



State Water Resources Control Board



Arnold Schwarzenegger
Governor

Division of Water Quality

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Linda S. Adams
Secretary for
Environmental Protection

APR 23 2007

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:

INCOMPLETE PRE-EXCEPTION APPLICATION PACKAGE SUBMITTAL FOR DISCHARGES INTO AREAS OF SPECIAL BIOLOGICAL SIGNIFICANCE

This letter is to acknowledge that the State Water Board has received your application package dated May 31, 2006, requesting an exception from the Ocean Plan waste discharge prohibition for your discharges into the Duxbury Reef ASBS. Based upon our review, your application has been deemed incomplete.

Since you have not submitted a completed application for an exception, you continue to be in violation of the Ocean Plan's absolute prohibition against discharge to the ASBS. To complete your application the following information must be received by June 30, 2007:

1. Documentation of protection of ocean waters - Documentation that shows that allowing the discharge of storm water runoff to continue will not compromise Protection of Ocean Waters for beneficial uses.
2. Data of the Status and description of Marine life in the ASBS, and on the natural background of the ASBS - At a minimum, submit a quantitative description of marine life near the discharge and at a reference location away from the discharge.
3. Data Assessment - An assessment of all available historical data on the discharge volume, chemical and physical constituents in the stormwater runoff and in the ambient marine water of the ASBS.
4. Characterization of the Watershed - If land under your jurisdiction contains pesticides provides a listing of such treatments in terms of the chemicals and application rates. This would include a list of chemicals for each, applicable permits, product description, application rates, and where it is being applied.
5. Acute and Chronic Toxicity analysis:
 - a. Acute toxicity for a marine species and critical life state (chronic) toxicity for three marine species.
6. An implementation schedule for best management practices (BMPs) planned.

California Environmental Protection Agency

Ms. Elizabeth Lewis

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Should you have any questions, please feel free to contact me at (916) 341-5458 (dpolhemus@waterboards.ca.gov) or Dominic Gregorio, Chief of the Ocean Unit, at (916) 341-5488 (dgregorio@waterboards.ca.gov).

Sincerely,



Darrin Polhemus, Deputy Director
Division of Water Quality

cc: Mr. Bruce H. Wolfe, Executive Officer
San Francisco Bay Regional Water Quality Control Board
1515 Clay Street, Suite 1400
Oakland, CA 94612

Mr. Reed Sato, Director
Office of Enforcement
State Water Resources Control Board