

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

STAFF SUMMARY REPORT (Margarete Beth)  
MEETING DATE: April 9, 2014

**ITEM:** 7

**SUBJECT:** **Santa Clara Valley Water District, Santa Clara County, Stream Maintenance Program** – Reissuance of Waste Discharge Requirements and Water Quality Certification

**CHRONOLOGY:** Waste Discharge Requirements and Water Quality Certification adopted in 2002

**DISCUSSION:** The Revised Tentative Order (Appendix A) would reissue waste discharge requirements and water quality certification to the Santa Clara Valley Water District (District) to implement its Stream Maintenance Program (Program) as specified in the Stream Maintenance Program Manual (SMP Manual) (Appendix B). The purpose of the Program is to provide flood protection and maintain channel conveyance capacity while protecting natural resources with avoidance and minimization measures. The Order authorizes the District to perform routine maintenance activities, consistent with the Program and the SMP Manual, within the four watersheds in Santa Clara County that drain to San Francisco Bay. The types of activities conducted under the program include vegetation management, sediment removal, bank stabilization, management of animal conflicts, and minor maintenance.

A key aspect of the SMP Program includes developing and implementing Maintenance Guidelines, a quantifiable approach to determining the most effective remedies to address stream maintenance needs. For instance, using this approach, the District may find that it can minimize impacts by conducting more frequent and targeted sediment and vegetation removal, as opposed to removing sediment and vegetation along entire channel lengths. Furthermore, in order to avoid and minimize impacts, the District will be continuously evaluating whether there are other actions that could be taken to avoid having to do maintenance in the first place, such as addressing channel sediment conveyance problems associated with hydrologic constrictions.

While the SMP Program's approach is aimed at minimizing impacts resulting from maintenance activities, some impacts will be unavoidable. The District will mitigate for these impacts through (1) land acquisition to be used for the preservation, enhancement, restoration, and creation of habitat; (2) invasive plant management; (3)

riparian restoration planting; (4) tree replacement; and (5) species-targeted habitat restoration including gravel augmentation and large woody debris replacement.

We circulated a draft tentative order and the SMP Manual for public comments on February 10, 2014. The comment period ended March 11. On March 26, the District provided an errata sheet (Appendix C) that identifies revisions made to the SMP Manual dated February 2014. Staff received comments from the Central Coast Regional Water Board and from the District (Appendix D). As we explain in our Response to Comments (Appendix E), we initiated some revisions to the tentative order to improve clarity and others in response to comments. Most significantly, staff extended a due date from December 31, 2014, to December 31, 2015, to allow the District to complete land acquisitions necessary to fulfill the remaining compensatory habitat mitigation required by the 2002 Order.

This Revised Tentative Order is a good example of a multi-year streamlined permitting approach that we have been working on with flood management agencies throughout the Region. The Order greatly reduces the number of permits needed by the District while allowing it to better plan and implement necessary stream maintenance activities and develop more comprehensive and sustainable mitigation projects.

**RECOMMEN-  
DATION:**

Adoption of the Revised Tentative Order

**CIWQS:**

Place ID 769408

**APPENDICES:**

A: Revised Tentative Order

B: Santa Clara Valley Water District Stream Maintenance Program Manual, February 2014

C. Errata Sheet – District revisions to SMP Manual dated March 26, 2014

D: Comment Letters

E: Response to Comments