

# **RICHARDSON'S BAY REGIONAL AGENCY**

Thursday, June 21, 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 April 19, 2012 Meeting
2. Review report of Harbor Administrator
3. Approval of prior expenditures for April 10 – June 10, 2012
4. Discussion and approval of FY 2010 / 2011 Audit prepared by Maher Accountancy
5. Discussion of Non-Liveaboard Vessel Reduction Options
6. America's Cup update
7. Public comments invited concerning items NOT on this Agenda (3-minute limit)
8. Staff comments
9. Board member matters

**NEXT MEETING:** Tentatively planned for August 16, 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)***

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# **RICHARDSON'S BAY REGIONAL AGENCY**

## **MEMORANDUM**

June 15, 2012

**TO:** RBRA Board  
**FROM:** Ben Berto, RBRA Clerk  
**SUBJECT:** June meeting

Board members:

Following up on the big item from the April Board meeting, Staff reports on options concerning reducing stored non-liveaboard vessels on the anchorage.

RBRA's contracted independent auditor, Maher Accountancy, is finalizing their audit of Fiscal Year 2010-2011. The audit materials will be emailed to your Board early next week. There are no real surprises – it recommends segregation of certain finance activities, which Staff intends to integrate into its business practices.

As if the threatened/pending State reorganization of the State Department of Boating and Waterways isn't enough, we are now receiving preliminary word that, due to increased Statewide demand for abandoned boat grant funds, FY 12-13 (next year's) grant awards are likely to be reduced from current levels (ouch!).

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

**MEMBERS PRESENT:** Chair Ken Wachtel; (Mill Valley); Emmett O'Donnell (Tiburon); Jerry Butler (Belvedere); Kate Sears (Marin County); Herb Weiner (alternate – Sausalito)

**ABSENT:** Jonathan Leone (Sausalito)

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

Meeting called to order at 5:37 PM

**Minutes of February 2012 RBRA meeting**

Minutes were approved unanimously.

**Review report of Harbor Administrator**

Mr. Price told the Board that he had sent in grant requests to the Department of Boating for FY 12/13 totaling \$98K in AWAFF and \$20K in VTIP. He explained changes had recently been implemented in the grant programs that would relieve the RBRA of the 10% match requirement (approx. \$12K annually), since it was now possible to submit in-kind services to meet the match. He also outlined the anchor-out vessel issues in the Oakland Estuary.

**Prior expenditures**

Member O'Donnell asked about the invoices from the San Rafael Yacht Harbor, which he perceived as high. Mr. Price responded that the vessels were larger (>40') fiberglass vessels that he chose to have dismantled in San Rafael due to potential environmental and safety issues. Outside contract work is more expensive than inhouse work.

Mr. Berto pointed out the lab expenses and said that those could rise in the future if the Marin County Lab closes as proposed. He also stated that this year's expenditures were down in part to the lack of a major storm, which usually creates a big budget hit.

The expenditure report was accepted.

**Review and approve the RBRA 2012/13 annual budget**

Mr. Berto provided a brief summary of proposed budget and increases, attributed mainly to increases in benefits and support services rendered by the County of Marin. He pointed out that his time commitment has increased substantially with the AC 34 planning and anchorage-related issues, and that Community Development Agency was passing along the cost. The total increase amounted to 4.9%. Member Sears moved to approve the budget and Mr. Weiner seconded. The budget was approved unanimously.

**Review and discussion of the water test results**

Mr. Berto gave a brief overview of the charted results; saying that overall the tests indicated good water quality all year. He pointed out the typical spike in the wet season

testing following rainfall events, indicating the elevated levels of pathogens flowing through the storm drains. Waldo Point Harbor tested poorly with its traditionally impaired results, but Member Sears was optimistic that the project to re-align the Gates docks would be starting this year, and she said the County took their role as custodian of the bay seriously. Member Butler asked if we were adhering to the timeline specified by the Water Board and Mr. Berto responded that we had been providing work product on schedule to the Water Board and that they recognized our good faith effort.

### **America's Cup Update**

Mr. Berto pointed to the attached articles which indicated that the AC 34 would be reduced in size, but still a world class event. All indications were that the type of visiting boater would be competent mariners who would pay attention to advisories and not create a huge demand for services. The RBRA will encourage the use of the pump-out service through boat to boat contact as well as advisories in the AC 34 information packages, which is already written into their CEQA process. We are exploring ways to incentivize the pump-out program in order to get a forecasted head count that will assist with planning.

Member Wachtel asked if we could set up an anchorage zone and Mr. Price responded that it could be accomplished through the use of warning buoys spread out on a picket line, and a Notice to mariners sent out by the Coast Guard. Mr. Weiner asked if a zone was done in San Diego and Mr. Price said no, but there weren't many visiting boats.

Mr. Berto went on to outline the work being done regarding moorings. There is a stalemate between RBRA and BCDC on the issue of live aboard anchor outs, but that a consensus is growing regarding the stored vessels. He asked for Board direction due to the projected increased costs of an aggressive abandoned vessel removal program. Member O'Donnell indicated that the Board had already given direction to move in that direction. Member Sears said that Staff was looking for more formal approval. Mr. Berto felt that he had received direction to come back to the Board for more funding. Member O'Donnell said that a simple actuarial analysis should be provided, and that this was a big issue for Tiburon due to the environmental degradation on the shoreline, the public safety problems and the property damage sustained in storms. He felt the Cosco Busan fund was an opportunity and that it would be well spent in dealing with the anchor out vessels. Chair Wachtel wanted to see if Staff could find a lawyer who would offer a price break for all 80 boats. Member Butler asked to conduct a census, get a sense of what we have and then go after the "low hanging fruit", abandoned, unregistered derelicts. Mr. Berto stated we would need a bigger legal budget and that we would come back to the Board with a census and cost estimates. Member O'Donnell felt the Cosco Busan fund would be a perfect fit in terms of boat removal. Chair Wachtel asked Staff to bring back something to vote on, like a grant application. Member O'Donnell advised that the grant language should be focused on benefits to the public.

### **Public Comments**

Tony Doyle from the public stated that if he parked his car in a no parking zone, he would get a ticket, and he felt this should be how the anchorage should be handled. Lynn Lester asked if houseboats fall into the category of low hanging fruit and she was advised by Chair Wachtel to contact Staff for her answer. Blaise Simpson introduced herself as the Environmental Chair for the Floating Homes Association and asked if the Board had

considered installing restrooms in Sausalito. Chair Wachtel advised her to discuss with either Herb Weiner or City Staff.

**Staff Comments**

Mr. Berto introduced the new reporter for the Ark newspaper, Carla Bova, who is replacing Jeannie Price. He publicly thanked Ms. Price for her years of balanced reporting on the activities of the RBRA

**Board Member Matters**

Member Butler asked that we adjourn the meeting in honor of the five sailors who recently lost their lives aboard the “Low Speed Chase” in a tragic accident at the Farallon Islands.

The meeting was adjourned in honor of the sailors at 6:45 PM.

**NOTE:** The next meeting of the RBRA is scheduled for **June 21, 2012 at 5:30 PM** at the Sausalito City Hall Chambers.

# RICHARDSON'S BAY REGIONAL AGENCY

## HARBOR ADMINISTRATOR'S REPORT

June 15, 2012

### WORKING RELATIONSHIPS

- **Dept. of Boating and Waterways** – 1) Grant requests for AWAFF (\$98,000) and VTIP (\$20,000) have been applied for, but it looks unlikely that we will receive full allocation due to the overwhelming amount of applications received by the Department this year.  
2) Working on the pump-out boat Operations and Maintenance grant, which has stalled.
- **US Coast Guard** – Met with the Abandoned Vessels group on 6/14 to discuss regional issues.
- **Corps of Engineers** – Annual yard clean-up complete. Assisted with the disposition of one vessels abandoned at their dock.
- **Sausalito Public Works** – Coordinated the clean-up and fennel mowing of Mono Street Marsh. This area is rebounding since the addition of fencing to keep people and dogs from trampling the wetlands.

### DEBRIS REMOVAL

- Disposed of 8 vessels. One was a 63' ex-military powerboat that took 2 weeks of negotiations and 4 days of demolition to remove. It was disposed of in-house due to the fact that we are awaiting the next grant cycle and cannot afford to hire outside contractors at this time.
- 6 boats are currently impounded.
- 7 boats are in storage awaiting disposal.
- Beach clean-up efforts ongoing using Marin Co. Community Service volunteers and AWAFF crew after storms.

### RAPID RESPONSE

- Recovered 1 sailboat from the mudflats in Tiburon and a wayward skiff from Belvedere shoreline.

### WATER QUALITY

- Conducted a comprehensive Clean Marina pre-inspection at Schoonmaker Point Marina. They should be certified by July.
- Submitted compliance requirements for the Water board TMDLs and we are gearing up for the next round of timeline goals.
- 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.

# Richardson Bay Regional Agency

## Vessel Disposal List      April - June 2012

<b>Date</b>	<b>Name</b>	<b>Type</b>	<b>Amount</b>
4/23/2012	Rusty Nail	35' fiberglass powerboat	4200.00 abandoned - AWAFF
4/23/2012	Worley	32' fiberglass powerboat	534.28 abandoned - sunk - VTIP
5/12/2012	Mariah	26' f/g sailboat	515.98 abandoned - AWAFF
5/12/2012	Strell-A	26' f/g sailboat	521.25 abandoned - VTIP
6/2/2012	Hot Tamales	20' f/g sail and 18' wood sail	594.00 abandoned - beached - AWAFF
6/2/2012	Celebration	27' f/g sailboat	665.98 abandoned - VTIP
6/9/2012	Navigator	63' wooden powerboat	6360.00 abandoned * - AWAFF
6/20/2012	La Patricia	44' f/g sailboat	7600.00 abandoned * - AWAFF

**8 vessels total      20991.49**

\* indicates estimated invoices

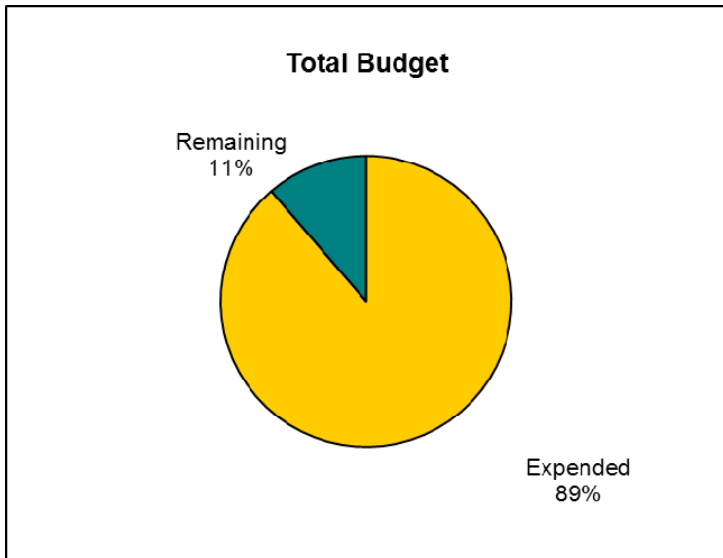
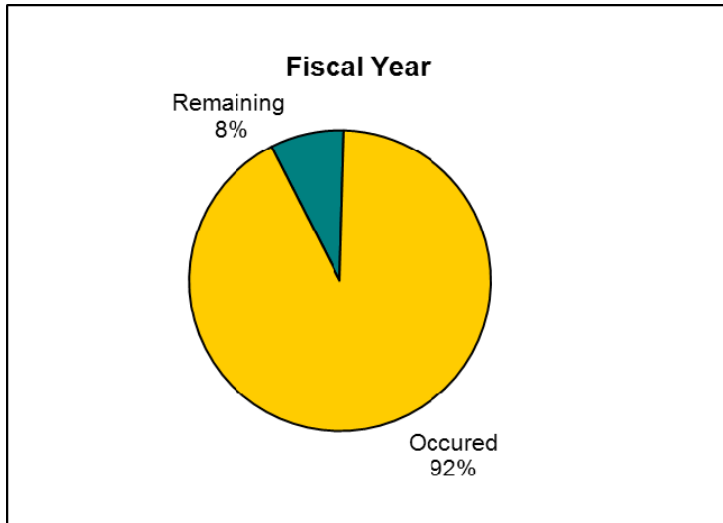
## RBRA FY 2011/12 April 10 - June 13, 2012 BALANCE SHEET

COST ELEMENT	DESCRIPTION	EXPENSES	REVENUE
Bldgs & Grounds Rent	Mooring rental		-150.00
State - Grant	VTIP Reimbursal		-10,323.40
State - Grant	AWAF Reimbursal		-19,607.03
Bldgs & Grounds Rent	Mooring rental		-150.00
Bldgs & Grounds Rent	Mooring rental		-150.00
Bldgs & Grounds Rent	Mooring rental		-150.00
Bldgs & Grounds Rent	Mooring rental		-150.00
Bldgs & Grounds Rent	Mooring rental		-150.00
Sales and Services	Marina reimbursal for demo expenses		-2,159.22
Sales and Services	MCSTOPPP reimbursal for water testing		-2,600.00
		<b>total revenue</b>	<b>-35,589.65</b>
Com Srvc - Cell Phon	AT&T - mobile phone	73.35	
Rent - Equip Rental	Hertz - backhoe rental	587.94	
Prof Svcs - Other	Alexander - website services	260.00	
HazMat Clean Up	Bay Cities Refuse Service - debris removal	1,212.00	
Prof Svcs - Other	Fleshman - day labor	175.00	
Rent - Equip Rental	Hertz - backhoe rental	586.66	
Com Srvc - Broadband	AT&T Internet	92.88	
Com Srvc - Broadband	Earthlink	7.90	
Trav-Meals	Picante - rain day crew breakfast	13.45	
Trav-Meals	Saylor's landing - crew appreciation lunch	22.36	
Trav-Meals	Peets Coffee - meeting	9.95	
Trav - Parking	Golden gate Garage - SF	24.50	
Printing Supplies	Office depot - ink	72.66	
Postage	Fed Ex	13.00	
Postage	Fed Ex	12.88	
Oth Maintenance	Hirschfeld yachts - steering repair	700.00	
Oth Maintenance	Water Street Hardware - tools	56.99	
Oth Maintenance	West Marine - boat parts	21.59	
Oil & Gas Outside	Chevron - patrol vessel fuel	149.60	
Prof Svcs - Other	San Rafael Y H - vessel disposal fees	350.00	
Prof Svcs - Other	San Rafael Y H- vessel disposal fees	4,200.00	
ProfServ-CntySalRe	Special Services - Salary	10,205.13	
Prof Svcs - Other	MT Head - vessel pump-out	350.00	
Prof Svcs - Other	Schoonmaker Point marina - slip rental	147.50	
Rent - Off Space	Schoonmaker Point marina - slip rental	275.48	
Rent - Off Space	Libertyship Dry Storage	240.00	
Rent - Off Space	ICB office rental	420.00	
Com Srvc - Cell Phon	AT&T - mobile phone	76.96	
Prof Svcs - Legal	County Counsel - 3rd quarter	102.50	
Prof Svcs - Other	Fleshman - day labor	150.00	
HazMat Clean Up	Bay Cities Refuse Service - debris removal	477.50	
Com Srvc - Broadband	AT&T Internet	93.15	
Com Srvc - Broadband	Earthlink	7.90	
Rent - Equip Rental	Cal-West rentals - backhoe	480.50	
Rent - Equip Rental	Cal-West rentals - backhoe	35.48	
Subscriptions	Ark newspaper - 2 years	90.00	
Trav-Meals	Peets Coffee	5.60	
Trav - Parking	Golden Gate Parking - SF	21.00	
Postage	Fed Ex	13.00	
Postage	Fed Ex	4.84	



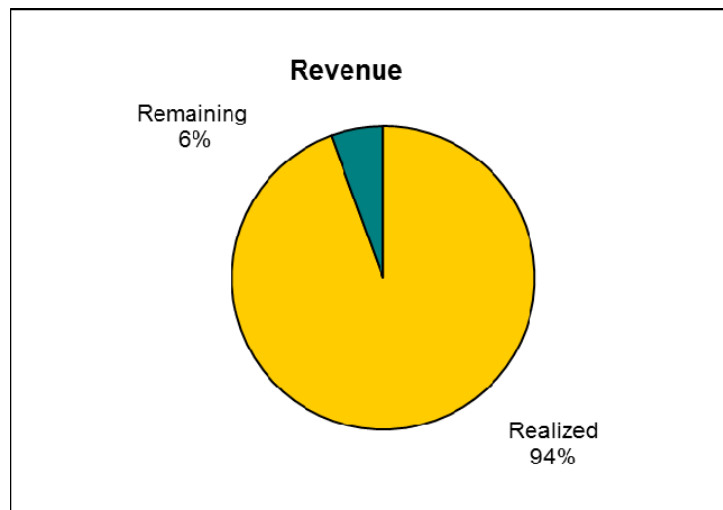
Oth Maintenance	West Marine - boat parts	10.99
Oth Maintenance	Goodman's Building - gloves, tools	19.34
Oth Maintenance	West Marine - boat parts	44.59
Oth Maintenance	West Marine - boat parts	7.34
Rent - Off Space	Schoonmaker Point marina - slip rental	147.50
Rent - Off Space	Schoonmaker Point marina - slip rental	275.48
Rent - Off Space	Libertyship Dry Storage	240.00
Prof Svcs - Other	MT Head - vessel pump-out	425.00
Prof Svcs - Other	Fleshman - day labor	150.00
Rent - Off Space	ICB office rental	420.00
	<b>Total expenses</b>	<b>23,579.49</b>

# Percent of Budget and Percent of Year as of June 1, 2012



## Expenditures vs. Budgeted Expenditures

Expenditures	\$322,310
Adopted Budget	\$363,440



## Realized Revenue vs. Budgeted Revenue

Realized Revenue	\$307,696
Budgeted Revenue	\$343,321

# RICHARDSON'S BAY REGIONAL AGENCY REPORT

June 15, 2012

**TO:** RBRA Board  
**FROM:** Ben Berto, RBRA Clerk  
**SUBJECT:** Anchorage Vessel Reduction

Board members:

At your April 19 meeting, your Board directed staff to proceed with developing a program for reducing the number of non-liveaboard vessels currently anchored in Richardson's Bay.

Staff has explored options for doing so in the interim. Staff conducted its biennial vessel survey, revealing that approximately 160 vessels are anchored in the Bay. Of the 160 vessels, it is estimated that approximately 50 are live-aboard vessels, and an unknown but smaller number are transient vessels temporarily visiting the area. The remainder are longer-term anchored-out vessels.

Staff has developed four program option concepts to compare and contrast varying levels of non-liveaboard anchored-out ("stored") vessels abatement, which are entitled: continuation of current levels, low hanging fruit, grant funded, and full-scale reduction. Following are very preliminary summary descriptions, cost ranges, and potential results for each concept.

## Option 1 – Continuation of current levels

Continues (as far as possible) annual 'maintenance' rate and range of number of vessels demolished	50-75
Approximate abatement cost per vessel	\$ 2,000-3,000
Approximate cost to abate 50-75 vessels (includes 10% local share)	\$ 130,000

Pros: Prevents significant deterioration of current anchorage situation. Limited number of breakaway vessels causing damage. Maximizes mariner cooperation and minimizes abatement costs, including police, attorney, storage, and demolition. Consistent with current Staff and Board activity levels. The most feasible given current funding levels.

Cons: No improvement over existing conditions. Environmental and property damage will continue to occur at/similar current levels. No effect regarding desire to clean up anchorage.

Note: Assumes State grant funding continues to be available – not a certainty. May be reduced below FY 2013 adopted (projected) budget levels. If this occurs, numbers of vessels demolished will drop, with subsequent further increases in number of vessels on anchorage.

#### Option 2 – “Low-hanging fruit”

Removal of additional, most readily obtainable vessels (above typical annual ‘maintenance’ range of 50-75 vessels demolished) 20

Approximate abatement cost per vessel, including additional enforcement, legal, storage, wrecking \$ 5,000

Approximate cost to abate 20 additional vessels \$ 100,000

Pros: Greater rate and number of vessels removed, incremental reduction in adverse environmental, property effects from current unabated vessels. Begins process of reducing stored vessels on anchorage for eventual transient vessel mooring field.

Cons: Funding from outside sources uncertain. All costs may have to be completely borne by RBRA member jurisdictions. Substantially higher per vessel demolition costs. Difficulty of obtaining approval for shared expenses from all jurisdictions. Grant funding support possible (see option 3 below), but availability unlikely prior to early 2013.

Other: Given rate of vessel inflow into Bay, unlikely to achieve more than temporary reduction unless accompanied by mooring field development

#### Option 3 – Grant funded

Removal of additional vessels (above typical annual ‘maintenance’ range of 50-75 vessels demolished) above low-hanging fruit range 40

Rough abatement cost per vessel including additional enforcement, legal, storage, wrecking \$ 10,000

Approximate cost to abate 40 vessels \$ 400,000

Pros: Removes significant percentage of non-liveaboard, non-transient stored vessels. Allows for compulsory removal of selected vessels (e.g., poorest condition). Greater reduction of stored vessels, with accompanying reduction in environmental and other adverse effects. Segues into transient vessel mooring field.

Cons: Uncertain to whether and to what extent grant funds will be available. Longer timeline (If awarded, funding unlikely to be available until late 2012 – early 2013). Substantial additional administrative expenses.

Other: Reimbursement basis, requires creation of working capital reserve. Given rate of vessel inflow into Bay, unlikely to achieve more than temporary vessel reduction unless accompanied by mooring field development

#### Option 4 – Full Scale Reduction

Removal of all long-term, non-liveaboard stored vessels in Richardson’s Bay	100
Rough abatement cost per vessel including additional enforcement, legal, storage, wrecking	\$ 20,000
Approximate cost to abate 100 vessels	\$ 2,000,000

Pros: Clears anchorage of non-transient, long-term stored vessels. Most consistent with BCDC regulations - allows for creation of 100% transient vessel mooring field from inception. Possibility of obtaining volume discount for legal expenses.

Cons: Prohibitively expensive – unlikely to ever achieve full funding. Politically infeasible, unlikely to achieve RBRA or member jurisdictions’ approval. Maximum administrative expense.

#### Analysis:

Several things become clear from the analysis:

- 1) The import of the comparison lies not in the cost estimates per se, but the realization that achieving much more vessel abatement than RBRA has been doing is likely to become steadily more expensive on a per-vessel basis. Beyond some medium range of vessel removals, additional vessel removal is increasingly likely to be less feasible because of cost and other factors.
- 2) Staff doesn’t have exact vessel influx and turnover figures for this report, but preliminarily the volume and percentage appear to be substantial. Barring a mooring field and the greater organization and administrative control it would afford, it will be extremely difficult to closely track, let alone control or curb, such influx. The chief BCDC staff enforcement person accompanied staff on this year’s vessel survey. Even she admitted after a few hours censusing that she was completely confused as to what vessels had or had not already been counted.

A key question before the Board is to what end does removing a higher number of vessels at this time achieve per se? The net result of several hundred thousand dollars expended to remove long-term stored vessels from Richardson's Bay could be indistinguishable in terms of numbers of vessels (back) on the Bay anchorage in a very short period of time.

This isn't new realization. It was a primary motivator for the initial efforts to develop a mooring field. As a precursor to, or directly accompanying development of a mooring field, culling out poor condition, long-term stored (non liveaboard) makes sense. It clears up area for installation of moorings and removes vessels that likely won't qualify to be on moorings and will have to be dealt with sooner or other. It will also set a tone for minimum standards on the anchorage.

Conclusion:

Staff hopes that the end result of investigations regarding additional vessel removal is agreement that it is as an important element of mooring field planning and development.

If your Board simply wishes to achieve a higher-than-current level of vessel removal, Staff either has obtained or can/will shortly obtain rights to more vessels than current budget levels allow us to remove. There is very little chance that additional State grant funds will be available this year for any additional vessel removal, since the DBW fund is already allocated for 2013. The questions before your Board therefore are:

- 1) Does the Board want to pay more at this time for vessel removal?
- 2) If so, what is an equitable and supportable funding level and jurisdictional funding split?

Staff will continue to pursue grant funding to provide additional funds, and will report back to the Board on its success in that arena in the coming months.