



# State Water Resources Control Board



## Division of Water Quality

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Linda S. Adams  
Secretary for  
Environmental Protection

Arnold Schwarzenegger  
Governor

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AUG 20 2008

AUG 25 2008

Ms. Elizabeth Lewis, Storm Water Manager  
Department of Public Works  
County of Marin  
P.O. Box 4186  
San Rafael, CA 94913-4186

Dear Ms. Lewis:

### COMPLETE APPLICATION PACKAGE FOR DISCHARGES INTO DUXBURY REEF AREA OF SPECIAL BIOLOGICAL SIGNIFICANCE (ASBS)

Thank you for the addendum to your exception application package dated July 20, 2008, requesting an exception from the California Ocean Plan (Ocean Plan) waste discharge prohibition for Marin County's discharges into the Duxbury Reef ASBS. This letter is to inform you that we have deemed the application complete. The receipt of Marin County's completed application supports the State Water Resources Control Board's (State Water Board) consideration of an exception to the Ocean Plan for discharges to ASBS. As a responsible party with a completed application, Marin County will be considered for coverage under an exception.

Public Resources Code (PRC) section 36700(f) states that ASBS are a subset of State Water Quality Protection Areas (SWQPAs) and require special protection as determined by the State Water Board pursuant to the Ocean Plan. PRC section 36710(f) specifies that waste discharges in SWQPAs shall be prohibited or limited by the imposition of special conditions in accordance with the California Water Code and implementing regulations, including, but not limited to, the Ocean Plan. In other words, the absolute discharge prohibition in the Ocean Plan stands unless an exception is granted that includes mitigating conditions that will provide special protection for that ASBS.

The exception is likely to include minimizing or eliminating pollutants discharged to the ASBS to maintain natural water quality in the receiving waters. In the meantime, Marin County must continue to plan for and institute best management practices to reduce pollutants and eliminate all dry weather flows. If the exception is granted, the San Francisco Bay Regional Water Quality Control Board (Regional Water Board) may allow Marin County's nonpoint source and/or storm water discharges to be covered under a Conditional Waiver, Waste Discharge Requirements, and/or a Storm Water National Pollutant Discharge Elimination System Permit, with appropriate provisions required in Marin County's storm water management plan. In all cases, the Regional Water Board

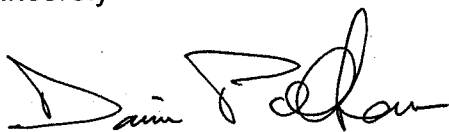
*California Environmental Protection Agency*

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will enforce the mitigation measures to be described in the exception granted by the State Water Board.

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

A handwritten signature in black ink, appearing to read "Darrin Polhemus". The signature is fluid and cursive, with the first name "Darrin" written in a smaller, more legible script than the last name "Polhemus".

Darrin Polhemus, Deputy Director  
Division of Water Quality