

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN FRANCISCO BAY REGION**

**TENTATIVE ORDER**

**RESCISSION OF ORDER No. R2-2018-0034  
CEASE AND DESIST ORDER FOR:  
CITY OF EAST PALO ALTO, SAN MATEO COUNTY**

The California Regional Water Quality Control Board, San Francisco Bay Region (Water Board), finds that:

- 1. Purpose of Order:** The purpose of this Order is to rescind Cease and Desist Order No. R2-2018-034, adopted June 13, 2018, for the City of East Palo Alto, San Mateo County (City).
- 2. Background:** The Water Board adopted the Municipal Regional National Pollutant Discharge Elimination System Stormwater Permit, Order No. R2-2015-0049 (Permit) on November 19, 2015. Permit Provision C.10.a.i required permittees to achieve a 70 percent trash load reduction, from a 2009 baseline, by July 1, 2017. Additionally, the provision requires permittees to achieve an 80 percent trash load reduction by July 1, 2019. In its Annual Report for fiscal year 2016-17, the City reported a percent trash load reduction of 60 percent. Since this did not meet the required 70 percent reduction, the City was in violation of the Permit.

On June 13, 2018, the Board adopted Cease and Desist Order No. R2-2018-0034 requiring the City to achieve the required 80 percent trash load reduction by July 1, 2019.

- 3. Basis for Rescission:** The City constructed a large full trash capture device, completed on November 27, 2018. With the construction and operation of the device, the City has reduced trash loads by 91.5 percent from the 2009 baseline and has met the deadline in Cease and Desist Order No. R2-2018-0034.
- 4. CEQA:** This action rescinds a Water Board order. Rescission of the order is not a project as defined in the California Environmental Quality Act (CEQA). There is no possibility that rescission of Cease and Desist Order No. R2-2018-0034 may have a significant effect on the environment. (California Code of Regulations, title 14, sections 15378 and 15061, subdivision (b)(3).)
- 5. Notification:** The Water Board has notified the City and interested agencies and persons of its intent to rescind the cease and desist order and has provided them with an opportunity to submit their written comments and participate in a public hearing.
- 6. Public Hearing:** The Water Board, at a public meeting, heard and considered all comments pertaining to this Order.

**IT IS HEREBY ORDERED** that pursuant to Division 7 of the California Water Code, and the regulations, plans, and policies adopted thereunder, Order No. R2-2018-0034 is rescinded effective February 13, 2019, except for purposes of enforcement.

I, Thomas Mumley, Interim Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on February 13, 2019.

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Thomas Mumley  
Interim Executive Officer

Water Board Case File Reference: CIWQS and ECM Place Number 223276