

The Lake Merritt Institute

A COMMUNITY BASED, NON-PROFIT CORPORATION

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COURT DECISIONS ON URBAN RUNOFF: On Monday, May 5th, the Supreme Court declined to review a long-running dispute between environmentalists and local regulators over whether stormwater discharges that run through Los Angeles County's drainage system violate federal law. By not taking up the case, the justices left in place a lower court ruling that the Los Angeles flood control district is liable for pollution that exceed levels allowed by its federal permit. County officials claimed that the ruling misunderstood the terms of their permit. They said that it was issued to the county, the flood control district and 84 cities whose runoff contributes to the system. Under the 9th Circuit ruling, they said, the district would be held liable for all of those entities.

It would appear that under the authority of the Ninth Circuit's decision that the Supreme Ct. has now made final that the Alameda Co. Clean Water Program could be held liable for any other co-permittees (such as the City of Oakland) failure to comply with the standards (such as trash reduction, or low oxygen levels) of the county-wide stormwater NPDES permit. Regarding trash, Oakland, like other East Bay cities, must reach a 70% reduction by 2017, and a zero level of trash in urban runoff by 2022, or face substantial, daily fines. Regarding oxygen, levels in Lake Merritt continue to be as low as 2 parts per million at several feet below the surface.

WHO KNOWS WHAT CREATURES LURK NEAR THE LAKE MERRITT CHANNEL? Katie Noonan does!



A yellow sponge growing in Lake Merritt.

You too can see what is growing there. Just go to <http://www.youtube.com/watch?v=5uoLOU0TySY> to view the underwater video taken by the Oakland High School Environmental Academy's remote operating vehicle (ROV). Built by Oakland High School students with help from David Lang and Eric Stackpole of OpenROV, the attached camera explores the floor of Lake Merritt near the Merritt Boulevard bridge. Lots of colorful algae, anemones, clams, mussels and beautiful yellow and orange sponges can be seen, and a crab (*Pyromaia tuberculata*) reacts to the ROV by waving a claw! The video was taken in shallow water with natural light. Kudos to Katie, the students and the folks at OpenROV.

The video is a reminder that there is a whole ecosystem out there in Sam Merritt's lagoon, right here in downtown Oakland.

CLIMATE CORNER: Evolution of a Climate Activist

1944 Born: Doesn't know a thing.

1950 Walks and rides a bike: Very low carbon footprint.

1960 Drives: Uses more fossil fuels.

1980 Consumes: Never heard of the climate crisis

2006 Watches: "An Inconvenient Truth" 3 times. Reads dozens of books on climate change.

2007 Begins: To conserve energy. Installs fluorescent bulbs. Buys a hybrid car. Insulates house.

2008 Fears: That climate change will overwhelm civilization.

2009 Sends: Money to groups to offset carbon emissions.

2010 Buys: An electric car. Turns down the heat thermostat. Saves money.

2011 Realizes: The enormous extent of the greenhouse gas problem.

That individual actions alone cannot stop climate change.

That 80% of fossil fuel reserves must stay in the ground if we are to avoid a 2 degree rise in the Earth's average temperature, which would exacerbate feedback loops.

2012 Marches: In protest.

2013 Publishes: A climate novel.

2014 Understands: That only world-wide collective action led by the US or China can slow the impacts of climate change.

Reads: That only a price on carbon can change the energy economy enough to slow climate change.

Joins: The Citizens' Climate Lobby. Lobbies for a carbon fee with a dividend.

Sleeps: Better at night.

Wears a button: "Support carbon fee with a dividend" from www.thelastcenturybook.com

Passes on: A better world to children.

You too can evolve. Just go to www.citizensclimatelobby.org and join a group.



Three months of rain fell in just three days in Bosnia last month. Climate change may not be related to any single weather event, but it is related to the total of weather events. Which is worse?

THE HARVESTER BOAT WAS HERE:



*Algae from Lake Merritt is loaded onto a trailer for disposal.
High salt levels preclude composting.*

FOR LEASE - NO DOWN PAYMENT

(must have gills)

NOW GROWING IN LAKE MERRITT:

ALGAL CONDOMINIUMS

Available thru early summer only.

All small fish, shrimp, crabs may apply.

Vegetarian food readily available.
Protection from marauding seagulls.
Natural, calming color scheme.
But watch out for the harvester boat.

BIRD COLUMN: Intense Quiet at Lake Merritt

The 4th-Wednesday Golden Gate Audubon walk encountered fewer species than usual in May - only 28, compared to 35 last year, and more than 30 every year since 2010. All the seasonal migrants were gone, every last one, including the American Coots and the Pied-billed Grebes that often hold out till June. But the weight of birds was probably high: lots of Canada Geese, including both an unusual number of goslings and an early start to the molt migration, along with lots and lots of Double-crested Cormorants filling every available fork in the newly bare island trees, five or six White Pelicans, a Brown Pelican (seen in May only in a couple of past years), and a Great Blue Heron (seen this month only once before, and never as a juvenile like this one).

The Northern Rough-winged Swallows were breeding in the lake wall between the playground and El Embarcadero, as they have for the past two years, and putting on a good show for us. Instead of limiting

themselves to high-flying insects, these brown beauties skim the lawns, racing past at knee height with no concern for nearby humans, so you can get a really good look at them. (If the past is any indication, they should still be there through June, too, so there's a chance to see them after you read this.)

Away from the lake, we saw flocks of English Sparrows on the lawns - many more than usual - as well as some young Dark-eyed Juncos (recognizable as juncos by the two white tail feathers and as juveniles by the streaky breast and not-dark head) and Oak Titmice (looking just like their gray, crested parents but fluttering their wings and begging). Several pairs of Anna's Hummingbirds (the green ones) chased each other around, and so did one pair of ladder-backed Nuttall's Woodpeckers.

And the weather was beautiful, clear and just breezy enough for comfort, and all told it was yet another wonderful day among the endless string of wonderful days at Lake Merritt.

FOUNTAIN NEWS: After much troubleshooting, testing and hand wringing, the Embarcadero fountain kept tripping the breaker. A new motor had been installed in January: What could be causing the trouble? It was the underwater cable which slinks underneath the sidewalk and was buried beneath the lake mud. So it was replaced in mid May, a job requiring much labor, time and money. Unfortunately the new cable was too short and had to be spliced onto another length, which should be done soon. Hopefully the new cable will last a long time.

Meanwhile at 18th Street, the fountain had to be removed because the original nozzle was creating too much salt spray and the new nozzle kept clogging up. It was cleaned (see photo below) and will be installed at the Bandstand Beach in June after the control panel components are moved to that location. This shallow location is a better fit for this unit, which has an intake just below the float, not at the bottom below the motor.

The Glen Echo fountain was running fine after the motor and overload switches were replaced in March. However, it had to be shut down during algal harvesting because drifting algae clogs the intake screen. It was cleaned in situ in early May.

RECENT SCENES FROM THE LAKE



Mussels clog fountains and need to be removed.



Here now: Algae. Coming soon: Goose feathers.

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