

RICHARDSON'S BAY REGIONAL AGENCY

Thursday, January 21, 2010

5:30 P.M. to 7:30 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. Welcome of new Board member and election of new RBRA Vice-Chair
Service acknowledgment of Dick Collins
2. CLOSED SESSION
Conference with Legal Counsel – Anticipated Litigation
Significant exposure to litigation pursuant to subdivision (b) of Section 54956:1
potential case
3. OPEN SESSION
Minutes of November 19, 2009 Meeting
4. Review report of Harbor Administrator
5. Approval of prior expenditures for November and December 2009
6. TMDL Plan status
7. Public comments invited concerning items NOT on this Agenda (3-minute limit)
8. Staff comments
9. Board member matters

Adjourn. **NEXT MEETING:** Tentatively planned for March 18, 2010. 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

RICHARDSON'S BAY REGIONAL AGENCY

MEMORANDUM

January 15, 2010

TO: RBRA Board

FROM: Ben Berto, RBRA Clerk

SUBJECT: January meeting

Board members:

Once again changes are afoot. Staff regrets to inform the Board that we will be losing a valued colleague. Dick Collins is being booted upstairs with both his mayorship in Tiburon and many other time- and energy-(pun)consuming duties. He will be replaced by Emmett O'Donnell, who comes highly recommended. Staff would like to extend a hearty welcome to our newest member, and gently remind him that he has substantial shoes to fill. It all starts with attendance.

We have as of this writing confirmation from four members (including our newest). Member Wachtel reports that he will attend but will have to leave by 7 pm – possibly wrap things up by then?

Aside from seatings and swearing-in a new Vice-Chair, we start with a Closed Session item. Staff will announce whether there is anything to report.

At this midpoint in the current fiscal year, the pie chart tells a fairly straightforward story. Assisting our acceptable for now financial picture is the news that the Department of Boating and Waterways is alive and kicking and have managed to finalize approval of RBRA's most recent \$102,000 grant. Perhaps in acknowledgment of the State's chronically tardy status in approving anything, DBW has even extended the grant disbursement period to next October. It helps to not have to wait half a year to start spending grant money, then rush to complete the drawdown in the remaining half a year.

Further on the subject of the midyear budget, with all local member jurisdictions submitting their respective piece of the budget pie, RBRA is at it's normal mid-year revenues ahead of expenses status. Expenses will slowly catch up as we undergo the rest of the year. Expenditures on individual programs are also consistent with the budget's allocations. Staff will of course alert the Board if this appears to be in danger of shifting.

Summarizing the TMDL status, Marin County Environmental Health Services has initiated meetings with harbor and marina representatives. Staff recently met with the County Department of Public Works to discuss RBRA's small but welcome \$5K slice of the recent EPA water quality grant (copy of IJ article on the grant enclosed). Owing to reimbursement timing requirements, it appears likely that EHS will ramp up its efforts sometime in March. Preliminary inspections of the marina dock areas indicates that unlike underground laterals, detecting leaks in pressurized overwater laterals can be as simple as listening (a recent leak was detected this way, and quickly resolved).

Staff is in the midst of conducting the mid-winter water samplings. Preliminarily, unlike the tremendous bacteria spike that was present in the samples taken the week after the once-a-half-century storm that occurred during our “dry” season testing, the E. coli, etc., levels present in our Bay waters appear to have settled down considerably. This is consistent with the general wisdom that the first flushing event after the dry season contains the concentrated loads that have been building up all summer. By now things are somewhat diluted. We will see if there is a rain event spike increase correlation.

Staff followed up on the request by the public and subsequent Board direction regarding updating and resending the emergency responder letter to go to West Shore Road and other on-the-water residents (copy attached). This is basically the same letter that previously went out to these folks. Thus far it has been a fairly settled down winter for an El Nino year - knock on wood.

See you next Thursday.

RICHARDSON'S BAY REGIONAL AGENCY
MINUTES OF NOVEMBER 19, 2009
HELD AT SAUSALITO CITY HALL CHAMBERS

MEMBERS PRESENT: Board Chair Charles McGlashan, (Marin County); Jerry Butler (Belvedere); Jonathan Leone (Sausalito); Ken Wachtel, (Mill Valley)

ABSENT: Dick Collins (Tiburon) - excused

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

Meeting called to order at 5:38 PM

Minutes of September 17, 2009 Meeting

Minutes were approved unanimously.

Review report of Harbor Administrator

The Harbor Administrator informed the Board that the AWAFF Grant had been approved and that the final date for submitting invoices had been extended until October 31, 2010. This reflects the late issuance of the Grant (November vs. July). He updated the Board on the progress of AB 166, the Vessel Turn-In Bill, that had recently been signed. The recent meetings with the AVAC Committee had shown that the program would not be implemented until funding was achieved some time in July 2010. Staff envisioned a pass-through funding arrangement with local contractors in order to avoid a flood of turned-in vessels that would overwhelm the Agency. The vessel owner would turn in the vessel to either the RBRA or local law enforcement. A background check would verify the registered owner and once cleared, the vessel would be put out to bid to local contractors. Invoices would be paid by RBRA, and the State would reimburse the RBRA with the same 90/10 match as is practiced currently with AWAFF funds. Member Leone asked if the boats would be held at the Sausalito public dock. Staff replied that the idea would be to minimize holding time and effect a swift disposal since with this program typical due process requirements including holding times and costs would be minimized.

Mr. Price also advised the Board that the Edgewater Dock at the foot of Turney Street in Sausalito had reverted back to the city, and that Sausalito was exploring the concept of a cruising facility for boats in transit. The overshadowing issue would be dredging – an expensive and necessary requirement. Member Leone offered that it might be considered for a water taxi operation and for berthing the RBRA patrol boat. Mr. Price stated that until more activity was established there, he was uncomfortable berthing the boat in an exposed, unsecure slip.

Staff updated the Board on the recent tanker oil spill in the South Bay Area, which was minor and did not make it to Richardson's Bay.

Report was accepted.

Prior Expenditures

The expenditure report was accepted.

Approval of CA Department of Boating and Waterways Grant

Mr. Berto pointed out that the Board had already conferred on the Chair the authority to approve grant acceptance on behalf of the RBRA when necessary to avoid timing delays. Where possible, Staff brings such approvals to the full RBRA Board. The grant funding of \$102,000 was approved and the Resolution passed unanimously.

Water Quality Test Results

Staff presented the results of the Fall 2000 water tests, pointing out the significant exceedance test results subsequent to the substantial rainstorm in mid-October. Aside from the run-off related test results, the primary area of concern was once again the Gates Co-op houseboat area. Member Wachtel asked about the frequency of the tests and Mr. Price said that they had been conducted annually since 1995, with generally improving water quality trends over the years. Member Leone asked what the consequences were for bad tests. Staff replied that the Water Board had heretofore declined to fine marinas for bad tests, but that the TMDL was a consequence to address the problem. Member Leone also pointed out that there was a new property owner at Sausalito Marineways Marina, and Mr. Price said that he had attended a meeting with him already, and looked forward to working with him in the future.

TMDL Plan Discussion

Mr. Berto began the discussion by explaining the steps that Staff had taken with the County of Marin Environmental Health office in our efforts to address the TMDL requirements relating to houseboats. The outreach program had begun, with marina operators designated as the main conduit between their tenants and EHS in developing a successful monitoring program.

Public comments invited concerning items NOT on this Agenda (3-minute limit)

Lewis Shireman asked if the Rapid Response Call-out mailer was still up-to-date, and he asked to have it mailed out annually.

Peter Moorhead wanted to know if the Mooring Plan was on or off the table. He asked for a disclosure of expenses to Mr. Shute and Ms. Popp, and he stated that he was disappointed to see RBRA Board leader take a position contrary to the State Public Land Trust.

Louis Tenwinkle stated that the RBRA could not control a federal anchorage.

Scott Diamond asked if the Board was still pursuing an ordinance prohibiting long term anchorage of vessels over 55' in length.

Peter Romanowsky stated that he was running for Congress, and asked for the Board's support. He also asked what act of Congress had changed the federal anchorage.

Kevin Kifer said that there was a red tide after the storm. He also recommended that the RBRA solicit bids for the work on the AB 166 work.

Staff Comments

None

Board Member Matters

Chair McGlashan said that the money spent on Mr. Shute was detailed in the monthly expenditure reports, and that the funds for Ms. Popp's consultant work were not derived from the RBRA budget. He stated that his personal assessment was the Mooring Plan had reached a state of limbo after the last meeting with BCDC staff, and that he was awaiting constructive comments from the BCDC before moving forward.

The meeting was adjourned at 6:30 PM

NOTE: The next meeting of the RBRA is scheduled for **January 21, 2010 at 5:30 PM** at the Sausalito City Hall Chambers.

RICHARDSON'S BAY REGIONAL AGENCY

HARBOR ADMINISTRATOR'S REPORT WORKING RELATIONSHIPS

January 11, 2010

- **Dept. of Boating and Waterways** – 1) The RBRA has submitted a reimbursal request for \$28,449 to Boating and Waterways for work already completed on vessel disposal. The 10% match requirement of \$10,200 has already been met. 2) Working with Boating and Waterways to order and obtain a new sewage pump-out vessel to replace “Waste-Aweigh”, which is now 10 years old. Money for the vessel will be secured through an EPA grant. 3) Attended the meeting of the Abandoned Vessel Advisory Committee to determine ways to make AB166 (the recently passed Vessel Surrender bill) function within the current state budget crisis.
- **US Coast Guard** – 1) Attending all meetings of the Abandoned Vessel group that the Coast Guard sponsors. 2) Worked with Incident Command to isolate and contain oil emanating from a sunken boat, and to find the owner.
- **Sausalito Police Department** – 1) Training new officers on the operations of the patrol boat. 2) Worked closely with detectives to find and recover a stolen vessel and investigate the incident. 3) Using Community Service volunteers to repair, clean and upgrade docks. Meeting with city official to determine acceptable uses for the docks.
- **Corps of Engineers** – The RBRA license to use the Base Yard facility in Sausalito has been renewed for another 10 years, which allows the RBRA to continue its use of the waterside ramp and debris facility.
- **Marin County Open Space District** – Assist MCOSD Staff with their efforts to clean Arambaru Island by providing boat support.

DEBRIS REMOVAL

- Disposed of 15 vessels as well as 3 skiffs. 2 boats are currently impounded.
- Beach clean-up efforts have been supplemented by a swelling in the ranks of Community Service volunteers.

RAPID RESPONSE

- One vessel was retrieved from West Shore Road, Belvedere.
- Rapid Response flyer has been updated and sent out to residents and local authorities.

WATER QUALITY

- Water testing for winter 2010 has begun. Tests should be complete by the first week in February.
- Schoonmaker Point Marina is working on their harbor to become a certified California Clean Marina.
- A houseboat in the Gates Coop was reported for a disconnected discharge hose, and the boat was posted in conjunction with Environmental Health. The owner of the boat responded and had the problem repaired within 24 hours.

RICHARDSON'S BAY REGIONAL AGENCY

Dear West Shore Road Resident,

Living on the waterfront exposes you to a very dynamic natural environment. As many of you who have lived in the area for some time can attest, wind-driven debris or vessels are an unavoidable fact of life on the windward shore during storm events in Belvedere.

In response to concerns, the Richardson's Bay Regional Agency (RBRA) has developed a program to enhance its vessel and debris interception capabilities. The program does not create any duty on RBRA's part, but increases the likelihood of intercepting a vessel or debris before it contacts shore.

As Harbor Administrator for the RBRA, I have put together a response guideline for persons who have waterfront property that is exposed to wind-generated debris or a vessel that is adrift. Upon becoming aware of this circumstance, you should first attempt to contact me directly. If at all possible, I will intercept the vessel or debris on the open water and safely remove the threat. If you cannot contact me, please use this list to call the open water responders and they will do their best to assist you.

Our goal is to provide open-water interception at no cost to private parties. Our response time goal is 24 hours. However, this program has a small budget and its operation may be limited or curtailed. West Shore residents bear ultimate responsibility for dealing with any vessel, object, or debris that has drifted onto their property, including damages and the expense of having the vessel or debris removed.

A good look-out can often forestall disaster! A vessel or debris that is adrift may be a hazard. Your call to emergency responders can avert property damage and salvage costs as well. Please report any such sightings quickly, even if you are not sure of the situation. The following are local emergency phone numbers to call:

Business name	Contact person	Phone number
Richardson's Bay Regional Agency	Bill Price Harbor Administrator	415/ 971-3919
Dave's Diving	Dave Gissendaner	415/ 385-5496 pager 415/ 838-0029
Parker Dive Service	Tim Parker	415/ 331-0329 cell 415/ 740-1276
Local emergency	Tiburon Fire District and Belvedere police	415/ 289-4141
Tiburon Fire District	direct line	415/ 435-7200
Belvedere Police	direct line	415/ 435-3266
U.S. Coast Guard	Station Golden Gate	415/ 331-8247
County Sheriff Marin City sub-station	Deputy John Harrison	415/507-4134

c/o Community Development Agency, 3501 Civic Center Drive, Room 308, San Rafael, CA 94903
Office 415/289-4143 Pager 415/451-9595 Cell 971-3919

If debris or a vessel is has drifted onto your property, and you are unable to reach any of the above emergency responders, the best solution is for you to promptly contact a local salvage operator and make arrangements for them to remove the debris or vessel. Time is of the essence, because the longer the object stays in place, the more damage it may cause and difficult and costly it likely will be to remove.

In the event of an incident occurring, it is important that you always contact or leave a message with me, Bill Price the RBRA Harbor Administrator, at **415/ 971-3919**. Since I am on call most of the week, I may be able to respond directly, keeping everyone's costs to a minimum. Regardless of the circumstances, I will be coordinating with local agencies and contractors concerning further work.

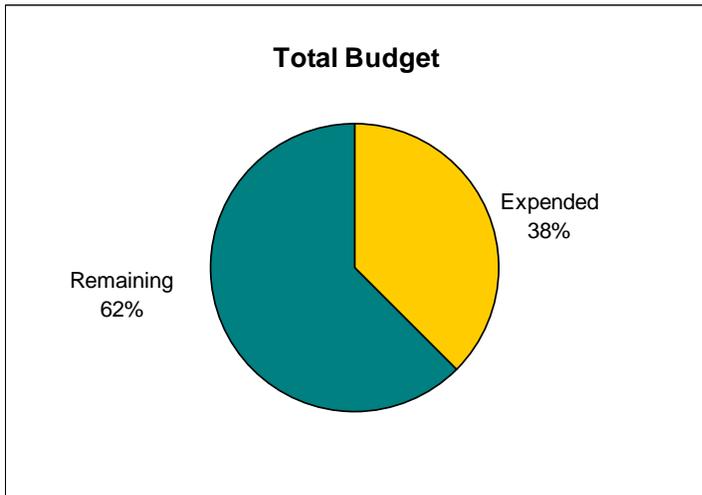
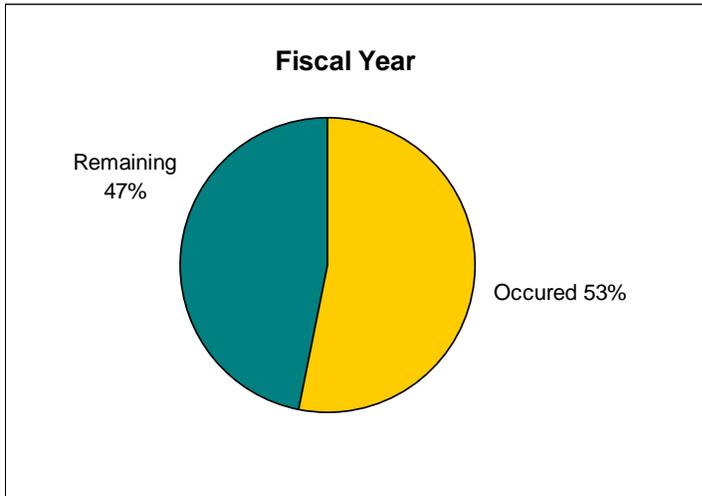
In addition to notifying the Harbor Administrator, please also contact the Belvedere Police, the County Sheriff, and the Coast Guard if debris or a vessel drifts onto your property. This will alert responding agencies and allow them to determine the next steps. It is also essential in cases where your homeowner's insurance requires you to file a police report in order to document the accident.

Please keep an eye on your neighbor's waterfront area as well. If your neighbor is away and debris or a vessel washes up on their property, you may be the first or only person to notice and be able to initiate a response in a timely manner. Work out a plan with your neighbors ahead of time so that everyone knows what to do if a problem should arise that requires a neighbor's assistance.

Don't hesitate to contact me at **415/ 971-3919** or via the address listed below if you have any comments or questions.

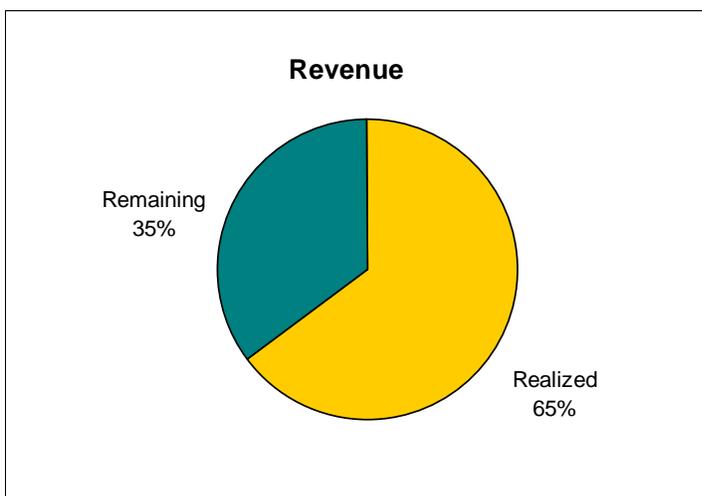
Bill Price
Harbor Administrator
Richardson's Bay Regional Agency

Percent of Budget and Percent of Year as of January 11, 2010



Expenditures vs. Budgeted Expenditures

Expenditures	\$123,474
Adopted Budget	\$328,870



Realized Revenue vs. Budgeted Revenue

Realized Revenue	\$212,689
Budgeted Revenue	\$328,626

RBRA FY 2010 - NOV. 11, 2009- Jan. 11, 2010 BALANCE SHEET

TYPE	ACCOUNT NAME	EXPENSES	REVENUE
Mooring rent - Warren	Warren mooring		-600.00
Sales and Services	Tradewinds -Boat reimbursal		-350.00
			-950.00
Professional Services	ALEXANDER - webpage support	260.00	
Professional Services	DIEGO TRUCK - vessel towing	387.50	
Professional Services	FLESHMAN - Day labor	212.50	
Professional Services	ALEXANDER - webpage support	130.00	
Professional Services	MAHER - Accountancy support	750.00	
Professional Services	DAVE'S DIVING - raise wreck	1,790.00	
Professional Services	BAYSIDE BOATWORKS - Crane ops.	300.00	
Professional Services	FLESHMAN - Day labor	200.00	
Professional Services	WEDLOCK - Vessel survey	185.00	
Professional Services	WEDLOCK - Vessel survey	185.00	
Professional Services	Day labor on Santana 23	100.00	
Professional Services	DAVE'S DIVING - Tow vessel to SRYH	650.00	
Professional Services	DAVE'S DIVING - Mooring recovery	85.00	
Professional Services	FLESHMAN - Day labor	200.00	
Professional Services	WEDLOCK - Vessel survey	185.00	
Professional Services	WEDLOCK - Vessel survey	185.00	
Professional Services	DAVE'S DIVING SERVICE	95.00	
Professional Services	FLESHMAN - Day labor	175.00	
Hazardous Materials Clean Up	BAY CITIES - debris removal	883.00	
Hazardous Materials Clean Up	San Rafael Recycling	22.00	
Hazardous Materials Clean Up	BAY CITIES - debris removal	1,308.00	
County Salary R	Salary	9,467.43	
Communications - Broadband	AT & T - internet and fax	77.98	
Communications - Broadband	Earthlink	5.90	
Communications - Broadband	AT & T - internet and fax	77.87	
Communications - Broadband	Earthlink	5.90	
Communications - Cell Phones	AT&T - mobile phone monthly	72.77	
Communications - Cell Phones	AT&T - mobile phone monthly	67.91	
Rent - Equipment Rental	HERTZ - backhoe rental	887.53	
Rent - Equipment Rental	HERTZ - backhoe rental	524.03	
Rent - Equipment Rental	HERTZ - backhoe rental	526.47	
Rent & Operating Leases	SAUSALITO SHIPYARD - Slip rental	210.00	
Rent & Operating Leases	LIBERTY SHIP WAY - Dry storage	240.00	
Rent & Operating Leases	SCHOONMAKER POINT - Slip rental	147.50	
Rent & Operating Leases	ICB ASSOCIATES - Office rental	420.00	
Rent & Operating Leases	SCHOONMAKER POINT - Slip rental	276.12	
Rent & Operating Leases	SAUSALITO SHIPYARD - Slip rental	140.00	
Rent & Operating Leases	SAUSALITO SHIPYARD - Slip rental	210.00	
Rent & Operating Leases	SAUSALITO SHIPYARD - Slip rental	210.00	
Rent & Operating Leases	SAUSALITO SHIPYARD - Slip rental	140.00	
Rent & Operating Leases	SAUSALITO SHIPYARD - Slip rental	140.00	
Rent & Operating Leases	SAUSALITO SHIPYARD - Slip rental	140.00	
Rent & Operating Leases	SAUSALITO SHIPYARD - Slip rental	98.00	
Rent & Operating Leases	SAUSALITO SHIPYARD - Slip rental	70.00	
Rent & Operating Leases	SAUSALITO SHIPYARD - Slip rental	196.00	
Rent & Operating Leases	SCHOONMAKER POINT - Slip rental	147.50	
Rent & Operating Leases	SCHOONMAKER POINT - Slip rental	275.00	
Rent & Operating Leases	LIBERTY SHIP WAY - Dry storage	240.00	
Rent & Operating Leases	ICB ASSOCIATES - Office rental	420.00	

Rent & Operating Leases	SAUSALITO SHIPYARD - Slip rental	14.00
Rent & Operating Leases	SAUSALITO SHIPYARD - Slip rental	133.00
Travel - Meals	Volunteer lunch - Young Can Wok	22.05
Travel - Meals	EHS team lunch - Picante	24.44
Travel - Meals	Board mtg - CAHMPC	43.70
Travel - Meals	Crew lunches - In N Out	43.42
Travel - Mileage	PRICE Drive- Monterey - Board Mtg	192.50
Travel - Mileage	PRICE - Drive -Sacto - AVAC mtg	100.65
Office Supplies - Electronic Supplies	OFFICE DEPOT - Printer & ink	181.84
Office Supplies - Electronic Supplies	BEST BUY - Digital card reader	23.96
Office Supplies - Electronic Supplies	RITE AID - Batteries	6.17
Office Supplies - Electronic Supplies	Radio Shack - Memory card for camera	13.07
Office Supplies - Postage	USPS	8.80
Office Supplies - Postage	FED EX - KINKO'S	18.44
Maint & Repair Supplies	MT HEAD - honey barge services	300.00
Maint & Repair Supplies	WEST MARINE - boat parts	32.88
Maint & Repair Supplies	PIRANHA PROPS - blades for props	87.00
Maint & Repair Supplies	MT HEAD - honey barge services	325.00
Oil & Gas	CHEVRON FUEL DOCK- Patrol boat	190.85
Oil & Gas	CHEVRON FUEL DOCK- Patrol boat	149.23
	Total Expenditures	25,492.91

Marin gets \$370,000 share of water quality funding

By Mark Prado

Marin Independent Journal

Improvements to water quality in Richardson Bay and a Mill Valley creek are a couple of benefits Marin will see from a \$1.5 million grant awarded to the North Bay Watershed Association announced Wednesday.

The money — of which Marin will see \$370,000 — comes from the U.S. Environmental Protection Agency as part of the 2009 San Francisco Bay Area Water Quality Improvement Fund.

“This opens the door to implement projects for watershed protection that we have been eager to see completed,” said Jack Gibson, chairman of the association and member of the Marin Municipal Water District board.

In Marin, the projects will reduce potential sources of pathogens and sedi-

ment entering waterways, rendering water quality poor at certain times of the year.

One project will have the county assisting the Richardson Bay Regional Agency in developing a program for maintenance and monitoring of houseboat sanitary systems.

Richardson Bay has been declared as “impaired” by the EPA under the Clean Water Act because of the pathogen count, and is considered not clean enough for fishing or swimming.

The bay, which is used for boating, kayaking, rowing and swimming despite its status, has trouble with pollutants because it is shallow, enclosed on three sides and has minimal tidal flushing.

Money will also go to the county and Mill Valley to implement a restoration project to improve

water quality in a tributary of Warner Creek in Boyle Park by fencing off a stretch of riparian corridor and planting native vegetation to reduce erosion.

The North Bay Watershed Association is a group of 15 regional and local public agencies in Marin, Sonoma and Napa counties that work on water issues. Napa and Sonoma also received money for projects.

“It’s exciting to have the work of NBWA ... acknowledged in this way,” said Libby Pischel, a spokeswoman for the Marin Municipal Water District, which is a member of the group. “It demonstrates confidence in the ability of public agencies to work together effectively for the greater good, regardless of political boundaries.”

Contact Mark Prado via e-mail at mprado@marinij.com