

Blue Ribbon Committee for the Rehabilitation of Clear Lake (Committee)

Meeting #8

9:00 am-5:00 pm
December 11, 2019

Meeting Summary¹

Attendees:

See Appendix A

Action Items:

1. Tracy Krumpen will speak with Asm. Aguiar-Curry's Capitol staff to understand the intention for the socioeconomic aspect of the Committee effort
2. Bernadette Austin will report back to the Committee on the demographics of who took part in CRC's stakeholder interviews, if permitted by CRC's researchers
3. CCP will send the Committee a link to the [AB 1755 Implementation Journal](#)
4. Tribal representatives will seek their Tribal Councils' approval of the Middle Creek Project support letter before the March quarterly meeting
 - a. CCP will submit a revised draft of the letter to the Committee before the holiday break
 - b. CCP will develop a letterhead for the letter
5. CCP will update the Report based on Committee comments and reach out to key Committee members for specific input
6. Angela DePalma-Dow will send CCP estimates from other counties for the cost of a review of implementation of BMPs and other existing program requirements, per Recommendation 4

Welcome and Introductions

Tracy Krumpen, Office of Assembly Member Cecilia Aguiar-Curry, opened the meeting thanking the Committee members, facilitation team, and the public for their engagement. She said that Rep. Aguiar-Curry, the legislature, and the Governor look forward to seeing the Committee's first Annual Recommendations Report (Report) to the Legislature and the Governor's Office.

Elizabeth Williamson, Deputy Secretary for External Affairs, California Natural Resources Agency (Resources), introduced herself as the alternate for Committee Chair Tom Gibson. She validated the

¹ Except as specifically noted, all comments reflected in the summary were derived from Committee Member statements. Where applicable, specific responses are provided to individual comments/questions.

work the Committee has done and expressed enthusiasm to see the Rehabilitation of Clear Lake effort move forward working with Resources' partners and colleagues.

Sam Magill (Facilitator), Senior Facilitator, Sacramento State Consensus and Collaboration Program (CCP), thanked New Paradigm College (NPC) for hosting the final 2019 Committee meeting. He described the purpose of the meeting to review and approve the Report for which the Committee provided conditional approval at the previous meeting on September 26th.

Jennifer LaBay, Central Valley Regional Water Quality Control Board (CVRWQCB), informed the Committee that as of July 1, 2020 everything posted to State agency websites must be accessible in accordance with the Americans with Disabilities Act (ADA). CVRWQCB is attempting to remediate all of their documents, but because that is time intensive, some documents will not be available on their website as of July 1. She suggested that website users download any documents now that they will need access to in the near future. They can also e-mail CVRWQCB if they would like copies of documents that have been taken down from their website. Ms. Williamson said that Resources is developing guidelines for how to submit ADA accessible documents to State agencies that can be shared with the public. The Committee's documents are all ADA accessible.

New Paradigm College (NPC) Presentation

Denise Rushing, Executive Director, [NPC](#), welcomed the Committee and members of the public. She said the intention of NPC is regeneration of place; of ecology, economy, community, and providing tools and education for that regeneration. The ultimate goal of the college is to be a four-year university with a focus on global studies. NPC hosts community events and lectures, and all recorded lectures are available online to founding contributors to the college who donate a minimum of \$5.00.

Items for Committee Approval

September 26, 2019 Meeting Summary

The Committee approved the previous meeting's Summary with no modifications. CCP will post the final Meeting Summary to the Committee website.

Socioeconomic and Cultural/Natural Resources Subcommittee Proposal

The Facilitator reviewed the revisions to the proposal for Socioeconomic and Cultural/Traditional Ecological Knowledge (TEK) Subcommittees from feedback at the September Committee meeting: two distinct subcommittees instead of one, removal of mention of natural resources, and clarification that cultural resources are not limited to those of Tribal cultures.

The Committee posed the following comments and questions:

- Sarah Ryan, Big Valley Band of Pomo Indians, did not volunteer to co-lead the Cultural Resources Subcommittee.

- If there will be a TEK component to the subcommittee, then Tribal representatives should be involved.
- Linda Rosas-Bill, Habematolel Pomo of Upper Lake, previously suggested Angela DePalma-Dow, Lake County Water Resources Department (WRD) to co-lead the Cultural Resources Subcommittee because she could provide a complementary perspective to Ms. Rosas-Bill's focus on Tribal concerns.
- It would be helpful for the Socioeconomic and Cultural/TEK Subcommittees if the Technical Subcommittee could create a document like the California Voters Guide with pros and cons listed for each recommendation.
 - The Technical Subcommittee intended to create such a document this year, but did not because there was a high level of support for all recommendations. That document can be created as needed in the future.
- The Committee members are the only decision makers. The intention is for the subcommittees to communicate between each other to refine recommendations as diverse technical experts, and ensure the best information possible arrives to the Committee.
- If the County economy can be thought of as a taxi driving business, the Lake is the taxi cab, and the taxi cab must be maintained for the business to be lucrative. Lake County's "taxi" has not been maintained.
- We do not want duplication of efforts and the purpose of this Committee is already to come up with recommendations. As a Tribal representative I feel I am capable of looking at the recommendations through a Cultural/TEK lens. Will the UC Davis Center for Regional Change (CRC) already be addressing the topics for which we are forming the Socioeconomic Subcommittee?
 - It would not be a duplication of efforts, but a collaboration of different perspectives. The Subcommittees are convened because the Committee only meets four times per year with an occasional interim meeting, and relies on the Subcommittees to develop initial ideas. They have more time and expertise to do so.
 - Like the Technical Subcommittee and TERC, the Socioeconomic and Cultural Resources/TEK Subcommittees may work in tandem with CRC and potentially inform CRC's work, as CRC's expertise may inform the subcommittee.
 - If the Subcommittee's work becomes duplicative, it's structure or purpose can be reassessed.
- This is an important subcommittee, people more knowledgeable than us about these impacts should look for unintended consequences and strive to meet all needs.
- We need the Subcommittees for balance. If, for example, the best science says we should ban motorboats, the socioeconomic subcommittee would need to point out that that would be a huge impact to our economy.
- The other Subcommittees would need to work with as much diligence as the Technical Subcommittee has, in order to not slow down the process.
- We as a committee can choose what recommendations we do and don't approve. It's important we give certain sectors of Lake County the opportunity to provide input.
- The purview of the Technical Subcommittee is very narrow, and these other Subcommittees seem to cover everything else that needs to be considered by the Committee. Perhaps these two should be one new Subcommittee.

- To rehabilitate the lake there must be a paradigm shift, and economic concerns can no longer take precedence over environmental concerns in this County. This will mean changes for everyone.
- We don't want the public to pushback against environmental suggestions out of economic concern, as they have in the past.
 - Public processes go more smoothly when stakeholders feel they have had a voice in a decision or recommendation, but the Committee will be the backstop for recommendations and can document why it might have dismissed some comments and concerns.
- Regarding Cultural Resources/TEK, Tribal representatives will sometimes not be at liberty to divulge specific locations of Tribal cultural sites.

Ms. Krumpfen will speak with Asm. Aguiar-Curry's Capitol staff to understand the intention for the socioeconomic aspect of the Committee effort (Action Item 1). She said the socioeconomic portion of the implementation of AB 707 is very important to the Assemblymember for the health of the lake and the wellbeing of the County.

The Facilitator asked the Committee to show their level of approval for the concept of the two new Subcommittees. More details can be worked out in the future. The Committee approved the Subcommittees, with Ms. Rosas-Bill and Ms. Tyler choosing to neither specifically support nor block the motion. Ms. Rosas-Bill noted that she may not have the time and capacity to chair the Subcommittee.

CRC Update

Bernadette Austin, Center for Regional Change (CRC), UC Davis, provided an update on the progress of CRC's research, including socioeconomic analysis and Tribal engagement to develop a community economic development strategy. Ms. Austin's slides, which include the progress on the three tasks of the CRC, as well as indicators of socioeconomic wellbeing, high level results of stakeholder interviews by sub-region, and preliminary lists of challenges and opportunities for an economic development strategy can be found embedded in the CCP Presentation on the [Committee website](#).

By the March Committee meeting, CRC intends to report on socio-economic data analysis and findings, provide a plan for economic development strategy sessions informed by interviews and literature review, and provide an agenda for an April Tribal convening. Ms. Austin asked the Committee for feedback on the information she presented.

Committee members and public participants posed the following questions and comments:

- What kind of interviews were conducted? Only one interview was conducted in Lakeport.
 - They are 30-120 minute interviews. They are not structured, but intend to gain a sense of what CRC should be considering as we move into a strategy session. Please provide any recommendations if there is someone else we should speak with.
- Can you specify who the interviews were with or at least the demographic information?
 - Ms. Austin will ask the researchers if permission was granted to disclose the interviewees (see Action Item 2).

- Lack of accessibility is a challenge in Lake County; we have no major airport or major highway, transportation is a challenge that is hard to overcome for manufacturing businesses.
- Health is another indicator of socioeconomic wellbeing. This is not just an older community, but an unhealthy community as measured in many studies. Relatedly, Lake County cannot attract enough health providers to live in the area to meet needs.
- Environment and recreation can be listed under economic opportunities.
- Have you worked with tourism groups in the County?
 - I don't have the list of who was interviewed, but we can reach out if we haven't already.
- What happened to the preliminary socioeconomic data report?
 - That is forthcoming. We addressed some of the questions and feedback we received. You will have something to look at in or before March.
- Where does the health of the lake tie into this? Building that nexus to the purpose of the Committee will help strengthen work products.
- Much of the lake is surrounded by public lands. There is a lot of information on economic opportunities available around protected lands.
- Include in demographics that Lake County has one of the highest populations of veterans per capita.
- The presentation focused on marijuana as a new crop, but doesn't mention historic crops such as Bartlett pears.
 - Those are included under specialty crops.

Blue Ribbon Committee Annual Report Overview

Assembly Bill (AB) 1755 Update, Senate Bill (SB) 19 Overview, and Annual Report Submittal/Cost Estimate Process

The Facilitator will send the Committee a link to the AB 1755 progress report (see Action Item 3). Ms. Williamson provided an update on SB 19, offering to take any comments and questions back to Mr. Gibson, the Committee Chair. In the progress of SB 19, upon appropriation of funding California Department of Water Resources, the State Water Quality Control Board, California Department of Fish and Wildlife, and State Department of Conservation will work to deploy stream gauges. The locations are contingent upon funding and the findings of relevant State agencies as to the locations of data gaps. Ms. Williamson characterized SB 19 as an opportunity for the Committee to leverage the needs of Clear Lake in this regard.

Report Review

The Facilitator reviewed the approval process to date for the Annual Report, including the conditional approval of the Report by the Committee at the September 26th quarterly meeting. He went over the comments and subsequent edits made to the Report since September 26th, including:

- Addition of Total Maximum Daily Load (TMDL) information to Section 3
- Modified recommendations to reflect September 26 comments (5 final recommendations re-ordered to reflect Committee priorities)

- Addition of funding estimates and partnership recommendations
- Revised 2020 workplan: recommendations on data analysis and remote sensing moved to 2020
- Drafting of requested letter of support for Middle Creek Flood Damage Reduction and Ecosystem Restoration Project (Middle Creek Project)

Letter of Support for Middle Creek Project

The Committee reviewed the letter of support to the Governor and State Legislature for the Middle Creek Project drafted by Harry Lyons, Lake County Resource Conservation District. Dr. Lyons informed the Committee that the Middle Creek Restoration Coalition has recently learned that while there is support for the project, it will be a long time before Federal funds will be appropriated to it. Project implementation will be in part dependent on state funding, highlighting the need for support by the Committee. The Committee posed the following questions and comments about the draft letter:

- Will this letter be on Resources letterhead?
 - Resources prefers it to come from the Committee and not Resources
- Congressman Mike Thompson should be CC'd on the letter, he represented Lake County for some time and has been committed to this district.
- Include language about the fullness of why this lake needs to be protected, including traditional and Tribal uses, about the lake being more than just a tourism driver and source of drinking water.
- Move the last sentence urging support from the letter recipients closer to the top so the purpose of the letter is clear from the beginning.
- Describe how the project aligns with the reason for establishing the Committee

Ms. Rosas-Bill invited Dr. Lyons to present on the Middle Creek Project to the Habematolel Tribal Council, emphasizing that this project is on the Tribe's aboriginal lands and they need to be involved, and that the Tribe may have resources to support the project. Dr. Lyons agreed, noting he has presented to the Tribal Council previously. Ms. DePalma-Dow recommended including a paragraph connecting the Middle Creek Project with the Governor's Water Resilience Portfolio.

Approval of the letter was deferred to the March quarterly Committee meeting, to provide time for Tribal representatives to receive approval from their Tribal Councils for the final language of the letter (Action Item 4). Dr. Lyons expressed that unanimity is more important to the support of the project than timing. CCP will coordinate with Dr. Lyons to submit a revised draft of the letter to the Committee before the holiday break (Action Item 4a) and will work with the Committee and/or Resources to develop a letterhead for the document (Action Item 4b).

Barriers to Water Quality

The Facilitator described the water quality issues identified in the Report (harmful algal blooms, mercury, and, to a lesser extent, macrophyte dominance) as well as the barriers to water quality improvement (institutional barriers including lack of funding or prioritization, and lack of qualitative

data, which is addressed in many of the Report recommendations). Committee members requested the following edits to this section of the Report:

- On page 7, define or simplify the term “macrophyte dominance.”
- Consistently capitalize county, state, federal, and local. Capitalize “Tribal.”
- On page 8, clarify the sentence “Specific issues related to and suggestions for overcoming specific institutional barriers to water quality improvement include...”
- On page 9, bullet 4, add “airborne dust” before erosion and land management.
- On page 9, bullet 5 and throughout the document, differentiate between algae and cyanobacteria. The County of Lake cyanobacteria pamphlet provides example language.
- On page 10, change “tule perch” to “native fish” and specify “herbicides used for aquatic plants.”
- On page 10, change the description of quagga mussel establishment prevention efforts from “...all efforts to prevent their establishment in the lake...” to “...significant efforts to prevent...”

Recommendations

The Facilitator reviewed the revised recommendations in the Report:

1. Develop a distributed model of the upper watershed
2. Implement a comprehensive watershed-wide monitoring plan
3. Conduct a bathymetric survey of Clear Lake
4. Review the implementation and efficacy of existing Tribal, local, State, and federal programs, Best Management Practices (BMPs), and other management requirements in the Clear Lake Basin
5. Assess the public’s perceptions, attitudes, and knowledge gaps towards water quality in order to improve education and ultimately human impacts on Clear Lake

He drew attention to an additional appendix to the Report that included a map of suggested monitoring sites developed by the Technical Subcommittee to inform Recommendation 2. Committee members requested the following edits to the recommendations section of the Report:

- In all relevant recommendations, indicate the County “has expressed willingness to” instead of “might” or “may” support or co-sponsor.
 - Several Tribal representatives also expressed a willingness by their Tribe to support or co-sponsor recommendations.
- Consistently use “Clear Lake basin” over “watershed.” Basin describes all of the land and waterbodies draining into the Lake, while watershed indicates all land and waterbodies that drain out of the basin via Cache Creek.
- Emphasize that Recommendation 2 is essential to Recommendation 1; the model is useless without monitored data.
- Recommendation 2 should focus on the ultimate action of monitoring instead of the plan to monitor.

- The Facilitator will reach out to some Committee members about how to present proposed new monitoring sites that the Subcommittee developed, as a map, a list, or both (Action Item 5).
- Provide a strong disclaimer that sites are newly proposed and locations general.
- SB 19 breaks up sampling identifiers by quality and quantity, that may be a way to organize them in the Report.
- In Recommendation 3, change “sea-floor” to “lake bottom.”
- In Recommendation 3, refer to Sulphur Bank Mine as the Superfund site.
- In Recommendation 4, remove the word “efficacy” and include a potential phase 2 that would include finding solutions to any inefficacy of these programs.
 - Ms. DePalma-Dow will share estimates she has requested from other counties for the cost of a review of implementation of BMPs and other existing program requirements (Action Item 6).
 - The cost estimate that Ms. Ryan provided for this recommendation was based on consultant TetraTek carrying out the review. If a consultant with less knowledge about the TMDL were to be selected, the cost could be higher.
- In Recommendation 4, update the language about the CVRWQCB TMDL review in the section about potential partners. Their review is not about efficacy but more about cataloging management practices and the evaluation of those practices as to whether or not the load is being met.
- In Recommendation 4, include “sediment and nutrients” in the description, so it addresses more than just creating an inventory of monitoring sites.
- In Recommendation 5, emphasize education earlier in the text of the recommendation.

All of the recommendations were approved by the Committee members, with no abstentions.

Recommendation 5 garnered significant discussion, including the following comments by Committee members:

- We need the assessment to know about our baseline of knowledge in the County, to compare to after future outreach efforts.
- This could be folded into the work of the Socioeconomic Subcommittee and they can provide further recommendations regarding how to overcome barriers to reaching the right people.
- Having quality data and talking to people is of paramount importance, but this has been done many times in Lake County and is resource-intensive.
- A consultant would need to be hired to design and conduct the survey.
- In Lake County, even a statistically significant snapshot is unlikely to represent the people we want the survey to reach.
- This cannot be a survey of peoples’ opinions; public opinion is not based on fact.
- We could link the survey to things like Off-Highway Vehicle permits to encourage responses.
- This survey will give us useful information, and we can keep in mind that the results will not be representative of the entire Lake County population.
- We have a person and structure in place to implement this survey, if we approve it then it will provide valuable input and we won’t have to guess at what information it might bring back.

2020 Work Plan

The Facilitator noted that in the Report's proposed 2020 Work Plan, Susan Ustin from the UC Davis Center for Spatial Technologies and Remote Sensing (CSTARS) will present to the Technical Subcommittee on remote sensing technology options to inform a potential future recommendation on that topic. The Committee and Technical Subcommittee will continue to revise the recommendations regarding a database and analysis of existing data. Submission of the letter of support for the Middle Creek Restoration Project will now be part of the 2020 Work Plan, as well. In 2020 the Committee can begin conversations about how to utilize the \$5 million in Proposition 68 funding for capital Improvement projects that the legislature appropriated to improve Clear Lake.

Ms. Williamson encouraged the Committee to share the final Report with their constituencies and to continue to leverage the work that the Committee has created together. Karola Kennedy, Koi Nation of Northern California, noted that the area Tribes would like to participate in conversations about funding for any groundwork in the next year. Ms. Williamson noted that Tribal engagement is a high priority for the Governor and the Resources Secretary.

Public Comment

The Facilitator opened the floor to public comment twice throughout the day. Comments from both periods are consolidated here:

- Regarding the Socioeconomic Subcommittee, the lake as our greatest barrier is also our greatest competitive advantage in ecotourism. Lake County has the oldest lake site on the continent, the most condensed archeological sites in the US, and the largest geothermal field in the world. It's no surprise that our sacred cow is the entire County. It's important to include the youth voice, and the people that know this best are the Tribes. Please have that voice represented so we can have a different conversation about how to attract people to the County and talk to them about how to be in relationship with the land.
- A March meeting in Sacramento could help to leverage the Report and increase capacity for everyone. Aguiar-Curry and Senator Dodd have done a great job in passing AB 707.
- This is an impressive Report. As someone with 30 years of water treatment experience, I see aeration is not included, but it should be considered for future recommendations. Upgrading and funding the full circle pipeline is also very important. Lake County doesn't have a tertiary treatment facility and that is something we need to bring the water back to agriculture.

Ms. Williamson thanked everyone present for their engagement, noting it was a beautiful day to be in Lake County.

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Committee Members Present			
First	Last	Organization	Title
Elizabeth	Williamson (designee)	California Natural Resources Agency	Deputy Secretary for External Affairs
Sarah	Ryan	Big Valley Band of Pomo Indians	Environmental Director
Jennifer	LaBay	Central Valley Regional Water Quality Control Board	Nonpoint Source Program Manager
Alix	Tyler	Elem Indian Colony	Environmental Director
Linda	Rosas-Bill	Habematolel Pomo of Upper Lake	Environmental Director
Karola	Kennedy	Koi Nation of Northern California	Committee Designee
Brenna	Sullivan	Lake County Farm Bureau	Executive Director
Harry	Lyons	Lake County Resources Conservation District	President
Jan	Coppinger	Lake County Special Districts	Administrator
Mike	Shaver	Middletown Rancheria of Pomo Indians	Environmental Director
Terre	Logsdon	Scotts Valley Band of Pomo Indians	Environmental Director
Geoff	Schladow (alternate)	UC Davis	Director, Tahoe Environmental Research Center

Committee Members Absent			
First	Last	Organization	Title
Thomas	Gibson	California Natural Resources Agency	Deputy Secretary and Special Counsel for Water
Eddie	Crandell	Lake County Board of Supervisors	Supervisor
Paul	Dodd	UC Davis	Associate Vice Chancellor
Wilda	Shock	Lake County Economic Development Corporation	Committee Designee

Public Attendants and Staff	
Name	Organization
Tracy Krumpfen	Asm. Aguiar-Curry's Office
Bob Schneider	Central Valley Water Board
George Spurr	City of Lakeport
Peggie King	Clear Lake Environmental Research Center
Angela DePalma-Dow	County Water Resources Department
Bernadette Austin	Center for Regional Change, UC Davis
Sara Watterson	Center for Regional Change, UC Davis
Denise Rushing	New Paradigm College
Amanda Martin	New Paradigm College
Chris Almind	Water One Services, Board of Supervisors candidate
Sam Magill	CSUS Consensus and Collaboration Program
Sophie Carrillo-Mandel	CSUS Consensus and Collaboration Program