



Linda S. Adams  
Secretary for  
Environmental Protection

# State Water Resources Control Board

## Division of Water Quality

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Arnold Schwarzenegger  
Governor

SEP 19 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:

### CONDITIONALLY APPROVED APPLICATION PACKAGE FOR DISCHARGES INTO KING RANGE AREA OF SPECIAL BIOLOGICAL SIGNIFICANCE (ASBS)

Thank you for submitting additional information, to be considered supplemental to the Humboldt Bay Harbor, Recreation, and Conservation District (District) application package dated December 28, 2007, requesting an exception from the California Ocean Plan (Ocean Plan) waste discharge prohibition for discharges into the King Range ASBS. From a review of your application, the District is requesting an exception for:

- 1) storm water runoff and nonpoint source discharges incidental to the operation of the boat launch facility, road access, and public parking;
- 2) a commercial and recreational fish cleaning station; and
- 3) the extension of the breakwater.

However, the District's application did not include the following information requested of all applicants:

- (1) Documentation which shows that allowing the discharge of storm water runoff will not compromise protection of ocean waters for beneficial uses.
- (2) A characterization of marine operations, including a description of potential discharges and pollutant sources associated with those activities.
- (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.

Regarding storm water runoff and nonpoint source discharges incidental to the operation of the boat launch facility, road access, and public parking, this letter is to

*California Environmental Protection Agency*

SEP 19 2008

inform you that we will consider this portion of your application conditionally approved if, by **October 15, 2008**, (1) you provide the information in items 1-3 above, and (2) you either provide the water quality data and description of marine life in items 4 and 5 above or commit to participate in the ASBS Northern Group Regional Stakeholder Monitoring Program currently being developed, and participate in a biological assessment project currently being organized through Dr. Peter Raimondi of the University of California, Santa Cruz.

The State Water Resources Control Board (State Water Board) is currently considering a general exception for storm water and nonpoint sources discharging into ASBS, which will include Special Protections for the ASBS receiving waters.

See [www.waterboards.ca.gov/water\\_issues/programs/ocean/asbs.shtml](http://www.waterboards.ca.gov/water_issues/programs/ocean/asbs.shtml). If the above conditions are met, we will include for consideration by the State Water Board under the general exception the District's exception application for storm water runoff and nonpoint source discharges incidental to the operation of the boat launch facility, road access, and public parking.

Regarding the fish cleaning station and the extension of the breakwater, neither of these activities will be considered under the general exception. The point source discharge into the ocean from the fish cleaning station must be discontinued by December 31, 2009. The extension of the breakwater must be covered by an individual exception, which will be processed by State Water Board staff subsequent to the completion of work on other Ocean Plan exceptions currently being processed.

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,



Darrin Polhemus, Deputy Director  
Division of Water Quality