

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

STAFF SUMMARY REPORT: Selina Louie
MEETING DATE: June 10, 2026

ITEM: 8

Advance Restoration Plan for Indicator Bacteria Impairment at San Francisco Bay Beaches in San Mateo County – Hearing to Consider Adoption of Tentative Resolution

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DISCUSSION

The attached Tentative Resolution (Appendix A) supports implementation of an Advance Restoration Plan (Plan) that addresses impairment of water quality by bacteria at six San Francisco Bay Beaches in San Mateo County (County): Oyster Point Beach in the City of South San Francisco; Coyote Point Beach in County parkland; and Kiteboard Beach, Gull Park Beach, Erckenbrack Park Beach, and Marlin Park Beach in the City of Foster City (all six beaches are collectively referred to as the Project beaches). The Staff Report (Appendix B) contains the Plan for the Project beaches. By adopting the Tentative Resolution, the Board would support the implementation of this Plan to resolve the impairment of the Project beaches by high fecal indicator bacteria (FIB) concentrations. The Plan was circulated for public comment. Appendix C contains the comment letters we received, and Appendix D contains our responses.

Background

Clean Water Act section 303(d) requires states to identify water bodies that do not meet water quality standards and are considered impaired for one or more pollutants, called the “303(d) list.” Kiteboard Beach and Oyster Point Beach were placed on the State’s 303(d) list in 2018, due to high FIB concentrations exceeding levels protective of water contact recreation. In 2024, Coyote Point Beach, Gull Park Beach, Erckenbrack Park Beach, and Marlin Park Beach were also placed on the 303(d) list due to elevated FIB levels.

Our approach to develop an Advance Restoration Plan rather than a Total Maximum Load (TMDL) is different than what we have done in the past. U.S. EPA’s vision for its 303(d) program encourages states to include adaptive management and have more flexibility to address impairments that would lead to attainment of standards sooner. Given the general cooperation of the implementing parties and our ability to rely on our existing regulatory authorities, we decided this alternative approach more appropriately addresses the impairment at the Project beaches. The Plan fits U.S. EPA’s vision for an alternative approach. However, this approach does not remove our obligation to develop a TMDL if implementation of the Plan is unsuccessful at addressing the impairment.

The Plan describes bacteria sources in the Project beaches’ watersheds, proposes high-priority implementation actions to reduce loading from human waste, dog waste, and stormwater runoff; and identifies the regulatory mechanisms for the actions. It builds on existing efforts taken by the implementing parties. The Plan also includes water quality monitoring to evaluate effectiveness of the corrective actions and assess attainment of standards.

Comments Received and Staff Responses

The draft Staff Report was released for a 30-day public review on March 24, 2026. We received comment letters (Appendix D) from two parties: the California Stormwater Quality Association (CASQA) and the San Mateo Countywide Water Pollution Prevention Program (SMCWPPP). The commenters were generally

supportive of the alternative approach of the Plan, and they provided additional comments regarding the following:

- Use of water quality objectives to evaluate attainment of beneficial uses does not take into account seasonal effects on bacteria concentrations and background sources;
- How a future decision regarding progression to a TMDL may be made; and
- The Plan does not recognize the complex social or infrastructure issues that require coordination with agencies beyond the implementing parties and that may be constrained by jurisdictional authority and available resources.

We prepared responses to the comments and revised the ARP in response to some comments. For example, in response to CASQA's and SMCWPPP's request, we clarified that the decision regarding whether to proceed with development of a TMDL will be based on a weight-of-the-evidence approach and not just on attainment of water quality objectives. Also, in response to SMCWPPP's recommendation, we recognized the complexity of social and infrastructure issues that require coordination with agencies beyond the implementing parties and the need for more time.

We did not make changes to account for seasonal effects on the bacteria concentrations and background sources because the water quality objectives for protection of the REC-1 beneficial use are not differentiated by weather condition, nor are they source-specific. At the same time, the ARP is designed to support implementation actions that are responsive to hydrologic, and thus seasonal, conditions and the ARP's adaptive management framework allows for context-specific implementation and monitoring.

RECOMMENDATION: Adopt the Tentative Resolution

APPENDICES

- A. Tentative Resolution
- B. Final Staff Report
- C. Responses to Comments
- D. Comment Letters Received

Appendix A
Tentative Resolution

Appendix B
Final Staff Report

Appendix C

Responses to Comments

Appendix D

Comment Letters Received

For a copy of the comment letters, please contact Selina Louie via email to Selina.Louie@waterboards.ca.gov or at (510) 622-2383.