

Only one comment letter was received by the State Water Board. The comments were submitted on behalf of the University of Southern California Wrigley Marine Science Center by Roberts, Raspe & Blanton LLP, Jan. 13, 2006. The following are staff’s responses to those comments:

<i>Page</i>	<i>Paragraph</i>	<i>Comment</i>	<i>Staff Response</i>
1	1	In the last sentence of this paragraph it is stated that for “constituents other than indicator bacteria, natural water quality will be determined using the reference station in the ocean near the seawater intake structure.” WMSC disagrees with the use of this reference station in light of the fact that the area in question is a watershed and natural water quality would be impacted without WMSC’s discharge due to natural occurring conditions in a watershed such as natural erosion of mineral deposits and native wildlife feces. WMSC recommends that the natural water quality be determined by sampling a similar watershed area on Catalina island which is not subject to additional discharges, such as one of the watersheds in Long Point.	The use of a mutually agreeable reference site other than at the intake is acceptable to staff. A pristine watershed area on Catalina Island, which is not subjected to anthropogenic discharges, may be used as a water quality reference station. Since considering this comment staff has worked with USC/WMSC to identify an alternate reference site.
1	2	WMSC request that the following sentence be added to the end of this paragraph: “Notwithstanding the foregoing to the contrary, in the event that natural or non-WMSC caused contamination occurs, WMSC shall ensure that the effluent water quality is no worse than intake water quality.” This is requested to address natural or non-WMSC caused contamination in the seawater system that cannot be controlled by WMSC.	This would require the addition of “intake credits” to meet natural water quality objectives. The Ocean Plan is clear, the “gross discharge” not the “net discharge” shall meet the water quality objectives for protection of marine aquatic life. Staff recommends no change.
1	3	WMSC request that the following phrase be added at the end of this section “corrected for matrix effects caused by the seawater.”	Staff recommends no change. Certified labs with experience and capabilities to conduct ICPMS analyses recognize the unique characteristics and requirements for seawater sample processing and accurate analysis.
2	5	It is requested that the following clause be added at the end	Staff recommends no change. Condition 5 is intended to address non-storm runoff discharges (e.g., dry weather

		of this paragraph: “and the necessary washing of the floating dock structure and boats which are not removed from the water after each use.”	flows) discharged through storm water conveyances (point source). Such non-storm discharges must be prohibited. However, activities such as the washing of the floating dock structure and boats may constitute a nonpoint source. Release of pollutants into the receiving waters from marine nonpoint sources are intended to be controlled by adherence to Condition 18 regarding the implementation of waterfront management plan. Implementation of that plan must ensure that natural water quality in the ASBS. For example, using only fresh water (no soap) to remove salt from a vessel’s windows is not expected to result in an alteration of natural water quality.	
2	9	In the first and third sentences of this paragraph, it is requested that the words “human created” be added so that the first sentence reads “The SWMP must also address storm water discharges, and how <i>human created</i> pollutants have been and will be reduced in storm water runoff into the ASBS through the implementation of BMPs.” The third sentence should read “The BMPs and implementation schedule must be designed to ensure natural water quality conditions in the receiving water due to either a reduction in flows from impervious surfaces or reduction in <i>human created</i> pollutants, or some combination thereof.”	Staff recommends no change. USC/WMSC must work through the iterative process to reduce pollutants in storm runoff, whether such pollutants are naturally occurring or synthetic. Staff expects USC/WMSC to reduce pollutant levels to natural background, with ultimate compliance being achieving natural water quality in the ASBS receiving water.	
4	19	In the second sentence of this Paragraph it is requested the phrase “that could result in any discharge or habitat modification in the ASBS” be added after the phrase “or renovation of the water front facilities, including the pier and dock”.	This is acceptable to staff. Minor changes to the working space, above water, would not be expected to alter the ocean habitat or constituent levels in the water. It would be inefficient and counter-productive for Regional Board staff to need to address such minor alterations above the water line.	