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## Santa Ana Regional Water Quality Control Board

### Notice of Decision

**TO:** Wade Crowfoot **SENT VIA ELECTRONIC MAIL ONLY**  
Secretary for Natural Resources  
California Natural Resources Agency  
715 P Street, 20<sup>th</sup> Floor  
Sacramento, CA 95814  
[CRP-NOD@resources.ca.gov](mailto:CRP-NOD@resources.ca.gov)

**FROM:** Eric T. Lindberg  
Executive Officer  
Santa Ana Regional Water Quality Control Board  
3737 Main Street, Suite 500  
Riverside, CA 92501

**DATE:** May 14, 2026

**SUBJECT:** Filing of Notice of Decision in compliance with section 21080.5 of the California Public Resources Code

**PROJECT PROPONENT:** Santa Ana Regional Water Quality Control Board

**PROJECT TITLE:** Amendments to the Water Quality Control Plan for the Santa Ana River Basin to Incorporate Total Maximum Daily Loads for Copper for Newport Bay, Orange County, California

**LOCATION:** Newport Bay, Orange County, California

**DESCRIPTION:** On December 2, 2022, the Santa Ana Regional Water Quality Control Board adopted [Resolution No. R8-2022-0012](#) to incorporate Copper Total Maximum Daily Loads (Copper TMDLs) for Newport Bay, Orange County, California into the Water Quality Control Plan for the Santa Ana River Basin (the Basin Plan Amendment). The State Water Resources Control Board approved the Basin Plan Amendment under [Resolution No. 2025-0023](#) on August 5, 2025. On April 28, 2026, the Office of Administrative Law approved the Regulatory Provisions for the Newport Bay Copper TMDLs.

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JOHN SCANDURA, CHAIR | ERIC LINDBERG, EXECUTIVE OFFICER

The Basin Plan Amendment incorporates TMDLs for copper in Newport Bay, and an implementation plan to restore water quality into Chapter 6 of the Water Quality Control Plan for the Santa Ana River Basin (the Basin Plan).

TMDLs are a requirement of the federal Clean Water Act. Upper Newport Bay and Lower Newport Bay are assigned TMDLs in this Basin Plan amendment.

The parties responsible for implementing the Copper TMDLs include the City of Newport Beach, County of Orange, marina owners/operators, underwater hull cleaners, and private and commercial boat owners/operators. The Santa Ana Water Board expects that the primary trustees in Newport Bay granted sovereign tidelands and submerged tidelands in trust – the City of Newport Beach and County of Orange – will take the lead on developing and implementing plans to reduce copper in the bay.

An implementation schedule with interim compliance milestones and dates has been developed for these Copper TMDLs. This schedule allows time to implement and adaptively manage the tasks to ensure effectiveness, efficiency, and fairness. In particular, this compliance schedule is applicable to the reduction of copper discharges from copper antifouling paints on boats. If copper discharges from sources other than boats exceed their allocations, a plan would be required to reduce those discharges.

**CONTACT  
PERSON:**

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This is to advise that the Santa Ana Water Board has made the following determination regarding this project:

The project has been:  approved

disapproved

Sincerely,

**Brian M**  
**Covellone**

The logo for Water Boards, featuring three blue wavy lines above the text "Water Boards" in a light blue font.

Digitally signed by  
Brian M Covellone  
Date: 2026.05.14  
11:34:06 -07'00'

for Eric T. Lindberg, PG CHG  
Executive Officer  
Santa Ana Regional Water Quality Control Board