

# Lido Peninsula Company, LLC

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March 7, 2019

Mr. David Woelfel  
California Regional Water Quality Control Board, Santa Ana Region  
3737 Main Street, Suite 500  
Riverside, CA 92501-3348  
Via e-mail: David.Woelfel@waterboards.ca.gov

RE: Region Board 2019 Triennial Review

Dear Mr. Woelfel,

We are writing in response to the notice we received California Region Water Quality Control Board, Santa Ana Region 2019 Triennial Review, and specifically regarding item 1f – Adopt the Copper TMDL and non-TMDL metals action plans for zinc, mercury, arsenic and chromium in Newport Bay.

We previously provided written comments on October 17, 2016 and August 24, 2018 regarding our concerns about the proposal to require marina owners to restrict or ban the use of legally-available copper-based antifouling paints through a new TMDL. We are concerned that the implementation plan will be both unenforceable and that the practical impacts of the proposed implementation plan to the harbor and individual stake holders is unknown. We believe this plan could have significant detrimental economic impacts to the harbor and its stakeholders.

The Water Board has indicated in the past that it would meet and work with stakeholders to develop a long term, cooperative and viable solution. The current written description of this issue indicates that the Water Board will hold two Public Workshops during the summer of 2019. We strongly encourage the Board to hold these workshops with the goal of having meaningful discussion regarding the feasibility and impact of the proposed Copper TMDL.

Very truly yours,  
Lido Peninsula Company

By:   
Ann McCarthy  
Asset Manager

cc: Dr. Linda Candelaria, PhD  
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