



California Regional Water Quality Control Board Santa Ana Region



Matthew Rodriguez
Secretary for
Environmental Protection

3737 Main Street, Suite 500, Riverside, California 92501-3348
Phone (951) 782-4130 • FAX (951) 781-6288
www.waterboards.ca.gov/santaana

Edmund G. Brown Jr.
Governor

September 22, 2011

Ms. Lisa Walters
City of Newport Beach Harbor Resources Division
829 Harbor Island Drive
Newport Beach, CA 92660

WILLIAM ALLEN AND DARIN KRUSE DOCK REPLACEMENT, 201 AND 205 E BAYFRONT -- BALBOA ISLAND, CITY OF NEWPORT BEACH

Dear Ms. Walters:

Regional Board staff has reviewed a complete application for a Clean Water Act Section 401 Water Quality Standards Certification for the above-referenced floating dock replacement project. The application includes a "Harbor Permit/Approval in Concept" from your office. The applicants have contacted us stating your requirement that they obtain any other necessary permits from other agencies.

According to the application, this new floating dock project will decrease the overall footprint of the existing dock and slightly shift it away from identified eelgrass sites. One piling will be straightened; this does not constitute new "fill" to Newport Bay. Regional Board staff believes that the proposed activity does not require Certification or waste discharge requirements, or other regulatory action by our agency, because the project will not result in a discharge to waters of the state or of the U.S. We do not intend to routinely regulate dock-replacement projects where no expansion is proposed and/or no pilings are installed or removed.

Board staff will be returning the applicant's application and fee, unless new information changes our understanding of the project and generates additional action.

If you have any questions, please contact Glenn Robertson at (951) 782-3259, grobertson@waterboards.ca.gov, or me at (951) 782-3234, or madelson@waterboards.ca.gov

Sincerely,

Mark G. Adelson, Chief
Regional Planning Programs Section

cc: Paul Gerst, Permadock Inc., Newport Beach, wattsnewprg@gmail.com

X:Groberts on Magnolia/Data/CEQA/401/City of Newport Beach - Permadock Replacement, Balboa Island- MGA.doc

California Environmental Protection Agency

