



RBOC

Protecting your boating interests.

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SUMMER 2020

BOATER BRIEF

RBOC Update – Boating Legislation & Regulations

The State Legislature is taking action on hundreds of measures in advance of the end of the 2019-2020 legislative session on August 31.

Both the Senate and Assembly have adjusted to the pandemic with new processes to protect legislators, their staffs, and the public as the Legislature endeavors to function in a manner that provides the public with the opportunity to engage in accordance with constitutional and statutory requirements. Modifications to normal procedures include enhanced security precautions, safe distancing, remote participation, and abbreviated schedules.

Here is an update on the key policy issues in which RBOC is engaged, and their status:

Call-to-Action – Preserve Ability of Boaters to Navigate Through Proposed Kelp Beds

RBOC and the Southern California Yachting Association [SCYA] are requesting that California boaters contact the California Coastal Commission [CCC] ASAP and urge that a well-intentioned proposal to improve aquatic ecosystem structure and function for increased habitat biodiversity and ecosystem value within East San Pedro Bay be revised to protect the continued ability of boaters to

safely navigate this popular area.

All California boaters should take action - many boaters traveling up and down the coast go into Alamitos Bay. Not to mention racing boats in that area. The risk to them of getting into kelp near the entrance is great, particularly if the kelp expands.

For more, and to take action, visit: <https://www.rbo.org/call-to-action>



Threat to Boater Access – On Hold

Assembly Bill 3030 [Kalra], which would establish new land, water, and ocean protection goals, including the protection of 30 percent of the state's land areas and water by 2030, is not moving forward at this time.

RBOC and our national advocacy partner BoatU.S. support the objective of the measure to set a target for California to protect habitats and improve access to nature for all.

It is critical, however, that the measure include an explicit recognition that recreational boating and fishing are consistent with environmental conservation and that boating access will not be curtailed by the measure. As AB 3030 is currently written, this is far from clear.

RBOC thanks all who participated in the united efforts of boating, fishing and hunting groups to advocate on this measure. Our communities urged that amendments be made to AB 3030 to specifically acknowledge the extent and

impacts of existing protections of the state's waters.

RBOC and BoatU.S. previously issued calls-to-action for boaters to contact their state legislators, lobbied and testified on this measure in the State Capitol.

RBOC Urges Science in Plans Impacting Copper-Based Anti-Fouling Paints

RBOC and BoatU.S. are advocating that the State Water Resources Control Board utilize sound science and site-specific testing as the critical path forward, and to resolve key boater concerns, prior to adoption of a proposed *Nonpoint Source Program Implementation Plan*.

Key Concerns Include:

- It is critical to boaters that any decisions that restrict or prohibit the use of anti-fouling paints containing copper be predicated on clear findings that alternatives are available, effective and affordable. However, at this time, no single alternative will work, boat paint formulations are constantly changing, and non-biocidal paint safety has not been confirmed.
- Current TMDL models are ineffective as management tools, yet adaptations to those models are practically impossible to achieve. Updated science is overlooked.
- Background levels of copper confound the ability to achieve numerical standards. High background levels of dissolved copper in hydraulically connected waters make achieving the numerical limit impossible.

Boating and the boating industry represent a significant recreational resource and an important part of California's economy. Together, we have been engaged continually over many years to protect the environment as the state and regional boards have addressed impaired water bodies, have developed basin plans, and have developed new standards including anti-fouling paints for boat hulls.

RBOC Requests Boating Input into Fund Deficiency Plans

California's boating community, comprised of boaters and the boating industry, and as represented by our individual organizations, is quite concerned that the state may move forward with one or more proposals to revise the Harbors and Watercraft Revolving Fund [HWRF] in a process and with substantive provisions that could be detrimental to the state's boating community.

Earlier this year, boating stakeholders were informed that there was a deficiency in the HWRF and that significant revisions were being considered to the boating programs and services that it funds, as well as the sources or amounts of revenues paid into the fund.

In order to help us engage in the best and most robust way possible, our communities have asked several specific questions about the HWRF and other expenditures by the Division of Boating and Waterways [DBW]. While we have received some feedback, we have not received the specific information that has been requested by a number of individuals and organizations both formally in public testimony, and informally in meetings and conversations.

It is critical that this state's boating stakeholders have accurate information that is essential to our consideration of any proposed revisions. There are approximately 800,000 registered boats in California, and a vibrant \$17 billion dollar per year industry. The many forms of boating provide enjoyable, healthy

and popular recreational opportunities throughout the state.

RBOC Supporting BCDC Reform

RBOC is supporting AB 2809 [Mullin] that would enact needed procedural reforms to the operation of the San Francisco Bay Conservation and Development Commission [BCDC]. The bill, as it is moving forward:

1. Requires BCDC, by the end of the 2020-21 fiscal year, to create and implement the following:
 - A procedure to ensure managers perform a document review of staff decisions in enforcement cases.
 - Timelines for resolving enforcement cases.
 - A penalty matrix for assessing fines and civil penalties.
 - A method for assessing civil penalties in cases involving multiple violations.
2. Requires by July 1, 2025, and every five years thereafter, BCDC to review the certified local protection program for the Suisun Marsh to determine whether the program is being effectively implemented.

RBOC Opposing Delta Conveyance Project

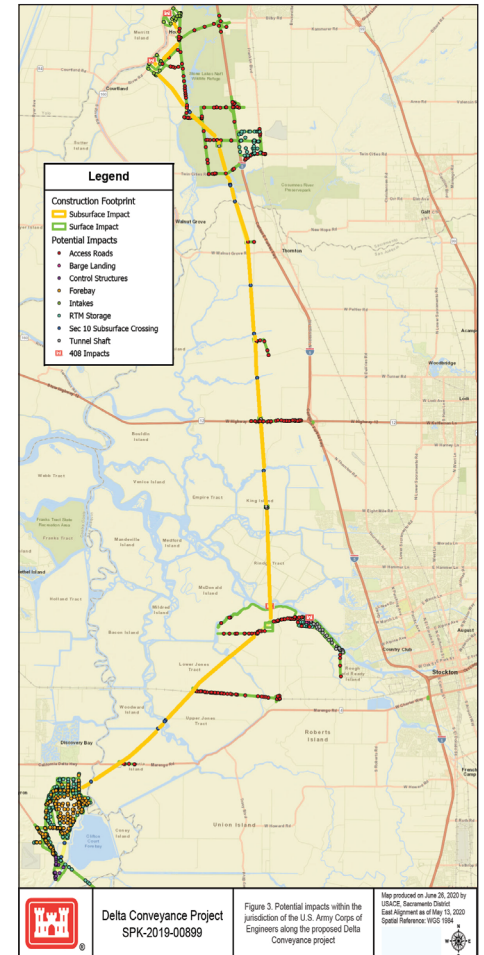
RBOC is continuing its opposition to the controversial proposal to construct a tunnel through the Sacramento – San Joaquin Delta as a single tunnel now called the Delta Conveyance Project.

Governor Gavin Newsom's administration recently released a preliminary cost estimate of \$15.9 billion for this project.

The Delta Conveyance Project, even as a single-tunnel version of the previous WaterFix project, would be a massive construction project that could seriously impact boaters' access to the Delta for years to come. Even as reconfigured, the single tunnel would significantly impair the ability of boaters to access the 1,000 miles of waterways in the Delta – espe-

cially during the 13 or more years of construction.

The proposed Delta Conveyance Project is the latest threat to boating in the Delta. The project is described as a single underground tunnel with two intakes that together have a total diversion capacity of 6,000 cubic feet-per-second (cfs). The draft notes that there will likely be alternatives identified that evaluate a range of capacities from 3,000 cfs to 7,500 cfs.



Please Contribute

Your contribution helps RBOC continue our professional advocacy and grassroots efforts that ensure we are able to continue to enjoy boating. Please contribute \$20 or more and become a Friend of RBOC.

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Please note that, due to RBOC's extensive lobbying activities, contributions to our nonprofit advocacy organization are not tax deductible.