

**EAGLE LAKE GUARDIANS
MINUTES
FOR
SPECIAL MEETING
Wednesday November 7, 2018 12PM**

At
Eagle Lake RV Park Store, Palmetto Way & The Strand
Spalding, Eagle Lake
Susanville, CA 96130

Board Members

Valerie Aubrey, Treasurer & Acting President
Kathy Claytor, Secretary
John Simlick, Board Member
Pat Tetrault, Board Member
Frankie Muse, Board Member

Roll Call: Kathy Claytor, Valerie Aubrey, Frankie Muse, John Simlick (30 min late arrival due to road conditions), Guest Will Turner

SPECIAL MEETING BUSINESS: Special Meeting with Lahontan Water Board regarding citizen complaints filed personally by Valerie Aubrey and Will Turner (among others) with EPA and Water Board and Guardians involvement on behalf of Eagle Lake and Eagle Lake Rainbow Trout. USFS grazing at Spalding ramp and Picnic Area. Meeting with board members to explain issues now that Guardians is involved, answers to complaints, what is being done, what will be done. Guardians open special meeting to public who want to attend and listen.

Complaints ranged in aspects but those included are Water Quality, Water issues/flow/Pine Creek/Restoration/Recreational and economic impacts/water rights for terminal recipient (Eagle Lake, Eagle Lake Rainbow Trout), Grazing in Spalding Recreation Area (USFS, 5dot, Roney), long term grazing north basin (BLM 5Dot Cattle Co) affects on water quality with low lake levels & increased grazing over winters affects. Water testing past and future. Present testing doesn't appear to be being done as per DWR links sent. USFS posting potential Cyanobacterial Warning (signage at Eagle Lake Recreation Area low water ramp regarding no kids swimming where algae is present along the shoreline, no pets in water etc. just prior to Labor Day Weekend. Watch for symptoms, get to doctor if symptoms occur.

1)Presentation by Doug Cushman, LWQCB and staff regarding grazing issues and questions arising from complaints filed.

No past grazing complaints remembered by Lahontan. We refreshed their memory and submitted 2009 minutes of Spalding District Board meeting. Also, a letter of protest filed by Rudy Whitmer 2015 in which grazing was increased 2014/2015 (lowest water level years) and 2012 email from Rebecca Walker. Also submitted was Lassen National Forest impound page indicating 86 water impounds for grazing on 40 miles of Pine Creek. Lahontan water board is the Authority over USFS and BLM. USFS must submit NEPA for 2019 grazing allotments. Eagle Lake is a Rec 1 Lake. Meaning it is for Recreational uses. Blue Green Algae potential "dangerous bacteria" signage photo was also submitted prior to meeting. Lahontan is now working on the issues after multiple complaints. Will Turner spoke up about the water testing having stopped on Pine Creek as per links sent by DWR. Lahontan indicated they could issue C&D (such as placed on Eagle Lake residents regarding the wastewater systems) as a last resort pending other methods (Suggestion during public comments). Has meeting with LNF range and supervisors the following day after this meeting. (Note: following this meeting USFS didn't know that Eagle Lake is an impaired body of water under the Clean Water Act).

Email from Doug Cushman regarding their LNF meeting has been posted below for FYI. No other actions at this time. Lahontan Regional Water Board is taking this seriously and working on the issues. Works at the speed of the Government. Eagle Lake Guardians offered to assist in any way possible to help the state solve the problems ASAP. Such as water sampling/collections, photographs and information.

From: Cushman, Douglas@Waterboards <douglas.cushman@waterboards.ca.gov>
Sent: Thursday, November 15, 2018 2:50:26 PM
To: will turner
Subject: RE: LNFS

Hello Will,

I would like to clarify that we informed the LNF that Eagle Lake has been listed by the USEPA as a Clean Water Act section 303d impaired waterbody due to excessive nutrient loading. That is different from them being informed by you that there is a nutrient loading issue. And the USEPA listing requires them to assess the waterbody differently.

They should have known this but I cannot answer for their past ignorance. We have formally notified them about the listing now and it must be acknowledged by them moving forward.

I will stay in touch as we keep this issue on the front burner.

Doug

Douglas Cushman, PE | Chief, Nonpoint Source Unit
Lahontan Regional Water Quality Control Board | 2501 Lake Tahoe Blvd. | South Lake Tahoe, CA 96150
530.542.5417 (direct) | 530.542.5400 (general) | 530.544.2271 (fax) | Douglas.Cushman@waterboards.ca.gov

Mayo, Zach <Zach.Mayo@Waterboards.ca.gov>

To: Eagle Lake Fishing

Nov 19 at 2:43 PM

Hello Valerie Aubrey,

I am currently gathering information about the water rights and the water rights holders along Pine Creek and the other tributaries of Eagle Lake. There are quite a few water rights with volumes of information that are being looked at and this will take some time. Please let me know if you have any additional information that you think could assist in possibly speeding up the investigation process or if you have any additional questions. Thank you for your time.

Zach Mayo

Engineering Geologist

Sacramento Valley Enforcement Unit, Division of Water Rights

State Water Resources Control Board

Phone: (916) 322-8425

Email: zach.mayo@waterboards.ca.gov

Emails from Waterboard received after meeting, request to Zach sent prior to meeting. But were discussed.

Additional documents had been sent. 2015 Restoration Plan, 303d 2006 delisting Pine Creek as impaired waterway, LNF impounds, cattle grazing north end BLM time/date/gps locations stamped on photos.

2) Board members questions/comments/potential actions:

Due to the lack of public trust of the state and federal government we agreed to continue to seek legal assistance and exposure of the problem. Val made the motion to continue to seek a good water rights/environmental attorney, Kathy Claytor second the motion.

3) Public Comment:

Dee Montgomery suggested a Cease and Desist be brought on to the USFS regarding grazing until things could be figured out. Cattle inside Spalding marina and picnic area were frowned upon by all. Will Turner brought up the point of lack of current water testing of Pine Creek and several areas of the lake as per DWR links to results online. All attending the meeting were appalled by the massive grazing in and around Spalding, front yards, recreational areas, Pine Creek, the west shoreline and north basins.

4) Authorize accepting fundraiser funds offered by outside source who donates to nonprofits through fundraisers/dinners (John Simlick or Val to explain) as it just recently came up but needs board approval to accept).

Guardians may need to add credit card reader through US Bank for Greg Cornell for fundraiser, possibly assist in other formats and provide or solicit some gifts for fundraising activities for Guardians benefit if his plans come together. Val made the motion to accept the fundraising of others and to do what is necessary to accept the funding, Franke Muse, second

5) OLD BUSINESS: Waiting on old server/webmaster to return. Then website can be moved to GoDaddy Servers by Mike Bomgardner who has offered to help move the site as he did Val's fishing site. We may have costs involved for yearly serving upfront. Domain names are in Val's name at this time. Can transfer to Guardians name again, was a rush to keep domain names registered. Have debit card so no worries on payment for serving etc when move takes place.

Still waiting to hear from server regarding moving site. Mike Bomgardner (helping move site, redo, and improve) working on getting in touch with GoWebsite owner Foster Brovan (who is out of town for long periods of time). Domain name secured already. Old site still working fine. Mike is working on it over winter months.

Adjourn: John made the motion to adjourn. Kathy Second

Respectfully Submitted,

Kathy Claytor

Kathy Claytor, Secretary
