

Date: _____, 2011

Dear Senator _____:

As your constituent, I urge you to vote "no" on SB 623 [Kehoe] when this bill is considered on the Senate Floor [Senate Third Reading]. This bill would prohibit recreational boaters state-wide from using copper-based anti-fouling paints on the hulls of their boats to prevent marine organisms from growing on their hulls.

I oppose SB 623 as amended on April 25 unless the bill is revised to ensure that any deadline upon which the state's recreational boaters will not be able to use copper-based anti-fouling paints does not take effect until there are alternatives that are effective, available, and affordable.

This bill would penalize boaters, who would be directly and most significantly impacted by its provisions. SB 623 would not apply to other significant sources of copper including commercial boats, ships, and military vessels. Instead, the bill targets recreational vessels exclusively.

The bill would impose an estimated average new cost of \$5,000 on boaters for converting their boats to currently available non-biocide coatings. This cost would be imposed on an estimated 200,000 boaters who use anti-fouling paints to protect their boats, for a total mandated expense of at least \$1 billion.

Although SB 623 states that "it is the intent of the Legislature to promote the use of nonbiocide alternative paints," banning copper paint would do nothing to meet that goal. It would merely drive boaters to use other biocidal coatings that are effective, available and affordable. These currently available alternatives are also more toxic than copper and would cause serious problems if their use becomes widespread.

As a boater, I understand and appreciate the objective of moving towards non-biocide alternative coatings for the hulls of our boats. As a community, we continue to assist in the development and testing of alternatives. SB 623 would replace these collaborative efforts with a statewide ban placed into law. The bill would impose a January 1, 2015 ban on the sale of new recreational boats with anti-fouling paint containing copper, and a January 1, 2019 ban on the use or application of these paints.

The deadlines being proposed do not correspond to any assurance that alternatives to marine antifouling paints containing copper will be effective, available and affordable. While there has been much attention and several studies, rigorous scientific testing and scrutiny have yet to occur and no conclusion can be made. Yet SB 623 does not present incentives to assist in the transition to alternative coatings.

The Department of Pesticide Regulation regulates antifouling paints and is in the process of re-evaluating their registrations. However, SB 623 would ignore that study and enact an outright ban. This would force recreational boaters to replace their antifouling paints with other coatings that are less effective in preventing the growth of marine organisms on boat hulls, that facilitate the transport of invasive species into new bodies of water, that are costly to purchase and apply, and that contain chemicals that would harm the environment.

For these reasons, I urge a "no" vote on SB 623 when it is considered on the Senate Floor [Senate Third Reading] unless the bill is amended.

Signature

Name [spelled-out]

Street

City \ State \ Zip Code