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State Water Resources Control Board

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NOTICE OF OPPORTUNITY FOR PUBLIC COMMENT ON A PROPOSED AMENDMENT TO THE WATER QUALITY CONTROL PLAN FOR THE CENTRAL VALLEY REGION (BASIN PLAN) TO ESTABLISH A TOTAL MAXIMUM DAILY LOAD (TMDL) FOR NUTRIENTS IN CLEAR LAKE

NOTICE IS HEREBY GIVEN THAT the State Water Resources Control Board (State Water Board) will now accept comments on a proposed amendment to the Water Quality Control Plan for the Sacramento and San Joaquin River Basins (Basin Plan) that would establish a TMDL for nutrients in Clear Lake. The proposed amendment, the State Water Board agenda language, and draft resolution are available on the State Water Board's Web site at <http://www.waterboards.ca.gov/tmdl/tmdl.html> or can be received by mail by contacting Michael Buckman at (916) 341-5479. The proposed amendment was adopted by the Central Valley Regional Water Quality Control Board (Central Valley Water Board) on June 23, 2006. The State Water Board expects to consider the proposed amendment in the future. Notice of that meeting will be published separately.

Clear Lake is listed on the federal Clean Water Act 303(d) list because it does not meet water quality standards due to elevated levels of nutrients. The nutrients cause intense algal productivity episodes (nuisance blooms of blue-green algae). Studies indicate that excess phosphorus contributes to the occurrence of the algae blooms. Most sources of phosphorus to Clear Lake are sediment driven. The existing designated beneficial uses for Clear Lake, which are impaired by nuisance algal blooms include: municipal and domestic water supply, recreation (contact and non-contact), and warm freshwater habitat. The algal episodes also prevent the possible attainment of the designated potential cold freshwater habitat beneficial use.

The Basin Plan includes a narrative water quality objective for "biostimulatory substances" that states, "water shall not contain biostimulatory substances which promote aquatic growths in concentrations that cause nuisance or adversely affect beneficial uses". The proposed amendment interprets the narrative objective by establishing a numeric target for Clear Lake. The TMDL uses chlorophyll-a to estimate algae growth. Chlorophyll-a is a chemical used by plants during photosynthesis and is present in algae. The TMDL target value is a maximum concentration of 73 micrograms per liter of chlorophyll-a, which in turn is based on results of a water quality model developed for Clear Lake.

The water quality model also calculated the TMDL load allocations for point and nonpoint source discharges. Based on this calculation, a phosphorus reduction of approximately 40 percent is necessary to reduce algae concentrations to meet the targets and thus to protect beneficial uses. Responsible parties assigned a wasteload allocation are the California Department of Transportation (Caltrans) and the Lake County Storm Water permittees (Lake County, City of Clearlake, City of Lakeport). The load allocation is assigned to the U.S. Bureau of Land Management, U.S. Forest Service, Lake County, and irrigated agriculture.

California Environmental Protection Agency

The proposed amendment states that the Central Valley Water Board will implement phosphorus control practices to achieve load and wasteload allocations through use of waste discharge requirements or waivers of waste discharge requirements. Within one year after TMDL approval by the Office of Administrative Law, responsible parties must submit a monitoring and control strategy. Responsible parties must comply with load and wasteload allocations for phosphorus in Clear Lake within ten years of approval. The proposed amendment states that five years and three months after approval, the Central Valley Water Board will consider monitoring information and will determine whether the phosphorus load and wasteload allocations should continue to be required or if some other control strategy or approach is more appropriate.

Comment letters to the State Water Board must be received by 12 p.m. on March 19, 2007. After the March deadline, State Water Board staff will not accept additional written comments unless the State Water Board determines that such comments should be accepted. Please send comments on the proposed amendment to: Song Her, Clerk to the Board, by email at (commentletters@waterboards.ca.gov), (916) 341-5620 (fax), or addressed to State Water Resources Control Board, 1001 I Street, Sacramento, CA 95814. Please also indicate in the subject line, "Comment Letter - Clear Lake Nutrient TMDL."

Please direct questions about this notice to Michael Buckman, Division of Water Quality, at (916) 341-5479 or (mbuckman@waterboards.ca.gov) or Senior Staff Counsel Steven H. Blum at (916) 341-5177 or (sblum@waterboards.ca.gov).

February 23, 2007
Date



Song Her
Clerk to the Board