

**STATE OF CALIFORNIA  
REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL COAST REGION**

**STAFF REPORT FOR REGULAR MEETING OF DECEMBER 5-6, 2013**

Prepared on October 11, 2013

**ITEM NUMBER:** 14

**SUBJECT:** General National Pollutant Discharge Elimination System (NPDES) Permit No. CAG993003 for Discharges from Aquaculture Facilities and Aquariums to the Pacific Ocean, Waste Discharge Requirements Order No. R3-2013-0041

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**KEY INFORMATION**

Location: Locations throughout the Central Coast Region  
Place ID: 204210, 79426, 239526, 792425 237344, 216328, and 21622  
Type of Facilities: Facilities that contain, grow, hold, or study aquatic animals or plants  
Type of Waste: Flow-through water, which may contain food or antibiotics for the plants and aquatic animals

**This Action:** Adopt Order No. R3-2013-0041

**SUMMARY**

This action will reissue the region-wide NPDES General Permit covering aquaculture facilities and aquariums. All seven facilities enrolled under the current General Permit have been in continuous compliance with the General Permit conditions. Central Coast Regional Water Quality Control Board (Water Board) staff made minor edits to the 2013 permit. Water Board staff received one comment letter from Monterey Bay National Marine Sanctuary (MBNMS) staff regarding the draft permit. Water Board staff recommends the Board adopt the General Permit, as proposed.

**DISCUSSION**

The purpose of this General Permit is to regulate discharges from aquaculture facilities and aquariums in compliance with the Federal Clean Water Act and the Porter-Cologne Water Quality Control Act. Aquaculture facilities and aquariums are facilities that contain, grow, hold, or study aquatic species, and have discharges to ocean waters of the Central Coast Region. Examples of eligible discharges include those from abalone growing facilities, steelhead trout rearing facilities, salmon rearing facilities, marine mammal laboratories, and aquariums.

**2008-2013 Permit Compliance**

Seven facilities are enrolled in this General Permit. As noted in Section D. Compliance Summary of the Fact Sheet (Attachment F, Page 6) all of the facilities were in compliance with the discharge effluent limits in the General Permit.

**Changes from the 2008 General Permit**

There are minor changes proposed to the previous adopted General Permit (Order No. R3-2008-00005), which include:

- New permit order number, associated permit adoption, effective, and expiration dates;
- Added findings and requirements for discharges, including prohibitions, into areas of special biological significance (ASBS);
- Added findings regarding the State Board's resolutions granting exceptions to Hopkins Marine Station and Monterey Bay Aquarium for discharges to the Pacific Grove ASBS;
- Added references to the current fee schedule;
- Add references to the most recent Ocean Plan edition;
- Clarified that the discharger can perform a toxicity reduction evaluation (TRE) study and report immediately if the facility's discharge is not in compliance with the effluent limits (and removed the statement that Central Coast Water Board staff must inform the discharger to perform the TRE before the discharger can perform a TRE);
- Clarified the table identifying sampling frequency and electronic self-monitoring reporting requirements;
- Added the 2013 Water Board Standard Provisions for NPDES permits; and
- Added MBNMS' 2013 Aquaculture and Aquarium Facilities Map (Attachment C).

**RESPONSE TO WRITTEN COMMENTS**

Water Board staff received one comment letter during the public comment period. MBNMS staff submitted a letter, stating that it does not object to the issuance of this General Permit. MBNMS staff had two significant comments on the draft General Permit and those comments and staff's response to those comments are included in the General Permit Fact Sheet, Attachment F, pages F-20 thru F-21.

Water Board staff would like to thank MBNMS staff for providing Attachment C, identified above.

**RECOMMENDATION**

Adopt Waste Discharge Requirements Order No. R3-2013-0041.

**ATTACHMENTS**

For copies, please refer to the Central Coast Water Board's internet website at:

[http://www.waterboards.ca.gov/centralcoast/board\\_info/agendas/2013/2013\\_agendas.shtml](http://www.waterboards.ca.gov/centralcoast/board_info/agendas/2013/2013_agendas.shtml)

1. Proposed Order No. R3-2013-0041, including the following attachments:
  - Attachment A – Definitions
  - Attachment B – Notice of Intent Form
  - Attachment C – 2013 Aquaculture and Aquarium Facilities Map
  - Attachment D – Standard Provisions
  - Attachment E – Monitoring and Reporting Program (MRP)
  - Attachment F – Fact Sheet
  - Attachment G – Notice of Termination Form