

# **RICHARDSON'S BAY REGIONAL AGENCY**

Thursday, April 19, 2012

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 February 16, 2012 Meeting
2. Review report of Harbor Administrator
3. Approval of prior expenditures for February 10 – April 10, 2012
4. Approval of RBRA budget for fiscal year 2012 - 13
5. Review and discussion of water test results for 2011 / 2012
6. America's Cup update
7. Bay strategic plan update
8. Authorization of Cosco Busan recreation grant preapplication
9. Public comments invited concerning items NOT on this Agenda (3-minute limit)
10. Staff comments
11. Board member matters

**NEXT MEETING:** Tentatively planned for June 21, 2012. 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.***

***TO RECEIVE AN ELECTRONIC MEETING NOTICE, PLEASE EMAIL REQUEST TO DON ALLEE AT [dallee@co.marin.ca.us](mailto:dallee@co.marin.ca.us)***

# **RICHARDSON'S BAY REGIONAL AGENCY**

## **MEMORANDUM**

April 12, 2012

**TO:** RBRA Board

**FROM:** Ben Berto, RBRA Clerk

**SUBJECT:** April meeting

Board members:

There are a number of items on the agenda for your consideration and approval.

The RBRA budget for FY 2012-2013 is scheduled for adoption at this meeting. Two changes have been made from the draft budget reviewed by your Board at the February meeting: \$1,000 has been added in Professional Services to include costs for Don Allee (the person who produces and distributes the agenda packet). Recently updated Finance figures show Harbormaster benefit costs have also increased by \$3,429, so this is added to the Special Appointment cost. Together with the increased Clerk costs (\$6,912) for additional AC34-related work, the total amount requested from RBRA member agencies is \$239,473, an increase of \$11,084 (or 4.9%) over last year. Once adopted, Staff will provide to each member jurisdiction an invoice detailing individual contributions.

Following Board consensus direction (and discussed separately in the Strategic Planning and Cosco Busan Grant agenda items) Staff continues some work on the anchor-out and mooring issues. Due to budget constraints, next year's budget allocates only nominal amounts to these areas. This problem may be addressed if RBRA is successful in securing outside funding. With the Board's support, Staff will continue pursuing funding, and doing some work on the issues. If Staff is successful in securing additional funding, a future budget adjustment will be made to accept the funds. The amount of work on the issues will also be commensurately increased.

Water quality testing results are in. Waldo and Kappas, the usual exceedance locations, once more lead the exceedance list. At some point in the future, once the Waldo marina improvements have occurred, their results should also improve. As has been previously discussed, it is possible that Kappas' results may be related to poor water circulation. Overall water quality results are generally good.

The attached newspaper articles document that America's Cup projects are being downscaled. Even the highest economic brackets are feeling the recession's pinch.

Staff has been successful in getting AC34 staff to agree in principle to include brief RBRA-related information in their own boater information materials. Staff is in the process of preparing those informational items. It is likely that similar AC34 web-based information will also be posted online. The hope is information and education, in RBRA's case about anchorage areas and services such as vessel pumpout services, will forestall potential problems. Time will reveal the extent to which this proves correct.

Staff has included in the packet materials a brief anchorage status update.

The State continues various tactics aimed at ‘reorganizing’ the State Department of Boating and Waterways (DBW) into Department of Parks and Recreation. The Governor has RBRA’s (and many other affected organizations’) opposition letters. Should reorganization occur regardless, it is impossible to know what impact it will have on the abandoned watercraft and vessel turn-in grant program funding on which RBRA relies. It could potentially be extremely adverse, particularly in the short term while these programs are still under review for either reinstatement or termination. RBRA continues to monitor the situation.

**RICHARDSON'S BAY REGIONAL AGENCY**  
**MINUTES OF FEBRUARY 16, 2012**  
HELD AT SAUSALITO CITY HALL CHAMBERS

**MEMBERS PRESENT:** Chair Ken Wachtel; (Mill Valley); Emmett O'Donnell (Tiburon); Jerry Butler (Belvedere)

**ABSENT:** Kate Sears (excused - Marin County); Jonathan Leone (Sausalito)

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

Meeting called to order at 6:15 PM

**Minutes of December 2011 RBRA Meeting**

Minutes were approved unanimously.

**Review report of Harbor Administrator**

There was a quick recap of the publicized fire aboard a vessel in Richardson's Bay, after which the report was accepted.

**Prior Expenditures**

The expenditure report was accepted.

**Review and approve letter to Governor Brown in support of the State Department of Boating and Waterways**

After a brief discussion and a few minor changes the letter in support of DBW retaining its current separate departmental status was approved for signature.

**Review and comment on the first draft of the 2012/13 annual budget**

Mr. Berto provided a brief summary of the budget and the need for an increase. Chair Wachtel asked what percentage was being proposed and Mr. Berto replied it was a 3% increase that was due mainly to increases in Staff benefit costs and additional charges for support services rendered by the County of Marin. He pointed out that even with salary increases flat-lined for the last three years, benefit increases were unavoidable. It was decided to wait for a Board quorum with the missing members since it was a financial commitment, so the draft was shelved until the April meeting.

**America's Cup Update**

Staff has been trading calls with the AC 34 people trying to ensure that we will be able to provide material for the event boater information brochure and website addressing RBRA's no-anchor zones, sewage options and limits on environmental impact. Consensus is it is important that the RBRA is named in any AC 34 public materials concerning Richardson's Bay.

**Public Comment**

Mr. Peter Moorhead asked if Staff had met with BCDC in the interim, and Mr. Berto responded that there had been a preliminary meeting between Staff, two board members and the BCDC staff, and that enough common ground had been established to merit

future meetings. Member O'Donnell said that the discussions were underway, and another meeting hadn't been established, but any discussions would be duly reported. He also asked Mr. Berto about an Ark news story referring to a \$500K price-tag on the preliminary work to get a mooring field underway. Mr. Berto replied that the figure encompassed costs for an EIR, outreach and installation. Mr. Moorhead questioned whether an RFP for public sub-contractors would work due to the high start-up costs.

**Staff Comments**

None

**Board Member Matters**

Chair Wachtel reported on the discussions he had been involved with concerning the Professional Engineers in California Government. They are interested in re-naming the Richardson Bay Bridge. The RBRA Board declined to support the name change.

The meeting was adjourned to closed session at 7:05 PM.

**NOTE:** The next meeting of the RBRA is scheduled for **April 19, 2012 at 5:30 PM** at the Sausalito City Hall Chambers.

# RICHARDSON'S BAY REGIONAL AGENCY

## HARBOR ADMINISTRATOR'S REPORT

April 8, 2012

### WORKING RELATIONSHIPS

- **Dept. of Boating and Waterways** – 1) Submitted grant reimbursement requests for \$10,323 in VTIP funds and \$19,607 for AWAFF funds. 2) Developed new guidelines for the AWAFF program which will result in allowing in-kind contributions to meet the 10% match on the grant, as well as other streamlining features
- **US Coast Guard** – 1) Met with the Abandoned Vessels group to discuss regional issues, especially the anchor-out issues in the Alameda Estuary. 2) Working with Coast Guard to standardize their process when they tow and secure abandoned boats in Richardson's Bay
- **Corps of Engineers** – Annual yard clean-up complete. Assisted with the disposition of two vessels abandoned at their dock
- **Sausalito Parks Department** – Clearing the beach area of Dunphy Park of abandoned railroad ties and debris

### DEBRIS REMOVAL

- Disposed of 10 vessels. 4 boats are currently impounded
- Working with local marinas to solve their abandoned lien sale boat issues
- Beach clean-up efforts ongoing using Marin Co. Community Service volunteers and AWAFF crew after storms. Marsh restoration work completed at Blackie's Pasture, Tiburon

### RAPID RESPONSE

- Recovered 2 sailboats and a skiff from Tiburon shoreline

### WATER QUALITY

- Wet season water testing finished end of March. April 1 marks the resumption of testing at Schoonmaker Beach for the duration of the summer
- Completing compliance requirements for the Water board TMDLs
- Continuing work as director on the Clean Marinas board to ensure the marinas of California are not held accountable for water quality issues emanating from the shore

### OTHER

- Regularly meeting with the Marin County AC 34 group, and Sail Sausalito to discuss waterfront issues related to AC 34
- Completed 8 hour HAZWOPER class in order to handle hazardous materials
- Actively pursuing a grant for a \$30K soil spill response trailer to be located in Sausalito, with funds coming from the Cosco Busan settlement
- Spoke at a meeting in Oakland of agencies and marinas concerned with the growing problem of anchor-out vessels in the Alameda Estuary

# Richardson's Bay Regional Agency

## Vessel Disposal List Feb. 2012 - April 2012

Date	Name	Type	Amount
2/25/2012	Shann Burn	20' f/g powerboat	560.00 abandoned - burned - sunk
2/25/2012	Dreamweaver	26' f/g sailboat	534.28 abandoned - sunk
3/3/2012	Dinarya	27' fiberglass powerboat	648.00 abandoned - beached
3/22/2012	Second Love	36' f/g fiberglass powerboat	4,500.00 abandoned - VTIP
3/30/2012	Jensen Mar	30' f/g sailboat	435.00 abandoned - adrift / sinking
3/31/2012	Concorde	27' fiberglass powerboat	600.00 abandoned - VTIP
3/31/2012	Rhodes 19	19' f/g sailboat	500.00 abandoned - VTIP
3/31/2012	MacGregor	26' f/g sailboat	335.00 abandoned *
4/7/2012	Peterson 26	26' f/g sailboat	200.00 abandoned - VTIP *
4/7/2012	Folkboat	24' wooden sailboat	200.00 abandoned - VTIP *
4/8/2012	Trojan	32' wooden powerboat	2,000.00 abandoned *

**10 vessels total 10,512.28**

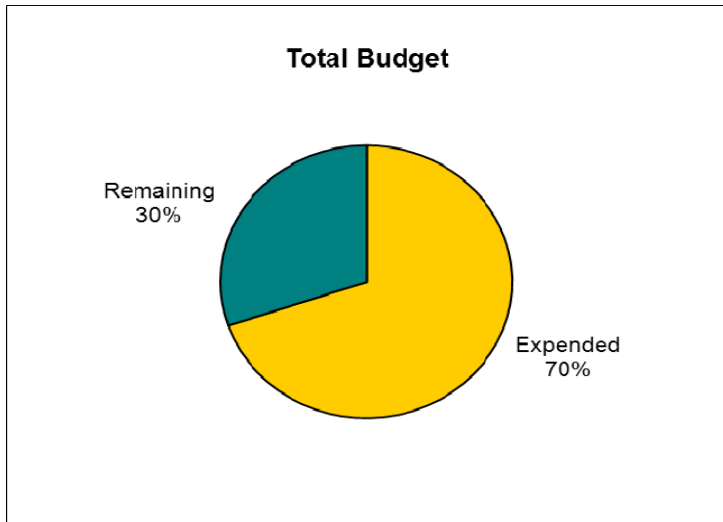
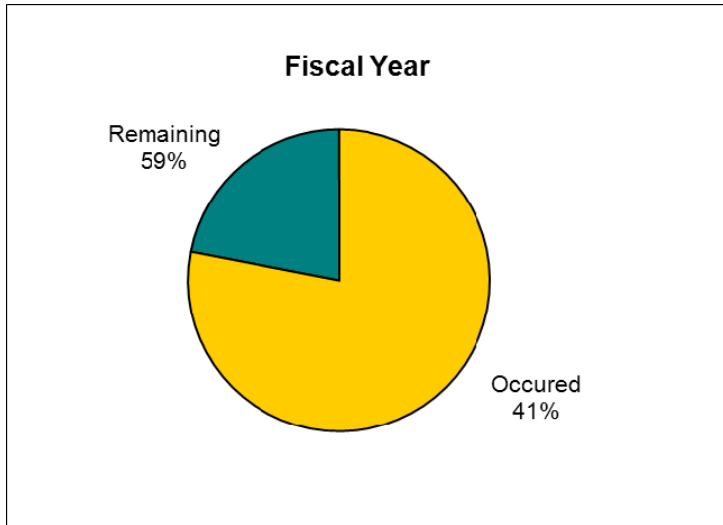
\* indicates estimated invoices

## RBRA FY 2011/12 February 10 - April 10, 2012 BALANCE SHEET

COST ELEMENT	DESCRIPTION	EXPENSES	REVENUE
Bldgs & Grounds Rent	Hickman Mooring		-300.00
Bldgs & Grounds Rent	Bradley Mooring		-150.00
Sales and Services	Glumac boat disposal fees		-184.69
Bldgs & Grounds Rent	Bolton Moorin		-150.00
Bldgs & Grounds Rent	Hickman Mooring		-150.00
Bldgs & Grounds Rent	Snowberg Mooring		-150.00
Bldgs & Grounds Rent	Bolton Mooring		-150.00
Bldgs & Grounds Rent	Snowberg Mooring		-150.00
		<b>total revenue</b>	<b>-1,384.69</b>
Com Srvc - Cell Phon	AT&T - mobile phone	94.50	
Trav-Meals	Travel - Long Beach - Harbormaster's Board Mtg	55.20	
Trav - Mileage	Travel - Long Beach - Harbormaster's Board Mtg	33.30	
Trav - Parking	Travel - Long Beach - Harbormaster's Board Mtg	19.34	
Trav -Veh Rent&Lease	Travel - Long Beach - Harbormaster's Board Mtg	28.32	
Prof Svcs - Other	Wedlock - vessel survey	235.00	
Prof Svcs - Other	Diego Truck Towing - boat up ramp	437.50	
Prof Svcs - Other	Alexander - website services	345.00	
Prof Svcs - Other	Fleshman - day labor	250.00	
HazMat Clean Up	Bay Cities Refuse Service - debris removal	1,790.00	
Rent - Equip Rental	Hertz - backhoe rental	973.50	
Rent - Equip Rental	Hertz - backhoe rental	130.00	
Com Srvc - Broadband	AT&T - internet service	93.69	
Com Srvc - Broadband	Earthlink - internet service	7.90	
Trav - Parking	Parking - BCDC mtg	21.00	
Postage	US Post Office - stamps	9.01	
Rent - Off Space	Libertyship Dry Storage	240.00	
Rent - Off Space	Schoonmaker Point marina - slip rental	278.03	
Rent - Off Space	Schoonmaker Point marina - slip rental	147.50	
ProfServ-CntySalRe	Other - Chrgs for Cur Svcs - Miscellaneous	10,205.14	
Prof Svcs - Other	MT Head - vessel pump-out	350.00	
Rent - Off Space	ICB office rental	420.00	
HazMat Clean Up	Bay Cities Refuse Service - debris removal	560.00	
Com Srvc - Cell Phon	AT&T - mobile phone	69.19	
Prof Svcs - Other	Parker Dive Service - boat salvage	750.00	
Prof Svcs - Legal	County Counsel - legal fees	205.00	
Rent - Equip Rental	Hertz - backhoe rental	534.28	
Prof Svcs - Other	Day labor, insurance survey	500.00	
Trav-Meals	Mollie Stones - water for crew	20.76	
Trav - Mileage	Mileage for Aban. Boat committee mtgs - Sacto	58.83	
Prof Svcs - Other	Marin Co. Labs - Winter water test	3,200.00	
HazMat Clean Up	Bay Cities Refuse Service - debris removal	448.00	
Com Srvc - Broadband	AT&T - internet service	93.51	
Com Srvc - Broadband	Earthlink - internet service	7.90	
Trav - Parking	Parking - Sacramento CAHMPC lobbyist	20.00	
Printing Supplies	Tide book for patrol boat	16.15	
Oth Maintenance	Goodman Hardware - tools	17.59	
Oth Maintenance	West Marine - boat supplies	18.25	
Oth Maintenance	Hirschfeld Marine - steering repair on patrol boat	950.97	
Oil & Gas Outside	US BANK GOVERNMENT SERVICES - ACH	48.30	
Rent - Off Space	Schoonmaker Point marina - slip rental	276.44	
Rent - Off Space	Schoonmaker Point marina - slip rental	147.50	
Rent - Off Space	Libertyship Dry Storage	240.00	
Prof Svcs - Other	Wedlock - vessel survey	235.00	
Prof Svcs - Other	Fleshman - day labor	200.00	
Prof Svcs - Other	Wedlock - vessel survey	235.00	
Prof Svcs - Other	MT Head - vessel pump-out	350.00	
Rent - Off Space	ICB office rental	420.00	
Prof Svcs - Other	San Rafael Yacht Harbor - vessel disposal fees	4,500.00	
		<b>Total expenses</b>	<b>30,286.60</b>

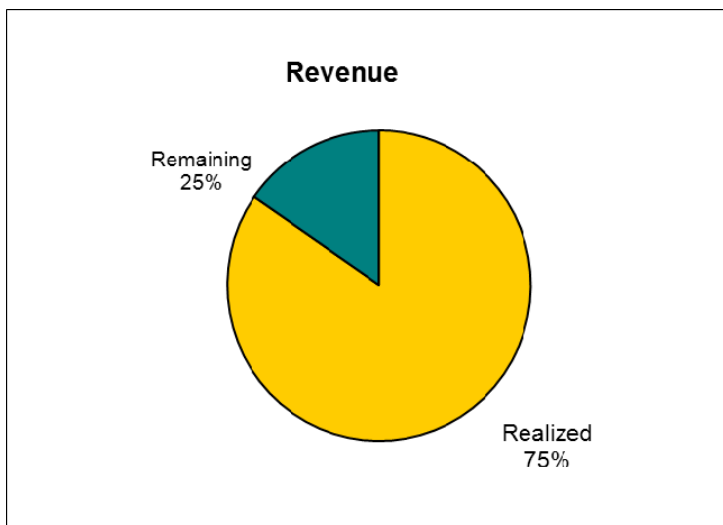


# Percent of Budget and Percent of Year as of April 11, 2012



## Expenditures vs. Budgeted Expenditures

Expenditures	\$253,666
Adopted Budget	\$363,440



## Realized Revenue vs. Budgeted Revenue

Realized Revenue	\$307,696
Budgeted Revenue	\$363,589

## RICHARDSON'S BAY REGIONAL AGENCY - FISCAL YEAR 2012/2013 DRAFT BUDGET#3 041212

### EXPENDITURES

BUDGET#	DESCRIPTION	11/12 ADOPTED	11/12 ACTUALS	12/13 PRJCTD	
5210100	PROFESSIONAL SERVICES	\$312,540	\$312,540	\$319,673	AWAF salvage; legal; salary; county management
5210500	INSURANCE PREMIUMS	\$14,000	\$14,356	\$14,500	
5210700	COMMUNICATION	\$1,900	\$1,600	\$1,900	phone, fax, internet, mobile
5211200	RENTAL & OPER. LEASES	\$28,000	\$23,000	\$28,000	Office; slips & dry storage; heavy equipment rental
5211300	PROF. DEVEL. EXPENSES	\$600	\$755	\$800	professional associations, continued education
5211400	TRAVEL & MEETINGS	\$1,000	\$1,100	\$2,000	Harbormaster's Conference (So Cal 2012), mileage
5211520	PUBLICATION	\$1,000	\$953	\$1,000	Legal ads
5220100	OFFICE EXPENSES	\$500	\$496	\$500	
5220200	MAINT. & REPAIR - EQUIP	\$3,900	\$4,300	\$5,000	Patrol boat maintenance
5482045	VEHICLES	\$0	\$0	\$0	
		<b>\$363,440</b>	<b>\$359,100</b>	<b>\$373,373</b>	

PROFESSIONAL SERVICES BREAKOUT		11/12 ACTUALS	12/13 PRJCTD		
	MOORING WORK PROGRAM	\$3,000	\$7,000	\$3,000	Outside legal consulting
	LEGAL	\$3,000	\$3,000	\$3,000	County Counsel
	RAPID RESPONSE PROGRAM	\$8,000	\$10,000	\$8,000	Contractor cost
	LAB SERVICES	\$5,000	\$5,000	\$5,000	TMDL testing (50% MCCSTOPP)
	SPECIAL APPOINTMENT	\$129,780	\$129,780	<b>\$133,201</b>	Estimated salary and benefits
	PROFESSIONAL SERVICES	\$103,500	\$90,000	\$100,350	AWAF salvage
	CDA ADMIN	\$34,560	\$34,560	<b>\$41,472</b>	CDA Admin. expense (2% time increase @ \$6,912)
	10% AWAFF grant expenditures	\$12,200	\$12,000	\$11,150	AWAF salvage match funds
	AUDIT	\$6,500	\$5,000	\$6,500	towards biennial audit
	MT HEAD	\$5,000	\$4,000	\$5,000	Sewage pump-out services
	WEBSITE ADMIN	\$2,000	\$1,500	<b>\$3,000</b>	updates and maintenance
		<b>\$312,540</b>	<b>\$301,840</b>	<b>\$319,673</b>	

### REVENUES

	11/12 ADOPTED	11/12 ACTUALS	12/13 PRJCTD		
Beginning Balance					
4410125	INTEREST POOLED INVST	\$1,200	\$500	\$500	
4410225	SLIP RENTALS	\$3,000	\$2,946	\$3,000	mooring rentals
4410410	OTHER SALES & SERVICES	\$9,000	\$6,293	\$9,000	misc. reimbursement, disposal chargeback
4530527	INTERGOVT REVS - STATE	\$122,000	\$111,500	\$122,000	AWAF / VTIP reimb. 110K, EPA Grant 12K
4640322	INTERGOVT REVS - LOCAL	\$228,389	\$228,389	\$239,473	RBRA Member Dues (4.9% increase = \$11,084)
		<b>\$363,589</b>	<b>\$349,628</b>	<b>\$373,973</b>	

TOTAL COLIFORM						
Not To Exceed	10,000					1000.0
	1-Sep-11	8-Sep-11	15-Sep-11	22-Sep-11	29-Sep-11	Geo Mean
WALDO POINT GATES COOP Station #41	1989	1414	695	1281	2310	1420.5
KAPPAS HOUSEBOATS Station #43	1267	393	4034	272	393	1675.8
WALDO "A" DOCK Station #40	350	728	417	602	845	557.9
WALDO POINT SOUTH 40 Station 15	620	158	609	794	754	513.5
CLIPPER BASIN #4 Station 14	183	30	193	75	605	136.9
ARQUEZ MARINA Station #37	134	63	201	2247	536	289.8
CLIPPER BASIN #1, Station CB1 (NEW)	160	63	223	119	749	182.1
SCHOONMAKER BEACH Station #33 (EHS)	169	52	0	97	3076	226.3
SCHOONMAKER Station #32	142	9	107	31	880	82.1
GALILEE / NAPA Station #8	318	30	176	9	1918	123.7
MARINEWAYS Station MW (NEW)	2359	733	131	2359	496	766.8
PELICAN HARBOR Station #6	73	41	144	20	301	76.4
SAUSALITO YACHT HARBOR Station #5	241	131	168	187	185	178.9
SAUSALITO YACHT HARBOR Station #3	185	96	171	41	520	145.3
CONTROL STATION DAYMARK #6 Station C	30	9	9	9	86	18.0
CONTROL O STRAWBERRY POINT	20	20	41	51	638	55.6

10,000						1000.0
1-Feb-12	8-Feb-12	16-Feb-12	22-Feb-12	8-Feb-12	Geo Mean	
4352	4106	1014	1782	4106	2657.6	
1137	2046	908	1989	2064	1540.3	
146	479	241	313	538	309.5	
2382	364	556	241	857	630.4	
5794	243	201	197	1872	636.4	
487	292	279	455	1541	488.5	
1439	327	960	341	4611	933.9	
932	744	160	121	309	333.9	
683	96	213	369	749	329.1	
1296	471	246	134	414	383.8	
2143	487	226	331	2359	712.9	
1301	201	199	168	496	336.8	
1664	97	98	63	201	182.1	
645	146	135	135	262	214.1	
1450	41	97	10	379	116.9	
798	341	145	323	880	407.3	

E. Coli						
Not To Exceed	235					126.0
	1-Sep-11	8-Sep-11	15-Sep-11	22-Sep-11	29-Sep-11	Geo Mean
WALDO POINT GATES COOP Station #41	63	199	52	132	644	140.8
KAPPAS HOUSEBOATS Station #43	195	41	839	52	1483	220.2
WALDO "A" DOCK Station #40	20	41	98	31	41	40.0
WALDO POINT SOUTH 40 Station 15	52	31	41	41	52	42.6
CLIPPER BASIN #4 Station 14	9	20	9	31	85	21.2
ARQUEZ MARINA Station #37	41	9	31	173	31	36.1
CLIPPER BASIN #1, Station CB1 (NEW)	10	9	10	9	135	16.1
SCHOONMAKER BEACH Station #33 (EHS)	20	10	0	20	1553	49.9
SCHOONMAKER Station #32	9	9	9	9	109	14.8
GALILEE / NAPA Station #8	9	9	9	9	199	16.7
MARINEWAYS Station MW (NEW)	1720	85	30	537	74	177.1
PELICAN HARBOR Station #6	10	9	31	9	20	13.8
SAUSALITO YACHT HARBOR Station #5	9	9	30	20	9	13.4
SAUSALITO YACHT HARBOR Station #3	10	20	9	9	10	11.0
CONTROL STATION DAYMARK #6 Station C	9	9	9	9	9	9.0
CONTROL O STRAWBERRY POINT	10	10	10	20	41	15.2

235						126.0
1-Feb-12	8-Feb-12	16-Feb-12	22-Feb-12	8-Feb-12	Geo Mean	
197	75	10	63	134	65.9	
110	160	20	146	146	94.4	
52	31	52	9	31	29.8	
171	20	10	31	218	47.1	
5122	9	20	31	201	89.5	
85	41	10	122	145	57.3	
160	10	121	10	226	53.5	
246	41	10	20	41	38.3	
86	10	10	20	331	35.6	
121	20	110	20	189	63.2	
650	109	86	30	373	146.8	
185	31	31	10	86	43.3	
305	9	10	10	41	25.7	
10	10	10	9	10	9.8	
109	9	10	9	31	19.4	
20	9	10	30	75	21.0	

Fecal Coliform						
Not To Exceed	400					200.0
	1-Sep-11	8-Sep-11	15-Sep-11	22-Sep-11	29-Sep-11	Geo Mean
WALDO POINT GATES COOP Station #41	30	300	50	80	300	101.6
KAPPAS HOUSEBOATS Station #43	170	8	1600	50	1600	177.1
WALDO "A" DOCK Station #40	30	30	70	30	13	30.1
WALDO POINT SOUTH 40 Station 15	50	13	80	130	30	45.9
CLIPPER BASIN #4 Station 14	30	21	30	4	50	20.7
ARQUEZ MARINA Station #37	30	7	17	110	2	15.1
CLIPPER BASIN #1, Station CB1 (NEW)	7	11	13	2	30	9.0
SCHOONMAKER BEACH Station #33 (EHS)	0	0	0	0	0	0
SCHOONMAKER Station #32	80	1	8	4	50	10.5

400						200.0
1-Feb-12	8-Feb-12	16-Feb-12	22-Feb-12	8-Feb-12	Geo Mean	
240	240	8	30	23	50.2	
50	240	17	500	130	105.8	
170	13	50	30	11	32.5	
130	50	50	13	240	63.3	
500	50	30	11	500	83.8	
110	4	70	80	110	48.6	
170	23	110	13	300	70.0	
22	50	12	17	170	32.8	
80	7	30	17	50	27.0	

GALILEE / NAPA Station #8	17	2	13	1	30	6.7
MARINEWAYS Station MW (NEW)	500	80	80	500	130	183.5
PELICAN HARBOR Station #6	34	1	50	7	8	9.9
SAUSALITO YACHT HARBOR Station #5	4	4	17	22	4	7.5
SAUSALITO YACHT HARBOR Station #3	23	2	17	1	11	6.1
CONTROL STATION DAYMARK #6 Station C	1	4	2	2	1	1.7
CONTROL O STRAWBERRY POINT	2	2	7	7	2	3.3






30	4	8	8	17	10.5
500	80	80	50	280	135.0
140	30	30	23	80	47.1
300	50	13	11	50	40.4
9	8	500	4	23	20.1
23	1	8	4	50	8.2
30	11	4	30	80	20.0






ENTEROCOCCUS						
Not To Exceed	104					35.0
	1-Sep-11	8-Sep-11	15-Sep-11	22-Sep-11	29-Sep-11	Geo Mean
WALDO POINT GATES COOP Station #41	10	10	10	10	20	11.5
KAPPAS HOUSEBOATS Station #43	109	9	197	10	24192	136.1
WALDO "A" DOCK Station #40	9	9	9	10	9	9.2
WALDO POINT SOUTH 40 Station 15	10	9	31	9	31	15.1
CLIPPER BASIN #4 Station 14	9	9	20	9	9	10.6
ARQUEZ MARINA Station #37	9	9	9	9	9	9.0
CLIPPER BASIN #1, Station CB1 (NEW)	9	9	10	9	10	9.4
SCHOONMAKER BEACH Station #33 (EHS)	10	74	0	9	85	27.4
SCHOONMAKER Station #32	9	9	31	9	9	11.5
GALILEE / NAPA Station #8	9	9	10	9	31	11.8
MARINEWAYS Station MW (NEW)	20	41	9	203	9	26.7
PELICAN HARBOR Station #6	9	9	9	9	9	9.0
SAUSALITO YACHT HARBOR Station #5	9	9	9	9	9	9.0
SAUSALITO YACHT HARBOR Station #3	9	9	9	9	9	9.0
CONTROL STATION DAYMARK #6 Station C	9	9	9	10	9	9.2
CONTROL O STRAWBERRY POINT	9	9	9	9	9	9.0

104						35.0
1-Feb-12	8-Feb-12	16-Feb-12	22-Feb-12	8-Feb-12	Geo Mean	
295	110	63	30	31	71.7	
135	869	97	41	185	153.9	
0	30	9	131	20	29.0	
175	10	9	9	31	21.3	
285	20	9	10	75	32.9	
9	9	52	9	160	22.7	
143	86	20	9	305	58.3	
85	10	9	9	30	18.3	
110	9	9	31	96	30.5	
74	9	20	10	75	25.1	
74	10	31	20	10	21.5	
30	10	10	9	41	16.2	
794	9	9	9	50	31.1	
10	52	9	30	86	26.1	
9	9	9	9	20	10.6	
9	9	9	9	86	14.1	

DRY SEASON		
	Single Sample	30 Day Geo Mean
Total Coliform Not To Exceed	10,000	1000
E. coli Not to Exceed	235	126
Enterococcus Not to Exceed	104	35

WET SEASON		
	Single Sample	30 Day Geo Mean
Total Coliform Not To Exceed	10,000	1000
E. coli Not to Exceed	235	126
Enterococcus Not to Exceed	104	35

						
					.04 inch	
<b>WALDO POINT GATES COOP Station #41</b>	1-Sep-11	8-Sep-11	15-Sep-11	22-Sep-11	29-Sep-11	29-Sep-11
Total Coliform 10,000 / 1000	1989	1414	695	1281	2310	1421
E. coli 235 / 126	63	199	52	132	644	141
Enterococcus 104 / 35	10	10	10	10	20	11
<b>KAPPAS HOUSEBOATS Station #43</b>	1-Sep-11	8-Sep-11	15-Sep-11	22-Sep-11	29-Sep-11	29-Sep-11
Total Coliform 10,000 / 1000	1267	393	4034	272	393	1676
E. coli 235 / 126	195	41	839	52	1483	220
Enterococcus 104 / 35	109	9	197	10	24192	136
<b>WALDO "A" DOCK Station #40</b>	1-Sep-11	8-Sep-11	15-Sep-11	22-Sep-11	29-Sep-11	29-Sep-11
Total Coliform 10,000 / 1000	350	728	417	602	845	558
E. coli 235 / 126	20	41	98	31	41	40
Enterococcus 104 / 35	9	9	9	10	9	9
<b>WALDO POINT SOUTH 40 Station 15</b>	1-Sep-11	8-Sep-11	15-Sep-11	22-Sep-11	29-Sep-11	29-Sep-11
Total Coliform 10,000 / 1000	620	158	609	794	754	514

						
	.04 inch	.48 inch	.9 inch	.04 inch	.84 inch	
1-Feb-12	8-Feb-12	16-Feb-12	22-Feb-12	29-Feb-12	29-Feb-12	
4352	4106	1014	1782	4106	2658	
197	75	10	63	134	66	
295	110	63	30	31	72	
1-Feb-12	8-Feb-12	16-Feb-12	22-Feb-12	29-Feb-12	29-Feb-12	
1137	2046	908	1989	2064	1540	
110	160	20	146	146	94	
135	869	97	41	185	154	
1-Feb-12	8-Feb-12	16-Feb-12	22-Feb-12	29-Feb-12	29-Feb-12	
146	479	241	313	538	309	
52	31	52	9	31	30	
0	30	9	131	20	29	
1-Feb-12	8-Feb-12	16-Feb-12	22-Feb-12	29-Feb-12	29-Feb-12	
2382	364	556	241	857	630	

E. coli 235 / 126	52	31	41	41	52	43
Enterococcus 104 / 35	10	9	31	9	31	15
<b>CLIPPER BASIN #4 Station 14</b>	<b>1-Sep-11</b>	<b>8-Sep-11</b>	<b>15-Sep-11</b>	<b>22-Sep-11</b>	<b>29-Sep-11</b>	<b>29-Sep-11</b>
Total Coliform 10,000 / 1000	183	30	193	75	605	137
E. coli 235 / 126	9	20	9	31	85	21
Enterococcus 104 / 35	9	9	20	9	9	11
<b>ARQUEZ MARINA Station #37</b>	<b>1-Sep-11</b>	<b>8-Sep-11</b>	<b>15-Sep-11</b>	<b>22-Sep-11</b>	<b>29-Sep-11</b>	<b>29-Sep-11</b>
Total Coliform 10,000 / 1000	134	63	201	2247	536	290
E. coli 235 / 126	41	9	31	173	31	36
Enterococcus 104 / 35	9	9	9	9	9	9
<b>CLIPPER BASIN #1, Station CB1 (NEW)</b>	<b>1-Sep-11</b>	<b>8-Sep-11</b>	<b>15-Sep-11</b>	<b>22-Sep-11</b>	<b>29-Sep-11</b>	<b>29-Sep-11</b>
Total Coliform 10,000 / 1000	160	63	223	119	749	182
E. coli 235 / 126	10	9	10	9	135	16
Enterococcus 104 / 35	9	9	10	9	10	9
<b>SCHOONMAKER BEACH Station #33 (EHS)</b>	<b>31-Aug-11</b>	<b>7-Sep-11</b>	<b>14-Sep-11</b>	<b>21-Sep-11</b>	<b>28-Sep-11</b>	<b>19-Oct-09</b>
Total Coliform 10,000 / 1000	169	52	0	97	3076	226
E. coli 235 / 126	20	10	0	20	1553	50
Enterococcus 104 / 35	10	74	0	9	85	27
<b>SCHOONMAKER Station #32</b>	<b>1-Sep-11</b>	<b>8-Sep-11</b>	<b>15-Sep-11</b>	<b>22-Sep-11</b>	<b>29-Sep-11</b>	<b>29-Sep-11</b>
Total Coliform 10,000 / 1000	142	9	107	31	880	82
E. coli 235 / 126	9	9	9	9	109	15
Enterococcus 104 / 35	9	9	31	9	9	12
<b>GALILEE / NAPA Station #8</b>	<b>1-Sep-11</b>	<b>8-Sep-11</b>	<b>15-Sep-11</b>	<b>22-Sep-11</b>	<b>29-Sep-11</b>	<b>29-Sep-11</b>
Total Coliform 10,000 / 1000	318	30	176	9	1918	124
E. coli 235 / 126	9	9	9	9	199	17
Enterococcus 104 / 35	9	9	10	9	31	12

**DRY SEASON**

	<b>Single Sample</b>	<b>30 Day Geo Mean</b>
<b>Total Coliform Not To Exceed</b>	10,000	1000
<b>E. coli Not to Exceed</b>	235	126
<b>Enterococcus Not to Exceed</b>	104	35

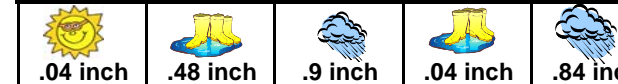


<b>MARINEWAYS Station MW (NEW)</b>	<b>1-Sep-11</b>	<b>8-Sep-11</b>	<b>15-Sep-11</b>	<b>22-Sep-11</b>	<b>29-Sep-11</b>	<b>29-Sep-11</b>
Total Coliform 10,000 / 1000	2359	733	131	2359	496	767
E. coli 235 / 126	1720	85	30	537	74	177
Enterococcus 104 / 35	20	41	9	203	9	27
<b>PELICAN HARBOR Station #6</b>	<b>1-Sep-11</b>	<b>8-Sep-11</b>	<b>15-Sep-11</b>	<b>22-Sep-11</b>	<b>29-Sep-11</b>	<b>29-Sep-11</b>
Total Coliform 10,000 / 1000	73	41	144	20	301	76
E. coli 235 / 126	10	9	31	9	20	14
Enterococcus 104 / 35	9	9	9	9	9	9
<b>SAUSALITO YACHT HARBOR Station #5</b>	<b>1-Sep-11</b>	<b>8-Sep-11</b>	<b>15-Sep-11</b>	<b>22-Sep-11</b>	<b>29-Sep-11</b>	<b>29-Sep-11</b>
Total Coliform 10,000 / 1000	241	131	168	187	185	179
E. coli 235 / 126	9	9	30	20	9	13
Enterococcus 104 / 35	9	9	9	9	9	9
<b>SAUSALITO YACHT HARBOR Station #3</b>	<b>1-Sep-11</b>	<b>8-Sep-11</b>	<b>15-Sep-11</b>	<b>22-Sep-11</b>	<b>29-Sep-11</b>	<b>29-Sep-11</b>
Total Coliform 10,000 / 1000	185	96	171	41	520	145

171	20	10	31	218	47
175	10	9	9	31	21
<b>1-Feb-12</b>	<b>8-Feb-12</b>	<b>16-Feb-12</b>	<b>22-Feb-12</b>	<b>29-Feb-12</b>	<b>29-Feb-12</b>
5794	243	201	197	1872	636
5122	9	20	31	201	90
285	20	9	10	75	33
<b>1-Feb-12</b>	<b>8-Feb-12</b>	<b>16-Feb-12</b>	<b>22-Feb-12</b>	<b>29-Feb-12</b>	<b>29-Feb-12</b>
487	292	279	455	1541	489
85	41	10	122	145	57
9	9	52	9	160	23
<b>1-Feb-12</b>	<b>8-Feb-12</b>	<b>16-Feb-12</b>	<b>22-Feb-12</b>	<b>29-Feb-12</b>	<b>29-Feb-12</b>
1439	327	960	341	4611	934
160	10	121	10	226	53
143	86	20	9	305	58
<b>1-Feb-12</b>	<b>8-Feb-12</b>	<b>16-Feb-12</b>	<b>22-Feb-12</b>	<b>29-Feb-12</b>	<b>29-Feb-12</b>
932	744	160	121	309	334
246	41	10	20	41	38
85	10	9	9	30	18
<b>1-Feb-12</b>	<b>8-Feb-12</b>	<b>16-Feb-12</b>	<b>22-Feb-12</b>	<b>29-Feb-12</b>	<b>29-Feb-12</b>
683	96	213	369	749	329
86	10	10	20	331	36
110	9	9	31	96	31
<b>1-Feb-12</b>	<b>8-Feb-12</b>	<b>16-Feb-12</b>	<b>22-Feb-12</b>	<b>29-Feb-12</b>	<b>29-Feb-12</b>
1296	471	246	134	414	384
121	20	110	20	189	63
74	9	20	10	75	25

**WET SEASON**






	<b>Single Sample</b>	<b>30 Day Geo Mean</b>
<b>Total Coliform Not To Exceed</b>	10,000	1000
<b>E. coli Not to Exceed</b>	235	126
<b>Enterococcus Not to Exceed</b>	104	35



<b>1-Feb-12</b>	<b>8-Feb-12</b>	<b>16-Feb-12</b>	<b>22-Feb-12</b>	<b>29-Feb-12</b>	<b>29-Feb-12</b>
2143	487	226	331	2359	713
650	109	86	30	373	147
74	10	31	20	10	21
<b>1-Feb-12</b>	<b>8-Feb-12</b>	<b>16-Feb-12</b>	<b>22-Feb-12</b>	<b>29-Feb-12</b>	<b>29-Feb-12</b>
1301	201	199	168	496	337
185	31	31	10	86	43
30	10	10	9	41	16
<b>1-Feb-12</b>	<b>8-Feb-12</b>	<b>16-Feb-12</b>	<b>22-Feb-12</b>	<b>29-Feb-12</b>	<b>29-Feb-12</b>
1664	97	98	63	201	182
305	9	10	10	41	26
794	9	9	9	50	31
<b>1-Feb-12</b>	<b>8-Feb-12</b>	<b>16-Feb-12</b>	<b>22-Feb-12</b>	<b>29-Feb-12</b>	<b>29-Feb-12</b>
645	146	135	135	262	214

E. coli 235 / 126	10	20	9	9	10	11
Enterococcus 104 / 35	9	9	9	9	9	9
<b>CONTROL STATION DAYMARK #6 Station C</b>	<b>1-Sep-11</b>	<b>8-Sep-11</b>	<b>15-Sep-11</b>	<b>22-Sep-11</b>	<b>29-Sep-11</b>	<b>29-Sep-11</b>
Total Coliform 10,000 / 1000	30	9	9	9	86	18
E. coli 235 / 126	9	9	9	9	9	9
Enterococcus 104 / 35	9	9	9	10	9	9
<b>CONTROL O STRAWBERRY POINT</b>	<b>1-Sep-11</b>	<b>8-Sep-11</b>	<b>15-Sep-11</b>	<b>22-Sep-11</b>	<b>29-Sep-11</b>	<b>29-Sep-11</b>
Total Coliform 10,000 / 1000	20	20	41	51	638	56
E. coli 235 / 126	10	10	10	20	41	15
Enterococcus 104 / 35	9	9	9	9	9	9

10	10	10	9	10	10
10	52	9	30	86	26
<b>1-Feb-12</b>	<b>8-Feb-12</b>	<b>16-Feb-12</b>	<b>22-Feb-12</b>	<b>29-Feb-12</b>	<b>29-Feb-12</b>
1450	41	97	10	379	117
109	9	10	9	31	19
9	9	9	9	20	11
<b>1-Feb-12</b>	<b>8-Feb-12</b>	<b>16-Feb-12</b>	<b>22-Feb-12</b>	<b>29-Feb-12</b>	<b>29-Feb-12</b>
798	341	145	323	880	407
20	9	10	30	75	21
9	9	9	9	86	14

Date	Inch Rain	Date	Inch Rain	
8/29/2011		1/30/2012		
8/30/2011		1/31/2012		
8/31/2011		2/1/2012	0.04	 Not Significant
9/1/2011		2/2/2012		
9/2/2011		2/3/2012		
9/3/2011		2/4/2012		
9/4/2011		2/5/2012		
9/5/2011		2/6/2012	0.16	
9/6/2011		2/7/2012	0.32	 Very Light
9/7/2011		2/8/2012		
9/8/2011		2/9/2012		
9/9/2011		2/10/2012	0.16	
9/10/2011		2/11/2012	0.04	
9/11/2011		2/12/2012	0.34	
9/12/2011		2/13/2012	0.12	
9/13/2011		2/14/2012	0.12	 Heavier
9/14/2011		2/15/2012	0.12	
9/15/2011		2/16/2012		
9/16/2011		2/17/2012		
9/17/2011		2/18/2012		
9/18/2011		2/19/2012		
9/19/2011		2/20/2012	0.04	
9/20/2011		2/21/2012		
9/21/2011		2/22/2012		 Very Light
9/22/2011		2/23/2012		
9/23/2011		2/24/2012		
9/24/2011		2/25/2012		
9/25/2011	0.04	2/26/2012		
9/26/2011		2/27/2012		
9/27/2011		2/28/2012	0.40	
9/28/2011		2/29/2012	0.44	 Heavier
9/29/2011				

**Bill Price Sampling Dates (15 Sites)**

**EHS Sampling Dates (Schoonmaker Station #33)**

# RICHARDSON'S BAY REGIONAL AGENCY

## MEMORANDUM

April 12, 2012

**TO:** RBRA Board

**FROM:** Ben Berto, RBRA Clerk

**SUBJECT:** Bay anchorage and strategic planning update

Board members:

Due to the renewed interest created by the upcoming America's Cup, Staff has been investigating anchorage-related issues in Richardson's Bay. This provides an update.

As some of the longer-tenured Board members recall, Staff and late Boardmember (and Marin County Supervisor) Charles McGlashan exerted considerable effort attempting to move a mooring field forward. In 2009, following a negative reception by BCDC, a decision was made to curtail further activities for the time being.

The expected influx of visiting boaters for AC34 illustrates another hypothetical merit of a mooring field, accommodating those boaters. However, although the America's Cup has been an impetus in revisiting a mooring field, it is unlikely that time and logistical constraints would allow completion of this mooring field by summer 2013. Should the Cup remain with the U.S., there is a some chance of another America's Cup in the Bay. By then we will have the benefit of experiencing actual 2013 race conditions, and time to seriously pursue a mooring field should the decision be made to do so.

Regardless of a mooring field timing and eventual composition, exploring how to address existing vessels on the anchorage is a useful preliminary step. There were approximately 125 vessels anchored in Richardson's Bay as of the last 'official' vessel survey vessel in 2010. Staff looks forward to conducting another such survey this spring. The 125 vessel figure is adequate for pre-planning purposes.

Of the 125 vessel total, approximately 40 have been estimated to consist of live-aboard anchorouts (LAAO's). These vessels raise the thorniest policy and regulatory compliance, housing, and enforcement issues. To date, the RBRA has not been able to achieve détente with BCDC in resolving their position that LAAO's are illegal fill subject to near-term abatement. Given that circumstance, there is limited appeal to RBRA in exhaustive efforts. Staff from both agencies continue to communicate on this issue.

The remaining 85 or so vessels do not have persons living on board (non-live-aboard anchorout vessels or AO's), and are essentially just being stored on the anchorage. Some show little sign of current, active use. A good percentage are incapable of self-propulsion. In BCDC's view, these vessels also constitute illegal bay fill.

It is probably inaccurate to characterize many of the AO's on the anchorage as truly abandoned. Some may be eyesores up close, and prone to uncontrolled, problematic downwinders in high wind events, but most are suspected to be owned. Therefore, property claims and a more involved legal process can be expected in the event of a heightened, non-voluntary vessel abatement effort.

A couple of questions arise in connection to current and potential RBRA (and other agency) approaches to AO's:

- 1) Does the RBRA wish to pursue a greater rate/level of AO abatement?
- 2) If so, how can additional resources be generated and mobilized?

Next year's budget (FY 2012-2013) is proposed for adoption at this meeting. Merely maintaining current levels of services after two years of no budget increases has resulted in a requested 5.5% increase in member agency contributions to cover Staff expenses. Staff assumes that most, if not all, RBRA member jurisdictions continue to face substantial fiscal challenges just maintaining current programs. Substantial additional financial outlays from member jurisdictions for new or expanded programs does not appear prudent or desirable. Therefore the budget proposes no increases except incrementally for Staff and other unavoidable expenses.

Efforts to increase the rate and overall numbers of vessels being abated will require a substantial increase in resources, both straight outlay and staffing. For example, very little is available in the proposed budget for legal costs. None is allocated for court costs, foreseeable if involuntary abatement is pursued.

If your Board desires a higher rate of AO abatement, Staff will continue to seek additional outside funding resources to apply to this effort. Staff looks forward to Board discussion and direction on this subject.



# **RICHARDSON'S BAY REGIONAL AGENCY**

## **MEMORANDUM**

April 12, 2012

**TO:** RBRA Board

**FROM:** Ben Berto, RBRA Clerk

**SUBJECT:** Cosco Busan recreational grant preapplication

Board members:

Staff is seeking Board authorization to submit to preapply for a Cosco Busan settlement fund recreational grant.



## **COSCO BUSAN OIL SPILL SETTLEMENT — RECREATIONAL USE GRANT PROGRAM**

### **REQUEST FOR PROPOSALS 2012**

Pre-proposal Due Date: **April 26, 2012**

Full Proposal Due Date: **September 10, 2012**

#### **Overview**

The National Fish and Wildlife Foundation, together with California Department of Fish and Game and the California State Lands Commission, request pre-proposals under the Cosco Busan Oil Spill Settlement — Recreational Use Grant Program (Program) for recreational projects that compensate the public for the loss of use and enjoyment of public beaches, parks, and other public or natural resources as a result of the Cosco Busan oil spill.

The National Fish and Wildlife Foundation established the Program with funds it received, on behalf of the California Department of Fish and Game and the California State Lands Commission, pursuant to a consent decree settling a civil action by the United States [Case No. C 07-6045 (SC)], and two related actions (Consent Decree). The related lawsuits include an action by the California Department of Fish and Game and the State Lands Commission, et al [CV 09-01469] and an action by the City and County of San Francisco and the City of Richmond [CV12-0115].

#### **Geographic Focus**

The Program is designed to fund projects that enhance shoreline recreation, recreational fishing, and/or recreational boating in order to compensate for spill-related recreation losses that are not addressed by settlement funds administered by the National Park Service, the City and County of San Francisco, and the City of Richmond. The distribution of funding is intended to match the impacts from the oil spill to the extent practicable.

Project proposals are expected to focus on fishing, boating, other water-based recreation, and/or other shoreline recreation in the counties of Marin, Sonoma, Solano, Contra Costa, Alameda, Santa Clara, and/or San Mateo. However, project proposals that benefit recreation in Marin County should focus on areas outside the jurisdiction of the National Park Service. Similarly, project proposals that benefit recreation in Contra Costa County should focus on areas that are outside the jurisdiction of the City of Richmond. This is because the National Park Service, the City and County of San Francisco, and the City of Richmond all received separate money from the settlement to implement recreation projects within their respective jurisdictions. For the purpose of this Program, projects within the geographic boundaries of the City of Richmond may be eligible for funding if implemented on lands that are under the jurisdiction of the federal government, the state government, or East Bay Regional Park District.

#### **Funding Available**

Approximately \$6.8 million in grant funds are available for projects through this Program. Multi-year projects will be considered. Matching funds and/or in-kind contributions are encouraged, but not required.

The appropriate size of grant awards will be determined by the project location and project type. Below are approximate fund allocations by project location and project type:

#### **Approximate Geographic Distribution of Total Funds**

Locale	Amount
East Bay	\$3.9 Million
San Mateo	\$1.9 Million
Marin	\$720,000
Other*	\$240,000

# The Cup Runneth Over: S.F.'s America's Cup Decision Looms

By Joe Eskenazi | Wednesday, Feb 16 2012

Comments (12) AA



Illustration by Andrew J. Nilsen, based on *The Great Wave off Kanagawa* by Hokusai.

A century ago, Daniel Burnham, the preeminent architect of his day, presented San Franciscans with a glistening vision of their city's future: An ethereal stairway from the Castro to Twin Peaks; massive gardens covering five times the area of Golden Gate Park; and, triumphantly, a towering obelisk at Market and Van Ness marking the "great central Place" where 11 major streets would converge.

San Francisco had little patience for glistening visions in the wake of the 1906 earthquake. The city was rebuilt, expediently, atop the ruined foundation that existed before — and, largely, exists to this day. The Burnham Plan was consigned to the history books.

Today's glistening visions feature mockups of America's Cup venues complete with digitized, conspicuously attractive people gaping at catamarans the size of 13-story buildings ripping through the bay.

Preliminary construction work on the scheduled 2013 regatta is already under way.

Yet the status of the boat race is not on solid ground. In the next two weeks, the city and race organizers will tussle over the long-term development ramifications tied to the America's Cup, culminating in a Board of Supervisors vote scheduled for the end of the month. The impact of that vote can't be overstated: San Francisco will decide whether the Cup will be tossed alongside the Burnham Plan in the "What if?" file, or whether it will impose a transformative impact along the city's waterfront for generations to come.

Nautical metaphors have been en vogue since Oracle CEO and yachting billionaire Larry Ellison in 2010 turned his eye to holding the America's Cup in this city. So here's one more: San Francisco has taken a long walk on a short pier, and has reached the point where it must decide whether to leap aboard the ship or let it sail off. The cost of this America's Cup voyage will only become truly clear once the pier is receding in the distance. But this much is sure: It's not going to be cheap.

In the last month, the city has quietly downgraded the anticipated number of visitors the event will draw and the tally of spectator boats that will line the waterfront. Millions in private fundraising the city had already assumed in its overall budget has not been delivered — and, last week, the city's budget analyst estimated the logistical costs of holding the event here are now 65 percent higher than previously assumed. Race officials, meanwhile, have denied reports that the number of participating teams will be barely enough to fill a medal stand.

The amount the Port of San Francisco now anticipates it will reimburse to the America's Cup Event Authority — the organization Ellison formed to oversee the race — is double the estimate used when calculating a roughly break-even proposal a year ago. And the anticipated costs of constructing a magnificent new cruise ship terminal on Pier 27 — which would also serve as the centerpiece of the America's Cup — have effectively doubled as well. These costs will either be reimbursed to Cup organizers by the port — or borne by the city and port alone.

The Pier 27 cruise ship terminal and the America's Cup are intertwined in a manner that city and race officials portray as serendipitous. Offering Pier 27 and the northern waterfront as the race's epicenter dislodged the Event Authority from its earlier preference for Pier 50, near AT&T Park — a surefire fiscal bath for the city. Accelerating the development of the pier also gave the city the impetus it needed to finally consummate its longtime dalliance with erecting a cruise ship terminal.

As with people, marrying two complex projects calls for sacrifices and commitments along the lines of "for richer or for poorer." In the case of the port, the proposition of ending up some \$40 million poorer as a result of mandatory mitigation projects tied to the cruise terminal struck a nerve. In a January e-mail to staff obtained by *SF Weekly*, Port Director Monique Moyer laments about the prohibitive cost — which, she worries, may sink the port. "I just don't see how we can commit the Port to financial instability by committing to these obligations. Frankly, the cruise terminal isn't worth the risk," reads the e-mail. "Sorry to be the Debbie Downer" on this, but I spent a sleepless night and I came to the conclusion that I can't be the one who does this to the Port."

The city broke ground on the project on Jan. 31.

These are just a few of the issues that will be weighing upon the city, the Event Authority, and the Board of Supervisors in the frenetic two-week race leading up to the supes' vote on the binding "Development and Disposition Agreement." Either the terms of the deal can be massaged to meet both the board's and Event Authority's liking, or the supervisors will vote it down — and essentially bid the Cup adieu.

"This is the key turning point. I don't see how we step back once the development agreement is approved," notes Supervisor David Campos, who has said he's unwilling to support the deal as it stands. "We need to make sure we get this right, and not just for us. This is something that will have implications for people who will be living in this city for a long time."

And that's the case regardless of how the supes vote.

In discussions of the fantastically complex terms governing the staging of the 34th America's Cup in this city — and the public money, property, and development rights that will flow to the Event Authority to make it happen — the phrase "The devil is in the details" comes up. Often.

Parsing the 126-page development agreement, however, it's clear that there are details and devils enough for an entire Hieronymus Bosch tableau.

At its simplest — looking past sections on "fires; floods; tidal waves; epidemics; quarantine restrictions; freight embargoes; earthquakes," etc. — the development agreement conveys money and property rights from the port to the Event Authority in exchange for infrastructure work on and around waterfront structures. The authority's first \$35 million worth of work will earn it the title to Seawall Lot 330 — currently being used as a parking lot a stone's throw from the Bay Bridge — and 66 years of rent-free occupation of adjacent Piers 30-34, a deteriorating parking structure across the Embarcadero. Additional work by the authority will be repaid via port bonds and rent credits for other piers, or, potentially, future marinas.

These rent credits serve as coupons the Event Authority can use to recover its expenditures via long-term leases on Pier 29 and, possibly, Piers 26 and 28. But these coupons keep giving: The monetary value of unused rent credits owed by the port to the Event Authority will compound annually at the Tony Soprano-like interest rate of 11 percent.



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The port anticipates the Event Authority will spend and seek reimbursement for some \$111 million, and potentially up to \$136 million — a total more than double the numbers bandied about during the 2010 run-up to sealing the early America's Cup agreement. And while the Event Authority may only be repaid via a finite stream of port resources, there is no formal cap on its reimbursable costs.

With just weeks left to influence the deal — and, of course, grandstand — the supervisors' most basic motivation is to figure out if the city is receiving enough in return for a growing investment. With confidence waning in much-quoted predictions that the race will spawn \$1.2 billion in business and 8,000 jobs, this is a complex task. "I've always thought the projections were — 'outlandish' is not the right word, but 'extremely optimistic' is an understatement," says Supervisor Sean Elsbernd.

Apart from the augmented costs, the supes' main complaints figure to coalesce around three issues: The Event Authority stands to take long-term control of the choice Pier 29; the city and port will receive no cut from rents and business on the land handed over; and, similarly, the city and port won't get a percentage from future condo sales on Seawall Lot 330.

These are the specific objections of those who have problems with the finer points of the deal. Yet the most serious critics of the America's Cup question the very framework underlying the arrangement. The port and Event Authority portray the setup as an exchange of private capital improvements by Cup organizers to neglected port facilities for long-term rent-free use and development rights. But this sidesteps the question of whether these improvements truly benefit the port — or just Ellison.

Of the \$111 million the port anticipates reimbursing the authority in the near- and long-term, the lion's share — some \$91.5 million — is earmarked for work on Piers 30-32. The crumbling piers were long ago "yellow-tagged," meaning they're not fit for any use beyond parking lots. The port hadn't planned to spend any money on them in the foreseeable future; in 10 or 15 years they'll likely be totally unusable. Now, however, the port plans to pay Ellison's Event Authority nearly \$100 million to spruce up the piers, then set up Ellison et al. with a rent-free lease for the new and improved space until today's kindergartners are in their 70s. And, even after 66 rent-free years, the port is required to turn over half the revenue generated by the piers for 15 more years. Since work may be deferred for up to 10 years after the America's Cup, it's possible that the port will still be reimbursing the Event Authority into the 22nd century.

For those who'd question this scenario, Jonathan Stern, the port's assistant deputy director and head of waterfront development, acknowledges "that's fair. If the America's Cup was never a possibility, we might have made different choices of how to invest our money." But, he continues, deals like this have to be considered "in light of the event."

This doesn't cut it for everyone. "Team Ellison is having their cake and eating it too by restoring a pier that every expert agrees should ultimately be removed," says Aaron Peskin, the former board president and a vocal critic of the current America's Cup deal. "If this was part of a rational plan, we'd be restoring piers that have a potential economic benefit to the port. But that's not what Mr. Ellison wanted." Piers 30-32, Peskin continues, aren't saddled with any historic structures and present "potential for a large, bold real-estate play." The stumbling block for would-be developers of the past was the scores of millions of dollars in necessary rehabilitation work — which the city is now funding. "If you can get it for two-thirds of a century and have the city pay to fix it up," Peskin says, "why not?"

When cruise ships sail into the northern waterfront, they dwarf all they encounter. Thousands of tourists are disgorged from the building-sized vessels and proceed to Fisherman's Wharf to purchase shot glasses, fleeces, and soup in bread bowls before being terrified by that guy who leaps out from behind a bush. It's understandable why the city has, for decades, hoped to build a modern terminal that can accommodate more of these floating cities. But, in this game, you've got to spend money to make money.

The bundling of the America's Cup with the construction of the cruise ship terminal has been presented to the people of this city and its leaders as the development equivalent of the "You got your peanut butter in my chocolate!" "You got your chocolate in my peanut butter!" Reese's commercials. Here was a win-win scenario that gave everyone what they needed. Then the bill arrived.

The port's Stern notes that the city saved some money by combining pre-development and permitting costs of the combined America's Cup Village/cruise terminal projects. And the accelerated time frame kept "soft costs" — planning, designing, etc. — low. But there was a reason it took so long for the city to commit to building a cruise terminal: They're expensive.

As recently as 2009, the port's estimated cost for building the terminal on Pier 27 was \$60 million. When the project was ceremonially initiated on Jan. 31, the price tag was announced at \$92 million.

When asked how the costs increased by so much in just over two years, the port's reply is straightforward: That was then and this is now. "The simple answer is that initial or early estimates were based on rough drawings without complete knowledge of the existing conditions of the site, site and terminal requirements, etc.," writes John Doll, the port's development project manager. The current estimate was "based on final drawings... The more detailed the drawings, the more precise the cost estimate."

The discovery, in short order, that costs are surging by 50 percent might put the kibosh on a normal development project ("Frankly, the cruise terminal isn't worth the risk"), but not one lashed to the America's Cup like Ahab to Moby Dick. So when some \$40 million in mitigation costs were added to the mix, the port had little choice but to soldier on.

To state that the world of San Francisco waterfront development is complex is akin to noting that an America's Cup catamaran is big. But, to greatly simplify, much of local waterfront development falls under the purview of the San Francisco Bay Conservation and Development Commission (BCDC), a state body. The BCDC weighs the impact on the environment and public waterfront access a project like the combined America's Cup Village/cruise terminal would create, and imposes offsetting mitigation projects. The BCDC estimates the cruise terminal's necessary mitigations will total \$40 million — costs not included in the project's announced \$92 million budget. This was the impetus for port director Monique Moyer's anguished staff e-mail. "I have thought about it and I can't see ... how I can commit the Port not only to prioritizing these items ahead of everything else, but also mortgaging itself to pay for it all," reads that Jan. 5 note. (Subsequent calls and messages for Moyer have not been returned.)

The BCDC did subsequently grant longer timelines for the port to complete the costly mitigations: "That provides them with a lot more time to find funding sources," notes Lindy Lowe, a BCDC senior planner. This is good — while the funding plans the port has thus far generated merit points for creativity, their feasibility is questionable. The port is gambling that a supermajority of voters will approve a bond measure — or, in another ploy, it proposes exploiting property tax payments from a development project that hasn't yet been approved, let alone built. There's also a somewhat fantastic notion about selling air rights to private developers, allowing them to build denser and taller. And if any of these speculative schemes fail, it may become incumbent on the city to swoop in and make up the difference out of its general fund.

"The port is committed to delivering these public benefits," said Brad Benson, the port's special projects manager, at a Feb. 2 BCDC meeting. "Our challenge is figuring out how to fund it."

Expect more sleepless nights for port leadership.

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Bill Clinton got a lot of mileage out of parsing the definition of "is." Imagine what he could have done with "endeavor."

This year, the city left a \$12 million hole in its budget in anticipation the America's Cup Organizing Committee would provide the funds seven days after the approval of the project's Environmental Impact Report in late January. That did not happen. As of press time, the city has not received "any portion of the \$12 million in revenue that is assumed in the City's fiscal year 2011-12 budget," reads a subsequent evaluation from the controller's office.



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Glancing over the fine print, however, the Organizing Committee needed only to "endeavor" to raise \$32 million over the next three years to offset city costs, and was only required to "endeavor" to "meet its fundraising target of \$12 million for year one no later than seven working days after completion of the environmental review." There isn't any language whatsoever in the contract noting when the fundraisers will "endeavor" to actually fork over the loot to the city. Ominously, the \$32 million estimate of city-incurred hosting costs the Organizing Committee's contribution is meant to ameliorate appears to be low. The budget analyst now approximates those pending costs at \$51.8 million.

"I am very troubled," says Supervisor David Chiu, who ordered the controller's audit. "They are well behind the fundraising requirements put in place to protect the city's costs. It's clear we're not on course."

The Feb. 6 audit revealed the Organizing Committee had about \$827,000 in cash, pledges for about \$3.2 million payable over the next several years, and an \$8 million payment from the America's Cup Event Authority characterized as an advance on future sales to be derived from a revenue-sharing split on sponsorships. Mark Buell, the chairman of the volunteer Organizing Committee, says he's "hopeful" that payments from the Event Authority "will be more than a one-time thing." That would be grand. As Controller Ben Rosenfield tells *SF Weekly*, "If they don't raise the money, it's on the city."

Chiu states that this must be addressed in the forthcoming negotiations regarding final approval of the America's Cup pact. It's yet another addition to a vast list of numbers that must be crunched, demands that must be answered, and gripes that must be settled before this ship sets sail. And time is running short.

Those about to engage in high-stakes negotiations might also want to know:

- The cost of mitigations to be requested by the National Park Service has yet to be calculated;

- A lawsuit from a group of environmental and neighborhood groups — including Peskin's Telegraph Hill Dwellers — who appealed the project's Environmental Impact Report may be filed by Feb. 24, potentially gumming up the process right when time is of the essence. A lawsuit may be filed regarding the terms of the future development agreement, too;



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• An eye-opening suit filed with the New York State Supreme Court by a sailing team called African Diaspora Maritime, spurred by the rejection of its race entry, alleges that Team Ellison's arrangement to extract exclusive use of real-estate in exchange for bringing the race to San Francisco — the very core of the deal — violates the founding deed of the America's Cup.

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A hearing on the African Diaspora Maritime case is anticipated this spring; team skipper Charles Kithcart has admitted to the media that some of the money required to engage the prestigious law firm McDermott Will & Emery came from "people who don't like Ellison." Event Authority CEO Stephen Barclay says he's confident the case will be dismissed.

Long prior to that hearing, however, it will be clear which way the deal between the America's Cup and the city is going. In the coming days and weeks any deal-breaking differences will have to be hammered out — or not. Asked if, in the event of the latter, the Event Authority is looking at other cities as a plan B, Barclay's response is instantaneous: "There's *always* a plan B."

Outside the window of the Ferry Building, tiny white sailboats cut through the waves while hulking cargo ships slowly pass beneath the Bay Bridge, heading toward the Golden Gate, and parts unknown. Inside, the mood is less serene. Nineteen members of the BCDC are present — it's a massive committee — and they're having trouble getting their heads around how evicting Sinbad's restaurant and demolishing the pier upon which it sits is somehow tied to the America's Cup.

Various committee members self-identify as kite-surfers or "a lowly kayaker" — but everyone wants to ensure that the city's recreational boaters have proper access to the waters, even on the days catamarans nearly worth their weight in gold will be racing in the Super Bowl of yachting. The scores of millions of dollars of necessary mitigations for the cruise ship terminal — and the port's uncertainty of how to foot that bill — eventually comes up, too.

Commissioner Tom Bates — who is also Berkeley's mayor — seems to grow weary during marathon discussions of bond measures, infrastructure finance districts, kite-boarding, mitigations, and, finally, temporary 10,000-car parking lots.

Eventually, he blurts out, "I think it's a giant SNAFU" — a military acronym for Situation Normal: All Fucked Up. "The whole thing."

The room erupts in laughter. It remains to be seen how funny Bates' quip will be in the years to come.

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## America's Cup scaled-down plans get SF's OK

John Wildermuth

03/28/12

It wasn't what they hoped for, but San Francisco supervisors Tuesday still gave unanimous approval to a scaled-back plan for hosting the America's Cup that will force the city to pay more and get less than originally expected.

There have been plenty of unexpected changes in the proposed agreement over the past few weeks as organizers of the yacht race slashed expenses, laid off staff and backed off plans to spend \$111 million for extensive waterfront improvements.

"We did have some difficult discussions" about the changes, board President David Chiu admitted just before the vote. But the resulting agreement "is absolutely worthy of our support."

Mayor Ed Lee, a strong supporter of the America's Cup effort, praised the agreement Tuesday afternoon.

"I applaud the Board of Supervisors for their unanimous support of the 34th America's Cup agreement, which will bring new jobs, international visitor spending and long-overdue waterfront improvements to our City," he said in a statement.

The original plan called for the America's Cup Event Authority, the business arm of the organizing group led by billionaire yachtsman Larry Ellison, to put up most of the money for long-needed repairs to the city's piers in return for long-term development rights to parts of the waterfront.

But with only four yachting teams committed to the races this year and next, the group scaled back the financial plan, leaving the Port of San Francisco and the city scrambling to come up with the cash needed to prepare for the regatta.

"It's been a tumultuous four weeks since this was on your agenda before," said Mike Martin, the America's Cup project director for the city. "We've had to rethink and put together ... a more straightforward proposition."

The new plan involves a lot more San Francisco money, although Martin and other city officials say the changes also allow them to recover what they will spend. The bill for the upgrades will be just under \$22 million, said Brad Benson, the port's special projects manager.

Most of the money will come from an additional \$16 million in bonds the port will issue, with the other coming from funds the port will reallocate from other projects, other revenue and \$1.6 million expected from the organizing committee.

The planned improvements projects "all merited funding, even without the America's Cup," Benson said.

While city officials tried to put the best possible face on the new agreement, no one denied that this was a second-choice plan.

Under the original agreement, for example, the race committee would have spent \$60 million to completely repair and refit Piers 30-32 for the race. The new plan calls for the port to spend about \$8.5 million for a smaller set of improvements to the worst sections of the rotting piers, which would allow them to be used as a base for up to five racing teams.

With the more generous development plan dead, the city and the port have been forced to move to a public works model, using more limited public funds.

The original plan "would have created great improvements along the South Beach area" that would have meshed well with the city's plans for the area, Benson said a bit wistfully. But discussions about the development plans "started to overshadow what should have been the main concern, the races."

The new plan also centralizes most of the spectator activity along the Marina Green and drops the Presidio's Crissy Field as an official viewing area.

The racing schedule also will change. Instead of two events in August, there will be a five-day race event in August, with another scheduled for October, possibly coordinating with Fleet Week, Martin said.

"Hopefully, we can have a great spectacle, with races interlocked with Fleet Week," he added.

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## A scaled-down America's Cup will be just fine

C.W. Nevius, Chronicle Columnist  
Saturday, March 24, 2012

The America's Cup came to San Francisco with a trumpet fanfare and soaring expectations.

The Embarcadero waterfront would be transformed and finally developed. Up to 10 sailing teams would skim across the bay for the right to challenge for the Cup. Hundreds of thousands of people would attend an event that would create jobs, stimulate the local economy, and cost the city virtually nothing.

OK, that was fun. Now here's the reality.

The waterfront will get a bit of a sprucing up, and the black hole known as Piers 30-32 will be shored up to extend their useful life another 15 to 20 years. There will be more like five sailing teams. And not only is the Cup not yet generating thousands of jobs, the America's Cup Event Authority is cutting staff to save money. And frankly, we're not sure how many spectators will show up, but the current thinking is to revise the numbers down.

Stephen Barclay, interim CEO of the event authority, says 28 employees were laid off Friday, but that only makes sense as we transition to America's Cup Lite.

"We now know the deal," he said. "It means we have a reduced footprint and we will pay more but earn less. It therefore gives us the opportunity to organize ourselves accordingly."

Quite frankly, that's just fine.

This may be a downsize from the original extravaganza, but it will still be an awesome event in the perfect spot. I continue to think that even people who don't know a spinnaker from an anchor will find these races unexpectedly compelling. It will be a showcase for the city and the bay, and I will be extremely surprised if it isn't a killer event.

There will be inevitable doomsayers as the expectations are downsized, but other than learning a good lesson about promising too much too soon, I don't see this as a problem.

For starters, good for the city, the port and Cup organizers to reach a compromise for the repairs to Piers 30-32. The big, flat eyesore has been used as a parking lot, and there were high hopes of spending nearly \$100 million to completely redo the pier and begin large-scale development.



When that deal fell apart amid inflated expenses, concerns about development and deadline pressure, Supervisors Mark Farrell and some newspaper columnists howled at the lost opportunity. The city, we complained, lost an opportunity to build something modern and cool on that asphalt wasteland and ruined the Cup's plans too.

The idea was to stage the teams there, right in the middle of the waterfront, so spectators could come check out the boats. Organizers compared it to getting a pass to the pits at a NASCAR race. Without improvements to the piers, the boats were going to be pushed way down around the corner to Pier 80.

And to the credit of both sides, that's when a compromise was reached.

"The costs (to completely redo the piers) ballooned from \$10 million to around \$92 million," said Aaron Peskin, former Board of Supervisors president and influential critic of development. "We said you don't have to do the platinum, Cadillac deal."

Instead, a more modest revision will be done, shoring up the piers and making them usable for the team staging areas. Putting the boats there will be a huge improvement, consolidating the Cup venues in the same general area.

"It is far different and on a smaller scale than what might have been," says Farrell. "But I am excited that we are going to do something."

And now that expectations have been toned down, we can stop looking at this as a transformative real estate event or an economic boondoggle, and just see it for what it is - a boat race.

As for being ready, we've taken the liberty of already filling the bay with water. So our part is essentially done. Bring on the boats.

C.W. Nevius is a San Francisco Chronicle columnist. His columns appear Tuesday, Thursday and Saturday. Twitter: @cwnevius. cwnevius@sfchronicle.com

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