



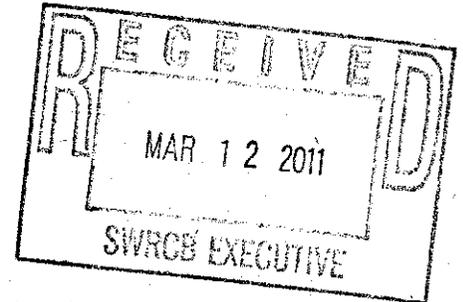
Public Hearing (4/20/11)
ASBS Monterey Bay Aquarium
Deadline: 3/14/11 by 12 noon

MONTEREY BAY AQUARIUM

March 12, 2011

VIA ELECTRONIC MAIL (commentletters@waterboards.ca.gov)

Jeanine Townsend, Clerk to the Board
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814



Re: Exception to the California Ocean Plan Waste Discharge Prohibition for Monterey Bay Aquarium Discharges into the Pacific Grove Area of Special Biological Significance, Including Special Protections for Beneficial Uses and the Associated Mitigated Negative Declaration / Initial Study.

Dear Ms. Townsend:

Pursuant the posting of the Notice of Public Hearing for the Monterey Bay Aquarium (MBA) Area of Special Biological Significance ocean discharge exception, we have reviewed the associated documents and have prepared two comment letters to address the MBA Initial Study and MBA Draft Mitigated Negative Declaration. This letter requests clarifications and corrections to the MBA Initial Study document. Our second letter addresses specific comments on the MBA Draft Mitigated Negative Declaration.

The Monterey Bay Aquarium supports the State Water Resources Control Board (State Board) in its efforts to protect ocean water quality and natural marine communities. We appreciate the opportunity to comment on these documents and we hope that our opinions and concerns are useful to the State Board in their on-going efforts to protect Areas of Special Biological Significance.

The attached table lists our comments or corrections to the MBA Initial Study document. If you have any questions regarding these comments, or any aspect of the MBA ocean discharge exception application, please do not hesitate to contact me.

Sincerely,

ROGER PHILLIPS

Roger Phillips
Applied Research Manager
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Jeanine Townsend

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cc: Julie Packard, Executive Director, Monterey Bay Aquarium
Stephen Palumbi, Director, Hopkins Marine Station of Stanford University
George Somero, Associate Director, Hopkins Marine Station of Stanford University
Steve Shimek, Executive Director, Monterey Coastkeeper
Fred Meurer, City Manager, City of Monterey
Thomas Frutchey, City Manager, City of Pacific Grove

**Comments on the Monterey Bay Aquarium Initial Study
Submitted by the Monterey Bay Aquarium**

Page	Paragraph	Comment
56	4	Total Zinc. Reference to Table 6 is confusing as there is no Table 6 in this document. We believe this should reference Table II.4.
56	4	Total PAH. Reference to Table II.4 should actually reference Table II.2.
60	Table II.7	MBA Ocean Receiving Water. Data for 2/27/06 Nitrate-N should read ND for non-detected (not ----). Data for 3/6/06 pH should read 7.92 (not blank).
62	2	Throughout the Initial Study reference is made to the MBA Near Shore Wing (NSW). Beginning on page 62 the word "Near" has been replaced with "North". This is also true in Table II.11. We have no North Shore Wing; just the Near Shore Wing which is the original Aquarium building.
64	Table II.11	We request State Board review of the Acute Toxicity results presented in Table II.11. We believe that some of these results are presented incorrectly as follows. NSW Storm Water is correct: >1.0TUa (or 1.02TUa by survivability calculation). NSW Receiving Water should read: 0TUa (or 0.23TUa by survivability calculation). Corporation Storm Water should read: 0TUa (or 0.23TUa by survivability calculation). Corporation Receiving Water should read: 0TUa (or 0.23TUa by survivability calculation). Survivability in the last three samples listed was the same as in the Control samples (i.e., 97.5%).
65	2	This paragraph does not correctly summarize the data presented in Table II.12. Only three of the six samples listed had concentrations of ocean plan metals above the 6-month median objective. MBA Receiving Water did <u>not</u> exceed the 6-month median objective for <u>any</u> metals. MBA Corporation Yard storm water runoff exceeded the ocean plan 6-month median for the metals arsenic, hexavalent chromium, copper, lead, nickel and zinc. The Near Shore Wing (NSW) roof drain also exceeded the 6-month median for copper and zinc.

Page	Paragraph	Comment
67	1	<p>This paragraph is difficult to read and contains erroneous or confused sampling data and site descriptions. We request that this paragraph be replaced with the following:</p> <p>Water samples collected and analyzed from the Corporation Yard Storm Drain on 2/27/06 and 3/6/06 had Total PAHs of 0.065 µg/L and 0.0662 µg/L respectively, which exceed the Ocean Plan objective of 0.0088 µg/L. TCDDs concentrations measured in the same samples were 9.40×10^{-8} and 8.39×10^{-7} µg/L which exceed the Ocean Plan objective of 3.9×10^{-9} µg/L. Total PAHs were not detected in water samples collected at the MBA Ocean Receiving Water station on 2/27/06 and 3/6/06. Total TCDDs concentrations in the same samples were 2.11×10^{-7} and 3.81×10^{-7} µg/L respectively, which exceed the Ocean Plan objective of 3.9×10^{-9} µg/L. Water was sampled at the MBA Ocean Reference station only on 2/27/06. Total PAHs and Total TCDDs were undetected in that sample. Total PAHs in the NSW Roof Drain sampled only on 3/6/06 were 0.0041 µg/L which is under the Ocean Plan objective of 0.0088 µg/L. The Total TCDDs concentration in this sample was 4.31×10^{-8} µg/L which exceeds the Ocean Plan objective of 3.9×10^{-9} µg/L.</p>