

# RICHARDSON'S BAY REGIONAL AGENCY

**Thursday, February 8, 2018**

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

**Tiburon Town Hall**

1505 Tiburon Boulevard, Tiburon, 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 the minutes of January 11, 2018 Regular Meeting
2. Community Outreach Subcommittee Report (10 Minutes) and Presentation regarding Community Efforts (10 Minutes)
3. Harbor Administrator Report: Budget report year-to-date, approval of prior expenditures - January 2018
4. Approve Resolution No. 03-18 adopting Guiding Principles for the Board of Directors in making decisions for the future of Richardson's Bay
5. 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.
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. Staff comments.
8. Board member matters.

**NEXT MEETING: March 8, 2018.**

**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@marincounty.org](mailto:dallee@marincounty.org)**

Marin County Community Development Agency, 3501 Civic Center Dr. Room 308, San Rafael, CA 94903  
Cell 415/971-3919 [bprice@marincounty.org](mailto:bprice@marincounty.org)



# **RICHARDSON'S BAY REGIONAL AGENCY**

## **DRAFT MINUTES OF JANUARY 11, 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)

**ADDITIONAL:** Jenna Brady (RBRA Legal Counsel)

Meeting called to order at 5:30 PM.

### **Minutes of November 9, 2017 Meeting**

Draft minutes were approved unanimously.

### **Presentation regarding Community Efforts**

Alden Bevington reported on the Richardson's Bay Special Anchorage Association community meeting with Executive Director Pollard, the anchor check program and the boatsaver program.

### **Harbor Administrator's Report**

Mr. Price outlined a voluntary debris pick-up program designed to piggyback on the successful debris pick-up day held in Fall 2017.

Doug Storms asked that the underwater hazards he had identified be marked and removed.

The report was accepted unanimously.

### **Budget report: approval of prior year's expenditures for current year's expenditures from July 1, 2017 – December 31, 2017**

The budget report was accepted unanimously.

### **Staff report / Resolution No. 02-18 adopting a meeting schedule for 2018**

Executive Director Pollard asked the Board to review the attached schedule and give direction on the meeting locations. Member Sears was in favor of a location closer to Sausalito to accommodate stakeholders from Sausalito who didn't have transportation. Ms. Pollard said she was checking options in Marin City, but thus far she had encountered only rental facilities. Chair Winter said that Tiburon would be acceptable if the town was amenable. Alden Bevington felt a consistent meeting place was important and asked if a van transport could be arranged through one of the local churches.

Member Sears asked for Staff follow up regarding the van transport concept.

The Board approved the report and Resolution 02-18 was passed unanimously.

**Guiding Principles workshop / Resolution No. 03-18 adopting guiding principles to set future direction for the RBRA**

Ms. Pollard had displayed each guiding principle on easel paper throughout the town hall, and she supplied post-its and pens so that attendees could write comments on each of the guiding principles. She read each principle aloud, and then asked the public to write and post their comments during a 20-minute period. She then proceeded to read the comments for each principle.

Chair Winter stated that this was a good framework for the Agency moving forward, and thought that changes could be adopted as the need arose. Member Sears said it was well-crafted and she felt water quality should be considered as a separate section. She asked for the guiding principles to be brought back before the board for approval with the comments incorporated. Member Wickham felt it was a good working document to use as starting ground for the next 6 months. Member Fraser asked to hold off the vote until February when the changes would be incorporate and Member Wickham asked to get the document before the meeting for final review.

Mr. Storms and Court Mast both said Sea Trek Kayaking and local yacht clubs should be involved.

**Rebecca Schwartz-Lessman from Audubon California advised to consider water quality and the herring fishery.** Mr. Bevington urged that the process be collaborative and that traditions be preserved for the future.

Ms. Pollard noted all the comments and said she would take them under advisement and work with Chair Winter to incorporate them by the next RBRA meeting.

The report was accepted unanimously and the vote on the Guiding Principles resolution was postponed until next meeting in February.

**Staff Comments**

Ms. Pollard announced that she had issued out a request for proposals for re-configuring the website.

**Board Member Matters**

None

**Public Comments not on agenda**

Ms. Schwartz-Lessman announced the upcoming Audubon Center Waterbird Festival on January 27<sup>th</sup>, and Leslie Alden let everyone know about the Sausalito Herring Festival on January 28<sup>th</sup>.

Mr. Storms advised the Board that he was experimenting with a water taxi project for the anchorage.

The meeting was adjourned at 7:10 PM.

# RICHARDSON'S BAY REGIONAL AGENCY

## HARBOR ADMINISTRATOR'S REPORT

January 3, 2018

### WORKING RELATIONSHIPS

- **Boating and Waterways** – Unfortunately, the State is changing accounting systems and it will take a while before they are up and running. This will affect a timely check for the latest SAVE reimbursal request for \$41,307.08 for work completed in fall of 2017.  
2) Still tracking the supplemental grant request for an additional \$100,000 in funding for abandoned vessel removal. 3) Attending the Annual California Boating Congress in Sacramento to meet with Division of Boating staff and make our concerns known regarding critical boating issues facing the state.
- **USCG** – Meeting regularly with Abandoned Vessel Group, with reps from Marin Sheriff's Office (MSO) and Sausalito Police Department in attendance
- **Corps of Engineers** – Coordinated the disposal of a large tugboat from a Sausalito marina that had been an ongoing water quality issue prior to June 2017
- **MSO** - Worked in conjunction with MSO to dispose of 5 Marine Debris Vessels  
2) scheduled to accompany deputies on a vessel census count in early February. We may be employing a GIS software system to accomplish this and provide better tracking with Sausalito PD.
- **SPD** – worked as the transfer boat for Debris Day. A 20-yard debris box was filled with stuff collected from boats on the anchorage. MSO assisted aboard RBRA patrol boat

### DEBRIS REMOVAL

- 7 vessels were disposed since 1/6/18. 5 Marine Debris; 2 AWAFF (sunk); no VTIP
- 4 additional small unregistered sunken vessels and 3 derelict docks were disposed of
- 3 boats are currently impounded - 3 boats stored for disposal

### RAPID RESPONSE

- No Rapid Response action was required

### WATER QUALITY

- Winter water quality tests resumed in February. To be completed in early March
- Responded to a minor fuel spill at Sausalito Yacht Harbor. Secured booms and assisted Southern Marin Fire Department with deployment and retrieval.

### OTHER

- Working on finding funding for disposal of a commercial tugboat that has been posted as a Marine Debris Vessel. It is highly doubtful that the Division of Boating will allow this vessel to fall under the SAVE grant.

Richardson's Bay Regional Agency

**RBRA Vessel Disposal List - January - February 2018**

<b>Date</b>	<b>Name</b>	<b>Type</b>	<b>Amount</b>	<b>Condition</b>	<b>Location</b>
1/6/18	LANCER 27	27' f/g sailboat	828.21	abandoned - MDV	Marin County
1/6/2018	TRITON	28' f/g sailboat	1,212.14	abandoned - MDV	Marin County
1/6/2018	WELLCRAFT	24' f/g powerboat	1,237.00	abandoned - MDV	Marin County
2/3/2018	SAGAH I **	51' wooden sailboat	4,950.00	sunk - abnd. - MDV	Marin County
2/3/2018	BAYLINER 27 **	27' f/g powerboat	1,535.00	sunk - abnd. - MDV	Marin County
2/8/2018	GLASTRON **	14' f/g powerboat	550.00	abandoned - MDV	Marin County
2/8/2018	AUDUBON WHALER **	17' f/g powerboat	1,175.00	beached-abandoned-MDV	Tiburon
	** final bills not received				
		<b>7 vessels total</b>	<b>11,487.35</b>		

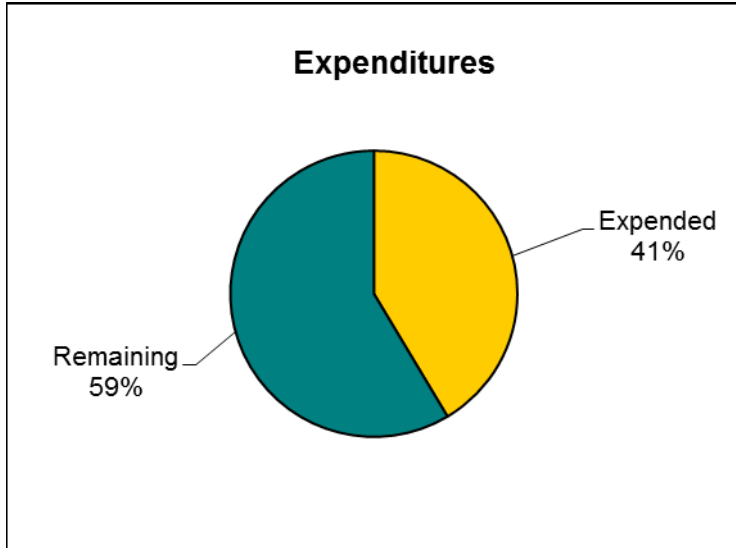
**RBRA Budget-to-Actuals**  
**July 1, 2017 - January 31, 2018**

Revenues	FY 17-18 Budget	Actuals to date	(OVER)/UNDER BUDGET
Interest Pooled Invst	\$ (300)	\$ 434	\$ (134)
Slip Rentals	\$ (7,000)	\$ 4,645	\$ 2,355
Other Sales & Services	\$ (202,800)	\$ 21,787	\$ 181,013
Intergovt Revs-State	\$ (345,997)	\$ 345,997	\$ -
Intergovt Revs-Local	\$ (6,000)	\$ 4,563	\$ 1,437
<b>Total</b>	<b>\$ (562,097)</b>	<b>\$ 377,426</b>	<b>\$ 184,671</b>

Expenditures	FY 17-18 Budget	Actuals to date	(OVER)/UNDER BUDGET
Professional Services	\$ 522,772	\$ 203,195	\$ 319,577
Insurance Premiums	\$ 17,000	\$ 15,024	\$ 1,976
Communication	\$ 2,400	\$ 1,176	\$ 1,224
Rental & Oper Leases	\$ 32,000	\$ 15,333	\$ 16,667
Prof. Devel. Expenses	\$ 600	\$ 926	\$ (326)
Travel & Meetings	\$ 1,100	\$ 468	\$ 632
Publication	\$ 1,200	\$ 1,110	\$ 90
Office Expenses	\$ 350	\$ 503	\$ (153)
Maint. & Repair-Equip	\$ 8,000	\$ 4,506	\$ 3,494
Oil and Gas	\$ 600	\$ 559	\$ 41
<b>Total</b>	<b>\$ 586,022</b>	<b>\$ 242,799</b>	<b>\$ 343,223</b>

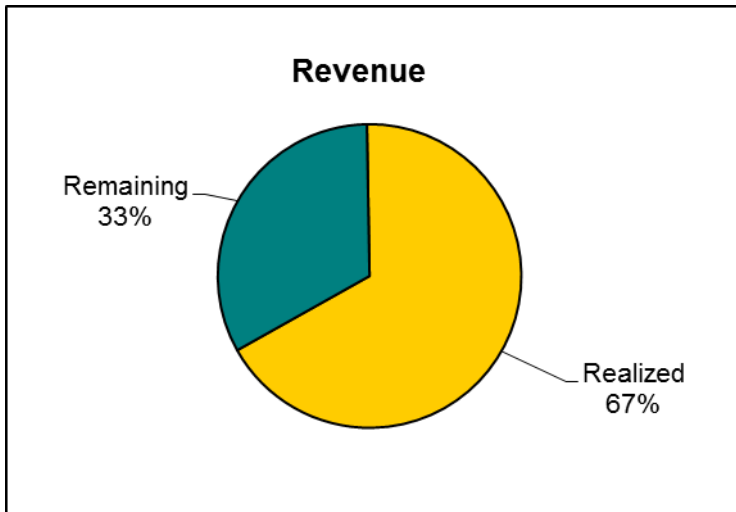
Revenue over Expenditure \$ 134,626  
Required use of fund balance \$ -

# Percent of Budget and Percent of FY2017-2018 as of January 31, 2018



### Expenditures vs. Adopted Budget

Expenditures	\$242,799
Adopted Budget	\$586,022



### Realized Revenue vs. Budgeted Revenue

Realized Revenue	\$377,426
Budgeted Revenue	\$562,097



# **RICHARDSON'S BAY REGIONAL AGENCY**

## **STAFF REPORT**

For the meeting of: February 8, 2018

**To:** RBRA Board  
**From:** Beth Pollard, Executive Director  
**Subject:** Resolution No. 03-18 adopting Guiding Principles for the Board of Directors in setting its future direction

### **STAFF RECOMMENDATION:**

Adopt Resolution No. 03-18 adopting Guiding Principles for the Board of Directors in making decisions about the future of the bay.

### **BACKGROUND:**

On November 9, 2017, the Board of Directors adopted a work plan for calendar year 2018. Contained in that work plan, and scheduled for January 2018, is adoption of Guiding Principles. The purpose of the principles is to publicly establish and acknowledge how the Board will make decisions about the future of the bay.

At the meeting of January 11, 2018, the draft principles were posted on the wall and the public was invited to offer comments and suggestions. In response, the Board gave staff direction to make revisions in consideration of comments received during and after the meeting, and present a final draft at the next meeting.

### **DISCUSSION:**

The draft principles spanned areas that included:

- 1) Relationships with stakeholders
- 2) Regard for specialized expertise and knowledge
- 3) Concern for impact on lives
- 4) Concern for environmental conditions
- 5) Communication between RBRA and the community
- 6) Opportunities for collaboration
- 7) Fiscal responsibility
- 8) Deliberate speed in achieving results
- 9) Implementation, enforcement, and maintenance
- 10) Meeting protocol

In response to public comment, two additional areas – water quality and regard for respect, health and safety – were added.

**RECOMMENDED NEXT STEPS:**

Adopt Guiding Principles to guide the Board through upcoming decisions about the future of the bay. These principles will be posted on the RBRA website.

Attachments:

1. Resolution No. 03-18 with draft Guiding Principles
2. Draft Guiding Principles listing public comments in **bold type**

# RICHARDSON'S BAY REGIONAL AGENCY

## **RESOLUTION NUMBER 03-18**

OF THE RICHARDSON'S BAY REGIONAL AGENCY

ADOPTING GUIDING PRINCIPLES FOR THE BOARD OF DIRECTORS  
IN MAKING DECISIONS ABOUT THE FUTURE OF THE BAY

WHEREAS, it is the intention and responsibility of the Board of Directors of the Richardson's Bay Regional Agency (Board) to make decisions affecting the future of Richardson's Bay; and

WHEREAS, the Board wishes to be clear and transparent in how it will approach making such decisions; and

WHEREAS, the 2018 Work Plan adopted by the Board on November 8, 2017 provided for the Board to adopt Guiding Principles to establish its approach to decision making; and

WHEREAS, members of the public have had the opportunity to comment on the draft Guiding Principles at the regularly scheduled meeting of January 11, 2018,

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Richardson's Bay Regional Agency hereby adopts the attached Guiding Principles to inform how it will approach making decisions about the future of Richardson's Bay.

PASSED AND ADOPTED by the Board of Directors of the Richardson's Bay Regional Agency on February 8, 2018.

CERTIFICATION:

\_\_\_\_\_

Marty Winter - Board Chair

\_\_\_\_\_

Beth Pollard – Exec Dir.



## Draft #3

### Richardson's Bay Regional Agency Board of Directors Guiding Principles

The Board of Directors of the Richardson's Bay Regional Agency is the local governing body that is responsible for determining policy direction for Richardson's Bay and overseeing its implementation. The Board recognizes that current plans, policies and ordinances for Richardson's Bay are not always consistent with all of the current activity taking place on Richardson's Bay. The Board is poised to develop actions to address and rectify incongruence. The purpose of adopting Guiding Principles is to establish how the Board will make decisions on its direction.

#### *1. Relationships with stakeholders:*

We will seek to understand the perspectives of stakeholder organizations and individual stakeholders before making policy decisions. Stakeholder organizations include, but are not limited to: Audubon California; Bay Development and Conservation Commission; Commercial herring fishers; Floating Homes Association; Marin Audubon Society; Marin County Health & Human Services; Marin County Sheriff; Richardson's Bay Special Anchorage Association; San Francisco Bay Commercial Herring Fishermen's Association; City of Sausalito; and Seatrek; Individual stakeholders include but are not limited to persons who own boats and/or live, work or engage in recreational activity on Richardson's Bay; marina/yacht club owners and their boat owners/occupants; owners of property on the bay; and (other) members of the communities of Belvedere, Mill Valley, Tiburon, and unincorporated County of Marin near Richardson's Bay.

#### *2. Regard for specialized experience and knowledge:*

Persons with first-hand experience and/or trained knowledge will help inform our deliberations in the areas of their expertise. Examples of persons with specialized knowledge and experience include those who currently or have:

- Engaged in recreational activity on the bay
- Experienced as a local mariner
- Fished in Richardson's/San Francisco Bay
- Lived on the water (vessels and houseboats)
- Provided, received or otherwise engaged in human/social services
- Studied and/or worked in environmental sciences
- Worked on or adjacent the water in public safety or other public or private services

#### *3. Concern for impact on individuals and communities:*

We acknowledge the maritime culture and anchorage history that have existed in and around Richardson's Bay. We recognize that decisions we make about the future direction of Richardson's Bay will impact the lives of people who live on the bay, have vessels on the bay, navigate vessels on the bay, live along the bay, whose livelihoods depend on the health of the

bay, whose interests are to maintain maritime culture; who work on the bay; and who live in other areas of our respective jurisdictions. We also recognize the impact of our actions on future residents and generations. We will bear in mind these impacts when we weigh our options and make our decisions, and we will look for ways we can minimize negative human impacts.

*4. Concern for environmental conditions:*

We recognize we are stewards of the environment of the bay and its ~~water quality and natural~~ resources, including rocky and sandy shorelines, wetlands, mudflats, eelgrass and open water habitats, for the benefit of recreation and wildlife. We understand the bay provides a wide range of aquatic and wildlife habitats for abundant and diverse populations of fish, birds & other wildlife, including nursery habitat for ecologically and commercially important species such as herring. We acknowledge that there are many manmade and other factors that affect the ecology of the bay that include anchored vessels, fishing, marinas, waste and waste water disposal/treatment, and other uses, conditions and activities on and along the bay. We will bear in mind the impacts of our decisions on the present and future ecology environment of the bay.

*5. Communication between RBRA and the community:*

We will be transparent with information as we work to make decisions, we will ask questions when we do not understand, and we will support means for conveying information between the Board and public who may or may not have access to a computer/the internet, that includes an improved website. ~~We will pay attention to notifying stakeholder communities about meetings and aim to create an environment where we can learn from multiple perspectives.~~

*6. Opportunities for collaboration*

We will look to other organizations to establish and/or share common goals. We will be open to ways that we can collaborate with other organizations in the direction and/or actions we undertake to achieve our goals.

*7. Fiscal responsibility*

We will be mindful of our fiscal responsibility to our constituents to use tax dollars prudently, carefully, wisely, and openly.

*8. Deliberate speed in achieving results.*

We will be mindful about taking actions in a timely manner, while respecting the need to have sufficient information on which to base our decisions. We recognize that the thirst for more information and time is ever present, and that as representatives of our agencies we have the responsibility to make the best decisions we can with the information that is available using a reasonable amount of staff time, Board time, and calendar time. We understand that seasons and weather have a bearing on the timing and impacts of our decisions.

*9. Implementation, Enforcement and Maintenance*

We acknowledge the existence of current regulatory policy, plans, ordinances and law. We recognize that wherewithal to implement, enforce and maintain will be required for our decisions on policies, plans, ordinances, and other actions. We will not adopt rules and regulations for which we will not establish credible and reliable means of operation, enforcement, and maintenance. We understand the need for our ordinances to accurately reflect our direction for our entire jurisdiction

*10. Regard for health, safety and respect*

We recognize and respect the inherent dignity, worth and rights of all inhabitants of the communities of Richardson's Bay. We will seek ways that our actions and collaborations can improve health, safety and respect for those on and around the bay.

*11. Water quality*

We recognize that the value of clean water spans all stakeholder groups and fiscal areas, and is integral to human health, economic productivity, recreation, and wildlife. We also understand and will take into consideration that multiple human and natural factors affect water quality, including populations on and surrounding the bay, tidal actions, and absence of fresh water inflow, the shape, depth and tidal flushing of the bay impacts pollution of the bay. We will bear in mind how our decisions affect water quality in the bay.

*12. Meeting protocol*

We will adhere to the Brown Act open meeting laws, and we will request the public's understanding that it constrains the Board members' ability to respond to comments and questions from the public during the public comment period. We encourage 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. We will expect persons in attendance to refrain from booing, whistling and clapping, to adhere to speaking time limits, and to silence cell phones.

## Draft with Public Comments Listed in Bold Type

### Richardson's Bay Regional Agency Board of Directors Guiding Principles

The Board of Directors of the Richardson's Bay Regional Agency is the local governing body that is responsible for determining policy direction for Richardson's Bay and overseeing its implementation. The Board recognizes that current plans, policies and ordinances for Richardson's Bay are not always consistent with all of the current activity taking place on Richardson's Bay. The Board is poised to develop actions to address and rectify incongruence. The purpose of adopting Guiding Principles is to establish how the Board will make decisions on its direction.

#### *1. Relationships with stakeholders:*

We will seek to understand the perspectives of stakeholder organizations and individual stakeholders before making policy decisions. Stakeholder organizations include, but are not limited to, the Audubon Society; Bay Development and Conservation Commission; Floating Homes Association; Marin County Sheriff; Richardson's Bay Special Anchorage Association; and the City of Sausalito. Individual stakeholders include but are not limited to persons who own boats and/or live on Richardson's Bay; Sausalito marina owners and their boat owners; owners of property on the bay; and (other) members of the communities of Belvedere, Mill Valley, Tiburon, and unincorporated County of Marin near Richardson's Bay.

- **Missing stakeholders: People who recreate on the bay; commercial herring fishermen**
- **Please enforce the law**
- **Re-invite Sausalito and commit to action**
- **ID Marin Audubon and Audubon CA separately**
- **Seatrek and kayakers**
- **Non-profits who provide services like Ritter House, St. Vincent DePaul**
- **Government agencies like Health & Human Services**
- **Boating/Yachting organizations**
- **Yacht Clubs such as those in Belvedere**

#### *2. Regard for specialized experience and knowledge:*

Persons with first-hand experience and/or trained knowledge will help inform our deliberations. For example, persons who have lived on the water have specialized knowledge about that experience. Persons who have studied and/or worked in environmental science have specialized knowledge about that field.

- **Please budget for an RBRA expert report re: compliance/environmental impact**
- **Include specialized experience of individuals who are familiar with nuances of social services and human aid.**



- **Please add “work on the water” due to increasingly dangerous conditions within growing anchorage.**
- **Commercial fishermen have specialized knowledge about that industry**
- **Special Area Plan**
- **Navigability of the bay**

*3. Concern for impact on lives:*

We recognize that decisions we make about the future direction of Richardson’s Bay will impact the lives of people who live on the bay, have vessels on the bay, live along the bay, and who live in other areas of our respective jurisdictions. We will bear in mind these impacts when we weigh our options and make our decisions, and we will look for ways we can minimize negative human impacts.

- **As a small boat sailor, navigating the anchored boats is difficult and dangerous.**
- **Insert “and whose livelihoods depend on the health of the bay” after “...of our respective jurisdictions.”**
- **Consider future generations/think about our grandchildren**
- **Include language about historical anchorage.**

*4. Concern for environmental conditions:*

We recognize we are stewards of the environment of the bay and its water quality and natural resources, including rocky and sandy shorelines, wetlands, mudflats, eelgrass and open water habitats, for the benefit of recreation and wildlife. We will bear in mind the impacts of our decisions on the environment of the bay.

- **The environmental concerns should be paramount**
- **Recognize honestly that vast majority of environmental pollution comes from marinas and shore – do not continue scapegoating anchorouts. Lowest carbon footprint community in Marin.**
- **Add: We understand RB provides a wide range of aquatic and wildlife habitats for abundant and diverse populations of fish & wildlife, including nursery habitat for ecologically and commercially important species (e.g. herring).**

*5. Communication between RBRA and the community:*

We will be transparent with information as we work to make decisions, we will ask questions when we do not understand, and we will support means for conveying information between the public and the Board that includes an improved website.

- **Coordinate clean-up and enforcement actions with the anchorage community for efficiency. Common Goals.**
- **Add:...includes an improved website as well as means of communication that do not require access to a computer/the internet.**

- **Endeavor to alert each community's citizens about meetings, and solicit their input into the process.**

*6. Opportunities for collaboration*

We will be open to ways that we can collaborate with other organizations to achieve our goals.

*7. Fiscal responsibility*

We will be mindful of our fiscal responsibility to our constituents to use tax dollars prudently, carefully and wisely.

**Be transparent about fiscal matters**

*8. Deliberate speed in achieving results.*

We will be mindful about taking actions in a timely manner, while respecting the need to having sufficient information on which to base our decisions. We recognize that the thirst for more information and time is ever present, and that as representatives of our agencies we have the responsibility to make the best decisions we can with the information that is available using a reasonable amount of staff time, Board time, and calendar time.

**Note that some actions are best suited for certain season's weather. Plan accordingly.**

*9. Implementation, Enforcement and Maintenance*

We recognize that wherewithal to implement, enforce and maintain will be required for our decisions on policies, plans, ordinances, and other actions. We will not adopt rules and regulations for which we will not establish credible and reliable means of operation, enforcement, and maintenance.

- **Valuable to do a systems view of ordinance compliance including marinas, and review and update accordingly to reflect evolving conditions.**
- **Existing laws should be enforced wherever possible.**
- **The law should be enforced. The non-conforming boats should be removed.**
- **Recognize existence of current regulatory policy, plans, ordinances, and law (e.g. Richardson's Bay Special Area Plan, McAteer-Petris Act, and Public Trust.)**

*10. Meeting protocol*

We will adhere to the Brown Act open meeting laws, and we will request the public's understanding that it constrains the Board members' ability to respond to comments from the public. We encourage 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. We will expect persons in

attendance to refrain from booing, whistling and clapping, to adhere to speaking time limits, and to silence cell phones.

**Alter “to comments” add “and questions” after “from the public” add “during the public comment period.”**

### **Other Comments**

- **Add: “Concern for water quality” as a separate principle. “We recognize that the value of clean water in RB spans all stakeholder groups and fiscal areas, and is integral to human health, economic productivity, recreation, and wildlife. We also understand that because of its shape, depth and tidal flushing, the bay is particularly susceptible to the impacts of pollution. We will bear in mind the likely affect of our decisions on water quality in the bay.”**
  
- **Crimes are committed against people who are navigating the waters**
- **Lots of different things need to be removed**
- **Cameras are only used for law enforcement**
- **How do humans and animals really want to use the bay**
- **Preserve anchorage for future generations**
- **Keep in mind the dignity and rights of individuals, and their health and safety**



# **RICHARDSON'S BAY REGIONAL AGENCY**

## **STAFF REPORT**

For the meeting of: February 8, 2018

**To:** RBRA Board  
**From:** Beth Pollard, Executive Director  
**Subject:** Draft outline of options, opportunities and challenges for future direction of Richardson's Bay

### **STAFF RECOMMENDATION:**

1. Review draft outline of options and associated opportunities and challenges, and provide staff with initial comments on missing options, opportunities and challenges, and request additional information needed for the Board to provide at least initial direction on option(s) to pursue at its April meeting.
2. Design the Board meeting of March 8, 2018 as a work session that engages the public in providing information about options, and their opportunities and challenges.

### **BACKGROUND:**

On November 9, 2017, the Board of Directors adopted a work plan for calendar year 2018. Contained in that work plan is identification of draft options, and associated draft opportunities and draft challenges, for initial review by the Board at its meeting of February 8, 2018. Board action on direction to staff on option(s) to pursue is scheduled for the April Board meeting. In between the two meetings is engagement with the community about their comments on the draft outline, including a work session for Board members and public during the regularly scheduled Board meeting time on March 8, 2018.

### **DISCUSSION:**

The draft options span these general concepts:

Enforce: Options can range from focus on removal of unoccupied marine debris, and unattended moorings and floats; additional enforcement of vessel registration requirements; to making stays beyond a limited duration an exception.

Modify: This option can contain a range of approaches; it generally involves establishing boundaries and conditions that involve type of ground tackle (anchors or moorings); type of vessels and regulations tailored accordingly; number of vessels overall or per person; length of stay; location in the bay; and other requirements for the vessels, their condition, and any other related requirements.

Eliminate: There could be an option to eliminate even temporary anchoring or mooring; however the federal government would be involved in such a change because of the federal anchorage area designation.

### **Next Steps:**

1. Between the February and April Board meetings, staff will reach out to stakeholders and invite other interested community members to provide additional information to:

1. Identify any additional options not covered.
2. Identify any additional opportunities and challenges not covered.
3. Expand on the opportunities and challenges with additional information, as well as suggestions and concerns.

2. There will be various means for the public to communicate information, suggestions and concerns, such as website/email, letters/postcards, small group settings, and community engagement in a work session during the regular Board meeting date/time of March 8, 2018, 5:30 pm to 7:30 pm at the regular meeting location: Tiburon Town Hall, 1505 Tiburon Boulevard, Tiburon.

### Attach:

Draft outline

## DRAFT OUTLINE

### General Options And their Opportunities and Challenges For the future direction of Richardson's Bay

**Enforce: Remove unoccupied marine debris, unattended moorings and floats, enforce vessel registration; enforce/remove unoccupied vessels; enforce time restrictions.**

Opportunity to:

Reduce volume of safety and environmental hazards and debris

Reduce number of vessels

Eventually reduce enforcement-related resources after direction has been underway for a period of time and compliance becomes more the norm than the exception

Challenges:

Potential for continued influx of new vessels of varying conditions

Culture and social change from historical experiences, now and into the future, for individuals and community

Identification and acceptance of alternative living/storage arrangements for persons on the bay

Financial implications of alternative living/storage arrangements

Attracting support from human/social services, other organizations, and communities to assist persons in making the financial and social transition from extended stay on a vessel in an anchorage

Obtaining local and state resources required to implement direction

Management, legal, fiscal, field, and enforcement resources needed to bring about compliance

**Modify:**

**Modify/establish conditions and requirements for vessels, such as:**

- **Type of ground tackle used to secure vessels (i.e. anchors or moorings)**
- **Where vessels may and may not be anchored or moored**
- **The duration that vessels may be anchored or moored**
- **Number of vessels that can be anchored or moored (per person and/or overall)**
- **Rules for varying types of vessels (e.g. recreational, commercial, storage, liveaboard, cruisers)**
- **And/or other requirements for vessels to be in/stay in the anchorage area (for example: sewage disposal; seaworthiness; current registration)**

Opportunity to:

- Minimize risks of unsecure vessels with more secure ground tackle such as moorings
- Reduce risks to eelgrass growth through use of moorings that remain in place rather than anchors that can drift and drag
- Maintain or reduce number of vessels and/or control influx of additional vessels
- Engage stakeholders and persons with specialized experience and/or knowledge in crafting conditions and requirements, and supporting compliance
- Seek the attention and resources of human/social services (non-profit, government, faith community, etc.) to offer avenues of assistance to persons with needs who are living in the anchorage
- Use attrition as a means of managing the number of vessels that may anchor/moor
- Reduce impacts/concerns about impacts on environment, water quality, safety, and community services
- Have efficient and effective management when boundaries are set and enforced
- Set separate areas for vessels depending on duration of stay
- Roll out conditions and requirements incrementally or collectively

Challenges:

- If anchors continue in use, continued concerns about affects on eelgrass growth, and vessels breaking loose and creating safety hazards for persons and property
- Resources needed to transition from anchors to moorings
- Resources needed to monitor and enforce compliance
- Access to goods and services – private or public - for persons on vessels
- Finding resources (financial, organizational, etc.) to assist persons with needs who live/are living on the anchorage
- Developing conditions and requirements under which vessels are on the bay, given the wide range of stakeholder perspectives
- Feelings by and for persons who are accustomed to and/or prefer current arrangements
- How modifications match or conflict with BCDC and RBRA adopted Special Area Plan and RBRA ordinances
- Management, legal, fiscal, field, and enforcement resources needed to develop and implement conditions and requirements, bring about compliance, and support continued enforcement
- Culture change for the future from current and historical experiences



**Eliminate any anchorage of any kind (Not feasible?)**

Opportunity to:

Over time, move to minimal resources needed for management

Challenges:

Bay contains area currently classified as a federal anchorage area

Impacts on visiting vessels

Significant culture change

DRAFT