

STATE OF CALIFORNIA  
REGIONAL WATER QUALITY CONTROL BOARD  
SAN FRANCISCO REGION

STAFF SUMMARY REPORT  
(Andree Greenberg, Paula White, Shin-Roei Lee)  
MEETING DATE: January 13, 2010

ITEM: 10

SUBJECT: Wetland Tracker Update – Information Item

CHRONOLOGY: August 2006 - Pilot project initiated requiring wetland data submittal as part of water quality certification  
April 2007 - Board information item demonstrating Wetland Tracker features and functions  
December 2008 – Board information item summarizing 2006-07 data

DISCUSSION: **Background**

The Water Board may issue federal Clean Water Act Section 401 water quality certifications that allow the discharge of dredge or fill material to waters of the State if the applicant demonstrates that filling is unavoidable, impacts have been minimized, and compensatory mitigation will ensure a net gain in habitat quality and quantity. An evaluation of compensatory mitigation projects certified under Section 401 (water quality certification) by the State and Regional Water Boards between 1991 to 2002 concluded that about 42% had compliance problems (i.e., non-compliance or compliance could not be assessed).<sup>1</sup> The Wetland Tracker, developed by the San Francisco Estuary Institute (SFEI), is a web-based geographic information system (GIS), which is being used to store, sort, and analyze large amounts of project-related information, data, and maps to facilitate project management and oversight. The form and instructions can be found at [www.waterboards.ca.gov/sanfranciscobay/certs.shtml](http://www.waterboards.ca.gov/sanfranciscobay/certs.shtml). The GIS is housed on SFEI's website ([www.wetlandtracker.org](http://www.wetlandtracker.org)).

Beginning in August 2006, Board staff have required water quality certification applicants to use a standardized Wetland Tracker form that includes (a) project location; (b) type and amount of habitats impacted and to be enhanced, created and/or restored as compensation for the impacts; (c) performance criteria to be monitored and achieved; and (d) other important information required to determine mitigation success.

#### **Effectiveness Measurement and Other Uses of Wetland Tracker**

The Wetland Tracker provides important information required to track wetland losses and gains in the Region and to demonstrate whether our water quality certification program complies with State and federal “no net loss” policies in

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<sup>1</sup> An Evaluation of Compensatory Mitigation Projects Permitted Under Clean Water Act Section 401 by the California State Water Quality Control Board, 1991 – 2002, August 2006 by Richard F. Ambrose, John C. Callway, Steven F. Lee [http://www.waterboards.ca.gov/cwa401/docs/wetlandmitstudy\\_rpt.pdf](http://www.waterboards.ca.gov/cwa401/docs/wetlandmitstudy_rpt.pdf)

terms of habitat acreage, linear feet, and functions. Wetland Tracker is also a useful planning tool that allows project proponents to correlate their mitigation or restoration efforts with other projects within the same watershed.

48 Wetland Tracker forms submitted by project applicants in 2008 were reviewed as described in the Staff Report (Appendix A). That review determined the following: (1) the number of riparian projects increased in 2008 compared with 2006-07, but the majority were repair and maintenance activities that do not result in permanent habitat loss; (2) seeps and springs lost habitat, and vernal pools gained at a lower ratio than other habitats --1.48 -- which is still an improvement for vernal pools from the previous year; (3) the net wetland gain increased from 10.5 acres in 2006-07 to 18 acres in 2008; (4) the number of new residential construction projects and the associated compensatory mitigation projects was lower in 2008 compared to 2006-07.

### **Next Steps**

Staff will continue to: (1) review Wetland Tracker forms to ensure their accuracy; (2) follow up with applicants who did not turn in the form or turned in an incomplete form, including those with poor quality maps; and (3) conduct field verifications on a subset of the tracked projects to determine if compensatory mitigation projects are successful. Using Wetland Tracker, we can continue to monitor the status and trend of gains and losses by habitat types, project types, and geographic locations and will use this information to set program priorities and inform water quality certification decisions and policy development. Given the trends observed since 2006, staff will closely scrutinize water quality certification applications to ensure impacts are avoided and minimized to the maximum extent practicable, particularly for seeps and springs, vernal pools and riparian systems.

Staff are collaborating with the State Board in developing a statewide wetland and riparian area policy to ensure the protection of the vital beneficial uses and functions provided by wetlands and riparian areas. A goal of the policy is to provide clear and consistent guidance on the permitting of dredge or fill activities. We envision Wetland Tracker playing a key role in facilitating the implementation of this policy.

**RECOMMEN-  
DATION:**

No action needed.

**APPENDIX A:  
APPENDIX B:  
APPENDIX C:**

Staff Report  
available only electronically on Water Board website  
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# APPENDIX A

## Staff Report