



DEPARTMENT OF THE NAVY

NAVAL BASE VENTURA COUNTY
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IN REPLY REFER TO:

5090
Ser N45V/0261
May 4, 2006

Ms. Blythe Poneck Bacharowski
Acting Chief, Watershed Regulatory Section
Los Angeles Region
California Regional Water Quality Control Board
320 West 4th Street, Suite 200
Los Angeles, CA 90013-2343

Ms. Bacharowski:

This letter is to follow up our December 6, 2005 letter, discussing the San Nicolas Island Area of Special Biological Significance (ASBS) exception application submittal. In that letter, we stated Naval Base Ventura County (NBVC) would submit the ASBS exception application for San Nicolas Island (SNI) in May 2006.

Since then the following progress has been achieved:

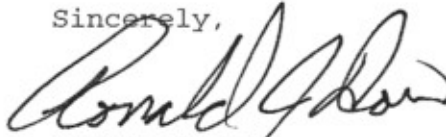
- On March 16, 2006, during a telephone conference call, our Mr. Bill Venable informed Mr. Dominic Gregorio, Ocean Unit, Division of Water Quality, California State Water Resources Control Board, that we are unable to provide a completed ASBS exception application for SNI by May 2006. We did agree to provide Mr. Gregorio with historical information that could still contribute to the application.
- On March 23, 2006, our Mr. Bill Venable submitted to Mr. Dominic Gregorio, copies of the SNI brine and filter backwash and storm water monitoring results for calendar years 2000 through 2005. This submittal was provided as follow on action to their telephone discussion on March 16, 2006.
- On March 27, 2006, Mr. Venable provided Mr. Gregorio with a copy of the (modeling simulation) analysis that is referred to in paragraph 12 of the SNI brine and filter backwash discharge permit that issued by the Los Angeles Regional Water Quality Control Board on July 31, 2000.
- On April 26, 2006, Mr. Bill Venable left a message on Mr. Gregorio's voice mail indicating this letter was being issued, and that fieldwork is now planned for completion in September and October 2006, and a final application submitted in March 2007.

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Due to the high wind conditions and sea state that currently exists on SNI, sea lion breeding season (and associated aggressive behavior), and our requirement for avoiding impacts on federally protected species, we have decided that it is unsafe and inappropriate to conduct the requested marine sampling and monitoring at this time. We propose to reschedule and complete the sampling and monitoring by October 2006 when safer conditions exist. August through October is typically the time of year when marine sampling and monitoring can be done at SNI with a reasonable margin of safety and without impacting federally protected species.

We will continue forwarding to your office information in support of the SNI ASBS application as it becomes available, and we expect a final ASBS exception application to be completed by March 2007. For further discussion, please contact Mr. Bill Venable at (805) 982-3771.

Sincerely,



RONALD J. DOW
Director, Environmental Division
By direction of the Commanding Officer

Copy to:
Dominic Gregorio, Ocean Unit, Division of Water Quality, California
State Water Resources Control Board
Xavier Swamikannu, Los Angeles Regional Water Board
Rob Chichester, Navy Region Southwest