

Telonicher Marine Laboratory Exception
Response to Comments received October 10, 2011

Commenter: Michelle Smith, staff attorney Humboldt Baykeeper

1. Comment:

Insufficient information and data was gathered and analyzed in the Initial Study in order for State Board staff to recommend an exception.

Response: The Telonicher Marine Laboratory provided a completed exception application with all the information and supporting materials that satisfied the State Water Board's requirement.

2. Comment:

The State Water Board will be making a decision based on only one sampling event. Hexavalent chromium is one of the constituents of concern, yet no further investigations have been carried out to identify the source and no mitigation measures or further sampling is apparent.

Response: As mentioned in the Initial Study the discharge location is complex, with other potential pollution sources (including Trinidad's storm drain, the pier, and associated waterfront activities.) Chromium may be contributed by these other sources. Nevertheless, Telonicher Marine Laboratory is required to perform the Table B monitoring which includes total chromium, assumed to be hexavalent chromium unless hexavalent chromium is specifically analyzed. Telonicher will be required to conduct additional monitoring which will be used to determine compliance, and to inform the evaluation and possible revision of this exception in the future.

3. Comment:

The Telonicher Marine Laboratory stormwater discharge samples are very high in metals and PAHs, exceed Ocean Plan 6-month median and some are ten times higher. The proposed mitigation measures are not sufficient to ensure protection of the ASBS.

Response: We agree that additional sampling is needed, and will be required in their permit. Telonicher is in the planning phase of installing appropriate BMPs for their stormwater discharge.

4. Comment:

There is some inconsistency with the water quality sampling requirements in the Initial Study at p. 53, with regard to waste seawater effluent sampling, reference site sampling. The language must be clarified.

Response: The draft mitigated negative declaration and Attachment A (Special Protections) to the Proposed Resolution are clear on the monitoring requirements. The Special Protections, if adopted are to be implemented by a permit and are clear on the monitoring requirements. The Initial Study is a supporting document, and it is not necessary to revise if the Resolution is adopted by the Board.