

## California Regional Water Quality Control Board

## San Diego Region

Terry Tamminen
Secretary for
Environmental
Protection

9174 Sky Park Court, Suite 100, San Diego, California 92123-4340 (858) 467-2952 Fax (858) 571-6972 http://www.swrcb.ca.gov/rwqcb9



July 15, 2004

Mr. Dominic Gregorio
Division of Water Quality
State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812-0100

In reply refer to: IC:12-0018.01:kneds

Dear Mr. Gregorio:

SUBJECT: REVISED COMMENTS ON THE PROPOSED EXCEPTION TO THE 2001 CALIFORNIA OCEAN PLAN FOR THE UNIVERSITY OF CALIFORNIA, SCRIPPS INSTITUTION OF OCEANOGRAPHY

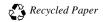
This letter replaces my previous correspondence on this subject, dated June 21, 2004. I have reviewed the proposed Negative Declaration for the project entitled *Exception to the California Ocean Plan for the University of California Scripps Institution of Oceanography Discharges into the San Diego Marine Life Refuge Area of Special Biological Significance*. The exception would allow the California Regional Water Quality Control Board, San Diego Region (Regional Board) to consider Scripps Institution of Oceanography's (Scripps) request for renewal of their NPDES Permit, Order No. 99-83, to continue discharging wastewater to the San Diego Marine Life Refuge Area of Special Biological Significance (ASBS).

I support the State Water Resources Control Board (State Board) action in granting an exception to the California Ocean Plan for the University of California, Scripps Institution of Oceanography.

The exception would result in new knowledge about waste treatment at a major ocean research and public education facility. An overall result of approval of the exception is that Scripps would establish best management practices for stormwater and control of the use of antibiotics and chemicals and for the prevention of accidental releases of non-indigenous plants and animals to the ocean. Scripps's management programs may become models for other aquarium dischargers to ASBS and to other marine environments without ASBS designations. The Regional Board must provide oversight and vigilance to assure that the measures Scripps intends to implement are carried through effectively and consistently.

Scripps Institution of Oceanography submitted a Report of Waste Discharge to renew Order No. 99-83, NPDES Permit No. CA0107239 on May 14, 2004. A tentative Order is currently being drafted and if the State Board determines that certain terms and conditions listed in the Negative Declaration are necessary to grant the exception, the terms and conditions will be incorporated into the tentative Order. The Regional Board will consider the tentative Order at a separate Board meeting. If the State Board does not grant the exception, Order No. 99-83 will likely not be renewed and will be rescinded.

California Environmental Protection Agency



If you have any questions regarding this letter, the Scripps discharge, or would like to discuss our comments please contact Ms. Sabine Knedlik at (858) 467-2725 or e-mail her at *kneds@rb9.swrcb.ca.gov*.

Respectfully,

## JOHN H. ROBERTUS Executive Officer

JHR:mpm:jrp:sk

CC: Larry Oberti

Environment, Health and Safety University of California, San Diego 9500 Gillman Drive

La Jolla, CA 92093-0920 Kim Driver

WTR-5 U.S. EPA Region 9 75 Hawthorne Street San Francisco, CA 94105

Judy Gibson

U.S. Fish and Wildlife Service 6010 Hidden Valley Road Carlsbad, CA 92009

Eric J. Larson

Ecosystem Coordinator Department of Fish and Game 4949 Viewridge Avenue San Diego, CA 92123

Alfred L. Wanger, Deputy Director

Energy, Ocean Resources and Water Quality

Division

California Coastal Commission 45 Fremont Street, Suite 2000 San Francisco, CA 94105-2219

Ms. Linda Sheehan, Director Pacific Regional Office The Ocean Conservancy

116 New Montgomery Street, Suite 810

San Francisco, CA 94105

Environmental Health Coalition

Clean Bay Campaign

1717 Kettner Boulevard, Suite 100

San Diego, CA 92101 Attn: Laura Hunter

San Diego BayKeeper

2924 Emerson Street, Suite 220

San Diego, CA 92106 Attn: Bruce Resnik

Mr. Ed Kimura Sierra Club 3820 Ray Street

San Diego, CA 92104-3623

Mr. Marco Gonzalez Surfrider Foundation San Diego Chapter PO Box 1511

Solana Beach, CA 92075

Mr. David Beckman

Natural Resources Defense Council

1314 Second Street Santa Monica, CA 90401

Dr. Anthony F. Michaels, Director USC Wrigley Institute for Environmental

Studies

University of Southern California

**AHF 232** 

Los Angeles, CA 90089-0371

