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**San Francisco Bay Regional Water Quality Control Board**

*Sent via electronic mail to len@sfcjpa.org: no hard copy to follow*

December 18, 2015  
Place ID: 757384 (SG)  
Regulatory Measure ID: 393508

San Francisquito Creek Joint Powers Authority  
615 B Menlo Avenue  
Menlo Park, CA 94025

Attn: Mr. Len Materman, Executive Director  
Email: Len@sfcjpa.org

**Subject: Status Update for the San Francisquito Creek Flood Reduction, Ecosystem Restoration, and Recreation Project**

Dear Mr. Materman:

The Water Board issued water quality certification (Certification) to the San Francisquito Creek Joint Powers Authority (JPA) on April 7, 2015, for the San Francisquito Creek Flood Reduction, Ecosystem Restoration, and Recreation Project (Project). The purpose of this letter is to confirm with you our mutual understanding of the status of the Project. In addition, recognizing that we are in an El Niño year, we want to make sure the JPA knows that we wish to assist it with any pre-Project or emergency authorizations that may be needed from the Water Board to address El Niño impacts.

***Project Status:*** As you know, because the Project has the potential to impact water quality, the Clean Water Act requires that the Water Board “certify” that the Project complies with State water quality requirements. Per our mutual agreement, the Water Board issued the Certification in April 2015 with conditions that allowed the JPA to submit a number of technical reports after the Certification was issued but prior to construction of the Project. To date, the JPA has submitted preliminary drafts of three of the nine required final reports. It is my understanding that Water Board and JPA staff are working together to finalize those draft reports. We also recognize that the JPA is awaiting final permits from other agencies before finalizing the remainder of these reports. As we have noted to you, once we receive these reports, we will expedite their review.

In May 2015, the JPA forwarded requests for reconsideration of the Certification to amend certain conditions. We agreed in June 2015 to work with the JPA on such amendments. Based on the JPA’s December 1, 2015, letter to me, we agree that the requests are deemed resolved.

***Contingency Planning for El Niño Events:*** The Water Board recognizes the risk of flooding posed by anticipated El Niño storm events. As the JPA plans its response to these events, we wish to assist the JPA and expedite any permits that may be required from the Water Board.

Do not hesitate to contact me at (510) 622-2314 or via email to [Bruce.Wolfe@waterboards.ca.gov](mailto:Bruce.Wolfe@waterboards.ca.gov), if we can assist the JPA in any way.

Sincerely,

Bruce H. Wolfe  
Executive Officer

Cc: JPA Board members  
Water Board members  
Jane Ellison Usher, Musick, Peeler & Garrett LLP