

**Regional General Permit  
For Creek Maintenance Activities That Result in Minimal Threat  
Regional Programmatic Biological Assessment**

The San Francisco Bay Regional Water Quality Control Board (RWQCB) and the U.S. Army Corps of Engineers, San Francisco District (Corps) initiated the development of a regional (Bay Area) general permit (RGP) for flood control maintenance activities that have minimal impacts. Through the Bay Area Stormwater Management Agencies Association (BASMAA) and its Operational Permits Committee (OPC) the RGP has been developed to the point of obtaining regulatory agency approvals. To obtain the approval of the National Marine Fisheries Service (NMFS) and the Fish and Wildlife Service (FWS) for the Corps permit, a biological assessment for the RGP must be performed. This consultant agreement is for the development of the regional programmatic biological assessment for submittal to NMFS and FWS. A copy of the draft RGP is available at [www.mcstoppp.org](http://www.mcstoppp.org).

The RGP, by definition, only applies to maintenance work that will not have negative impacts to threatened or endangered species or significant impacts to wetlands, riparian growth or other biological resources. The purpose of this regional biological assessment is to determine the maintenance activities that fit this definition and develop an assessment to present to NMFS and FWS so that they are able to make a determination of “may affect but not likely to adversely affect.” The regional programmatic biological assessment will assist in the analysis of biological impacts for the California Environmental Quality Act (CEQA) evaluation to be performed by the State Water Resources Control Board (SWRCB) and by the California Department of Fish and Game (DFG) in their review of the participating agencies’ memorandums of understanding.

The scope of the biological assessment is limited to the jurisdiction of those participating local agencies and activities that will be covered by the RGP. The participating local agencies are listed in Attachment A and the activities described in Attachment B; both located at the end of this scope of services.

Molly Martindale ((415) 977-8448) with the ACOE will act as the contact for the OPC with NMFS and FWS and as the project manager for completing the biological assessment.