



OHMVR COMMISSION MEETING Livermore, CA

February 25, 2012

STAFF REPORT: Carnegie SVRA Cleanup and Abatement Order (CAO)

STAFF: Bob Williamson

SUBJECT: Development of the CAO

Summary

In January 2012, the Central Valley Regional Water Quality Control Board (CVRWQCB) began developing a Cleanup and Abatement Order (CAO) to Carnegie State Vehicular Recreation Area (SVRA). This order is being created in lieu of the Municipal Separate Storm Sewer System (MS4) permit process that is not available at this time. The CAO will provide an administrative framework by which the CVRWQCB can ensure best management practices are being employed.

Discussion

The SWMP was originally drafted by the park as part of its 2007 Corral Hollow Watershed Assessment. In response to a court order, the park filed a Report of Waste Discharge (RWD) in December 2009 with the CVRWQCB. The CVRWQCB advised the park that rather than an RWD, the park continue with the SWMP as it was already doing.

The park worked with the CVRWQCB to finalize and submit the SWMP with the understanding that it would be eligible to receive a permit under the MS4 program. The SWMP was submitted in August 2011. Permit coverage and the approved SWMP will allow for the provision of continued OHV recreation, while maintaining water quality in the Corral Hollow Creek (Creek) watershed.

Unfortunately, a little known provision of the MS4 program did not allow new enrollees. In the absence of other permitting options, the CVRWQCB prepared a CAO which will take the place of a permit, and allow the park to continue operation. When the process is once again available, the CAO will be replaced by an MS4 permit.

The park has implemented or is in the process of implementing the activities required by the SWMP, such as maintaining trails, restoring areas damaged by vehicular activities, closing the Creek to riding, and educating visitors about how to protect water quality and wildlife. Other actions performed by the park include establishing a standard and

process for wet weather closures and regular monitoring of stormwater in a variety of locations throughout the park. The CAO is part of the process of improving the state's management of the park and assures continued protection of water quality in the Creek's watershed.

Commission Action

The Commission may submit a comment letter to the CVRWQCB.