



Dear Board Members and Senator Lieu,

I manage Marina City Marina, with over 300 boaters in Marina del Rey. The TMDL as written will have a devastating impact on our boaters and our business, and the boating community in this harbor.

We ask the State Water Resources Control Board to reject the proposed TMDL Amendment as it is written. The following points were raised by numerous parties in opposition to the proposed amendments and at the Los Angeles Regional Water Quality Control Board's February 6, 2014 meeting. The Board's responses at the meeting and in writing are inadequate, or factually incorrect.

1- Boaters and Anchorages were not properly notified.

The mailing list sent in November 2013 to "Interested Parties" regarding the proposed Amendment to revise the TMDL was a 3 year old list supplied by LA County. Many boaters never received any notice, and the notice sent had vague wording that did not give an indication of the major changes in the TMDL.

When the anchorages brought this concern up to the Regional Board, the response was that the County had provided the list. The Board could have easily reached out to the anchorages to provide a current list of boaters. They did not do this. Out of over 200 boaters at our marina at the time, less than half were on the list that received notices.

By failing to ensure that affected parties were adequately and timely notified, the Board denied stakeholders the right to be heard. This is a fundamental denial of due process and it denied boaters, anchorages and other interested parties to a fair and impartial hearing in developing the TMDL Amendment.

2- Delay Implementation of TMDLs in Salt Water

The proposed amendment should be rejected until the USEPA approves the Biotic Ligand Model for determining copper toxicity in salt water. This BLM is on the way to being adopted, and would provide accurate standards for Regional and State Water Boards to determine implementation methods needed, if any.

There was no site specific study done in Marina del Rey for this proposal. There is no comparison of this man-made harbor to any other harbor, as it is the largest of its kind in our state, and possibly the entire country. Simply taking the implementation in Shelter Island's TMDL and applying it to our harbor does not make any kind of scientific sense. Our harbor has more boats, less circulation, and is not a natural harbor.

Until paint manufacturers develop paints that have lower copper leach rates, boaters have no viable options for hull paints. The Board states that there are actually cheaper non-copper based paints available on the market. We are unable to find one example of this. The non-copper or low-copper paints available are extremely costly, and difficult to apply. They also are not intended for leisure craft that rarely leave the dock, which applies to the vast majority of the boats in Marina del Rey. Boaters also do not strip their boats in the timeframe given by the board. It is an unnecessary expense that is rarely done.

We urge the State Board to not adopt this resolution in its current form and to send it back to the RWQCB with the understanding that a collaborative process among diverse stakeholders will produce a more realistic plan for improved water quality in Marina del Rey. As the members of the Association are invested in the success of the Marina and the desire to improve our water quality, we are ready to work with the Regional Board and the County to achieve an implementation that can succeed.

Thank you for your consideration of this request.

Sincerely,

Alicia Kunz | Marina Manager

Marina City Marina

4333 Admiralty Way, Suite 10
Marina del Rey, CA 90292

www.marinaatmarinacityclub.com/

Phone 310.823.3032

Fax 310.823.6604