

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

STAFF SUMMARY REPORT (Andree Greenberg,
Robert Schlipf, and Brian Wines)
MEETING DATE: August 13, 2008

ITEM: 9

SUBJECT: **U.S. Fish & Wildlife Service and California Department of Fish & Game, South Bay Salt Pond Restoration Project, Phase I – Issuance of Waste Discharge Requirements**

CHRONOLOGY: March 2004 – Waste Discharge Requirements Issued for the Project's Initial Stewardship Phase

DISCUSSION: This item would issue Waste Discharge Requirements (WDRs) to the U.S. Fish and Wildlife Service (FWS) and the California Department of Fish and Game (DFG) to implement Phase I of the South Bay Salt Pond Restoration Project. The overall project area includes 13,220 acres of former salt ponds and 1,880 acres of tidal marsh habitat that can be broken down into three general management areas: Eden Landing, Alviso, and Ravenswood. Figure 1 of the Revised Tentative Order (Appendix A) provides the location of these management areas.

Phase I restoration actions will involve new tidal marsh restoration or management of approximately 3,069 acres of former salt ponds of the 15,100-acre complex. This will include tidal habitat restoration (960 acres), reversible muted tidal habitat (1,400 acres), pond reconfiguration (709 acres), and improved recreation/public access. Once implemented, Phase I actions will begin to restore a variety of habitats, including tidal marsh, tidal mudflats, salt pannes, subtidal flats and channels, marsh ecotones, upland transition zones, and open water habitats (managed ponds), to support populations of fish and wildlife, including special-status species, migratory waterfowl, shorebirds, and anadromous and resident fishes. To evaluate the success of these restoration efforts in achieving target habitats, the Revised Tentative Order requires habitat monitoring and adaptive management, as appropriate.

The Revised Tentative Order also permits (a) ongoing management of the remaining 10,151 acres of ponds in accordance with the Initial Stewardship Plan as permitted by the WDRs the Water Board adopted in March 2004, and (b) ongoing operation and maintenance. To minimize the potential for managed ponds to adversely affect water quality, the Revised Tentative Order includes terms and conditions for managing former salt ponds that are

designed to help the Project comply with the Basin Plan's water quality objectives for dissolved oxygen, salinity, pH, and temperature. The Revised Tentative Order also rescinds the March 2004 WDRs.

The only comments received during public circulation of the draft order were from the Resources Legacy Fund (a letter of support for the Tentative Order) and the South Bay Salt Pond Restoration Project Team, which mainly offered editorial changes. These comments did not alter the basic project and were incorporated into the Revised Tentative Order as appropriate. Appendices B and C contain the comments and staff responses.

RECOMMENDATION: Adoption of the Revised Tentative Order

APPENDICES: A. Revised Tentative Order
 B. Correspondence
 C. Response to Comments