

RICHARDSON'S BAY REGIONAL AGENCY

Board of Directors Special Meeting

Thursday, April 5, 2018

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

Belvedere City Hall

450 San Rafael Avenue, Belvedere, CA

The Richardson's Bay Regional Agency Board of Directors encourages a respectful dialogue that supports freedom of speech and values diversity of opinion. The Board, staff and the public are expected to be polite and courteous, and refrain from questioning the character or motives of others. Please help create an atmosphere of respect by not booing, whistling or clapping; by adhering to speaking time limits; and by silencing your cell phone.

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. Approval of minutes, February 8 and March 8, 2018
2. Information item: Community Outreach Subcommittee report (10 Minutes) and presentation regarding Community Efforts (10 minutes)
3. Information item: Audubon California presentation on eelgrass and herring habitats of Richardson's Bay (10 minutes)
4. Resolution No. 04-18 accepting grant funds from the State Department of Parks and Recreation, Division of Boating and Waterways, for a supplemental amount of \$70,000 to be used for the surrendered and abandoned vessel exchange program. Staff recommendation: Approve Resolution No. 04-18, and a \$70,000 increase to authorized revenue and expenditures for the 2017-18 budget.
5. Board direction on option(s) to pursue towards the goal of a healthy, safe, and well-managed bay. Staff recommendation: Provide direction to staff on option(s) to pursue, and identify additional information needed.
6. Open time for public expression. Members of the public are welcome to address the Board for up to three minutes per speaker on matters not on the agenda. Under the state Brown Act, Board members may not deliberate or take action on items not on the agenda, and generally only may listen.
7. Comments: a) Staff; b) Board Members

NEXT MEETING: May 10, 2018

A COMPLETE AGENDA PACKET IS AVAILABLE FOR VIEWING AT THE SAUSALITO CITY LIBRARY AND ON THE RBRA WEBSITE <http://rbra.ca.gov>, WHERE WRITTEN COMMENTS MAY BE SUBMITTED. TO RECEIVE AN ELECTRONIC MEETING NOTICE, PLEASE EMAIL REQUEST TO DON ALLEE AT dallee@marincounty.org

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RICHARDSON'S BAY REGIONAL AGENCY
Board of Directors
DRAFT MINUTES OF FEBRUARY 8, 2018
HELD AT TIBURON TOWN HALL CHAMBERS

MEMBERS PRESENT: Marty Winter, Chair (Belvedere); Kathrin Sears (Marin County); Jim Wickham (Mill Valley); Jim Fraser (Tiburon)

ABSENT: None

STAFF: Beth Pollard, Executive Director; Bill Price, Harbor Administrator

Meeting called to order at 5:30 PM.

Presentations regarding Community Efforts and Outreach Subcommittee

Board members Sears and Wickham reported on an outreach coffee with members of the anchorage community.

Doug Storms reported that there was a population of about 190 boats, and urged that the Harbor Administrator have a greater presence on the water, be out at specific days/time, and meet newcomers.

Public Comment: Jeff Jacobs said that a Boston Whaler moored near Chad Carvey was taken; Barbara Salzman said the Harbor Administrator was not paying attention to new boats arriving.

Harbor Administrator Report: Budget report year-to-date, approval of prior expenditures - January 2018

Mr. Price presented the report. He and the Sheriff's Marine Patrol will be conducting a census of the vessels on the bay using Sausalito Police Department's GIS/iPad technology.

Public comment: Jeff Jacobs raised concern that taking a census leads to more control; Rebecca Schwarz Lesberg, California Audubon, inquired about the frequency of the census; Mr. Price replied annually; Doug Storms asked about getting access to the census information.

Approve Resolution No. 03-18 adopting Guiding Principles for the Board of Directors in making decisions for the future of Richardson's Bay

Chair Winter said there had been significant public input at previous meetings, and that it is geared to moving towards a direction that is positive for stakeholders.

The Board approved Resolution No. 03-18 unanimously.

Discuss draft outline of options and associated opportunities and challenges for future direction: a) Provide staff with initial comments on missing options, opportunities and challenges, and request additional information needed to provide initial direction in April; b) Design the Board meeting of March 8, 2018 as a work session that engages the public about options, and their opportunities and challenges.

Ms. Pollard presented the staff report.

Public comment: Court Mast wanted a better understanding of federal anchorages and current laws; Doug Storms suggested more information about who runs the bay, the regulations, and Sausalito's goals, and said boats want to be registered; Jeff Jacobs said eliminate and enforce are not his favorite words, that business owners in the member cities need workers with a place to live and that one would think there would be a spirit of generosity; Rebecca Shwartz Lesberg, California Audubon, suggested that eliminate would be a modification, and that while the anchor out community is a vocal group, the Board's choices affect thousands more people.

Board Member Fraser asked staff to come back with information about what success looks like and how will they know when they get there, goals and objectives, in order to manage expectations; he asked for context and a visual on who is responsible for policy and enforcement on the bay.

Board Member Sears noted that the first public workshop in March 2015 had great information that included a legal framework that staff could draw upon in compiling a report for the Board. She asked Doug Storms for the Anchorage Association to bring its seaworthy guidelines to the meeting on March 8.

Board Member Wickham asked that representatives from the Marin County Sheriff and Sausalito Police attend on March 8 to provide information. He noted that with respect to the census being conducted, that he envisioned that whatever information could legally be made available to the public could be provided.

Board Chair Winter agreed that there was a large database of information from the presentations and table discussions at the March 2015 public workshop.

Staff Comments

Ms. Pollard noted that the updated website would be up and running by mid month.

Board Member Matters

None.

Public Comments not on agenda

Jeff Jacobs recalled the experience in 1975 when he said there was an enforcement effort and it solidified the community against it.

The meeting was adjourned at 6:50 PM.

RICHARDSON'S BAY REGIONAL AGENCY

Board of Directors

DRAFT MINUTES OF MARCH 8, 2018

HELD AT TIBURON TOWN HALL CHAMBERS

MEMBERS PRESENT: Marty Winter, Chair (Belvedere); Kathrin Sears (Marin County); Jim Wickham (Mill Valley); Jim Fraser (Tiburon)

ABSENT: None

STAFF: Beth Pollard, Executive Director

Meeting called to order at 5:30 PM.

Presentations regarding Community Efforts and Outreach Subcommittee

Alden Bevington reported on the Richardson's Bay Special Anchorage Association's burgee system whereby vessels that have met seaworthiness criteria will fly a burgee indicating that status; about 50 vessels have been certified as seaworthy. A water taxi system to help people get ashore is under development.

Board members Sears and Wickham reported on their outreach coffee to discuss matters of interest and concern with persons on the water.

Public Comments: Jeff Jacobs encouraged open minds, peace and love; Sarah Bice expressed concern about pollution and health of the bay, particularly with respect to chloroform and hypodermic needles; Chad Carvey noted the free pump out service for holding tanks, said boats had a small impact on herring, and that it would cost \$40,000 to \$50,000 to secure boats; Marge Macris from Marin Baylands Advocates commented that residential use on the bay is not permitted; Jim Robertson expressed concern about stuff coming under his dock on Westshore Avenue in Belvedere and questioned why the Tiburon Fire boat could not help out and why there is not enforcement; Doug Storms said that there is no one answer to make problems go away and that it required community involvement; Greg Baker commented that there is debris that comes onto the water from the shore and that the Coast Guard has rescued people; Alden Bevington suggested putting in perspective that there were 180 boats anchored out but 4,400 boats around the bay.

Information report on goals and objectives, and agencies with authority and resources related to Richardson's Bay.

Executive Director Pollard presented the staff report.

Public comments: Jeff Jacobs said reports of hypodermics and human waste were exaggerated in an unwelcoming environment for anchor outs; Chad Carvey said there are needles coming from elsewhere and that 72-hour limits were not enforceable; Rebecca Schwartz Lesberg from California Audubon said that there is a loss of .4 acres of eelgrass for each anchored boat and 57 acres of destroyed eelgrass; Carolyn Carvey quoted statistics going back to 1987 that there has been a growth in eelgrass and that more is lost to sedimentation; Lewis Tenwinkle said the stuff

that grows under boats is more important than what goes on under the boat; Sara Brice suggested distinguishing between problematic and nonp-problematic anchor outs, the many sources of pollution, and that we are a nation of laws; Kelly commented that the cities of Mill Valley and Sausalito have dumped sewage in the bay; Andrew Thompson, who represented Tiburon on the RBRA Board for 12 years, said he and the Belvedere representative were outvoted in wanting more enforcement, that the bay is not a housing alternative and is not allowed; Doug Storms raised the specter of going down the legal route; Rebecca Schwartz Lesberg said dredging is a big problem but so is eelgrass in reports; Lewis Tenwinkle wanted to know the depth for herring spawning.

Board Member Fraser raised the importance of doing the right thing rather than being right.

Workshop session on draft options and their opportunities and challenges for the future direction of Richardson's Bay.

The public was invited to participate in two of five small group facilitated discussions on topics related to options for future direction of Richardson's Bay. Notes taken on flip charts in each of the sessions are attached.

Staff Comments

Ms. Pollard noted that the next Board meeting would be on the first Thursday, April 5.

Board Member Matters

Board Chair Winter expressed appreciation for the workshop session.

Public Comments not on agenda

None

The meeting was adjourned at 7:40 PM.

Richardson's Bay Regional Agency (RBRA)
Notes from small group discussions
RBRA Board of Directors Meeting of March 8, 2018

A portion of the March 8, 2018 meeting of the RBRA Board of Directors was dedicated to small group discussions on topics related to options for the future of the bay, and the opportunities and challenges of those options.

Each of the five small topic groups was facilitated by a city or county staff member, who also took rough notes via flipcharts. Questions were posed to initiate the conversation. There were two rounds of conversation; each participant was in one topic group for 25 minutes, and then rotated to a different group of their choice.

Here are the initiating questions, as well as notes from each round to try to capture ideas from the conversation, in each of the five topic areas:

Bay Ecology

*What is the ideal bay ecology? What are the challenges or obstacles to achieving it?
What are opportunities to bring about the ideal ecology?*

Ideal Bay Ecology:

Pre-human/post-human condition?

Q: What is the ideal depth for eelgrass? A: growing eelgrass is light-limited, not depth (1-1.5 m) (3-5 feet)

Loss of habitat in the bay, especially related to eelgrass – what are the causes? Is it all caused by crop circles?

Is eelgrass used against anchor outs?

Can (other) anchor techniques improve the condition?

Can volunteers help plant eelgrass? A: not currently a project in the bay

How much eelgrass is enough/too much?

Ecology: eelgrass has lots of conditions to grow, thrive: salinity, temperature, light, climate change in general

Expansion – rhizomal at soil, but can also root from plant pieces

Eelgrass is limited globally, not just in Richardson's Bay

Herring – spawn on eelgrass, pilings, etc.

Cannot make this eelgrass vs. anchor-outs

Crop circles – can be seen in aerial imagery at low tide

Photo – during flowering period, white shows boats; red/green: shows lack of eelgrass

Is residential use part of the ideal ecology? Been part of the history since the 1800's. Current rules say no

BCDC wants to find a solution with anchor-outs (safe, and water quality improvements); wants to protect ecology, habitat, etc. of eelgrass

Does BCDC have an ideal number of anchorouts? More or less to meet goals?

Doesn't want an increase, ideally a mooring field to keep boats & habitat safe

Allow natural attrition of the total number of boats

How can we find solutions to this "gray" issue?

Evaluate rules and regulations

Bring together concerns of people, environment, etc.

Should the Richardson's Bay Special Area Plan be revised?

Opportunities

Gather information to evaluate the issues.

Eelgrass, birds, water quality, people, etc.

Existing RB Special Area Plan should be reviewed and revised

Review of eelgrass and data

Eelgrass graphic from Richardson Bay Audubon– where is eelgrass missing? Where has it grown or expanded? The Subtidal Goals Report (SFEI) shows increases, but more recent aerials show decreases.

Additional data 2009-13 (see the aerial photos from RB Audubon)

Causes of reduction of eelgrass and associated species (crabs, herring, etc) could be climate change and not just the live-boards

Do we need eelgrass under anchorages for herring spawning? What about the rest of the shoreline? – including use of boats, Mill Valley, Sausalito, etc.

Herring eggs also grow on boats, pilings, so do we need eelgrass?

Solutions: Anchorages/mooring improvements, or mooring balls that limit contact with the bay bottom and allow for easy anchoring.

Enforcement

What does successful enforcement look like to you? What are challenges to enforcing the rules – for those enforcing and those on the receiving end of enforcement? What opportunities or improvements can result from enforcing rules?

Successful Enforcement

Rules should be followed or changed; if changed, needs open process

Laws enforced equally – fair treatment

Anchor outs

Marinas

Maintain/achieve a safe environment

Clear expectations

Consistent and rapid enforcement (both ways/sides)

Focus on "junk" and unsafe practices/situations

Change laws to suit actual/modern needs and desires
Better communication between enforcement and “enforcees”
Balanced viewpoints and trust
BCDC/Rules don’t allow more than 72 hours

Questions/Challenges

If brought to land – how/where/resources?
Housing costs & availability – (1/3 of anchorouts may want to come to land)
Long history of unclear vision
Lack of resources to do even “enhanced enforcement” for “debris” and other non-occupied boats/anchorage
Influx of new vessels as other anchorages close
Lack of enough communication on priorities
Law enforcement must rely on certain sources of information
Community has changed
Housing costs
Resources for social/other resources
Enforcement agencies are understaffed
Not everyone wants to go on land
Number of anchor-outs (200, up from 1980’s)
Lack of clear direction on priorities/from authorities
Prioritization of other laws
Anchor-outs very diverse community
Better environment for some (who prefer a more isolated setting over group/land living)

Opportunities

Make clear(er) rules
Registration, insurance, real working vessels
Attrition, maritime workers, real mariners
No “illegal dumping” of debris/abandoned vessels
Separate “dingys” from actual boats
One boat/two dingys
Two-tiers of enforcement for two types
Attrition for 1st (legal) with registration?
All other
Interim moorings to reduce environmental impacts

Human Possibilities

What is the best outcome for people who are living on the bay? What are the challenges or obstacles to achieving this outcome? What are the opportunities to collaborate with others to achieve this outcome?

Endless

People make a lot out of very little.

Share

Showers!

Mobile showers program

Treat people with respect – not second class citizens

Sausalito cops are not problem

Richardson's Bay Anchoring & Safety Guidelines

Trust – Build trust; coffees have been great

Diverse population on the water:

- Mariners

- Fishermen

- 20% over 65

- Handicapped

- Homeless

1980's – very ideal – 107 boats

1/3 with jobs – okay

1/3 with part-time jobs – doing okay

1/3 elderly, SSI, chemical dependency, psychological problems

Mooring Field

- At Cass Marina

- Lifts at reasonable price – need a way to work on boats; affordable haul out

Options:

- No other place in bay

Lost stuff to thievery

Get rid of some – drugs, etc.

Two types on the water:

Homeless, come with issues

People with jobs who choose a life on the water

Key: New boats – need to deal with this; typical mariner stays in bay for 3 years

Modify Anchorage

What does a modified anchorage look like to you? What are the challenges or obstacles facing such changes? What opportunities or improvements will these modifications create?

Successful/modified anchorage:

Vessels comply with Coast Guard regulations

Insured

One boat, one owner, one mooring

Registration, mooring inspection, insurance

No storage boats

Moorings owned by boat owner
Room for transient boaters (anchorage)
Harbormaster Role
Place to have boats affordably (work space, etc.)
Anchor outs provide community service
BCDC authorizes more mooring fields around the entire bay
Proper shore facilities – shower, mail
Compliant with law
Fewer boats
Less environmental damage
Less reliance on public funds

Challenges/obstacles

Enforcement
Change laws (BCDC Special Area Plan)
Getting everybody to agree
Who owns land
Government coordination
Who ensures moorings are safe
How to transition folks who shouldn't be on water
Perception that all anchor-outs are homeless and undesirable

Opportunities/Improvements

Model for others
Opportunity to learn new skills
Opportunities to share knowledge
Higher self-esteem/sense of worth
Safer environment – personal and community
Reach people who need help

Safety

What does a safe bay and shoreline look like to you? What are possible ways to make it safe? What are the challenges in the way of the bay being safe?

Reduce new hazards
A secure anchorage
Adopt and respect the Richardson's Bay anchoring and safety guidelines;
(Need money to implement):

- Ground tackle
- Seaworthiness
- Registration
- Sewage

Challenges:

Lack of agreement on definitions between the parties (enforcement agencies and mariners)

Need interagency coordination

More accountability for safety at marinas (inadequate anchorages)

Change program/system (derelict boat destruction) – it encourages more derelict boats

Need more safety devices (CO and fire detectors)

RICHARDSON'S BAY REGIONAL AGENCY

STAFF REPORT

For the meeting of: April 5, 2018

To: RBRA Board of Directors
From: Bill Price, Harbor Administrator

Subject: Resolution No. 04-18 accepting an supplemental \$70,000 in State Grant Funds for the Surrendered and Abandoned Vessel Exchange Program, and amendment to 2017-18 RBRA budget to reflect additional grant revenue and authorization for expenditure

STAFF RECOMMENDATION:

1. Adopt Resolution No. 04-18 approving the acceptance of grant funds from the State Department of Parks and Recreation, Division of Boating and Waterways, for a supplemental amount of \$70,000, to be used for RBRA's surrendered and abandoned vessel exchange program.
2. Authorize an amendment to the fiscal year 2017-18 budget to increase intergovernmental-state revenues by \$70,000 and increase appropriations in professional services by \$70,000.

The State Department of Parks and Recreation, Division of Boating and Waterways (DBW), annually allocates funds to agencies to assist in the removal of vessels that have been surrendered by their owners or otherwise abandoned, in what is called the Surrendered and Abandoned Vessel Exchange Program (SAVE).

In October 2017, staff was notified that RBRA would receive \$250,000 in SAVE funds for 2017- 18. In December 2017, DBW requested that the RBRA submit a supplemental grant request for unused funds that they still had not disbursed to other state agencies. Staff requested an additional \$100,000, and DBW subsequently awarded \$70,000 to be utilized until March 2019.

DISCUSSION:

Upon approval of the RBRA Board, the supplemental \$70,000 will be added to the RBRA 2017-18 budget as grant revenue to be allocated in efforts to reduce the number of abandoned vessels in Richardson's Bay. The 2017-18 budget will be amended to reflect this additional increase in revenues and the anticipated increase in expenditure appropriations in the amount of \$70,000

RICHARDSON'S BAY REGIONAL AGENCY

RESOLUTION NUMBER 04-18

OF THE RICHARDSON'S BAY REGIONAL AGENCY

APPROVING THE ACCEPTANCE OF GRANT FUNDS FROM THE STATE DEPARTMENT OF PARKS AND RECREATION, DIVISION OF BOATING AND WATERWAYS, FOR A SUPPLEMENTAL AMOUNT OF \$70,000 TO BE USED FOR THE SURRENDERED AND ABANDONED VESSEL EXCHANGE PROGRAM

WHEREAS, the Surrendered and Abandoned Vessel Exchange program (SAVE) has been an integral part of the RBRA's effort to reduce the number of abandoned boats since its inception; and

WHEREAS, the State Division of Boating and Waterways has assisted in increasing our initial 2018 SAVE grant (C-17S0908-S) with a supplemental amount of \$70,000 available for use in this program, requiring a 10% matching contribution from the RBRA; and

WHEREAS, these funds will be available with a term from April 1, 2018 through March 1, 2019;

NOW, THEREFORE, BE IT RESOLVED, that the Richardson's Bay Regional Agency by adoption of this resolution hereby accepts Supplemental Grant Contract Funding for \$70,000 from the State Division of Boating and Waterways, and amends the FY 2017-18 budget to reflect these additional revenues and expenditures.

PASSED AND ADOPTED by the Board of the Richardson's Bay Regional Agency on April 5, 2018.

CERTIFICATION: _____

Marty Winter - Board Chair

Beth Pollard – Executive Director

RICHARDSON'S BAY REGIONAL AGENCY STAFF REPORT

For the meeting of: April 5, 2018

To: RBRA Board of Directors
From: Beth Pollard, Executive Director
Subject: Direction on option(s) to pursue towards the goal of a healthy, safe, and well-managed bay.

STAFF RECOMMENDATION:

Provide direction to staff on the option(s) to pursue, and identify additional information needed.

BACKGROUND:

In 2016, the Board of Directors approved enhanced enforcement efforts for removal of unoccupied marine debris, unattended moorings and floats, and additional enforcement of vessel registration requirements; this initiative has resulted in removal of more than 100 vessels.

In the last six months, the Board has been working towards providing staff with its next direction in pursuing a safe, healthy, and well-managed Richardson's Bay. Its 2018 Work Plan identifies its April meeting as the timing to provide at least initial direction.

At its meeting of January 11, 2018, the Board adopted Guiding Principles to inform its decision-making. At the Board meeting of February 8, 2018, staff presented the Board with a range of options for a direction to pursue, and preliminarily identified opportunities and challenges associated with the options. At the Board meeting of March 8, 2018, the public participated in small group discussions on five topic areas associated with the options; the notes scribed by the group facilitators are included in this agenda packet.

Also on March 8, staff presented the Board with draft goals, objectives, and means of measuring success:

Draft Policy goals: Richardson's Bay is safe, healthy, and well-managed.

Draft management objectives: There is congruence between activity taking place on the bay and the ordinances and management policies adopted by the RBRA in achieving its policy goals.

Draft Measurements of Success:

- 1) Vessels/persons on vessels are in compliance with applicable laws, policies, and guidelines, such as safety, seaworthiness, non-discharge into bay, etc.
- 2) Vessels do not unsafely drift or collide with other vessels, docks, or property
- 3) Herring have sufficient healthy eelgrass in which to spawn
- 4) There is access to assistance for alternative housing, health, and/or other social services programs.

Staff has reviewed the comments from the public, considered the Board's Guiding Principles, and drafted options for the Board to consider in providing direction. The mix of potential decisions is intended to capture various viewpoints in the context of the draft goals and objectives, and are not listed in any intentional order.

DIRECTION OPTIONS:

Option #1: Direction to enforce existing time limits on all vessels

Direction Option:

Enforce time limits on all vessels in and arriving into Richardson's Bay.

Discussion:

RBRA ordinances limit vessels to anchor for 72-hours, unless permission is granted by the Harbormaster to stay up to 30 to 50 days. Pursuing enforcement against all vessels exceeding current time limitations will require additional funds from the member agencies if other sources of revenue are not found. Currently RBRA is able to receive grant funds from the State Division of Boating & Waterways to help pay for RBRA's removal of marine debris and abandoned vessels, but these grants do not fund removal of vessels for exceeding time limits.

Resources needed to conduct a full enforcement and abatement effort would include Marin County Sheriff staff time and RBRA staff time; towing; secure location(s) to store vessels above and beyond what is currently available; legal costs for actions taken by the RBRA and/or vessel owners; and abatement/destruction of vessels that ultimately do not comply.

The census of vessels conducted by RBRA and the Marin County Sheriff in February 2018 reported a total of 175 vessels. For non-complying vessels that do not voluntarily leave Richardson's Bay once informed or cited, off-site storage of impounded vessels is estimated to be in the range/upwards of \$300 per vessel, which is in addition to towing costs. Vessels that must be demolished can roughly cost from around \$1,000 to \$5,000, if they are small to medium-sized and depending on the complexity and not including costs incurred from legal challenges.

The alternative of attempting to auction off abated vessels has its own set of complications and costs.

Additionally, approximately 64% of the vessels in Richardson's Bay are inhabited. As anchorages where persons live aboard vessels have disappeared, Richardson's

Bay has become a place where those seeking that way of life, or who have found themselves living that way, have come and stayed; some are seasoned mariners, others are new to boating. Additionally, there are individuals who have lived on the bay for many years, even decades, and consider it home.

Some in the RBRA member communities want all non-temporary vessels – including liveaboards – removed due to concerns about safety, environment, water quality, eelgrass/herring, impact on docking and shore property and facilities, and bay access for recreation; they question why rules and policies on the books are not fully implemented. Others in the RBRA member communities, including those who liveaboard on the water, are opposed to the ending of the liveaboard community and its cultural/historical tradition and value, and have expressed concern about what will happen to persons who are living on the bay – especially when housing and marina space is limited and costly and other anchorages are unavailable.

Analysis

The advantages of a full-on enforcement effort on time limits for all vessels are that it addresses the range of concerns that the ongoing presence of liveaboard vessels and other vessels on the bay expressed by members of the community; it is clear direction towards a specific outcome; it moves bay activity towards alignment with existing RBRA ordinances, the Special Area Plan, and BCDC policies; and upon completion could potentially reduce operational costs as fewer vessel owners become drawn to Richardson’s Bay.

The disadvantages of an all-out effort including opposition to removing vessels from those who own and/or live on them and/or who support a continued liveaboard anchorage; the impact on the lives of persons who live aboard vessels, especially if other options are limited; the significant increases in funding for more staff time, potential legal challenges and other costs that would be required from member agencies unless other unknown sources are found; and Board time to oversee implementation and address related issues.

Option #2: Direction to manage vessels arriving in Richardson’s Bay

Direction option:

Actively manage the new vessels arriving in Richardson’s Bay with the objective of ensuring they stay on a temporary basis only, as envisioned in the ordinances adopted by the RBRA Board.

Approaches for differentiating between new and existing vessels include:

- How the vessels are secured (anchored vs. mooring).
- Where they are located (specified area of the anchorage).
- Signage/burgees on vessels indicating status

Discussion:

Pursuing tighter management of vessels arriving in Richardson's Bay will require Sheriff and RBRA staff time to more closely monitor vessel activity and initiate and follow through on enforcement. Using tools such as designating a visiting anchorage location, distinctive burgees/flags/stickers/signage for vessels, other identifying features (e.g. anchors vs. moorings), and use of new GIS-based technology can assist the effort. It will require a strong monitoring presence on the bay by the Sheriff, Harbor Administrator, and/or other parties. There has been some interest expressed by persons currently on the anchorage to assist in this effort; such support likely will depend on other actions the Board takes. Likewise, the capacity of the Sheriff and Harbor Administrator to more actively manage incoming vessels will depend on other activities they are asked to undertake under Board direction.

The advantages of a focus on limiting incoming vessels from staying is to stem growth in the population of vessels and to end Richardson's Bay's reputation as a place with lax time limits. It has the further advantage of potentially some support among those currently anchored on the bay. The disadvantages are the risk of challenge from visiting vessels and those who want a completely open-ended anchorage, maintaining ongoing vigilance, and costs of enforcement.

Option #3: Direction to modify requirements for vessels in Richardson's Bay

Direction Options:

Place requirements on vessels, such as:

1. Valid registration with the State of California; this requirement was identified in 2016 under the enhanced enforcement program adopted by the Board.
2. Registration with the Harbor Administrator; specific information required to be determined.
3. Vessels to be securely moored rather than anchored; will require public and/or private funding for moorings at approximately up to \$2,000/each (depending on number installed at a time), and analysis and determination on where moorings may or shall be located. This option seeks to address concerns about safety and eelgrass; specifically, to prevent vessels from breaking loose from less stable anchor lines, and to prevent dragging of anchors in eelgrass beds. It could also assist in monitoring the arrival of new vessels.
4. Vessels must be seaworthy, criteria to be determined/established. This option seeks to address concerns about safety to persons and property from anchored vessels that break loose, and environmental and financial impacts – as well as health and safety risks – from vessels that leak oil/hazardous materials or sink. The Richardson's Bay Special Anchorage Association has developed seaworthy criteria and a certification program that could aid implementation.
5. Are free of debris/excess materials on the exterior deck; will require monitoring. This option seeks to address concerns about water quality, debris in the bay, safety, and interference with recreational boating.
6. No sewage, or other polluting substance, material or debris discharge into the bay; will require monitoring and support from persons on the bay to encourage

others to comply. This option seeks to address concerns about water quality, the environment, and recreational boating.

7. Options for other regulation modifications now or in the future could include:

- a. Maximum number of dinghies/skiffs per vessel
- b. Maximum number of vessels per owner
- c. Maximum number of vessels and/or modified length of stay in anchorage

These options would involve a fair amount of discussion and discernment. They seek to address concerns about the number of vessels, recreational boating and docking access, and other issues.

Depending on the option(s) the Board wishes to pursue, amendments to RBRA ordinances and/or other plans and policies may be required.

The advantages of modifying regulations are moving towards improved safety, eelgrass/herring habitat, water quality, and management. Modifications are a means of prioritizing health, safety, water quality/environmental, management, and other concerns while working with owners and persons living on the water to transition to healthy and safe conditions for themselves and others. It would involve processes in establishing, implementing and refining modifications that included stakeholders. The disadvantages are the resources needed to draft, vet and approve modified regulations, implement the transition to secure moorings and other new regulations, and enforce against non-complying vessels comparable to what is described in Option #1 - although at a reduced level; any impacts on the bay and/or shore facilities from continued extended stay use; and impacts to vessel owners/inhabitants who are unwilling or unable to comply.

Option # 4 Eliminate the anchorage

Direction Option:

Adopt more restrictive ordinances that essentially mean the elimination of Richardson's Bay as a anchorage; this would require working with the Coast Guard, such as by removing Richardson's Bay from the list of special federal anchorages.

The advantage is that it would ultimately significantly reduce management costs. The disadvantages are impacts on persons wishing to anchor and costs associated with realizing a change in anchorage designation.

ANALYSIS:

The most costly and daunting direction is the option to launch a full-out enforcement effort of all vessels in violation of time limits. RBRA and Sheriff staff time to cite, and then ultimately tow, store, and demolish non-complying vessels would exceed RBRA's current budget capacity and the current appropriations for the County Sheriff for marine patrol. There would be practical considerations such

as secure storage of non-complying vessels, and human considerations for the persons now living on the bay. Opposition from those on the anchorage to this approach would add to staff, legal, and related enforcement costs. Attention and resources from human/housing/social services providers would be needed to assist those without other options. However, after implementation the ongoing costs of managing temporary vessels only could eventually stabilize.

A less costly and daunting direction may be to focus enforcement efforts on preventing visiting vessels from staying. It would still take RBRA staff and Sheriff resources to actively monitor vessels, and enforce against violators. Cooperation and assistance from those on the anchorage and/or others could improve its success. Unless an obstacle emerges that hinders this avenue, preventing new vessels from settling could gradually reduce the number of liveaboard and/or other vessels. A reduced number of vessels would ease the demands on managing the anchorage in the medium term and beyond.

Either in conjunction with or separate from tightened management of new vessels is the option to transition vessels from anchors to secure moorings, and enact conditions on such use. It would require RBRA Board and staff time, working with the community, to develop modified regulations. It would require RBRA staff time to monitor vessel compliance and Sheriff staff time for enforcement. It has the potential to become a more manageable operation in the medium term and beyond while also improving health and safety.

Direction to eliminate the anchorage altogether would be costly over the near-to medium term, and would face significant community and legal challenges.

FINANCIAL IMPACT:

Transitioning from the status quo to a more actively managed Richardson's Bay will require additional resources. As more information is gathered on the direction set by the Board, staff can return with suggested appropriations and can search for other additional resources, if any, beyond member agency contributions.

With budgets for next fiscal year already in development, it would be prudent to plan for at least a nominal increase in member contributions next year with the notation that there could be a call for mid-year appropriations when more information is on hand. However, the Board should be aware that budgeting for enforcing whatever regulations the Board implements is not a precise science; actual costs widely fluctuate depending on the nature of the regulation and non-compliance, the extent of non-compliance and the specifics of the vessels themselves.

It should be noted that there are financial implications to stakeholders in the community from the direction given by the Board.

NEXT STEPS:

All of the above options would be subject to legal vetting and review with agencies with authority on Richardson's Bay. Such vetting and review would inform what permissions, ordinance changes, and/or Special Area Plan amendments are necessary. Upon conducting that vetting and review, staff will return with options and/or recommendations on next steps.