

STATE WATER RESOURCES CONTROL BOARD

RESOLUTION NO. 82-9

PROVIDING DIRECTION TO THE CARMEL SANITARY DISTRICT IN THE DESIGN OF THEIR CLEAN WATER GRANT PROJECT AND ESTABLISHING CONDITIONS FOR COMPLIANCE WITH BOARD RESOLUTION NO. 75-61

WHEREAS:

1. Existing policies of the Board require the prohibition of discharges of discrete, point source sewage, or industrial conditions from those occurring naturally in an Area of Special Biological Significance (ASBS).
2. Resolution No. 75-61 (a) designated a portion of Carmel Bay as an ASBS, (b) required the Carmel Sanitary District to submit a feasibility level plan by July 1, 1978, for waste control facilities, (c) required that a continuous source discharge be phased out, and (d) directed the Executive Officer of the Board to develop a waste discharge monitoring program in cooperation with the Regional Board to determine if waste discharge constituents enter the boundaries of the Point Lobos ASBS and evaluate the discharge effects on the receiving waters of Carmel Bay.
3. The District proposed a plan which provides reclamation and reuse of wastewater during dry weather and discharge of waste water to Carmel Bay during wet weather.
4. The District proposal is based on a demonstrated need for reclaimed water in the Monterey Peninsula area and an absence of known significant effects on beneficial uses in Carmel Bay at the existing level of discharge.
5. The Board adopted Resolution No. 78-34 which concurs that a facilities plan which complies with the following conditions will comply with the intent of Resolution 75-61.
 - a. Discharge to Carmel Bay shall not exceed that flow which would result from a system with a design capacity of 2.4 million gallons per day average dry weather flow.
 - b. All discharge of waste from District facilities to Carmel Bay during the period May through October shall be eliminated within three years after the initial operation of the selected plan.
 - c. A primary goal of the project will be to make maximum use of opportunities for reclamation and reuse of wastewater.

6. Board Resolution No. 78-34 further resolved:

The Board retains jurisdiction and will review the actions by the District and may prohibit any discharge of waste by the District into the Carmel Bay ASBS upon a showing that a degradation of water quality is threatened or has occurred.

The Executive Director is directed to develop, in cooperation with the Regional Board, a monitoring program to be implemented by the District which will provide data to permit the Board to determine if maximum protection is being provided to the Carmel Bay ASBS.

The monitoring program may be revised from time to time if found necessary by the Executive Director, but the scope of the program shall be commensurate with the volume of discharge, the significance of potential problems, and the resources of the District.

The District shall submit periodic reports of the monitoring program to the Board at a frequency to be determined by the Executive Director in cooperation with the Regional Board.

In no event shall the allowance of a discharge to Carmel Bay ASBS be considered a precedent in allowing a discharge in any other ASBS. The Carmel Bay ASBS was approved by the State Board under special rules not applying to other areas of special biological significance.

7. Results of the monitoring program required in Resolution No. 78-34 indicate that current discharges of secondary treated wastewater into the Carmel Bay ASBS have had no adverse impact on Bay ecosystems.
8. Proposed treatment and outfall diffuser improvements will provide receiving water protection at an increased rate of discharge.
9. Winter Carmel River flows outweigh effects of Carmel Sanitary District's discharge.
10. The proposed excess reclaimed water tie-in to the Monterey Regional system is an undesirable project component.


THEREFORE BE IT RESOLVED:

1. The Board concurs that a project which complies with the following conditions will comply with the intent of Resolution No. 75-61.

- a. The approved Carmel Project shall be amended to exclude the connection to the Monterey System for the disposal of excess reclaimed wastewater.
- b. All discharge of wastewater from District facilities to the Carmel Bay ASBS annually during the period May through October shall be eliminated by July 1, 1990. The District shall use this compliance period to develop additional reclamation markets or other approved disposal alternatives. The District is required to submit to the State Board's Executive Director by July 1 of each year a report on the District's progress in eliminating the dry weather discharge to the ASBS.
- c. The District is required to coordinate with the Monterey Peninsula Water Management District and implement a water conservation and flow reduction plan.
- d. Continuation of the State Board approved receiving water monitoring program will be required to ensure continued protection of the ASBS.
- e. The State Board would reconsider the wet weather discharge flow limit contained in Resolution No. 78-34, subsequent to District submittal of:
 - documentation of additional sewerage needs;
 - environmental clearance of the proposed CSD treatment capacity increase with a complete analysis of the secondary impacts from growth and the anticipated effects to Bay ecosystems.
 - certification that any capacity increase will not require a discharge into the Carmel Bay from May through October.

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 March 18, 1982.

for 
Clint Whitney
Executive Director