

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

STAFF SUMMARY REPORT (Andree Greenberg,
Robert Schlipf, and Brian Wines)
MEETING DATE: February 8, 2012

ITEM: **5D**

SUBJECT: **U.S. Fish & Wildlife Service and California Department of Fish and Game, South Bay Salt Pond Restoration Project, Modification to Ponds A16 and A17 - Amendment of Waste Discharge Requirements Order No. R2-2008-0078**

CHRONOLOGY: March 2004 – Waste Discharge Requirements issued for the Project’s Initial Stewardship Phase
August 2008 – Waste Discharge Requirements issued for the Project’s Phase I

DISCUSSION: The Tentative Order (Appendix A) would amend waste discharge requirements (WDRs) for the U.S. Fish & Wildlife Service (Service) to address design changes for the restoration of ponds A16 and A17 as part of the South Bay Salt Pond Restoration Project’s Phase I restoration efforts. The amendment would allow the Service to restore an additional 130 acres of managed ponds to tidal marsh. Specifically, instead of operating Pond A17 as a managed pond, as proposed when the Board considered the WDRs in 2008, the Service now proposes to restore this pond to tidal marsh. The Service also proposes modification of the operation of Pond A16 as a managed pond to improve circulation patterns and maximize habitat value.

The only comments received during public circulation of the Tentative Order were from the City of San Jose. The City’s comments were mainly in support of the Tentative Order. However, the City raised a concern that the restoration of Pond A17 should not limit the City’s ability to discharge treated wastewater from its Water Pollution Control Plant to Artesian Slough. We believe our response addresses the City’s concern, as the Service has considered and planned the restoration of Pond A17 to account for freshwater flows from the City’s Water Pollution Control Plant.

We expect this item to be uncontested.

RECOMMEN-
DATION: Adopt the Tentative Order

CIWQS Place ID: 256502 (AG, RS, BW)

APPENDICES: A – Tentative Order
B – Comments
C – Response to Comments