

**REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION**

**EXECUTIVE OFFICER SUMMARY REPORT
NOVEMBER 12, 2025**

ITEM NO. 4

SUBJECT

Consideration of Tentative Order No. R9-2025-0071, *Waste Discharge Requirements for the City of Chula Vista, Poggi Canyon Channel Maintenance Project, San Diego County* (Tentative Order No. R9-2025-0071). (Lisa Honma)

STAFF RECOMMENDATION

Staff recommend adoption of Tentative Order No. R9-2025-0071 (**Supporting Document 1**).

KEY ISSUES

1. Tentative Order No. R9-2025-0071 establishes waste discharge requirements (WDRs) for the City of Chula Vista (Discharger) to implement the June 2024 *Olympic Parkway Poggi Canyon Maintenance Plan* to remove accumulated sediment and wetland vegetation from 13 established maintenance areas within Poggi Canyon Creek channel.
2. Tentative Order No. R9-2025-0071 authorizes the permanent ecological degradation of 0.69 acres of wetland waters of the State of California (State) in Poggi Canyon Creek of the Otay Watershed (**Supporting Document 2**).
3. Tentative Order No. R9-2025-0071 furthers the California Wetlands Conservation Policy (Executive Order W-59-93).¹ Commonly known as the “No Net Loss Policy” for wetlands, the Executive Order requires state agencies to “ensure no overall net loss [of wetlands] and achieve a long-term net gain in the quantity, quality, and permanence of wetlands acreage and values in California in a manner that fosters creativity, stewardship and respect for private property.” The compensatory mitigation required in Tentative Order No. R9-2025-0071 ensures that the 0.69 acres of permanent ecological degradation impacts are replaced in perpetuity.
4. The United States (U.S.) Army Corps of Engineers determined that the proposed Project activities are exempt from section 404 of the Clean Water Act. This Project would have been permitted through a Clean Water Act section 401 Water Quality Certification issued by the San Diego Water Board’s Executive Officer for both waters of the U.S. and/or State; however, a Clean Water Act section 404 permit is not required. The aquatic resources at this Project are waters of the State and the proposed dredge/fill activities require WDRs adopted by the San Diego Water Board.

¹ California Wetlands Conservation Policy, [Executive Order W-59-93](#)

PRACTICAL VISION

Adoption of Tentative Order No. R9-2025-0071 is consistent with the goals of the Recover Stream, Wetland, and Riparian Areas chapter of the San Diego Water Board Practical Vision (Practical Vision)² to achieve a meaningful net gain of wetlands, efficiently exercise regulatory discretion over proposed projects to dredge, fill or alter wetlands, stream, and riparian areas. San Diego Water Board regulation of activities that impact these habitats is critical to the recovery of wetland, stream, and riparian systems since these activities can have severe, long-term effects if not properly regulated and mitigated. This Tentative Order establishes requirements the Discharger must meet to avoid, minimize, and mitigate the Project's impacts on wetland waters in Poggi Canyon Creek.

DISCUSSION

The purpose of this item is to provide the San Diego Water Board with information to assist in its consideration of Tentative Order No. R9-2025-0071. The Project consists of annual channel maintenance that will remove accumulated sediment and wetland habitat from concrete bottom areas and trim vegetation from earthen bottom areas at inlets, outlets, and culverts.

The Project will remove sediment and wetland vegetation using mechanized equipment and hand tools. To minimize these impacts, the Project will restrict access and maintenance activities to prevent impacts to earthen bottom channel areas and use construction best management practices to prevent downstream discharges, such as straw wattles, silt fences and stream flow diversions around activities when present.

The Project will trim vegetation using hand tools and remove the trimmings from the channel but will not remove any soil from the maintenance area. Therefore, the trimming activity is not considered a discharge of fill or an adverse impact to jurisdictional waters.

The Project will permanently degrade Poggi Canyon Creek by directly removing wetland aquatic resource functions and maintaining bare concrete substrate in the 13 maintenance areas. Degraded aquatic resource functions primarily include loss of water quality improvement capacity and aquatic and wildlife habitat. To address these impacts, the Project will use existing establishment mitigation created as part of the Olympic Parkway Extension Project that included construction of this Poggi Canyon Creek channel alignment. The existing mitigation area is within the conservation easement boundary that includes upland buffer area and is excess of the Olympic Parkway Extension Project's required compensatory mitigation.

Tentative Order R9-2025-0071 authorizes the permanent ecological degradation of 0.69 acres of wetland aquatic resources under the jurisdiction of the State. Compensatory mitigation for the permanent impacts to 0.69 acres of waters of the State will be achieved at an overall 1.33 to 1 mitigation ratio³ through allocation of the existing excess wetland mitigation area. The mitigation ratio is adequate since the mitigation is in-watershed and already established. Mitigation will consist of 0.92 acres of earthen bottom jurisdictional wetland waters of the State that includes a mosaic of mature southern willow scrub and freshwater marsh habitat. The

² San Diego Water Board [Practical Vision: Healthy Waters, People, and Communities](#)

³ Mitigation ratio is the ratio of area mitigated to area impacted.

mitigation area provides greater wetland functions and services, including water quality improvement and habitat, than the aquatic resources removed by the Project.

PUBLIC NOTICE

San Diego Water Board staff sent notification of this action to the Discharger and known interested parties on October 1, 2025. Additionally, Board staff posted Tentative Order No. R9-2025-0071 and Notice of Written Public Comment Period (**Supporting Document 3**) on the San Diego Water Board website on October 1, 2025. These actions satisfy the 30-day public notification and comment requirements of Water Code section 13167.5. San Diego Water Board staff did not receive any comments during the public comment period.

SUPPORTING DOCUMENTS

1. Tentative Order No. R9-2025-0071
2. Project Location Map
3. Notice of Written Comment Period