Regional Water Quality Control Board
North Coast Region

Executive Officer's Summary Report
9:00 A.M., Thursday, May 2, 2013
Eureka, California

ITEM: 6

SUBJECT: **Public Hearing** on Order No. R1-2013-0006 to consider adoption of proposed Waste Discharge Requirements for **Humboldt State University Telonicher Marine Lab,** WDID No. 1B12187NHUM, NPDES No. CA0025151 (*Charles Reed*)

BOARD ACTION: The Board will consider adoption of Waste Discharge Requirements Order No. R1-2013-0006. The Order will serve as a National Pollutant Discharge Elimination System (NPDES) permit for a period of five years.

BACKGROUND: Humboldt State University (hereinafter Permittee) is the owner and operator of the Telonicher Marine Laboratory (hereinafter Facility or TML), a teaching and marine research institution.

The Facility is a unit of Humboldt State University supporting education and research for the departments of Oceanography, Fisheries Biology, and Biology (Marine Biology option). The Facility also serves a public outreach function, including offering guided tours and summer programs led by a marine naturalist, and self-guided tours of the laboratory's exhibits (public display aquariums and touch tanks). The Facility has two large instructional classrooms/laboratories, offices for 14 faculty and graduate students, specialized research labs, an algal and zooplankton rearing area, and other rooms that support education and research. A recirculating seawater system supplies classrooms and a wet lab with high-quality, filtered seawater.

The Permittee operates an intake pump at Trinidad Pier that pumps seawater from Trinidad Bay uphill into two storage tanks at the Facility. The Facility is equipped with two pumps that recirculate seawater from a sump through two sand filters, then 2 chillers, then through aquariums and wet tables in the laboratory, then back to the sump. A portion of the seawater from the sump is pumped back to the storage tanks so that water is continually being replaced in the sump. The aquariums and wet tables drain by gravity back to the sump.

The most frequent non-storm water discharge from the Facility's waste seawater system consists of filter backwash. Sand filters are backwashed approximately every other month. The maximum volume from a filter backwash event for the time period of 2006 through 2011 was 11,200 gallons. Other significant discharges include draining of the two 47,000 gallon storage tanks every other year and periodic diversion of circulating seawater to exchange older seawater with new seawater.

ISSUES:

The receiving water for the ocean discharges is designated by the State Water Resources Control Board (State Water Board) as the Trinidad Head Area of Special Biological Significance (Trinidad Head ASBS). The California Ocean Plan prohibits waste discharges to the state's ASBS. The State Water Board staff notified the Permittee on October 18, 2004, to cease discharges to the Trinidad Head ASBS or to request an exception under the California Ocean Plan. On August 31, 2006, the Permittee applied for an exception to the California Ocean Plan for discharges into Trinidad Head ASBS. An Initial Study and Mitigated Negative Declaration (IS/MND) was circulated for public review, and on October 18, 2011, the State Water Board approved this Exception and the Mitigated Negative Declaration with Resolution No. 2011-0049.

The tentative permit includes a significant number of requirements mandated by Resolution No. 2011-0049 for this newly regulated discharge or other requirements to protect water quality and maintain beneficial uses of waters of the United States and waters of the State. Some of the new requirements include:

1. Waste seawater, filter backwash, and storm water must be monitored during periods of discharge to Trinidad Bay to demonstrate that the discharges do not alter natural ocean water quality.
2. A Storm Water Management Plan (SWMP) must be implemented that addresses the prohibition on non-storm water runoff and the reduction of pollutants in storm water discharges to the ASBS.
3. A quantitative survey of rocky intertidal marine life must be performed near the discharge and at a reference site at least once per permit term.
4. A bioaccumulation study using Californian mussels must be performed near the discharge and a reference site once per permit term.

5. Sampling for the waste seawater effluent and the reference station must occur twice the first year of the permit term.
6. Storm water runoff and the Trinidad Bay receiving water must be sampled once annually for Ocean Plan Table B parameters and Ocean Plan indicator bacteria.
7. Subtidal sediment in Trinidad Bay must be sampled annually for Ocean Plan Table B parameters.
8. A Program for Prevention of Biological Pollutants must be developed and implemented.
9. A Waterfront and Marine Operations Non-point Source Management Plan must be prepared.

Many of the receiving water monitoring requirements may be met by the Permittee's participation in a regional monitoring program approved by the State Water Board.

A copy of the draft permit was mailed to interested agencies and persons and a public comment period was noticed in the local newspaper as well as on the Regional Water Board website. Comments were received from the Permittee. After consideration of these comments, Regional Water Board staff made minor changes to the draft Order. A copy of comments received and staff responses are attached to the agenda package. A copy of State Water Board Resolution No. 2011-0049 is also provided as an attachment at the end of the hearing agenda package.

The public hearing to consider Order No. R1-2013-0006 was originally scheduled for March 14, 2013, but was rescheduled to make minor changes to the draft Order.

RECOMMENDATION: Adopt Order No. R1-2013-0006, as proposed.

SUPPORTING DOCUMENTS:

1. Hearing Procedure
2. Proposed Order No. R1-2013-0006
3. Response to Comments
4. Comment Letter from Humboldt State University
5. State Water Board Resolution No. 2011-0049
6. Public Notice