



HUMBOLDT STATE UNIVERSITY

Facilities Planning, Design, Operations & Management

January 18, 2013

Mr. Charles B. Reed,
Water Resource Control Engineer
North Coast Regional Water Quality Control Board
5550 Skylane Blvd., Suite A
Santa Rosa, CA 95403

RE: Comments on Draft Waste Discharge Requirements Order No. R1-2013-0006, for the Telonicher Marine Lab (TML) Waste (NPDES NO. CA0025151/WDID NO. 1B12187NHUM).

Dear Mr. Reed,

On behalf of Humboldt State University (HSU), these comments are submitted in order to address questions or issues that arose during our review of this draft permit. Humboldt State University has a long-standing history of being an institution with a fundamental respect for the value of maintaining environmental integrity throughout all facets of institutional endeavors. Whether it is promoting waste minimization policies or pioneering sustainability opportunities, Humboldt State takes pride in its tradition of being a good environmental steward. It was in this context that the process of addressing the waste discharge requirements set forth by the board was approached.

Humboldt State accepts its responsibility for maintaining natural water quality. To comply with provisions set forth in the special protections, HSU has elected to participate in the North Coast Regional Monitoring Group and follow the work plan as adopted by the State Board. Additionally, a goal in participating in the monitoring group is to obtain an accurate assessment of the natural water quality by which the appropriate parameters can be developed to maintain it, that are both practical for local dischargers and compliant with state water quality standards. At this juncture, however, without further information regarding ambient natural water quality, both inside and outside the ASBS, HSU is unable to thoroughly comment on the practicality of the waste discharge numerical limitations for storm water as laid out in this draft permit.

In the absence of this information, HSU submits to the selection rationale as described in Section IV of attachment F (pages F-14-31), with the understanding that upon analysis of the data received from the monitoring group, final effluent limitations will be set at that time (see note 1, Table E-5). HSU would like to ensure that the acceptance of this permit with effluent limitations deemed as final are not disadvantageous to the TML due to the enforceability of sections 402 (o) (2) and 303 (d) (4) of the CWA and 40 CFR section 122.44 (l) which would disallow less stringent effluent limitations, should it be demonstrated that they are reasonable.

The Marine Lab uses sea water pumped directly from Trinidad Bay which is then stored, filtered, chilled, and used in aquaria, some of which, through various operations, will end up back in the bay. It is through this activity that the TML is unique among other North Coast Region ASBS dischargers. The re-circulated sea water, being considered “waste water,” is held to more stringent monitoring requirements than the storm water outfall of other stake holders, and is therefore appropriate to be covered outside of the regional work plan. Additionally, as specified in Attachment A to the State Resolution No. 2011-0049, specific conditions related to the sea water system must be met in this permit and are incorporated on Page F-6, table F-2. Humboldt State contends, however, that considering recycled, unadulterated sea water, supporting only native species, as waste water adds unnecessarily burdensome monitoring requirements. Humboldt State therefore requests that the language, as referenced in the draft permit in Table E-5 Note 1, for storm water effluent, be included in both Tables E-3 and E-4 to allow for the exclusion or reduction monitoring requirements for those constituents routinely below ocean plan objectives.

Staff who are overseeing the implementation of the requirements set forth in the regional monitoring group, along with the proposed NPDES permit, are operating with the understanding that monitoring requirements for storm water and all associated ASBS survey and studies adopted by the regional work plan satisfy the requirements set forth in the NPDES permit for Rocky Intertidal Monitoring (VI.C.2.b), Bioaccumulation (VI.C.2.c), Sediment Monitoring (VI.C.2.d), Reference Monitoring (E-VIII.A.1), and Receiving Water Monitoring (E-VIII.B.1), while superseding specific requirements in force if HSU chose not to participate (as noted in E-VIII.A.2, E-VIII.B.2). It is the general consensus that inherent to the formation and participation in the regional group are built in incentives, one of which is cost and data sharing among stakeholders, and another being adaptations to type of data required. For example, the draft order No. CA0025151 stipulates an annual sediment study to be carried out, a requirement which may also be met by participating in a regional monitoring group. However, the work plan, as adopted by the board does not include this requirement. By participating in the regional monitoring group, the TML has committed to an increased sampling frequency of 3 storm events per year, and the inclusion of constituents to be studied for bioaccumulation not required of the TML in this draft order, in addition to the sea water effluent monitoring the TML must undertake outside of the work group, along with all the additional associated receiving and reference site samples which will not be covered in the work plan. Considering this, it is Humboldt State’s understanding that exclusion of the sediment study is one of the benefits of participating in the regional work plan, and would like this confirmed. It is also worth noting that any findings resulting from sediment monitoring in Trinidad Bay would be difficult to associate with the TML, given other outfalls and activities in the ASBS.

Table E-3 on Attachment E-5 states the effluent monitoring required for the duration of the permit cycle for the seawater system, and specifically requires quarterly grab samples of sea water effluent. Note 7 of the same table states that pre- and post- sea water discharge samples will be required to be sampled on a quarterly basis, which is again reiterated on Attachment E-17 table E-10. HSU feels that while quarterly effluent samples may be reasonable at least until data can provide adequate reason to reduce the frequency

of sampling, the pre and post discharge quarterly receiving water sampling is overly burdensome for two main reasons: 1) Given the vast amount of data that will be contributed by the regional monitoring group accumulated over the two year period of the work plan, which will include both sea water and storm water core sampling along with, respectively, pre and post purge and storm samples of the receiving water- it is felt that there will be enough data for a reasonable impact assessment in the absence of this type of monitoring, and 2) due to the low overall volume and frequency of this activity, it is felt that the value of the data obtained will be less significant than the onus of the activity, including staff involvement and cost required to obtain the data. HSU recommends that the pre and post sea water discharge grab sample frequency for the constituents as defined in Table E-10, Attachment E-17 be reduced to an annual frequency. Additionally, HSU would like confirmation that participation in the board-approved Regional Work Plan will provide contemporaneous compliance with the relevant permit requirements (generally with the exception of the sea water monitoring requirements), and will continue to satisfy these requirements for the duration of the initial 5 year permit period. Humboldt State would also like confirmation that the NPDES permit may be revised to include any exclusions or reductions to the sea water monitoring requirements reasonably demonstrated justified through sample analysis.

We appreciate the opportunity to submit comments on the draft Waste Discharge Requirements permit, and look forward to working with the North Coast Regional Water Quality Control Board in the future to ensure the maintenance of natural water quality in the Trinidad Head ASBS.

Respectfully,



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