

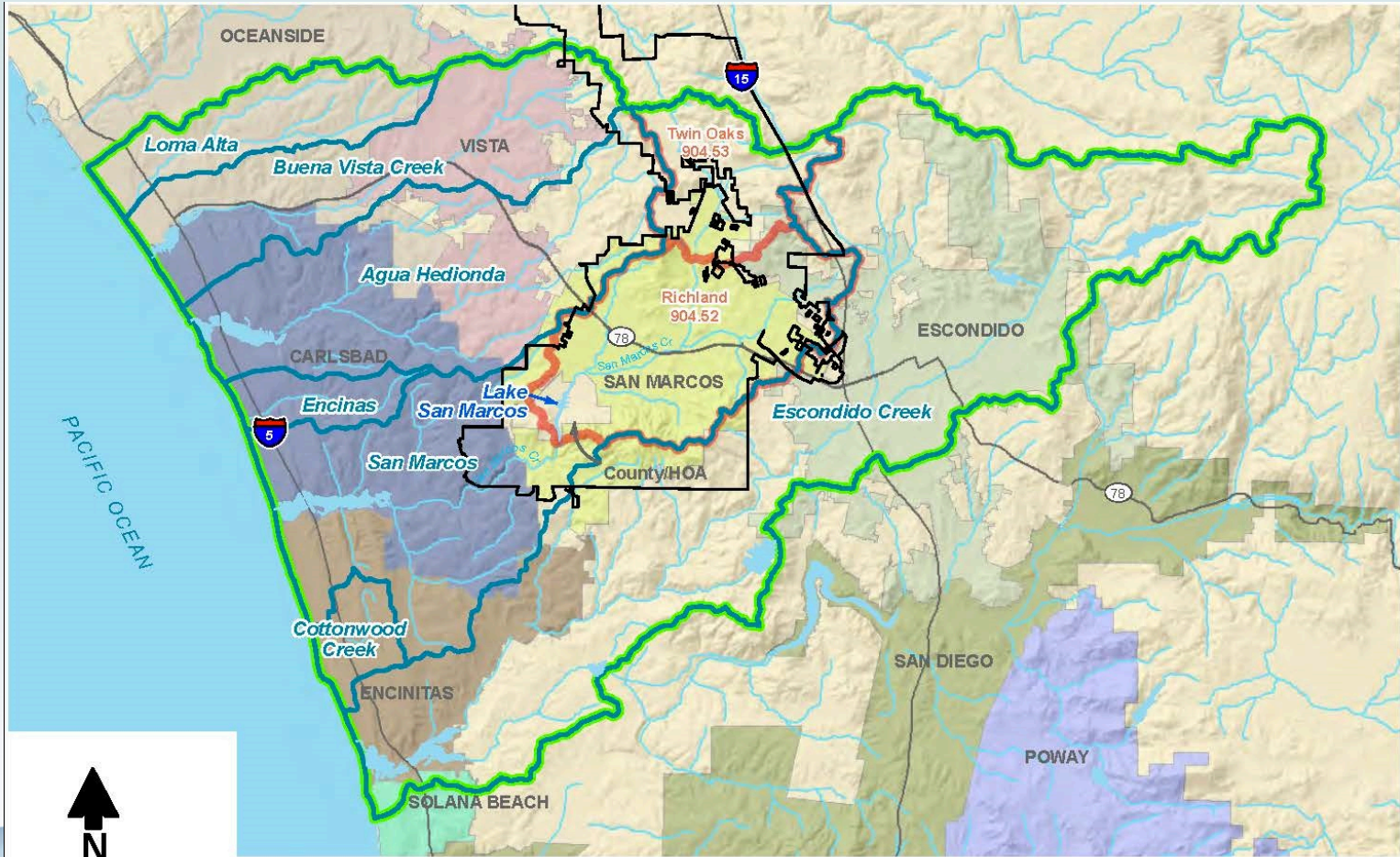
# **Tentative Resolution No. R9-2017-0038:**

## **Tentative Resolution Supporting the Path Forward for Nutrient Load Reductions in Lake San Marcos and the San Marcos Creek Watershed**

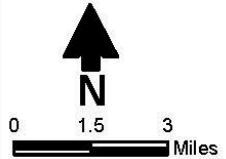
Item No. 11

March 15, 2017

# Site Location



Source: San Diego Geographic Information Source (SanGIS)



### Explanation

- █ Carlsbad Hydrologic Unit
- █ Encinas Hydrologic Area
- █ Richland Hydrologic Subarea

- USGS-mapped stream
- Vallecitos Water District boundary
- Municipality
- San Diego County

Note: HOA = Homeowners association property

LAKE SAN MARCOS/  
UPPER SAN MARCOS CREEK WATERSHED  
**Regional Site Location**

# Environmental Concerns

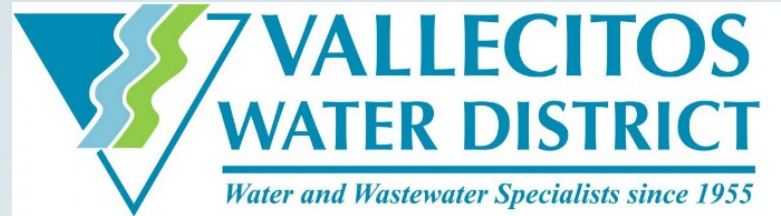
- Water Quality Impairment:
  - High nutrients (N, P)
  - Excess algal growth
  - Low dissolved O<sub>2</sub>
- Reservoir releases
- Odors/nuisance
- Beneficial Use Impairment:
  - Recreation
  - Warm freshwater habitat
  - Wildlife habitat



# Cooperating Parties



Citizens Development Corporation  
(CDC)



# Next Steps Identified in 2016

- Project schedule:
  - Pilot testing
  - Corrective Action Plans
  - Remedy implementation
- Also consider:
  - Potential downstream WQ impacts from dam releases
  - Water Right License modification
  - Need for Lake Management Plan

# Resolution Development

- Requested and received list of activities and proposed schedule from Parties
- Reviewed complaints received on potential downstream water quality effects
- Informed of preference for voluntary participation by Parties

# Tentative Resolution

- Affirms our expectations and requirements
- Expectation to meet reasonable schedule
- Major milestones:
  - Lake treatment: *Start by May 2018*
  - Selective withdrawal: *Start by August 2019*
  - Stream restoration: *Start by February 2020*
- Require investigation of downstream WQ
- Review Water Right License terms & conditions

# Public Comments

- Cleanup plan acceptance
- Oversight process
- Connection between lake WQ and downstream WQ
- Compliance with Water Right License





# Public Comments: Batiquitos Lagoon Foundation

<b>Comment</b>	<b>Response</b>
Selective withdrawal practice	<ul style="list-style-type: none"> <li>• Does not involve opening of dam valve</li> </ul>
Timing of dam valve opening	<ul style="list-style-type: none"> <li>• Timing info provided by CDC</li> <li>• Valve is opened to prevent overtopping</li> <li>• Downstream WQ to be investigated</li> </ul>
Release of lake water from valve is not an entitlement	<ul style="list-style-type: none"> <li>• Downstream WQ to be investigated</li> <li>• Water Rights to evaluate if license is protective of downstream WQ</li> </ul>
Request for EIR	<ul style="list-style-type: none"> <li>• EIR not applicable</li> </ul>
Copy of lagoon listing	<ul style="list-style-type: none"> <li>• Listing on SD Water Board website</li> </ul>
Remaining comments (need for NPDES permit, “toxic” discharge, request for soil sampling)	<ul style="list-style-type: none"> <li>• Comments were previously submitted</li> <li>• Responses provided in Final RI/FS Report</li> </ul>

# Recommendation

- Adopt Tentative Resolution  
No. R9-2017-0038

