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

ITEM 6.B

Midpeninsula Regional Open Space District, Open Space Maintenance and Restoration Program, San Mateo County and Santa Clara County – Amendment of Waste Discharge Requirements and Water Quality Certification Order No. R2-2021-0005 to add the Midpeninsula Regional Open Space District, Open Space Maintenance and Restoration Program

DISCUSSION

The Revised Tentative Order (Appendix A) would amend the waste discharge requirements and water quality certification for stream maintenance programs in Napa, San Mateo, Contra Costa, and Sonoma counties (Order No. R2-2021-0005) (Order), to incorporate the Midpeninsula Regional Open Space District's (Midpen's) Routine Maintenance Program (Program). Attachments to the Tentative Order are available on the Water Board FTP site (see access instructions at the end of this report).

In July 2019, the Board adopted waste discharge requirements and a water quality certification to authorize the Napa County Flood Control and Water Conservation District's Stream Maintenance Program (Order No. R2-2019-0023). That order provided a multi-year authorization for certain routine stream maintenance activities and was designed to allow other routine stream maintenance programs to be added by amendment. In December 2020, the Board amended that order to add the San Mateo and Contra Costa programs (Order No. R2-2020-0034), and in April 2021, the Board added the Sonoma program (Order No. R2-2021-0005).

Although the programs are similar in that each has been designed to perform maintenance in a manner most protective of beneficial uses, each program has been tailored to address local conditions and needs as described in the program's manual. Management of sediment and vegetation in streams, including flood control channels, is a primary program activity for all programs. Each program manual describes authorized routine stream and related maintenance activities, conducted to provide flood protection and maintain the functional integrity and operational capacity of the streams and other program elements. A key aspect of each program is to maintain channel conveyance capacity and other facility functions based on quantitative assessments, while protecting natural resources with avoidance and minimization measures. This approach is expected to result in long-term benefits to riparian and aquatic habitat by identifying areas where routine maintenance is necessary, areas where stream habitat can be enhanced or restored, and using quantitative analysis to better frame needed maintenance and identify opportunities for restoration. Each program also sets forth mitigation for unavoidable impacts, which improves efficiency by reducing the number of separate permits and the time necessary to review project-level mitigation.

The Revised Tentative Order would authorize Midpen to perform routine stream maintenance activities, consistent with its Program Manual, and would not change the authorizations in the previous orders.

The Tentative Order was circulated for a 30-day public comment period ending on January 14, 2022. We received suggested nonsubstantive copyedits from Midpen, which are available on the Water Board

FTP site. We worked with Midpen to incorporate those copyedits and added minor staff-initiated copyedits into the Revised Tentative Order.

APPENDICES

A. Revised Tentative Order

Documents Available on FTP Site:

Order Att. A: Napa County Stream Maintenance Manual and Attachments
Order Att. B: Sediment Monitoring and Reporting Program
Order Att. C: Monitoring and Reporting Schedule
Order Att. D: San Mateo County Routine Maintenance Manual
Order Att. E: Contra Costa County Routine Maintenance Manual
Order Att. F: Sonoma County Water Agency Stream Maintenance Manual
Order Att. G: Midpen Routine Maintenance Manual

Midpen comments on Tentative Order (submitted as tracked-change copyedits to the Tentative Order)

To access these documents, go to: https://ftp.waterboards.ca.gov/
Login by entering the following information:

Username: rb2-ftp
Password: SanF@rb2

Go to folder "2022Feb_Item6b_SMP_RMP_TO"