



Linda S. Adams
Acting Secretary for
Environmental Protection

State Water Resources Control Board

Division of Water Quality

1001 I Street, Sacramento, California 95814 ♦ (916) 341-5455
Mailing Address: P.O. Box 2231, Sacramento, California 95812
FAX (916) 341-5808 ♦ Internet Address: <http://www.waterboards.ca.gov>



Edmund G. Brown Jr.
Governor

NOTICE OF PUBLIC HEARING

EXCEPTION TO THE CALIFORNIA OCEAN PLAN WASTE DISCHARGE PROHIBITION FOR HOPKINS MARINE STATION DISCHARGES INTO THE PACIFIC GROVE AREA OF SPECIAL BIOLOGICAL SIGNIFICANCE, INCLUDING SPECIAL PROTECTIONS FOR BENEFICIAL USES AND THE ASSOCIATED MITIGATED NEGATIVE DECLARATION / INITIAL STUDY

NOTICE IS HEREBY GIVEN THAT the State Water Resources Control Board (State Water Board) will hold a public hearing to receive public comments on a proposed Exception and the related Proposed Mitigated Negative Declaration, Special Protections and Initial Study for Hopkins Marine Station Storm Water and Nonpoint Source Discharges into Pacific Grove Area of Special Biological Significance. A quorum of the State Water Board may be present; however, no Board action will be taken. The location and time of the public hearing are provided below.

Wednesday, April 20, 2011 – 9:00 a.m.
Joe Serna Jr./Cal-EPA Headquarters Building
Coastal Hearing Room
1001 I Street, Second Floor
Sacramento, CA 95814

BACKGROUND

The State Water Board, under its [Resolution No. 74-28](#), designated certain Areas of Special Biological Significance (ASBS) in the adoption of water quality control plans for the control of wastes discharged to ocean waters. To date, 34 coastal and offshore island sites have been designated ASBS. Since 1983, the California Ocean Plan (Ocean Plan) has prohibited waste discharges to ASBS. One of the designated ASBS was the Pacific Grove Marine Gardens Fish Refuge and Hopkins Marine Life Refuge ASBS, which was changed to the Pacific Grove ASBS by State Water Board [Resolution No. 2005-0035](#).

Similar to previous versions of the Ocean Plan, the 2009 Ocean Plan states: "Waste shall not be discharged to areas designated as being of special biological significance. Discharges shall be located a sufficient distance from such designated areas to assure maintenance of natural water quality conditions in these areas." The Ocean Plan further states, however, that "The State Board may, in compliance with the California Environmental Quality Act, subsequent to a public hearing, and with the concurrence of the Environmental Protection Agency, grant exceptions where the Board determines: a. The exception will not compromise protection of ocean waters for beneficial uses, and, b. The public interest will be served."

The Stanford University Hopkins Marine Station (HMS) is a unit of Stanford University organized within the Department of Biology in the School of Humanities and Sciences. HMS was founded in 1892, at the time that the University itself was established. HMS is the oldest marine station on the United States Pacific Coast and has been at its present location on China Point since 1918.

On October 18, 2004, the State Water Board notified HMS to cease discharges into the ASBS or to request an exception under the Ocean Plan. In an application to the State Water Board dated August 31, 2006, HMS requested an individual exception to the Ocean Plan's prohibition on discharges into ASBS.

HMS is one of the major marine research institutions in the country. The research at HMS benefits government agencies, industry, and the general public by solving problems, providing management guidance, and expanding the understanding of nearshore marine systems. HMS' flow-through seawater system provides a resource of national significance for marine scientists at Stanford University and for scientists from other institutions who visit to conduct research.

Although HMS discharges waste seawater and storm water runoff into the ASBS, HMS may control the quality of that discharge through the application of specific controls and management practices. The proposed exception would allow HMS to continue to discharge, provided that HMS meets specific mitigating conditions. This would provide additional protections for beneficial uses that are not currently provided. State Water Board staff considers that the proposed Exception will not compromise protection of ocean waters for beneficial uses, and the public interest will be served.

DOCUMENT AVAILABILITY

The proposed General Exception and supporting documents are available on the State Water Board website at: http://www.waterboards.ca.gov/water_issues/programs/ocean/asbs.shtml. Additional information on the hearing in Sacramento can be found at the State Water Board's website at <http://www.waterboards.ca.gov>.

SUBMISSION OF WRITTEN COMMENTS

The State Water Board will accept both written and oral comments on the proposed Exception and the content of the supporting documents. Written comments must be received by **12:00 noon on March 14, 2011 and addressed to:**

Jeanine Townsend, Clerk to the Board
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814

Comment letters may be submitted to the Clerk to the Board via email to commentletters@waterboards.ca.gov (if less than 15 megabytes in total size) or by fax at (916) 341-5620. For email submittals, please indicate in the subject line: **"Comment Letter – Hopkins Marine Station."**

Couriers delivering comment letters must check in with lobby security personnel, who can contact Jeanine Townsend at (916) 341-5600.

PROCEDURAL MATTERS

The hearing will be informal. There will be no sworn testimony or cross-examination of participants, but the State Water Board and its staff may ask clarifying questions. Participants are encouraged to submit written comments prior to the hearing. At the hearing, participants will be given an opportunity to summarize and supplement their written materials with oral presentations. To ensure a productive and efficient process in which all participants have an opportunity to participate, oral presentations may be time-limited. For other presentation recommendations, go to:

http://www.waterboards.ca.gov/board_info/meetings/board_presentations.shtml at the State Water Board's Web site. Questions regarding the hearing may also be directed to Constance Anderson, Division of Water Quality, at (916) 341-5280.

PARKING AND ACCESSIBILITY

For directions to the Joe Serna Jr. /Cal-EPA Building and public parking information, please refer to the map on the Cal/EPA's Web site at <http://www.calepa.ca.gov/EPAbldg/location.htm>


The Cal/EPA Building is accessible to persons with disabilities. Individuals who require special accommodations are requested to contact Catherine Foreman at (916) 341-5881, at least five working days prior to the meeting. TDD users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922. A broadcast of the meeting will be available via the internet and can be accessed at: <http://www.calepa.ca.gov/broadcast/>.

All visitors to the Joe Serna Jr. /Cal-EPA Building are required to sign in and obtain a badge at the Visitor Services Center located just inside the main entrance. Valid picture identification may be required. Please allow up to 15 minutes for receiving clearance.

ADDITIONAL INFORMATION

Please direct questions about this notice to Constance Anderson at (916) 341-5280 (csanderson@waterboards.ca.gov) or Dominic Gregorio at (916) 341-5582 (dgregorio@waterboards.ca.gov).

January 20, 2011
Date



Jeanine Townsend
Clerk to the Board