



California Regional Water Quality Control Board

San Diego Region



Terry Tamminen
Secretary for
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Protection

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Arnold Schwarzenegger
Governor

July 15, 2004

Mr. Dominic Gregorio
Division of Water Quality
State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812-0100

In reply refer to:
IC:12-0018.01:kned

Dear Mr. Gregorio:

**SUBJECT: REVISED COMMENTS ON THE PROPOSED EXCEPTION TO THE
2001 CALIFORNIA OCEAN PLAN FOR THE UNIVERSITY OF
CALIFORNIA, SCRIPPS INSTITUTION OF OCEANOGRAPHY**

This letter replaces my previous correspondence on this subject, dated June 21, 2004. I have reviewed the proposed Negative Declaration for the project entitled *Exception to the California Ocean Plan for the University of California Scripps Institution of Oceanography Discharges into the San Diego Marine Life Refuge Area of Special Biological Significance*. The exception would allow the California Regional Water Quality Control Board, San Diego Region (Regional Board) to consider Scripps Institution of Oceanography's (Scripps) request for renewal of their NPDES Permit, Order No. 99-83, to continue discharging wastewater to the San Diego Marine Life Refuge Area of Special Biological Significance (ASBS).

I support the State Water Resources Control Board (State Board) action in granting an exception to the California Ocean Plan for the University of California, Scripps Institution of Oceanography.

The exception would result in new knowledge about waste treatment at a major ocean research and public education facility. An overall result of approval of the exception is that Scripps would establish best management practices for stormwater and control of the use of antibiotics and chemicals and for the prevention of accidental releases of non-indigenous plants and animals to the ocean. Scripps's management programs may become models for other aquarium dischargers to ASBS and to other marine environments without ASBS designations. The Regional Board must provide oversight and vigilance to assure that the measures Scripps intends to implement are carried through effectively and consistently.

Scripps Institution of Oceanography submitted a Report of Waste Discharge to renew Order No. 99-83, NPDES Permit No. CA0107239 on May 14, 2004. A tentative Order is currently being drafted and if the State Board determines that certain terms and conditions listed in the Negative Declaration are necessary to grant the exception, the terms and conditions will be incorporated into the tentative Order. The Regional Board will consider the tentative Order at a separate Board meeting. If the State Board does not grant the exception, Order No. 99-83 will likely not be renewed and will be rescinded.

California Environmental Protection Agency

If you have any questions regarding this letter, the Scripps discharge, or would like to discuss our comments please contact Ms. Sabine Knedlik at (858) 467-2725 or e-mail her at kneds@rb9.swrcb.ca.gov.

Respectfully,

JOHN H. ROBERTUS
Executive Officer

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