Clear Lake Nutrient TMDL Dischargers	Clear Lake Nutrient and Mercury Monitoring and Implementation Plan	Complete and under implementation
Irrigated Agriculture	Irrigated Lands Regulatory Program Waste Discharge Requirements	Complete and under implementation
Irrigated Agriculture	Sacramento Valley Water Quality Coalition - Annual Monitoring Plans	Complete and under implementation