



Linda S. Adams
Secretary for
Environmental Protection

State Water Resources Control Board

Division of Water Quality

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Arnold Schwarzenegger
Governor

JUN 03 2008

The Honorable Sue McCloud
Mayor of Carmel-by-the-Sea
P.O. Box CC
Carmel, CA 93921

Dear Mayor McCloud:

CONDITIONALLY APPROVED APPLICATION PACKAGE FOR DISCHARGES INTO CARMEL BAY AREA OF SPECIAL BIOLOGICAL SIGNIFICANCE

Thank you for your application package dated December 26, 2007, requesting an exception from the California Ocean Plan (Ocean Plan) waste discharge prohibition for your discharges into the Carmel Bay Area of Special Biological Significance (ASBS). Your application did not include the following information requested of all applicants: (1) a characterization of the watershed including population density, impervious surface area, land use, and pesticide and herbicide use, (2) a representative quantitative description of marine life near the discharges in the ASBS and at a reference location, and (3) storm event sampling for total Ocean Plan metals, polynuclear aromatic hydrocarbons, oil and grease, ammonia nitrogen, acute toxicity for a marine species, and critical life stage (chronic) toxicity for three marine species.

This letter is to inform you that we have deemed your application conditionally complete if, by July 31, 2008, you provide the watershed information in item 1 above, and you either provide the description of marine life and the water quality data in items 2 and 3 above, or commit to support for and participation in the 2008 Pilot Study for the Stakeholder Regional Monitoring Program underway.

The receipt of your application supports the State Water Resources Control Board's (State Water Board) consideration of an exception to the Ocean Plan for discharges to ASBS. As a responsible party with a conditionally approved application, you will be considered for coverage under an exception.

The exception is likely to include minimizing or eliminating pollutants discharged to the ASBS to maintain natural water quality in the receiving waters. In the meantime, you must continue to plan for and institute best management practices to reduce pollutants and eliminate all dry weather flows. If the exception is granted, the Regional Water

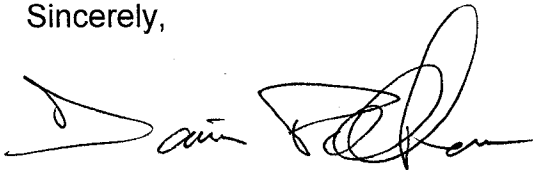
California Environmental Protection Agency

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Quality Control Board (Regional Water Board) may allow your nonpoint source and/or storm water discharges to be covered under a Conditional Waiver, Waste Discharge Requirements, and/or a Storm Water National Pollutant Discharge Elimination System Permit with appropriate provisions required in your storm water management plan. In all cases, it is the Regional Water Board which requires the implementation of the mitigation measures to be described in the exception granted by the State Water Board.

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

Sincerely,



Darrin Polhemus, Deputy Director
Division of Water Quality

cc: Ms. Heidi Burch, City Clerk/Assistant Administrator
Carmel-by-the-Sea
P.O. Box CC
Carmel, CA 93921

Mr. Roger W. Briggs, Executive Officer
Central Coast Regional Water Board
895 Aerovista Place, Suite 101
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