

Marina Interagency Coordinating Committee (MIACC) & Anti-Fouling Strategies Workgroup (AFSWG) Meeting

Wednesday, April 26, 2017

CAL/EPA Building – 14th Floor, Room 1410

1001 “I” Street, Sacramento

9:00 AM - 11:40 AM

To attend in person: Please arrive at the CAL/EPA Building by 08:50 AM to allow time to sign in and get a badge on the first floor.

To join the meeting online

You can join by dialing one of the access numbers below:

Mobile: tel://1-877-820-7831,*,295302#

Web Meeting: <https://stateofcaswrcbweb.centurylinkccc.com/CenturylinkWeb/ChrisMonary>

Primary Access Number: 1-877-820-7831

Guest Passcode: 295302

Hosted by: State Water Resources Control Board

1. Introductions and Announcements		9:00 – 9:20am (20mins)
Speaker(s):	Michael Hanks —Nonpoint Source Program, State Water Resources Control Board	
Purpose:	- Take attendance (please be prepared to introduce yourself and your affiliation) - Announcements and updates from participants - Review past meeting minutes (April 28, 2016; No meeting in Fall 2016)	
Attachments:	Final April 2016 meeting minutes  MIACC-AFS_Agenda-Notes 04-28-2016_ Re	
ATTENDANCE: (listed in alphabetical order)	In Person: - Carlos Gutierrez, Department of Pesticide Regulation (DPR) - Emily Wang, CalRecycle - Frank Winkle, KopCoat - Jeanie Mascia, State Water Resources Control Board (SWRBC) - Mara Noel, California Department of Fish and Wildlife (CDFW) - Mike Hanks, SWRCB-NPS - Nan Singhasemanon, DPR - Rikki Erikson, California Marine Sanctuary Foundation (CMSF) - Rod Taylor, Clean Marina Program - Sandy Lea, KopCoat - Tamara Doan, California Coastal Commission (CCC)	On Phone: - Chris Brown, State Lands Commission - Chris Scianni, State Lands Commission - Colin Anderson, American Chemet - Don Campbell, International Paint - Frank Szafranski, International Paint - James (Jim) Haussener, CA Marine Affairs and Navigation Conference - Karen Holman, Port of San Diego - Kelly Tait - Lynne Eddy, Shelter Island Master Leaseholder Group (SIMLG) - Marina Rahim - Matt Peterson, FastBottoms - Peter Von Langen, Region 3 Water Quality Control Board - Sherri Oberle - Vanessa Metz, CCC - Vivian Matuk, California State Parks

		<i>Division of Boating & Waterways, & CCC</i>
Announcements:	Vivian: Aquatic Invasive Species Workshops, May 18th 2017 – Benicia Yacht Club; Fresh & Salt water Aquatic Invasive Species (CDFW, USFWS, DB&W, & Smithsonian Research Institute, etc); Also, there is a new Sewage ‘Pump-Out’ [locator] App was launched at the Richmond Boat Show (April 2017), using funding from the CA Div of Boating & Waterways, can be found at: http://dbw.parks.ca.gov/?page_id=29601 Vanessa: CCC’s Marinas & Recreational Boating Workgroup webpage revisions have been posted: https://www.coastal.ca.gov/water-quality/marina-boating/ This webpage includes archive of MIACC meeting notes, attachments & presentations (all available materials have been posted); various boater program resources, AF Paint regulations resources, and a few rec-boating Factsheets; Issued invitation for other MIACC-AFS members relevant educational materials to be submitted to be posted here for the group’s access/use. Michelle Bowman – AMEC: Port of LA w/b having celebration/events w/over 15 Marina’s in LA Harbor for National Marina Day, June 10th 2017. Nikki: There is also an MPA “Fish Alerts” App available from the National Marine Sanctuary Foundation, can be found at: http://fishalerts.wpengine.com/	
Speaker Notes:	Hanks, Michael@Waterboards Michael.Hanks@waterboards.ca.gov Doan, Tamara@Coastal tcdoan@coastal.ca.gov, <i>Note: All materials from this meeting will be posted on the on the CCC web page for the Marinas and Recreational Boating Workgroup, and found under the heading ‘Archive of Meeting Notes & Presentations’ – 2017, April.</i>	
Action Items	<i>The April 2016 meeting minutes were reviewed and finalized in 2016; If you have additional comments or have found errors - please send corrections to Tamara Doan prior to the meeting if possible, but no later than Friday May 15th. All finalized minutes are posted in MIACC Archive for future access.</i>	

2. Department of Pesticide Regulation update		9:20 – 9:35am (15mins)
Speaker(s):	Nan Singhasemanon, Carlos Gutierrez —California Department of Pesticide Regulation	
Purpose:	To update the MIACC/AFSWG of DPR's copper antifouling paint mitigation efforts and activities.	
Background:	On June 1, 2010, the Department of Pesticide Regulation (DPR) placed into reevaluation copper antifouling paint (AFP) pesticides based on dissolved copper concentrations in California marinas. Under the reevaluation, DPR required certain data including leach rate data and an under-water hull cleaning study. In October 2013, the Governor signed Assembly Bill (AB) 425 into law which required DPR to set a leach rate and make mitigation recommendations by February 1, 2014. On November 18, 2016, DPR proposed copper AFP regulations to establish a single maximum allowable leach rate for use on recreational vessels.	
Attachments:	NA	
Meeting Notes:	Nan & Carlos brought us up to date with the Copper Antifouling Paint (AFP) regulations. Nan provided background on the rulemaking; in light of AB425, DPR’s proposed regulation establishes a single maximum copper AFP leach rate of 9.5 µg/cm²/day for recreational vessel products that would go into effect on 7/1/18; currently registered products not meeting the standard w/b canceled; Inactivated products with existing stock on shelves is permitted in the marketplace for up to 2 years; Copper AFP products above this leach rate would need to be clearly labeled	

	for non-recreational vessel use or be subject to cancellation. Q&A Discussion: - Nan: DPR has communicated the proposed regulations and requirements if adopted. DPR has posted the proposed regulations on their website. DPR's Surface Water Protection Program hired an environmental scientist and outreach coordinator, Aniela Burant. Her work responsibilities will include copper AFPs and associated outreach among other things. Sandy Lee: Will DPR have appropriate materials/label language in place before December when they renew paint labels with EPAs? Nan: Yes. Regulation is expected to reduce copper loading in marinas, but if necessary, DPR will apply an 'adaptive management' approach, and potentially adjust based on future monitoring results. W/Aneila Burant/Outreach Coordinator w/b available to assist programs & harbors to structure that element in their scoresheet etc; Nan: Yes, she will become the main contact for that work. - Vivian: CDB&W offer to help w/outreach materials and education of boatyards & boat owners; suggests we tie into edu/outreach efforts from 2016. - Jeanie: Supporting efforts to remove older paints; might be able to focus on removal through their grant program: 319(h) NPS. Q: Citation for new rules? A: CCR-6190; Q: Does the maximum allowable leach rate apply to all copper AFP products? The proposed regulation for copper AFP maximum allowable leach rate is for recreational vessel products, but commercial vessel products registered above the leach must be clearly labeled for commercial vessel use only or prohibiting use on recreational vessels, - Mara: <i>General discussion about a paint recycling program...and the possibilities for recycling un-used higher Cu paints.</i> - TCD Q-to-Jeanie: <i>Idea – Is there a possibility of using grant funding to support the removal, buyback or free disposal? How could that work?</i> J: Yes, possibly support an effort to go to the paint sellers/outlets in State to buyback paints, etc; so that it was easy to comply with the program. Jeanie: Yes, interested in this type of ideas. - Nan: DPR will soon be transitioning into outreach mode. DPR is also paying attention to the Washington State Study findings relating to newer coatings and technology, and the materials/outreach efforts that will occur. Q: Does DPR liaise with Wash. State; Nan: Yes, he is that person; in context with San Diego efforts etc. - Carlos: DPR is focused on copper AFP products, but believe in a multi-prong approach that includes in under-water hull cleaning mitigation efforts. - Jim Haussener: What has happened to WQ in the water as a result of the TMDLs? Are there estimated load reductions in affected the Marinas? Nan: Regional Boards may have studies/data from required monitoring. In-water hull cleaning behavior changes could have some of the most significant impacts on marina WQ.
Speaker Notes:	Singhasemanon, Nan@CDPR Nan.Singhasemanon@cdpr.ca.gov, Senior Nan@CDPR <Nan.Singhasemanon@cdpr.ca.gov>, Environmental Scientist (Supervisory), Surface Water Protection Program, Environmental Monitoring Branch, DPR. Gutierrez, Carlos@CDPR Carlos.Gutierrez@cdpr.ca.gov, Environmental Scientist, Reevaluation, Pesticide Registration Branch, DPR. DPR continuously evaluates pesticides in order to assess if there are any actual or potential adverse impacts from the use of pesticides. Reevaluation, Environmental Monitoring, and Registration coordinate on ongoing copper AFP reevaluation, registration reviews, and proposed regulations.
Action Items	Please review the DPR efforts, regulations, and reevaluation notices for Antifouling Paint, (http://www.cdpr.ca.gov/docs/emon/surfwttr/regulatory.htm)

3. Proposed Commercial Vessel Biofouling Regulations Update		9:35 – 10:05am (30mins)
Speaker(s):	Chris Scianni —Senior Environmental Scientist, Marine Invasive Species Program, California State Lands Commission (CSLC)	
Purpose:	To review CSLC commercial vessel regulations. Chris will also present an overview of a new white paper on biofouling-related risks for introducing nonindigenous species to the US Pacific states and British Columbia (from commercial vessels, recreational vessels, fishing vessels, and mobile marine infrastructure).	
Background:	The CSLC Marine Invasive Species Program has been working with a multi-	

3. Proposed Commercial Vessel Biofouling Regulations Update	9:35 – 10:05am (30mins)
	stakeholder advisory group to develop a set of biofouling management regulations for large (mostly) commercial vessels visiting California ports. Chris will present an overview of these proposed regulations that will be up for CSLC approval on April 20, 2017.
Attachments:	 Biofouling Regs Update-Chris Scianni_  Final CC Biofouling White Paper 11Apr17.
Meeting Notes:	Chris' presentation brought us up to date with the CA State Lands Commission efforts on biofouling, the impacts, and current & new regulations (see attached PPT for details). A. New Biofouling Regulations approved by CSLC in April, now under Administrative Review, and will go into effect October 1st, 2017 (follow link below for the proposed rulemaking details). B. Introduced recent biofouling whitepaper, "Biofouling in the U.S. Pacific States and British Columbia" prepared for the Coastal Committee of the Western Regional Panel on Aquatic Nuisance Species (document attached). PPT Takeaway notes: ○ Economic impacts of over \$120B USD/annually ○ 60% of species introductions in CA are from vessel biofouling ○ Most vessels recoated every 3-5 years, but some coatings only last 3 yrs – resulting in up to 2 yrs of untreated surfaces: requires a change in the frequency of painting, or the selection of a coating that matches the vessels operational profile. ○ High-risk vessels have a residency time of 45+ days; and some sit for many months waiting to be used (e.g., Ships in Singapore); need regs to require recordkeeping to allow CSLC to know where ships have been, and what they have done re Biofouling organism controls. ○ CSLC's new Biofouling Regulations go into effect on October 1st, 2017; and w/b expect to be implemented as of first dry docking after January 1st, 2018: requiring Biofouling Management Plan & Recordkeeping logs for ships entering California ports. ○ These new California Biofouling Regulations makes California the 2nd entity to implement such regulations; after New Zealand. WP Takeaway notes: ○ WP Study looked at 4 main areas: What are the 'vectors' allowing species to travel (clearly identified ocean-going vessels as the principle 'vectors' for most biofouling organisms, or Nonindigenous species (NIS), but also recreational boats, commercial fishing vessels, and mobile marine infrastructure); Existing Authorities &/or Regulations; Current NIS Management strategies in use; Gaps in understanding all of the above; and made recommendations for moving forward. ○ Described what they do/don't understand about geographic distribution of NIS, and methods of transport; ○ Reviewed current science/understanding of species & distribution pathways, and Management Options, for both proactive/preventative & reactive/existing actions; ○ Reviewed NIS impacts/methods for recreational & commercial vessels, and other marine infrastructure. 2-Key Recommendations: ○ Develop Regional/appropriate BMPs for Recreational & Commercial vessels, and mobile marine infrastructure (dredge/drill/etc); ○ Develop Regional/appropriate & consistent in-water cleaning regulatory framework for commercial vessels, to reduce risk of introducing biofouling species. • Jeanie Q: What types of Regs does CSLC have on paints? CS: Don't/Limited to what they

3. Proposed Commercial Vessel Biofouling Regulations Update		9:35 – 10:05am (30mins)
	can require, which is more of an approach to control. Nan Q: How will CSLC et al enforce these new regs? CS: With teams of inspectors. Currently there are teams in Long Beach (covering all southern CA ports) and SF Bay (covering all Northern CA ports) enforcing the Marine Invasive Species Act (MISA); they want to add inspection duties to these teams to implement their regulations, with focus on NIS: Existing Statutory requirement to inspect ≥25% of vessels based on perceived risk of ballast water or biofouling-mediated species introductions w/in marine waters of the state.	
Speaker Notes:	Chris is the lead scientist for biofouling research and policy development within the State Lands Commission's Marine Invasive Species Program (MISP). The MISP strives to develop and implement practical and protective policies to reduce the risk of shipping-mediated introductions of nonindigenous species, and the development of biofouling management regulations is critical to this goal. Chris holds a Master's degree in Marine Science from the Moss Landing Marine Laboratories through CSU Stanislaus and is an active scientific diver and ROV pilot, using both skills to conduct biological surveys of ship hulls. Scianni, Chris@SLC <Chris.Scianni@slc.ca.gov>	
Action Items:	To review CSLC commercial vessel regulations, rulemaking documents can be viewed here: http://www.slc.ca.gov/Laws-Regs/Proposed-MISP.html	

10:05 – 10:15 BREAK (10 mins)

4. Statewide Network of California's Marine Protected Areas (MPAs)		10:15 – 11:15 (60 mins)
Speaker(s):	<i>Dr. Rikki Eriksen—Project Manager, The California Marine Sanctuary Foundation (CMSF)</i>	
Purpose:	To provide an overview of the statewide network of California's marine protected areas (MPAs). Rikki will identify ways that marine protected areas and water quality improvement actions can work together for improved ocean health, and about funding opportunities for assisting harbors and marinas to improve storm water, a statewide outreach and education campaign (with resources for ocean recreation users), and online opportunities to promote MPAs and links to invaluable information.	
Background:	Like parks protect wildlife and habitats on land, MPAs protect and restore wildlife and habitats in our ocean. The size and level of protection vary depending on the purpose of the MPA; some restrict fishing, while others allow compatible uses such as fishing and recreation to occur. By protecting entire ecosystems rather than focusing on a single species, MPAs are powerful tools for conserving and restoring ocean biodiversity, may provide benefits to cultural resources, and can help sustain local economies. In addition, MPAs contribute to healthier, more resilient ocean ecosystems that can better withstand a wide range of human impacts such as pollution and climate change.	
Attachments:	The California Marine Sanctuary Foundation (CMSF) – Marine Protected Areas program: http://www.californiamsf.org/pages/projects/mpa.html, and visit the California MPAs website for more information and resources to support marine protected areas education and outreach: www.californiampas.org  MPAs-Rikki Eriksen_MIACC-AFS_C	
Meeting Notes:	Rikki's presentation Introduced the group to the California Marine Sanctuary Foundation (CMSF) – Marine Protected Areas program efforts (see attached PPT for details): Including the background/history of Marine Parks and special areas protections in the State, through the creation of MPAs and the progress of the program. PPT Takeaway notes:	

4. Statewide Network of California's Marine Protected Areas (MPAs)		10:15 – 11:15 (60 mins)
	○ As of 2012, there is a Statewide network of 124 MPAs, encompassing 16% of California's waters; ○ Parsed out over 4 areas: Oregon to NCC; NCC to Pillar Point; Ano Nuevo to Vandenberg AFB (SB Co); and Pt Conception to Tijuana River/Mx boarder; ○ MPAs range in age from over 20 years (starting with Channel Islands/Pt. Lobos) to only a few years, and have varying levels of protection; ○ Successful due to collaboration with stakeholder groups like Commercial Fisherman & Sport fishing industry; ○ Why do MPAs matter to Marinas?: Increased boat traffic, shift in economics & demographics of users; ○ Why do Marinas matter to MPAs?: Point of entry for recreational uses (diving & boating, etc); ○ Focused on Education & Outreach – hundreds of documents available for multitude of audiences; also working with Google Earth to create virtual tours [we could link CCC's Marina's & Boating Webpage to this]; Upcoming October Recreational Boating Conference, and Marina exhibits; able to support locally relevant materials for groups; materials offered in Spanish as well. ○ MPA program receiving state funding to support these collaborative efforts, incl Prop 1, State Parks etc; also OPC grant to improve WQ in Marinas – with equipment offered such as trash skimmers, Bidge pads, pumpouts, Trash Compactors, Cigarette Butt containers and Oil Response trailers; ○ Also >18 MMAs (ASBA/NMS/NEP) from San Diego to Oregon ○ Visit: www.CaliforniaMPAs.org	
Speaker Notes:	As Director of the California Marine Protected Areas (MPAs) Program, Dr. Eriksen works with communities, businesses, NGOs, scientists, and government agencies to help implement California's Marine Life Protection Act; Accomplished by facilitating collaboration and coordination among local, state, and federal partners to increase awareness and stewardship of the statewide network of MPAs. Dr. Eriksen holds a Master's degree from Duke University, and a Ph.D. from University of Florida in coral reef ecosystems. Her field research has taken her throughout the Caribbean, the wider Indo-Pacific region and Latin America conducting field research examining the effectiveness of protected areas. With a portfolio of more than 50 publications addressing a range of topics (including water quality), her efforts help support ecosystem based management around the globe. Rikki Eriksen <rikki@californiamsf.org>	
Action Items:	In preparation for the discussion, please take a look at Prop 1 OPC funding availability and the Clean Marinas program for more information on the topics of this presentation. As well, please visit the California Marine Sanctuary Foundation (CMSF) – Marine Protected Areas program: http://www.californiamsf.org/pages/projects/mpa.html; and visit the California MPAs website for more information and resources to support marine protected areas education and outreach: www.californiampas.org	

5. MEETING WRAP-UP		11:15 – 11:40 (25 mins)
Speaker(s):	Jeanie Mascia—Nonpoint Source Program, State Water Resources Control Board & Mike Hanks—Nonpoint Source Program, State Water Resources Control Board & Tamara Doan—Coastal Nonpoint Source Program, CA Coastal Commission	
Purpose:	To provide a quick review of the purpose of the MIACC/AFWG meetings and to review follow-up actions from this meeting and to solicit ideas for future meeting topics.	
Background:	Jeanie will discuss how the importance of developing partnerships among entities responsible for addressing NPS pollution related to boating and marinas, making efficient use of state, federal and local resources to address this pollution by sharing information, avoiding duplicative efforts and identifying technical and policy gaps, and promoting improvements to marina water quality through implementation of management practices.	

Meeting Notes:	Jeanie ask group about its relevance to their work and if they wanted to keep meeting: • There was resounding support for the group's continuance; and an open discussion on the history, relevance, & future possibilities of the group; • Call for new meeting topics/focus, ideas/offers included: MDR TMDL Update; Newport Harbor TMDL Update; Washington State Alternatives Project; Scripts study on Occurrence of Polycyclic Aromatic Hydrocarbons in San Diego Harbors; NIS BMPs update/discussions; EPA HQ-Biotic Ligand model; EPA's Marina General Permit update; • Suggestions were made for meetings between 2-4 times/year; • Jeanie said she'd process this information and take it back to the St Board leadership; said she would get back to the group, and expected a 2nd meeting later this year (~September).
Action Items:	Please bring your ideas and suggestions of topics & speakers for the Fall 2017 and Spring 2018 MIACC/AFWG meetings.
FALL 2017 MEETING:	September 28, 2017, 9am-12pm: CAL/EPA Building, Sacramento – (room TBD)

~ End ~