



State Water Resources Control Board



Division of Water Quality

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Arnold Schwarzenegger
Governor

Linda S. Adams
Secretary for
Environmental Protection

JUL 21 2008

Mr. Thomas F. Casey, III
County Counsel
Hall of Justice and Records
County of San Mateo
400 County Center, 6th Floor
Redwood City, CA 94063-1661

Dear Mr. Casey:

COMPLETE APPLICATION PACKAGE FOR DISCHARGES INTO AN AREA OF SPECIAL BIOLOGICAL SIGNIFICANCE (ASBS)

Thank you for the application package, dated December 31, 2007, that you submitted on behalf of San Mateo County requesting an exception from the California Ocean Plan (Ocean Plan) waste discharge prohibition for the County's discharges into the James V. Fitzgerald ASBS. This letter is to inform you that we have deemed the application complete. The receipt of the County's completed application supports the State Water Resources Control Board's (State Water Board's) consideration of an exception to the Ocean Plan for discharges to ASBS. As a responsible party with a completed application, the County will be considered for coverage under an exception.

Public Resources Code (PRC) section 36700(f) states that ASBS are a subset of State Water Quality Protection Areas (SWQPAs) and require special protection as determined by the State Water Board pursuant to the Ocean Plan. PRC section 36710(f) specifies that waste discharges in SWQPAs shall be prohibited or limited by the imposition of special conditions in accordance with the California Water Code and implementing regulations, including, but not limited to, the Ocean Plan. In other words, the absolute discharge prohibition in the Ocean Plan stands unless an exception is granted that includes mitigating conditions that will provide special protection for that ASBS.

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, the County 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 Quality Control Board (Regional Water Board) may allow the County's 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

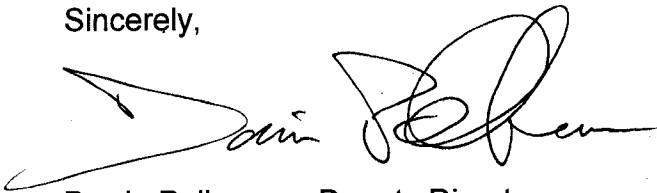
California Environmental Protection Agency

JUL 21 2008

Elimination System Permit with appropriate provisions required in the County's storm water management plan. In all cases, it is the Regional Water Board which enforces the mitigation measures to be described in any exception issued 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: Mr. James C. Porter, Director
San Mateo County Public Works
555 County Center, 5th Floor
Redwood City, CA 94063-1661

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

Mr. Reed Sato, Director
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State Water Resources Control Board
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