

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 82-34

APPROVAL OF AN EXCEPTION TO THE WATER QUALITY CONTROL PLAN FOR OCEAN WATERS (OCEAN PLAN) FOR CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD, NORTH COAST REGION, (REGIONAL BOARD) ORDER NO. 82-22, "WASTE DISCHARGE REQUIREMENTS FOR CALIFORNIA FISH GROWERS, INCORPORATED, BODEGA BAY FISH FARMS, SONOMA COUNTY"

WHEREAS:

1. On January 19, 1978, the State Water Resources Control Board (State Board) adopted a revised "Water Quality Control Plan for Ocean Waters of California" (Ocean Plan).
2. California Fish Growers, Incorporated, Bodega Bay Fish Farms, is proposing to discharge 6.5 million gallons per day of seawater which has passed through rearing tanks containing fish into the surf zone of Bodega Bay at Estero Americano in Sonoma County.
3. On March 25, 1982, the Regional Board adopted Order No. 82-22.
4. The NPDES permit as adopted requires the discharger in part to comply with the following:
 - A. EFFLUENT LIMITATIONS:
 1. The discharge of effluent to Bodega Bay shall not exceed the following limitations:

<u>Constituent</u>	<u>Units</u>	<u>30-day Average^a</u>	<u>Daily Maximum^b</u>
Suspended Solids	mg/l ^c	8	15
Settleable Solids	mg/l ^c	1.0	3.0
...			
...			

- c. This limitation represents an allowable incremental increase above the concentration present in influent water. The concentration of constituents in the influent shall be subtracted from the final effluent concentration for the purpose of applying this effluent limitation."

Table A of the Ocean Plan contains the following effluent limits for suspended solids and settleable solids:

		<u>Limiting Concentrations</u>		
	<u>Unit of Measurement</u>	<u>Monthly (30- Day Average)</u>	<u>Weekly (7- Day Average)</u>	<u>Maximum at any time</u>
Suspended Solids	mg/l	75% removal		
Settleable Solids	mg/l	1.0	1.5	3.0

Since the requirements as prescribed are not in compliance with Table A of the Ocean Plan, the Regional Board has requested an exception to the Ocean Plan requirements for suspended solids and settleable solids.


5. The Regional Board requested that the discharger be granted an exception based on the following points:
 - a. 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 and settleable solids concentrations of the intake water;
 - b. This exception will not compromise protection of ocean water for recognized beneficial uses; and
 - c. The public interest will be served by not requiring the discharger to remove those constituents.
6. As set forth in Chapter VI, Section G, of the Ocean Plan, the State Board may, subsequent to a public hearing and with the concurrence of the United States Environmental Protection Agency (EPA), grant exceptions to any provision of the Ocean Plan provided it determines:
 - a. The existence of unusual circumstances not anticipated at the time of the plan's adoption;
 - b. The exception will not compromise protection of ocean waters for beneficial uses; and
 - c. The public interest will be served.
7. Based on evidence received during a public hearing held on June 17, 1982, the State Board concurs with the Regional Board's points quoted previously.

THEREFORE BE IT RESOLVED:

1. That the State Board approve the exception to the 75% suspended solids removal and the settleable solids limitations in Table A of the Ocean Plan requested by the Regional Board.
2. That the State Board declares that the exception will become effective upon receipt of written concurrence from EPA.
3. That the State Board requests by this resolution that EPA provide 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 June 17, 1982.


Clint Whitney
Executive Director