

# **RICHARDSON'S BAY REGIONAL AGENCY**

**Thursday, March 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. Information item: Community Outreach Subcommittee Report (10 Minutes) and Presentation regarding Community Efforts (10 Minutes)
2. Information requested by the Board on goals and objectives, and agencies with authority and resources related to Richardson's Bay. Staff recommendation: Provide direction on revision to draft goals, objectives, measurements of success, and any more information desired about jurisdictional authority and resources applicable to Richardson's Bay, for the Board meeting of April 5, 2018.
3. Workshop session on draft options and their opportunities and challenges for the future direction of Richardson's Bay. Staff recommendation: Conduct facilitated small group discussions related to options, opportunities and challenges, in preparation for Board action on April 5, 2018.
4. 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.
5. Staff comments.
6. Board member matters.

**NEXT MEETING: April 5, 2018. (Note: This is the first Thursday of April)**

**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)**

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# **RICHARDSON'S BAY REGIONAL AGENCY**

## **STAFF REPORT**

For the meeting of: March 8, 2018

**To:** RBRA Board of Directors  
**From:** Beth Pollard, Executive Director  
**Subject:** Information requested by the Board on goals and objectives, and agencies with authority and resources related to Richardson's Bay

### **STAFF RECOMMENDATION:**

Provide direction on revisions to draft goals, objectives, measurements of success, and outline of authorities to help inform the Board in determining its initial direction for the future of the bay at its meeting of April 5, 2018.

### **BACKGROUND:**

At its meeting of February 8, 2018, Board members asked staff to help the Board identify a policy goal for its work in setting a direction, and means for determining success in achieving its goal. Board members also asked staff to advise the authority and resources for managing the bay.

Board Members also noted that applicable information to the current discussion can be found by viewing the video, presentation materials, and notes from the RBRA community workshop of March 14, 2015. The background materials, presentation slides, small-group discussion notes and info on accessing the video are listed under "Attachments" at the end of this staff report. The information from this prior workshop is a useful foundation for the discussions now taking place.

### **DRAFT GOALS, OBJECTIVES, AND MEASUREMENTS OF SUCCESS:**

Staff offers the following as draft policy goals, management objectives, and measurements of success:

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

#### Draft management objectives:

1. 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.

2. RBRA's work plans are fiscally sustainable.

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 and social services programs.
- 5) RBRA budgets match expectations for annual work plans, and expenditures do not exceed revenues.

**AGENCIES WITH JURISDICTION APPLICABLE TO RICHARDSON'S BAY:**

Board Members requested guidance on its authority and that of other agencies as it applies to Richardson's Bay, and an understanding of their resources related to RBRA interests.

A key guideline to recognize is the overlapping nature of authority relating to Richardson's Bay. In one manner of speaking, it is more layered than strictly hierarchical. Federal, state, regional and local agencies have jurisdiction for various aspects of Richardson's Bay. The primary source of funding for implementation of RBRA direction is its member agencies, with some additional support from the County of Marin through the Sheriff's Office, and the State of California through its Division of Boating & Waterways grants for marine debris and abandoned vessel abatement.

Coast Guard: The United States Code of Federal Regulations (aka "CFR"), Title 33 "*Navigation and Navigable Waters*" contains provisions applicable to certain waterways in the United States. An area of Title 33 pertinent to Richardson's Bay is Section 109.10 – *Special Anchorage Areas*, which reads:

*"An act of Congress of April 22, 1940, provides for the designation of special anchorage areas wherein vessels not more than sixty-five feet in length, when at anchor, will not be required to carry or exhibit anchorage lights. The authority to designate special anchorage areas was transferred to and vested in the Secretary of Homeland Security by section 902(j) of the Coast Guard and Maritime Transportation Act of 2006 ([Pub. L. 109-241](#), [120 Stat 516](#)), and delegated to the Commandant of the U.S. Coast Guard in Department of Homeland Security Delegation No. 0170.1. The Commandant redelegated the authority to establish anchorage grounds to each Coast Guard District Commander as provided in [33 CFR 1.05-1\(e\)\(1\)\(i\)](#). "*

An underlying premise of the special federal anchorage is maritime and commercial interests and the need for safe navigation. There are close to 100 special federal anchorages designated in Section 110 of Title 33 of the US Code. Richardson's Bay is so designated in Section 110.126a, as follows

§ 110.126a San Francisco Bay, Calif.

*Richardson Bay Anchorage. That portion of Richardson Bay, north of a line bearing 257° from Peninsula Point to the shore at Sausalito, except for federally-maintained channels, and all channels approved for private use therein.*

*Note: Mariners anchoring in the special anchorage area should consult applicable ordinances of the Richardson Bay Regional Agency and the County of Marin. These ordinances establish requirements on matters including the anchoring of vessels, placement of moorings, and use of anchored and moored vessels within the special anchorage area. Information on these local agency requirements may be obtained from the Richardson Bay Harbor Administrator. [CGFR 69-109, 34 FR 17771, Nov. 4, 1969, as amended by CGD 78-126, 45 FR 10760, Feb. 19, 1980; CGD11-99-009, 65 FR 20086, Apr. 14, 2000]*

The majority of boats anchored in Richardson's Bay are in the special federal anchorage area. The Coast Guard's presence in Richardson's Bay tends to be modest, with activity in some matters of life safety and hazardous discharge.

U.S. Army Corp of Engineers: The Corps also has federal authority relative to Richardson's Bay; a primary interest and activity that intersects with RBRA's jurisdiction is open, clear and accessible passageway in and through designated channels of Richardson's Bay.

Bay Conservation & Development Commission (BCDC) and San Francisco Bay Plan: This agency was initially established in 1965 by the State Legislature under the McAteer-Petris Act to "prepare a comprehensive and enforceable plan for the conservation of San Francisco Bay and the development of its shoreline." The San Francisco Bay Area Plan was developed, which was followed by action by the State Legislature and Governor to incorporate this plan into state law. BCDC considers Richardson's Bay as part of San Francisco Bay.

Special Area Plan: The Special Area Plan was crafted through a dedicated community process based in Southern Marin in the 1980's, and was the springboard for the creation of the Richardson's Bay Regional Agency. It contains findings and policies applicable to Richardson's Bay pertaining to aquatic and wildlife resources; water quality; navigation channels marinas, anchorages, and moorages; dredging and spoils disposal; residential vessels and floating structure; public access, views and vistas; tidal restoration and marsh enhancement. It also contains recommendations for carrying out the plan. The Special Area Plan was adopted by BCDC as well as the agencies of the RBRA. If the RBRA Board wished to make changes to the plan, a process would have to be developed that was appropriate for the proposed changes and the concerns of other agencies and community. This would require a BCDC process and approval for changes, in addition to RBRA action.

State Lands Commission: The State Lands Commission has jurisdiction over all ungranted tide and submerged lands in Richardson Bay and manages those lands consistent with the public trust. On granted lands, the State Lands Commission is responsible for reviewing the trustee's administration of its grant.

State of California Division of Boating & Waterways: A division of the State Parks Department, Boating & Waterways authorizes and administers the grants RBRA receives to abate marine debris and abandoned non-commercial vessels.. The Division has a statewide interest in the regulations that boaters will encounter in waterways in California. RBRA ordinances are reviewed by Boating & Waterways staff.

California Department of Fish & Wildlife/Fish & Game Commission: This agency is responsible for protecting fish and wildlife resources and habitat in the state. With respect to Richardson's Bay, it advises BCDC on the fish and wildlife aspects of proposed projects. It regulates fishing, and is the State's lead for response to oil spills into marine waters through its Office of Spill Prevention and Response.

State of California San Francisco Regional Water Quality Control Board: This agency has regulatory authority concerning activities that adversely impact water quality of the bay. They were involved in the prohibitions in Richardson's Bay on discharging waste into the bay.

Marin County Sheriff: Among other responsibilities, the Marin County Sheriff's Office is responsible for law enforcement in unincorporated County jurisdiction – which includes the majority of the area where vessels are located in Richardson's Bay. Its enforcement encompasses state and local laws, including ordinances adopted by the RBRA – which are also enforced by the RBRA's Harbor Administrator.. Given the involvement of the Sheriff in enforcing RBRA ordinances, the RBRA should consult with the Sheriff's office on possible ordinance changes The elected Sheriff has responsibility for the department, and its budget is adopted by the Marin County Board of Supervisors.

Richardson's Bay Regional Agency and its member agencies (currently County of Marin, City of Belvedere, City of Mill Valley, and Town of Tiburon): The member agencies of the RBRA joined together for purposes, in part, of having common local plans, policies, and regulations for the bay. RBRA's jurisdiction and authority is described in the Joint Powers Agreement that established its formation, which was approved by the legislative bodies of all the member agencies. The RBRA Board of Directors has adopted Ordinances that regulate activity, including anchoring and mooring, on Richardson's Bay: Ordinance 87-1, 91-1, 91-2, and 91-3. New ordinances and amendments to ordinances are made similarly to those made its member agencies – including any requirements that may apply for environmental review, as well as first and second readings, noticing, and Brown Act rules. Other

than Division of Boating & Waterways grants for abatement efforts, RBRA's revenue source is its member agencies - on a proportional basis.

City of Sausalito: In 2017, the City of Sausalito adopted ordinances to update its rules and regulations for its jurisdictional waters, in light of its departure from RBRA. It has responsibility for enforcing those ordinances within its jurisdiction, subject to the considerations of other agencies with overlapping authorities – which does not include RBRA.

## **NEXT STEPS**

RBRA staff is requesting that the Board indicate any additional information it wishes to receive for its meeting of April 5, 2018, when it is scheduled to provide at least initial direction regarding the future of the bay.

### Attachment

1. Diagram of Richardson Bay Public Agencies
2. Materials from RBRA's March 14, 2015 Anchorage Workshop:
  - a. Anchorage Workshop handout
  - b. Presentation materials – See [rbra.ca.gov/public meetings/meetings archive/RBRA Anchorage Workshop March 2015/Richardson Bay Community Workshop](http://rbra.ca.gov/public-meetings/meetings-archives/RBRA-Anchorage-Workshop-March-2015/Richardson-Bay-Community-Workshop)
  - c. Breakout group transcript notes
  - d. YouTube video: <https://www.youtube.com/watch?v=QlnXar8rV3k>

All of the information from the March 2-15 workshop can be found on the RBRA's website at [rbra.ca.gov](http://rbra.ca.gov), under public meetings/meeting archives/RBRA Anchorage Workshop March 2015.

## Richardson's Bay Primary Public Agencies



# MEETING AGENDA

1. **Introduction** (10 min.)  
Herb Weiner / Sausalito City Council, RBRA Subcommittee  
Kate Sears / Marin County Supervisor, RBRA Board Chair  
John Gibbs / WRT, Facilitation Consultant
2. **Background** (30-45 min.)  
Overview  
Ecology  
Health & Safety  
Fiscal / Operational
3. **Goals** (10 min.)  
Creating a Sustainable Operation
4. **Next Steps** (5 min.)
5. **Break** (10 min.)  
Move to main hall
6. **Break Out Groups** (40 min.)
7. **Discussion** (50 min.)

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## BACKGROUND

- + Richardson's Bay has been home to anchored boats for more than a century. As other anchorages around San Francisco Bay have closed, Richardson's Bay has seen an increasing number of vessels. The RBRA completed a survey in 2008 and counted 98 vessels; the 2014 survey counted 205. A total of 484 vessels were abated during the intervening six years. The impacts to human health and safety, to the environment, and to the budgets of the organizations and communities that are affected by this influx are significant and growing with each passing year.
- + We cannot find solutions without first acknowledging that there are issues. The RBRA Board and the Anchorage Management subcommittee, with a great deal of public input, list the following:
  - **Environmental:** fishing/spawning, eel grass "crop circles," habitat, trash, hazardous materials, sinking vessels, sewage, water contamination (oil, diesel, etc.)
  - **Human / Social:** life/injury risk, long-term community fabric, range of users, at-risk population, social programs, services and amenities
  - **Navigational Hazards:** sunken/drifted vessels, debris from vessels
  - **Property Damage:** poorly anchored boats cause damage to other boats, docks, marinas, land-based property, marshes
  - **RBRA Operations & Finance:** RBRA costs and costs to RBRA members and the State, disposal, rescue and recovery, sanitation
  - **Public Safety & Law Enforcement:** vessel registration program, marine patrol, safety and seaworthiness, illegal activities
  - **Regulatory:** RBRA, BCDC, State Lands Commission, regulations and statutes, RBRA Special Area Plan, other Local, State, and Federal, jurisdictional interplay
  - **Facilities / Amenities:** access to/from shore, public dock access, scarcity of moorings, marina/bay pump-outs, lack of shore-side facilities, visual/view corridor, business impacts, recreational boating

Saturday March 14, 2015

9:00 am-12:30 pm

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## Richardson's Bay Anchorage Management

# BREAK OUT GROUP EXERCISE

- + Look for the number on your handout and proceed to that table.
  - + Introduce yourself and where you are from.
  - + Identify your top 2-3 project issues (e.g. environmental, human/social, navigational hazards, property damage, RBRA operations & finance, public safety & enforcement, regulatory, facilities/amenities, etc).
  - + Discuss these issues and brainstorm recommendations.
  - + Facilitator will help take notes and summarize
- 

## COMMENTS

- + Please leave any additional comments in the space provided below. Send additional comments to Ben Berto, Principal Planner with Marin County, at [BBerto@marincounty.org](mailto:BBerto@marincounty.org).

**Saturday March 14, 2015**

9:00 am-12:30 pm

**Richardson's Bay Anchorage Management**

# **Richardson Bay Anchorage Management**

## *Community Meeting Notes Breakout Group Transcript*

**March 14, 2015**

Transcription of original notepads used during breakout group discussions to record group and table comments.

## TABLE 1

### *Environmental*

- Issues
  - Eel grass – avoid beds, however they move
  - Permanent Structures in Deeper Water
  - Case studies – more recent surveys
  - Be strategic about anchors
  - Approach anchoring out differently – New case study coming out 2015 - Laminate info to community
  - Communicate info – Library, Coffee shops, Notices at Turney Dock
  - Sewage
- Strategies/Goals
  - Water Quality Testing
    - Testing more frequently
    - Test water outfalls – storm drains
  - Like to see better awareness
  - How is sewage taken care of? How do we address?
    - Containment vessel
    - Grant funded pump-out
  - Permanent Moorings
    - Limited # multiple berths on each

### *Regulatory/Public Safety*

- Strategies/Goals
  - Enforce regulations ---> Increase funding
  - Increase public facilities
  - Charging per month for anchorage
  - Raising awareness of Dave's Dining (hours though 9 – 5) and dragging anchor
  - Boats coming ashore; important because of storms; better regulation coordination. Case study: Santa Barbara
  - All boats registered

### *Facilities/Amenities*

- Strategies/Goals
  - City/County facilities -→ increase
  - Permanent mooring balls

### *Overarching*

- Strategies/Goals
  - Agreement (memorandum of agreement) City of Sausalito (?)

### *Issue Ranking*

- Environmental – III
- Human / Social – II

- Navigational Hazards
  - Property Damage
  - RBA Operations + Finance
  - Public Safety + Enforcement – III
  - Regulatory – III
  - Facilities/ Amenities
- 

## TABLE 2

### *Issue Ranking*

- |                                   |      |
|-----------------------------------|------|
| • Environmental                   | IIII |
| • Human Health & Safety           | II   |
| • Public Safety & Law Enforcement | II   |
| • Navigational Hazards            | II   |
| • Property Damage                 | I    |
| • RBRA Operations & Finance       | I    |
| • Regulatory                      | I    |
| • Facilities / Amenities          | II   |
| • Culture (Celebrate)             | I    |
| • Limited resource                |      |
| • Creation                        |      |
| • Regulatory concerns             |      |

### *Human Health & Safety / Community*

- Issues
  - Internal community
  - Network
  - Piracy
  - Self-regulation Vs. - Outside regulation
  - Dependent on Shore side facilities – some regulation needed
  - Huge change in culture since original population
  - Mixed group of users
  - Price driving population
  - Mistrust between populations
    - Discrimination
    - With law
    - No assist
  - People who are boaters, vs. people who live on boats
  - Anchoring services needed

### *Environmental*

- Issues
  - Pollution from multiple sources

- Strategies/Goals
  - Nature & human nature preserve
  - Create a preserve (ecologically)
  - Low carbon footprint

***Public Safety/Law Enforcement; Navigational Hazards; Property Damage***

- Issues
  - Abandoned boats
  - Issues of property damage

***Facilities/Amenities***

- Strategies/Goals
  - More facilities needed: moorings and onshore facilities
  - Mooring & ground mooring stations
  - Federal Anchorage – creates a unique scenario

***Regulation/(Self-Regulation)***

- Strategies/Goals
  - To provide safety for water community and surrounding community
  - To know who is there/who's out
  - Better information

**TABLE 4**

***Issue Ranking***

- |                                   |      |
|-----------------------------------|------|
| • Environmental                   | III  |
| • Human Health + Safety           | IIII |
| • Public Safety + law Enforcement | II   |
| • Navigational hazards            | 0    |
| • Property damage                 | I    |
| • RBRA Operations & finance       | 0    |
| • Regulatory                      | I    |
| • Facilities / Amenities          | I    |

***Regulatory/Public Safety***

- Issues
  - Inter-Agency coop
  - Citizen advisory groups
- Strategies/Goals
  - Annual Mooring inspection
  - Sub-committees
  - Inter-Agency Committee

***Facilities/Amenities***

- Issues

- Moorings against the Law
- Strategies/Goals
  - Mooring field

### ***Environmental***

- Issues
  - Garbage
- Strategies/Goals
  - Garbage disposal

### ***Human Health & Safety / Community***

- Strategies/Goals
  - Safe Anchorage for boats currently in R. bay
  - Pilot Program – On-Shore Housing

## **TABLE 6**

### ***Issue Ranking***

- |                                   |      |
|-----------------------------------|------|
| • Environmental welcoming         | IIII |
| • Human Health & Safety           | II   |
| • Public Safety & Law Enforcement | II   |
| • Navigational Hazards            | IIII |
| • Property damage                 | IIII |
| • RBRA Operations & Finance       | 0    |
| • Regulatory                      | I    |
| • Facilities / Amenities          | III  |

### ***Environmental***

- Issues
  - Clean water
  - Garbage
  - Wildlife
  - Sampan (Hong Kong)
  - Plastic bags – regulatory – enforcement, leakages/ gas/ diesel slick, dumpster rental
- Strategies/Goals
  - Garbage – pump out, enforcement – Clean up Boats

### ***Facilities/Amenities***

- Issues
  - Moorings against the Law
- Strategies/Goals
  - Dingy docking facilities (temporary)
  - Secure clean water (Human Health and Safety)
  - Mooring Field / some public substations / cables

- Showers
- Trash disposal ease
- Getting water
- Local organizations to help financially
- Dingy Docks (temporary)
- Enforcement

### ***Regulatory***

- Issues
  - Illegally moored boats
- Strategies/Goals
  - Re-Anchor every 15 days
  - Taking personal responsibility
  - Anchorage and chain
  - Live aboard rights
  - Equal access

### ***Navigational Hazards***

- Issues
  - Sunken boats
  - Anchor chains
  - Junk boats / no lighting
- Strategies/Goals
  - Enforcement
    - i. 1 person / 3 boats unoccupied
    - ii. Owner occupied – boats must be sea-worthy

### ***Property Damage***

- Issues
  - If a boat is dragging, Vulnerable w/o power
- Strategies/Goals
  - Mooring fields
  - Better Facilities & Amenities
  - Appropriate ground tackle
  - Anchor/ chains / skills

## TABLE 8

### *Issue Ranking*

▪ Environmental	###	II
▪ HH & S	II	
▪ Facilities	III	
▪ Nav Haz	I	
▪ Prop Dam	I	
▪ Pub Safety	III	
▪ Regulatory (public trust)	II	
▪ Maritime History	I	
▪ Threat to Sailors' way of life (Open water anchoring)	I	

### *Environmental*

- Issues
  - Decline in herring pop → dim. Crop areas
  - Debris Fields
  - Agricultural runoff (from storms)
  - Storm pollution / Runoff from lawns
  - Trash
- Strategies/Goals
  - Mooring field to protect Eelgrass
  - Spill prevention
  - Public awareness (education)

### *Health and Human Safety*

- Issues
  - Abuse of \_\_\_\_\_???
  - Personal responsibility
  - Equality???
  - Should not be **the** topic
  - Self-reliance
- Strategies/Goals
  - Public showers, bathrooms, facilities
  - More shoreline access
  - Empathy towards others
  - Awareness/education

### *Public Safety / Law Enforcement / (Awareness)*

- Issues
  - Sunken Debris
  - Dock maintenance – who?
  - Use of boats for storage
- Strategies/Goals
  - Anchor Lights
  - Enforce registration

- Anchor – out management
- 

## TABLE 9

### *Health and Human Safety*

- Issues
  - Reducing pop/removing people
  - Financial issue
  - Human issue, homeless
  - Culture of anchor-out, Sausalito heritage lifestyle
  - Who gets to be out there + why?
    - Concern re: homeless
    - Keep R. Bay as great sailing spot
    - Diverse housing types, heritage, but safely, secure moorings
  - How much anchorage for lifestyle boats? Vs. day sailing – both needed
- Strategies/Goals
  - Everyone take responsibility for self
  - Government should not enable homeless to live on boats (Regulatory)

### *Environmental*

- Issues
  - Environment- be aware of impact on birds and Eelgrass

### *Regulatory*

- Issues
  - Illegally moored boats
  - **CA Law** for license to operate vessel
  - Need clear management between agencies, who is in charge?
  - Depending on individual is not working – public fed up
- Strategies/Goals
  - Need proper management systems
  - Government installed moorings, regulated, management systems
  - Should be managed anchorage with set #
  - Government should not be responsible for mooring, mariners should be
  - Boaters need to be responsible for themselves + boats
  - Legal – access to shore in CA should be equal
  - **RBRA** should make sure boaters responsible
  - Should be permanent opp. To live on water – culture
  - Government should control moorings / #s
    - Short term (private)
    - Long term (public)
  - “Anchorage Czar?” Overseer
  - Need for clear enforcement power
  - Need enforcement

### ***Public Safety/Law Enforcement***

- Issues
  - Boat theft
  - How many people will need help to cooperate?
  - Trust / theft not huge issue

### ***Navigational Hazards***

- Issues
  - Lack of maritime skill
  - Inappropriate use of Rich Bay Boats w/stuff
  - Many boats unoccupied!!!/ Storage of debris
- Strategies/Goals
  - Deal w/debris that accumulates on boats
  - Boaters should have anchoring boating skills

### ***Facilities/Amenities***

- Issues
  - Lack of shore facilities – water, trash, PG&E
  - Use of shore resources
  - Sewerage – need holding tank
- Strategies/Goals
  - Should be numbered in mooring field
  - Safe mooring essential
    - Liability for government but overall better, mooring cost well spent (Regulatory)
    - Licensing is essential (Regulatory)
    - Moorings should be inspected (Regulatory)
    - Reduce environmental damage of anchorage (Environmental)

### ***RBRA Operations and Finance***

- Issues
  - Purpose to reduce operating cost – mooring would increase cost
  - Liability a concern
  - Property values
  - Bill Price listed in City Hall + Police Department – why?
- Strategies/Goals
  - Deal w/debris that accumulates on boats
  - **RBRA** should oversee but lack of authority / enforcement power

### ***Issue Ranking***

- 1) Human/ cultural heritage, lifestyle
  - 2) Proper management enforcement – safety crime accountability
  - 3) Reduce environment impact debris, anchorage, sewage
  - 4) Need shore facilities
-

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## TABLE 3

### ***RBRA Operations and Finance***

- Strategies/Goals
  - Education – outreach water front meeting
  - Registration – violations – standards

### ***Environmental***

- Issues
  - Environment- be aware of impact on birds and Eelgrass
  - Ground tackle - SCOPE
- Strategies/Goals
  - Pump out boat – more frequent?
  - Protect Eelgrass – prove it
  - Recycling/reuse

### ***Health and Human Safety***

- Strategies/Goals
  - low income housing - regional
  - warning services
  - Anchorage representation – non profit
  - Booth at festival
  - Liaison – needs supported communication

### ***Regulatory***

- Issues
  - Illegally moored boats
- Strategies/Goals
  - Fed – Special Anchorage District
  - State services – MODEL ANOTHER COMMUNITY

### ***Facilities/Amenities***

- Strategies/Goals
    - Friendly and not intimidating facilities
- 

## TABLE 5

### ***Issue Ranking***

Garbage Boat II

Regulatory – divers I

Human Health - showers, safety + sanitation, Food availability – Garden III

Docking – Availability, Environmental I

Mooring – Subsidized? Aesthetic, optional, Security challenge III  
Service Vessel I

### ***Environmental***

- Issues
  - Who to call for spill? Fish and Wildlife
  - Crop circles, eel grass, herring and fish population

### ***Facilities/Amenities***

- Issues
  - Shortage of live aboard marina
- Strategies/Goals
  - Paid showers
  - Volunteer maintenance
  - Insurance
  - Services bulletin board / yahoo group
  - Maps of facilities

### ***Health and Human Safety***

- Issues
  - Civil rights
  - Population density, land and sea, limited space
- Strategies/Goals
  - Work with skills in anchorage; talented
  - Work with non-profit or jurisdiction
  - Like to live on water
  - Communication
  - Work services
  - Community with community watch
  - Donation inspections
  - Information – Census – Anthropology

### ***Regulatory***

- Strategies/Goals
  - Different anchoring, bow and stern regulation, information

## **TABLE 7**

### ***Environmental***

- Issues
  - RBRA's demolition
    - Spillagell, non-deployment of boom
    - Non response to complaints, marina boat owners

- Crop circles, eel grass, herring and fish population
- Improve habitat even with more boats

### ***Facilities/Amenities***

- Issues
  - Burden on city dock and existing harbors
- Strategies/Goals
  - Access to shore, bathrooms, garbage, galley, harbor
  - City needs to support financially
  - Boater responsibility
  - Improved mooring
  - Expand locations and \$\$
  - Sustainability = mooring balls

### ***Regulatory***

- Strategies/Goals
  - Should be insured
  - Insure boats

### ***Health and Human Safety***

- Strategies/Goals
  - Respect all people on anchorage, harbors, police, land owners

## **TABLE 10**

### ***Health and Human Safety***

- Issues
  - Steady influx of new, unregistered and “very aggressive” tenants/ bay residents
  - theft, noise, violence, destruction of the bay front, human waste/ garbage, and disruption of businesses
- Strategies/Goals
  - Partnership between marina owners, county, and the business sector to improve conditions for all
  - Clearing out residents should not be an option
  - Look at best practices from Chula Vista, San Diego or the Galilee and Schoonmaker marina owners.
  - Engage the residents and guests with adequate information and roles to play in the monitoring of anchorage and anchor outs in partnership with government departments
  - Solutions/education for anchorage dwellers
  - Anchor outs as property registered residents/businesses

- Prompt and regular information dissemination to ALL residents about the benefits of all the new measures including;
  - Living wage employment creation for eligible residents with training opportunities, as a partnership of non- profits and commercial entities/ businesses and county.
  - Common use facilities for healthy living including – showers, bathrooms, pay-per-use amenities.
  - Role of other areas/bays that contribute to the overcrowding in Richardson’s bay.
- Cooperative ownership examples of best practices
  - Mail delivery; employ the unemployed residents
  - Good use of unused \_\_\_\_\_
  - Generating funding by improved use of mooring fields, dinghy docks
- Provide low income housing for homeless

### ***Public Safety/Law Enforcement***

- Issues
  - Overcrowding
  - Guests and patrons of bay front businesses harassed or frightened from the area. Aggressive new residents.
  - Intruders on boats
  - Theft
  - Local police not able to help due to jurisdictional boundaries
  - Enforcement not able to cope with the number of cases.
  - Boat owners renting out boats without appropriate training or registration
- Strategies/Goals
  - Provide incentives for Law enforcement of the bay use regulations
  - Business owners must take responsibility for rentals

### ***Navigational Hazards***

- Issues
  - Navigational dangers related to poor navigational skills and lack of information to anchorage residents
  - Anchors coming loose
  - Boat traffic
  - Improper sailing/use of boats
  - Leads to loss of business to the county and businesses
- Strategies/Goals
  - Monitors needed for mooring field. Current guests to take mooring classes as prerequisite.

### ***RBRA Operations and Finance***

- Issues
  - Difficulty of acquiring permits for charter companies and businesses

- Onerous obligations/rules re: licensing, drug testing, timed \_\_\_\_\_, outlaws
- Inaccuracies in statistics of abandoned boats.
- Disposal costs unnecessarily high
- Cost of improvements to be borne by all other bays (Tiburon, Belvedere)
- Shared responsibility for services/maintenance

### **Regulatory**

- Strategies/Goals
  - RBRA needs to follow up on issues raised by the business community (statistics), and enforce existing laws
  - Insure boats

### **Facilities/Amenities**

- Issues
  - Garbage disposal
  - Showers
  - Safety during storms
- Strategies/Goals
  - Create mooring fields with specific capacity, with regulations that can be monitored with residents and county cooperating to reduce the costs.
    - Regulations, equipment
    - Tenants/guests
    - Categories of residents
  - Create expanded dinghy docks and other facilities for seasonal guests or new residents with time regulated use and enforcement.
  - Schoomaker
    - De-cluster anchorage community from facility expansion
    - Business community is at risk financially and in terms of safety
    - Making private business viable in the anchorage area

### **General Q&A**

- How to preserve anchorage culture?
- Improve/maintain navigable waters of the Bay
- Concern that RBRA is misusing federal admiralty law to seize property
- Establish a mooring field, preference for seaworthy/habitable vessels, guest moorings
- Great support in the community for live-aboards
- Providing basic services should be a priority (showers, trash, etc)
- Lack of space in Bay to anchor safely, illegal moorings take up too much space
- RBRA is taking people's homes, intention is for profit
- Legal vs. lawful

# RICHARDSON'S BAY REGIONAL AGENCY

## STAFF REPORT

For the meeting of: March 8, 2018

**To:** RBRA Board of Directors  
**From:** Beth Pollard, Executive Director  
**Subject:** Workshop session on draft options and their opportunities and challenges for the future direction of Richardson's Bay

### **STAFF RECOMMENDATION:**

Conduct facilitated small group discussions related to options, opportunities and challenges, in preparation for Board action on April 5, 2018.

### **BACKGROUND:**

At its meeting of February 8, 2018, staff presented draft options, and their opportunities and challenges, for the Board to consider when determining what direction to set and pursue at its meeting of April 5, 2018. Included in that report was the recommendation that March 8<sup>th</sup> meeting be designed as a work session that engages the public in providing information about options, and their opportunities and challenges.

The RBRA conducted a prior public workshop on March 15, 2015, in which several speakers presented information on topics pertaining to Richardson's Bay, followed by small break-out group discussions. Those materials can be found on RBRA's website at [rbra.ca.gov/public-meetings/meeting-archives/March 2015](http://rbra.ca.gov/public-meetings/meeting-archives/March-2015), as well as the other staff report for this meeting.

### **DISCUSSION:**

Attached is the draft outline of options, and draft opportunities and challenges related to the options presented to the Board in February. The options are grouped into three general categories: **Enforce**, **Modify**, and **Eliminate**. Under the **Enforce** option category, the focus of attention is generally on enforcing existing rules and regulations, perhaps with some relatively minor modifications to meet their intent. Under **Modify**, the focus of attention is on making changes through modified rules, regulations, protocols, etc.; there are several possibilities and combinations of possibilities to consider. The **Eliminate** category would be a significant undertaking given Richardson's Bay federal designation as a special anchorage.

The purpose of the workshop session is to elicit ideas from the public about the options presented and any variations thereof, as well as to expand on the potential opportunities and challenges associated with the options. The format is designed as small group sessions to provide more opportunities for community members to express individual thoughts and to hear the perspectives of others.

The specific design is small grouping settings with topic areas. One table will be dedicated to the topic of Enforcement, and other tables will be focused on options, opportunities and challenges related to Bay Ecology, Human Possibilities, Modified Anchorage, and Safety. There is admittedly overlap in the different topic areas, but it is an attempt to provide some focus in the discussion. There will also be an “Other” group for options or topics that do not seem to fit into the above list.

Each group discussion will have a designated facilitator to help insure everyone gets a chance to speak. Some groups may contain persons with subject matter expertise. Participants will have a chance to rotate among the groups, ideally three times if time allows. Comments will be noted on paper so as to be compiled into advice for the Board of Directors in making its decisions.

## **GROUP DISCUSSION QUESTIONS**

Some draft discussion questions for the groups are:

### Bay Ecology

What is the ideal bay ecology?

What are the challenges or obstacles to achieving this condition?

What are opportunities to bring about the ideal ecology?

### 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?

### Human Possibilities

What is 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?

### Modified 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?

### 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?

Other

What would you like Richardson's Bay to be like?

What actions do you want the RBRA to pursue?

What challenges do you see in the options?

What opportunities emerge from these options?

**NEXT STEPS:**

Information generated in each group will be compiled for the Board for its meeting of April 5, 2018.

Attach:

1. Draft Options, Opportunities and Challenges from the meeting of February 8, 2018.

## **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