



Marina del Rey Harbor Draft Copper Water Quality Plan

to be considered at the

Los Angeles Water Board Meeting
February 6, 2014, 2:00 PM
Metropolitan Water District of Southern
California - Board Room
700 North Alameda St.
Los Angeles, CA 90071

This is meant to provide brief answers to frequently asked questions. For detailed responses to comments received on the draft plan, please visit our website at http://www.waterboards.ca.gov/losangeles/board_decisions/basin_plan_amendments/technical_documents/bpa_96_R13-XXX_td.shtml and sign up for updates at http://waterboards.ca.gov/resources/email_subscriptions/reg4_subscribe.shtml

Document prepared in cooperation with the Office of Public Participation

Is there a real environmental problem?

- Yes. In a survey of marinas throughout the state, Marina del Rey Harbor was identified as having the highest levels of copper.
- Marina del Rey Harbor exceeds water quality standards for copper 75% of the time.
- Copper damages gills and the nervous system of fish and causes death in smaller marine animals.
- Local tests conducted in Marina del Rey show that the harbor water is toxic to mussels that live there and that copper is the most likely cause of toxicity.
- These toxic impacts to smaller animals at the bottom of the food chain are felt throughout the harbor and in the adjacent ocean.
- Marina del Rey Harbor, despite being manmade, provides “nursery” and feeding grounds for fish. Its shallow waters provide protection from predators, which allows young fish to develop before moving out to the ocean. The copper levels in the harbor threaten this resource.

How much copper is acceptable?

The California Toxics Rule sets the allowable amount of copper that can be present in any water body, including Marina del Rey Harbor and is based on the best available science. The allowable levels are based on national studies and several of the species used in determining the levels are resident in Marina del Rey Harbor.

Why must we address this now?

- The initial water quality plan was developed in March 2006.
- Additional monitoring and studies were conducted over 6 years in order to better understand the causes and extent of the environmental problem and the full environmental impact of the pollution.
- The proposed revisions will rid Marina del Rey Harbor of toxic pollutants and will restore it to a healthy ecosystem.

Are boats the only source of copper pollution being addressed?

- Extensive modeling, using peer reviewed models and local data, has shown boats are the largest source of dissolved copper to Marina del Rey Harbor.
- The proposed changes to the water quality plan address the problem of dissolved copper in the water column, which are caused by copper-based boat paint.
- The original water quality plan already addresses other sources of copper that run off the streets and surrounding area and enter the harbor.

Is copper pollution from hull paint being addressed anywhere else?

- Both Newport Bay and Shelter Island Yacht Basin in San Diego Bay have similar water quality plans already in place.
- Washington State passed a ban on the sale of copper hull paint effective in 2021 (prior to the proposed deadline in this plan).

Are alternative hull paints available?

- Alternative antifouling paint options are available and have been tested in Shelter Island Yacht Basin.
- It is anticipated that additional paint options will become available during the lengthy implementation period for this plan.
- The Port of San Diego has shared results of studies and made paint recommendations available to the public: <http://www.portofsandiego.org/environment/copper-reduction-program.html>.
- Additional information to aid in selecting alternative hull paint and applying integrated pest management can be found through the University of California website: <http://ucanr.org/sites/coast/>.

Is the timeline feasible?

- A 10-year period is proposed for boaters to make the switch from copper paint to a more environmentally friendly choice. This time period gives boaters enough time to change the hull paint during their normal boat maintenance process.
- The 10-year period also takes into consideration the capacity of local boat yards to repaint hulls.

What boats are regulated by the proposed TMDL?

- All types of boats in Marina del Rey Harbor will be regulated. This includes commercial, recreational and government boats.

Is a voluntary program an option for reducing copper from boats in Marina del Rey Harbor?

- At this time the process is voluntary.
- If timely progress is made by boat owners to convert to environmentally friendly hull paint under a voluntary program, this process may be continued.
- If timely progress is not made, the Water Board will develop an enforceable program to ensure compliance with requirements.

Will costs of compliance be too high for the marina to support middle class and lower income boaters?

- The adoption of the water quality plan will make Marina del Rey Harbor eligible for grant funds to help cut down on the cost of switching to a more environmentally friendly hull paint.
- The Water Board will support grants that provide the funding to owners of small boats and lower income boaters in the harbor.
- The grants would make repainting hulls with environmentally friendly paints less expensive than if copper based paints are used.
- Depending on boat use and paint selection, more frequent hull cleaning may be required.

Reduciendo Cobre Para Proteger el Puerto de Marina del Rey: Para más información por favor de contactar Regional Board por medio de comunicación electrónica ó e-mail a srapoport@waterboards.ca.gov.

What outreach has been conducted about the plan?

- The initial plan was made public in November 2013; the normal 45-day public comment period was extended to 71 days.
- Water Board staff held 14 public meetings and mailed over 4000 fact sheets to potentially affected boaters.
- The Water Board will participate in ongoing outreach throughout the implementation period. Plans for collaborative outreach efforts are underway with The Bay Foundation and the University of California.

Will boaters have to obtain a costly permit?

- The Water Board has several ways to implement the water quality plan. It is unlikely that it would issue individual permits to over 4000 boaters in Marina del Rey Harbor. This process would be costly and inefficient for both boaters and the Water Board.
- The Water Board will likely choose to issue conditional waivers or another regulatory mechanism that has minimal to no fees.

Did the Department of Pesticide Regulation state that a greater amount of copper is acceptable in Marina del Rey Harbor?

No. A 2009 study reported local copper objectives for San Francisco Bay. The study did not say that those values would be protective of Marina del Rey Harbor. In fact, in the same study, preliminary site-specific objectives for Marina del Rey Harbor are within the range of the existing levels set by the California Toxics Rule.