INTERAGENCY COORDINATING COMMITTEE (IACC)
JOINT MARINAS AND RECREATIONAL BOATING AND
ANTIFOULING STRATEGY (AFS) WORKGROUP

FINAL MINUTES for the October 8, 2009 Meeting

SAVE THE DATE: The next in-person meeting is scheduled for **Thursday, January 14, 2010, from 10-12** at Cal/EPA, Room 1510. Conference Call Number: 916-255-4069

Meeting Attendees: Molly Munz (State Water Resources Control Board); Nan Singhasemanon (Department of Pesticide Regulation); Tim Leathers (Clean Marinas CA Program, Marina Recreation Association); Bill Kraus (Legislative Advocate -The Apex Group), Daniel Garza (Department of Toxic Substances Control), Lina Kiaune (DPR).

Phone In: Vivian Matuk (CCC/Department of Boating and Waterways); Jack Gregg (California Coastal Commission); Leigh Taylor Johnson and Scott Parker (UC Sea Grant Extension Program); Bob Riopel (RBOC); Ray Hiemstra (Orange County CoastKeeper); Marlan Hoffman (CA Professional Divers Association); Stan Susman (Interlux); Stephanie Bauer (Port of San Diego); Chris Scianni (State Lands Commission); Jack Adrieny (San Diego Yacht Club); Kelly Moran (TDC Environmental); Brad Oliver (Shelter Island Marina and Half Moon Marina), Jack Peveler (Channel Island Harbor).

Marinas IACC Workgroup:

1. Tim Leathers (Clean Marinas CA Program, Marina Recreation Association) updated the workgroup on the Clean Marinas CA Program. He indicated that the program is in its fifth year and currently has 83 certified marinas in the state. is looking for funding to keep growing. He said that the group is reconsidering comments on the program by the Marina IACC that were submitted in 2008. At the time the CMCP did not have staffing to address the comments, but after a meeting with Lisa Sniderman and Vivian Matuk earlier this year, they are optimistic that they will have satisfactory responses to the comments. They consider the Clean Marinas California Program Manual to be a living document and are open to improvements.

Tim attended a national meeting of state clean marina programs in Corpus Christi Texas and learned that California has the only industry-run program. He also indicated that the program requires certified marinas to provide mentors to other marinas seeking certification, noting that "peer pressure is the best pressure". In response to questions, Tim noted that the program applies to freshwater as well as saltwater marinas and that the program would be willing to provide updates to the regulatory community on certification efforts.

For more information on the program go to: http://www.cleanmarinascalifornia.org.

2. Molly Munz (State Water Resources Control Board) updated the group on the California Coastal Marinas Permit that is under development by the SWRCB staff. Molly indicated that she had completed the draft Waste Discharge Requirements after considering comments from the public and that it was currently under legal review. She is working on a Factsheet explaining the basis for the permit and the draft permit is expected to be released to the public in February. Public meetings to take input on the draft permit will occur in March at various locations throughout the coastal areas of the state.

Molly answered a number of questions about the draft permit, but indicated that the details of the permit will not be available until February. She responded to a question about overlap of the draft permit with the stormwater program by saying that the Marinas permit will focus on dry weather and that dry weather will be defined in the permit. She indicated that the permit will reference the Department of Fish and Game's oil spill response program and will accept DFG-approved oil spill response plans without further review. She indicated that while monitoring may show a need for an action (e.g. implementation of BMPs) by the responsible party to protect water quality, the permit will not require specific BMPs based on the monitoring data. Per the state water code, the water boards will require a water quality outcome, but not a specific solution.

Vivian Matuk indicated that the Department of Boating and Waterways will draft a letter to the State Water Resources Control Board to continue the discussion about the scope of the draft permit based on the a meeting between the two agencies and other stakeholders held in September of this year.

Contact Molly Munz, State Water Resources Control Board (mmunz@waterboards.ca.gov) for more information.

Antifouling Strategy Workgroup

1. **Nan Singhasemanon** transitioned the forum into the Antifouling Strategy Workgroup. Nan also paused to check if additional participants had joined the meeting. Nan then gave a brief background on the study that UC Sea Grant Extension Program conducted with funding support from DPR and the Department of Boating and Waterways (DBW). The findings from this study were initially going to be presented at the previous AFS meeting; however, it had to be postponed at the last minute.

   Nan expressed hope that the results from this study and those from the Port of San Diego's alternatives to copper AFPs study would help ease the adoption of copper AFP alternatives in California.

2. **Leigh Johnson** from UC Sea Grant Extension Program presented key findings from the study, "Evaluating costs of strategies to protect water quality while controlling native and invasive fouling species on California boat hulls". She acknowledged several project staff and her co-investigator Dr. Linda Fernandez from UC Riverside. Leigh noted that project results should provide useful insights in developing strategies to reduce AFP pollution and prevent transport of AIS along the California coast.

   A project advisory committee convened in June 2007 in San Diego and provided initial input on the project. Five boating industry groups were surveyed: marinas, in-water hull cleaners, boat repair yards (boatyards), and companies that manufacture and market slip liners and boat lifts. Marinas, hull cleaners, and boatyards were sampled along the California Coast and Baja California Coast. The survey also included marinas and boatyards from the Sacramento-San Joaquin Delta. Slip liner companies were sampled from the west coast and boat lift companies were sampled nationally. One hundred six marinas, 27 hull cleaners, 33 boatyards, 17 boat lift companies, and 3 slip liner companies were surveyed. Of this sample population, 8 marinas, 5 boatyards, and 4 hull cleaners were in Mexico. The results can also be stratified by coastal regions. Note that a limited, survey pre-test was additionally

conducted on 47 boaters to assess clarity of questions about their attitudes and behavior; a full-scale survey could not be completed due to suspension for a few months of the project's budget.

Some highlights from the presentation are:

- Hull fouling is a major concern to boaters.
- Hull management is as much a transport issue as it is a marina issue.
- 80% of boats along the Baja California Coast are from the U.S.
- Copper-based AFPs are the most common coatings used along the California Coast and Baja Coast.
- An awareness of alternative coatings was positively associated with increased selection of these coatings.
- Slip liner use is more common in Northern California and the Delta than other regions in the study.
- Marinas in CA are generally modest in size with middle class clientele.
- Nearly all marinas reported that boatyards (i.e., facilities to haul boats for fouling removal and hull refinishing) were available near by.
- There are no boat repair yards in Humboldt Bay.
- In water hull cleaning was permitted at 81-88% of the marinas surveyed.
- About half the marinas in the survey allowed the use of slip liners and boat lifts on their premises.
- Copper hulls cost less (if service life is not taken into account) and were cleaned faster than other coatings.
- Coatings were cleaned most frequently in the summer.
- Cleaning times varied considerably, although, in general, powerboats took longer to clean than sailboats.
- Few hull cleaners and boatyards had experience with non-toxic hull coatings.
- Overall, labor comprised the largest share of the cost in preparing for and applying hull coatings.
- Marinas, boatyards, and hull cleaners reported that their customers were more aware of non-toxic hull coatings now compared to a year or two ago.

Leigh noted that although pre-test results of boat owners provided an insightful glimpse of behavior and attitude, due to the relatively small sample size, the results are not intended to guide policy decisions.

Nan asked whether the report could be provided to the workgroup. Leigh said that she would prefer to not have the report circulated at this time, as journal articles must be prepared and as the report includes results of the boat owner survey pre-test. The pre-test results should not be circulated due to the small and non-random nature of the sample and the fact that it was conducted to assess the clarity of the questions. Funds for an outreach program have been requested and will be used to prepare a technical report in 2010.

3. Agency Updates

DPR - Nan provided an update on DPR AFP-related activities. DPR's internal request for reevaluation is making its round through the various branches. It is on track and DPR anticipates a reevaluation notice to formally go out to the affected registrants within the next 2 months. After holding a well-attended conference call with the AFP registrants a couple of months ago, DPR began having one-on-one

meetings with individual paint companies regarding the reevaluation process and potential mitigation approaches. Some promising mitigation ideas were proposed.

Nan noted that if the reevaluation request goes through as is, then the data call-in process will only involve copper-AFP registrants. This is because existing data only support a reevaluation of AFPs that contain copper as the biocide and not others. A case could be made for potential adverse environmental effects from the biocide Irgarol 1051 as well, but to keep the process focused and on a manageable timeframe, DPR has decided to focus on copper AFP products for now.

Kelly Moran (TDC Environmental) expressed some concern that another biocide may also become an issue if management decisions are not made with the replacement scenario in mind. Nan stressed that he is well-aware of this concern as this is something that DPR has experienced with on urban-use insecticides; however, he pointed out that product replacement issues can still be considered as part of the reevaluation even though all biocides are not named in the reevaluation.

The focus of the Cu AFP reevaluation will be on mitigating the elevated concentrations of dissolved copper in marina waters. Nan believed that moving straight into exploring mitigation is appropriate in light of the concurrent development of the coastal marina permit by the State Board. Nan expects this reevaluation to be more streamlined & simplified than the current reevaluation for pyrethroid pesticides.

Nan announced that he intends to use the AFS Workgroup as the main forum to keep general stakeholders abreast of reevaluation developments. The workgroup will help DPR link developments within the reevaluation to activities outside of the process. There will also be more focused stakeholder group that will meet to help guide the reevaluation. Nan will be in contact with some of the workgroup representatives for agency/stakeholder group representation. The focused stakeholder group will help guide the reevaluation by reviewing and commenting on the reevaluation work plan and specific work products (i.e., study designs, protocols, reports).

Nan mentioned that he recently met with a researcher from Sweden regarding the development of medatomidine AFP products. The lead company is pursuing registration with the European Union, and will soon seek federal registration in the U.S. with U.S. EPA. Nan said that he believes an experimental medatomidine product is being tested in San Diego Bay right now.

Port of San Diego - The Port's study to evaluate environmentally-friendly alternatives to copper AFPs continues. It is now 7 months into the hull testing phase of the study with 10 coatings applied to 12 boats (2 duplicates). Coating performance are quite variable. Inspections and cleaning occur every three weeks (some hulls/coatings do not need to be cleaned that frequently). Cleaning protocols are being followed. A copy of the protocol can be access at http://www.portofsandiego.org/component/docman/doc_download/2094-060109finalboathullfieldsop.html.

Supplemental panel testing is also being done to continually evaluate new or reformulated coatings that have been submitted into the study. The next stakeholder workgroup is likely to take place in early 2010.

There were no additional agency updates.