

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 80-30

APPROVAL OF EXCEPTION TO THE OCEAN PLAN
FOR MONTEREY ABALONE FARMS, MONTEREY CO.
NPDES NO. CA0048763

WHEREAS:

1. On January 19, 1978, the State Water Resources Control Board adopted a revised "Water Quality Control Plan for Ocean Waters of California", hereinafter called the Ocean Plan; and
2. Monterey Abalone Farms is proposing to discharge 0.432 million gallons per day (1650 m³/ day) of seawater, which has passed through rearing tanks containing abalone, into the Pacific Ocean, a water of the United States, at 284 Cannery Row, Monterey in Monterey County.
3. On May 1, 1979, the California Regional Water Quality Control Board, Central Coast Region (Regional Board) adopted Order No. 79-45 including the proposed exception.
4. Order No. 79-45 limits the allowable suspended solids concentration in the effluent seawater to average 75 mg/l during any 30-day period and a maximum 125 mg/l. These limitations are in place of the requirement from the Ocean Plan's Table A that 75 percent of suspended solids in the effluent be removed before discharge.
5. By memorandum dated April 26, 1979, the Regional Board requested that the discharges be granted an exception based on the following points:
 - "1. At the time of adoption of the Ocean Plan, no consideration was given to simple, flow-through seawater systems which do not significantly alter the suspended solid concentrations of the intake water; and
 - "2. These exceptions will not compromise protection of ocean waters for recognized beneficial uses; and
 - "3. The public interest will be served by not requiring the discharger to remove 75 percent of the suspended solids contained in natural seawater."; and

As set forth in Chapter VI, Section G of the Plan, the State Board may, with the concurrence of the United States Environmental Protection Agency (EPA), grant exceptions to any provision of the Ocean Plan provided it determines:

- "1. The existence of unusual circumstances not anticipated at the time of the Plan's adoption,
- "2. The exception will not compromise protection of ocean waters for beneficial uses, and
- "3. The public interest will be served."; and

Based on evidence received during a public hearing held May 15 1980, the State Board concurs with the Regional Board's points quoted previously.


THEREFORE BE IT RESOLVED THAT:

The State Water Resources Control Board:

1. Approves the exception to the 75 percent suspended solids removal limitations in Table A of the Ocean Plan requested by the Regional Board and contained within Order No. 79-45; and
2. Declares that the exception will become effective upon receipt of written concurrence from the EPA; and
3. Requests, by this resolution, that EPA provide its concurrence as soon as possible.

CERTIFICATION

The undersigned, Executive Director of the State Water Resources Control Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on May 15, 1980.



Clint Whitney
Executive Director