



Dear Ms. Grover,

This is the second letter we have sent you regarding the Central Valley Regional Water Quality Board's consideration of delaying the compliance date for Clear Lake's phosphorus TMDL. Since the meeting in Lakeport on August 28th, we have strived to learn as much as possible about the Middle Creek Restoration Project. Our new knowledge has refined our thoughts on the subject.

We are still OPPOSED to the proposed ten-to-twenty year extension of the compliance date. Clear Lake has been waiting ten years already, and in that time the water quality has gotten worse.

The Board should not pin all hopes of phosphorus inflow reduction to the Middle Creek Restoration Project for these reasons:

- 1) In ten years only one-half of the desired 1500 acres have been purchased. At least three owners of portions of the remaining acreage have stated they WILL NOT, under any circumstances, sell their land.
- 2) It is our understanding that Eminent Domain cannot be applied to this situation. If this is true, it will be impossible to purchase all the desired land no matter how long the Board is willing to wait.
- 3) Even if all the land were somehow purchased and restored to a meadow, the costs of relocating and/or modifying existing infrastructures in the area (PG&E lines, roadways, etc.) would be prohibitive.

Ms. Grover, as your staff prepares its report for the Board, please encourage the Board to look in other directions for solutions to Clear Lake's water quality problems. For example:

- 1) County Supervisors should be pressured to update permit requirements for new development mandating Nutrient Buffer Ponds that would catch storm water coming from parking lots and other hard services.
- 2) The State recently updated requirements for the maintenance of existing septic tanks and standards for new and replacement installations. However, Lake County requested and received a waiver from the new guidelines based on economic hardship. Funding options should be sought so property owners would be able to afford compliance. Septic tank leach lines are another source of phosphorus flowing into Clear Lake.
- 3) County Supervisors should be urged to replace the use of herbicides to control the invasive aquatic plant hydrilla with mechanical harvesting. The technology exists, and harvesters followed by skimmers would avoid dead and decaying plant matter sinking to the lake bed where it then removes dissolved oxygen from the water. A low dissolved oxygen level leads to cyanobacteria blooms, toxic release into the lake, and fish kills.
- 4) Agricultural disturbance of the land results in increased irrigation run-off which is yet another source of nutrient flow into the lake. Although there has been a 47.5% increase in the number of vineyards in the past ten years, nobody is checking to make sure measures are taken to minimize run-off. There need to be enforceable ordinances addressing this issue.

Thank you for your time and consideration of our concerns,
Ken and Joanne Brown



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