

Number	Name	Comment
1	Alec Charters	<p>To Whom It May Concern,</p> <p>I have read the Ordinance 2681, Ordinance Amending San Diego Unified Port District Code Section 4.14, Regulation of Inwater Hull Cleaning. Based on the evidence presented, there does not seem to be enough support that these measures will be effective at limiting the copper contamination. Further, there appears to be limited evidence that this level of copper has had an appreciably negative impact on the marine life. Below I briefly address each of these points.</p> <p>I suspect that regulation and licensing will do little to reduce the copper levels in the bay. There is a contention amongst hull-cleaning divers that infrequently cleaned hulls are not good for the longevity of the bottom paint or for the environmental exposure to the paint. Infrequent cleaning requires more aggressive scrubbing to properly reduce the bio-load on the hull. More frequent cleaning, particularly in the warmer summer months, is needed to keep the bio-load to a level where it can be removed with light cleaning. In addition, it has been reported (Resolution R9-2005-0019) that hull cleaning has very little impact on the copper concentration as a whole when compared to the amount produced by <u>passive</u> leaching of bottom paint. It would be good to have support that reducing the frequency of hull cleaning would have an appreciable impact before added cost and regulation to the boat owners and divers.</p> <p>(continued on next page)</p>

Number	Name	Comment
1	Alec Charters	<p>(continuous from previous page)</p> <p>It seems clear that copper has a toxic effect on many organisms but it is unclear what the existing concentration levels have had on marine life. The reports suggest that the concentration of copper in the bay appears to be stable and is consistent with other heavily populated marinas in California. I was not able to find any specific or recent studies that showed a conclusive and appreciable impact on the marine organism that inhabit the San Diego bay. The 2005 study seemed inconclusive and limited in its findings. The San Francisco study on marine life in the bay concluded that existing copper levels did not appreciably impact the marine organisms. This type of study should be conducted to determine the primary premise that these current levels of copper are reducing the marine organisms in the San Diego bay.</p> <p>If the science supports that copper concentrations are having a defined and appreciable negative impact on the marine life, then I am in favor of regulation that limits and controls the level of human introduced copper into the bay. My assessment of the proposed rule leads me to believe that this will not have much of an impact and will be an undue cost and burden on the boat owners and divers.</p> <p>Thank you for your time and consideration.</p> <p>Alec Charters, boat owner, biologist and concerned citizen.</p>

Number	Name	Comment
2	Alicia Gibson	<p>To Whom it may concern:</p> <p>PI have read with dismay the proposed amendment to the Ordinance for regulating in-water-hull-cleaning. The proposed changes will result in an inflexible, unworkable and costly regulation. It has clearly been drafted by people who have little or no understanding of boating or boat maintenance. I urge you to rather consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed. This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment. As boaters we support Site Specific Testing. This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic. Surely it makes for better policy to develop data on an issue before developing regulations that may not be necessary.</p> <p>Respectfully, Alicia Gibson S/v Good Feel'in Half Moon Marina</p>

Number	Name	Comment
3	Allan & Khris Hobbs	<p>I wish to say that our family absolutely opposes any proposed measures to restrict in water hull cleaning.</p> <p>Allan & Khris Hobbs Point Loma</p>

Number	Name	Comment
4	Allan T Bombard	<p>To Whom it may concern:</p> <p>It's hard to believe that someone would actually submit the proposed amendment to the Ordinance for regulating in-water-hull-cleaning. Clearly, the proposed changes will result in an inflexible, unworkable and costly regulation.</p> <p>The proposal been drafted by non-sailors who have little or no understanding of boating or boat maintenance. It makes far more sense, is a much easier to assess, the option of site-specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed.</p> <p>First and foremost, from a scientific basis, this testing should initially be conducted prior to the adoption of the draconian measures in the proposed amendment. This approach to site-specific testing has already been successfully adopted by other waterfront communities, including San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic.</p> <p>Surely it makes for better policy to develop data on an issue before developing regulations that may not be necessary.</p> <p>Thank you for your time and thoughtful consideration.</p> <p>Allan T Bombard, JN Past Commander, San Diego Sail & Power Squadron; Colonel, USAF (Ret)</p>

Number	Name	Comment
5	Andrea K. Seddig	<p>To Whom it may concern:</p> <p>I have read with dismay the proposed amendment to the Ordinance for regulating in-water-hull-cleaning. The proposed changes will result in an inflexible, unworkable and costly regulation. It has clearly been drafted by people who have little or no understanding of boating or boat maintenance. I urge you to consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed. This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment. As boaters we support Site Specific Testing. This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic. Surely it makes for better policy to develop data on an issue before developing regulations that may not be necessary.</p> <p>Andrea K. Seddig SGYC Member</p>

Number	Name	Comment
6	Andrea Lyon	<p>(12/11/2019 Email subject line from Andrew Lyon says:)</p> <p>Proposed hull cleaning rules will result in much greater fuel consumption and resulting air pollution from all boats with engines, power or sail. Perhaps renewed efforts to control pollution from vehicles on streets on which the storm drains run into t...</p>

Number	Name	Comment
7	Anne Eubanks	<p>To Whom it may concern:</p> <p>I have read with much dismay and angst the proposed amendment to the Ordinance for regulating in-water-hull-cleaning.</p> <p>The proposed changes will result in an inflexible, unworkable and costly regulation.</p> <p>It has clearly been drafted by people who have little or no understanding of boating or boat maintenance.</p> <p>I urge you to rather consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed.</p> <p>This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment.</p> <p>As boaters we support Site Specific Testing.</p> <p>This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic.</p> <p>Surely it makes for better policy to develop data on an issue before developing costly regulations that may not be necessary. The Port of San Diego should be a leader in how things are done correctly, not wrong.</p> <p>Anne Eubanks Jeanneau 44DS owner Shelter Island</p>

Number	Name	Comment
8	Baron Sams	<p>Whom it may concern:</p> <p>I have read with dismay the proposed amendment to the Ordinance for regulating in-water-hull-cleaning.</p> <p>This program does not work for me. I have been boating for over 40 years. A well maintain and clean hull leaves a smaller footprint on our ecosystem. Because it requires less abrasive action to keep a boat clean. So the bottom paint last longer.</p> <p>Surely it makes for better policy to develop data on an issue before developing regulations that may not be necessary.</p> <p>Respectfully submitted, Baron Sams Port Captain Silver Gate Yacht Club.</p>

Number	Name	Comment
9	Barry Swartz	<p>Sirs,</p> <p>Restricting the cleaning of boat hulls while in the water is a highly regressive proposition. Most San Diego boat owners are not the wealthy barons that non-boat owners perceive them to be. Forcing boats to be hauled for cleaning not only unfairly "taxes" boat owners, but is also unnecessary. Modern hull paints in combination with minimalist cleaning techniques now in place have mitigated environmental concerns. Regressive policies such as in-water hull cleaning restriction will negatively effect the local economy, for little to no benefit. Witness the folly of assessing "luxury" taxes on the sale of boats in California in the early eighties whose net affect was to put most California pleasure boat manufacturers out of business. Do not fall prey to the provenly false perception that all boat owners are rich and can absorb any additional costs that are thrown at them. We cannot.</p> <p>Barry Swartz Modest sized boat owner at SWYC</p>

Number	Name	Comment
10	Becky Costello	<p>Whom it may concern:</p> <p>I have read with dismay the proposed amendment to the Ordinance for regulating in-water-hull-cleaning. The proposed changes will result in an inflexible, unworkable and costly regulation. It has clearly been drafted by people who have little or no understanding of boating or boat maintenance. I urge you to consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed. This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment. As boaters we support Site Specific Testing. This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic. Surely it makes for better policy to develop data on an issue before developing regulations that may not be necessary.</p> <p>Thank You,</p> <p>Becky Costello</p>

Number	Name	Comment
11	Bill Gardner	<p>The new ablative paints are a joke. I have to scrub my boat every 2 1/2 weeks in summer and monthly thereafter. Harbors are not meant to mimic an aquarium. Copper is needed. Do not outlaw it. Do not outlaw cleaning</p> <p>Bill Gardner SWYC</p>

Number	Name	Comment
12	Bill Raschick	<p>(from 12/5/2019 9:23 pm email from Bill Raschick)</p> <p>Let's started with some facts .</p> <ol style="list-style-type: none"> (1) Bottom paint Leaches out most of its Anti fouling usefulness in two years. After the first two years Bottom Paint is pretty much depleted. (2) Another fact is that: After a bottom painting with a copper based bottom paint ; a plush pile carpet or a white scotch bright pad will only be capable of remove fouling for just 6-months.. After this 6-months period a white scotch bright pad or a plush pile carpet will just not get the job done. Attempting a cleaning with, only these tool, will result in the hull still to be covered with fowling growth <p>At your meeting at Bay Club on the 4th of December. You had multiple divers advising you that using a White Scotch Bright pad or a Plush Pile Carpet (only) will result in boat hull to still be covered with Fouling Sea Growth.</p> <p>Your propose ordnance of only White Scotch Bright Pads or pulse pile Capet is Flawed and Wrong The Recreational Boating Community will not be served from such an Ordinance. When Coral Growth attaches to a Sail Boats Rudder It will loses staring when Coral Growth attaches to a Power Boats Hull its speed is decreased and it's fuel consumption increases.</p> <p>(continued on next page)</p>

Number	Name	Comment
12	Bill Raschick	<p>(continued from previous page)</p> <p>(from 12/5/2019 9:23 pm email from Bill Raschick)</p> <p>Recommend The Port suit up Phil Barlow and task him with, using a white scotch bright pad , to clean a boat hull with two year old bottom paint. (and) Then get his input about how well or not how well, he was unable to remove the fouling with that White pad.</p> <p>A Memoranda submitted by Bill Raschick an Alpha One diver with years and years of hands on knowledge of cleaning boat hulls in the water</p> <p>(from “Rotary Brush Memo” word document attached to 12/5/2019 1:10 pm email from Bill Raschick)</p> <p>Memo about (The Rotary Brush) Hull Cleaning System</p> <p>The Rotary Brush <u>Is Not</u> A Mechanical Beast operated by a Lazy Diver who does not want to work hard to clean his customers Boat Hull.</p> <p>(continued on next page)</p>

Number	Name	Comment
12	Bill Raschick	<p>(continued from previous page)</p> <p>(from “Rotary Brush Memo” word document attached to 12/5/2019 1:10 pm email from Bill Raschick)</p> <p>If the Rotary Brush was destroying bottom paint; Do you really think us Divers who use The Rotary Brush would intentionally remove Bottom Paint?</p> <p>No, Bottom Paint is a Hull Cleaners friend. Wither cleaning by Hand or Rotary Brush, Divers want That Bottom Paint to last and to keep on Leaching out Copper and to keep <u>Salt Water Fouling</u> off the hulls .</p> <p>Now for what The Rotary Brush <u>is</u></p> <p>It is a tool that extends the (Useful Working Life) of Bottom Paint.</p> <p>Bottom Painting has caused our Bay to have an over load of dissolved copper</p> <p>Because The Rotary Brush extends the useful working life of Bottom Paint,</p> <p>Less Bottom Paint will need to be applied. Therefor</p> <p><i>CLEANING WITH THE ROTARY BRUSH MEANS- LESS -COPPER IS RELEASED INTO OUR BAY</i></p> <p>(continued on next page)</p>

Number	Name	Comment
12	Bill Raschick	<p>(continued from previous page)</p> <p>(from “Rotary Brush Memo” word document attached to 12/5/2019 1:10 pm email from Bill Raschick)</p> <p>Did You Know Alpha One Diving cleans more than 10 customers who have not Bottom Painted in over 5-years. That is remarkable because of after 2-years Copper Bottom Paint will have lost most of it's Copper due leaching/dissolving. With The Rotary Brush We still can get their hulls 100% free of fowling at every cleaning.</p> <p><u>Did you hear</u> As of July 2019 the only Bottom Paint that will be approve for sale will have a much lower leach rate than the Bottom Paint currently sold. What that means <u>is that</u> Divers using The Rotary Brush can better cope with the weaker Paints than Divers Cleaning Hulls with hand held scrubbers only.</p> <p>With Rotary Brushing. <i>Boaters and the Environment are better Served</i></p> <p>(text from 12/5/2019 1:10 pm email from Bill Raschick)</p> <p>Memo #3 When we were at your resent IWHC work shop at Bay Club</p> <p>(continued on next page)</p>

Number	Name	Comment
12	Bill Raschick	<p>(continued from previous page)</p> <p>(text from 12/5/2019 1:10 pm email from Bill Raschick)</p> <p>Tony Raschick an Alpha One Diver asked one of you managers {why are you, The Port, restricting the use of a Rotary Brush to clean Boats in the water}</p> <p>He was told that::that restriction came from The Department of Pesticide Regulations . I have been fallowing publications & orders from the DPR and I have not seem any order that would restrict the use of a Rotary Brush to clean biocide bottom paint. Am I Mistaken or does such an order exist? Could you please send me send me that quote or where I could look it up myself. Assuming there is no such order from the DPR I will ask the question again. What is the source of your reasoning that a Rotary Brush is harmful to biocide paint? When you open and read the attachment you will be given reasons why every diver should be cleaning with a Rotary Brush. You could say more Brushing means Less copper in the Bay</p> <p>Memo #3 from an experienced & knowledgeable hull cleaner with years and years of Hands On hull cleaning . Bill Raschick an Alpha One Diver</p> <p>(continued on next page)</p>

Number	Name	Comment
12	Bill Raschick	<p>(continued from previous page)</p> <p>(attachment from 12/9/2019 9:33 am from Bill Raschick)</p> <p>Dear Director: Please find attached That Memo stating why Divers should be using a Rotary Brush to clean Sea Fowling from Boat Hulls. It also explains why Boaters and the Environment are better served when Divers use The Rotary Brush to Clean Boat Hulls</p> <p>Sincerely William Raschick</p> <p>(12/10/2019 8:00 am email from Bill Raschick)</p> <p>Good Morning Mr. Vice President The purposed Ordinance directs that the only cleaning tools to be used to remove fouling is a White Scotch Bright Pad or a piece of a Plush Carpet. I am hull cleaning knowledgeable and have had Hands On Experience using these two tools. They will only remove the fouling (after a painting with a biocide bottom pain) for the first 6 months. Bottom paint works because it leaches out its copper and after two years bottom paint is very much depleted and these tools will not remove fouling for the full two years of the useful life if a bottom painting. They be increasingly useless after the first 6-month of a bottom painting. (continued on next page)</p>

Number	Name	Comment
12	Bill Raschick	<p>(continued from previous page)</p> <p>Relying on these two tools to remove growth for the full two years of the useful life of a bottom painting is <u>A BIG MISTAKE.</u></p> <p>The purposed ordinance also prohibits the use of a Rotary Brush on Biocide Paint <u>ALSO A BIG MISTAKE.</u> Every hull cleaner should be using a Rotary Brush. In the attachment I explain why the boating community and the environment is better served when Hull Cleaners use a Rotary Brush to clean</p> <p>A note from Bill Raschick a Alpha One Diver</p>

Number	Name	Comment
13	Bill Rocco	<p>My name is Bill Rocco: CEO Aquarius Yacht Services and former president and founding member of California Professional Divers Association (CPDA) I have several comments and concerns regarding new IWHC permit proposal. I have read the 2018 Wood and Dudek report as well as the Ken Shiff and Spa-wars reports.</p> <p>The bottom line for me is that the CPDA BMP program was working and when the SDPD created the IWHC permit it negated the effectiveness of Science proven IWHC BMP's, Further the new DPR recommendations go against common sense methods for proper hull cleaning protocols which benefit the boater and the environment, further more the notion that the mechanical brush system should be disallowed contradicts the findings of the Spa-wars study which concluded the soft bristle brush to be less abrasive than the WHITE PAD. The new IWHC recommendations will make it impossible for an experienced diver to clean the hull properly due to the extremely heavy fouling conditions in the Shelter Island Yacht Basin year round.</p> <p>Frequent hull cleaning using the least abrasive cleaning method reduces copper pollution and EXTENDS THE LIFE OF COPPER BASED ANTI-FOULING PAINT.</p> <p>(continued on next page)</p>

Number	Name	Comment
13	Bill Rocco	<p>(continued from previous page)</p> <p>If the intention of the SDPD IWHC permit is to mitigate copper loading and meet the fourth tier of the SIYB TMDL common sense tells me the only way this goal can be achieved is to reduce the number of boat hulls with copper biocide bottom paint. Underwater hull cleaning BMP's will not stop the passive leaching and the 76% copper reduction will not be achieved by 2022.</p> <p>It is also my opinion that requiring San Diego Marinas, Boat yards, Hull Cleaners and Boaters to mitigate elevated copper levels in the Shelter Island Yacht Basin is impossible when the rest of the world is using DPR approved copper biocide paint products. I think our boating community and boating industries as well as our local economy would be better served if our SDPD would take actions with the state and local waterboards to reverse the Copper TMDL reduction program.</p> <p>Sincerely and Respectfully</p> <p>Bill Rocco</p> <p>(text from 12/30/2019 2:10 pm email from Bill Rocco)</p> <p>thanks! correction our goal for voluntary certification was 75% not 95% in region 9 as I recall.</p>

Number	Name	Comment
14	Billy D Sprouse	<p>To Whom it may concern:</p> <p>I have read with dismay the proposed amendment to the Ordinance for regulating in-water-hull-cleaning. The proposed changes will result in an inflexible, unworkable and costly regulation. It has clearly been drafted by people who have little or no understanding of boating or boat maintenance. It also ignores the seasonality of required cleaning requiring more often cleaning in the summer months due to the rapid growth of organisms because of the warmer water.</p> <p>I urge you to rather consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed. This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment.</p> <p>As boaters we support Site Specific Testing. This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic. Surely it makes for better policy to develop data on an issue before developing regulations that may not be necessary.</p> <p>Regards, Billy D Sprouse</p>

Number	Name	Comment
15	Bob Couzens	<p>12-17-19</p> <p>To Whom it may concern:</p> <p>I have read with dismay the proposed amendment to the Ordinance for regulating in-water-hull-cleaning.</p> <p>The proposed changes will result in an inflexible, unworkable and costly regulation. It has clearly been drafted by people who have little or no understanding of boating or boat maintenance.</p> <p>I urge you to rather consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed.</p> <p>This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment.</p> <p>As boaters we support Site Specific Testing. This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic. Surely it makes for better policy to develop data on an issue before developing regulations that may not be necessary.</p> <hr/> <p>Bob Couzens Silver Gate Yacht Club Member: 1094</p>

Number	Name	Comment
16	Bob Michels	<p>To Whom it may concern:</p> <p>Here we go again. I have read with dismay the proposed amendment to the Ordinance for regulating in-water-hull-cleaning. The proposed changes will result in an inflexible, unworkable and costly regulation. It has clearly been drafted by people who have little or no understanding of boating or boat maintenance.</p> <p>I urge you to consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed.</p> <p>This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment. As boaters we support Site Specific Testing.</p> <p>This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic. Surely it makes for better policy to develop data on an issue before developing regulations that may not be necessary.</p> <p>Take Care! Bob Michels</p>

Number	Name	Comment
17	Brad Oliver	<p>In speaking to some of my tenants who have never painted their boat hulls, they would like the proposed hull paint decals to also reflect boats who have never been painted. Thank you.</p> <p>Brad Oliver Marina Manager – Safety Director – Lost & Found Humphreys Half Moon Bay Inn – Half Moon Marina</p>

Number	Name	Comment
18	Brent Nielsen	<p>To Whom it may concern:</p> <p>I have read with dismay the proposed amendment to the Ordinance for regulating in-water-hull-cleaning. The proposed changes will result in an inflexible, unworkable and costly regulation. It has clearly been drafted by people who have little or no understanding of boating or boat maintenance. I urge you to consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed. This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment. As boaters we support Site Specific Testing. This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic. Surely it makes for better policy to develop data on an issue before developing regulations that may not be necessary.</p> <p>Brent Nielsen S/V Zephyr Home Port - San Diego</p>

Number	Name	Comment
19	Brian Downing	<p>To Whom it may concern:</p> <p>I have read with dismay the proposed amendment to the Ordinance for regulating in-water-hull-cleaning. The proposed changes will result in an inflexible, unworkable and costly regulation that may cause permanent damage to our boat. Most boaters pay to have their boat bottoms cleaned by professional divers. We try to clean the bottom of our boat as infrequently as possible so as to not waste money, or cause prematurely wear off of our antifouling paint. So, naturally we only clean our boat when absolutely needed. Throughout the year, the cleaning frequency may need to be less than once per month depending on many different environmental conditions and the level activity of marine micro-organisms. So, to limit the cleaning to once per month by law or ordinance may have damaging effects to our vessels which may lead to financial liability for the Port of San Diego. I also fail to see how the Port could possible enforce such an ordinance without spending millions of dollars on additional staff and 24/7 inspections around San Diego Bay marinas and moorings.</p> <p>(continued on next page)</p>

Number	Name	Comment
19	Brian Downing	<p>(continued from previous page)</p> <p>Perhaps this proposed amendment has been drafted by people who may not have a detailed and thorough understanding of boating or boat maintenance. I urge you to consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed. This testing should be conducted prior to the adoption of the measures in the proposed amendment. As boaters we support Site Specific Testing. This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic. I believe this makes for better policy to develop data based on scientific research before developing regulations that may not be necessary, will cause negative financial impact on San Diego boaters, and be unenforceable by the Port of San Diego.</p> <p>Regards,</p> <p>Brian Downing Silver Gate Yacht Club</p>

Number	Name	Comment
20	Bruce King	<p>Hi Port Commissioners..</p> <p>If no regular hull cleaning goes on... Boats will have to haul out more frequently... Applying more bottom paint. Scraping and killing organisms a plenty.</p> <p>The bottom of my boat... A fiberglass 1979 pGrand Banks 42 was last Hauled out at Driscoll Mission Bay for bottom paint in 2012... That's 7 years.</p> <p>Going on 8.... And I'm not done yet using the paint still on the boat. Still good enough to go another year.. I'm told. .</p> <p>That means Less refuse and paint cans to the landfill..less air pollution from spraying paint around... Less fresh paint killing organisms.... Than annual scrape and paint.</p> <p>My diver comes once a month in winter... Twice a month in summer he cleans my bottom with a rag... He doesn't kill anything..</p> <p>You need to rethink your consideration of restricting bottom cleaning... It's better than the alternatives.</p> <p>Thanks</p> <p>Bruce King</p> <p>Life member</p> <p>Southwestern YC.</p> <p>San Diego</p>

Number	Name	Comment
21	Carlos Contreras	<p>To Whom it may concern:</p> <p>I have read with dismay the proposed amendment to the Ordinance for regulating in-water-hull-cleaning. The proposed changes will result in an inflexible, unworkable and costly regulation. It has clearly been drafted by people who have little or no understanding of boating or boat maintenance. I urge you to rather consider the option of Site-Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed. This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment. As boaters we support Site Specific Testing. This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic. Surely it makes for better policy to develop data on an issue before developing regulations that may not be necessary.</p> <p>Thank you Carlos Contreras</p>

Number	Name	Comment
22	Carol More	<p>I am strongly opposed to the proposed restrictions against in-water cleaning of hulls. The proposal would require a hall -out at a boat yard to clean a hull. This is prohibitively expensive for most boat owners. Additionally, San Diego boat yards are inadequate to meet the need of the proposed legislation.</p> <p>Better to restrict the products used to clean hulls. I think most boaters support requirements that require environmentally friendly cleaning products and would comply restrictions of this nature.</p> <p>Carol More Owner, 38 ft Powerboat San Diego County resident</p>

Number	Name	Comment
23	Charlie & Gloria Knezevich	<p>To Whom it may concern:</p> <p>I have recently read with dismay the proposed amendment to the Ordinance for regulating in-water-hull-cleaning.</p> <p>The proposed changes will result in an inflexible, unworkable and costly over-regulation. And it clearly appears to have been drafted by people who have little or no understanding of boating or boat maintenance.</p> <p>And I urge you to strongly consider the option of "Site Specific Testing" in the San Diego Bay to determine whether marine organisms that actually reside there are being harmed.</p> <p>This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment. And, as boaters we support Site Specific Testing. This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic.</p> <p>Surely it makes for better sense, and better policy implementation to develop data on an issue before developing regulations that may not be necessary?</p> <p>Charlie & Gloria Knezevich [SGYC]</p>

Number	Name	Comment
24	Carl & Patty Kaiser	<p>Ladies/Gentlemen,</p> <p>I am writing you as a boat owner and operator with our boat moored at the Kona Kai Marina in San Diego. It has come to our attention that there is a movement to regulate or ban the cleaning of boat bottoms in San Diego. Without a harbor-wide study of various specific areas, and each area's level of toxicity to marine life, it seems nonsensical to paint the entire San Diego harbor area as being dangerous to marine life. Additionally, highly regulating or outright banning hull cleaning as it is done presently negatively impacts San Diego in two different ways.</p> <p>First- hundreds of individuals and numerous businesses make a living plying the boat bottom cleaning trade. My guess would be hundreds of thousands of dollars are spent each month within the entirety of San Diego- all of that money goes directly into the local economy. Needlessly regulating, or outright banning, the hull cleaning business would put hundreds of San Diegans out of a job and numerous San Diego businesses would close. The economic impact would be significant.</p> <p>Second- a clean boat bottom is an efficient boat bottom. That translates directly into less gasoline or diesel fuel consumed by boaters, and a cleaner environment enjoyed by all San Diegans. Boat owners should be encouraged to keep their hulls as clean as possible, and applauded when they do.</p> <p>(continued on next page)</p>

Number	Name	Comment
24	Carl & Patty Kaiser	<p>(continued from previous page)</p> <p>Every day that we're on the docks of our marina we see children fishing. They catch fish daily, and even lobster when lobster is in season. There are thousands of boats in the Shelter Island area- almost all of which have their hulls dived, cleaned, and inspected on a regular basis. All of that activity has seemed to have no impact on the marine life that those children pull out all the time. Unless someone can show through a valid study that some area of San Diego has been turned into a marine waste land through the actions of boat bottom divers, my suggestion would be to leave well enough alone. San Diego's harbor areas are clean, teeming with marine life, and invite the kind of water related recreation that a great coastal city takes pride in. Boating is an enormous industry here in San Diego, and no one wants clean water to recreate in more than San Diego boaters.</p> <p>Folks- Don't fix it if it ain't broke. Thank you for listening.</p> <p>Yours, Carl & Patty Kaiser "BABE"- Kona Kai Marina</p>

Number	Name	Comment
25	Chris Kelly	<p>To Whom it may concern:</p> <p>I have read with dismay the proposed amendment to the Ordinance for regulating in-water-hull-cleaning. The proposed changes will result in an inflexible, unworkable and costly regulation. It has clearly been drafted by people who have little or no understanding of boating or boat maintenance. I urge you to consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed. This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment. As boaters we support Site Specific Testing. This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic. Surely it makes for better policy to develop data on an issue before developing regulations that may not be necessary.</p> <p>Chris Kelly</p>

Number	Name	Comment
26	Cindy Kincer	<p>To Whom it may concern:</p> <p>I have read the proposed amendment to the Ordinance for regulating in-water-hull-cleaning. The proposed changes will result in an inflexible, and costly regulation.</p> <p>Please consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed. This testing should be conducted prior to the adoption of the extreme measures in the proposed amendment. Boaters support Site Specific Testing. This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic. It makes for better policy to develop data on an issue before developing regulations that may not be necessary.</p> <p>Sincerely, Cindy Kincer</p>

Number	Name	Comment
27	CJ Floyd	<p>(from 12/13/2019 6:30 pm email from CJ Floyd)</p> <p>To Whom it may concern:</p> <p>I have read with dismay the proposed amendment to the Ordinance for regulating in-water-hull-cleaning. The proposed changes will result in an inflexible, unworkable and costly regulation. It has clearly been drafted by people who have little or no understanding of boating or boat maintenance. I urge you to consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed. This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment. As boaters we support Site Specific Testing. This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic. Surely it makes for better policy to develop data on an issue before developing regulations that may not be necessary.</p> <p>Member's name CJ Floyd</p>

Number	Name	Comment
28	Clark Hardy	<p>To San Diego Port District:</p> <p>I have read with dismay the proposed amendment to the Ordinance for regulating in-water-hull-cleaning. The proposed changes will result in an inflexible, unworkable and costly regulation. It has clearly been drafted by people who have little or no understanding of boating or boat maintenance. I urge you to rather consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed. This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment. As boaters we support Site Specific Testing. This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic. Surely it makes for better policy to develop data on an issue before developing regulations that may not be necessary.</p> <p>Clark Hardy</p>

Number	Name	Comment
29	Cleve Hardaker	<p><u>To Whom it may concern:</u></p> <p>I have read with dismay the proposed amendment to the Ordinance for regulating in-water-hull-cleaning. The proposed changes will result in an inflexible, unworkable and costly regulation. It has clearly been drafted by people who have little or no understanding of boating or boat maintenance. I urge you to rather consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed. This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment. As boaters we support Site Specific Testing. This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic. Surely it makes for better policy to develop data on an issue before developing regulations that may not be necessary.</p> <p>Cleve Hardaker Catalina 30 Sailboat Shelter Island</p>

Number	Name	Comment
30	Clint Stiles	<p>To Whom it may concern:</p> <p>I have read with dismay the proposed amendment to the Ordinance for regulating in-water-hull-cleaning. The proposed changes will result in an inflexible, unworkable and costly regulation. It has clearly been drafted by people who have little or no understanding of boating or boat maintenance. I urge you to consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed. This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment. As boaters we support Site Specific Testing. This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic. Surely it makes for better policy to develop data on an issue before developing regulations that may not be necessary.</p> <p>Clint Stiles</p>

Number	Name	Comment
31	Craig Stephens	<p>To Whom it may concern:</p> <p>I have read with dismay the proposed amendment to the Ordinance for regulating in-water-hull-cleaning. The proposed changes will result in an inflexible, unworkable and costly regulation. It has clearly been drafted by people who have little or no understanding of boating or boat maintenance. I urge you to rather consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed. This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment. As boaters we support Site Specific Testing. This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic. Surely it makes for better policy to develop data on an issue before developing regulations that may not be necessary.</p> <p>Thank you, Craig Stephens</p>

Number	Name	Comment
32	Dan Olsen	<p>I have been a active California boater for over fifty years. This proposed restriction to not allow hulls to be cleaned in the water is WRONG!!!! It would mean the END of the boating industry in California!!! Please stop this madness before it is too late!!!!!!</p> <p>Dan Olsen San Diego California boater And a California VOTER !!!!!!!!!!!!!!!!!!!!! us</p>

Number	Name	Comment
33	Dan Thompson	<p>To Whom it May Concern:</p> <p>I have read with dismay the proposed amendment to the Ordinance for regulating in-water-hullcleaning. The proposed changes will result in an inflexible, unworkable and costly regulation. It has clearly been drafted by people who have little or no understanding of boating or boat maintenance. I urge you to rather consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed. This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment. As boaters we support Site Specific Testing. This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic. Surely it makes for better policy to develop data on an issue before developing regulations that may not be necessary.</p> <p>Dan Thompson</p>

Number	Name	Comment
34	DAVID F. ENDERT, JR.	<p>12/19/2019</p> <p>To Whom it may concern:</p> <p>I have read with dismay the proposed amendment to the Ordinance for regulating in-water-hull-cleaning. The proposed changes will result in an inflexible, unworkable and costly regulation. It has clearly been drafted by people who have little or no understanding of boating or boat maintenance. I urge you to rather consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed. This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment. As boaters we support Site Specific Testing. This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic. Surely it makes for better policy to develop data on an issue before developing regulations that may not be necessary.</p> <p>DAVID F. ENDERT, JR.</p>

Number	Name	Comment
35	Dave Simmons	<p>(from 12/11/2019 1:12 pm email from Dave Simmons)</p> <p>Please read the enclosed letter. I was Port Captain when the TMDL was first proposed. We have proven again and again our present hull cleaning is not responsible for healthy water problems. I am sure the port has many more important issues and much more than that, your healthy income could be affected when boat owners lose interest because of increased costly measures that do nothing to improve our beautiful bay. I'm sure you're going to see this letter from others but please read mine-and besides it's prettier than you'll see elsewhere. Dave Simmons SGYC # 527 Slip E-20 "Artesano" 43' Hatteras</p> <p>(from "Port Proposal for Unnecessary Regulations" attachment in 12/11/2019 1:12 pm email from Dave Simmons)</p> <p>To Whom it may concern:</p> <p>I have read with dismay the proposed amendment to the Ordinance for regulating in-water-hull-cleaning. The proposed changes will result in an inflexible, unworkable and costly regulation. It has clearly been drafted by people who have little or no understanding of boating or boat maintenance.</p> <p>(continued on next page)</p>

Number	Name	Comment
35	Dave Simmons	<p>(continued from previous page)</p> <p>I urge you to rather consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed. This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment. As boaters we support Site Specific Testing. This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic. Surely it makes for better policy to develop data on an issue before developing regulations that may not be necessary.</p> <p>Dave Simmons SGYC # 527 Slip E20SGYC Hatteras 43 Doc:576781</p>

Number	Name	Comment
36	David Etonia	If we cannot clean our vessels we will be forced to break the law. Tell us or give us an alternative . Yours, David Etonia SWYC Member for 38 years.

Number	Name	Comment
37	David R. Dixon	<p>To Whom It May Concern:</p> <p>I have read with dismay the proposed amendment to the Ordinance for regulating in-water-hull-cleaning. The proposed changes will result in an inflexible, unworkable and costly regulation. It has clearly been drafted by people who have little or no understanding of boating or boat maintenance.</p> <p><u>I urge you to rather consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed. This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment.</u> As boaters we support Site Specific Testing. This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic. Surely it makes for better policy to <u>develop data on an issue before developing regulations that may not be necessary.</u></p> <p>It is my understanding that the Port of San Diego is considering making changes to the “In water hull bottom cleaning services” companies operational procedures.</p> <p>(continued on next page)</p>

Number	Name	Comment
37	David R. Dixon	<p>(continued from previous page)</p> <p>Having owned numerous watercraft, both fresh water and salt water craft since 1974, and having experienced cleaning the hull bottom myself and having utilized hull cleaning services from several different companies I am very much aware of the process and the issues surrounding same.</p> <p>It is my understanding that the UPD is proposing amendment to the Ordinance for regulating in-water-hull-cleaning wherein those changes will result in an inflexible, unworkable and costly regulation for boaters. The proposed changes are obviously written by those with little or NO boat maintenance experience. Here is what will happen:</p> <p>(continued on next page)</p>

Number	Name	Comment
37	David R. Dixon	<p>(continued from previous page)</p> <p>Currently “In water hull bottom cleaning services” utilize either manually driven or water driven BRUSHES to remove the GROWTH from the bottom paint on the boat hulls. What is removed is the <u>natural growth and organisms common to the waters in San Diego Bay.</u> <u>They are sensitive to the potential of their services removing the bottom paint</u> from the hulls as a result of either aggressive use of the brushes and/or the use of abrasives. It is expensive to have the bottom paint replaced on watercraft, and in particular those watercraft that must be ‘hailed’ by a boat yard and have said paint replaced by that yard, and as a long time owner, and SCUBA diver, I am sensitive to excessive removal of the bottom paint and the costs associated with replacing same, plus unnecessary pollution that will result from the resulting process.</p> <p>Should these in-water-hull-cleaning companies be driven out of business, the resulting process will be to physically ‘haul’ the boat out of the water, remove the growth by mechanical sanding and/or scraping by the boat owner or by persons hired by the boat owner, such as a boat yard, which will ALSO remove the bottom paint, which also contains metallic particles. This debris that would be removed, combined with the organisms also removed, will be either intentionally or incidentally find its way into the waters adjacent to where the boat was hauled.</p> <p>(continued on next page)</p>

Number	Name	Comment
37	David R. Dixon	<p>(continued from previous page)</p> <p>This removal process creates pollution to the waters that you are intending to protect!</p> <p>Again, in closing, I urge you to re-evaluate your proposal.</p> <p>Kind regards for a joyous holiday season.</p> <p>David R. Dixon President, Four-D Enterprises, Inc.</p>

Number	Name	Comment
38	David Richards	<p>To Whom it may concern:</p> <p>I have read with dismay the proposed amendment to the Ordinance for regulating in-water-hull-cleaning. The proposed changes will result in an inflexible, unworkable and costly regulation. It has clearly been drafted by people who have little or no understanding of boating or boat maintenance. I urge you to consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed. This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment. As boaters we support Site Specific Testing. This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic. Surely it makes for better policy to develop data on an issue before developing regulations that may not be necessary.</p> <p>David Richards Fandango owner</p> <p>-- David Richards San Diego, Ca 92109</p>

Number	Name	Comment
39	David Scott	<p>12/18/2019</p> <p>To Whom it may concern:</p> <p>I have read with dismay the proposed amendment to the Ordinance for regulating in-water-hull-cleaning. The proposed changes will result in an inflexible, unworkable and costly regulation. It has clearly been drafted by people who have little or no understanding of boating or boat maintenance. I urge you to rather consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed. This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment. As boaters we support Site Specific Testing. This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic. Surely it makes for better policy to develop data on an issue before developing regulations that may not be necessary.</p> <p>David Scott</p>

Number	Name	Comment
40	Dean A. West	<p>To Whom it may concern;</p> <p>Please scrap the extreme idea of banning in-water hull cleaning in any area of San Diego Bay. This is a misguided effort. Recreational boating in the State of California has a greater than \$20,000,000,000 annual economic impact to the the state's coffers, and employs tens of thousands of workers. Increasing costs and inconvenience for boaters (resident and transient) in the Port of San Diego, to effect questionable reductions in aquatic copper levels, is only going to drive the boaters elsewhere, and in all likelihood, out of California. In addition, many will choose not to clean regularly, and therefore will burn much more fuel than they normally would, due to significant decreases in efficiency as a result of the drag on the bottom from the growth. This will increase vessel exhaust emissions, as well as the associated costs of lower fuel economy, and lower operational speeds. It will also effectively eliminate sailboat racing on San Diego Bay on boats other than trailerable sailboats, so going forward, picture postcard scenes of colorful sailboats used to hype the Bay economy, are going to be farcical and dated.</p> <p>(continued on next page)</p>

Number	Name	Comment
40	Dean A. West	<p>(continued from previous page)</p> <p>Because of the SDUPD's short-sightedness in not planning for, nor encouraging the construction of significant out-of-water rack boat storage (the newly constructed, small capacity, rack at the old Kettenburg site noted), there are not close-by alternatives for the boaters who wish to have a boat without bottom paint (other than trailer boats). As is true everywhere else in the world there is saltwater, boat and ship bottoms must be cleaned and/or coated with anti marine-growth bottom paints. Therefore, boaters have to have antifouling bottom paint, and they have to get the boat bottoms cleaned.</p> <p>Transient vessels, who call on San Diego for services or just to enjoy the region, contribute huge amounts of revenue to the local economy. These vessels are operated and directed by savvy captains, professional management companies, international charter firms, brokerage firms, and knowledgeable owners. Word of this San Diego-only folly will travel the globe in nanoseconds, and the result will be the by-passing of San Diego by these transient vessels, and the boatyards, service facilities, craftsmen, marinas, brokers, suppliers and purveyors, rental car companies, hotels, restaurants, and fuel docks, among others, will immediately feel the negative result of this extreme dictate. Yet another unintended consequence of radical regulation.</p> <p>(continued on next page)</p>

Number	Name	Comment
40	Dean A. West	<p>(continued from previous page)</p> <p>Please address your efforts elsewhere, this ill-conceived action is going to have a serious negative impact on San Diego's waterfront economy. I would argue that your responsibility is to your tenants, who supply you with the revenues that fund the SDUPD coffers. These revenues enable you to afford your perks and staff, such as those now intent on making life much more costly and restrictive for these very same rent and fee paying tenants. The marine trade industry is going to fight you on this issue. It doesn't have to be this way. Please reconsider this radical regulation.</p> <p>Sincerely,</p> <p>Dean A. West San Diego yacht broker since 1980 Vice-President, California Yacht Brokers Association</p>

Number	Name	Comment
41	Dennis Jackson	<p>To Whom it may concern:</p> <p>I have read with dismay the proposed amendment to the Ordinance for regulating in-water-hull-cleaning. The proposed changes will result in an inflexible, unworkable and costly regulation. It has clearly been drafted by people who have little or no understanding of boating or boat maintenance. I urge you to rather consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed. This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment. As boaters we support Site Specific Testing. This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic. Surely it makes for better policy to develop data on an issue before developing regulations that may not be necessary.</p> <p>Member's name: Dennis Jackson</p> <p>(continued on next page)</p>

Number	Name	Comment
41	Dennis Jackson	<p>(continued from previous page)</p> <p>P.S.: While I am opposed to the amendments if this is adopted then Section 1.f.1.ii (stickers) should address the specific size, format, wording and durability of said stickers so that they will be uniform among applicators and not deteriorate/fade/fall off during a specific amount of time.</p> <p>Additionally, the requirement for applicators to maintain records of vessels painted is a duplication of requirements already in effect. Such records/information is collected annually by marinas, at least by yacht clubs in SIYB, and forwarded to the Port. Applying this requirement to public marinas (if not already required) would close the loop and provide information that is exclusive to boats within the Ports zone of interest....</p> <p>Also, the amendment does not exclude materials that the Department of Pesticide Regulation has deemed environmentally safe.</p> <p>Paradise C-30/873 Coronado, CA</p>

Number	Name	Comment
42	Derek Gauger	<p>To whom it may concern -</p> <p>I recently learned that the Port is considering limiting boat bottom cleaning to once per month. This is of great concern to myself and all of my friends who own boats in SD. During the summer months, it is imperative to maintain a bottom cleaning schedule that is more frequent due to the water temperature and the bio organism level present in SD waters which is known as one of the most aggressive towards boat bottoms in the State and perhaps anywhere in the country. Regulation to limit the frequency of bottom cleaning will likely not reduce the amount of copper contaminants in our precious waters for a number of reasons. One, most boats other than racing purpose sailboats, use hard coat bottom paints; racing sailboats typically use ablative paints but certainly not all of them. Most of the boats are not racing sailboats...all power boats and cruising / pleasure sailboats nearly exclusively use hard coat bottom paints because they last longer. However, in the summer months, if the frequency of bottom cleaning was limited to monthly, more aggressive scrubbing and scraping will need to occur to keep the bottoms free of aggressive organisms like the tube worms typical in our waters. This more aggressive cleaning will actually increase the amount of copper released into the water as simple scrubbing will not clean the bottoms and scraping will need to occur which breaks down the hard coat surface of the paint. (continued on next page)</p>

Number	Name	Comment
42	Derek Gauger	<p>(continued from previous page)</p> <p>With regards to dissolved copper content of our waters, a better approach would be to eliminate ablative paints and allow for proper cleaning schedules.</p> <p>Also, since the copper content of bottom paint is regulated in California and is much less than it used to be, my understanding is that the problem is likely a result of years past as opposed to a current problem of additional copper being leached from boat bottoms. Additionally, it's more likely that the more prevalent source of copper is from waste water discharge and storm water drainage into the Bay; I believe this is what was found many years ago in San Francisco Bay. Simple specific site testing of the waters will likely prove this point and would be a more scientific approach to resolve the issue. The SF Bay test resolved this and that was 20 years ago when the copper content in bottom paints was at a much higher content than today's CA approved bottom paints and when ablative style paints were the norm.</p> <p>Another unintended consequence of restricting bottom washing frequency will be far more frequent bottom paint replacement. This only brings more copper into the CA environment and more VOCs into the air as a result.</p> <p>Derek Gauger SD Resident and Boat Owner Kona Kai Marina</p>

Number	Name	Comment
43	Diane Burke	<p>To Whom it may concern:</p> <p>I have read with dismay the proposed amendment to the Ordinance for regulating in-water-hull-cleaning. The proposed changes will result in an inflexible, unworkable and costly regulation. It has clearly been drafted by people who have little or no understanding of boating or boat maintenance. I urge you to rather consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed. This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment. As boaters we support Site Specific Testing. This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic. Surely it makes for better policy to develop data on an issue before developing regulations that may not be necessary.</p> <p>Diane Burke Jeanneau 44DS Half Moon Marina</p>

Number	Name	Comment
44	Don Lavery	<p>Port of San Diego, I have a 30' sailboat in Shelter Island yacht basin. I clean the bottom myself before every race in the late spring, summer, and fall. In the winter, I don't race, so I clean monthly. The paint on my hull is a hard vinyl paint. I have found that the more often I clean, the less aggressive I have to scrub the paint. It's more of a wipe. I believe the proposed plan to limit cleaning to monthly will not have any effect on copper reduction, because it will require more aggressive scrubbing of the paint on the hull.</p> <p>Sincerely, Don Lavery SWYC</p>

Number	Name	Comment
45	Don Mumby	<p>To Whom it may concern:</p> <p>I have read with dismay the proposed amendment to the Ordinance for regulating in-water-hull-cleaning. The proposed changes will result in an inflexible, unworkable and costly regulation. It has clearly been drafted by people who have little or no understanding of boating or boat maintenance. I urge you to consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed. This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment. As boaters we support Site Specific Testing. This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic. Surely it makes for better policy to develop data on an issue before developing regulations that may not be necessary.</p> <p>Don Mumby Rear Commodore Silver Gate Yacht Club</p>

Number	Name	Comment
46	Doug Bintliff	<p>Hello,</p> <p>The proposed amendment to the ordinance for regulating in-water hull cleaning is inflexible, unworkable, and costly. It must have been drafted by people with little or no understanding of boating or boat maintenance.</p> <p>Site Specific Testing in San Diego to determine harm to marine organisms is a more effective and workable solution. This approach has successfully been followed in San Francisco, where copper levels were determined to be non-toxic.</p> <p>Certainly it is better policy to develop data on an issue before developing draconian measures that may not be necessary. As a lifelong boater, I support Site Specific Testing, which will protect marine organisms, rather than crippling boating in San Diego Bay.</p> <p>Thank you for your attention.</p> <p>Respectfully, Doug Bintliff</p>

Number	Name	Comment
47	Doug Tyrone	<p>Whom it may concern:</p> <p>I read with dismay the proposed amendment to the Ordinance for regulating in-water-hull-cleaning. The proposed changes will result in an inflexible, unworkable and costly regulation. The regulation has certainly been drafted by individuals who have little or no understanding of boating or boat maintenance.</p> <p>I urge you to consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being adversely affected.</p> <p>This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment. As boaters we support Site Specific Testing.</p> <p>This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic.</p> <p>Surely it makes for better policy to develop data driven results on an issue before developing regulations that may not be necessary.</p> <p>Respectfully submitted.</p>

Number	Name	Comment
48	Dr. H. P. Schmid	<p>To Whom it may concern:</p> <p>I have read with dismay the proposed amendment to the Ordinance for regulating in-water-hull-cleaning. The proposed changes will result in an inflexible, unworkable and costly regulation. It has clearly been drafted by people who have little or no understanding of boating or boat maintenance. I urge you to consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed. This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment. As boaters we support Site Specific Testing. This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic. Surely it makes for better policy to develop data on an issue before developing regulations that may not be necessary.</p> <p>H. P. Schmid Member SilverGate Yacht Club</p>

Number	Name	Comment
49	Drew Bernet	<p>To Whom it may concern:</p> <p>I am aware that you are considering an ordinance or amendment to an ordinance which is designed to regulate in-water-hull-cleaning.</p> <p>As always when a seemingly good idea is proposed, there are very often unintended consequences. The proposed ordinance will result in unworkable, costly regulation which ultimately will cause more environmental pollution than the problem you are attempting to solve.</p> <p>Ordinances written by people who have spent little/no understanding or experience of the subject matter, boating and boat maintenance in this instance are likely to create non-sensical unworkable unenforceable regulations. A workable alternative would be a method of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed. As has been proven in previous Regional Water Quality Board(RWQB) investigations (and resulting private La Playa scientific testing), broad brush dictates are quickly proven faulty when actual science is applied.</p> <p>Additionally, with currently approved boat bottom paints necessitate more frequent cleaning during warm water months. Not cleaning a dirty bottom increases the drag of the hull as it moves through the water. Thus more power is required to move the boat resulting in more fuel use and release of pollutants into the environment.</p> <p>(continued on next page)</p>

Number	Name	Comment
49	Drew Bernet	<p>(continued form previous page)</p> <p>Scientific testing should be conducted prior to the adoption of the draconian measures in the proposed ordinance. The location of the test points is extremely important. RWQB tests inexplicably favored zones near street drainage pipes. Street runoff carries high levels of brake lining copper dust. This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic. Do scientific and thorough testing BEFORE writing ordinances.</p> <p>Drew Bernet Life long boater and resident of San Diego</p>

Number	Name	Comment
50	Ed Guanill	<p>To Whom it may concern:</p> <p>I have read with dismay the proposed amendment to the Ordinance for regulating in-water-hull-cleaning. The proposed changes will result in an inflexible, unworkable and costly regulation. It has clearly been drafted by people who have little or no understanding of boating or boat maintenance. I urge you to consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed. This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment. As boaters we support Site Specific Testing. This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic. Surely it makes for better policy to develop data on an issue before developing regulations that may not be necessary.</p> <p>Please see my attached letter.</p> <p>-- Ed Guanill</p>

Number	Name	Comment
51	Edward and Mary Denaci	<p>To Whom it may concern:</p> <p>I have read with dismay the proposed amendment to the Ordinance for regulating in-water-hull-cleaning. The proposed changes will result in an inflexible, unworkable and costly regulation. It has clearly been drafted by people who have little or no understanding of boating or boat maintenance. I urge you to rather consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed. This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment. As boaters we support Site Specific Testing. This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic. Surely it makes for better policy to develop data on an issue before developing regulations that may not be necessary.</p> <p>Edward and Mary Denaci Grand Banks 36 Powerboat Shelter Island</p>

Number	Name	Comment
52	Edward Denali	<p>Statement to Port of Commission</p> <p>The “copper reduction issue” has become a copper elimination program. An examination of the data posted on the Port of San Diego websites includes the problem Shelter Island Yacht Basin and several marinas that have reported copper, but no data that is current. The Port of San Diego, by making the cleaning of ablative copper bottoms illegal has made the use of ablative copper bottoms on slow boats such as sailboats and many power boats irrational. In a short amount of time, the boat will be unusable due to hard and soft growth. The Port has made the use of hard copper bottoms a problem due to the constraint in the number of times the boat may be cleaned. Frequent cleaning of a hard copper bottom during the hot summer months reduces the need for scraping to remove well developed hard growth. Reduced cleaning intervals causes what the Port seems to want to avoid, and requires more frequent painting. Additionally, forcing a delay of 90 days after painting regardless of the water temperature will simply give the growth a head start. This delay violates the data that is on the Port’s website developed by the Port. This data suggests that newly painted boats should be untouched for <u>up to 90</u> days except where growth is noted during the cleaning of shafts and propellers. The recommendation was very flexible. Why is this draconian measure being applied to areas outside the one “hot spot”? Where is the requirement? (continued on next page)</p>

Number	Name	Comment
52	Edward Denali	<p>(continued from previous page)</p> <p>That said, why is there even a focus on Shelter Island Yacht Basin. That is a manmade basin deliberately designed to accommodate private and commercial vessels. The bottom is dredged periodically to provide the necessary depth. It is by no stretch of the imagination a nursery for fish.</p>

Number	Name	Comment
53	Ethan Cromwell	<p>Greetings Port of San Diego,</p> <p>I am Ethan Cromwell, owner of Carolina Dive Service and a diver with years of experience with "In Water Hull Cleaning". I have worked in California waters, notably in San Francisco bay and I have experience with the types of marine fouling and marine growth that exist there.</p> <p>I'm writing today to make public comment on a few areas of concern I see with the proposed regulations and I hope that my experience and opinions might lend some insight to all concerned into a few things that I think should be addressed here.</p> <p>I understand the purpose of this proposal is to protect the water-ways and ecosystems in and around the Port of San Diego from excessive copper accumulations from marine based paints as they are released during the actual hull cleaning process. I fully support the idea of protecting our environment and I agree with the premise behind these proposals, however I think there are a few relevant factors that need to be acknowledged before any effective regulations can be put in place.</p> <p>(continued on next page)</p>

Number	Name	Comment
53	Ethan Cromwell	<p>(continued from previous page)</p> <p>Firstly, marine growth can vary considerably from place to place. Limiting hull cleaning to once a month may work in some areas but may not be appropriate in others as barnacles can grow back in a matter of weeks under the right circumstances and many dive services tailor their service schedules for individual boats as needed based on growth history and the boats paint condition and individual needs.</p> <p>Secondly, It's my professional opinion that regulating divers to the use of white pads, microfiber cloth, or soft pile carpet to remove marine fouling (as seen on page 7 of the proposed BMP Standards) will not effectively address cleaning certain common types of hard-growth such as barnacles. As barnacles grow they further adhere to the boats paint and they tend to remove even more paint and potentially release more copper into the water than would be released by using plastic or metal scrapers to remove these barnacles while they are still small.</p> <p>(continued on next page)</p>

Number	Name	Comment
53	Ethan Cromwell	<p>(continued from previous page)</p> <p>I would go as far as to suggest that regularly cleaning a boat using the proper tools (which includes metal scrapers and various abrasive pads) in the hands of an experienced diver will release far less copper into the environment than if we prohibit hull cleaners from actually removing the marine fouling at an early stage in its development, which often is difficult and potentially damaging to the paint without proper scrapers. When boats are serviced regularly they can be kept fairly clean of marine growth. If boats are not serviced regularly barnacle build-up is likely. And if barnacle build-up occurs a metal scraper is one of the best tools I've found to remove them cleanly from a boat, ideally when they are still small and they can be removed with relatively little to no impact to the copper paint. They need to be removed early and often otherwise they will release more copper into the water when they are allowed to fully mature on the surface of the hull where they embed and attach themselves to the paint.</p> <p>(continued on next page)</p>

Number	Name	Comment
53	Ethan Cromwell	<p>(continued from previous page)</p> <p>In conclusion, I agree with the proposals intent to protect the environment but my experience suggests that prohibiting the use of metal/plastic scrapers, certain mechanical tools, and a complete ban on hull cleaning for ablative paints could be counter-productive as the proper tools (metal scrapers and abrasive pads) in the hands of experienced hull cleaners can actually save paint and reduce abrasion and damage to copper based paints when removing hard-growth on a boats hull.</p> <p>I hope my opinions give you something to consider in regards to these proposed regulations. We both share the same desire to protect our environment, and I hope my words lend you deeper insight into this issue.</p> <p>Sincerely,</p> <p>-Ethan Cromwell</p>

Number	Name	Comment
54	Fred Kimmel	<p>Failure to allow in water cleaning will destroy numerous businesses and jobs. Hence less taxes It will lead to paints that are incredibly toxic.</p> <p>It will result in disrespect of law and lawmakers who already viewed with contempt.</p> <p>It is an idea that has never been properly tested.</p> <p>It will discourage boating and kill more jobs and industry.</p> <p>It will lead to lawlessness as people who can dive do there own cleaning.</p> <p>It's a simple idea that will not solve a complex problem.</p> <p>It will force boaters to move boats to other states.</p> <p>I could think of many more reasons for dismissing this idea but it's so absurd it's not worth the effort.</p> <p>FRED R Kimmel Atty at law.</p> <p>Ps. Major litigation.</p>

Number	Name	Comment
55	Gail Davie	<p>To Whom it may concern:</p> <p>I have read with dismay the proposed amendment to the Ordinance for regulating in-water-hull-cleaning. The proposed changes will result in an inflexible, unworkable and costly regulation. It has clearly been drafted by people who have little or no understanding of boating or boat maintenance. I urge you to consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed. This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment. As boaters we support Site Specific Testing. This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic. Surely it makes for better policy to develop data on an issue before developing regulations that may not be necessary.</p> <p>Gail Davie</p>

Number	Name	Comment
56	Gary L. Kantor	<p>Ladies and gentlemen:</p> <p>I am strongly opposed to any restriction of in water hull cleaning in the San Diego Harbor.</p> <p>I currently have a 22' boat located at the Southwestern Yacht Club. The cost of removing it regularly for cleaning would preclude such a process, and the inability to keep it clean would be problematic and require more frequent hull painting and refinishing.</p> <p>I would encourage your precluding any such restriction for such recreational vessels.</p> <p>Gary L. kantor,M.D.</p>

Number	Name	Comment
57	Gary Luccio	<p>To Whom it may concern:</p> <p>I have read with dismay the proposed amendment to the Ordinance for regulating in-water-hull-cleaning. The proposed changes will result in an inflexible, unworkable and costly regulation. It has clearly been drafted by people who have little or no understanding of boating or boat maintenance. I urge you to rather consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed. This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment. As boaters we support Site Specific Testing. This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic. Surely it makes for better policy to develop data on an issue before developing regulations that may not be necessary.</p> <p>Gary Luccio Vessel Owner San Diego Bay</p>

Number	Name	Comment
58	Gary Morris	<p>To Whom it may concern:</p> <p>I have read with dismay the proposed amendment to the Ordinance for regulating in-water-hull-cleaning. The proposed changes will result in an inflexible, unworkable and costly regulation. It has clearly been drafted by people who have little or no understanding of boating or boat maintenance. I urge you to consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed. This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment. As boaters we support Site Specific Testing. This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic. Surely it makes for better policy to develop data on an issue before developing regulations that may not be necessary.</p> <p>Gary Morris, USCG Licensed Master SV Islero</p>

Number	Name	Comment
59	Gary T. Peterson	<p>(12/10/2019 4:13 pm email from Gary Peterson)</p> <p>To Whom it May Concern:</p> <p>Having attended the last public workshop on December 4, 2019, I cannot believe the Port is ready move forward with a vote to implement the proposed amendment to the Ordinance for regulating in-water-hull cleaning. It was apparent from reading the proposed amendment and from the discussions at the workshop that virtually none of the recommendations and suggestions from the prior public workshop were either considered or taken seriously.</p> <p>The universal reaction from all of the industry experts, marina managers, and boat owners who attended the workshop, is this rush to adopt the proposed amendment will create an enforcement nightmare and expense and probably will not solve the problem.</p> <p>The proposed changes will result in an inflexible, unworkable and costly regulation.</p> <p>It has clearly been drafted by people who have little or no understanding of boating or boat maintenance.</p> <p>I urge you to rather consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed.</p> <p>This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment.</p> <p>(continued on next page)</p>

Number	Name	Comment
59	Gary T. Peterson	<p>(continued from previous page)</p> <p>As boaters we support Site Specific Testing. This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic. Surely it makes for better policy to develop data on an issue before developing regulations that may not be necessary.</p> <p>Gary T. Peterson</p> <p>(12/16/2019 10:12 pm email from Gary Peterson)</p> <p>Thanks Kelly...just hope they'll slow down the process and review alternatives! As an very active boater and member of the Coast Guard Auxiliary, there is no one more than me who wants to improve our bay. However, the proposed changes probably won't work and alternatives need to be studied.</p> <p>We really appreciate the work of the committee and hope as a joined group we can demonstrate to the State that we are working on the issue. I would love to work with the Port on this project and ask that you let me know if there's anything I can assist you with.</p> <p>(continued on next page)</p>

Number	Name	Comment
59	Gary T. Peterson	(continued from previous page) All the best, Gary Gary T. Peterson

Number	Name	Comment
60	George Roland	<p>I am writing to voice my opposition to limiting the hull cleaning of sailboats in San Diego. Having owned, and raced multiple sailboats in San Diego, I am concerned on the impact of this proposed limitation on our sport. Most divers will confirm that frequent hull cleanings on race boat actually make the paint last longer since growth isn't allowed to attach to the hull. This allows frequent cleanings to be less aggressive on the hull paint, making it last longer. Especially in the summer months, with the warm water, limiting hull cleaning to once a month will force racing boats to redo their bottom paint more often, and it will also create an unfair advantage to programs that are able to pay to have their boat hauled out before races to have their bottom cleaned out of the water, getting around this limitation.</p> <p>I propose to exempt sailboats that can show they participate in at least 10 days of racing in San Diego per year. Most boats that race this amount or more most likely have sprayed on, harder bottom paints. This would allow the racers to still clean their hulls more frequently (especially in the warmer water months when racing is more frequent), but limit the vast majority of cruising and recreational boats to the one cleaning/month being proposed. Thank you for your time and for listening to public comments on this issue.</p> <p>George Roland Santa Cruz 37 "Minotaur" SDYC slip A-22</p>

Number	Name	Comment
61	George Woodley	<p>I have carefully read the proposed regulations regarding hull cleaning and find them to be totally unrealistic solutions. I think it would do the port well to query the hull cleaners first before establishing rules that they can not possibly comply with. Plastic scraping will do nothing to solve any problem except taking more time to do the job. Charging for unnecessary permits only enlarges the coffers of the port without achieving any purpose other than to ultimately cost the taxpayer more to have their boat cleaned. Regulating the times a boat can be cleaned each month is very restrictive. There are those who never use their boats and don't need to have them cleaned regularly (or at all.) And there are those who use them regularly and have an extra cleaning done before a long trip so they can save on fuel and consequently emissions. Do you have a plan to share "cleaning credits" between those who never clean their boats and those that clean them 2 or 3 times per month in the summer?</p> <p>And what about this "label" that you plan to put on the boat? Will it be a QRCode? It sounds like, at the moment, it is to be a piece of paper stuck to the side of the boat, like the ones you see in restaurant bathrooms that the diver writes on. Boy, what a fiasco that will turn out to be. Not to mention how it will look stuck to the side of my \$20,000 paint job.</p> <p>(continued on next page)</p>

Number	Name	Comment
61	George Woodley	<p>(continued from previous page)</p> <p>The fact is you need to reevaluate the process and proposed regulations if you are really serious about improving water quality in the bay. Educate the yards on how to apply non-copper paints and educate the divers on how to properly care for them.</p> <p>Respectfully submitted,</p> <p>George Woodley Jr. Staff Commodore Silver Gate Yacht Club</p> <p>The following are notes regarding the subject:</p> <p>The Port's new Bottom Paint & Cleaning regulations need your comments - before 12/23</p> <p>Their accelerated schedule calls for the Board to approve on Jan 9, 2020 and become effective on Feb. 8, 2020 - there is no more time.</p> <p>*****</p> <p>Well, the Port is at it again. It's time for the boat owners to stand up and be counted. I expect we all missed the final "Public Engagement" opportunity which was last held Wednesday 12/4 at the Bay Club. These rules apply to all vessels in the Port, not just Shelter Island Basin.</p> <p>(continued on next page)</p>

Number	Name	Comment
61	George Woodley	<p>(continued from previous page)</p> <p>Boaters, you still have time to comment before the 12/23 cut-off to the Port at: hullcleaning@portofsandiego.org I suggest that you compose a quick email comment that expresses your concerns. I've noted my four items below, labeled A, B, C, & D.</p> <p>-----</p> <p><u>QUICK LINKS TO PORT WEBSITE AND DOCUMENTS</u></p> <p>Here is the PowerPoint set of slides that summarize the new regulations. It's easier to read than the 'red-lined' version of the actual regulations: https://pantheonstorage.blob.core.windows.net/environment/December-2-3-4-2019-IWHC-Regulation-Draft-Red-Line-Public-Meeting-FINAL.pdf</p> <p>The following link is the red-line version of the proposed regulations for Bottom Paint and In Water Hull Cleaning (IWHC) https://pantheonstorage.blob.core.windows.net/environment/Redline-Port-of-San-Diego-Proposed-Draft-IWHC-Ordinance-Amendment.pdf</p> <p>(continued on next page)</p>

Number	Name	Comment
61	George Woodley	<p>(continued from previous page)</p> <p>Here is the general website page for this effort by the Port of San Diego: https://www.portofsandiego.org/environment/environmental-protection/copper-reduction-program</p> <p>-----</p> <p><u>MY QUICK READ OF THE REGULATION AND ITS IMPACT</u></p> <p>I've copied a segment of the relevant new rules for paint & bottom cleaning - see below. I suggest you look closely at #5, #6 & #7 -</p> <p>A. Item #5 = We can no longer use ablative bottom paint and do In-Water Hull Cleaning (IWHC), unless you keep (and clean) your boat out of the water. Ablative paint is soft and principally used on boats that may be stored out of water because hard bottom paints will oxidize and become ineffective. Ablative paints are also used on some sailing hulls because it reduces slimy buildup (but typically not used on high speed, planing boats).</p> <p>(continued on next page)</p>

Number	Name	Comment
61	George Woodley	<p>(continued from previous page)</p> <p>B. Item #6 = The non-specific description of prohibiting “mechanical means to perform IWHC” may be interpreted as banning the use of mechanical metal scrapers anywhere underwater. Elsewhere in the document they specifically mention the careful use of plastic scrapers only to be used in the removal of hard growth to avoid damaging the paint. Would this prohibit the use of metal scrapers for cleaning hard growth off metal parts that are not coated with bottom paint?</p> <p>This regulation is not clear enough. I’m certain that my last bottom paint job included painting of rudders, struts and trim tabs which didn’t last. My diver (and my own experience) demonstrates that only metal scrapers and wire brushes effectively clear hard growth on the metal parts. The new “Prop Speed” slick coatings also don’t last very long on planing boats or those much above trolling speeds.</p> <p>C. Item #7 = No copper-painted vessel can be cleaned more than once-per-month. I know that the crusty white worms need to be cleaned off 2x/month in the summer - so we’ll be paying for the service but not get the running surface cleaned - only the metal parts - unless #6 entirely prohibits the use of scrapers. I know that we also arranged special cleanings just before long trips - those are not allowed if it would violate the 1x/month restriction.</p> <p>(continued on the next page)</p>

Number	Name	Comment
61	George Woodley	<p>(continued from previous page)</p> <p>D. Earlier in the new regulations (Page 3), they also require a new sticker be placed on every hull near the VIN number (typically starboard transom area) - it needs to show the make of bottom paint, the date of application and a bunch of other 'stuff'.</p> <p>I'm sure it will be very attractive too. But, given the sticker has no specific requirements for longevity, these stickers may end up being simple paper tags that quickly age and fall off. Honestly, they should be small, permanent-type stickers that are QR or Bar Codes linked to specific a Port data website where the data is maintained.</p> <p>Finally, all these certification, training, documentation and equipment requirements on the hull cleaning process will most certainly increase the maintenance price to the recreational and commercial boating community. Fouled hulls and ineffective cleaning will certainly decrease the fuel efficiency of vessels. The impact of recreational vessel bottom paint is still debated, so the environmental value of these efforts is in question. The Port's prior effort to promote alternative paint had been reported to be ineffective for a variety of reasons. There needs to be more time to adequately address the magnitude of this proposed change to an established and long-standing maintenance of hulls.</p> <p>(continued on next page)</p>

Number	Name	Comment
61	George Woodley	<p>(continued from previous page)</p> <p><i>Excerpt from page 5 of the proposed regulations:</i></p> <p>-----</p> <p>The following prohibitions apply to IWHC, including, as indicated, specific prohibitions applicable to IWHC of any vessel having a Copper-Based Antifouling Paint or Coating:</p> <ol style="list-style-type: none"> 1. No Business Person, other than an Individual Vessel Owner, shall perform In-Water Hull Cleaning IWHC within the District's jurisdiction without first having secured an In-Water Hull Cleaning IWHC Permit from the District. 2. No Person shall perform IWHC that results in a visible paint plume or cloud. 3. No Person shall perform IWHC in a manner that causes or contributes to a condition of nuisance or water quality impairment. 4. No Person shall perform IWHC in a manner that would violate any applicable law or regulation. 5. No Person shall perform IWHC on a vessel that is painted or coated with Copper-Based Antifouling Paint or Coating identified as an Ablative Paint or Coating. 6. No Person shall use rotary or mechanical means to perform IWHC on a vessel that is painted or coated with Copper-Based Antifouling Paint or Coating. 7. No Person shall cause or allow IWHC to be performed on a vessel having a Copper-Based Antifouling Paint or Coating more than once per month per vessel. <p>(continued on next page)</p>

Number	Name	Comment
61	George Woodley	<p>(continued from previous page)</p> <p>8. No Person shall perform IWHC for the first ninety (90) days following a new application of a Copper-Based Antifouling Paint or Coating.</p> <p>9. No Person shall perform IWHC on a vessel having a Copper-Based Antifouling Paint or Coating without complying with the following Best Management Practices:</p>

Number	Name	Comment
62	Gerry Cope	<p>The environment regulates the frequency of bottom cleaning. Tube worms caused significant problems a Summer ago and delayed cleaning could inflict terrible damage to a boat.</p> <p>Don't over regulate nature</p>

Number	Name	Comment
63	Gregory F Lussky	<p>December 20, 2019 Gregory F Lussky</p> <p>“Cat Paws” Silver Gate Yacht Club 2091 Shelter Island Drive, San Diego, CA 92106</p> <p>To Whom it may concern: I have read with dismay the proposed amendment to the Ordinance for regulating in-water-hull-cleaning. The proposed changes will result in an inflexible, unworkable and costly regulation. It has clearly been drafted by people who have little or no understanding of boating or boat maintenance. I urge you to consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed. This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment. As boaters we support Site Specific Testing. This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic. Surely it makes for better policy to develop data on an issue before developing regulations that may not be necessary. Gregory F Lussky</p>

Number	Name	Comment
64	Harman Cadis	<p>To Whom it may concern:</p> <p>I have read with dismay the proposed amendment to the Ordinance for regulating in-water-hull-cleaning. The proposed changes will result in an inflexible, unworkable and costly regulation. It has clearly been drafted by people who have little or no understanding of boating or boat maintenance. I urge you to rather consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed. This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment. As boaters we support Site Specific Testing. This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic. Surely it makes for better policy to develop data on an issue before developing regulations that may not be necessary.</p> <p>Best Regards,</p> <p>Harman Cadis</p>

Number	Name	Comment
65	Harold O'Neal	<p>To Whom it may concern:</p> <p>I have read with dismay the proposed amendment to the Ordinance for regulating in-water-hull-cleaning. The proposed changes will result in an inflexible, unworkable and costly regulation. It has clearly been drafted by people who have little or no understanding of boating or boat maintenance. I urge you to consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed. This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment. As boaters we support Site Specific Testing. This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic. Surely it makes for better policy to develop data on an issue before developing regulations that may not be necessary.</p> <p>Harold O'Neal Silver Gate Yacht Club</p>

Number	Name	Comment
66	Harry and Janet Zanville	<p>We will be out-of-state when the public meetings are scheduled and this is our only opportunity to make our comments and pose questions concerning the draft IWHC ordinance.</p> <p>First, I did not see any mention in the ordinance of epoxy bottom paints. We are not technical experts but have more than 40 years experience, world-wide, with our five boats, including substantial experience with bottom paints. We understand that epoxy bottom paint with some copper content not to be an ablative paint. I cannot discern from the language of the draft ordinance whether the Port proposes to distinguish between ablative and epoxy bottom paints. They are substantially different in our experience.</p> <p>Second, your definitions seem to apply to individual boat owners: not to corporate boat owners. If I am reading your definitions correctly, it raises the question of whether the Port knows that some boats are owner by corporations, partnerships, and government entities. And, if it was intentional, can there be a legitimate basis to exclude all owners from compliance except individuals? We are in favor of uniform application of the law: isn't the Port?</p> <p>Third, there seems to be some inconsistency from section to section about whether ablative and copper based are treated equally and in some cases whether they are treated interchangeability. Does the Port believe it appropriate to clarify those inconsistencies?</p> <p>(continued on next page)</p>

Number	Name	Comment
66	Harry and Janet Zanville	<p>(continued from previous page)</p> <p>Fourth, the limit of once per month for bottom cleaning is inappropriate for racing sailboats whose bottoms are entirely or mostly epoxy based paint with some copper content. Such cleaning is more like a polish process and does not produce the kind of 'clouds' in the water of bottom paint the Port may find unacceptable. The minimum contribution to copper in the water from such minimal cleaning is likely neither has been measured or competently statistically calculated. Perhaps the Port is unaware of the economic impact of the racing community on the local port economy of San Diego.</p> <p>Fifth, we are not involved in the management of our yacht club or any marina. But it seems to us, as experienced business managers, that the burden being proposed on yacht clubs is unreasonable. The Port proposes that each yacht club is to report violations within one business day. Yet yacht club has, like any business, is a collective knowledge: what any one person might 'know', is legally presumed to be known by the entire organization. That is not the real world. It is simple to imagine a boat bottom being cleaned late in an afternoon, noticed by someone low in the organization's org-chart, not reported until a few days later depending on schedule, weather, etc., and not seen by a manager for a few more days depending on their schedules and other vicissitudes.</p> <p>(continued on next page)</p>

Number	Name	Comment
66	Harry and Janet Zanville	<p>(continued from previous page)</p> <p>Sixth, there is a huge variation of knowledge and English-language literacy in the population of bottom bottom cleaners. And holding yacht clubs responsible for perfect communication of definition of tasks, execution of those tasks, monitoring of those tasks, and reporting functions — much less in one business day — is far too much to expect. Perhaps the Port could, with some introspection, ask itself whether it could be held to the same standards. In my experience, the Port would not pass that test. (i.e., the Port response to cruise ship excessive smoke emission usually is met with either indifference or delayed response).</p> <p>Please know that we applaud all reasonable efforts to improve the quality of our water, air, and land. We hope that the Port will approach this with our comments in mind. Feel free to email us to discuss if you'd like.</p> <p>Harry and Janet Zanville S/V Finesse</p>

Number	Name	Comment
67	Ian Storer	<p>To whom it concerns...</p> <p>I am a professional yacht captain, and also a professional sailboat racer. My takes... Fo the cruising boats that I look after I recommend that the hulls be cleaned every 6-8 weeks, so the paint lasts longer, and the loss in sailing performance is barely noticeable, unless you are lined up with a boat with a freshly cleaned bottom.</p> <p>For racing sailboats, where 1/10th of a knot loss in boat speed is just not acceptable then we clean the hull no later than the day before racing, and usually twice a month. As racing boats generally use thinner coats of bottom paint (weight) and are smoother harder paints, there is not much paint lost to the water.</p> <p>98% of the private vessels in San Diego bay never race !</p> <p>(continued on next page)</p>

Number	Name	Comment
67	Ian Storer	<p>(continued from previous page)</p> <p>As nearly all brake pads on cars have copper as a major ingredient, even ceramic and 'organic', and the brake pads work by friction, eroding the pads as dust which is lost to the surrounding environment, which is flushed into the local coastal waters at every rainfall, this is the largest source of copper in our local waters. If the storm water run off was caught and processed the way that the boatyards have to do, then there is no point in stopping yachts from hull cleaning. Obviously the Port Authority has no inclination to treat all the runoff. Cost would be (\$100Millions !??!) so before limiting the infinitesimal gains in water copper content from hull cleaning, they should chase the San Diego City streets department to clean up that act.</p> <p>Also, the US Navy still uses TBT antifouling paint, long since banned for private use. The tin in these paints is many times more toxic than the modern copper paints, and with the dozens of Navy ships in San Diego bay, not to mention the Navy's cleaning and painting operations carried out within the harbor, it looks as if the SDPA is chasing the low hanging fruit here, instead of going after the major sources of the water contaminants...</p> <p>(continued on next page)</p>

Number	Name	Comment
67	Ian Storer	<p>(continued from previous page)</p> <p>Please let me know if my thoughts on this matter carry any weight. A response to the decisions at your up coming meeting would be appreciated. If you send me the details of when tis meeting will take place, I will attend to hear for myself.</p> <p>Thanks for reading my views on this. Sincerely, Ian H. Storer.</p> <p>-- Ian Storer</p>

Number	Name	Comment
68	Ivan Batanov	<p>To Whom it may concern:</p> <p>I have read with dismay the proposed amendment to the Ordinance for regulating in-water-hull-cleaning. The proposed changes will result in an inflexible, unworkable and costly regulation. It has clearly been drafted by people who have little or no understanding of boating or boat maintenance. I urge you to rather consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed. This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment. As boaters, we support Site Specific Testing. This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic. Surely it makes for better policy to develop data on an issue before developing regulations that may not be necessary.</p> <p>--</p> <p>Ivan Batanov, MS, MBA PHRF San Diego Fleet Chair</p>

Number	Name	Comment
69	J. Vassos	<p>Further, if boaters don't clean their hulls regularly then there would be additional drag from the marine growth causing eventual damage to their hulls and inefficiencies when motoring about resulting in an increase in fuel consumption.</p> <p>Next, consider the financial impact for the hull cleaning services which would be driven out of business as a result of this foolish ordinance.</p> <p>Additionally, boaters would be forced to have their boat hauled out much more frequently driving up their costs and irritation since the local boat yards cannot accommodate the enormous influx of boaters trying to get their boats in the boat yard for more frequent cleaning. It's bad enough already trying to schedule a haul out.</p> <p>The only upside would be for boat yards who would naturally see their business volume and consequently income increase on the backs of recreational boaters. I suppose this would be a plus for politicians who would likely gain favor and contributions from that sector.</p> <p>In closing, this proposed ordinance is poorly considered, short sighted and inconsiderate of the boating public and business which would be negatively affected.</p> <p>I strongly advise that consideration of this ordinance be abandoned in its totality.</p> <p>Regards, J. Vassos</p>

Number	Name	Comment
70	J.A. Butterfield	<p>12/11/2019</p> <p>To Whom it may concern:</p> <p>I have read with dismay the proposed amendment to the Ordinance for regulating in-water-hull-cleaning. The proposed changes will result in an inflexible, unworkable and costly regulation. It has clearly been drafted by people who have little or no understanding of boating or boat maintenance. I urge you to rather consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed. This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment. As boaters we support Site Specific Testing. This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic. Surely it makes for better policy to develop data on an issue before developing regulations that may not be necessary.</p> <p>J.A. Butterfield SGYC</p>

Number	Name	Comment
71	Jackie & Jack Armstrong	<p>To Whom it may Concern:</p> <p>The proposed amendment to the ordinance for regulating hull cleaning is a crippling move. It is obvious that it was drafted by people who do not have a complete understanding of boat maintenance. It is a niche service and understandable that there is little knowledge, but all the more reason to seek consultants before imposing a draconian regulation. An alternate approach would be to use Site Specific Testing, as was done in San Francisco. As written, this amendment would make it impossible to continue our business and impossible for the boat owners to have their vessels maintained- perhaps resulting in far fewer clients in the marinas and definitely less services providers- if any. We care deeply about the wildlife and water quality. This is not the answer to a problem we are not even sure we have. Please deny this amendment and implement the Site Specific Testing. Depending on the results, rewrite the amendment as appropriate.</p> <p>Sincerely, Jackie & Jack Armstrong owners of Jack's in the Harbor <i>~cleaning hulls for over 15 years~</i></p>

Number	Name	Comment
72	Jacques Naviaux	<p>Dear Port Authority,</p> <p>Please do not restrict hull cleaning in San Diego Bay. Doing so will likely create more environmental issues from more frequent applications of bottom paint to the energy used for haul outs. Thank you for listening to our concerns.</p> <p>Respectfully submitted,</p> <p>Jacques Naviaux Member of Southwestern Yacht Club</p>

Number	Name	Comment
73	James Bailey	<p>I have read the proposed amendment to the Ordinance for regulating in-water-hull-cleaning. The proposed changes will result in an inflexible, unworkable and costly regulation. It has clearly been drafted by people who have little or no understanding of boating or boat maintenance.</p> <p>I urge you to rather consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed.</p> <p>I may have been misinformed, but from what I understand only 3 of over 500 water tests came back with elevated copper levels. This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment.</p> <p>As boaters we support Site Specific Testing and environmental safety, but feel this decision is irrationally unsupported by the tests that have been conducted.</p> <p>Site specific testing has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic.</p> <p>Surely it makes for better policy to develop data on an issue before developing regulations that may not be necessary.</p> <p>James Bailey</p>

Number	Name	Comment
74	James Schmidt	This proposed law is totally lacking common sense. Hull cleaning should be done on regular basis. Boats over 30ft. would require lifting the boat at a yacht yard which is expensive and time consuming. It would shrink and change yachting in San Diego.for ever. James Schmidt

Number	Name	Comment
75	Janet Jacobs	<p>To whom it may concern,</p> <p>In the water hull cleaning is the only practical way to keep recreational boats in a safe condition. Each time the hull is cleaned growth is removed which if left unchecked can foul equipment and over time degrade the paint on the hull.</p> <p>The divers who perform this service check all of the through hull fittings to make certain they are sound. They also check the zincs which are necessary to keep metal fittings from disintegrating due to salt water erosion. If this regular service is not performed, it can lead to a boat taking on water through one of the many through hull holes should a fitting fail.</p> <p>I have been boating for decades and have always had my boats maintained by a qualified hull cleaning service. Numerous times they have alerted me to zincs needing replacement, hull paint at the end of its life, or a metal fitting needing replacement. Keeping the hull free from marine growth optimizes my boat's performance in the water and regular maintenance keeps it in a safe condition.</p> <p>Please do not impose impractical regulations banning in the water hull cleaning.</p> <p>Best regards,</p> <p>Janet Jacobs Member Southwestern Yacht Club</p>

Number	Name	Comment
76	Jason Ellis	<p>Dear Sir/Madam,</p> <p>I have reviewed the proposed amendment and unfortunately it causes concern for me keeping a vessel in San Diego Bay, which we have done for several decades. My family and I are staunch supporters of the environment, but we believe that scientific testing as detailed in Site Specific Testing Procedures is the correct way to ensure if there is impact to marine life; not a carte blanche ordinance which will make it nearly impossible to keep the maintenance of a vessel in San Diego.</p> <p>I am not sure how many private vessels reside in San Diego Bay, but looking at the number of marinas and yacht clubs, and then looking at the industry that supports boat/yacht maintenance throughout San Diego County, it is a significant part of our local economy. Instituting regulation that is beyond what is needed, and I recall the once short-lived extra boaters tax, it doesn't just harm boat owners, it impacts the lives of honest hard-working workers that are both in the water diving as well as on the shore performing maintenance, and so many in between including store keepers. Further, there are so many exclusions including those for commercial and military vessels – why is that?</p> <p>Please balance your approach to marine safety with Site Specific testing, and not this one size fits all approach as outlined in the amendment. We definitely appreciate your objective, but it has gone off course.</p> <p>Thank you, Jason Ellis Boat Owner Shelter Island Yacht Basin</p>

Number	Name	Comment
77	Julie and Brook Frank	<p>To Whom it may concern:</p> <p>I have read with dismay the proposed amendment to the Ordinance for regulating in-water-hull-cleaning. The proposed changes will result in an inflexible, unworkable and costly regulation. It has clearly been drafted by people who have little or no understanding of boating or boat maintenance. I urge you to consider the option of Site-Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed. This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment. As boaters we support Site Specific Testing. This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic. Surely it makes for better policy to develop data on an issue before developing regulations that may not be necessary.</p> <p>Sincerely, Julie and Brook Frank Silver Gate Yacht Club Members Harbor Sailboat Members</p>

Number	Name	Comment
78	Jason Soule	<p>My name is Jason Soule, dive supervisor for Aquarius Yacht Services. I am qualified and certified, in the industry for 8 years cleaning hulls and doing underwater mechanics, teaching and training, and performing quality control. I am writing to comment on the public hearings this Dec.</p> <p>A realistic approach to bottom cleaning can look like this: 0-75 Days- Metal parts only-High spike in copper release Next 16 months- White pad-Copper release levels out Next 16 months- Blue Pad-Copper release declines Next 16 months- Brown pad-Copper declines and paint dies This is proven to work effectively on a 15x/year schedule</p> <p>First I would like to address the fact that the subject of copper depletion has not been talked about. As Bottom paint ages with time the active chemicals leach out... so over time the copper output is less, therefore creating an environment more susceptible to growth. In other words the older the paint, the less copper, the more hard growth. More hard growth requires either more frequent cleanings or more aggressive measures.</p> <p>Next... Cleaning once per month.</p> <p>The growth cycle for most of the hard growth that we see (the white worms and the red coral) is such that in the winter 4 weeks is good timing. It allows us to easily remove these growths before they become fixed into the surface, damaging them with scarification and impregnation.</p> <p>(continued on next page)</p>

Number	Name	Comment
78	Jason Soule	<p>(continued from previous page)</p> <p>In the summer months (May-Oct.) because of the rising water temperatures this growth rate accelerates exponentially, forcing us to speed up our schedule to every 3 weeks. This only works out to 3 more cleans per year but it allows hull cleaners to remain gentle, keeping the paint on the boats. A diver should be able to give a properly maintained boat a nice gentle wipe to remove any growth. You don't want a diver to have to aggressively scrub the paint because hard growth has attached.</p> <p>Now about the point source... The best way to effectively lower the TMDL to an acceptable level is to quit allowing so much copper into the water. The copper is there from the paint. Lower the copper level in the paint, the copper levels in the bay go down. If you all lower the levels of copper in the paint, then we , as hullcleaners, will adjust our business accordingly. We do our best to provide a great service for our clients while being as gentle on the environment as possible. We don't have any control over what product our clients cover their hulls with, we just clean them the best we can.</p> <p>I think its important that you understand, the longer we can keep a clients paint rated good, the easier our job is. It truly is in our best interest to keep the paint on the boat in good working order and the way to do that is through proper maintenance in a timely fashion.</p>

Number	Name	Comment
79	Jeb Gray	<p>To Whom It May Concern:</p> <p>I am aware of the proposed restriction for the cleaning of copper bottom boats that is being considered. I ask that you consider tabling this initiative until such time as more information and research into the issue can be accomplished.</p> <p>I am both an avid sailor and a concerned environmentalist. While I most assuredly would like to maintain our beautiful harbor and not impact our sea life, it appears that this restriction may not accomplish this goal while other—less intrusive methods—would.</p> <p>For example, training divers could make a far greater impact on the copper levels than this restriction and this did not appear to be considered.</p> <p>Additionally, while it is alarming that copper levels increased for the first time in a dozen years, it appears that this increase was not specific to any particular yacht basin but rather the levels are unusually increased this year within the Bay as a whole. It may be that other environmental factors have created an unusual occurrence this year, just as we saw unusually warm waters off our coast 18 months ago.</p> <p>Thank you for considering my comments and hopefully agreeing to look into this issue from more than a single perspective. There may be a diverse number of ways to reduce copper levels in our waters that will be more effective than this restriction.</p> <p>Sincerely, Jeb Gray Director Southwestern Yacht Club</p>

Number	Name	Comment
80	Jeff Bates	<p>Sirs,</p> <p>I don't support the proposed amendment to the Ordinance for regulating in-water-hull-cleaning. It would literally make owning my small boat no longer possible; the boat stays in the water 24/7 and so the hull must be cleaned in the water. Instead, why not consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed? As a boater, I would support the Site Specific testing. They did this in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic.</p> <p>Surely it makes for better policy to develop data on an issue before developing regulations that may not be necessary and that cause drastic consequences for small boat owners, like myself.</p> <p>Thank you for your consideration, Jeff Bates Southwestern Yacht Club Member</p>

Number	Name	Comment
81	Jeff Hamann	Rumor has it that you are planning to restrict in water hull cleaning. Are you crazy? I have my boat cleaned once a month. The cost of pulling the boat out of the water would be astronomical. Please be reasonable. Jeff Hamann/Pelagic Duet

Number	Name	Comment
82	Jeff Herriman	<p>Please communicate my rejection of this action to restrict hull cleaning. New paints, surface preparations and barrier coats. Have contributed to removing contaminating the environment.</p> <p>Marine growth on boat hulls is normal as is removing the growth and composting naturally as it has and always occur in nature. Boaters have taken amazing steps to maintain healthy practices.</p> <p>This type of legislation restricting hull maintenance is ludicrous. Please restrict political grandstanding where it is not needed.</p> <p>Jeff Herriman</p>

Number	Name	Comment
83	Jerry M. Lewis	<p>To whom it may concern,</p> <p>The proposed changes to once a month limit for cleaning boats with copper-based antifouling paints is unacceptable, inflexible and will be costly.</p> <p>I moved to the San Diego area from the San Francisco Bay Area in early 2017 and know that the Bay Area performs Site Specific Testing. It is suspected that the copper levels there are similar to San Diego waters, completely non-toxic.</p> <p>I keep my Catalina 27 boat Kudzu 2 in a slip at Southwestern Yacht Club and race in the Cortez Racing Association and other area races all year long on San Diego Bay and offshore. I have the bottom cleaned twice a month during the summer racing season because a clean bottom is fast!</p> <p>Please do the due diligence and gather data by Site Specific Testing before developing regulations that will result in unnecessary costs!</p> <p>Do the right thing – site test first before implementing any easy-way-out regulations.</p> <p>Best regards, Jerry M. Lewis</p>

Number	Name	Comment
84	Jim Bailey	<p>I have read the proposed amendment to the Ordinance for regulating in-water-hull-cleaning. The proposed changes will result in an inflexible, unworkable and costly regulation. It has clearly been drafted by people who have little or no understanding of boating or boat maintenance.</p> <p>I urge you to rather consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed.</p> <p>I may have been misinformed, but from what I understand only 3 of over 500 water tests came back with elevated copper levels. This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment.</p> <p>As boaters we support Site Specific Testing and environmental safety, but feel this decision is irrationally unsupported by the tests that have been conducted.</p> <p>Site specific testing has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic.</p> <p>Surely it makes for better policy to develop data on an issue before developing regulations that may not be necessary.</p> <p>Jim Bailey</p>

Number	Name	Comment
85	Jodi & Kirby Watson	<p>To Whom it may concern:</p> <p>We have read the proposed amendment to the Ordinance for regulating in-water-hull-cleaning. The proposed changes will result in inflexible, unworkable and costly regulation. There seems to have been little or no understanding of boating or boat maintenance when this new ordinance was written. For example, if this ordinance passes, we would have to lift our boat out of the water every few weeks - for a 50' foot sailboat, weighing 17 tons, that is not a realistic or workable solution - it would cost us thousands of dollars a year.</p> <p>We strongly urge you to consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed. This testing should be conducted prior to the adoption of these measures in the proposed amendment.</p> <p>As boaters, we support Site Specific Testing. This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic.</p> <p>Thank you for approaching this with common sense and science before passing legislation that may be unnecessary.</p> <p>Jodi & Kirby Watson Members of Silver Gate Yacht Club & responsible liveaboard sailboat owners</p>

Number	Name	Comment
86	Joe Cibit	<p>December 23,2019</p> <p>To Whom it may concern:</p> <p>I have read with dismay the proposed amendment to the Ordinance for regulating in-water-hull-cleaning. The proposed changes will result in an inflexible, unworkable and costly regulation. It has clearly been drafted by people who have little or no understanding of boating or boat maintenance. I urge you to consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed. This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment. As boaters we support Site Specific Testing. This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic. Surely it makes for better policy to develop data on an issue before developing regulations that may not be necessary.</p> <p>Joe Cibit, Member Silver Gate Yacht Club</p>

Number	Name	Comment
87	Joel C. Henscheid	<p>To Whom it may concern:</p> <p>I have read the proposed amendment to the Ordinance for regulating in-water-hull-cleaning and am very concerned by it. It directly affects me as a boat owner of a boat that currently receives in-water hull cleaning. The proposed changes will result in an inflexible, unworkable and costly regulation. It has clearly been drafted by people who have little or no understanding of boating, or boat maintenance; especially hull cleaning.</p> <p>I urge you to instead consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed. This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment.</p> <p>As boaters we support Site Specific Testing because it makes sense and is a workable solution. This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic.</p> <p>Surely it makes for better policy to develop data on an issue before developing regulations that may not be necessary.</p> <p>Thank you, Joel C. Henscheid San Diego CA.</p>

Number	Name	Comment
88	John Houts	<p>To whom it may concern:</p> <p>I have owned various boats in San Diego harbor for nearly 40 years. All have required in water hull cleaning. I have reviewed the proposed changes for cleaning painted boat bottoms. I have been to your web site. It is immediately apparent that a great deal of time and money has been spent. This is simply ridiculous. The following economic constraints, among others, take care of any issues without further regulations:</p> <p>Boat yards will only apply approved paints.</p> <p>Boat divers will only clean in a way that is safe and economically feasible. No new regulation is required. Boat owners will not tolerate divers who destroy their expensive bottom paint with improper cleaning. All boat owners want their bottom paint to last and do the job of preventing growth. Restricting IWHC is not necessary. IWHC is self restricted. All divers perform the absolute minimum cleaning to protect the paint an indeed all surfaces beneath the boat, metal or otherwise.</p> <p>Boat owners will pay divers for IWHC so that their boats can leave the slip/mooring and move without the drag of growth. Boat owners have IWHC performed so that they can use their boats and protect their investment. If the boat owner is not using the boat for more than a wine bar, the owner will not clean the bottom and the boat will eventually grow to the bottom and not move, no harm no foul.</p> <p>(continued on next page)</p>

Number	Name	Comment
88	John Houts	<p>(continued from previous page)</p> <p>The entire issue needs no further regulation. The Port should not waste money and resources. The individuals who drafted this nonsense are the usual government self sustaining bureaucrats who add nothing of value to our lives in San Diego.</p> <p>John Houts</p>

Number	Name	Comment
89	John Pinto	<p>Dear Port of San Diego,</p> <p>As a 43-year San Diego boater, a veteran of two transpac sails from San Diego to Hawaii, a long-time member of Southwestern Yacht Club, a former biologist at The Salk Institute and a senior citizen living on a fixed budget, I write to ask that you temper plans to impose new restrictions (which will translate into new costs) on recreational boating.</p> <p>Please do what you can to balance commendable efforts to clean up our waterfront with the practical budgetary constraints of middle-class boaters. It would be a shame to inhibit opportunities for the next generation of San Diegans of limited means to enjoy our ocean resources. The smaller boats that we operate --with much smaller environmental footprints--should enjoy some measure of regulatory relief.</p> <p>Warm regards,</p> <p>John Pinto (Member #85 Southwestern Yacht Club / Owner of "Castella")</p>

Number	Name	Comment
90	John R. Donaldson	<p>Dear ladies or gentlemen,</p> <p>I've been the owner of yachts in San Diego for the last quarter-century. I have always been diligent about all aspects of boat sanitation, including keeping my hull free of the scum that engenders fouling. This fouling would greatly increase the boat's resistance to forward motion, thus essentially ruining the pleasure of operating a yacht. This is particularly true of sailboat hulls of the nature of my boat. With respect to power boats, this added resistance to forward motion obviously would cause dramatic increases in the fuel burned when operating the vessel with the coincident increased pollution.</p> <p>Getting the boat hauled to drydock for anti-fouling paint replacement at regular intervals does not eliminate the need for monthly in-water hull cleaning.</p> <p>I urge you to steer clear of any new restriction of in-water hull cleaning of yachts.</p> <p>Very respectfully,</p> <p>John R. Donaldson Southwestern Yacht Club</p>

Number	Name	Comment
91	Judy Mc Kean	<p>To Whom it may concern:</p> <p>I have read with dismay the proposed amendment to the Ordinance for regulating in-water-hull-cleaning. The proposed changes will result in an inflexible, unworkable and costly regulation. It has clearly been drafted by people who have little or no understanding of boating or boat maintenance. I urge you to consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed. This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment. As boaters we support Site Specific Testing. This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic. Surely it makes for better policy to develop data on an issue before developing regulations that may not be necessary.</p> <p>Judy Mc Kean – Realtor</p>

Number	Name	Comment
92	KATHERINE E. ENDERT	<p>12/19/2019</p> <p>To Whom it may concern:</p> <p>I have read with dismay the proposed amendment to the Ordinance for regulating in-water-hull-cleaning. The proposed changes will result in an inflexible, unworkable and costly regulation. It has clearly been drafted by people who have little or no understanding of boating or boat maintenance. I urge you to rather consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed. This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment. As boaters we support Site Specific Testing. This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic. Surely it makes for better policy to develop data on an issue before developing regulations that may not be necessary.</p> <p>KATHERINE E. ENDERT</p>

Number	Name	Comment
93	Keith Ericson	<p>To Whom it may concern:</p> <p>I have read with much dismay and angst the proposed amendment to the Ordinance for regulating in-water-hull-cleaning.</p> <p>The proposed changes will result in an inflexible, unworkable, and costly regulation.</p> <p>It has clearly been drafted by people who have little or no understanding of boating or maintaining boats.</p> <p>I urge you to rather consider the option of Site Specific Testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed.</p> <p>This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment.</p> <p>As boaters we support Site Specific Testing.</p> <p>This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic.</p> <p>Surely it makes for better policy to develop data on an issue before developing costly regulations that may not be necessary. The Port of San Diego should be a leader in how things are done correctly, not wrongly.</p> <p>keith</p> <p>(continued on next page)</p>

Number	Name	Comment
93	Keith Ericson	<p>(continued from previous page)</p> <p>What we must do to combat the greatest threats to our way of life: 1. End our Government's aggressive interventionist Foreign Policy. 2. Radically reduce deficit spending. 3. Reduce the National Debt. 4. Establish a "Manhattan" like project to minimize climate change in conjunction with all nations.</p> <p>Why do we have a two party system? Because the two parties wants us to have a two party system. And it has been leading us and continues to lead us down the road away from liberty, peace, and prosperity.</p> <p>Keith Ericson</p>

Number	Name	Comment
94	Kenneth Kaplan	<p>To Whom It May Concern:</p> <p>I am an environmentalist. However, the proposed hull cleaning restrictions is an odious infringement on me as a recreational boater and without any valid scientific effectiveness on the condition of our precious water. I am strongly opposed it and believe there are many more meaningful ways to positively influence to health of water such as effectively addressing the filthy, and harmful, discharge from the Tijana River.</p> <p>Thank you for your consideration, Kenneth Kaplan</p>

Number	Name	Comment
95	Ken Levi	<p>To Whom it may concern:</p> <p>I have read with dismay the proposed amendment to the Ordinance for regulating in-water-hull-cleaning. The proposed changes will result in an inflexible, unworkable and costly regulation. It has clearly been drafted by people who have little or no understanding of boating or boat maintenance. I urge you to rather consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed. This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment. As boaters we support Site Specific Testing. This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic. Surely it makes for better policy to develop data on an issue before developing regulations that may not be necessary.</p> <p>Thank you Ken Levi</p>

Number	Name	Comment
96	Larry LaPrade	Are you crazy? There is no way you own a boat. Stop this madness. Why don't you get rid of the navy? LARRY

Number	Name	Comment
97	Larry B. Pascoe	<p>To Whom it may concern:</p> <p>I have read with dismay the proposed amendment to the Ordinance for regulating in-water-hull-cleaning. The proposed changes will result in an inflexible, unworkable and costly regulation. It has clearly been drafted by people who have little or no understanding of boating or boat maintenance. I urge you to consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed. This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment. As boaters we support Site Specific Testing. This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic. Surely it makes for better policy to develop data on an issue before developing regulations that may not be necessary.</p> <p>Regards,</p> <p>Larry B. Pascoe Member SGYC Owner 36 ft. Sailboat</p>

Number	Name	Comment
98	Lee Sharp	<p>To whom it may concern,</p> <p>Boating is an important part of our San Diego culture. I read that there are approximately 30,000 boats in San Diego county. Many of these boats are in the water at various marinas and the only way to maintain the hull is by having it cleaned regularly. There are no toxic chemicals used in this process, so I do not understand the objection to hull cleaning.</p> <p>Regards, Lee Sharp</p>

Number	Name	Comment
99	Leonard Stepien	<p>(12/8/2019 1:16 pm email from Leonard Stepien)</p> <p>Regarding: BMP Program Provider</p> <p>Contracting BMP provider is highly controversial and should not include any group or individual diver from the current hull cleaning community in the San Diego Port District Area. In the past, there was an attempt by Association to introduce such training and it was rejected by a vast majority of divers. It is a bias and provides a possibility of corruption. Before you make any final decision in that matter, please take it under consideration. BMP Service contractor should not be associated with any current hull cleaning business in San Diego Port District Area.</p> <p>Sincerely,</p> <p>Independent Professional Divers of California</p> <p>(12/23/2019 3:42 pm email from Leonard Stepien)</p> <p>Please be advise that CPDA does not represent diving companies/ services as it claims on the list provided to the Port of San Diego.</p> <p>Independent Professional Divers of California</p>

Number	Name	Comment
100	Lisa and Jim Bailey	<p>Hello,</p> <p>I have been following this along and feel it's time to express my concerns. My family and I strongly agree with environmental protection, especially when it comes to our little piece of heaven here in San Diego. Our primary concern is that this will obviously have a strong economic impact on boaters in Southern California. Bottom painting a boat is not cheap and the harsher you clean a boat hull (sporadic long cleaning times), the more you will have to paint it. This becomes a cycle that can have a strong effect on metals in the water around us. We have researched non copper based paints and we have yet to find a cost efficient substitute. The main concern we have is that we have not seen the scientific data to justify this drastic of government involvement. Our minds can be swayed easily if this data were released and we could understand that samples were taken during various times of current and tidal conditions. Example: What were the exact conditions during high copper levels? Were measurements taken after the next current change? Is how deep were samples taken? Was there a specific location that had greater impact and the data behind the tests of those areas? We absolutely agree that divers have a major impact on this (and we have seen way too many divers that have no idea of how to properly clean a boat hull (use of steel wool, metal scrapers, steel and brass brushes). Education before regulation would be our first preferred government involvement.</p> <p>(continued on next page)</p>

Number	Name	Comment
100	Lisa and Jim Bailey	<p>(continued from previous page)</p> <p>Could you all please be transparent and supply the scientific data behind reason of all of this? We fully support clean bay initiatives as long as these are based on scientific studies that support these efforts, but our main concern is that this is another "good idea fairy" call to arms based on less than needed government involvement. There are so many other areas in the bay that need your attention. Just send someone along to look every morning at what the boats moored in Americas Cup Harbor are spilling at night. This also goes for boats throughout the various marinas. Focus should be on preserving our waters from true threats like dumped fuel, oil, varnish and the like.</p> <p>Thank you for your attention to this email and we hope you'll understand the need for proper regulatory efforts based on science and not ideas.</p> <p>Best, Lisa and Jim Bailey</p>

Number	Name	Comment
101	Lou Lepis	<p>I understand there is a bill afoot to restrict “in-water” cleaning of boats. My family and I have been life long boaters in San Diego since 1982, we have used our boat at SWYC for that same amount of time, raising our children on San Diego Bay.</p> <p>In water cleaning is a “necessary” part of monthly boat maintenance, we religiously haul our boat every three years, and have the bottom painted with state-of-the-art, <u>environmentally friendly paint</u> (more costly than regular paint).</p> <p>This would be detrimental to our passion and sport. I urge you to reconsider this policy and consider we are taxpayers in San Diego and have the right to maintain our sailboat (which we have owned for 34 years!) to the high standard we’ve enjoyed these past three decades.</p> <p>Thank you for your consideration – Lou Lepis (S/V Euphoria) SWYC.</p>

Number	Name	Comment
102	Lynette Byles	(unable to open attachment to 12/14/2019 7:53 pm email from Lyn Byles) Lyn Byles

Number	Name	Comment
103	LYNETTE MARIE SCOTT	<p>12/18/2019</p> <p>To Whom it may concern:</p> <p>I have read with dismay the proposed amendment to the Ordinance for regulating in-water-hull-cleaning. The proposed changes will result in an inflexible, unworkable and costly regulation. It has clearly been drafted by people who have little or no understanding of boating or boat maintenance. I urge you to rather consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed. This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment. As boaters we support Site Specific Testing. This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic. Surely it makes for better policy to develop data on an issue before developing regulations that may not be necessary.</p> <p>LYNETTE MARIE SCOTT</p>

Number	Name	Comment
104	Mark Berdan	<p>Your new ordinance to restrict boat bottom cleaning to once per month is unreasonable and foolish. It's one thing to wipe slime off the boat bottom but if you go too long then barnacles and other growth will make cleaning that much harder. People will have to scrub their boats twice which will release even more bad stuff into the water.</p> <p>I encourage you to enact the site specific testing as performed in the SF Bay area to determine whether or not there is even an issue with the current situation causing any undo harm.</p> <p>Thank you,</p> <p>Mark Berdan, CLU, ChFC</p>

Number	Name	Comment
105	Mark Fleming	<p>Port of San Diego,</p> <p>As a boat owner and tax payer in San Diego I would like to comment that restricting the cleaning of growth from the hull of boats to once a month would result in increased boat fuel consumption, damage to hulls, fittings, and transducers, as well as increasing the frequency to apply new bottom paint.</p> <p>I strongly encourage the Port to evaluate other alternatives before enacting a knee jerk ordinance that could result in damage to property, increased fuel use, and the possibility of additional polluting of the bay from an increase in the application of new bottom paint to repair removal of excess growth in summer months.</p> <p>Sent from my iPhone</p> <p>Very respectfully, Mark Fleming</p>

Number	Name	Comment
106	Mark Gold	<p>To Whom it may concern:</p> <p>I have read with dismay the proposed amendment to the Ordinance for regulating in-water-hull-cleaning. The proposed changes will result in an inflexible, unworkable and costly regulation. It has clearly been drafted by people who have little or no understanding of boating or boat maintenance. I urge you to consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed. This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment. As boaters we support Site Specific Testing. This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic. Surely it makes for better policy to develop data on an issue before developing regulations that may not be necessary.</p> <p>Mark Gold MD</p>

Number	Name	Comment
107	Mark Heine	<p>To whom it may concern,</p> <p>These proposed restrictions are a bad idea. They are a simple solution to a problem which will create more environmental damage than they solve. No boat owner wants to clean their hull more often than necessary, but a dirty hull tremendously adds to fuel burned, and thus impacts the rest of the environment. Small boat owners will increasingly opt to keep their boats out of the water, increasing the amount of times a tow vehicle and trailer will travel back and forth to the water, adding more carbon to the atmosphere and road congestion.</p> <p>There has to be a better way to keep our bays healthy,</p> <p>Mark Heine</p>

Number	Name	Comment
108	Marlan Hoffman	<p>To: San Diego Unified Port District From: Marlan Hoffman, California Professional Divers Association, BMP Chairman Becki Wolters, Director</p> <p>Subject: Port of San Diego In Water Hull Cleaning (IWHC) Permit/Ordinance Proposal</p> <p>Introduction The California Professional Divers Association (CPDA) is a non-profit organization formed 1999 in response to the California Non-Point Source Pollution Control Program, Management Measure 4.2e (NPS 1998, MM4.2e). In that State Water Resources Control Board (SWRCB) Manual it stated 95% of the in-water hull cleaning is to be performed by BMP certified divers. The NPS Manual further directed regional implementation beginning in San Diego, Region 9.</p> <p>The CPDA developed in water Best Management Practices (BMP) based on that manual and the Clean Water Act (CWA) designing a comprehensive BMP program to educate and promote clean water activities in the State of California. The CPDA through its program provides a standard to the professional diving community in which all services performed underwater are unified in the same practices. The primary goal of this education is the reduction or elimination of toxic chemicals and to reduce discharges from hull cleaning activities on antifouling bottom paints. (continued on next page)</p>

Number	Name	Comment
108	Marlan Hoffman	<p>(continued from previous page)</p> <p>In the last two decades the CPDA has trained over 500 divers and currently teaches its science backed BMPs for Los Angeles County Beaches and Harbors, City of Santa Barbara and in the San Francisco Bay Area.</p> <p>Background and Timeline: January 2000 to 2012 the CPDA held BMP classes that trained and certified over 200 divers in San Diego. Marinas and Hull Cleaners voluntarily participated in these classes. Copper levels in Shelter Island Basin were reduced to 5ug/L during that period.</p> <p>In November 2011 the San Diego Unified Port District (SDUPD) In Water Hull Cleaning (IWHC) ordinance went into effect. The IWHC Permit program was meant to achieve compliance with regulatory requirements to reduce copper in the bay and the copper impaired Shelter Island Yacht Basin. During this period no CPDA BMP training was held in San Diego because divers only participated in the SDUPD IWHC mandatory program. A major component of the SDUPD program was the hull cleaning companies would train their own hull cleaners in BMPs. Unfortunately, the individual company BMP approach did not work, Copper Levels rose and are currently above 6ug/L.</p> <p>(continued on next page)</p>

Number	Name	Comment
108	Marlan Hoffman	<p>(continued from previous page)</p> <p>In 2012, a study to assess the Shelter Island TMDL was conducted in order to identify copper (leaching and hull cleaning) contributions and formulate a copper reduction plan in Shelter Island Yacht Basin. In that study (Earley 2013) it was determined that using the CPDA BMPs over non BMPs reduced dissolved copper contributions by more than seventy percent (1.77ug cm2 vs 6.6ug cm2) and particulate copper by more than eighty percent (10.4ug cm2 vs 66.6ug cm2) coming from hull cleaning activities.</p> <p>On July 1st, 2018 the California Department of Pesticides Regulations (DPR) mandated reformulations of Antifouling Bottom Paints to reduce the bottom paints copper leach rate discharge. The new lower leach rates were promulgated to slow the amount of copper coming into the water column from passive leaching. The SDUPD adopted the use and application of the DPRs Category I paints with <9.5ug/cm2/day. There are 81 bottom paints on that list available for use.</p> <p>December 2019: SDUPD IWHC permit is temporally suspended until a new program can be implemented. Divers are operating off old permit. No new permits are currently being issued.</p> <p>(continued on next page)</p>

Number	Name	Comment
108	Marlan Hoffman	<p>(continued from previous page)</p> <p>San Diego Unified Port Proposed Program</p> <p>The proposed SDUPD IWHC follows the Department of Pesticides Regulation (DPR) recommendations and drafted language that mandates cleaning boat bottoms no more than 12 times annually with a soft pad (White pad). They (DPR and SDUPD) conclude that the numbered reduction of hull cleaning events with this methodology would mathematically lower the copper levels in the water column. This approach is not appropriate for every bottom paint or with aged paint and is not a proper BMP. Hull Paints will fail prematurely</p> <p>The SDUPD IWHC permit has no standardized BMP training. The issuing of permits without an established criterion that BMPs used would decidedly reduce copper and promote proper boat maintenance is misguided and premature.</p> <p>Without established standardized BMPs, hull cleaners that are less likely to recognize the paints they are working with and thus inadvertently damage paint over time. Considering these factors, dissolved and particulate copper levels will rise</p> <p>The SDUPD IWHC permit does not allow for the increase of HC frequency as the bottom paint ages. (continued on next page)</p>

Number	Name	Comment
108	Marlan Hoffman	<p>(continued from previous page)</p> <p>High Copper Hard Epoxy AF bottom paint leach rates significantly reduce after 6 months. Once the paint reaches a lower leach rate discharge, the practice of cleaning monthly with a white pad is an impractical cleaning strategy. Requiring the AF bottom paint to be cleaned with a white pad without adjusting HC frequency over time is not taking into consideration the age and type of AF bottom paint being used and thus is not a BMP.</p> <p>The proper approach is that on this Bottom paint (Ex: >1 years on Ultra Epoxy AF) divers should increase the HC frequency in lieu of using more aggressive cleaning methods (the use of coarse pads). This produces the minimum amount of copper discharge during the HC event and still lets the AF bottom paint function during its lowest leach rate period. In this scenario, divers can extend the functional lifespan of bottom paints 5 to 6 years. This BMP and HC strategy has the largest effect on reducing copper in the water column over time.</p> <p>(continued on next page)</p>

Number	Name	Comment
108	Marlan Hoffman	<p>(continued from previous page)</p> <p>Hard Epoxy Leaching AF Bottom Paint BMP requires the paint's pores to be clean (removing all marine fouling before its maturation) for the coating to be effective. The proposed SDUPD in water hull cleaning permit will cause premature paint failure, more heavily fouled boats and a likely increase in haul out and bottom paint events. The direct result of this cleaning method is an increase in dissolved copper.</p> <p>The CPDA when researching and writing Best Management Practices found that many factors effect copper discharge. A BMP was determined to extend the life of the bottom paint, reduce copper discharge and promote vessel safety and performance.</p> <p>The SDUPD prohibits HC ablative bottom paints. San Diego Boat Yards bottom paint applications continue to indicate that only the highest copper (Category I) Hard Epoxy Antifouling Bottom Paints are being applied to pleasure craft boats. This use of higher leach rate copper essentially reduces our ability to lower the copper levels in the Shelter Island Yacht Basin.</p> <p>(continued on next page)</p>

Number	Name	Comment
108	Marlan Hoffman	<p>(continued from previous page)</p> <p>The DPR approved (Category I) 81 paints in San Diego. On that list there are numerous lower copper alternatives. Using these lower copper paints and cleaning them properly systematically lowers the source copper and follows a long known accepted practice of pollution prevention. Utilizing a range of lower copper paints allow boatyards, boat owners and divers to employ a range of solutions with proper BMPs.</p> <p>.</p> <p>Conclusion</p> <p>The Shelter Island copper TMDL reduction is an enormous undertaking. The SDUPD IWHC program is not likely to achieve the Federal standard of 3.1 ug/L. The science behind proper bottom paint maintenance does not support the SDUPD cleaning methods.</p> <p>In a perfect scenario, the permit would prohibit any further use of new copper bottom in paint Shelter Island Yacht Basin for a period of 2 years while the SDUPD is trying to comply with the TMDL limit. Short of this and because the SDUPD ran an ineffective IWHC program, we now have an incredibly short window in which to achieve results. Oversimplifying the solution down to 12 Hull Cleaning events per year is just not a good answer.</p> <p>(continued on next page)</p>

Number	Name	Comment
108	Marlan Hoffman	<p>(continued from previous page)</p> <p>The SDUPD should get in step with all other California Regions and allow all Category I paints including lower copper to be HC and immediately implement the CPDAs science backed BMPs. This will place into use standards that have been proven to produce copper reduction. In those BMPs, it educates participants in recognition (of the polluting source) and then applies practices that reduce the polluting factor to a maximum degree. When dealing with bottom paints, factors vary greatly (Time or Frequency between cleanings, Coating Characteristics and Age, Water Temperature and Condition, Sun Exposure and time of year). All in water hull cleaning BMPs need to address these variances. The SDUPD proposed in water hull cleaning permit does not address these variances.</p> <p>Thank you Marlan Hoffman, BMP Chairman and Becki Wolters, Director California Professional Divers Association</p>

Number	Name	Comment
109	Marty McGee	<p>To Whom it Concerns:</p> <p>I have read with dismay the proposed amendment to the Ordinance for regulating in-water-hull-cleaning. The proposed changes will result in an inflexible, unworkable and costly regulation. It has clearly been drafted by people who have little or no understanding of boating or boat maintenance. I urge you to consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed. This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment. As boaters we support Site Specific Testing. This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic. Surely it makes for better policy to develop data on an issue before developing regulations that may not be necessary. There are thousands of boaters who will be affected. Before you do this you need to sit down with a significant group of boaters, the boat cleaning industry, and the paint manufacturers. You need to show them credible research that identifies the severity of the problem if science can determine that there is one. Then a long term, cost effective solution should be agreed upon with enough lead time for everyone to make the changes. (continued on next page)</p>

Number	Name	Comment
109	Marty McGee	<p>(continued from previous page)</p> <p>In the meantime why don't you make a plan to deal with all of the boat people on moorings in the bay who flush their toilets every day and night. That is certainly a bigger and more certain mess than copper may be. Those boaters must be made to bring their boat in weekly to do a pump-out and show proof that they did it. They should also be required to have an inspector verify that they have a holding tank, that it is working, and that their overboard toilet discharge has been eliminated. Cleaning up that mess would be a far more impactful improvement to the water quality in the bay.</p> <p>Marty McGee</p>

Number	Name	Comment
110	Marvin Benson	<p>Well said! Common sense should rule....but the beauocrats have a vested interest and habit of ignoring same</p> <p>On Sat, Dec 14, 2019, 12:20 PM John Houts < > wrote: To whom it may concern:</p> <p>I have owned various boats in San Diego harbor for nearly 40 years. All have required in water hull cleaning.</p> <p>I have reviewed the proposed changes for cleaning painted boat bottoms. I have been to your web site. It is immediately apparent that a great deal of time and money has been spent. This is simply ridiculous.</p> <p>The following economic constraints, among others, take care of any issues without further regulations:</p> <p>Boat yards will only apply approved paints.</p> <p>Boat divers will only clean in a way that is safe and economically feasible. No new regulation is required. Boat owners will not tolerate divers who destroy their expensive bottom paint with improper cleaning. All boat owners want their bottom paint to last and do the job of preventing growth. Restricting IWHC is not necessary. IWHC is self restricted. All divers perform the absolute minimum cleaning to protect the paint an indeed all surfaces beneath the boat, metal or otherwise. (continued on next page)</p>

Number	Name	Comment
110	Marvin Benson	<p>(continued from previous page)</p> <p>Boat owners will pay divers for IWHC so that their boats can leave the slip/mooring and move without the drag of growth. Boat owners have IWHC performed so that they can use their boats and protect their investment. If the boat owner is not using the boat for more than a wine bar, the owner will not clean the bottom and the boat will eventually grow to the bottom and not move, no harm no foul.</p> <p>The entire issue needs no further regulation. The Port should not waste money and resources. The individuals who drafted this nonsense are the usual government self sustaining bureaucrats who add nothing of value to our lives in San Diego.</p> <p>John Houts</p>

Number	Name	Comment
111	Mary Little	<p>To Whom it may concern:</p> <p>I have read with dismay the proposed amendment to the Ordinance for regulating in-water-hull-cleaning. The proposed changes will result in an inflexible, unworkable and costly regulation. It has clearly been drafted by people who have little or no understanding of boating or boat maintenance. I urge you to consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed. This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment. As boaters we support Site Specific Testing. This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic. Surely it makes for better policy to develop data on an issue before developing regulations that may not be necessary.</p> <p>Mary Little</p>

Number	Name	Comment
112	Mary and Ralph Salerno	Against this new proposal for limit of hull cleaning. This will kill the industry of boating as we know it. Mary and Ralph Salerno

Number	Name	Comment
113	Matt Schmidt	<p>To the port of San Diego: I have read with dismay the proposed amendment to the Ordinance for regulating in-water-hull-cleaning. The proposed changes will result in an inflexible, unworkable and costly regulation. It has clearly been drafted by people who have little or no understanding of boating or boat maintenance. I urge you to rather consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed. This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment. As boaters we support Site Specific Testing. This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic. Surely it makes for better policy to develop data on an issue before developing regulations that may not be necessary.</p> <p>Thank you for your consideration Matt Schmidt Member of the SWYC Owner of 39' Sailing Vessel</p>

Number	Name	Comment
114	Matthew Peterson	<p>To whom it may concern,</p> <p>Having read the proposed changes to the in-water hull cleaning regulations in the Port of San Diego, I'd like to make a few comments:</p> <p>1.- Relatively frequent (and therefore) gentle cleanings are better for anti fouling paint and the environment than less frequent, more abrasive cleanings. By mandating a hull cleaning frequency that is significantly less frequent than is now currently employed, boat hulls will become more foul than previously and require more abrasive cleaning tools and techniques to remove this fouling. This absolutely means more paint being removed from the hull.</p> <p>2.- There is no data that indicates that the in-water cleaning of ablative paints is more polluting than the cleaning of any other type of anti fouling paint. Creating regulations based upon uninformed opinion is a poor way to formulate sound environmental policy.</p> <p>3.- By mandating which cleaning media can be used, you ensure that some boats will not be properly cleaned because excessively foul boats cannot be cleaned with a white pad etc. This will of course increase those boat's fuel consumption, carbon emissions and likelihood of transporting invasive species to other ports.</p> <p>4.- There is no data that indicates that properly-used mechanical brush systems remove more paint or otherwise cause more pollution than cleaning by hand. Again, you are suggesting regulations that are based on uniformed opinion.</p> <p>(continued on next page)</p>

Number	Name	Comment
114	Matthew Peterson	<p>(continued from previous page)</p> <p>5.- The amount of record-keeping and reporting that the amendment proposes is onerous and seemingly unnecessary. Small, one-man operations will likely have difficulty complying.</p> <p>6.- I suspect that the Port does not have the legal authority to dictate to legitimate, licensed businesses the type of labor they use. I refer specifically to the apparent restriction on the use of independent contractors and I would expect some litigation to ensue should the Port proceed with this.</p> <p>The bottom line that these changes appear to be nothing more than another attempt by Port to give the appearance of trying to reduce copper loading in our waterways rather than a serious attempt at doing that. These proposed changes will not only fail to bring the impaired water bodies into compliance with federal water quality standards, but will cause financial hardship to many hardworking members of the waterfront community and create fewer maintenance option for their customers. I urge you to reconsider these proposed changes.</p> <p>Matthew Peterson FastBottoms Hull Diving California Professional Divers Association California Clean Boating Network</p>

Number	Name	Comment
115	Melisa McCloskey	<p>Restrictions need to be minimal in this area. Not everyone can afford to regularly haul their boats out for cleaning, most hulls are cleaned monthly. If people cannot do that in the water they are likely to forgo resulting in overall poor maintenance. Further, if people cannot maintain their boats they may choose to sell reducing the overall boating industry in San Diego.</p> <p>Melisa McCloskey</p>

Number	Name	Comment
116	Michael Kirchgestner	<p>Whom it may concern:</p> <p>I have read with dismay the proposed amendment to the Ordinance for regulating in-water-hull-cleaning. The proposed changes will result in an inflexible, unworkable and costly regulation. It has clearly been drafted by people who have little or no understanding of boating or boat maintenance. I urge you to consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed. This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment. As boaters we support Site Specific Testing. This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic. Surely it makes for better policy to develop data on an issue before developing regulations that may not be necessary.</p> <p>Michael Kirchgestner Commodore Point Loma Yacht Club</p>

Number	Name	Comment
117	Michael Ratz	<p>To Whom it may concern:</p> <p>I have read with dismay the proposed amendment to the Ordinance for regulating in-water-hull-cleaning. The proposed changes will result in an inflexible, unworkable and costly regulation. It has clearly been drafted by people who have little or no understanding of boating or boat maintenance. I urge you to consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed. This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment. As boaters we support Site Specific Testing. This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic. Surely it makes for better policy to develop data on an issue before developing regulations that may not be necessary.</p> <p>Michael Ratz</p>

Number	Name	Comment
118	Mick Laver	<p>To Whom it may concern:</p> <p>I have read with dismay the proposed amendment to the Ordinance for regulating in-water-hull-cleaning. The proposed changes will result in an inflexible, unworkable and costly regulation. It has clearly been drafted by people who have little or no understanding of boating or boat maintenance.</p> <p>I urge you to consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed. This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment. As boaters we support Site Specific Testing. This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic.</p> <p>Surely it makes for better policy to develop data on an issue before developing regulations that may not be necessary.</p> <p>Thank you for your consideration,</p> <p>Mick Laver S/V CINNAMON Bay Club Hotel and Marina</p>

Number	Name	Comment
119	Michael Elovitz	<p>To Whom it May Concern:</p> <p>I have read the proposed amendment to the Ordinance for regulating in-water-hull-cleaning. The proposed changes will result in an inflexible, unworkable and costly regulation. It's obvious the authors have little or no understanding of boating or boat maintenance.</p> <p>I urge you to consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed. This testing should be conducted prior to the adoption of the proposed amendment.</p> <p>As boaters we support a healthy marine environment and Site Specific Testing. This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic. Doesn't it make more sense to develop data before developing regulations that may prove to be costly and unnecessary?</p> <p>Best Regards,</p> <p>Michael Elovitz, CPMR, CSP President W6EGZ</p>

Number	Name	Comment
120	Mike Pease	<p>Greetings,</p> <p>In the last meeting I met you with Van Johnson before Thanksgiving I had brought along a new and old white pad to show and tell you about the pad, and comparing it to carpet.</p> <p>The white pad was better in performance, how its made, and the ability to clean better than carpet. We also stated that neither the white pad or carpet was good for boats with over 1 year life.</p> <p>This was brought up numerous times at the last Bay Club meeting, and that using these after new paint is over 1 year will not work and contribute more copper to the water.</p> <p>I received an email from Bill Raschick Alpha One Diving going into more detail about this subject. His details on the subject are correct and I agree with them.</p> <p>After hearing all this input from the professionals who do it every day, what are you going to do with this valuable input. This input has not changed since the process has started. What are</p> <p>your plans going forward with what we can use to clean the Hull.</p> <p>Mike Pease Marine Maintenance</p>

Number	Name	Comment
121	Myron C. Lyon	<p>The proposed rules for cleaning hulls will make it impossible to keep hulls clean. If the running surfaces of boat hulls are allowed to accumulate growth, it will require more fuel to be burned by boats with engines, power or sail. This will result in more air pollution.</p> <p>Controlling pollutants from automobile brakes which collect on the streets, and then are washed into the bay would be more effective than allowing boat hulls to be fouled.</p> <p>Thank you,</p> <p>Myron C. Lyon</p>

Number	Name	Comment
122	Nancie Lafferty	<p>To Whom it may concern:</p> <p>I urge you to consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed. This testing should be conducted prior to the adoption of the proposed Regulations. Shelter Island has already drastically reduced its copper load and the proposed regulations are onerous to boaters, divers, boat yards and marina operators for little real purpose. As boaters we support Site Specific Testing. This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic. Surely it makes for better policy to develop data on an issue before developing regulations that may not be necessary.</p> <p>Thank you, Nancie Lafferty Silver Gate Yacht Club</p>

Number	Name	Comment
123	Nancy Truesdail	<p>Whom it may concern:</p> <p>I have read with dismay the proposed amendment to the Ordinance for regulating in-water-hull-cleaning. The proposed changes will result in an inflexible, unworkable and costly regulation. It has clearly been drafted by people who have little or no understanding of boating or boat maintenance. I urge you to consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed. This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment. As boaters we support Site Specific Testing. This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic. Surely it makes for better policy to develop data on an issue before developing regulations that may not be necessary.</p> <p>Sincerely,</p> <p>Nancy Truesdail, B.A., B.S.N., R.N</p>

Number	Name	Comment
124	Nathan Loveland	<p>To Whom it May Concern:</p> <p>I have read with dismay the proposed amendment to the ordinance for regulating in-water-hull-cleaning. The proposed changes will result in an inflexible, unworkable, and costly regulation that will restrict aspects of the economic eco system that revolves around San Diego maritime community.</p> <p>It has clearly been drafted by policy makers who do not clearly understand the economics of boating or boat maintenance. The Port of San Diego website indicates this is an administrative review. For further understanding there should be scientific research before policy changes.</p> <p>Rather, I urge you to consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed. Once the data has been collected and a baseline established, polices can then address the specific results. This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment, which will put divers out of work, cause boat owners to use unprecedented means of cleaning hulls, and reduce the amount of boating that takes place on San Diego bay. As boaters we support Site Specific Testing.</p> <p>(continued on next page)</p>

Number	Name	Comment
124	Nathan Loveland	<p>(continued from previous page)</p> <p>This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic. Surely it makes for better policy to develop data on an issue before developing regulations that may not be necessary. How will one ever know the effectiveness of the regulations if baseline data has not been established.</p> <p>The SIYB is any area that suffers from low water change. Tide changes do not adequately flush the waters from the SIYB. The Port of San Diego should spend more time researching ways to allow more flow and water change behind Shelter Island, which will reduce the residual elements left behind by boaters. This will increase the amount of sea life that grows, lives and traverses the SIYB.</p> <p>Nathan Loveland</p>

Number	Name	Comment
125	Paul Hedberg	<p>The proposed Hull Cleaning Ordinance seems to be quite ill-conceived for the following reasons and probably many more.</p> <ol style="list-style-type: none"> 1. Lack of scientific evidence connecting the process of privately owned boat hull cleaning and the levels of heavy metals in the bay waters. 2. Does this apply to commercial and government vessels? 3. Numerous racing sailboat owners have NO bottom paint on their boats and therefore need to have their boats cleaned weekly. These boats are obviously NOT contributing to any possible heavy metal concentrations anywhere. 4. How was a monthly schedule selected as the appropriate interval? Why not 2, 3, 4, 5, 6 week intervals? Bottom fouling growth is directly related to the water temperatures and nutrient levels which vary throughout the year. So a once monthly fits all schedule seems shortsighted. 5. How will this ordinance possibly be enforced? 6. Will boats be able to travel out to sea or other ports to be cleaned? <p>For these and probably other reasons I believe this ordinance to be short-sighted and ill-conceived waste of public funds.</p> <p>Thank you for considering these issues,</p> <p>--</p> <p><i>Paul</i></p>

Number	Name	Comment
126	Paul Hemond	<p>To Whom it may concern:</p> <p>I have read with dismay the proposed amendment to the Ordinance for regulating in-water-hull-cleaning. It has clearly been drafted by people who have little or no understanding of boating or boat maintenance. During this past summer with the ever increasing water temperatures, I was seeing hard coral on my bottom 2 weeks after my diver cleaned my boat's bottom. This was on copper-based paint that was less than 1 year since application. If we are forced to limit cleaning to once per month, not only will boats have extensive growth but, due to the accumulation, delayed cleaning might actually cause damage to the hull surface.</p> <p>The proposed regulation would have a huge detrimental impact to sailboat racing in San Diego. Any boat stored in a wet slip in San Diego would be at a significant disadvantage with an extremely dirty bottom when racing against boats stored on trailers. There would be no reason to race a boat stored in the water if this regulation is implemented.</p> <p>I urge you to consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed. This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment.</p> <p>This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic.</p> <p>(continued on next page)</p>

Number	Name	Comment
126	Paul Hemond	<p>(continued from previous page)</p> <p>Surely it makes for better policy to develop data on an issue before developing regulations that may not be necessary and which have a serious impact to the boating public.</p> <p>Sincerely, Paul Hemond Boat Owner</p>

Number	Name	Comment
127	Paul Mitchell	<p>To Whom it may concern:</p> <p>I have read with dismay the proposed amendment to the Ordinance for regulating in-water-hull-cleaning.</p> <p>The proposed changes will result in an inflexible, unworkable and costly regulation. Already, most boat owners, marinas and maintenance workers are trying their best to keep pollution from bottom paint at a minimum. The proposed rules, while going after the minority of offenders, will put unneeded and unnecessary burdens on yacht clubs, marinas, divers and boat owners.</p> <p>I urge you to consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed. This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment.</p> <p>As boaters we support Site Specific Testing. This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic. Surely it makes for better policy to develop data on an issue before developing regulations that may not be necessary.</p> <p>Paul Mitchell Catalina 36 owner</p>

Number	Name	Comment
128	Paul Scott	<p>If the concern is bay pollution You've got lot of large ships who leach off all types of toxins. The cruise ships running there machinery when in Port, the unmonitored liveaboards pumping overboard at the moorings the port has...just look at the boats some are living and it's obvious they never move to the pump outs or pay for pump outs. Requiring licenses for divers is a good idea... everyone else is rrand insurance for divers that dive on yachts at Marina's should be something the Marina's should mandate as they use their docks After all, they require coverage from the boat owners to pay to slip their boats. Paul Scott</p>

Number	Name	Comment
129	Pax Tisdale	<p>To Whom it may concern:</p> <p>I have read with dismay the proposed amendment to the Ordinance for regulating in-water-hull-cleaning. The proposed changes will result in an inflexible, unworkable and costly regulation. It has clearly been drafted by people who have little or no understanding of boating or boat maintenance. I urge you to rather consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed. This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment. As boaters we support Site Specific Testing. This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic. Surely it makes for better policy to develop data on an issue before developing regulations that may not be necessary.</p> <p>Pax Tisdale</p>

Number	Name	Comment
130	Phil Kinnison	<p>To Whom it may concern:</p> <p>I have read with dismay the proposed amendment to the Ordinance for regulating in-water-hull-cleaning. The proposed changes will result in an inflexible, unworkable and costly regulation. It has clearly been drafted by people who have little or no understanding of boating or boat maintenance. I urge you to rather consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed. This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment. As boaters we support Site Specific Testing. This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic. Surely it makes for better policy to develop data on an issue before developing regulations that may not be necessary.</p> <p>Phil Kinnison</p>

Number	Name	Comment
131	R. Taylor Coffroth	<p>To Whom it may concern:</p> <p>I have read with dismay the proposed amendment to the Ordinance for regulating in-water-hull-cleaning. The proposed changes will result in an inflexible, unworkable and costly regulation. It has clearly been drafted by people who have little or no understanding of boating or boat maintenance. I urge you to consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed. This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment. As boaters we support Site Specific Testing. This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic. Surely it makes for better policy to develop data on an issue before developing regulations that may not be necessary.</p> <p>R. Taylor Coffroth</p>

Number	Name	Comment
132	Randy Ames	<p>I recently attended your public opinion meetings concerning limiting hull cleaning to a once per month maximum. Boatowners need more frequent cleanings to avoid additional applications of copper paint. Frequent gentle cleanings will produce far less impact. Removing large amounts of growth with once monthly cleanings will have a greater impact.</p> <p>This this ordinance may make the situation worse and cause unintended consequences beyond the copper levels. It appears divers will be required to use disposable plastic scrapers. These plastic scrapers will scrape bits of plastic into the ocean as they are softer than metal scrapers. Once they break, they will end up in the land fill. Properly used metal scrapers are more durable and do not dissolve into the ocean. Limiting a diver's choice of cleaning tools to ineffective options will make proper cleanings impossible. Has the Port done any practice using the proposed methods on boats to see if using carpet and plastic tools can properly clean a hull?</p> <p>During the summer months growth will become thick between cleanings. This thick coating will significantly reduce performance due to drag. Boatowners will use more fossil fuel thereby increasing pollution and global warming.</p> <p>The Port staff present at the meetings failed provide workable alternatives to copper based paints. I spoke with several shipyards only to find there are no viable alternatives to copper-based paint.</p> <p>(continued on next page)</p>

Number	Name	Comment
132	Randy Ames	<p>(continued from previous page)</p> <p>Even if theses unworkable regulations are imposed, there is no clear evidence that these measures will dramatically reduce copper in the bay. It appears most of your toxicity level studies use a Mediterranean mussel species which is not even present in San Diego Bay. Why not do some studies using native plants and animals to determine if current levels are actually a problem?</p> <p>Please review what this measure does to recreational boating in San Diego Bay before rushing to a rash decision. The marine industry provides significant funding to the Port. If these constituents suffer financially Port funding will be greatly reduced.</p> <p>Best Regards, Randy Ames, Small Boat Owner</p>

Number	Name	Comment
133	Rebecca Witters	Please do NOT restrict inwater hull cleaning. This would sure eliminate our family boating. Please Rebecca Witters

Number	Name	Comment
134	R. F. Horton	<p>To Whom it may concern:</p> <p>I have read with dismay the proposed amendment to the Ordinance for regulating in-water-hull-cleaning. The proposed changes will result in an inflexible, unworkable and costly regulation. It has clearly been drafted by people who appear to have little or no understanding of boat maintenance. I urge you to consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed. This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment. As sailor and scientist, I support Site Specific Testing. This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic. Surely it makes for better policy to develop data on an issue before developing regulations that may not be necessary.</p> <p>R. F. Horton - Stardancer4</p>

Number	Name	Comment
135	Richard Hohol	<p>To the San Diego Port Commissioners: I own a 40 ft sailing vessel berthed in the Shelter Island Yacht Basin. I use the boat regularly and race in the Harbor approximately twice per month.</p> <p>The following are several comments / questions on the proposals:</p> <ol style="list-style-type: none"> 1. What percentage of the Bay pollutants can be identified as caused by recreational sailors? The issue that many of the commercial, military and transient vessels are exempt from the proposed restrictions does not reduce their contribution to the total Bay pollution. 2. What percentage of the total Bay pollution will be reduced if the restrictions are implemented? The boating community has seen no comprehensive analysis of the total Bay pollution by contributing element and how any changes would, by analysis, change this situation. 3. In line with the previous two items - what is the Commission doing or planning to reduce the contribution to Bay pollution by commercial, military or transient vessels (such as cruise ships)? 4. My understanding is that many of the paints that contribute most to dissolved metals in the water have been either banned or reformulated to reduce these effects. Has this been fully considered by the Commission? 4. With respect to the specific proposals, as I understand them: <p>(continued on next page)</p>

Number	Name	Comment
135	Richard Hohol	<p>(continued from previous page)</p> <p>4a. Reducing the frequency of hull cleaning beyond what is necessary to control slime and growth is counterproductive. Once growth starts to expand it is necessary to clean the hull more often and more vigorously to avoid a buildup that may damage underwater surfaces and equipment as well as promote peeling of the painted surfaces.</p> <p>4b. At this time it appears that hull cleaning about every three weeks in the summer months and every four weeks during the rest of the year is sufficient to maintain reasonable hull cleanliness. Once per month, which is not a regular schedule, can reach five weeks some months which will, as noted above, lead to excessive underwater growth between cleanings.</p> <p>4c. The use of finer grade (white) cleaning pads compared to the medium (green) pads will only increase the amount of time the hull cleaners work on a given boat because to achieve the same level of cleanliness they will have to work on the hulls longer. It will not be acceptable for them to leave boats at some lower level of completion because it will then be necessary to revisit them more often to avoid the issue mentioned in 4a above.</p> <p>(continued on next page)</p>

Number	Name	Comment
135	Richard Hohol	<p>(continued from previous page)</p> <p>4d. Placing restrictions and documentation requirements on the marine workers will increase their costs significantly and reduce their efficiency so that the costs of hull cleaning paid by the boat owners may increase significantly. Has the Commission estimated the economic effect on the Bay users?</p> <p>Respectfully, Richard Hohol</p>

Number	Name	Comment
136	Richard Krantz	<p>To Whom it may concern:</p> <p>I have read with dismay the proposed amendment to the Ordinance for regulating in-water-hull-cleaning. The proposed changes will result in an inflexible, unworkable and costly regulation. It has clearly been drafted by people who have little or no understanding of boating or boat maintenance. I urge you to rather consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed. This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment. As boaters we support Site Specific Testing. This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic. Surely it makes for better policy to develop data on an issue before developing regulations that may not be necessary.</p> <p>Richard Krantz Catalina 320 Shelter Island</p>

Number	Name	Comment
137	Rick Pluth	<p>To Whom it may concern:</p> <p>I have read with dismay the proposed amendment to the Ordinance for regulating in-water-hull-cleaning. The proposed changes will result in an inflexible, unworkable and costly regulation. It has clearly been drafted by people who have little or no understanding of boating or boat maintenance. I urge you to rather consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed. This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment. As boaters we support Site Specific Testing. This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic. Surely it makes for better policy to develop data on an issue before developing regulations that may not be necessary.</p> <p>Rick Pluth</p>

Number	Name	Comment
138	R.L.Watts	<p>This looks like another attack on “rich” boat owners. Please no more restrictions. Boats are actually an enhancement. The small fish love when I clean off the small stuff. I’m 75 and still able to clean my own boat using currently approved practices.</p> <p>Respectfully, R.L.Watts</p>

Number	Name	Comment
139	Ron Roberts	<p>Dear Karen and Kelly:</p> <p>I have been in the business for 40 years and the oldest continuous hull cleaner in San Diego.</p> <p>I have attended both Bay Club meetings and have read the ports responses to the questions.</p> <p>Divers were challenging the 3 month wait after new paint as it will allow hard growth that can only be removed with a scraper.</p> <p>The reason was not explained to you.</p> <p>The hard growth you have been aware of is white tube worm coral. This coral (hard growth) does not grow on antifouling paint unless the paint is old and ineffective. Waiting 3-5 months before cleaning paint was recommended to my customers in the past.</p> <p>What we have been recently dealing with is barnacals.</p> <p>In the past we only had to deal these barnacals when a boat has been in Mexico, however, his has changed.</p> <p>(continued on next page)</p>

Number	Name	Comment
139	Ron Roberts	<p>(continued from previous page)</p> <p>This invasive species is new to divers this year on San Diego only boats and they grow on the newly formulated antifouling paints in less than one month. Even on freshly painted boats, with water temperatures around 70 degrees. Not sure their growth rate in cooler waters-probably will slow as most growth does. Not sure if this problem will get worse in the future. Am sure it needs do be looked into. The boat yards (call Wayne Morrison) and Petit are aware of this problem. Hope this helps.</p> <p>Sincerely,</p> <p>Ron Roberts Star Marine Service.</p>

Number	Name	Comment
140	Robert A. Seddig	<p>To Whom it may concern:</p> <p>I have read with dismay the proposed amendment to the Ordinance for regulating in-water-hull-cleaning. The proposed changes will result in an inflexible, unworkable and costly regulation. It has clearly been drafted by people who have little or no understanding of boating or boat maintenance. I urge you to consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed. This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment. As boaters we support Site Specific Testing. This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic. Surely it makes for better policy to develop data on an issue before developing regulations that may not be necessary.</p> <p>Robert A. Seddig SGYC Member</p>

Number	Name	Comment
141	Robert Curry	<p>To whom it may concern;</p> <p>Restricting hull cleanings to once monthly will cause serious fouling issues in the summer months. Imposing more restrictions on hull cleaners will not reduce the environmental impact of cleaning. All it will do is artificially drive up the cost of cleaning.</p> <p>Sincerely, Robert Curry San Diego, CA</p>

Number	Name	Comment
142	Robert J. Decesari	<p>To Whom it may concern:</p> <p>I have read with dismay the proposed amendment to the Ordinance for regulating in-water-hull-cleaning. The proposed changes will result in an inflexible, unworkable and costly regulation. It has clearly been drafted by people who have little or no understanding of boating or boat maintenance. I urge you to consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed. This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment. As boaters we support Site Specific Testing. This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic. Surely it makes for better policy to develop data on an issue before developing regulations that may not be necessary.</p> <p>Sincerely, Robert J. Decesari, Capt.USN (Ret.) Silver Gate Yacht Club Member</p>

Number	Name	Comment
143	Robert Witters	SD Port I have had a boat in the water in San Diego for over 40 years. Banning in water hull cleaning makes no sense at all. I'm all for better paint and techniques but banning in water hull cleaning will kill private boating. Robert Witters

Number	Name	Comment
144	Ron Griffin	<p>To Whom it may concern at the San Diego Port District:</p> <p>I have read with concern the proposed amendment to the Ordinance for regulating in-water-hull-cleaning. The proposed changes will result in an inflexible, unworkable and costly regulation. It has had to have been drafted by people who have little or no understanding of boating or boat maintenance. I urge you to rather consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed. This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment. As boaters we support Site Specific Testing. This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic. Surely it makes for better policy to develop data on an issue before developing regulations that may not be necessary. This is a terrible, bureaucratic mistake!</p> <p>Ron Griffin 40 year Owner, 43 foot sailboat</p>

Number	Name	Comment
145	Roy Hubecky	<p>To Whom it may concern:</p> <p>I have read with dismay the proposed amendment to the Ordinance for regulating in-water-hull-cleaning. The proposed changes will result in an inflexible, unworkable and costly regulation. It has clearly been drafted by people who have little or no understanding of boating or boat maintenance. I urge you to consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed. This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment. As a boater, I support Site Specific Testing. This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic. Surely it makes for better policy to develop data on an issue before developing regulations that may not be necessary.</p> <p>Sincerely, Roy Hubecky</p>

Number	Name	Comment
146	Samuel F. Dale	<p>To The Port of San Diego:</p> <p>I have read with dismay the proposed amendment to the Ordinance for regulating in-water-hull-cleaning. The proposed changes will result in an inflexible, unworkable and costly regulation. It has clearly been drafted by people who have little or no understanding of boating or boat maintenance. I urge you to rather consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed. This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment. As boaters we support Site Specific Testing. This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic. Surely it makes for better policy to develop data on an issue before developing regulations that may not be necessary.</p> <p>Best Regards, Samuel F. Dale</p>

Number	Name	Comment
147	Sandy Hardaker	<p>To whom it may concern:</p> <p>There are probably several thousand boats in San Diego Bay. They range in value from a few thousand dollars up to several million dollars. Owners of these boats have a powerful interest in the proper maintenance of their property in order to preserve the value of their investment.</p> <p>It appears that the Port of San Diego in its wisdom is trying to impose restrictions upon these owners to limit how they determine proper maintenance.</p> <p>This does not sit well with any of us.</p> <p>Boat-owners know their boats and what is needed to care for them. There are many variations in what needs to be done.</p> <p>Please withdraw this awful proposal and allow the divers and owners to take care of their boats as they see fit.</p> <p>Sandy Hardaker</p>

Number	Name	Comment
148	Scott Murdock	<p>Port of San Diego-</p> <p>Just wanted to let you know that adding restrictions to in-water boat hull cleaning would have a major impact on businesses in both San Diego Bay and Mission Bay. Boaters spend millions of dollars in the San Diego economy and are already complying with many strict water pollution regulations. All of us boat owners have a stake in maintaining our bays and waterways. However, if new/cost prohibitive regulations are enacted, you will see reduction in people willing to pay the price for enjoying the waterfront in San Diego.</p> <p>Please do not make changes that will have a significant financial impact on boat owners. The state of California is running people out fast enough without attacking law-abiding boat owners.</p> <p>Thanks for your consideration.</p> <p>Scott Murdock Boat Owner in San Diego for over 20 years.</p>

Number	Name	Comment
149	Sheila Clevenger	<p>To Whom it may concern:</p> <p>I have read with dismay the proposed amendment to the Ordinance for regulating in-water-hull-cleaning. The proposed changes will result in an inflexible, unworkable and costly regulation. It has clearly been drafted by people who have little or no understanding of boating or boat maintenance. I urge you to consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed. This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment. As boaters we support Site Specific Testing. This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic. Surely it makes for better policy to develop data on an issue before developing regulations that may not be necessary.</p> <p>Sheila Clevenger Member - Silver Gate Yacht Club</p>

Number	Name	Comment
150	Stephen Pepper	I oppose reducing hull cleaning in San Diego bay. Recreational boat owners are always on the environmental hit list and I'm tired of it. How about restricting the commercial boat builders the cruise ships, the fishing fleet and the Nave. Leave us alone. Stephen Pepper

Number	Name	Comment
151	Steve Kincer	<p>To Whom it may concern:</p> <p>I have read the proposed amendment to the Ordinance for regulating in-water-hull-cleaning. The proposed changes will result in an inflexible, and costly regulation.</p> <p>Please consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed. This testing should be conducted prior to the adoption of the extreme measures in the proposed amendment. Boaters support Site Specific Testing. This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic. It makes for better policy to develop data on an issue before developing regulations that may not be necessary.</p> <p>Sincerely, Steve Kincer</p>

Number	Name	Comment
152	Stuart Seymour	<p>(12/12/2019 12:10 pm email from Stuart Seymour)</p> <p>I attended the commissioners meeting earlier this week. It seems like the new proposed regulation is not very popular and that non copper based paint doesn't work as intended, I would agree. The hull cleaning limit will drive me back to a more harmful paint.</p> <p>Presently I have had a non biocide paint on my 30 ft sailboat for about 5 yrs. I did this at the in 2014 because I felt it was the right thing to do. I was instructed to get it cleaned every 2 weeks which I have done by going to a monthly cleaning I will have to get a better anti fouling paint. Presently I am not sure what that paint might be but I will look for one that will keep growth off my bottom to limit the cleaning to monthly.</p> <p>Thank you for your consideration</p> <p>Stu Seymour Saoirse SGYC</p> <p>(12/12/2019 12:12 pm email from Stuart Seymour)</p> <p>To Whom it may concern:</p> <p>I have read with dismay the proposed amendment to the Ordinance for regulating in-water-hull-cleaning.</p> <p>(continued on next page)</p>

Number	Name	Comment
152	Stuart Seymour	<p>(continued from previous page)</p> <p>(12/12/2019 12:12 pm email from Stuart Seymour)</p> <p>The proposed changes will result in an inflexible, unworkable and costly regulation. It has clearly been drafted by people who have little or no understanding of boating or boat maintenance. I urge you to consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed. This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment. As boaters we support Site Specific Testing. This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic. Surely it makes for better policy to develop data on an issue before developing regulations that may not be necessary.</p> <p>F Stuart Seymour SGYC</p>

Number	Name	Comment
153	Stuart Klein	<p>To the port of San Diego</p> <p>The proposed amendment to the Ordinance for regulating in-water-hull-cleaning will result in a completely unjust, unnecessary and unworkable regulation.</p> <p>It has clearly been drafted by people who have little or no understanding of bottom maintenance and modern technology available in the field.</p> <p>For example I, as an environmentally conscientious boater use a bottom paint that contains no heavy metals at all.</p> <p>Is it fair to forbid me from getting my bottom cleaned in the water?</p> <p>I urge you to rather consider the option of Site Specific testing in San Diego Bay to determine whether marine critters are actually being harmed.</p> <p>This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment.</p> <p>As boaters we support Site Specific Testing.</p> <p>This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic.</p> <p>Surely it makes for better policy to develop data on an issue before developing regulations that may not be necessary.</p> <p>Thank you for your consideration.</p> <p>Stuart Klein</p>

Number	Name	Comment
154	Susan Coffroth	<p>To Whom it may concern:</p> <p>I have read with dismay the proposed amendment to the Ordinance for regulating in-water-hull-cleaning. The proposed changes will result in an inflexible, unworkable and costly regulation. It has clearly been drafted by people who have little or no understanding of boating or boat maintenance. I urge you to rather consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed. This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment. As boaters we support Site Specific Testing. This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic. Surely it makes for better policy to develop data on an issue before developing regulations that may not be necessary.</p> <p>Susan Coffroth SGYC</p>

Number	Name	Comment
155	Terry Endert	See "?" at top of table...

Number	Name	Comment
156	Thomas Taliaferro	<p>To Whom it may concern:</p> <p>I have read with dismay the proposed amendment to the Ordinance for regulating in-water-hull-cleaning. The proposed changes will result in an inflexible, unworkable and costly regulation. It has clearly been drafted by people who have little or no understanding of boating or boat maintenance. I urge you to rather consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed. This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment. As boaters we support Site Specific Testing. This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic. Surely it makes for better policy to develop data on an issue before developing regulations that may not be necessary.</p> <p>Thomas Taliaferro</p>

Number	Name	Comment
157	TJ Hammons	<p>I'M a recreational boat owner who keeps my 36 foot sailboat in the Shelter Island basin. Having read the proposed amendment to the Ordinance for regulating in-water-hull-cleaning, it appears to me that it will generate an inflexible, unworkable and costly regulation. And was most likely drafted by individuals who have little or no understanding of boating or boat maintenance.</p> <p>There are very few people who are more concerned with the water quality of San Diego Bay than the recreational boat owners who spend the majority of the leisure time on the water.</p> <p>It seems to me that the proposed amendment is a carpet bombing approach when a surgical strike would be more effective and still accomplish the goal of reducing the copper levels in the bay.</p> <p>I urge you to rather consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed. This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment. As boaters we support Site Specific Testing.</p> <p>This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic.</p> <p>Surely it makes for better policy to develop data on an issue before developing regulations that may not be necessary.</p> <p>Sincerely, TJ Hammons Owner, Sailing Vessel <i>Spirit of Constellation</i> CAPT, SC, USN, (Ret)</p>

Number	Name	Comment
158	Tom Jacobs	<p>(12/22/2019 email from Tom Jacobs)</p> <p>Ladies and Gentlemen, Some questions regarding the proposed restriction on hull cleaning and restriction on the livelihood of the people that clean bottoms.</p> <ol style="list-style-type: none"> 1. Please present the science and data behind the need for such a proposal. 2. Please present the technical qualifications of the people proposing this restriction in hull cleaning. 3. Has an economic impact study regarding the reduction in cleaning, the effect on the hull cleaning companies and the employees of these companies been conducted? 4. If this proposal were to go into effect what is the economic negative impact on the local community? 5. What is the cost to the port of San Diego and method of enforcement? 6. Please present the current vs. the proposed 30 day cleaning cycle as a benchmark vs. other harbors and bays in California and other USA coastal regions. 7. Does the proposed 30 day cycle fall within one standard deviation of the other harbors and bays in California and other USA coastal regions? <p>Oysters, other shell fish, bait fish and bottom fish are the canaries of the bay. Study the rocks and rip rap of the bay and you will find the oysters, shell fish, bait fish and bottom fish are thriving. If copper were a problem the aquatic life would not be thriving. (continued on next page)</p>

Number	Name	Comment
158	Tom Jacobs	<p>(continued from previous page)</p> <p>(12/22/2019 email from Tom Jacobs)</p> <p>This looks like a regulation looking for a problem to solve where there is no problem that can be backed up by data or empirical evidence. Please reply with data and answers to my seven questions to my email address. Thank you for the opportunity to comment and question the proposal. When can I expect the data set?</p> <p>Best regards,</p> <p>Tom Jacobs</p> <p>(12/30/2019 email from Tom Jabobs)</p> <p>Hi,</p> <p>As a follow up to the earlier email wanted to stress that most all of the boaters in San Diego Bay want a clean, safe bay for use by all. We all have a mutual interest in continuing make San Diego a great place for our residents and visitors. All of the slip holders on the bay and the transient cruisers tend to be ecologically minded and follow the rules of seamanship, safety and the appropriate registration, state or federal documentation. Two items do need the attention of the Port.</p> <p>(continued on next page)</p>

Number	Name	Comment
158	Tom Jacobs	<p>(continued from previous page)</p> <p>(12/30/2019 email from Tom Jacobs)</p> <p>1. The police dock pump out dock and fender system has been in disrepair for the past two years. A few fenders are missing, temporary fixes of hanging fenders have been in place for two years. From 2014 to late 2017 the availability and operation of the pump outs was near 100%. In the past year and a half 30% of the time one of the pump outs is not operational. The police dock is one of the main pump out facilities at the south end of the bay. We all need to keep the facility in high operational state and the dock in a state of repair that people will not be reluctant to bring their boat to the pump out facility.</p> <p>2. Vagabond boats. The bay is home to many vagabond wandering boats that do not have a slip or licensed mooring. These boats are an un policed hazard for the following reasons.</p> <p>A. Illegal discharge of liquid and solid sewage. Undercover of darkness boats anchored in La Playa do discharge waste. We can smell it.</p> <p>B. Most all of the boats do not meet basic USCG safety standards. Many do not meet basic construction standards and are a fire hazard.</p> <p>C. Few of the boats have adequate ground tackle to withstand over 10 knots of wind. Many have broken loose and with no or barely operation engines pose a hazard to boats moored in La Playa on in slips along Shelter Island.</p> <p>(continued on next page)</p>

Number	Name	Comment
158	Tom Jacobs	<p>(continued from previous page)</p> <p>(12/30/2019 email from Tom Jacobs)</p> <p>D. Many of the boats do not have sails or engine power and are towed place to place. Again making them a hazard to navigation.</p> <p>F. Many of the boats, the larger ones have had oil slick trails around them. Most do not practice clean oil free bilge practices as are required by the marinas and yacht clubs in the bay.</p> <p>Hull Cleaning</p> <p>One more question regarding the data on hull cleaning. Is there a report that separates copper from boat bottoms and copper from brake dust residue that washes into the bay from the roadways around the bay? Other studies have shown that a contributor to copper in bays has been from roadway run off.</p> <p>Best regards,</p> <p>Tom Jacobs</p>

Number	Name	Comment
159	Tom Mckinney	<p>Being able to clean a boat in the slip and clean it well is an essential part of boat ownership. The dirt, debris and filth on my boat would have fallen in the ocean anyways if the boat wasnt there. The additional use if soap and chemicals is negligible to the bay vs the effect of storm run offs. More over the net environmental effect of repairing damage caused by not being able to adequately clean the boat will outstrip any gains by limiting cleaning options</p> <p>Tom Mckinney</p>

Number	Name	Comment
160	Tony Dileva	<p>To Whom it may concern:</p> <p>I have read with dismay the proposed amendment to the Ordinance for regulating in-water-hull-cleaning. The proposed changes will result in an inflexible, unworkable and costly regulation. It has clearly been drafted by people who have little or no understanding of boating or boat maintenance. I urge you to rather consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed. This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment. As boaters we support Site Specific Testing. This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic. Surely it makes for better policy to develop data on an issue before developing regulations that may not be necessary.</p>

Number	Name	Comment
161	Tony Ward	<p>To Whom it may concern</p> <p>As a scientist, I am strongly supportive of protecting the environment. However, I recently read the proposed amendment regarding regulating in-water-hull-cleaning and it frankly is concerning to me on two levels – both as a scientist and as a sailor.</p> <p>First, I would like to think that we can all agree that policy should be based on relevant data. From what I read in the 2014 paper where tests were conducted near SPAWAR pier this, while a reasonable study, seems to have been broadly extrapolated based on presumed maintenance frequencies etc. As I read in the public comments there are many divers who see boat bottoms lasting multiple years (3-4) with light touch cleaning. From personal experience I have managed to limit re-painting and hauling to once every 4 years in the near 18 years of boat ownership here – the assumptions of cycle time appear to be overly aggressive to push an agenda.</p> <p>Secondly, I gather from colleagues in the SF bay area that they were able to work through this issue up there by doing site specific testing, which showed that in SF Bay (where the copper levels similar to those identified in SD Bay exist) that those levels were actually determined to be non-toxic after doing a thoughtful study.</p> <p>(continued on next page)</p>

Number	Name	Comment
161	Tony Ward	<p>(continued from previous page)</p> <p>As a sailor, the proposed changes are overly onerous/aggressive and appears to have been drafted with limited or no understanding of actual boat maintenance. I am concerned that the end result will be a non-viable and unnecessarily costly regulation which will impact the ability of many to enjoy the bay. It's also reasonable to expect that this be enough an economic disincentive such that small boaters in particular re-consider boat ownership at all. This would knock effect on would negatively impact the entire marine please industry and potentially ultimately cause San Diego some job loss. Something to consider when its time for re-election. Therefore, I urge you to give consideration to doing two things: a) site specific testing here in San Diego Bay to determine the facts on whether marine fauna within the relevant locations are actually being harmed, and b) do a more thorough survey on bottom cleaning habits as the vast majority – from my perspective are not operating on an 18 mo cycle.</p> <p>Then, please do present the data complete with proposals on how best to address those specific problems, based on the site specific data collected, and combined with the relevant community involvement as far as cleaning surveys etc. This would be supportive of taking a policy action. Either independently appears to be based largely on excel calculations and aggressive assumptions.</p> <p>(continued on next page)</p>

Number	Name	Comment
161	Tony Ward	<p>(continued from previouspage)</p> <p>Finally, if action is warranted on the basis of facts fairly collected and presented as above, then I suspect that most boaters will do the right thing.</p> <p>Sincerely,</p> <p>Tony Ward SWYC</p>

Number	Name	Comment
162	Walter Gaines	<p>To whom it may concern:</p> <p>We have been made aware of the proposed amendment to the Ordinance for regulating diver cleaning of boat hulls.</p> <p>If this ordinance is adopted, it will be impossible for boaters to maintain hulls in our marinas. How can we keep our boats in marinas without underwater maintenance? The ordinance prevents the use of "mechanical tools" and the use of cleaning ablative paints. How in the world is this supposed to work?</p> <p>This is totally ridiculous. The ordinance appears to be the product of cubicle occupants who have little or no understanding of boating or boat maintenance.</p> <p>I urge you to consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed. This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment.</p> <p>We support site-specific testing, and we support collaboration between our marina and environmental authorities. This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic. Surely it makes for better policy to develop data on an issue before developing regulations that may not be necessary.</p> <p>Walter Gaines</p>

Number	Name	Comment
163	Warren Goldfarb	<p>To Whom it may concern:</p> <p>I have read with dismay the proposed amendment to the Ordinance for regulating in-water-hull-cleaning. The proposed changes will result in an inflexible, unworkable and costly regulation. It has clearly been drafted by people who have little or no understanding of boating or boat maintenance. I urge you to consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed. This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment. As boaters we support Site Specific Testing. This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic. Surely it makes for better policy to develop data on an issue before developing regulations that may not be necessary.</p> <p>Sincerely, Warren Goldfarb</p> <p>--</p> <p>Thanks, Warren Goldfarb</p>

Number	Name	Comment
164	Will Sparks	<p>To Whom it may concern:</p> <p>I have read with dismay the proposed amendment to the Ordinance for regulating in-water-hull-cleaning. The proposed changes will result in an inflexible, unworkable and costly regulation. It has clearly been drafted by people who have little or no understanding of boating or boat maintenance. I urge you to rather consider the option of Site Specific testing in San Diego Bay to determine whether marine organisms that actually reside there are being harmed. This testing should be conducted prior to the adoption of the draconian measures in the proposed amendment. As boaters we support Site Specific Testing. This approach has been followed in San Francisco where copper levels similar to San Diego Bay were determined to be non-toxic. Surely it makes for better policy to develop data on an issue before developing regulations that may not be necessary.</p> <p>Will Sparks</p>

Number	Name	Comment
165	William Morrison III	No/ you crazy



Copper Reduction Program-
DRAFT Ordinance Amending San Diego Unified Port District Code Section 4.14,
Regulation of In-Water Hull Cleaning