STATE OF CALIFORNIA
REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO REGION

STAFF SUMMARY REPORT
(Andree Greenberg, Paula White, Shin-Roei Lee)
MEETING DATE: December 10, 2008

ITEM: 8

SUBJECT: Web-Based Wetland Tracker Pilot Project – Status Report

CHRONOLOGY: August 2006 - Pilot project requiring wetland project information in 401 certifications initiated
April 2007 - Board information item demonstrating Wetland Tracker features and functions

DISCUSSION: **Background**

The Water Board may issue federal Clean Water Act Section 401 water quality certifications that allow the discharge of dredge or fill material to waters of the State if the applicant demonstrates that filling is unavoidable, impacts have been minimized, and compensatory mitigation will ensure a net gain in habitat quality and quantity. An evaluation of compensatory mitigation projects certified under Section 401 (water quality certification) by the State and Regional Water Boards between 1991 to 2002 concluded that about 42% had compliance problems (i.e., non-compliance or compliance could not be assessed).[1] The Wetland Tracker, developed by the San Francisco Estuary Institute (SFEI), is a web-based geographic information system (GIS), which is being used to store, sort, and analyze large amounts of project-related information, data, and maps to facilitate project management and oversight. The form and instructions can be found at www.waterboards.ca.gov/sanfranciscobay/certs.shtml. The GIS is housed on SFEI's website (www.wetlandtracker.org).

Beginning in August 2006, Board staff required water quality certification applicants to use a standardized Wetland Tracker form that includes (a) project location; (b) type and amount of habitats impacted and to be enhanced, created and/or restored as compensation for the impacts; (c) performance criteria to be monitored and achieved; and (d) other important information required to determine mitigation success.

Effectiveness Measurement and Other Uses of Wetland Tracker

The Wetland Tracker provides important information required to track wetland losses and gains in the Region and to demonstrate whether our water quality certification program complies with the State and federal "no net loss" policies in terms of habitat acreage, linear feet, and functions. Wetland Tracker is also a

[1] An Evaluation of Compensatory Mitigation Projects Permitted Under Clean Water Act Section 401 by the California State Water Quality Control Board, 1991 – 2002, August 2006 by Richard F. Ambrose, John C. Callway, Steven F. Lee http://www.waterboards.ca.gov/cwa401/docs/wetlandmitstudy_rpt.pdf

useful planning tool that allows project proponents to correlate their mitigation or restoration efforts with other projects within the same watershed.

45 Wetland Tracker forms submitted by project applicants in 2006-2007 were reviewed as described in the Staff Report (Appendix A). That review determined the following: (1) new residential construction projects resulted in the most infilling of wetlands and other aquatic habitats, followed by transportation and maintenance projects; (2) riparian habitat was the habitat type most commonly noted as being impacted by fill activities; and (3) estuarine and depressional wetlands were generally mitigated for at higher ratios than riparian areas, which, in turn, were replaced at higher ratios than vernal pools.

Next Steps

Staff will continue to: (1) review Wetland Tracker forms to ensure their accuracy; (2) follow up with applicants who did not turn in the form or turned in an incomplete form, including those with poor quality maps; and (3) conduct field verifications on a subset of the tracked projects to determine if compensatory mitigation projects are successful. Using Wetland Tracker we can continue to monitor the status and trend of gains and losses by habitat types, project types, and geographic locations and will use this information to set program priorities and inform water quality certification decisions and policy development. Given the 2006-2007 trend observed, staff will closely scrutinize water quality certification applications to ensure impacts are avoided and minimized to the maximum extent practicable, particularly for vernal pools and riparian systems.

Staff are collaborating with the State Board in developing a Wetlands and Riparian Area Policy to ensure the protection of the vital beneficial uses and functions provided by wetlands and riparian areas. A goal of the policy is to provide clear and consistent guidance on the permitting of dredge or fill activities. We envision Wetland Tracker playing a key role in facilitating the implementation of this policy.

RECOMMEN-
DATION: No action needed.

APPENDIX A: Staff Report