



Linda S. Adams  
Secretary for  
Environmental Protection

# State Water Resources Control Board

## Division of Water Quality

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Arnold Schwarzenegger  
Governor

MAY 21 2008

Mr. David Hull, Chief Executive Officer  
Humboldt Bay Harbor, Recreation, and Conservation District  
P.O. Box 1030  
Eureka, CA 95502-1030

Dear Mr. Hull:

### INCOMPLETE PRE-EXCEPTION APPLICATION PACKAGE SUBMITTAL FOR DISCHARGES INTO KING RANGE (SHELTER COVE) AREA OF SPECIAL BIOLOGICAL SIGNIFICANCE

Thank you for your application package dated December 28, 2007, requesting an exception from the California Ocean Plan (Ocean Plan) waste discharge prohibition for your discharges into the King Range (Shelter Cove) Area of Special Biological Significance (ASBS). Your application did not include the following information that had been requested of all applicants:

1. Documentation which shows that allowing the discharge of storm water runoff from your facility will not compromise protection of ocean waters for beneficial uses.
2. A characterization of the marine operations, including a description of potential discharges and pollutant sources associated with those facilities.
3. A description of current treatment processes, pollution controls, and/or best management practices currently in use or planned with a schedule for implementation.
4. Storm season event sampling of the runoff and adjacent marine receiving water for each of the following constituents: total Ocean Plan metals, polynuclear aromatic hydrocarbons, oil and grease, indicator bacteria, acute toxicity for a marine species, and critical life stage (chronic) toxicity for three marine species.
5. A representative quantitative description of marine life near the discharges and at a reference location away from the discharges.

This letter is to inform you that we have deemed your application incomplete. Since you have not submitted a completed application for an exception, you continue to be in violation of the Ocean Plan. In order to have this application approved, you must provide all of the above listed information by July 1, 2008. Alternatively, we will conditionally approve your application if you provide the information in items 1, 2, and 3

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listed above by July 1, 2008, and agree to support and participate in the 2008 Pilot Study for the Stakeholder Regional Monitoring Program underway.

Should you have any questions, please feel free to contact me at (916) 341-5458 ([dpolhemus@waterboards.ca.gov](mailto:dpolhemus@waterboards.ca.gov)) or Dominic Gregorio, Senior Environmental Scientist, Ocean Unit, at (916) 341-5488 ([dgregorio@waterboards.ca.gov](mailto:dgregorio@waterboards.ca.gov)).

Sincerely,

*D. Polhemus for*

Darrin Polhemus, Deputy Director  
Division of Water Quality

cc: (See Continuation Page)

***California Environmental Protection Agency***

David Hull

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cc: (Continuation Page)

Ms. Catherine Kuhlman, Executive Officer  
North Coast Regional Water Board  
5550 Skylane Boulevard, Suite A  
Santa Rosa, CA 95403

