



Bill would limit copper-based boat paint

Measure designed to reduce environmental harm in bays

By Michael Gardner

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Sacramento — Coatings of copper-based paint help boats glide through ocean waters, protecting the hulls from plagues of barnacles and other marine hitchhikers that can damage vessels and force engines to gobble even more fuel.

But over time and particularly in congested marinas like San Diego Bay's Shelter Island Yacht Basin, the potentially toxin copper can leach, threatening many of the reasons sailors set sail: pristine coastal waters and a healthy marine environment.

Under pressure from water-quality regulators, the Unified Port of San Diego has joined forces with Sen. Christine Kehoe to push legislation that would require most recreational boaters to gradually shift to new paints that contain little copper and dissolve into the water more slowly.

The San Diego Democrat's legislation — and the port's broader campaign to allay boaters' fears of higher costs and questions over whether new paint formulations will provide reliable shields — will be addressed at a special port meeting Friday.

As many as 8,000 recreational vessels boats are moored in San Diego Bay, according to port statistics.

"Copper is toxic and it's highly soluble," said Kehoe, whose Senate Bill 623 is inching toward final form. "The best way to keep copper out of the water is to not let it get there in the first place."

In the Capitol, Kehoe, port commissioners, boating interests, paint makers and environmentalists have been negotiating a compromise for months.

The latest version would permit only low-leach copper paints starting Jan. 1, 2015. If subsequent studies find little progress in cleaning up the waters, all paints containing biocides such as copper would be banned as of Jan. 1, 2019.

Fines and enforcement questions remain unanswered.

There are a number of exemptions, including megayachts that are job sources for boat yards and account for just 3 percent of the copper found in the water. Navy vessels will also not be subject to the law. Thirty-seven percent of the copper can be traced back to those Navy ships.

Smaller recreational boats are targeted because those are the source of 43 percent of the copper found in San Diego Bay, according to the port.

San Diego boat owners are wary of giving up a known and reliable tool to protect their vessels.

“Whatever the alternative is, it has to be available, effective and affordable,” said Ralph Longfellow of Coronado, who is a director with the Recreational Boaters Of California.

Most paints on the market today can last as many as five years — an important consideration considering that the entire process is expensive, ranging from \$1,500 to \$5,000. Boaters must haul their vessels out of the water, scrub the hulls and then apply the paint.

The bills will just climb if alternative approved paints don’t last as long, forcing more frequent paint jobs, boaters fear.

Port commission Chairman Scott Peters praised the direction the bill has taken toward compromise.

“This way everybody gets what they want,” he said. “It answers the problem in a thoughtful way.”

Cleve Hardaker of San Diego, a vice president of the Recreational Boaters of California, called the latest amendments “a good sign” but he still has concerns.

He said paint companies assure them that some familiar brands will qualify under the latest guidelines. “If that’s the case ... we would be considerably more comfortable with it.”

Copper and other similar biocides are considered toxic to many aquatic organisms, according to state regulators. A major source is the antifouling paint on hulls used by ship owners to reduce barnacles, worms and algae.

Without restrictions, the port fears the state Water Resources Control Board will order Draconian regulations. It already has directed the port to cut the amounts of copper in the Shelter Island Yacht Basin by 10 percent in 2012, 40 percent by 2017 and 76 percent by 2022 from today's levels. Similar orders are anticipated throughout the region, the port said.

It's familiar battleground for Kehoe. In 2010 she carried legislation signed into law that gradually phases out copper brake pads for many of the same reasons. Each time motorists braked, trace amounts of copper were released on roadways and eventually washed into storm drains flowing into bays.

California is not alone. Washington recently became the first state to pass legislation, telling boaters they will no longer be able to use paints with large concentrations of copper starting in 2020.

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