



CLEAN MARINA PLAN
and
SLIP RULES & REGULATIONS



Dana Point Yacht Club

Clean Marina Plan – 2011

1.0 **EMERGENCIES**

- 1.1 Emergency Action Plan: DPYC has an emergency action plan which is found as Attachment A of this document.
- 1.2 Emergency Containment and Cleanup Materials: DPYC maintains a supply of emergency containment/clean up materials including oil absorbent pads and booms. By policy DPYC maintains enough boom material to encircle the largest vessel at the facility.
- 1.3 Training: All DPYC staff receive training on proper emergency procedures. This training is provided to employees every 180 days and to all new employees. This training is to include:
 - a. Familiarization of Emergency Action Plan.
 - b. Location and use of first responder containment and cleanup materials.
 - c. Proper notifications for all types of emergencies.
 - d. Location and use of fire suppression equipment.
- 1.4 Boater Education: DPYC maintains supplies of pamphlets on:
 - a. Boat Fire Extinguishers.
 - b. Safe Boat Maintenance.
 - c. Continuous Ventilation.

2.0 **PETROLEUM CONTAINMENT:**

- 2.1 Fuel and Oil Spill Prevention and Containment Plan (FOPC): DPYC maintains an FOPC which is found as part of Emergency Action Plan (Attachment A) of this plan.
- 2.2 Training: DPYC staff receive training to identify fuel/oil spills in the water, notify the Harbor Patrol and DPYC Management, and in the proper use and location of first response containment/clean-up materials. This training is provided to employees every 180 days and to all new employees.
- 2.3 Emulsifiers: It is a violation of DPYC Rules and Regulations to use detergents or other emulsifying agents when addressing fuel or oil spills (see Rule 57.b.8).
- 2.4 Absorbent Bilge Materials: DPYC requires that all boats located at the facility use oil absorbent materials in their bilges to reduce the chances of illegal overboard discharges of oily bilge water. (See Rule 57.b.1).

- 2.5 Clean & Green Program: DPYC participates in the Clean and Green Campaign created by the California Coastal Commission. Through this program the Marian provides free oil absorbent ads to boaters and free disposal of used pads. Pads are placed in bilges, or can be used to clean up oil spills in or out of the water. Information about the oil absorbent pad exchange program is available at the DPYC office. Signs about the program are posted at the waste oil disposal units.
- 2.6 Boater Education: DPYC maintains supplies of pamphlets on:
 - a. Filling fuel containers.
 - b. Appropriate engine maintenance.
 - c. Appropriate use of oil absorbent materials
 - d. Appropriate bilge pumping.
- 2.7 Used Oil Collection: The nearest waste oil recycling station is located at DPH West Basin Marina, across from building B. Marina Operators provide and maintain waste oil disposal units within the harbor. The disposal units are open daily during posted hours. Flyers directing boaters to the oil collection facilities are available at the DPYC office. Each facility is permitted and inspected by the County of Orange Fire Authority.

3.0 VESSEL CLEANING AND MAINTENANCE:

- 3.1 DPYC Rules and Regulations: DPYC maintains comprehensive rules and regulations for boaters and others at the facility. DPYC rules and regulations are posted in a bulletin board and are available at the DPYC office. These rules and regulations will be strictly enforced at all times.
- 3.2 Best Management Practices: DPYC rules and regulations include best management practices (BMPs) for environmentally sound boat maintenance practices. Boaters at the DPYC facility should be made aware of these helpful policies. (See Attachment B).
- 3.3 Working on Vessels: DPYC rules and regulations limit the amount and type of work which is allowed on vessels at the facility (Rules 21, 38 and 57).
- 3.4 Environmental Laws: The DPYC rules and regulations also contain a compilation of laws protecting the ocean environment. Boaters at the DPYC facility should be made aware of these important laws.
- 3.5 Training: DPYC staff is trained to report spills whenever they observe boat workers causing a substance to be released into or on the water. All cases of known or suspected water pollution will be reported to the Harbor patrol and first responder clean-up will be initiated if appropriate. Confirmed cases of pollution will be reported to OCDPH for possible administrative action.

- 3.6 Boater Education: The best management practices found in the DPYC rules and regulations contain information on the following:
- a. Limiting in-slip maintenance to minor projects (Rule 38)
 - b. Proper recovery and disposal of sanding dust and other debris. (Rule 57.d.3).
 - c. Environmentally safe cleaning and painting practices (Rule 57.c).
 - d. Spill avoidance practices. (Rule 57.c and d).

Additional pamphlets on environmentally sounding boat maintenance practices are available at the DPYC office.

4.0 UNDERWATER BOAT HULL CLEANING

- 4.1 Non-toxic Hull Paints: DPYC promotes the use of non-toxic and legal hull paints. (See Rule 57.h.1). Contact a reputable shipyard for the latest information on non-toxic hull paint alternatives.
- 4.2 Hull Cleaners: When looking for a diver to perform hull cleaning services, DPYC recommends that you make sure your diver is using environmentally sound hull cleaning practices. (See Rule 57.h.6).
- 4.3 Training. DPYC staff is trained to report spills whenever they observe boat workers causing a substance to be released into or on the water. All cases of known or suspected water pollution will be reported to the Harbor Patrol and first responder clean-up will be initiated if appropriate. Confirmed cases of pollution will be reported to OCDPH for possible administrative action.
- 4.4 Boater Education: The best management practices forum in the DPYC rules and regulations contain information on the following:
- a. Properly applying and maintaining hull paints (Rule 57.h).
 - b. Waiting 90-days before cleaning after application of hull paint (Rule 57.h.3).
 - c. Regularly scheduled hull cleaning services using best management practices (Rule 57.h.5, 6, 7 &8).
 - d. Encourage hull cleaners to use less abrasive pads and methods when possible (Rule 57.h.5).

5.0 FACILITY OPERATIONS

- 5.1 Emergency Spill Training: All DPYC staff are to receive training on proper emergency procedures. This training is provided to employees every 180 days and for all new employees. This training is to include:
- a. Familiarization of Emergency Action Plan.
 - b. Location and use of first responder containment and cleanup materials.
 - c. Proper notifications for all types of emergencies.
 - d. Location and use of fire suppression equipment.

- 5.2 Vehicles on Docks: All types of motorized and non-motorized vehicles are prohibited from DPYC docks (Rule 6).
- 5.3 Unattended Paints: Paints, varnishes, and other boat maintenance supplies should never be left unattended on DPYC docks. (Rule 57.g.4). Any such unattended items will be removed by DPYC staff for proper disposal.
- 5.4 Maintenance Supplies: By policy DPYC staff will store all maintenance supplies/chemicals indoors or in covered containers. All spills will be cleaned up immediately using environmentally friendly methods.
- 5.5 Boater Education: The DPYC office maintains information on:
 - a. Proper storage and disposal of materials.
 - b. Emergency spill response.
 - c. Household Hazardous Waste disposal site locations.

6.0 FACILITY DEBRIS

- 6.1 Landscaping & Maintenance Spills: DPYC staff and service providers will be informed that all spills must be cleaned up immediately. This includes all chemicals, pesticides, fertilizers and soils.
- 6.2 Storage on Docks: DPYC prohibits the storage of all items on docks (Rule 19). This is a common source of trash and debris in the water.
- 6.3 Pets: Rule 36 prohibits unleashed and uncontrolled pets at the DPYC facility. Pet owners are required to immediately clean up after their pets. Pet waste bags are made available.
- 6.4 Parking Lot Cleaning: By policy DPYC parking lots are cleaned a minimum of once per week using dry or water recovery method.
- 6.5 Overboard Disposal: Rule 12 prohibits any boater from throwing, disposing or otherwise discharging anything into harbor waters.
- 6.6 Landslide Refuse: DPYC maintains outdoor trash receptacles conveniently located at the facility. Trash is removed from each trash receptacle a minimum of two times per day and transported to facility dumpsters. Dumpsters are emptied 4 times per week. To prevent trash from escaping into the harbor, dumpster lids are to remain closed only being opened when rubbish is being deposited.
- 6.7 Trash Policing: Each day DPYC staff pick up all trash from facility sidewalks and parking lots. Each week the docks are cleaned to prevent trash from entering the harbor waters. Debris from facility landscaping services is hauled away by the service provider and the parking lot is cleaned of leaves and debris on a weekly basis.

- 6.8 Water Refuse: DPYC engages the staff to remove trash and debris from the waters surrounding the DPYC facility. This is done when necessary using a 16' boat with staff members using a net to remove debris. During times of heavy rains, additional staff members are dedicated to this task.
- 6.9 Dock Repairs: DPYC staff ensures the removal of debris created by their ongoing dock maintenance program. Tarps and nets are used to prevent such debris from entering the water. DPYC staff is thoroughly instructed on techniques to prevent construction debris from entering harbor waters. DPYC staff is trained according to facility Best Management Practices to minimize the impact of facility operations on the environment.

7.0 SEWAGE MANAGEMENT

- 7.1 Laws Regarding Sewage Discharges: A compilation of existing environmental regulations is contained at the end of DPYC Rules and Regulations. These laws and regulations will be strictly enforced and violations will be reported immediately to the Harbor Patrol.
- 7.2 Pump-out Facilities: Four (4) pump-out stations are located within the harbor to facilitate proper disposal of waste from vessels. All are open 24 hours and are free for users. Information on pump-out locations is available at the DPYC office.
- a. Pump-outs are maintained regularly and tested on a daily basis.
 - b. DPYC maintains a supply of spare parts to minimize down time.
 - c. When a pump-out is out of service, a sign is posted directing boaters to the other three pump-out facilities in the harbor.
 - d. The nearest pump-out facility to DPYC is located at the end of the Harbor Patrol office.
 - e. A list of mobile pump-out vendors is available at the DPYC office.
- 7.3 Boater Education: The DPYC office maintains information on:
- a. Proper use of marine sanitation devices.
 - b. Clean boater practices.

8.0 SOLID WASTE

- 8.1 Proper Disposal: By policy solid waste and debris is properly disposed of in accordance with all applicable laws and regulation.
- 8.2 Landside Refuse: DPYC maintains outdoor trash receptacles conveniently located at each service building and along main pedestrian areas. Trash is removed from each trash receptacle a minimum of two times per day and transported to facility dumpsters. Dumpsters are emptied 4 times per week. In addition:
- a. To prevent trash from escaping into the harbor, dumpster lids are to remain closed only being opened with rubbish is being deposited.
 - b. The area surrounding the facility dumpster is cleaned frequently.
 - c. Cleanup equipment and materials are maintained onsite.
 - d. Dumpster area is inspected at least twice daily.

- 8.3 Trash Policing: Each day DPYC staff pick up all trash from facility sidewalks and parking lots. Each week the docks are cleaned to prevent trash from entering the harbor waters. Debris from facility landscaping services is hauled away by the service provider and the parking lot is cleaned of leaves and debris on a weekly basis.
- 8.4 Water Refuse: DPYC staff removed trash and debris from the waters surrounding the DPYC facility. This is done when necessary using a 16' boat with staff members using a net to remove debris. During times of heavy rains, additional man-hours are dedicated to this task.
- 8.5 Boater Education: The DPYC office maintains information on :
- a. Laws and rules prohibiting dumping of wastes into water (Rule 12).
 - b. Proper disposal of garbage, recyclables, and other wastes (Rule 35, and 57.f).
 - c. Proper disposal of batteries and zinc anodes.

9.0 LIQUID WASTE

- 9.1 Fuel and Oil Spill Prevention and Containment Plan (FOPC): DPYC maintains an FOPC which is found as part of Emergency Action Plan (Attachment A) of this document.
- 9.2 Training: DPYC staff receive training to identify fuel/oil spills in the water, notify the Harbor Patrol and DPYC Management, and in the proper use and location of first response containment/clean-up materials.
- 9.3 Rules and Regulations: Rule 35 requires that all refuse be disposed of in a proper manner.
- 9.4 Household Hazardous Waste: The DPYC office maintains the telephone number for information on the OC Household Hazardous Waste disposal sites.
- 9.5 Environmentally Friendly Liquids: Many of the types of cleaners and materials used in the maintenance of the DPYC facility could be considered a hazard to the environment. By policy environmentally friendly materials will be used whenever possible.
- 9.6 Used Oil Collection: The nearest waste oil recycling station is located at DPH West Basin Marina, across from building B. Marina Operators provide and maintain waste oil disposal units within the Harbor. The Disposal units are open daily during posted hours. Fliers directing boaters to the oil collection facilities are available at the DPYC office. Each facility is permitted & inspected by the County of Orange Fire Authority.
- 9.7 Hazardous Waste Recycling. The recycling station is located at DPH West Basin Marina, across from building B. Materials suitable for free hazmat recycling are

batteries, oil filters, oil absorbent pads and booms, waste oil, automatic transmission fluid (ATF) and coolant.

9.8 Hazardous Materials Storage: DPYC staff will minimize the amounts of hazardous materials kept onsite. Haz-mats will be properly stored and disposed of.

9.9 Boater Education: The DPYC office maintains information on:

- a. Proper disposal of used oil and filters.
- b. Proper disposal of recyclable hazardous materials.
- c. Checking a bilge before pumping.
- d. Proper oil changing techniques.
- e. Spill response procedures.

10.0 FISH WASTE MANAGEMENT

10.1 Docks: Fish cleaning is prohibited on DPYC docks. When such activity is observed, the violator is immediately advised to discontinue cleaning and remove all fish waste from the dock (Rule 40).

10.2 Harbor: Dumping fish waste into harbor waters is a violation of law and will be immediately reported to the DP Harbor Patrol.

10.3 Fishing Line: Although not strictly fish waste it should be noted that the DPYC provides receptacles for waste fishing line recycling.

10.4 Boater Education: The DPYC office maintains information on:

- a. Rules and regulations that prohibit fishing on the docks (Rule 5).
- b. Rules and regulations that prohibit fish cleaning at the docks (Rule 40).

11.0 HAZARDOUS WASTE MANAGEMENT

11.1 Hazardous Materials management Plan: DPYC maintains an oil spill response plan and has first responder containment/clean-up supplies available. A copy of the oil spill response plan is found within this Clean Marina Plan.

11.2 Designated Emergency Coordinator: The DPYC Manager is the designated emergency coordinator for the DPYC facility. Duties include:

- a. Development and implementation of emergency plan and policies.
- b. Training supervision.

11.3 Hazardous Waste Disposal: All hazardous waste generated at the DPYC facility will be properly disposed of using an approved hazardous waste hauler.

11.4 Hazmat Storage: The storage of hazardous materials or refueling of vessels is prohibited on DPYC docks. Weekly inspections of docks, for the purpose of identifying and removing hazardous waste in its various forms (liquids, spent zinc anodes, batteries), are conducted by DPYC staff.

DPYC staff will minimize the amounts of hazardous materials kept onsite. Hazmats will be properly and legally stored and segregated to ensure that only hazmats are handled as such. Hazardous materials will be stored off of the ground in a covered location. Containers will be in good condition and covered.

- 11.5 Emergency Spill Training: All DPYC staff are to receive training on proper emergency procedures. This training is provided to employees every 180 days and for all new employees. This training is to include:
- a. Familiarization of Emergency Action Plan.
 - b. Location and use of first responder containment and cleanup materials.
 - c. Proper notifications for all types of emergencies.
 - d. Location and use of fire suppression equipment.

12.0 STORM WATER PREVENTION PLAN

12.1 Spill Response: Spill response supplies are provided for DPYC by the Marina Operators. These include tarps, sandbags and shovels. All spills that have the potential of polluting harbor waters shall be reported to the Nation Response Center and Office of Emergency Services. DPYC maintains a supply of absorbent pads and booms to prevent spills from reaching storm drains. DPYC staff are trained regularly on the location of spill materials and their use.

12.2 Vehicles: Rule 33 prohibits the servicing or washing of vehicles at the DPYC facility as well as using the lot for any purpose other than parking.

12.3 Parking Lots: All DPYC parking lots are swept on a weekly basis.

12.4 Landscaping: All landscaping trimmings are hauled away promptly.

12.5 Signage: All storm drains are marked "No Dumping – Drains into Harbor and Ocean".

12.6 Irrigation: System is inspected weekly to reduce runoff into storm drains. Necessary repairs are done quickly. Whenever possible water conserving irrigation will be used. Soil level in planters shall be kept several inches below surrounding curbs to further minimize run-off.

12.7 Grates & Filters: Have been installed on all storm drain inlets to reduce trash and debris from entering harbor water. Filters are maintained quarterly.

12.8 Facility Litter: Staff perform daily patrols of all landside areas for litter to prevent trash from entering storm drains.

12.9 Storm Drain Cleanout: Staff annually clean all storm drains prior to the rainy season.

Attachment A

DPYC Emergency Action Plans

1.0 Fuel & Oil Spill Prevention & Containment Plan

1.1 Prevention

Waste Oil Station: The nearest waste oil recycling station is located at DPH West Basin Marina, across from building B. Marina Operators provide and maintain a waste oil disposal station. The disposal unit is above ground and within secondary containment enclosures. The disposal unit is open daily between the hours of 9am and 4pm, and is inspected daily by DPYC staff. The facility is licensed by the County of Orange Fire Authority.

Recycling: Waste oil is recycled by a qualified Hazardous Waste Hauler. Haz-Mat Manifests for each disposal are maintained on file at the DPYC office.

Clean and Green Campaign: This program is promoted by the California Coastal Commission and monitored by the County of Orange Health Dept. Through the program, DPYC provides boaters free oil absorbent pads and disposal. Information about the oil absorbent pad exchange program is available at the DPYC office. Signs about the program are posted at all dock gates and at the waste oil disposal stations.

1.2 Containment

Storage: DPYC staff shall take all reasonable efforts to store chemicals in a manner that prevents spills.

Spills: DPYC staff shall clean up all spills immediately. If unable to do so, the incident shall be reported to DPYC manager immediately.

2.0 Fuel & Oil Spill Response Plan

- 2.01 Upon receiving a report of a spill, DPYC manager shall be notified and dispatched to assess the situation and direct clean up efforts including:
- a. Immediate notification of local authorities.
 - b. Deployment of emergency remediation supplies
 - c. Acquisition of additional remediation supplies and services, including proper disposal of clean up materials.
 - d. DPYC staff will assist in identifying the source of the spill. Once the source of the spill is identified, vessel owner shall be immediately notified and vessel owner information provided to the DP Harbor Patrol.
 - e. In extreme cases the vessel may be taken to the DP Shipyard for emergency repairs or haul out.
 - f. A complete report of the incident shall be created and filed by the DPYC manager.

3.0 **Hazardous Materials Management Plan**

- 3.1 Oil and Fuel Spill Response Plan: DPYC maintains an oil spill response plan and has first responder containment/clean-up supplies available. A copy of the oil spill response plan is found within this Clean Marina Plan.
- 3.2 Training: DPYC staff are trained to identify potential hazardous materials, wastes, and spills and the proper procedures for containment, cleanup and disposal.
- 3.3 Haz Mat Storage & Disposal: The storage of hazardous materials or refueling of vessels is prohibited on DPYC docks. Weekly inspections of docks, for the purpose of identifying and removing hazardous waste in its various forms (liquids, spent zinc anodes, batteries), are conducted by DPYC staff.
- 3.4 Trash Removal: The DPYC trash dumpster is posted with a sign prohibiting all hazardous waste disposals. All Haz-Mat that is encountered at the DPYC facility is collected by Marina Operators for proper disposal.
- 3.5 Hazardous Waste Recycling: The recycling station is located at DPH West Basin Marina, across from building B. Materials suitable for free haz-mat recycling are batteries, oil filters, oil absorbent pads and booms, waste oil, automatic transmission fluid (ATF) and coolant.

4.0 **Emergency Telephone Numbers**

Emergency Telephone Number 911

Dana Point Harbor Patrol	248-2224
Harbor Patrol Dispatch	723-1002
Sheriff Dept Dispatch	770-6011
Fire Station 29	496-9354
Fire Station 30	661-0203

Marina Operations

Bill Fielder Dockmaster	493-3442
SC Water District (Sewer & Water)	499-4555
SDG&E (Electric)	1-800-411-7343
Southern Calif. Gas (Gas)	1-800-427-2000
Waste Oil Hauler (Greentree)	1-800-987-1064

Vessel Assist 493-6353
First Response Haz Mat Water
(water clean-up – sunken boats)

Consolidated Waste Industries 1-909-625-6645
Major Haz Mat Issues
County Approval Required

DPYC Best Management Practices

1.0 Introduction

These Best Management Practices (BMPs) are intended for the education and training of DPYC staff, to ensure clean and environmentally sound work practices through the following:

- Promoting good water quality, abundant sea life and a clean boating environment.
- Take active measures to protect the environment from all pollutants.
- Set a good example for boaters, contractors and the general public by suing environmentally sound practices.

2.0 Contents

- **Litter & Trash Handling**
- **Hazardous Materials**
- **Fuel & Oil Spills**
- **Storm Drain Pollution Prevention**
- **Clean Work Practices**

3.0 Littering and Trash Handling

3.1 Littering: Every piece of litter has the potential to end up in the ocean, so DPYC dedicates many man-hours to litter pick-up.

In the course of all assignments, each DPYC employee is asked to pick-up litter as it is encountered on the premises. This is a standing assignment to all personnel.

Picking up litter reduces future littering. An individual is less likely to litter if a facility is kept clean. Imagine that you toss a piece of litter and it misses the trash can. Wouldn't you be less likely to pick it up if the can is already surrounded by litter?

Landside areas will be checked for litter on a daily & continuous basis. Docks will be checked on a weekly basis. Water areas are patrolled for litter by boat twice weekly or more often if necessary.

Things you can do to reduce litter:

- Report litter problems to your DPYC manager.
- Make sure you have the proper equipment – equipment needs should be directed to your DPYC manager.
- Make sure that all trash & restrooms have sufficient trash receptacles and are emptied regularly.
- Set a good example by making sure you do not litter.
- Pick up all litter you encounter.
- Ensure that company vehicles do not have loose litter that could blow out.

3.2 Trash Handling: Outdoor trash receptacles are located conveniently throughout the DPYC facility.

Twice daily all trash receptacles will be emptied, the trash taken to the facility dumpsters.

Recyclables are to be kept separate and disposed of in the designated recycling dumpsters.

The local refuse hauler will haul away the trash no less than three times a week. Additional dumpsters may be provided during peak times.

Additional things you can do:

- Make sure there is no loose trash in the back of company vehicles. Trash should be securely bagged.
- Make sure you have the proper equipment when assigned to trash pick-up.
- If you encounter hazardous wastes in the trash,, report it to your DPYC manager immediately (see section on Hazardous Materials).

4.0 Hazardous Materials

Hazardous materials pose a serious threat to the environment and safety. There are many ways you can prevent haz-mat exposures:

4.1 Work Place Hazardous Materials

- Whenever possible use products which are environmentally friendly.
- Limit the amount of open chemicals or containers used on a project.
- Most common hazardous materials are – cleaning supplies, paints & thinners, fertilizers, insecticides & herbicides, automobile batteries – BUT THERE ARE MANY OTHERS.
- Most hazardous materials are to be stored in the maintenance sheds.

Be sure to use hazardous materials/chemicals according to their instructions.
If unsure, contact your dept. manager.
All spray bottles should be clearly marked.
Hazardous wastes should be reported to the DPYC manager for proper disposal.
Use proper protections such as gloves and tarps, when using hazardous materials.

4.2 Boaters:

- Boaters may not discharge anything but clean water into the harbor.
- Hazardous & flammable materials may not be stored on the dock or in the dock steps. If you discover hazardous materials on the dock contact the DPYC manager.
- Refueling at dockside is prohibited.
- The DPYC office maintains literature on clean boating practices.
- Hazardous materials may not be disposed of in trash receptacles or dumpsters. Signs are posted.
- If you find hazardous materials in the trash, set them aside and report them to the DPYC manager for proper disposal.
- If you observe any individual disposing of hazardous materials improperly, report them to the DPYC manager.

4.3 Hazardous Material Spill Action Plan

- Upon receiving a report of a hazardous material spill, DPYC manager shall be immediately notified and dispatched to assess the situation and direct clean up efforts including:
 - a. Immediate notification of local authorities (fire department).
 - b. Deployment of any or all emergency remediation supplies.
 - c. Acquisition of additional remediation services, such as contacting Marina Operators and disposal of clean-up materials.
- * Every effort shall be made to prevent the spill from reaching storm drains or harbor waters.
- Should a spill reach a storm drain or harbor waters, the Dana Point harbor Patrol and Station 30 Fire Dept shall be notified immediately.

5.0 Fuel & Oil Spills – Water

Fuel and oil spills are a common source of pollution in the harbor which is why all DPYC staff are trained to detect spills and report them to the Harbor Patrol office.

Upon receiving a report of a spill, DPYC manager shall be notified and dispatched to assess the situation and direct clean-up efforts including:

- Immediate notification of local authorities.
- Deployment of emergency remediation supplies.

- Acquisition of additional remediation services, such as contacting marina Operators and disposal of clean-up materials.
- DPYC staff will assist the harbor patrol in identifying the source of the spill. Once the source of the spill is identified, vessel owner shall be immediately notified and owner information shall be provided to the Harbor Patrol.
- In extreme cases, the vessel may be taken to the DP Shipyard for emergency repairs or haul-out.
- A complete report of the incident shall be created and filed by the DPYC manager.

6.0 Storm Drain Pollution

All storm drains at the facility empty directly into the harbor and are often the source of the following types of pollutants:

- Biological – sewage, pet waste, decaying plant material.
- Chemical – oil, fuel, thinners, insecticides, herbicides, cleaners.
- Litter & garbage.

You should never put anything into the storm drain except small amounts of clean water. To further prevent pollution we have created a storm drain pollution prevention plan.

Storm Drain Pollution Prevention Plan

- Parking Lots: All parking lots are swept on a weekly basis.
- Landscaping: All landscaping trimmings are hauled away.
- Irrigation: System is inspected weekly to reduce runoff into storm drains. Necessary repairs are done quickly. Whenever possible water conserving irrigation will be used. Soil level in planters shall be kept several inches below surrounding curbs to further minimize run-off
- Facility Litter: Staff perform daily patrols of all landside areas for litter at the facility.
- SD Cleanout: Staff annually clean all storm drains prior to the rainy season.
- Grates and Filters: Have been installed on all storm drain inlets to prevent trash and debris from entering the harbor.
- Signage: All storm drains are marked “No Dumping – Drains into harbor & Ocean”.
- Automobile maintenance and washing is prohibited in DPYC lots.
- DPYC maintains a supply of absorbent pads and booms and staff are trained regularly on the location of spill materials and their use.
- Water Quality Protections are included in project specifications.

7.0 Clean Work Practices

All employees are required to work in a clean manner and take great care to avoid polluting the environment. Here are a few clean work practices you can use:

- Use tarps or other materials and equipment to ensure nothing gets into the ocean.
- Use chemicals and materials sparingly. Use environmentally friendly chemicals whenever possible.
- Bring clean-up equipment with you so you are prepared to clean up throughout each project.
- Avoid jobs on the dock or near the water unless absolutely necessary.
- Be on the lookout for all sources of pollution at DPYC and boaters violating DPYC Rules and Regulations.
- Immediately report all sources of pollution and spills to DPYC manager.

Dana Point Yacht Club (DPYC)
Attachment D
RULES AND REGULATIONS

These Rules and Regulations are an attachment to and incorporated in the License. These Rules and Regulations are for the benefit of all those who maintain a boat at DPYC docks. Licensees are required to notify DPYC or Manager of any unsafe or hazardous conditions that come to their attention. A breach of any of these Rules and Regulations shall constitute a breach of the License and shall permit County to exercise all rights and remedies permitted at law or in equity to remedy said breach, including, but not limited to, a termination of the License.

1. **Water/Power Lines.** Water, telephone, cable or power lines shall not cross main headwalks and be in good/safe condition.
2. **Safe Mooring.** All boats shall be moored in a safe manner.
3. **Vessel Inspections.** DPYC reserves the right to inspect all boats to determine if they are properly identified and equipped for safe operation in accordance with Coast Guard Regulations and other applicable regulations. DPYC may, at their discretion require a current inspection by the U.S. Coast Guard.
4. **Seaworthiness.** All vessels must be able to actively navigate seas or open waters (seaworthy). Houseboats and other unseaworthy vessels are prohibited in the Marina.
5. **Fishing/Swimming.** Fishing or swimming within Marina, including fishing from boats within the Marina shall not be permitted.
6. **Bicycles/Skates, Etc.** No person shall roller skate, roller blade, skateboard, ride bicycles, go-peds (or other motorized or non-motorized scooter, skateboard, mini-bike or similar type device) or motorcycles on the docks or gangways located at the Marina.
7. **Projections Beyond End of Berth.** The maximum distance by which any boat (including all extensions such as swim steps, booms, bait tanks, etc.) may project beyond the end of the berth into the waterway shall be 3 feet unless otherwise permitted in writing. No part of the boat shall extend over the main headwalk. All boats shall be tied with bow toward headwalk so boarding will be done on starboard (right) side. All Slips must be occupied by an appropriate size Vessel.
8. **Electrical Connections.** In accordance with the Orange County Fire Code No. 419, all connections made to the Marina receptacles shall be grounded and U.L. approved. Wiring must be of adequate size for the power provided. Electrical shore-power connections must be marine grade and be in good, safe condition. Electrical cords may not be affixed or secured to the docks or be allowed to hang into the harbor.
9. **Children.** Children under 12 years are not permitted on docks without the immediate presence of their parents or other responsible adults. (Non-swimmers or toddlers are required to wear life jackets when on the docks or boat decks.)
10. **Notification of Unsafe Conditions.** Licensee and all other license holders of the Marina, their guests and invitees shall promptly notify County or DPYC of any unsafe or hazardous condition that comes to their attention.

11. **Hazardous Activities/Barbecues.** All high-risk fire hazards, i.e., refueling boats at dock side, storing flammable or hazardous material in dock boxes, welding, etc. is strictly prohibited. Barbecues are strictly prohibited on all dock areas.
12. **Discharges from Vessels/Disposal of Liquids.** No license holder of the PYC docks shall throw, discharge or deposit from any vessel, dock or premises any refuse matter, oil, spirits, inflammable liquid, oily bilges in the harbor. All such matter shall be deposited in appropriately-marked containers within the Marina. Orange County Ordinance No. 2073 provides it is unlawful to throw, discharge or deposit from any vessel or float any refuse, oily bilge fluids, inflammable liquids and other contaminants into water or upon the premises. Vessels with automatic bilge pumps will be maintained in such a manner as to prevent the discharge of contaminants overboard by using oil absorbent bilge pads. Free disposal of waste oil, automatic transmission fluid, coolant, batteries, and used oil absorbent bilge pads is provided by Marina. Pump out stations, trash receptacles and recyclable receptacles are provided for the convenience of vessel owners.
13. **Use of Chlorinators.** Use of boat toilets not equipped with chlorinators or storage devices approved by the Orange County Health Department shall not be permitted within the Marina. DPYC reserves the right to inspect all boats for installation and operation of such devices.
14. **Laundry.** There shall be no laundering or drying of clothes on deck or rigging at the Marina.
15. **Noise.** Except for entering or leaving the Slip, main engines, power-generation equipment, or other noise-making machinery shall not be operated between the hours of 7:00 p.m. and 9:00 a.m. Unnecessary operation of engines in the Slip shall not be permitted.
16. **Engine Operation.** Engines may not be operated in gear while boats are secured to dock.
17. **Speed Limit.** The maximum speed limit within Dana Point Harbor shall be 5 mph (no wake permitted). The maximum speed limit within all Marina parking lots shall be 5 mph and all unsafe driving is strictly prohibited.
18. **Improper Vessel Handling.** Improper or unsafe boat handling shall be just cause for immediate termination of the Licensee's License Agreement. Licensee shall immediately report to DPYC any and all vessel or vehicle accidents / damage occurring at Marina.
19. **Use of Docks/Floats.** The use of docks/floats to store or place supplies, materials, accessories, or gear of any kind shall not be permitted within the Marina except in any lockers provided by DPYC. Licensee further agrees that DPYC in its exclusive discretion may remove, impound and/or dispose of any such improperly stored items in which case DPYC assumes no responsibility or liability.
20. **Boarding Steps.** Any steps used for ingress to and egress from a Vessel shall not be wider than one-half (½) of the width of the finger to which the Vessel is moored, and no more than five feet in length. The steps must be of a light weight construction and approved in advance by the Manager. The steps may not be used as a storage locker.

21. **Vessel Repairs.** Apart from work accomplished wholly below decks, no rebuilding, hull painting, sander use, spray gun use, welding, overhauls or other vessel maintenance or refurbishment efforts are permitted while in the Marina. However, minor maintenance and bright work may be permitted. The types and extent of maintenance which will be permitted are within the sole discretion of DPYC and Licensee should contact the Manager with questions. Any damage caused to the premises by the Licensee shall be repaired by DPYC, at the expense of Licensee.
22. **Damage to County Property.** Each license holder in the Marina will be held responsible for any damage to the Marina and/or structures caused by a license holder, his or her guests, agents and/or employees. Licensee shall immediately notify DPYC of any and all damages caused to County property.
23. **Repair of Damages Caused by Licensee.** Any damage to the Slip, Marina or Harbor by any license holder or his or her guests, agents and/or employees may, at DPYC's option, be repaired or corrected solely by DPYC at the expense of said license holder.
24. **Offensive or Harmful Conduct.** Disorder, depredations or indecorous conduct by any license holder or his or her guests, agents and/or employees that might injure a person, disturb other license holders, cause damage to the Marina or the Harbor or harm the reputation of DPYC shall be just cause for immediate termination of this License.
25. **Solicitations.** It is unlawful for any unauthorized person to solicit or advertise business or offer for sale goods, wares, merchandise or services, or solicit orders for such sales on the premises of the Marina, including but not limited to the docks, buildings or parking or vehicles and vessels within the Marina.
26. **Signs.** Unauthorized signs or banners are prohibited aboard any boat in the Marina or upon the Marina premises. Each licensee is authorized one "vessel for sale" sign aboard the Vessel, no greater than 18" by 24".
27. **Commercial Use of Vessel.** Use of any Vessel moored at the Marina for commercial purposes is not permitted without the prior written approval of the County and DPYC .
28. **Small Boat Storage.** A "small boat" is defined as a sabot, inflatable, dinghy, jet skis or similar vessel with a LOA of 10 feet or less, or a canoe or kayak with a LOA of 15 feet or less. A small boat may be stored on the Vessel or within the Slip water space. Dinghies and kayaks may be launched from Marina docks provided the Licensee of such vessel(s) is entitled as a party to a current and valid License AND the small boat weighs less than 100 pounds. Jet skis, personal watercraft and vessels weighing in excess of 100 pounds shall not be launched from Marina docks at any time. Vessels with an LOA greater than 10 feet or kayaks with an LOA greater than 15 feet do not qualify as a Small Boat under this rule and cannot be stored in a Slip without the prior written permission of County.
29. **Amendment of Rules/Statutes/Regulations.** The Harbor Ordinances, County and DPYC Rules and Regulations set forth herein and as they maybe amended from time to time and all other laws, rules, statutes and regulations established by regulatory bodies having jurisdiction, including DPYC of Orange, State of California and the United States of America shall form a part of the License as though printed herein.

30. **Television Antennas.** Aerial television antennas are not permitted on Vessels moored in the Marina. A single satellite dish or marine television antenna (less than 30”) is permitted on a Vessel moored in the Marina.
31. **No Mooring at Marina Without Valid License.** No Vessel may be moored at Marina unless a current License is in effect between the owner of said vessel and DPYC. Licensee is prohibited from storing more than one vessel in a Slip unless vessel qualifies as a “small boat” under rule 28, or has obtained prior written approval of DPYC. Liveaboard permits shall be limited to no more than three percent (3%) of total Marina slips.
32. **Use of Approved Equipment/Alterations to Docks & Premises.** All equipment, used on docks by Marina Licensee (dock wheels, boarding ladders, etc.) must be approved by DPYC. Licensee may not install additional dock lockers, fenders, bumpers, rub rails, rollers or in any way make alterations to the dock, dock box or fingers. Boat slip liners and boat lifts are prohibited. All installations on the floats shall be installed by Manager’s staff at the cost of the Licensee and shall be approved by DPYC on an individual basis.
33. **Parking.** No vehicle may remain on the parking lots provided for Licensee’s use or other parts of the Marina for a period exceeding 72 hours unless prior written approval is obtained from the Manager. All types of trailers, RVs and vehicles longer than 23’ are prohibited in the Marina parking lots without the prior written approval of the Manager. Failure to comply with these parking rules may result in the towing of vehicles, at their owner(s) sole expense and risk. Neither DPYC nor its respective officers, agents or employees shall be liable to Licensee or Licensee’s guests, employees, or agents for any loss of, or damage of any kind to any motor vehicles or other personal property in or on the buildings, parking lots, or other portions of the Marina. All changes to parking regulations will be posted on the bulletin board outside the Marina Manager’s office. The washing of any vehicle, vessel or apparatus is prohibited in the Marina’s parking lots.
34. **Maintenance of Slip and Surrounding Environs.** Licensee agrees to maintain the Slip, the walks, floats, ramps, gangways and docks in, about and surrounding the Slip in a neat, clean and unobstructed condition at all times. Should it become necessary for DPYC to maintain the area in said condition, it will be done at Licensee’s expense.
35. **Disposal of Refuse:** The Licensee shall not deposit into any garbage can or other receptacle located on Marina property any of the following: (1) paint, varnish, thinner, non-edible oil or other flammable or hazardous materials; (2) vessel parts, including but not limited to engine machinery parts, interior parts, fastenings or upholstery; or (3) any item weighing in excess of 20 pounds. For the location of household hazardous waste disposal sites, contact the Manager.
36. **Pets:** Orange County Ordinance No. 4-1-70 provides that all pets shall be on a leash not longer than 6 feet, at all times and under the direct control of an adult. Should any pet become a nuisance at the Marina, Manager may require said pet to be removed from the Marina. Animals are not permitted in the restrooms. Dogs without licenses will be considered a violation of this License and grounds for termination. Animal droppings are required to immediately be cleaned up.
37. **Hose - Nozzles.** Automatic shut-off nozzles must be attached to hoses in order to conserve water. Water hoses shall not be left running in a manner that waste water.
38. **Vessel Maintenance / Contractors.** Apart from minor maintenance and light work, no work involving the Vessel may be accomplished while at the dock or otherwise on Marina property. The

determination of what constitutes minor maintenance and bright work will be at the sole and absolute discretion of the Manager. Prohibited work includes, but is not limited to, painting, heavy sanding, use of paint remover, spray guns, welding or the burning of paint on the topsides or above the decks. Contractors hired by Licensee to work on the Vessel must be registered with the Manager prior to the commencement of such work, and each such contractor must maintain and provide proof of liability insurance in an amount of at least \$1 million. Licensee further agrees to comply with all applicable rules, regulations, orders, statutes and laws of DPYC, the State of California and/or all other governmental entities with jurisdiction over the Harbor or the Marina. Access will not be provided to un-registered contractors.

39. **Flammable Materials and Use of Dock Boxes.** Neither Licensee nor anyone acting on his/her behalf shall burn paint or use flammable materials without the prior written consent of DPYC. Licensee agrees not to store any flammable or hazardous materials in the dock box locker. DPYC assumes no responsibility for the protection or safety of Licensee's possessions, including but not limited to, belongings kept by Licensee in a dock box.
40. **Fish Cleaning.** No fish cleaning is permitted within the Harbor.
41. **Storage in Parking Lot.** The Marina's parking lot is for the use of Licensee and authorized visitors. Licensee shall not store in the Marina's parking lots any vehicle, trailer, camper or anything else without the prior express written approval of the Manager.
42. **Articles Left in Storage Locker.** DPYC is not responsible for any article remaining in Licensee's storage locker once Licensee has moved his/her Vessel or abandoned his/her Vessel. Licensee further agrees that DPYC, in its exclusive discretion, may remove and dispose of any such articles left behind in which case all proceeds derived from such disposal, if any, shall become the sole property of DPYC.
43. **Noise and Conduct.** Licensee shall not make or allow any disturbing noises on the docks or anywhere on the premises, with particular emphasis between the hours of 7:00 p.m. and 9:00 a.m., either by Licensee or his/her family or guests, nor shall Licensee permit such persons to engage in any conduct which will interfere with the rights, comforts or convenience of others. The activities and conduct of Licensee and/or Licensee's family while on Marina premises must be reasonable at all times. Licensee assumes full responsibility for his/her guests' conduct and agrees to be held jointly and severally liable for all consequences of his/her guests actions or misconduct.
44. **Storage of Equipment.** Licensee shall not store or leave any items on the floats, docks, fingers, landings or landside areas of the Marina, including plants, bicycles, dinghies and other items. Bicycles must be stored on the Vessel. Dinghies may only be stored on the Vessel or in an authorized storage space provided by DPYC. DPYC strongly urges Licensee secure all items, as DPYC shall not be held liable for the loss or theft of any personal belongings.
45. **Dinghy Storage.** DPYC may but is not required to provide storage for dinghies and/or kayaks. If DPYC elects to do so Licensee is not assured he/she will be provided storage space. If dinghy storage space is provided Licensee agrees to tender the then current dinghy storage fee no later than the first day of each month, together with other fees due. Dinghies with an LOA greater than 10 feet or a kayak with an LOA of 15 feet may not be stored in the Slip without the express prior approval of the Manager.

46. **Halyard Noise.** Halyards shall be tied off to eliminate noise. Dock lines shall be maintained in a safe, unchafed, manner and shall be of adequate size for the Vessel.
47. **Transfer of Interest in Vessel.** Should Licensee sell or otherwise transfer interest in Vessel, Licensee may upon written approval of Manager, continue renting the Slip provided Licensee obtains a new vessel of size appropriate for the Slip within 90 days. Failure to do so will result in termination of this License.
48. **Change of Ownership.** Licensee shall notify Manager in writing within five (5) days of any change of ownership of Vessel resulting from a gift, sale, withdrawal, addition or substitution of partners, the sale or transfer of stock or change of directors or officers in a closely held corporation owning the vessel. Licensee must maintain a minimum of 20% interest in Vessel and an interest in Vessel equal to or greater than that of all other parties.
49. **False Information.** Providing false information or documentation to DPYC or County to obtain or maintain a Slip in Marina shall be considered grounds for immediate termination of this license.
50. **Registration and Insurance.** Licensee shall provide DPYC Manager a copy of current vessel registration from the CA DMV or vessel documentation from US DOT. Registration or documentation must list all vessel owners and Marina tenants of record. Before locating a vessel in Marina, Licensee shall provide Marina proof of current vessel insurance for \$300,000 single limit liability. Failure to provide current vessel registration / documentation and current vessel insurance for the entire term of the license may result in termination of the license.
51. **Taxes and Assessments.** This License may create a possessory interest, which is subject to the payment of taxes levied on such interest. It is understood and agreed that all taxes and assessments (including but not limited to said possessory interest tax) which become due and payable upon the Slip, shall be the full responsibility of Licensee, and Licensee shall cause said taxes and assessments to be paid promptly."
52. **Maintenance Best Management Practices.** Licensee and Licensee's contractors must adhere to the following procedures. Failure to follow these policies /procedures will result in immediate termination of the Licensee's License:

A. Policies.

- 1) All contractors, independent contractors and self-employed boat workers hired by Licensee must show proof of insurance in the amount of \$1 million naming DPYC as additional insured, and register with and receive prior approval from the Marina before beginning work on the Marina's premises.
- 2) Licensees may undertake basic boat projects as needed to maintain their vessel's safety, appearance and utility. The extent of such repairs and projects allowed in the marina shall be at the sole discretion of the Marina.
- 3) New or substantial work must be approved by the Marina prior to undertaking the project.
- 4) Minor vessel maintenance projects should be limited to work on 25% or less of the vessels surface and not to exceed 5 days.
- 5) All Licensees are reminded that the Marina is a recreational area and not a boat yard or repair facility. Boaters are required to protect water quality at all times

- 6) Boaters are encouraged to use environmentally friendly cleaning products. Products should be phosphate free and be biodegradable. Avoid cleaners that contain lye, sodium hydrochloride, chlorine, or petroleum distillates.
- 7) Boaters are encouraged to use non-toxic and legal paints. Use products that are low in VOCs (Volatile Organic Compounds) which are a source of air pollution.

B. Engines and Bilges.

- 1) Licensees must use absorbent bilge pads to soak up oil and fuel in the bilge.
- 2) Do not discharge bilge water if there is a sheen to it.
- 3) Recycle oil and fuel products properly.
- 4) Dispose of absorbent pads and filters properly.
- 5) Do not dispose of any fuel, paint, oil, absorbent pads/rags, batteries, engine parts, or other contaminated materials into the Marina's trash receptacles or dumpsters.
- 6) Use caution when fueling to avoid spills and potential hazardous situations. Fueling at dockside is prohibited. Avoid overfilling fuel tanks.
- 7) Keep engines properly maintained for efficient fuel consumption and clean exhaust.
- 8) The use of detergents and/or emulsifiers of fuel spills in the water are prohibited.
- 9) Use oil absorbent pads while fueling to catch any drips or spills.
- 10) Routinely check engines for leaks and use drip pans or absorbent pads under engines.
- 11) Report all spills to the DPYC office immediately (949)496-2900.

C. Painting and Varnishing.

- 1) Limit the amount of open solvents or paints on the docks to one (1) gallon at a time. Never leave open paints unattended.
- 2) Always mix paints and epoxy over a tarp.
- 3) Always use a pan or drop cloth.
- 4) Use up remaining bits of paint by spreading it on an old board.
- 5) Spray painting or spraying of varnishes is prohibited in the marina.
- 6) Do not dispose of any paint, oil, varnish, absorbent pads/rags or other contaminated material into the Marina's trash cans or dumpsters. Paints, solvents and other hazardous materials must be disposed of legally at a household hazardous waste station (714)834-6752 or other appropriate disposal facility.

D. Surface Preparation.

- 1) Use biodegradable soaps, cleaners and teak cleaners approved for ocean waters.
- 2) Liberally use tarps to capture all scrapings, debris and drips. No material may enter the water.
- 3) Use vacuum power sanders, vacuum all dust and debris. No material may enter the water.

E. Sewage

- 1) Untreated sewage must never be discharged into the harbor waters.
- 2) Store sewage in holding tanks and dispose of sewage properly at pump-out stations.
- 3) Never discharge Type I sewage while moored in the Marina.
- 4) Use shore-side restrooms whenever possible, rather than toilets aboard vessels.

F. Solid Waste Disposal.

- 1) Dispose of all garbage in proper shore-side dumpsters.

- 2) Let empty cans dry thoroughly before disposing of them into trash dumpsters.
- 3) Please recycle green, brown and clear glass, newspapers and aluminum products.

G. Chemical Storage.

- 1) Purchase only the amount of chemicals/paints you need for a project.
- 2) Review storage of paints, varnishes, solvents, and chemicals every six months. Properly dispose of old or unnecessary products.
- 3) Do not store more than two gallons (total) of these products on your Vessel.
- 4) Never store any of these products in a dock locker.

H. Hull Maintenance

- 1) The use of non-toxic and legal hull paints is recommended.
- 2) Make sure that paints are applied properly and in accordance to manufacturer's recommendations.
- 3) Wait 90 days after painting the hull before underwater cleaning.
- 4) Hull bonding or painting problems should be properly repaired.
- 5) Schedule regular hull cleaning & maintenance to eliminate the need for hard scrubbing. Soft scrubbing reduces environmental impact and extends the life of your hull paint.
- 6) Choose a qualified hull cleaning company using Best Management Practices.
- 7) Power scrubbers and pressure washers are prohibited at the Marina.
- 8) Waste zinc anodes should be disposed of properly.

**Contact the Marina Manager's Office for Recycling Locations,
Pump-Out Locations, and
Commercial Pump-Out Services**

**APPLICABLE LAWS CONCERNING WATER POLLUTION
HARBORS, BEACHES AND PARKS DISTRICT
Orange County Code
Article II. Harbor Sanitation**

Sec. 2-2-163. Toilets and Refuse

- (a) No person shall discharge, or permit or allow any other person on a vessel under his control or command to discharge any human or animal excreta from any head, toilet or similar facility or otherwise from a vessel into the waters of a harbor.
- (b) No person shall throw, discharge, deposit or leave or cause, suffer or permit to be thrown, discharged, deposited or left, either from the shore or from any pier or vessel or from any factory or elsewhere, any refuse matter of any description in the navigable waters of a harbor. (Code 1961, 22.111)

Sec. 2-2-167. Discharge of Flammable Material

No person shall pump or discharge from any vessel or tank into the waters of a harbor, oil, spirits or flammable liquid, or deposit any rubbish, refuse matter or articles of any offensive character therein or upon any pier or street leading to such facility. (Code 1961, 22.115)

Sec. 2-2-168. Dead animals.

No person shall throw, place or leave any dead animal or putrefying matter into or in the waters of a harbor, on or along the shore thereof. (Code 1961, 22.116)

Sec. 2-2-169. Vessel wastes

- (a) No person shall own or operate a vessel equipped with any head (toilet) or receptacle from human body wastes in the waters of a harbor unless:
 - (1) Said vessel is also equipped with a holding tank designed to retain all human body wastes deposited in said head or receptacle until such time as said sewage can be discharged otherwise in accordance with law; or
 - (2) Said head or receptacle is connected directly to a sanitary sewer system; or
 - (3) Said head or receptacle is connected to an on-board sewage treatment system which produces an effluent meeting such standards as may be approved by DPYC Health Officer for discharge into the waters of a harbor.
- (b) The effective date of this section shall be January 1, 1974. (Code 1961, 22.117)

FISH AND GAME CODE

Chapter 2. Pollution.

Article 1. General.

Water Pollution; Prohibited Materials

Except as provided in subdivision (b), it is unlawful to deposit in, permit to pass into, or place where it pass into the waters of this state any of the following:

- (1) Any petroleum, acid, coal or oil, lampblack, aniline, asphalt, bitumen, or residuary product of petroleum or carbonaceous material or substance.
- (2) Any refuse, liquid or solid, from any refinery, gas house, tannery, distillery, chemical works, or mill of any kind.
- (3) Any sawdust, shavings, slabs or edgings.
- (4) Any factory refuse, lime, or slag.
- (5) Any cocculus indicus.
- (6) Any substance or material deleterious to fish, plant life, or bird life.

This section does not apply to the discharge or release that is expressly authorized pursuant to, and alliance with, the terms and conditions of waste discharge requirement pursuant to Section 13263 of Water Code or a waiver issued pursuant to subdivision (a) of Section 13269 of the Water Code issued

FISH AND GAME CODE

5652. Refuse Disposal into Waters: Exceptions

It is unlawful to deposit, permit to pass into, or place where it can pass into the waters of the state, or to abandon, dispose of, or throw away, within 150 feet of the high-water mark of the waters of the state, any cans, bottles, garbage, motor vehicle or parts thereof, rubbish, or the viscera or carcass of any dead mammal, or the carcass of any dead bird.

The abandonment of and motor vehicle in any matter that violates this section shall constitute a rebuttal presumption affecting the burden of producing evidence that the last registered owner of record, not

having complied with Section 5900 of the Vehicle Code, is responsible for such abandonment and is thereby liable for the cost of removal and disposition of the vehicle. This section prohibits the placement of a vehicle body on privately owned property along a stream bank by the property owner or tenant for the purpose of preventing erosion of the stream bank.

HARBORS AND NAVIGATION CODE

Section 133. Discharging fuel oil from vessel in harbor; definitions

Except in case of emergency imperiling life or property, or unavoidable accident, collision, or stranding, or as otherwise permitted by law, it is unlawful and constitutes a misdemeanor for any person to discharge, or suffer the discharge of oil by any methods, means, or manner, into or upon the navigable waters of the State from any vessel using oil as fuel for the generation of propulsion power, or any vessel carrying or having oil in excess of that necessary for its lubricating requirements, and such as may be required under the laws and prescribed rules and regulations of the United States and this State.

As used in this section, the term “oil” means oil of any kind or in any form, including fuel oil, oil sludge, and oil refuse, and the term, “navigable waters of the State,” means all portions of the sea within the territorial jurisdiction of the State, and all inland waters navigable in fact in which the tide ebbs and flows.