

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

**PROSECUTION TEAM STAFF SUMMARY  
REPORT: Imtiaz-Ali Kalyan  
MEETING DATE: December 10, 2025**

**ITEM: 7B**

**City of San Leandro, Municipal Regional Stormwater Permit Permittee, San Leandro,  
Alameda County – Adoption of Cease and Desist Order**

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**CHRONOLOGY:** May 11, 2022 – Permit reissued  
September 30, 2025 – Fiscal Year 2024-25 Permit Annual Report received

**DISCUSSION**

This Staff Summary Report has been prepared by the Water Board Prosecution Team.

The Water Board adopted the Municipal Regional NPDES Stormwater Permit, Order No. R2-2022-0018 on May 11, 2022, and amended the permit with Order No. R2-2023-0019 on October 11, 2023, issuing waste discharge requirements as NPDES Permit No. CAS612008 (Permit). The Permit contains prohibitions, limitations, and provisions regulating the stormwater and non-stormwater discharges from the permittees' municipal separate storm sewer systems (MS4). Permit Provision C.10.a.i required permittees to achieve a 100 percent trash load reduction, from a 2009 baseline, by June 30, 2025.

In its Annual Report for Fiscal Year 2024-2025 (Annual Report), the City of San Leandro (Permittee) reported a cumulative trash load reduction of 78 percent via full trash capture and equivalent measures. The Permittee did not achieve the 100 percent trash load reduction requirement and is therefore in violation of the Permit. In compliance with Permit Provision C.10.g.viii, the Permittees submitted an updated Trash Load Reduction Plan describing how they will return to compliance with the Permit's trash control requirements, and has worked with Water Board staff to clarify and update the submitted Plan.

The Tentative Cease and Desist Order (Order) (Appendix A) would establish requirements and next steps to bring the Permittee into compliance with the 100 percent trash load reduction requirement by December 30, 2028. Consistent with their submitted Trash Load Reduction Plan, and consistent with Permit requirements, the Permittee intends to control the remaining 22 percent of trash generation area via cooperative projects with Caltrans to install full trash capture devices; the installation of small inlet-based full trash capture devices; and via street sweeping and cleanup measures verified by on-land visual trash assessments (OVTAs).

The Permittee has secured a Caltrans cooperative project for 2 large trash capture devices planned for installation in October 2028 that will cumulatively contribute an additional 4 percent toward the Permittee's 100 percent trash reduction requirement of moderate, high, and very high trash generation area. The Permittee has also secured a bid to install 146 small inlet-based full trash capture devices which are scheduled for installation by August 31,

2026. These small inlet-based devices will contribute an additional 8.5 percent toward the 100 percent reduction requirement. The Permittee intends to install two large full trash capture devices “inland” on Farallon Drive and off Alvarado St. that will be installed and operational by October 2028 and will cumulatively treat approximately 596 acres of moderate, high, and very high trash generation area. These 2 large full trash capture devices will contribute an additional 4.9 percent towards the City’s 100 percent trash reduction requirement. The remaining 4.6 percent of trash generation area will be controlled via street sweeping and trash cleanup measures verified by On-land Visual Trash Assessments (OVTA).

While working toward completing the trash control projects described above, the Permittee will implement creek and shoreline cleanup measures and/or control directly discharged trash sufficient to offset the remaining uncontrolled trash generation area.

The Prosecution Team shared a draft Order with the Permittee and incorporated comments prior to circulating the Order for public comment. The Prosecution Team then circulated the Order for a comment period ending November 6, 2025. Two comment letters were received. In response to comments from the City of San Leandro and Baykeeper, the Prosecution Team revised the Order to include additional planned control measures and clarify timelines, resulting in the Revised Tentative Cease and Desist Order (Revised Order). The Revised Order shows the proposed revisions resulting from these comments in underline and ~~strikeout~~ format for proposed additions and deletions, respectively.

## **APPENDIX**

A: Revised Tentative Cease and Desist Order

B: Prosecution Team Response to Written Comments

# Appendix A

Revised Tentative Cease and Desist Order

# Appendix B

Prosecution Team Response to Written Comments