

# **RICHARDSON'S BAY REGIONAL AGENCY**

Thursday, March 21, 2013

5:30 P.M. to 7:00 P.M.

Sausalito City Council Chambers 420 Litho Street Sausalito, CA

***PUBLIC COMMENT IS INVITED CONCERNING EACH AGENDIZED ITEM PURSUANT TO THE BROWN ACT. PLEASE LIMIT YOUR COMMENTS TO THREE (3) MINUTES.***

## **AGENDA**

### **5:30 P.M. CALL TO ORDER - ROLL CALL**

1. Minutes of January 17, 2013 Meeting
2. Review report of Harbor Administrator
3. Approval of prior expenditures for January – March 2013
4. Discussion and approval of FY 2013/14 annual budget
5. Anchorage report
6. Public comments invited concerning items NOT on this Agenda (3-minute limit)
7. Staff comments
8. Board member matters

**NEXT MEETING:** Tentatively planned for May 16, 2013. Board members please review your calendars and advise Staff as to your availability.

***A COMPLETE AGENDA PACKET IS AVAILABLE FOR VIEWING ON THE RBRA WEBSITE <http://rbra.ca.gov> , AND AT THE SAUSALITO CITY LIBRARY.***

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# **RICHARDSON'S BAY REGIONAL AGENCY**

## **MEMORANDUM**

March 15, 2013

**TO:** RBRA Board

**FROM:** Ben Berto, RBRA Clerk

**SUBJECT:** March meeting

Board members:

There are several items on this meeting's agenda. Having conducted your first review of this year's draft budget at the January meeting, the budget is now scheduled for adoption by your Board. Feel free to email or call me if you have questions about the budget. Following its adoption, staff will forward the budget and an invoice to each jurisdiction's financial officer for subsequent adoption. It is noted that funding of our budget awaits each jurisdiction formally adopting its budget, including RBRA payment, and then making payment to the RBRA. Staff appreciates prompt dues payments, particularly since by July the RBRA's coffers are down to the bare bones.

The \$495,000 debris removal grant the RBRA received from CalRecycle is officially operational, and staff is proceeding with demolition work and processing invoices for State reimbursement.

In response to Board direction at the January meeting, staff is providing to your Board an agency policy background report. The report focusses on the 1984 Richardson Bay Special Area Plan (SAP), the original (and still current) document setting forth policies for Richardson's Bay and leading directly to the formation of the RBRA and its subsequent activities.

Attached is an article from the IJ detailing designation of the SF Bay estuary as a protected area under international treaty, and attendant efforts by Senators Boxer and Feinstein to secure passage of a Senate bill to help restore tidal wetlands and assist water quality. Subsequent efforts by staff as to the potential future availability of funds for Richardson's Bay-directed efforts appear positive.

The Harbor Administrator will provide a brief overview of upcoming RBRA activities in order to prepare for the America's Cup later this summer. If Boardmembers have an opportunity to cast an eye bayward, on many afternoons at least one AC 72 is flying around the Bay practicing for the regatta.

**RICHARDSON'S BAY REGIONAL AGENCY**  
**MINUTES OF JANUARY 17, 2013**  
HELD AT SAUSALITO CITY HALL CHAMBERS

**MEMBERS PRESENT:** Chair Ken Wachtel; (Mill Valley); Herb Weiner (Sausalito)  
Thomas Cromwell (Belvedere);

**ABSENT:** Kate Sears (Marin County) pre-arranged; Dick Collins (Tiburon)

**STAFF:** Bill Price (Harbor Administrator); Ben Berto (RBRA Clerk)

Meeting called to order at 5:37 PM

**Minutes of November 8, 2012 RBRA meeting**

Minutes were approved unanimously.

**Review report of Harbor Administrator**

Mr. Price reviewed the series of storms that affected the anchorage at the end of November, which resulted in over 20 vessel disposals. He said that the grants from the Department of Boating had covered all of the bills, but the funds were thin and it was fortunate that the Cal Recycle grant was ready to take up the slack over the next few months of winter. Member Cromwell asked what the annual total of disposed vessels would be and Mr. Price averaged it out to 60. Member Weiner asked if the vessels were stored or lived aboard, and Price responded that the majority were stored.

Price reported on the Marin County labs pending closure, and also updated the Board on the recent work on the Waldo Point houseboat infrastructure improvements which were advancing and promise to eventually reduce the present chronically problematic sewage system at Gates Co-op. Leslie Alden of Supervisor Sears' office pointed out that the Gates Co-op was separate from the Waldo Point project in that it required separate funding to bring the boats up to code.

Chair Wachtel asked about the increased costs associated with ferrocement vessels. Mr. Price responded that they were much more difficult to demolish and so they were sent to contractors in many cases. He pointed out that contractors are considerably more expensive since they have labor, equipment, property, insurance, and profit expenses built into the price. The RBRA demolition costs do not reflect any labor, insurance, property, or profit costs – in fact the Harbor Administrator's wage is not even included, so it is comparing apples to oranges.

Member Cromwell asked about salvage value on the derelicts, and Mr. Price responded that he gave it to two different operators who assisted him with work in exchange for the material. He counted on these individuals to unbolt engines and drain tanks as a work-trade. Member Weiner asked about salvageable boat parts and Mr. Price responded that the work required to separate, unbolt, clean, store, advertise, and sell these very used parts would not be worth the time and energy spent, and that he had no time to

accomplish this as well as conduct his daily operations. Mr. Berto pointed out that if such salvage/sale efforts were incorporated into internal RBRA operations, the result would likely be a net increase in agency expenses, for the reasons mentioned.

### **Prior expenditures**

The expenditure report was accepted unanimously.

### **Review and comment on the first draft of the 2013-14 budget**

Mr. Berto introduced the budget as a barebones approach that reflects the realities of our agency in these financial times. He pointed out benefits corrections had brought up the salary line, that the legal expenses were increasing in anticipation of additional expenses in regards, and that salvage costs (and reimbursement) were going up, despite DBW's continuing funding reductions. The CalRecycle grant was bailing the agency out for the next three years. He pointed out that a mooring field was one potential solution to the vessel removal difficulties facing the RBRA, but he explained that this option would necessarily cost much more money in the short term. Member Wachtel asked what would keep new anchor-outs from anchoring nearby the mooring field and Mr. Berto replied that enforcement would be a key component of the program's success. Member Weiner stated that there was a long history of anchor-outs in Sausalito, and that empty boats were the real problem. These "storage bins" made the anchor-outs look bad.

Member Cromwell asked how a mooring field would eliminate the problems, and Mr. Berto replied that with regulatory control and small fees, the existing and arriving boats could be placed on a set number of moorings, which could control the continuing influx. He said that the cultural liveaboard issue would likely be left alone. He said that this would be a long-term process, but that the BCDC staff seemed pragmatic and we would rely on them to partner in this effort. Member Cromwell asked if there was a long-term plan and Mr. Berto responded that without a budget there could be no plan. He also noted that extensive community outreach would need to be part of any effort.

Members Cromwell and Weiner suggested that there may be enough of a shift at BCDC, and with AC34 pending, to warrant revisiting the subject. Mr. Berto asked the Board to provide Staff with direction. Leslie Alden asked if the matter should be agendaized, and if there should be a workshop. Chair Wachtel stated that it was an important issue, and the Board should be provided with information, particularly if there seemed to be a good possibility of it going somewhere.

No other Board comments were received vis-à-vis the budget, so it will be returned as proposed for discussion and adoption at the March meeting.

### **TMDL update**

Mr. Price noted that the "Neighborhood Watch" article by Blaise Simpson, Environmental Chair for the Floating Homes Association, would be in the next Floating Homes Times, and the article has a phone tree attached so that immediate notification of sewage problems would be easier than ever. He also reported that a standard repair logbook was to be utilized in each houseboat marina office in order to tighten up record keeping and make it easy to create reports.

### **Election of Officers**

Ken Wachtel nominated Kate Sears as Chair, and the vote for approval was unanimous.

He also nominated Dick Collins as Vice Chair and the vote for approval was unanimous.

**Public Comments**

None

**Staff Comments**

Mr. Berto commended Mr. Price for his work above and beyond the scope of his job in dealing with the aftermath of December's storm.

**Board Member Matters**

None

The meeting was adjourned at 6:50 PM.

**NOTE:** The next meeting of the RBRA is tentatively scheduled for **May 16, 2013 at 5:30 PM** at the Sausalito City Hall Chambers.

# RICHARDSON'S BAY REGIONAL AGENCY

## HARBOR ADMINISTRATOR'S REPORT

March 12, 2013

### WORKING RELATIONSHIPS

- **Dept. of Boating and Waterways** – Meeting with the new Director of California State Parks and Recreation to determine the course for Boating and Waterways.
- **CA Harbormasters and Port Captains** – met with Legislative Committee and lobbyist to determine which bills will be supported, watched, or fought in the next session. Support is being pursued for Senator Lieu's SB 122, which would extend the Vessel Turn-In Program past its sunset in 2013.
- **Cal Recycle** – Had first inspection and site visit from Cal Recycle grant coordinator and we passed muster, although an asbestos inspection is required for all boats no matter what size. Subsequently sourced and hired a certified asbestos inspector who will work with us on every boat in the future.
- **Sheriff** – assisted deputies with a boat removal from Bel Marin Keys.
- **City of Sausalito** – coordinated and accomplished the removal of over 600 lineal feet of decrepit dock from the Cass' Marina property. Work was a joint effort conducted by Sausalito DPW, the Army Corps of Engineers, and the intrepid probation crew.
- **Sausalito Police Department** – worked with PD to cite a vessel with leaking diesel containers on deck.

### DEBRIS REMOVAL

- Disposed of 15 vessels. 4 vessels are currently awaiting demolition.
- 3 boats are currently impounded.
- Using a new method to remove fiberglass powerboats utilizing a long towbed trailer which takes them directly to the dump, two at a time.
- Beach clean-up efforts ongoing using Marin Co. Community Service volunteers.

### RAPID RESPONSE

- Recovered 2 vessels from Belvedere shoreline, and 2 vessels from the Tiburon area. All storm damaged vessels were recovered in less than three days from the rocks on Tiburon.

### WATER QUALITY

- Testing is complete for the wet weather season. County labs will be closed by July, so all future lab samples will be processed at the Solano County regional labs.
- Gave a presentation in Sacramento on our TMDL program to the Non-Point Source. Interagency Coordinating Committee (IACC) Marinas and Recreational Boating Workgroup.

**Richardson Bay Regional Agency**

**Vessel Disposal List      January - March 2013**

<b>Date</b>	<b>Name</b>	<b>Type</b>	<b>Amount</b>
1/19/2013	SHOPLINE	24' F/G SAILBOAT	2318.30 abandoned - sunk - AWAFF
1/19/2013	MACGREGOR 25	25' F/G SAILBOAT	170.84 VTIP
1/25/2013	GLAS PLY	24' F/G POWERBOAT	615.00 abandoned - AWAFF
1/29/2013	PORPOISE II	42' FERRO SAILBOAT	9300.00 abandoned - CALRECYCLE
2/2/2013	SPINOUT	26' F/G SAILBOAT	923.16 abandoned - CALRECYCLE
2/2/2013	ZINFANDEL	30' F/G SAILBOAT	1670.35 VTIP
2/10/2013	FF MARINA	28' F/G POWERBOAT	225.00 VTIP
2/13/2013	ELIZABETH ANN	42' WOODEN SAILBOAT	6090.00 abandoned - CALRECYCLE
2/27/2013	ANJUNA	26' F/G SAILBOAT	3937.00 abandoned - CALRECYCLE
2/27/2013	TOLLYCRAFT	27' WOOD POWERBOAT	4315.00 abandoned - CALRECYCLE
3/5/2013	BELL BOAT*	55' STEEL HOUSEBOAT	5973.30 abandoned - CALRECYCLE
3/9/2013	BEL MARIN*	20' F/G SAILBOAT	500.00 abandoned - CALRECYCLE
3/9/2013	GYPSY KING*	30' F/G SAILBOAT	9966.00 SUNK/BEACHED - CALRECY
3/9/2013	CRAZY HORSE*	24' F/G SAILBOAT	585.00 abandoned - CALRECYCLE
3/16/2013	VALHALLA*	30' F/G POWERBOAT	4835.00 SUNK/BEACHED - CALRECY
3/16/2013	CORVETTE*	22' WOOD POWERBOAT	500.00 abandoned - CALRECYCLE

**16 vessels total      51923.95**

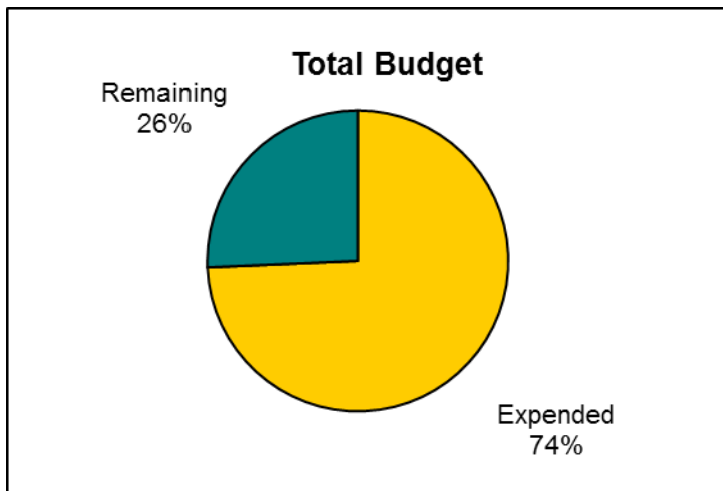
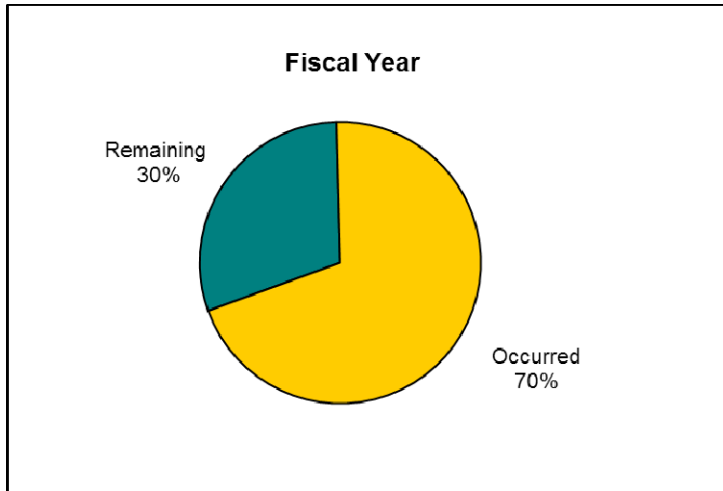
\* indicates estimated invoices

RICHARDSON'S BAY REGIONAL AGENCY  
 FY 2012/13 - JANUARY 11 - MARCH 10, 2013 BALANCE SHEET

COST ELEMENT	DESCRIPTION	EXPENSES	REVENUES
Bldgs & Grounds Rent	MOORING RENTAL		-150.00
Sales and Services	TOWING FEES		-150.00
State grant reimb	ABANDONED WATERCRAFT ABATEMENT		-72862.13
State grant reimb	VESSEL TURN-IN PROGRAM		-14114.75
		<b>Total Revenues</b>	<b>-\$87,276.88</b>
Prof Svcs - Other	DIEGO TRUCK - TOW VESSEL UP RAMP	367.50	
Com Srvc - Cell Phon	AT&T - MOBILE PHONE	79.16	
Prof Svcs - Other	PARKER DIVING SERVICE	5750.00	
Com Srvc - Cell Phon	AT&T - MOBILE PHONE	206.31	
HazMat Clean Up	BAY CITIES REFUSE SERVICE INC	915.50	
Prof Svcs - Other	ALEXANDER - WEB SERVICES	260.00	
Prof Svcs - Other	WEDLOCK - SURVEY	235.00	
Prof Svcs - Other	PARKER DIVING - PULL AFFINITY OFF BEACH	1600.00	
Rent - Equip Rental	HERTZ EQUIPMENT - BACKHOE	401.76	
Prof Svcs - Other	DAY LABOR	250.00	
Rent - Equip Rental	HERTZ EQUIPMENT - BACKHOE	483.30	
Com Srvc - Broadband	AT & T INTERNET	101.47	
Rent - Off Space	CLIPPER YACHT HARBOR IMPOUND SLIP	329.50	
Trav-Meals	SAYLORS - VOLUNTEER LUNCH	21.32	
Printing Supplies	BEST BUY	34.63	
Printing Supplies	OFFICE DEPOT	69.58	
Oth Maintenance	HARBOR FREIGHT - TOOLS	33.80	
Oth Maintenance	HIRSCHFELD - BATTERY	124.15	
Oil & Gas Outside	CLIPPER - FUEL	107.10	
Oil & Gas Outside	GASHOUSE COVE - FUEL	94.50	
Rent - Off Space	LIBERTY SHIP WAY - DRY STORAGE	240.00	
Rent - Off Space	SCHOONMAKER MARINA - SLIP RENT	243.00	
Rent - Off Space	SCHOONMAKER MARINA - SLIP RENT	160.00	
Maint & Rep Su - Oth	MARINE OUTBOARD - SERV. WASTE AWEIGH	1174.00	
ProfServ-CntySalRe	SALARY & BENEFITS	10454.65	
Prof Svcs - Other	MT HEAD PUMPOUT SERVICE	375.00	
Prof Svcs - Other	WEDLOCK - SURVEY	235.00	
Prof Svcs - Other	WEDLOCK - SURVEY	235.00	
Rent - Off Space	ICB ASSOCIATES - OFFICE RENT	420.00	
Com Srvc - Cell Phon	AT&T MOBILITY	87.90	
Prof Svcs - Other	DAY LABOR	200.00	
HazMat Clean Up	BAY CITIES REFUSE SERVICE INC	1670.35	
Rent - Equip Rental	HERTZ EQUIPMENT - BACKHOE	488.16	
Prof Svcs - Other	PARKER DIVING - RAPID RESPONSE	381.25	
Prof Svcs - Other	SAN RAFAEL YACHT HARB. SAILBOAT DEMO	6090.00	
Prof Svcs - Other	WEDLOCK - SURVEY	235.00	
Prof Svcs - Other	WEDLOCK - SURVEY	235.00	
Prof Svcs - Other	WEDLOCK - SURVEY	235.00	
Prof Svcs - Other	DAY LABOR	952.00	
Prof Svcs - Other	DAY LABOR	200.00	
Rent - Off Space	SCHOONMAKER MARINA - SLIP RENT	160.00	
Rent - Off Space	SCHOONMAKER MARINA - SLIP RENT	243.00	
Rent - Off Space	LIBERTY SHIP WAY - DRY STORAGE	240.00	
Rent - Off Space	ICB ASSOCIATES - OFFICE RENT	420.00	
	<b>Total expenditures</b>	<b>\$36,838.89</b>	

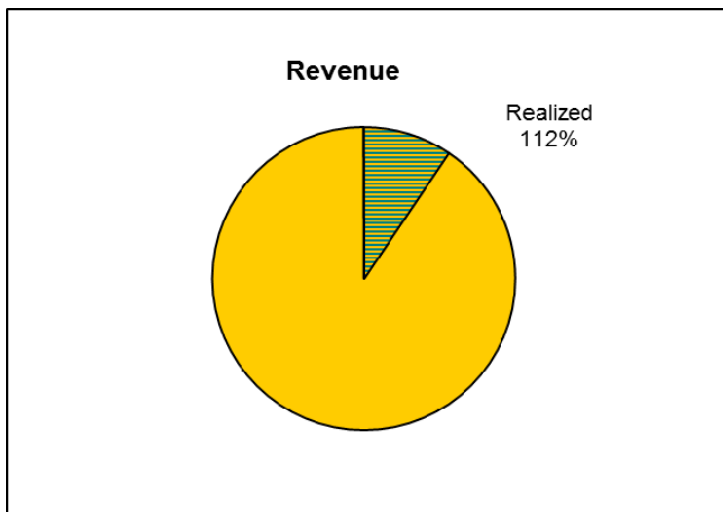


# Percent of Budget and Percent of Year as of March 12, 2013



## Expenditures vs. Budgeted Expenditures

Expenditures	\$277,481
Adopted Budget	\$373,373



## Realized Revenue vs. Budgeted Revenue

Realized Revenue	\$417,857
Budgeted Revenue	\$374,080

# **RICHARDSON'S BAY REGIONAL AGENCY**

## **MEMORANDUM**

March 15, 2013

**TO:** RBRA Board

**FROM:** Ben Berto, RBRA Clerk

**SUBJECT:** Fiscal Year 2013-2014 budget

Board Members:

Your Board is requested to adopt the Agency's FY 2013-2014 budget for the Richardson's Bay Regional Agency. Your Board reviewed this budget and gave tentative approval at the January 17 RBRA meeting.

As noted at the January meeting, a 2.2 % (\$5,200) increase is proposed for the Agency's FY '14 year's budget, due mainly to salary and benefits adjustments for the Harbor Administrator. Included in that is a modest (\$2,000) increase in the agency's legal budget, reflecting the potential for additional demand for those services. Included in the packet is a breakdown of each jurisdiction's contributions versus last fiscal year.

A \$150,000 expense and accompanying contribution in funding for vessel abatement funding from the \$495,000 three-year CalRecycle grant is shown for this next fiscal year. Staff anticipates the continued reductions in Department (soon to be Division) of Boating and Waterways (DBW) grant funding, following DBW's absorption into the State Department of Parks and Recreation. DBW grant funding is projected to decrease from RBRA's FY' 13 adopted \$110,000 (\$91,000 was actually awarded) down to \$50,000 in this year's budget.

Additional funding would have to be added to the budget should substantial anchorage-related work be pursued in FY '14.

## RICHARDSON'S BAY REGIONAL AGENCY - FY 13/14 DRAFT BUDGET 032113

### EXPENDITURES

BUDGET#	DESCRIPTION	12/13 ADOPTED	12/13 ACTUALS	13/14 PRJCTD	
5210100	PROFESSIONAL SERVICES	\$319,673	\$292,240	\$415,872	AWAF salvage; legal; salary; county management
5210500	INSURANCE PREMIUMS	\$14,500	\$13,735	\$14,500	
5210700	COMMUNICATION	\$1,900	\$907	\$2,900	phone, fax, internet, mobile, new computer
5211200	RENTAL & OPER. LEASES	\$28,000	\$15,634	\$28,000	Office; slips & dry storage; heavy equipment rental
5211300	PROF. DEVEL. EXPENSES	\$800	\$1,845	\$800	professional associations, continued education
5211400	TRAVEL & MEETINGS	\$2,000	\$1,433	\$2,000	Harbormaster's Conference, mileage
5211520	PUBLICATION	\$1,000	\$953	\$1,000	Legal ads
5220100	OFFICE EXPENSES	\$500	\$157	\$500	
5220200	MAINT. & REPAIR - EQUIP	\$5,000	\$1,169	\$5,500	Patrol boat, pump-out boat maintenance
5220600	OIL AND GAS	\$0	\$293	\$600	
		<b>\$373,373</b>	<b>\$328,366</b>	<b>\$471,672</b>	

PROFESSIONAL SERVICES BREAKOUT		12/13 ACTUALS	13/14 PRJCTD		
	MOORING WORK PROGRAM	\$3,000	\$1,000	\$1,000	Outside legal consulting
	LEGAL	\$3,000	\$2,400	\$5,000	RBRA Counsel
	RAPID RESPONSE PROGRAM	\$8,000	\$11,500	\$9,500	Contractor cost
	LAB SERVICES	\$5,000	\$5,000	\$5,000	TMDL testing (50% MCCSTOPP)
	SPECIAL APPOINTMENT	\$133,201	\$131,780	\$139,400	Estimated salary and benefits
	PROFESSIONAL SERVICES	\$100,350	\$90,000	\$200,000	CALRECYCLE / AWAFF salvage
	CDA ADMIN	\$41,472	\$38,560	\$41,472	CDA Admin. expense
	10% AWAFF grant expenditures	\$11,150	\$0	\$0	AWAF salvage match funds (now covered by in-kind match)
	AUDIT	\$6,500	\$6,500	\$6,500	towards biennial audit
	MT HEAD	\$5,000	\$4,000	\$5,000	Sewage pump-out services
	WEBSITE DEV & ADMIN	\$3,000	\$1,500	\$3,000	updates and maintenance
		<b>\$319,673</b>	<b>\$292,240</b>	<b>\$415,872</b>	

### REVENUES

	12/13 ADOPTED	12/13 ACTUALS	13/14 PRJCTD	
Beginning Balance				
4410125	\$500	\$67	\$500	
4410225	\$3,000	\$3,482	\$3,000	mooring rentals
4410410	\$9,000	\$2,100	\$9,000	misc. reimbursement, disposal chargeback
4530527	\$122,000	\$82,032	\$214,500	CALREC 150K, DBW 50K, EPA Grant 12K, MCCSTOP 2.5K
4640322	\$239,473	\$239,473	\$244,673	RBRA Member Dues (\$5200 or 2.2 percent increase)
	<b>\$373,973</b>	<b>\$327,154</b>	<b>\$471,673</b>	

# RBRA BUDGET SPLIT FY 2012-13 draft 1 (2.2% increase)

(overall percent increase and individual contribution amounts rounded)

		MARIN COUNTY	SAUSALITO	TIBURON	BELVEDERE	MILL VALLEY
<b>ADOPTED 12/13</b>	<b>\$ 239,473</b>	101,776	83,816	23,947	17,960	11,974
<b>PROPOSED 13/14</b>	<b>\$ 244,673</b>	\$ 103,986	\$ 85,636	\$ 24,467	\$ 18,350	\$ 12,234
<b>Difference this fiscal year</b>	<b>\$ 5,200</b>	\$ 2,210	\$ 1,820	\$ 520	\$ 390	\$ 260

# **RICHARDSON'S BAY REGIONAL AGENCY**

## **REPORT**

March 15, 2013

**TO:** RBRA Board

**FROM:** Ben Berto, RBRA Clerk

**SUBJECT:** Richardson Bay Policies and Regulations

Board members:

At the last (January 17, 2013) RBRA meeting your Board requested staff provide additional policy context on the anchorage for the next meeting.

Richardson's Bay is experiencing an influx of non-recreational, longer-tenure vessels. The recent arrivals of a 60+ foot barge from the Delta and three large powerboats evicted from Redwood City indicate that the largest anchorage in San Francisco Bay continues to attract vessels from all over and is growing larger.

The recent awarding of a \$495,000 grant from CalRecycle to the RBRA for vessel disposal is a major financial boon for our Agency and greatly appreciated. The Harbor Administrator has been demolishing derelict vessels at an all-time high rate, but still the number of vessels increases.

The pending arrival of the America's Cup races and its associated vessel retinue in the latter part of this summer will also underscore present challenges to successful management of the anchorage.

This report is provided for Boardmembers to add to their knowledge base.

Two documents are foremost in this discussion: the 1984 Richardson Bay Special Area Plan (SAP), and the Joint Powers Authority ((JPA) agreement that set up the Richardson's Bay Regional Agency. An electronic copy of the SAP is posted on the RBRA website at: [http://rbra.ca.gov/Special\\_Area\\_Plan.pdf](http://rbra.ca.gov/Special_Area_Plan.pdf), and a copy of the JPA agreement is attached to this report.

### **Richardson Bay Special Area Plan**

The Richardson Bay Special Area Plan (SAP) traces its genesis to the many issues and problems that were increasingly occurring in Richardson's Bay in the decades after World War Two. A primary impetus for the SAP were the recurring problems relating to the proliferation and use of vessels in Richardson's Bay. Many of the vessels were produced in the ship-building activity of WWII. The County of Marin and the City of Sausalito in particular were spending an inordinate amount of time on vessel-related problems. Accompanying vessel-related problems was growing recognition of the major

environmental values and challenges present in Richardson's Bay. Efforts towards a unified approach seemed warranted.

Out of the five Richardson's Bay-fronting jurisdictions mutual concerns, a Steering Committee was formed in 1983. Comprised of elected representatives of those communities and from the Bay Conservation and Development Commission (BCDC), along with a 50-member advisory committee of interested citizens and representatives from various environmental and other interest groups, the Steering Committee produced in 1984 the Special Area Plan, which was subsequently adopted by the five jurisdictions on Richardson's Bay. The document was, in the words of the SAP preamble, "the right vehicle at the right time to join the five local governments and the Bay Commission in a management plan that will lead to betterment of Richardson Bay now and for future generations".

The Special Area Plan contains four elements:

*Introduction*

*Part I. Findings and Policies*

*Part II. The Special Area Plan Maps*

*Part III. Recommendations for Carrying Out the Special Area Plan.*

*Introduction*

The Introduction provides a historical, jurisdictional, and developmental context for the SAP, as well as an overview of the planning process that went into producing the SAP. The Introduction also provides the document's definitions.

*Part I. Findings and Policies*

Findings and Policies are provided for five different topical areas involving Richardson's Bay:

- Aquatic and Wildlife Resources
- Water Quality
- Navigation Channels, Marinas, Anchorages, and Moorages
- Dredging and Spoils Disposal
- Residential Vessels and Floating Structures
- Public Access, Views, and Vistas
- Tidal Restoration and Marsh Enhancement

*Aquatic and Wildlife Resources:* There are numerous findings related to the value of the bay's environment and its role in the greater San Francisco Bay Delta ecosystem. The section provides considerable useful data on many topical areas.

*Water Quality:* The Bay has suffered from water pollution, particularly during the 1970's, owing to human causes and its bathymetry and other natural factors. Various improvements were called out, some of which have occurred (e.g., moving treated municipal sewage discharges outside the bay, declaring the bay a vessel no-discharge area), and some of which (e.g., storm water runoff, completely eliminating anchor-out vessel discharges) remain works in progress.

*Navigation Channels, Marinas, Anchorages, and Moorages:* The presence and maintenance of several navigation channels in the bay are pointed out as important to vessel usage. Several impediments to navigation are noted, as is the process to petition for local anchorage regulations. Ongoing maintenance of the channel is strongly recommended, as is petitioning for local authority for anchorage and mooring regulations.

*Dredging and Spoils Disposal:* Ongoing channel maintenance through dredging is recommended. It should be noted that the Army Corps of Engineers navigation channel has not been dredged recently and does not achieve the recommended depth.

*Residential Vessels and Floating Structures:* Richardson's Bay has the largest number of recreational boat marinas, houseboat marinas, and vessels and residential floating structures in San Francisco Bay. The bay has accommodated residential vessels since the early 1900's (actually, looking at gold rush-era photos and its myriad of abandoned vessels, residential use probably dates further back to that period as well). It is noted that all Richardson Bay lands (waters) are subject to the public trust, and that private residential use is not a public trust use unless necessarily incidental to authorized public use. Firm policies are set forth in regards to residential vessels and floating structures. The SAP states in Policy 1 of this subsection "All [residential] anchorouts should be removed from Richardson Bay." The subsection contemplated that limited numbers of the residential vessels would be transferred to marinas, something that has not occurred to an appreciable extent.

*Public Access, Views, and Vistas:* Public access had greatly increased over the last few years before the SAP's authorship, and additional opportunities are noted for a unified public access network. Richardson's Bay serves as one of the primary focal points for the area. The importance of landside development respecting bay views is also noted.

*Tidal Restoration and Marsh Enhancement:* Restoration of listed formerly diked areas is discussed, consistent with flood protection and sediment control needs. Some restoration has occurred.

## *Part II. The Special Area Plan Maps*

The Special Area Plan Maps provide diagrammatic information about water-related uses, the bay's natural resources, and navigation channels for vessel transit.

## *Part III. Recommendations For Carrying Out The Special Area Plan*

This section lists recommendations for carrying out the SAP. The most prominent of these was that local governments and the Bay Commission (now known as the San Francisco Bay Conservation and Development Commission or BCDC) establish uniform policy and regulatory control for Richardson's Bay. Uniformity of control occurred with creation of the Joint Powers Authority agreement that created the Richardson's Bay Regional Agency. The SAP also opines that each local jurisdiction should adopt *Part I. Findings and Policies* and *Part II. The Special Area Plan Maps* as part of their General Plan. The *Recommendations* also state that the five jurisdictions and BCDC should

protect, use, and where possible restore and enhance the waters and shoreline of the bay consistent with the SAP. Recommended changes to local jurisdiction's regulations are addressed in one subsection of the *Recommendations*. SAP's function as a subset of the San Francisco Bay Plan is outlined, including the precedence of the SAP's more specific policies and designations where the two may conflict.

The recommendation includes petitioning the U.S. Coast Guard to amend its regulations to allow local anchorage and mooring ordinances. This has taken place with respect to no-anchorage zones being declared for the Audubon marsh area, and with the Coast Guard ceding over local control as put forth in the U.S. Coast Pilot.<sup>1</sup>

### **Joint Exercise of Powers Agreement**

The Richardson Bay Joint Exercise Of Powers Agreement (JPA) established the operational charter and agreement for the Richardson's Bay Regional Agency. It was originally adopted by the five jurisdictions fronting Richardson's Bay in 1985. The original agreement created the RBRA as a 5-jurisdiction member agency, pursuant to achieving the goals and objectives of the Special Area Plan (SAP). The JPA sets forth the RBRA's administrative, contractual, regulatory, enforcement, etc., authority. It provisions include: entering into contractual agreements, conduct of meetings, election of officers, jurisdiction's financial contribution formula, establishment of the annual budget, cleanup of existing conditions, sale of revenue bonds, and the adoption of resolutions and ordinances. The JPA sets jurisdictional boundaries, and establishes powers and duties including: Harbor Administrator, Citations, Bail Schedules, Vessel Speed, Anchorage and non-Anchorage areas, Towing, Impound, Storage, and Nuisances. In general, the JPA function primarily as an organization and procedural document rather than a policy one. Staff and the Board occasionally refer to the JPA in regards to some procedural issue.

### **Conclusion**

Staff hopes that this report and the RBRA documents discussed help the Board's understanding of the RBRA's policy and organizational underpinnings. The SAP has served as the basis for RBRA programs and activities in the decades since the Agency's inception. The plan provides good policy support for current regulatory activities, and future programs the Agency may wish to undertake.

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<sup>1</sup> From Chart #18649, 18653, 18652 312) **Richardson Bay**, 2 miles N of the Golden Gate Bridge, is shoal except for the S part fronting Sausalito. In the N part of Richardson Bay, a wildlife sanctuary, established by the National Audubon Society, provides safe refuge for migratory fowl that arrives each fall. The sanctuary is closed to marine traffic from October to March. Seasonal buoys N of a line approximately 097° True from Strawberry Point to Belvedere, mark the perimeter of the sanctuary. Three concrete piles topped by white cones, also mark the southern edge of the sanctuary. A special anchorage is in Richardson Bay. Local authorities control the anchoring of vessels and placement of moorings in Richardson Bay. Mariners should contact the Richardson Bay Regional Agency at (415) 289-4143 for specific information. Richardson Bay is a no-discharge zone; it is illegal for vessels to discharge any form of waste into the bay. (See **110.1 and 110.126a**, chapter 2, for limits and regulations.) A channel leading NW through Richardson Bay to facilities at Sausalito is marked by lights, daybeacons, and buoys..



As can be discerned from this report, and the Board is aware from recent discussions, the current situation and trends in the anchorage are not favorable to some of the RBRA's primary missions. For decades, BCDC has monitored the situation in the Richardson's Bay anchorage and RBRA's efforts in furtherance of the SAP. Given the mixed history, they are likely taking a 'show us the numbers' approach and may be somewhat skeptical that the situation will change for the better any time soon.

Should the Board so desire, the CalRecycle grant creates an opportunity for expanding RBRA's derelict vessel removal programs. One option for the next step would be to evaluate RBRA's actual regulations and activities in that context. Staff would be happy to provide an overview for the next RBRA meeting. We may also be able to obtain a quick review of our regulations from a maritime legal expert.

Attachments:

1. Richardson Bay Special Area Plan (web link only)
2. Richardson Bay Joint Exercise of Powers Agreement

RICHARDSON BAY JOINT EXERCISE OF POWERS AGREEMENT

THIS AGREEMENT, made and entered into this 5 day of October 2000, by and between the COUNTY OF MARIN, a political subdivision of the State of California, hereinafter referred to as "COUNTY", and the CITIES OF BELVEDERE, MILL VALLEY, SAUSALITO and TIBURON, municipal corporations of the State of California, hereinafter referred to as "CITIES".

WITNESSETH:

WHEREAS, COUNTY and CITIES have jointly prepared and adopted the Richardson Bay Special Area Plan (with minor modifications as it applies to Sausalito) which sets forth policies and recommendations for the waters of Richardson Bay, portions of which fall within the jurisdictions of each of the CITIES and the COUNTY; and

WHEREAS, COUNTY and CITIES believe that the mutual exercise of certain functions within the waters of Richardson Bay would be beneficial to all parties; and

WHEREAS, COUNTY and CITIES are public entities of the State of California authorized under California law to provide police, fire and other governmental services to the inhabitants and property owners located upon and along Richardson Bay, as more particularly depicted on Exhibit "A", attached hereto and by this reference incorporated herein; and

WHEREAS, Chapter 5 of Division 7 of Title 1 of the California Government Code (commencing with Section 6500) authorizes agreements for the provision of services to the residents and property owners upon and along the area depicted on Exhibit "A" so as to maximize cost savings and to coordinate the efforts on this valuable resource;

NOW, THEREFORE, in consideration of the mutual promises and covenants hereinafter contained, the parties hereto do hereby agree as follows:

1. There is hereby created a public agency to be known as the Richardson Bay Regional Agency as a separate legal entity formed pursuant to the provisions of Article 1, Chapter 5, Division 7, Title 1 of the California Government Code relating to the joint exercise of powers common to public agencies, and for the purposes of this Agreement Agency is a public entity separate from the parties hereto.
2. The governing body of the Agency shall be constituted of five (5) members, one to be selected by the Board of Supervisors with respect to the COUNTY representative, and one to be selected by each City Council with respect to the representative of each of the CITIES. Such member appointed shall be a member of the Board of Supervisors or City Council and shall serve at the pleasure of such governmental body. The governing body shall elect from its own members a Chairman and Vice Chairman whose terms of office shall be two years. The Chairman and Vice Chairman may not be reelected to a second consecutive term in the same office. An alternate may be appointed by each member jurisdiction and such alternate may act for the member jurisdiction in the absence of the regular member of the governing body.
3. The members shall each have one vote in all matters brought before the Agency provided, however, that on any matter affecting any member CITY or COUNTY a no vote from the member of the affected CITY or COUNTY shall prohibit the Agency from taking the proposed action within the affected jurisdiction's boundaries. The no vote provided for in the precedent sentence may be cast by a member within thirty (30) days of notice of the proposed action. In the event a no vote is not cast in such period it shall be deemed waived.

4. A majority of the members of the governing body constitute a quorum for the transaction of business. No act of the governing body shall be valid or binding unless a majority of all the members concur therein.
5. The Agency shall not have any powers over any uses, zoning or subdivisions on any area within the boundaries of its member jurisdictions.
6. The governing body shall maintain and implement those provisions of the Special Area Plan (which consists of a diagram or diagrams and text containing a description of the needs and goals of the region and statement of policies and goals for the Richardson Bay area) relative to:
  - a. Mooring, dredging and navigational channel implementation including but not limited to the establishment and enforcement of permitted anchorage zones, navigational channels and fairways plans and similar activities.
  - b. Public services and facilities which by the nature of their function, size, extent and other characteristics are necessary or appropriate for inclusion in the Special Area Plan. Such facilities and services may include, but are not limited to, water based police and fire protection, sewage pump-out facilities for vessels, enforcement of a vessel sewage no discharge area when given authority by the Environmental Protection Agency, and public docks or moorings.
7. On or before May 1 of each calendar year the Agency shall establish the amount of money necessary to support its activities for the next succeeding fiscal year commencing July 1 of that year provided, however, that the opportunity to exercise a "no" vote contained in Section 3 hereof shall be given each member prior to

May 1. The parties shall contribute to the Agency among the parties hereto as follows:

<u>Agency</u>	<u>Percentage Share</u>
County	42.5%
Sausalito	35%
Tiburon	10%
Mill Valley	5%
Belvedere	7.5%

Increases in agency revenue in keeping with the cost distribution formula may be changed by a resolution of the governing board of all member jurisdictions. (Per amendment adopted 1997 by all parties.)

8. Clean-up of pre-existing conditions in the Bay shall be the responsibility of the individual jurisdictions. This includes costs of legal action taken by the individual members. Coordination of this clean-up activity is essential to the success of this Agreement.
  
9. Following establishment and funding of the Agency, Agency shall have power to enforce such regulations to accomplish the provisions of paragraph 6 of this Agreement as it may adopt from time to time. Costs of such enforcement shall be borne by the Agency including necessary legal costs. The RBRA Harbor Administer is designated to enforce agency ordinances and regulations including the issuance of citations for infractions in violation of RBRA Ordinances which include but are not limited to the violations listed in "Exhibit C", attached hereto and by this reference incorporated herein. (Amendment adopted 1999 by all parties).

10. The Agency shall have the power to issue citations and perform other enforcement actions in the name of the Agency.
11. The Agency shall fix and collect reasonable fees for services rendered by it from persons other than its member jurisdictions.
12. The Agency shall be strictly accountable to any party for all funds paid by them to the Agency and shall be strictly accountable to all participating bodies for all receipts and disbursements.
13. The Agency is authorized to receive gifts, donations, subventions, grants or other financial aids or funds.
14. The Agency may not obligate itself beyond the monies due under this Agreement for its support from the several parties for the current fiscal year, plus any monies on hand or irrevocably pledged to its support from other sources. No obligation contracted by the Agency shall bind CITIES or COUNTY.
15. Agency shall have the power to deliver or contract with any member hereof, or any governmental entity located within the area depicted in Exhibit "A", for the provision of police protection services.
17. This Agreement shall become effective when representatives of all of the parties have executed it and shall continue in full force and effect until terminated by an agreement executed by all parties. This Agreement supercedes the Richardson Bay Joint Exercise of Powers Agreement dated July 16, 1985, under which the member agencies have been acting until the execution of this Agreement. The member agencies hereby ratify the prior acts of the Richardson Bay Regional Agency.

18. Agency is hereby authorized in its own name to do all acts necessary for the exercise of the powers described in Paragraphs 6, 15 and 16, including but not limited to any of the following: to make and enter into contracts; to apply for and accept grants, advances and contributions; to employ agents and employees; to sue and be sued in its own name; to incur debts, liabilities or obligations; to issue bonds, execute warrants and other evidence of indebtedness; to finance costs and expenses incidental to the projects of Agency; and, to exercise jointly the common powers of the parties set forth above. Agency shall have the power of eminent domain but not the power to levy ad valorem property taxes.
19. Agency shall appoint a Treasurer from among the senior management staff of any of the member parties provided that the member agency is amenable to the same. The Treasurer shall be either the Auditor/Controller or Treasurer of the COUNTY or the Treasurer or Finance Director of one of the CITIES. The Treasurer shall serve as the depository and have custody of such books, records, funds, and accounts as may be required by reasonable accounting practice, Government Code Section 6505, or by another governmental agency. (Amendment to original JPA, approved by all parties in 1992.)
20. Regular meetings of the governing board of the Agency shall be held at such times and places as shall be established by it by resolution. All such meetings, including regular, adjourned or special meetings, shall be called, noticed and held and conducted in accordance with the provisions of the Ralph M. Brown Act, Sections 54950 through 54960 of the Government Code of the State of California.
21. Agency shall have the power and authority to issue and sell revenue bonds in accordance with Article 2, Chapter 5, Division 7, Title 1, and Chapter 6,

Division 2, Title V of the Government Code, and such other relevant provisions of law as may now or hereafter be applicable.

22. For purposes of referendum and any necessary votes on taxes on Agency-wide basis, the boundaries of Agency shall be as depicted on Exhibit "A" and as described in Exhibit "B", attached hereto and by this reference incorporated herein. Under applicable law, Agency may form improvement districts. Bond elections shall be conducted pursuant to the Uniform District Election Law and applicable provisions of the California Elections Code.
23. Agency shall have and exercise all powers conferred on local agencies by the provisions of law with respect to revenue bonds.

Revenues required to provide monies for bond interest and redemption of other bond funds in connection with revenue bonds issued by Agency shall be derived from user fees and service charges, which charges shall be determined by the governing board of the Agency.

24. COUNTY or a CITY may withdraw from Agency, which withdrawal shall have the effect of requiring either a renegotiation of this Agreement or dissolution of the Agency. Any member wishing to withdraw may do so only on July 1 of any such year, and shall provide the Agency with at least 180 days' notice in writing of its intent to withdraw. Upon dissolution of Agency funds and property shall be distributed as follows:
  - a. discharge of any liability shown on the books of the Agency;
  - b. any remaining assets to be divided according to the amount of contribution by COUNTY and CITIES.



The distribution of assets may be made in kind or assets may be sold and proceeds thereof distributed to COUNTY or CITIES, provided, however, that all facilities and rights assigned or transferred by COUNTY or CITIES to Agency shall be reconveyed to said COUNTY or CITY free and clear of all encumbrances and liens of any kind not in existence at the time of conveyance to Agency. Upon dissolution of Agency the responsibility of COUNTY or CITIES to contribute to the discharge of enforceable liabilities incurred by Agency shall be limited to the portion that the contribution made by the COUNTY or CITIES bears to the total contributions made to agency from the effective date of this Agreement to the date of dissolution.

25. In the event that liability is imposed upon the Agency by a court of competent jurisdiction by reason of the negligent or willful act or omission of it, its officers or employees, in the performance of this Agreement the money judgement shall be paid in the ratio set forth in Section 7 hereof.

IN WITNESS WHEREOF, the parties hereto have entered into this Agreement the day and year first above written.

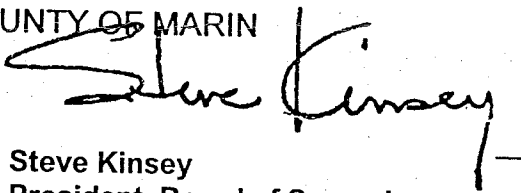
List of Exhibits:

- Exhibit A - "Key to Plan Maps"
- Exhibit B - Legal Description of Richardson Bay Boundaries
- Exhibit C - "RBRA Bail Schedule"

DATE: OCT - 3 2000

COUNTY OF MARIN

BY

  
Steve Kinsey  
President, Board of Supervisors

CITY OF SAUSALITO

DATE: 11-1-2000

BY



CITY OF BELVEDERE

DATE: 10/5/02 BY Carol H. Anderson

TOWN OF TIBURON

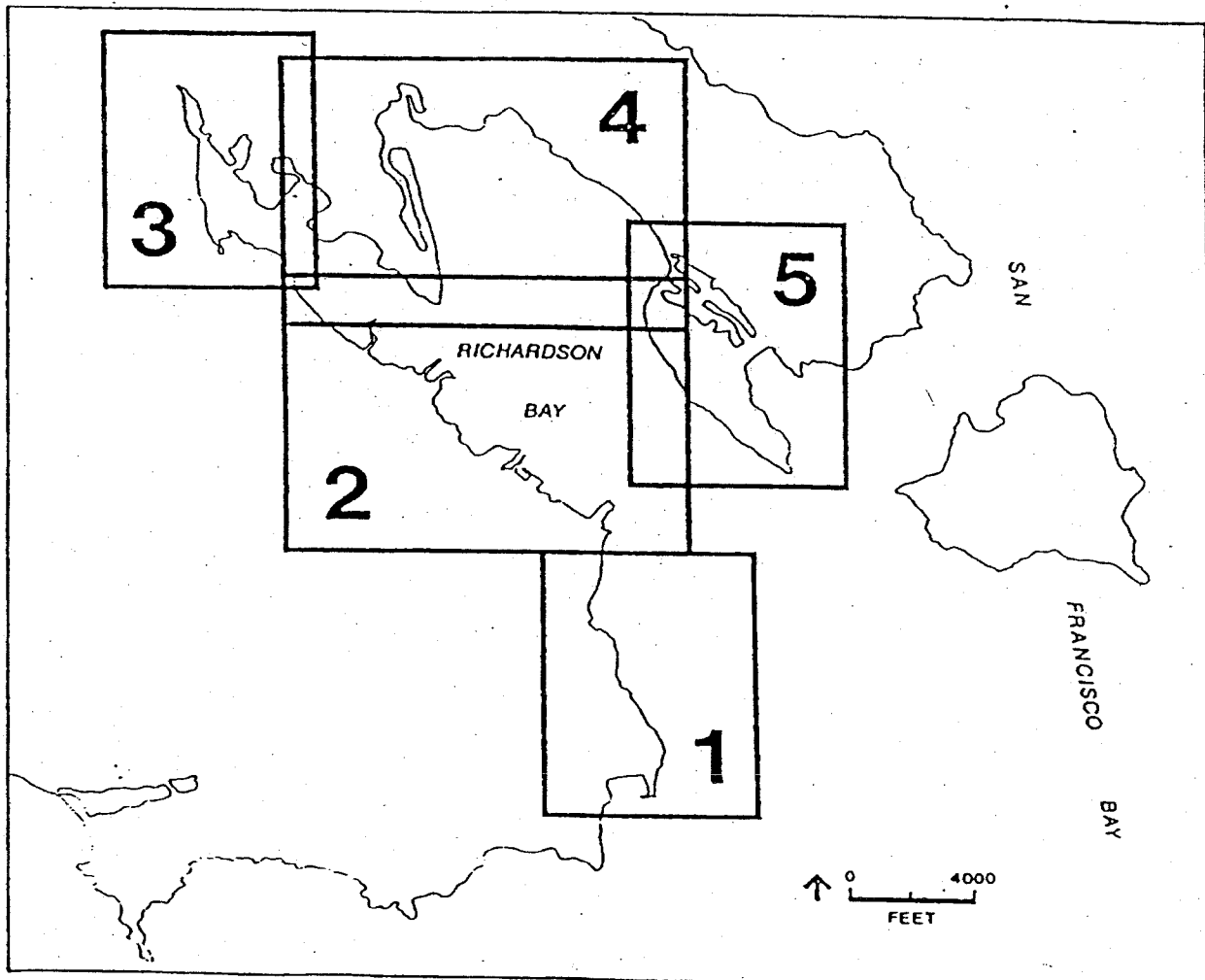
DATE: Oct 17, 2000 BY Thomas H. [Signature]

CITY OF MILL VALLEY

DATE: Oct. 11, 2000 BY Alvin [Signature]

LC:mag:ss:f:RBRA:RICH.BAYJOINTEXERCISEOFPOWERSAGR.DOC

EXHIBIT A



Key to Plan Maps 1-5

EXHIBIT "B"

The boundaries of the Richardson Bay Special Area Plan are beginning at the point of intersection of the Marin/San Francisco County line and the Sausalito Shoreline at Cavallo Point, thence along a line connecting said point with the end of East Road, then along the shore side of East Road to its junction with Alexander, thence along the shore side of Alexander to its intersection with 2nd Street, along the shore side of 2nd St., to its intersection with Bridgeway, thence along the shore side of Bridgeway to its intersection with US 101, thence along U.S. 101 to its intersection with State Route 1, along the shoreside of State Route 1 (Almonte Blvd, to Miller Ave., along the shore side of Miller Ave., to its intersection with Camino Alto, thence along the shore side of Camino Alto to its intersection with East Blithedale, thence along its shoreside to its intersection with Roque Moraes Dr., along its shore side to Hamilton Drive, thence along its shore side to its terminus, thence along a line 100 feet inland from the shoreline of Richardson Bay near the Goodman Marsh, thence along the westerly side of U.S. 101 to Seminary Drive, thence crossing U.S. 101 and following the shore side of Seminary Drive to Great Circle Drive, thence along the shore side of Great Circle Drive to Strawberry Drive, thence along Strawberry Drive to its intersection with Tiburon Blvd; thence along Tiburon Blvd. to San Rafael Ave, thence along San Rafael Ave. to West Shore Road, thence along Belvedere Ave. to its intersection with Beach Road, thence along the shore side of Beach Road to its intersection with Bellevue Ave. thence along the shore side of Bellevue Ave. to its intersection with Main Street, thence along Main Street to its intersection with Paradise Drive, thence along the shoreside of Paradise Drive to Point Tiburon; and including all water areas encompassed therein, and thence along the Tiburon Town limit line to the Marin/San Francisco County line and back to the point of beginning.

RICHARDSON BAY POLICE AGENCY  
BAIL SCHEDULE

EXHIBIT C

Violation	Type	Code Section	Total Bail
<b>Vessel Mooring &amp; Anchoring</b>			
Anchoring in a non-designated area	I	3.04.010(a)	\$20 + PC
Anchoring for more than 72 hours without a permit	I	3.04.010 (b)	\$50 + PC
Maintaining a private mooring without a permit	I	3.04.010(c) (1)	\$50 + PC
Installing a private mooring without a permit	I	3.04.010(c)(2)	\$50 + PC
Using a private mooring without owner's permission	I	3.04.010(c)(3)	\$50 + PC
Failure to obtain a permit for transfer of mooring	I	3.04.010(c)(5)	\$50 + PC
Living aboard a houseboat or vessel	I	3.04.020	\$100 + PC
Beaching a vessel	I	3.04.040	\$50 + PC
<b>Vessel Speed &amp; Safety</b>			
Exceeding the 5 MPH speed limit west of Richardson Bay Bridge	I	4.04.010(a)	\$50
Operating a vessel in a reckless, negligent or dangerous manner	I	4.04.010(a)	\$100
Exceeding the 5 MPH speed limit within 200' of a swimmer, boater, sailboard or rowboat	I	4.04.010(b)(1)	\$100
Exceeding the 5 MPH speed limit within 200' of a beach or lifeline	I	4.04.010(b)(2)(a)	\$100
Exceeding the 5 MPH speed limit within 200' of a swimming float, diving platform or lifeline	I	4.04.010(b)(2)(b)	\$100
Exceeding the 5 MPH speed limit within 200' of a dock, way, or landing float to which vessels are made fast or used for embarking or discharging passengers	I	4.04.010(b)(2)(c)	\$100
Exceeding the 5 MPH speed limit within 200' of any home	I	4.04.010(b)(3)	\$100
Operating personal watercraft between the hours of sunset and 10 AM	I	4.04.010(c)	\$50
Entering Richardson Bay Wildlife Sanctuary between October 1 & March 31	I	4.04.010(d)	\$50
Exceeding the 5 MPH speed limit in the Strawberry Recreation Channel	I	4.04.010(e)	\$50
<b>Environmental Protection</b>			
Discharging of refuse	I	5.04.010	\$100 + PC
<b>Nuisance Code/Impound</b>			
Maintenance of a public nuisance (list of nuisance conditions is attached - bail is for each day the violation continues to exist)	I	6.04.030	\$100 + PC
Interference with work	I	6.04.090(f)	\$100
Moving, removing or tampering with an impound buoy or anchor	M	4.05.010	\$500

Resolution 95-6, 6/21/95

I = Infraction M= Misdemeanor PC = Proof of Correction

## **Boxer and Feinstein seek money for repairs to bay and Marin wetlands**

Posted:

marini.com

ON THE HEELS of San Francisco Bay and adjacent Marin wetlands being given a special worldwide designation, Sens. Dianne Feinstein and Barbara Boxer have re-introduced a bill seeking money for restoration work for the estuary.

"This bill authorizes the resources necessary to help restore tidal wetlands and improve water quality throughout the Bay Area," Feinstein said. "The San Francisco Bay is vital to the economy and ecology of Northern California and deserves our attention."

Earlier this month, the San Francisco Bay estuary and many associated wetlands in Marin were added to a list of protected areas under the 1971 "Ramsar Convention" international treaty among 163 countries meant to limit damaging development along ecologically important waterways.

The Feinstein-Boxer bill would amend the Federal Water Pollution Control Act to authorize the EPA to provide grant funds to address the San Francisco Estuary Program's Comprehensive Conservation and Management Program completed in 2007. It lays out a roadmap for restoring and protecting the bay.

In Marin, the program outlines a plan for a comprehensively managed wildlife refuge consisting of approximately 25,000 acres. The foundation for the refuge would be the former Hamilton Airfield, Bel Marin Keys, Bahia and other nearby areas, all of which have been acquired and have moved forward in restoration planning.

"The establishment and comprehensive management of a refuge system in east Marin County and southern Sonoma County (San Pablo Bay area) would be invaluable for endangered species recovery efforts," according to the program's report.

"San Francisco Bay is important to the economy and the environment of the whole region," said Boxer, who served on the Marin County Board of Supervisors between 1977 and 1983.

The legislation prioritizes funding for projects that will protect and restore habitat for migratory waterfowl, shorebirds and wildlife and improve and restore water quality and rearing habitat for fish.

Congress provides between \$5 million and \$7 million a year in funding for the bay, but this bill would provide an ongoing source of dollars for improvements, said Beth Huning, coordinator of the Marin-based San Francisco Bay Joint Venture which brings together public and private agencies and others to restore wetlands and wildlife habitat.

"Right now we have to rely on grant programs," she said.

This bill was approved last year by the Senate Committee on Environment and Public Works, of which Senator Boxer is chairwoman, but was not considered by the full Senate.

At one time, there were 196,000 acres of wetlands around San Francisco Bay, but that has been reduced to about 40,000 acres as land was diked for farming and development.

In the North Bay, up until the mid-19th century, there were some 55,000 acres of wetlands, providing ideal conditions for migrating waterfowl, acting as a nursery for a variety of fish species and an incubator for plants. A potent mix of wetlands — tidal marshes, tidal flats, vernal pools, streams and creeks — provided optimal conditions for a myriad of life.

But areas were diked and planted with oat hay, which was shipped to farms as animal feed and for use in stalls. As the wetlands dried up, so did the number of species, and today many are listed as endangered. Some 82 percent of San Pablo Bay's wetlands were diked by the time of the Great Depression. Today, about 10,000 acres remain as wetlands.

"They are really important for wildlife, for flood control, as a water filter and for the fish," Huning said. "We think this bill will be a big boost for the bay."

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