

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

Meeting #13
2:00 pm-3:00 pm
March 1, 2021

Meeting Summary¹

Attendees:

See Appendix A

Action Items:

1. CCP will seek additional information from Resources regarding transparency and the contracting process to carry out the alternative Prop 68 recommendation approved in this meeting.
2. CCP will distribute a scheduling poll to reschedule the Committee's upcoming quarterly meeting.

Welcome, Call to Order, and Request to the Committee to Approve the Special Meeting

Sam Magill (Facilitator), Sacramento State Consensus and Collaboration Program (CCP), opened a special meeting of the Blue Ribbon Committee for the Rehabilitation of Clear Lake (Committee), he reviewed virtual meeting protocols and welcomed Committee members. He stated that the purpose of this special meeting was to review an alternative proposal for the use of the Committee's Proposition (Prop) 68 funds, developed by Technical Subcommittee members from the United States Geological Survey (USGS) and the University of California (UC) Davis Tahoe Environmental Research Center (TERC). The Facilitator explained that The California Natural Resources Agency (Resources) has been working to have the Department of Finance approve the Committee's December recommendations for the distribution of Prop 68 funds, and any changes to that distribution must be confirmed as soon as possible.

Committee Chair Eric Sklar, California Fish and Game Commission, formally called the meeting to order and thanked Committee members for joining. He characterized the changes suggested by the Technical Subcommittee members as positive, noting that they call for immediate action on the Lake. He asked for the Committee's approval to hold the interim "emergency" meeting, which, under the Bagley-Keene Open Meetings Act, requires a two-thirds vote of Committee members. Eleven of the fourteen current Committee members were in attendance and approved the meeting unanimously.

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.

2021 Alternative Proposition 68 Recommendation Overview

The Facilitator recapped the outcomes of the December quarterly meeting, in which the Committee approved three years of funding for their monitoring and modeling recommendations with the Committee's allocated Prop 68 funds, as described in the Committee's 2020 Annual Report to the governor and legislature. The total cost was estimated at \$3.56 million of the \$5 million total Prop 68 funds. At the time, the Committee was waiting to see if their additional recommendations would be included in the State's fiscal year (FY) 21/22 budget. The Facilitator explained that that additional funding has not been included in the budget, but Assemblymember Cecilia Aguiar-Curry is working to include that funding in the May revised budget. The Facilitator clarified that if Asm. Aguiar-Curry is successful and State appropriations cover the Committee's recommendations, the Prop 68 funding that the Committee recommended can be retained and used for capital improvement projects in the future.

In light of the current State budget, the December decision from the Committee would not cover the costs of the existing TERC research to develop an in-lake model, and TERC's research would effectively end before this summer. Therefore, USGS and TERC developed a revised proposal to extend the funding to include TERC's research, and a bathymetric survey. The facilitator clarified that there is no request for additional funding, only a change in the distribution and therefore timeline of the funding, and the addition of the bathymetric survey recommendation.

The Facilitator described the pros and cons of continuing with the currently approved plan and the proposed alternative scenario, as outlined in a document previously sent to the Committee.

Approved plan pros:

- Currently approved plan.
- Faster contracting than other scenarios.
- Allows for three years of funding for watershed monitoring and modeling.

Approved plan cons:

- If no additional funding is available for TERC in-lake monitoring and modeling, that work will wind down in April 2021 and end in June 2021.
- The upper watershed work will be of limited utility without a calibrated lake model that uses the information to improve understanding of upper watershed contributions to lake water quality.
- It also prevents scenario testing of lake restoration, consideration of climate change impacts, and an understanding of the drivers of lake water quality.
- Loss of seven lake monitoring stations, three UC Davis real-time stream data stations, and seven lake meteorological stations.

Alternative proposal pros:

- Uses same amount of Prop 68 funding as currently approved scenario.
- Enables progress on both the watershed and lake science efforts.
- By extending lake modeling into Year 3 (2023/24), allows upper watershed models and lake model to be calibrated with data collected in Year 1 (2021/22) and allows completion of

sediment fingerprinting modeling, climate change scenario modeling, and visualization tool for data and model results.

- Two additional years of in-lake monitoring (slightly reduced extent) plus completion of the bathymetric survey to enable lake model improvements, and three years of in-lake modeling will allow robust calibration of lake model.

Alternative proposal cons:

- Only one year of data collection in upper watershed provides minimal return on investment of constructing 4 new gaging stations, if additional funding does not become available in subsequent years.
- Reduced extent of in-lake monitoring (both number of stations and only for two more years).

Charlie Alpers, USGS, added that the cost estimate for the upper watershed modeling is now \$1.67 million, compared to the \$1.9 million estimate from December. He explained that this is because USGS and UC Davis decided to remove one of the models they had intended to incorporate for the purpose of quality assurance, and also because they reduced the amount of work that UC Davis would be doing on the models because UC Davis cannot bill overhead costs to Prop 68 funds, but USGS can.

Geoff Schladow, TERC, noted that the watershed monitoring was taking place to provide boundary conditions for the lake model, and if the lake model isn't going ahead, that calls into question the value of the watershed modeling.

Committee Discussion and Decision on Alternative Recommendation Proposal

The Facilitator opened the floor to comments from Committee members. Committee member Paul Dodd, UC Davis, disclosed that as the Vice Chancellor of Research, TERC directly reports to his office, and he therefore recused himself from voting on this topic. The two co-chairs of the Technical Subcommittee, Sarah Ryan, Big Valley Band of Pomo Indians, and Karola Kennedy, Koi Nation, spoke in support of the alternative proposal. Ms. Ryan stated that in the last Technical Subcommittee discussion, it became clear that this proposal offers the best opportunity to provide the full packet of information needed to rehabilitate Clear Lake. She expressed gratitude to USGS and TERC for creating the alternative proposal. Ms. Kennedy opined that the alternative scenario will maintain a forward progression for the Committee, and posited that perhaps the new federal administration will provide additional opportunities for funding in coming years.

Jennifer LaBay, Central Valley Regional Water Quality Control Board (Regional Board), agreed that the recommendations the Committee made in December, as well as the TERC research proposed to be funded, are needed. However, she shared concerns from the Regional Board about the Committee recommending State funding to a specific entity without going through a formal bid process. She asked for more information from Resources about that contracting process.

Mr. Sklar responded, saying that he understood the Regional Board's concerns, and that the realm of organizations that do this work is small and this would be a relatively small contract. He assured the

Committee that the contracting will go through a review process and formal approval by the State. The Facilitator committed to request a write up of the contracting process from Resources (Action Item #1).

Decision

The Facilitator asked the Committee to vote as to whether they will proceed with the alternative funding recommendation. Their vote was the following:

Yes: 10

No: 1

Abstain: 1

Ms. LaBay noted that at this time she could not support the new proposal, but offered that once Resources provides more details about the contracting process with assurances of transparency, the Regional Board's legal department and executive office can determine if that information addresses their concerns.

The Facilitator thanked the Committee for their participation. He invited participants to direct any additional questions to him, Mr. Sklar, or Sophie Carrillo-Mandel, CCP. He said that the March 18 Committee meeting needs to be rescheduled and that CCP will send out a new scheduling poll (Action Item #2). Ms. Ryan acknowledged that the rescheduling is because of a Central Valley Water Board meeting on Tribal Beneficial Uses that will include all of the Tribal representatives on the Committee. She noted that the meeting was scheduled after the Committee meeting.

Public Comment

The Facilitator opened the floor to public comments. Earlier in the meeting Bob Schneider, Regional Board, commented that he understood the concerns of the Regional Board, but the conversations in this meeting reminded him of the early years of the rehabilitation effort for Lake Tahoe, he noted that he looked forward to seeing future progress. No other public comments were shared.

Mr. Sklar thanked the facilitation team for their work and expressed appreciation to the Committee for making themselves available for this special meeting. He acknowledged that the decision by the Committee is a sign that some of the proposals they have collectively supported are moving forward. The Facilitator wished everyone well and closed the meeting.

ADJOURN

Committee Members Present			
First	Last	Organization	Title
Eric	Sklar	California Fish and Game Commission	President, Blue Ribbon Committee Chair
Sarah	Ryan	Big Valley Band of Pomo Indians	Environmental Director
Jennifer	LaBay	Central Valley Regional Water Quality Control Board	Nonpoint Source Program Manager
Tracey	Treppa	Habematolel Pomo of Upper Lake	Tribal Council Vice Chair
Karola	Kennedy	Koi Nation of Northern California	Committee Representative
Eddie	Crandell	Lake County Board of Supervisors	County Supervisor
Wilda	Shock	Lake County Economic Development Corporation	Committee Representative
Brenna	Sullivan	Lake County Farm Bureau	Executive Director
Harry	Lyons	Lake County Resource Conservation District	President
Scott	Harter	Lake County Special Districts	Administrator
Mike	Shaver	Middletown Rancheria of Pomo Indians	Environmental Director
Paul	Dodd	University of California, Davis	Associate Vice Chancellor
Committee Members Absent			
Irenia	Quitiquit	Robinson Rancheria of Pomo Indians	Environmental Director
Terre	Logsdon	Scotts Valley Band of Pomo Indians	Environmental Director

Public Attendants and Staff	
Name	Organization
Bob Schneider	Central Valley Regional Water Quality Control Board
Byran Fuhrmann	SePRO Corporation
Charlie Alpers	US Geological Survey
Geoff Schladow	UC Davis Tahoe Environmental Research Center
Joe Domagalski	US Geological Survey
Kathleen Treppa	Habematolel Pomo of Upper Lake
Sam Magill	Sacramento State Consensus and Collaboration Program (CCP)
Sophie Carrillo-Mandel	CCP
Danaka DeBow	CCP

DRAFT