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OUR FILE NO.

.0586

VIA FACSIMILE & ELECTRONIC MAIL

Dominic Gregorio, Chief
Ocean Unit
State Water Resources Control Board
1001 I Street
Sacramento, California 95814

Re: **Exception to the California Ocean Plan for the University of Southern California Wrigley Marine Science Center Discharge into the Northwest Santa Catalina Island Area of Special Biological Significance**

Dear Mr. Gregorio:

We are counsel to the University of Southern California Wrigley Marine Science Center ("WMSC") with regard to the above-referenced matter. On behalf of WMSC, we appreciate and support the staff recommendation that the State Water Resources Control Board ("Board") grant the exception requested by WMSC to the California Ocean Plan prohibition on discharges into Areas of Special Biological Significance ("ASBS").

WMSC is grateful for the cooperative efforts of the staff of the Board, the California Environmental Protection Agency, California Coast Keeper Alliance and other interested parties in attempting to preserve and protect both the ASBS and the critically important research performed by many varying entities and individuals at the Wrigley Marine Science Center. As appropriately examined in the draft Mitigated Negative Declaration and Initial Study prepared by the staff of the Board, the granting of the exception will not compromise the ASBS and it will provide additional safeguards and monitoring of the area while allowing research integral to protecting our environment to continue in a responsible and mutually beneficial manner.

Enclosed with this letter are WMSC's specific comments to the Draft Mitigated Negative Declaration circulated by the Board. If you should have any questions with regard to

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these comments, or any other matter, please do not hesitate to contact me at (213) 430-4775 or Dr. Anthony Michaels at (213) 740-6780.

Sincerely,

Kristina E. Raspe

KER:jp
Enclosure

cc: Selica Potter, Acting Clerk to the Board
State Water Resource Control Board
1001 I Street
Sacramento, California 95814

Comments to the Draft Mitigated Negative Declaration
By the University of Southern California Wrigley Marine Science Center

<i>Page</i>	<i>Paragraph</i>	<i>Comment</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.
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.
1	3	WMSC request that the following phrase be added at the end of this section “corrected for matrix effects caused by the seawater.”
2	5	It is requested that the following clause be added at the end of this paragraph: “and the necessary washing of the floating dock structure and boats which are not removed from the water after each use.”
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 <u>human created</u> 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 <u>human created</u> pollutants, or some combination thereof.”
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”.