



**RBOC**  
Protecting your boating interests.

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## PROPOSED COASTAL MARINA PERMIT

UPDATED RBOC Call to Arms

*FEBRUARY 19, 2010*

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RBOC is urging boaters to sign and submit the attached letter, opposing the proposal of the California State Water Resources Control Board [SWRCB] to establish a statewide requirement that marinas and clubs with 10 or more slips and moorings obtain a state permit [termed a Coastal Marina Permit] and comply with many new requirements including extensive testing and reporting at a projected annual cost of hundreds of thousands of dollars.

Boaters statewide should be concerned and take action. The use of the word "coastal" in the permit name is a misnomer. The text of the proposal states that it would be required of moorings and marinas located not only along the coast but in bays, estuaries, and certain fresh water mixing zones such as the San-Joaquin Delta. The scope could also be expanded as the proposal moves forward.

RBOC is working on this critical issue in cooperation with allied partners including Bay Planning Coalition, BoatU.S., California Association of Harbor Masters and Port Captains, California Marine Parks and Harbors Association, California Yacht Brokers Association, Marina and Recreation Association, and Western Boaters Safety Group.

The SWRCB plans to conduct stakeholder workshops in March, to receive public comments in April, and to vote upon the permit in November of 2010. The exact dates, times and locations of the stakeholder workshops have not yet been set, but plans are for workshops to be in San Diego, Ventura, and Francisco.

What clubs should do:

- **Distribute the Sample Letter to your Members**, for them to sign and send to RBOC by fax [916.441.3520] or mail: RBOC, 925 L Street, Suite 220, Sacramento, CA 95814. RBOC will deliver the letters.
- **Become Familiar with the Proposal and Its Impact**, by reviewing the pertinent documents posted at [www.swrcb.ca.gov](http://www.swrcb.ca.gov) and [www.rbo.org](http://www.rbo.org).
- **Keep Informed of Developments and Attend Workshops** as this information becomes available, and speak out against this proposal.

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RBOC is a nonprofit boater advocacy organization that works to protect and enhance the interests of the state's recreational boaters before the legislative and executive branches of state and local government. RBOC is in its 42<sup>nd</sup> year as a statewide organization promoting the enjoyment, protection, and responsible use of our waterways. Visit [www.rbo.org](http://www.rbo.org) for more information about RBOC and this issue.

The Honorable Arnold Schwarzenegger, Governor

State of California  
State Capitol  
Sacramento, CA 95814

Re: Water Board's Proposed Coastal Marina Permit

Governor Schwarzenegger:

Please take action so that the State Water Resources Control Board [Water Board] does not proceed with the marina permit as currently drafted, and to instead work with the boating community to pursue a fact and science-based approach that first identifies and then addresses pollution in marinas that is determined to be attributable to recreational vessels and marina operations.

I am very concerned that the Water Board is proposing to move forward prematurely with a broad, burdensome, and costly permitting program. The program is not based upon facts regarding the presence of specific pollutants in identified bodies of water, and it is not based upon the identification of the sources of any such pollutants. The program has not been developed through a transparent process with the participation of the recreational boating community. The proposal is to proceed immediately to a statewide permit before any of these critical actions is taken.

Boaters are often unfairly accused of pollution when the source of the pollutants in specific water bodies arrive from non-boating sources through storm drains and run-off from parking lots and roadways. Even with extensive testing and monitoring, the boaters would still not be able to alter the natural flow of water and the presence of pollutants contributed from other sources.

The proposed permit would be required of every coastal marina [including many inland marinas that are in "bays" and "estuaries"]. As drafted, it would force these marinas to spend hundreds of thousands of dollars each year to conduct expensive water quality testing and monitoring and to report that information to the State. The proposed permit would also provide the Water Board the authority to mandate "management practices" on each marina. Such mandates could include testing the bottom paint of the boats to see if they contain copper and even a mandate that slips be eliminated to reduce the amount of copper in the water.

The scope of the proposed permit is extremely broad. Although copper appears to be a driving force for the proposal, the permit is not limited to this chemical. Instead, the proposal calls for testing and monitoring for many other constituents in the water, even trash. The proposal forces a wide range of testing and monitoring and gives extremely broad authority to the Water Board to mandate changes at the marina based on the testing and monitoring - all of which the marina would be required to finance.

In the current economic recession, the proposed permit would have a significant negative financial impact. The \$200,000 cost per marina of this program will put many small marinas out of business.

The proposed permit also ignores the environmental accomplishments of the "Clean Marina Program" that is being run by the marina industry. This noteworthy program is approved by both Cal Boating [the California Department of Boating and Waterways] and the California Coastal Commission. This is the best approach to improving water quality in marinas. It is an excellent program that is working to enhance the marine environment through voluntary participation and should be seen as the venue to address the state's water quality goals for marinas.

The proposed permit fails to take advantage of the existing testing and monitoring that is taking place in marinas from local and federal regulatory agencies. Innumerable environmental studies have been conducted in most all areas involving marinas and harbors with recreational vessels. These studies, which have been conducted for a variety of governmental entities, should be referenced and reviewed to avoid duplication of effort and needless costs.

It is critical that the Water Board move forward in a manner that provides public accountability and transparency to the development and implementation of whatever new regulatory process is imposed via this proposed marina permit issue. Please ensure that the Water Board works with the boating community to pursue a fact and science-based approach that first identifies and then addresses pollution in marinas that is determined to be attributable to recreational vessels and marina operations.

Sincerely,

\_\_\_\_\_  
Name

\_\_\_\_\_  
Street

\_\_\_\_\_  
City/state/zip

c: Linda Adams, Secretary, California Environmental Protection Agency  
Members, State Water Resources Control Board