

ATTACHMENT 1
RESOLUTION NO. R5-2006-0060
AMENDMENT TO BASIN PLAN
FOR
THE CONTROL OF NUTRIENTS IN CLEAR LAKE

Revise Basin Plan sections as follows:

CHAPTER IV: IMPLEMENTATION

Central Valley Water Board staff proposes the following language be added after the new subheading **Clear Lake Nutrients**.

Nuisance algae blooms impair beneficial uses in Clear Lake, which is a violation of the narrative basin plan objective that states “water shall not contain biostimulatory substances which promote aquatic growths in concentrations that cause nuisance or adversely affect beneficial uses”

Research and studies have concluded that there are likely multiple factors that influence the occurrence of nuisance algae blooms in Clear Lake. Recent improvements in water clarity may be due to a reduction in phosphorus loading or a result of other factors such as iron or sulfur availability, changes to lake ecology (introduced species, etc.), water year type or a combination of factors. For the purposes of this program of implementation both phosphorus loading and other factors that may affect algae growth will be addressed.

1. Modeling studies predict 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. Therefore, for this program of implementation, an average annual (five year rolling average) phosphorus load of 87,100 kg is established as the loading capacity for Clear Lake.
2. Waste load allocations for the NPDES facilities discharging to the lake or tributaries are as follows:
 - a. Lake County Stormwater Permittees (Lake County, City of Clearlake, City of Lakeport) - 2,000 kg/yr
 - b. California Department of Transportation (Caltrans) – 100 kg/yr
3. The load allocation for nonpoint source dischargers is 85,000 kg/yr average annual load (five year rolling average). The U.S. Bureau of Land Management (USBLM), U.S. Forest Service (USFS), Lake County (County) and irrigated agriculture are responsible for controlling

phosphorus discharges from those portions of the watershed within their respective authority.

4. Regional Water Board staff will work with the responsible parties – Stormwater permittees, Caltrans, USBLM, USFS, County and irrigated agriculture – to develop and implement a plan to collect the information needed to determine what factors are important in controlling nuisance blooms and to recommend what control strategy should be implemented. The responsible parties will submit the plan to the Regional Water Board by [one year after approval by OAL]. The plan should address the following topics:
 - Studies to assess the current limnological conditions and to determine the appropriate measures necessary for Clear Lake to meet the Basin Plan objectives
 - Appropriate monitoring for evaluating conditions in the lake
 - Effective collection of phosphorus loading information from the various sources
 - Practices implemented or planned to control phosphorus loading to the lake
 - Develop criteria to determine when Clear Lake is no longer impaired
5. Compliance with load and waste load allocations for phosphorus in Clear Lake is required by [ten years after approval by OAL]. However, by [five years and three months after approval by OAL], the Regional Board will consider information developed and determine whether the phosphorus load and waste load allocations should continue to be required or if some other control strategy or approach is more appropriate. To the extent that other controllable water quality factors, besides phosphorus, cause or contribute to nuisance algae blooms, those factors will be addressed in revisions to this program of implementation. Implementation of phosphorus control practices to achieve load and waste load allocations will occur under waste discharge requirements or waivers of waste discharge requirements.
6. If Clear Lake is attaining its beneficial uses and the Regional Water Board determine that phosphorus loads above allocated amounts are not causing or contributing to nuisance algae problems, the Regional Water Board will amend the Basin Plan to revise this nutrient control program for Clear Lake.

The proposed modification adds a new subheading under “Estimated Costs of Agricultural Water Quality Control Programs and Potential Sources of Financing” labeled **Clear Lake Nutrient Control Program**.

Estimated costs to implement BMPs, if necessary, are \$400,000 to \$1,800,000 (2006 dollars).

Potential funding sources include:

1. Those identified in the San Joaquin River Subsurface Agricultural Drainage Control Program and the Pesticide Control Program.

CHAPTER V: SURVEILLANCE AND MONITORING

Regional Water Board staff proposes to add a new heading in Chapter V entitled **Clear Lake Nutrients**, which will include the following language.

The responsible parties – Lake County, City of Clearlake, City of Lakeport, Caltrans, USBLM, USFS and irrigated agriculture – will work with Regional Water Board staff to estimate nutrient loadings from activities in the watershed. Loading estimates can be conducted using either water quality monitoring or computer modeling or a combination of the two.