

STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

STAFF SUMMARY REPORT (Brian Wines)
MEETING DATE: July 13, 2011

ITEM: 5E

SUBJECT: **East Bay Regional Park District, Routine Maintenance Activities, Alameda and Contra Costa Counties** – Adoption of Waste Discharge Requirements and Water Quality Certification

CHRONOLOGY: July 2004 – Waste Discharge Requirements (WDRs) and certification adopted by the Board

DISCUSSION: The Revised Tentative Order (Appendix A) would issue updated water quality certification and WDRs to the East Bay Regional Park District (District) to conduct regional maintenance activities in Alameda and Contra Costa counties on land owned and/or managed by the District, covering a total area of more than 100,000 acres. The District conducts routine maintenance activities in streams, creeks, channels, catchment basins, seeps, springs, ponds, lakes, and beaches. Most of the maintenance activities covered by this Order are performed in response to stormwater-related erosion, channel down-cutting, and sedimentation problems resulting from high stream flow events. Between 30 and 60 maintenance projects per year are anticipated to be covered by this Order.

Maintenance activities may involve culvert replacement, maintenance of existing structures, maintenance of existing road or trail crossings of creeks, bank stabilization, maintenance dredging, and beach replenishment. The purpose of the maintenance activities is to protect water quality and quantity, to reduce erosion, to maintain and enhance natural resources, and to provide safe access for the public and emergency vehicles. Most of the maintenance activities authorized under this Order are intended to improve existing conditions or result in a net environmental benefit. Obtaining timely regulatory agency approval for identified maintenance needs is critical, especially in heavy rainfall years.

For the five-year duration of the Order, the District has identified 17 potential restoration projects that would create and/or enhance about 35 acres of tidal wetlands, 8.11 acres of lentic water bodies, and 0.88 acres (1,960 linear feet) of stream habitat. These proposed restoration sites are within the current distributional range of the California red-legged frog, California tiger salamander, California clapper rail, salt marsh harvest mouse, and/or Western pond turtle, and will be enhanced to provide additional permanent habitat for these special status species. Restoring and/or creating permanent aquatic habitat will compensate for the small-scale temporary cumulative impacts associated with the routine maintenance projects authorized by this Order.

A draft tentative order was circulated on May 17, and the comment period ended June 17. Staff received comments only from the District (Appendix B). To resolve these comments, we made minor revisions to the tentative order as described in the Response to Comments (Appendix C). Staff also incorporated self-initiated editorial and clarifying revisions during this process.

**RECOMMEN-
DATION:**

Adoption of the Revised Tentative Order

**CIWQS Place
Number:**

768056

APPENDICES:

- A. Revised Tentative Order
- B. Comments on Tentative Order
- C. Response to Comments and Staff-Initiated Revisions