

# RICHARDSON'S BAY REGIONAL AGENCY

## Board of Directors Meeting Agenda

Thursday, October 11, 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.***

### 5:30 P.M. CALL TO ORDER - ROLL CALL

1. Approval of minutes, July 25, 2018.
2. Information: Community Outreach Subcommittee report and presentation regarding Community Efforts
3. Mooring Feasibility and Planning Study Request for Proposals. Staff recommendation: Issue Request for Proposals to engage professional services to advise on potential location, mooring type/technique, capacity, and accessing the shore, in light of the presence of eelgrass and other aquatic life and migratory birds; weather, wind and tide conditions; water quality/health of the bay; and other physical conditions of the bay.
4. Draft ordinance language for amended definitions, vessel requirements, and nuisance abatement hearing location. Staff recommendation: Review draft language and direct staff to prepare an ordinance for first reading.
5. Resolution No. 08-18 accepting grant funds from the State Division of Boating & Waterways. Staff recommendation: Approve Resolution No. 08-18.
6. NOAA (National Oceanic and Atmospheric Administration) grant. Staff recommendation: Approve Resolution No. 09-18 authorizing an application for NOAA's FY 2019 Marine Debris Removal Program.
7. Harbor Administrator's Report
8. 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.
9. Comments: a) Staff; b) Board Member matters

**NEXT MEETING: November 8, 2018**

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



# **RICHARDSON'S BAY REGIONAL AGENCY**

**DRAFT MINUTES OF JULY 25, 2018**

**HELD AT BELVEDERE CITY 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:** None

Meeting called to order at 5:30 PM.

## **Minutes of June 14, 2018 Board of Directors meeting**

Draft minutes were approved unanimously.

### **Presentation regarding Community Efforts**

Chad Carvey explained the effort to institute anchorage guidelines based on a bullet point merit system with stricter standards than the Coast Guard requires, designated by a flag burgee for vessels in compliance

Member Wickham reported briefly on a meeting and group discussion of eelgrass and burgees.

### **Follow-up actions to April 2018 Board direction**

Ms. Pollard reviewed the main points of the staff report which encapsulated the last few months of community meetings and Board discussions addressing various concerns such as seaworthiness and environmental issues. She asked the Board to consider a professional service to study the concept of moorings, and to designate an ad-hoc finance committee to investigate and identify alternative revenue sources for an expanded program.

Member Fraser asked about the scope of the contractor studying mooring feasibility, and he wanted to have a one vessel per owner clarification. He also asked for a 30-day observation timeline to assure that the vessel is used, not stored. Chair Winter stressed that the vessel should be navigable, and he was pleased with the proposed hierarchy of requirements, viewing it as a way to filter out problem boats.

Mr. Carvey pointed out that some of the stored boats are operable and beautiful. Joan Cox, mayor of Sausalito, invited the Board to consider Sausalito's Waterfront Plan priorities, and she thought parallel ordinances would further goals and objectives of both entities. Louis Tenwinkle stated he appreciated the RBRA approach of trying to solve issues prior to making laws. Barbara Salzman of the Marin Audubon Society wanted to demonstrate more enforcement and improve reporting. Jeff Jacobs explained that anchor-outs had comparatively less environmental impact than those living on land. Anne Lidden related her attendance at the Abandoned and Derelict Vessel Work Group meeting and thought that other jurisdictions would assist in

enforcement efforts. Doug Storms encouraged the continued cooperation between the Special Anchorage Association, the RBRA, and law enforcement in order to keep historical use intact.

Member Wickham brought up vessel registration as an ongoing concern and an evolving tool, and Chair Winter asked if abatement efforts were proceeding. Mr. Price affirmed that they were. Member Sears said data is great, and the collaborative work and the burgee certification was a positive step. Ms. Pollard asked for direction to pursue professional services, direction on regulatory issues in part “B” of her report, and permission to expend resources in researching other jurisdictions. Member Winter suggested putting enforcement priorities in alignment with Sausalito’s efforts. Member Sears moved to pass the first 3 items in the staff report and member Fraser asked for a bullet point addressing enforcement to be added. The report was accepted unanimously.

The Ad Hoc committee was discussed and approved unanimously. Chair Winter volunteered to serve on it.

### **Resolution of Support (7-18) for AB 2441 – Sacramento – San Joaquin Delta Abandoned Vessel Removal Account**

Ms. Pollard outlined the bill and its advantages as a model for future legislative actions affecting the disposal of derelict commercial vessels. Member Sears explained that a letter of support had been sent by Chair Winter to Senator McGuire’s office in the interest of time, so the Resolution was a formality.

Mr. Jacobs questioned the government’s tactics, saying that all the money was being spent of enforcement with nothing left to address the homeless issues. Mr. Tenwinkle felt that the bill would take away the commercial boat’s ability to survive thus killing the working waterfront. Anne Lidden supported the letter.

The resolution passed unanimously.

### **Public Comments not on agenda**

Mr. Carvey showed one of the SAA burgees. He expressed hope that getting rid of anchor-outs has become a lower priority, but he wanted the war between intractable positions on both sides to stop. He wondered if eelgrass was being used as a weapon to eliminate anchor-outs by certain people and he wanted to try mitigation or an interim solution to solve the issue. Ms. Salzman said that during the State Lands meeting she attended, all the attendees encouraged strengthening enforcement. Mayor Cox stated that Sausalito counsel had asked the Coast Guard what the Special Anchorage designation entitled vessels to, and their reply was that the designation applied to anchoring lights and sound signals which bestowed no special anchoring rights. Mr. Storms was disturbed by Mayor Cox’s use of this interpretation and saw it as an end-around tactic. Anne Lidden said the eelgrass bed was imperative, and she suggested subsidizing berths through Marin County as a solution.

### **Board Member Matters**

Member Fraser complimented Ms. Pollard’s thorough report, saying it was a measured approach to a n issue that is not black and white. Member Wickham said that there was a lot of public input and that darts from both side of the aisle were to be expected. Chair Winter expressed

optimism in the process and said we were heading towards our goals with this measured approach.

The meeting was adjourned at 6:45 PM.



# **RICHARDSON'S BAY REGIONAL AGENCY**

## **STAFF REPORT**

For the meeting of: October 11, 2018

**To:** RBRA Board of Directors

**From:** Beth Pollard, Executive Director

**Subject:** Mooring Feasibility and Planning Study Request for Proposals

### **STAFF RECOMMENDATION:**

That the Board authorize staff to issue the attached Request for Proposals to engage professional services to advise on potential location, mooring type/technique, capacity, and accessing the shore, in light of the presence of eelgrass and other aquatic life and migratory birds; weather, wind and tide conditions; water quality/health of the bay; and other physical conditions of the bay.

### **BACKGROUND:**

The Board has given direction to explore the use of moorings in Richardson's Bay as a means of achieving its goal of a safe, healthy and well-managed bay. It has authorized a next step of engaging professional services to advise on how conditions on the bay inform possible mooring locations, equipment/technique, overall mooring capacity and access from moorings to the shore.

### **DISCUSSION:**

Staff has drafted the attached Request for Proposals (RFP) and is prepared to issue it immediately upon Board authorization. The request seeks marine ecology and related consultant services to analyze and evaluate conditions in the bay that are relevant to considering placement of moorings; specifically:

#### *Scope of Services*

*In light of the presence of eelgrass and other aquatic life and migratory birds; physical conditions of the bay including but not limited to water depth; water quality/health of the bay; and all wind, weather and tidal conditions, the RBRA is seeking to engage professional services as follows:*

*Mooring locations.* *Provide mapping of Richardson's Bay that illustrates water depths, eelgrass bed habitats/locations, and any other marine ecology conditions or information that informs accompanied recommendations on least to most advisable locations for mooring and anchoring.*

*Mooring equipment and technique.* Analyze and provide information and advice on mooring equipment, techniques, and associated considerations that are most and least appropriate for Richardson's Bay, and/or for specific areas of the bay.

*Capacity.* Given location and mooring technique considerations, and any marine ecology factors, what is the advisable maximum capacity of the number of moored vessels in Richardson's Bay, with related advice on vessel type, size or other characteristics.

*Shore access.* Any marine ecology conditions that should be considered for usage of dinghies, skiffs, and tenders, motorized or non-motorized, in traversing from mooring locations to the shore.

Staff has been gathering contact information for potentially interested consultants, and welcomes suggestions for consultants to include in the distribution.

If the RFP can be issued on Friday, October 12, the recommended deadline for receipt of proposals is November 8, 2018; this would give consultants approximately four weeks to respond, and would allow staff to provide the Board with at least an informal, verbal progress report at its meeting that evening.

Staff recommends that a timeline objective for completion of the study be Spring 2019 to meet the Board's goals of progress in improving the health, safety and management of the bay.

**NEXT STEPS:**

Subject to Board action, staff will:

1. Post the RFP on the RBRA website and distribute it electronically to consultants.
2. Seek funding for the study.
3. Identify a screening panel to review proposals.

DRAFT

**RICHARDSON'S BAY REGIONAL AGENCY**

**REQUEST FOR PROPOSALS**

**MOORING FEASIBILITY AND PLANNING STUDY**

\_\_\_\_\_, 2018

INTRODUCTION

The Richardson's Bay Regional Agency (RBRA) is inviting qualified consultants to submit a proposal to provide marine ecology services to advise about potential placement of moorings in Richardson's Bay.

The RBRA is a joint powers authority comprised of the cities of Belvedere, Mill Valley, and Tiburon, and the County of Marin. The City of Sausalito was part of the JPA when it was formed in 1985, but it withdrew effective July 1, 2017.

RBRA is dedicated to maintaining and improving the navigational waterways, open waters, and shoreline of Richardson's Bay, and pursuing the goal of a safe, healthy, and well-managed bay.

In keeping with its mission, goal, and sustainability interests, RBRA is seeking guidance on challenges and opportunities with respect to responsible placement of moorings in Richardson's Bay. The goal of the study is to inform RBRA and the public about considerations for mooring and anchoring in Richardson's Bay from the perspective of marine ecology and related conditions of the bay. Applying this perspective, the study objectives are to identify advisable and inadvisable locations, equipment, and techniques for mooring and anchoring, the overall capacity of Richardson's Bay for moored and anchored vessels, and whether there are marine ecology conditions that affect how access is achieved from vessels to the shore.

SCOPE OF WORK

In light of the presence of eelgrass and other aquatic life and migratory birds; physical conditions of the bay including but not limited to water depth; water quality/health of the bay; and all wind, weather and tidal conditions, the RBRA is seeking to engage professional services in these four categories:

Mooring locations. Provide mapping of Richardson's Bay that illustrates water depths, eelgrass bed habitats/locations, and any other marine ecology conditions or information that informs accompanied recommendations on least to most advisable locations for mooring and anchoring.

Mooring equipment and technique. Provide information, analysis and advice on mooring equipment, techniques, and associated considerations that are most and least appropriate for Richardson's Bay, and/or for specific areas of the bay.

Capacity. Given location and mooring technique considerations, and any marine ecology factors, provide information, analysis and advice on the maximum capacity of the number of moored vessels in Richardson's Bay, with related advice on vessel type, size or other characteristics.

Shore access. Provide information, analysis and advice about traversing from moorings to shore via dinghies, skiffs and tenders – motorized and non-motorized. Any marine ecology conditions that should be considered for usage of dinghies,

#### ADDITIONAL INFORMATION

The potential location area for moorings excludes Richardson Bay Audubon Center & Sanctuary and the U.S. Army Corps of Engineers jurisdiction - including navigation channels.

Potential sources of data and information for this contract include the [Richardson Bay Special Area Plan](#) (1985), which contains findings related to marine ecology; agencies and organizations with jurisdiction or interest in Richardson's Bay; studies, environmental documents and other analyses prepared for projects, programs, agencies or organizations in Richardson's Bay or nearby in San Francisco Bay; the [Richardson Bay Audubon Center & Sanctuary](#) and [Audubon California](#); Bay vessel owners/mariners and the [Richardson's Bay Special Anchorage Association](#); mooring technique research; other anchorages and/or harbors with related conditions; and the [RBRA website](#). The RBRA anticipates that most if not all of the study can be accomplished with existing data sets and information sources.

This study is categorically exempt from CEQA, as a feasibility and planning study for possible future actions which RBRA has not approved, adopted, or funded, and does not require preparation of an Environmental Impact Report or Negative Declaration, but does require consideration of environmental factors.

#### ADDENDA

Changes, additions, deletions or clarifications to this request for proposals may be made by RBRA, and shall be posted on RBRA's website at [rbra.ca.gov](http://rbra.ca.gov). Addenda

issued within seven (7) calendar days of the submittal deadline could be cause for extension of the deadline, if so determined by the RBRA Executive Director.

### DELIVERABLES

1. Draft report in electronic format
2. Final report in electronic format and ten (10) hard copies.
3. Mapping, using Esri ArcGIS mapping platform to illustrate information, analysis and advice for location, capacity and shore access considerations.

### CONTENTS OF PROPOSAL

Proposals should contain the following:

1. The primary consultant's name, business address, phone number and email address.
2. The lead manager's name and contact information.
3. Introduction of all other team members, including any sub-consultants; this should include a summary of each of their roles and the experience they bring to these roles, including their resumes.
4. Examples of prior work of the consultant, lead manager, and other key team members that is relevant to the scope of work.
5. A summary of your understanding of the scope of work, your approach, and any issues you anticipate.
6. Any exceptions to the Professional Services Agreement (attached).
7. The signature of the person authorized to negotiate a contract for the proposed services.
8. At least three references of clients for comparable engagements that the RBRA may contact.
9. Proposed fee and basis for that fee, including staff hours, hourly rates, and expenses and indicate whether it is not-to-exceed or anticipated. The final contract price may be negotiated. The RBRA is interested in accomplishing the study in a cost effective manner, such as through the use of existing data sets and information sources.
10. Whether there are any time constraints or calendar considerations in conducting the work, and the estimated duration of the work. The RBRA is interested in accomplishing the study in a timely manner upon execution of the professional services agreement.

## SUBMISSION, SELECTION AND CONTRACTING PROCESS

Questions concerning the RFP should be submitted to Beth Pollard, RBRA Executive Director, at [bethapollard@gmail.com](mailto:bethapollard@gmail.com). The subject line should read: "RBRA Mooring Study." Responses to questions will be posted on the RBRA website.

Proposals are due by \_\_\_\_ pm on \_\_\_\_\_, 2018. One copy is to be transmitted electronically to: [bethapollard@gmail.com](mailto:bethapollard@gmail.com). Three (3) copies of the proposed package, labeled "Proposal for RBRA Mooring Study" are to be submitted to the following address:

Beth Pollard – Executive Director  
Richardson’s Bay Regional Agency  
c/o Marin County Community Development Agency  
3501 Civic Center Drive, Room 308  
San Rafael, CA 94903

A consultant selection committee will evaluate each proposal and determine a selection of a final consultant or a short-list of consultants to consider further. Discussions/interviews may, at RBRA’s sole option, be conducted with responsible Proposers who submit proposals determined to be susceptible of being selected for an award. Discussion/interviews may be for the purpose of clarification to assure full understanding of, and responsiveness to, the request for proposal requirements. Revisions may be permitted after submission and before award for obtaining best and final proposals.

The proposals and their contents are subject to public disclosure.

The RBRA is under no obligation to issue a contract for services. Execution of a contract is contingent upon available funds.

Attach: Professional Services Agreement

# **RICHARDSON'S BAY REGIONAL AGENCY**

## **STAFF REPORT**

For the meeting of: October 11, 2018

**To:** RBRA Board of Directors  
**From:** Beth Pollard, Executive Director  
**Subject:** Draft ordinance language for amended definitions, vessel requirements and nuisance abatement hearing location

### **STAFF RECOMMENDATION:**

That the Board review the attached draft language and direct staff to prepare an ordinance for first reading.

### **BACKGROUND:**

At its meeting of June 14, 2018, the Board conducted a work session to seek public comment on, among other things, conditions that should be required for vessels that are on Richardson's Bay. Based on the public comments, at its meeting of July 25, 2018, the Board of Directors directed staff to draft an ordinance that establishes requirements for vessels on Richardson's Bay. The particular priorities are that vessels be seaworthy and operable, that they contain adequate sanitation facilities, that decks be free of loose materials, and that the requirements for current and valid registration be locally stated.

### **DISCUSSION:**

#### Definitions

Staff has drafted definitions for seaworthy, operable, and adequate sanitation facilities that are based on public comments as well as review of other agencies' provisions. Also included in the ordinance are revisions to some definitions that are now in the code, for clarification purposes, including:

- Reflecting the departure of the City of Sausalito from the Agency
- Adding a definition of "discharge" and "sewage"
- Amending the definition of "houseboat" to add the presence of a "pontoon, flat-bottomed hull or similar configuration"
- Updating the definition of "vessel"

#### Vessel Condition and Requirements

Title 3, Vessels, of RBRA's code is amended to require that vessels be seaworthy, operable, contain an adequate marine sanitation device, and have current and valid state/federal registration. It authorizes the Harbor Master to make some exceptions

for vessels using the anchorage as a temporary safe harbor with good faith efforts underway to bring the vessel into compliance. Vessels that fail to comply would be subject to RBRA's Nuisance Abatement procedures.

#### Nuisance Abatement Hearing Location

RBRA's Nuisance Code, Title 6, provides for nuisance abatement procedures for non-complying vessels. The code currently states the hearing location as the Sausalito Council Chambers. The ordinance amendment would allow the hearing to take place in another location in Marin County; one of the member cities or County of Marin that would be named on the abatement notice to the vessel owner.

#### **ANALYSIS:**

##### Vessel Condition

Unseaworthiness is already considered a cause for declaring a vessel to be marine debris under Section 550 – 551 of the California Harbors & Navigation Code. The purpose of including a seaworthy definition in RBRA's code is to more clearly define expectations for vessel owners on Richardson's Bay. Additionally, the wording of RBRA's definition is drawn in part from the guidelines established by the Richardson's Bay Special Anchorage Association (SAA) for its certification program. The seaworthy definition contains the requirement that decks be free of loose debris, which was one of the priorities that emerged from public comment.

In addition to unseaworthy, vessels that "are not reasonably fit or capable of being made fit to be used as a means of transportation by water" are considered marine debris under Section 550. RBRA's proposed ordinance would also more clearly define what is required to be considered operable on Richardson's Bay, and to fully clarify that vessels must be in operable condition.

The United States Coast Guard requires that vessels have adequate marine sanitation devices. In addition, vessels are required to be registered with the California Department of Motor Vehicles or the Coast Guard. The purpose of including these requirements in RBRA's code is to reinforce these as critical local standards.

##### Temporary Safe Harbor

There are situations where vessel owners seek temporary safe harbor in Richardson's Bay because their vessels are in distress and require repairs; in these situations the vessels may not be seaworthy or operable. The proposed ordinance allows temporary provisions for these circumstances when the Harbor Master determines that good faith efforts are being made to rectify the inadequate conditions.

##### Effective Date

An ordinance would normally become effective 30 days after its second reading, which with the Board's current schedule would be one month after its first reading.

The Board has the option to defer the effective date of the ordinance if it wishes to time it with other Board actions or other considerations.

**NEXT STEPS:**

The ordinance language is subject to review and requested revisions by California Department of Boating & Waterways, the State Lands Commission, and the U.S. Coast Guard. Once this is complete, staff can bring an ordinance for first reading to the Board.

If at a later date the Board decides to establish requirements for mooring or anchoring on the bay, such as location or technique or other conditions, an additional ordinance can be introduced and adopted at that time.

Attach:  
Draft Ordinance



New ordinance language in **bold**

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE RICHARDSON'S BAY REGIONAL AGENCY  
UPDATING DEFINITIONS, PROVIDING FOR VESSEL CONDITIONS REQUIRED FOR  
MOORING AND ANCHORING IN RICHARDSON'S BAY, AND AMENDING THE  
LOCATION OF APPEAL HEARINGS

WHEREAS, it is a goal of the Richardson's Bay Regional Agency ("Agency") to have a safe, healthy, and well-managed Richardson's Bay ("Bay"); and

WHEREAS, the Agency conducted a public process to help identify current conditions that inhibit the Agency in achieving its goal, and to assist the Agency in defining what vessel conditions are necessary for the Bay to be safe and healthy; and

WHEREAS, as a result of the public process, the Agency has determined that vessels that are unseaworthy or inoperable, or lack an adequate sanitation device pose health and safety risks and hazards to other vessels and persons on the Bay, to the ecology of the Bay, to docks and other property on the shore, and to public safety and other personnel; and

WHEREAS, the Agency has authority to establish rules and regulations for anchoring and mooring in the Bay; and

WHEREAS, the Agency wishes to amend its ordinances to update its definitions, to establish vessel conditions required for mooring and anchoring in the Bay for the health and safety of persons, property, and the environment, and to amend the location of its appeal hearings to reflect the departure of the City of Sausalito from the Agency,

NOW, THEREFORE, BE IT HEREBY ORDAINED that the Board of Directors of the Richardson's Bay Regional Agency does hereby ordain as follows:

SECTION I. Section 1.04.020, Definitions, is hereby amended to add or revise the following definitions:

**Adequate vessel sanitation facility: An operable marine sanitation device or portable toilet approved by the United States Coast Guard as suitable to prevent direct discharge of human waste into Richardson's Bay.**

Agency: Refers to the Richardson Bay Regional Agency established by Joint Powers Agreement in July 1985, **and amended July 2018 to reflect the withdrawal of the City of Sausalito from the Agency.**

**Discharge: To spill, leak, pump, pour, emit, empty, dump, deposit, or throw.**

**Houseboat: A structure in the water, ~~floating or not floating~~, that has a pontoon, flat-bottomed hull or similar configuration, and is generally not used for recreational or active navigational use.**

**Mooring: A means of fixing a floating vessel to the bottom in one location, temporarily or permanently, by use of cable lines, chains, anchors, weights, or other equipment, remaining attached to the bottom and not carried aboard such vessel as regular equipment when underway, and through its resistance to drag maintains a vessel within a given radius.**

**Operable: A vessel's ability to maneuver safely under its own power, using only its usual and customary equipment, from any place within the jurisdiction of the Richardson's Bay Regional Agency to an inspection site authorized by the Harbor Master, and back to its point of origin.**

**Person: Any person, firm, association, organization, partnership, business trust, corporation or company, singular and plural.**

**Seaworthy: Operational thru hulls, hoses and sea cocks; bilge pumps are operational and free of oil; no loose debris or materials on deck; hull, keel, decking, cabin and mast are structurally sound and vessel is free of excessive marine growth, excessive delamination or excessive dry rot that compromises its integrity to stay intact and afloat without extraordinary measures; capable of transportation to avoid striking vessels, persons, and or property should it break free from its anchor.**

**Sewage: Human body wastes and the wastes from toilets and other receptacles intended to receive or retain body waste.**

**Vessel: A structure designated to be navigable upon water. Includes every description of watercraft or other artificial contrivance that is designed and principally intended for use as a means of transportation by water.**

SECTION II. Title 3, Vessels, is hereby amended to add the following:

#### **3.04.050 Vessel Condition and Requirements**

- a. **Vessels anchored or moored in Richardson's Bay shall be seaworthy, operable, and contain an adequate vessel sanitation facility. Exceptions may be granted by the Harbor Master at his/her discretion following his/her determination that the owner of the vessel is using the bay as a temporary safe harbor and making a good faith effort to bring the vessel into compliance.**

- b. Vessels anchored or moored in Richardson's Bay shall have current and valid registration with the California Department of Motor Vehicles or with the United States Coast Guard.**

SECTION III. Title 6, Nuisance Code, is hereby amended as follows:

Section 6.04.050 Hearing Notice/Notice to Abate, subsection b, is amended to change the location to appear before the Richardson Bay Regional Agency Board to delete reference to Sausalito, and instead read as follows:

YOU ARE HEREBY NOTIFIED to abate said condition to the satisfaction of the Harbor Master within \_\_\_\_ days of the date of this Notice or to appear before the Richardson Bay Regional Agency Board in the ~~Sausalito Council Chambers, 420 Lido Street, Sausalito,~~ \_\_\_\_\_, **Marin County**, California.

SECTION IV. Effective Date

This ordinance shall be and is hereby declared to be in full force and effect as of thirty (30) days from and after the date of its passage and shall be published once before the expiration of fifteen (15) days after its passage, with the names of the board members voting for and against the same in the Marin Independent Journal, a newspaper of general circulation published in the County of Marin.

PASSED AND ADOPTED at a regular meeting of the Board of Directors of the Richardson's Bay Regional Agency held on the \_\_\_\_ day of \_\_\_\_\_, 201\_ by the following vote:

AYES: BOARD MEMBERS

NOES:

ABSENT:

\_\_\_\_\_  
CHAIR, BOARD OF DIRECTORS

ATTEST:

\_\_\_\_\_  
CLERK



# **RICHARDSON'S BAY REGIONAL AGENCY**

## **STAFF REPORT**

For the meeting of October 11, 2018

**To:** RBRA Board of Directors

**From:** Bill Price, Harbor Administrator

**Subject:** Resolution 08-18 - Accepting SAVE funds from Division of Boating and Waterways

### **RECOMMENDATION:**

That the Board approve Resolution No. 08-18.

### **BACKGROUND:**

The RBRA applied for and is eligible for \$180,000 in funding from the California Division of Boating and Waterways for use in the Surrendered and Abandoned Vessel Exchange (SAVE) Program for use through September 2020. Resolution 7-18 is the formal acceptance of these funds.

### **DISCUSSION:**

The SAVE funding process has been employed successfully over the years by RBRA, and is expected to proceed as in years past. We have been able to meet the 10% matching fund requirement through in-kind contributions, and we have always managed to spend down our allotted funding within the timeframes set by the state.

### **RECOMMENDED NEXT STEPS:**

Upon Board approval, staff will finalize the steps to receive the funds and utilize them for their intended purposes.



# RICHARDSON'S BAY REGIONAL AGENCY

## RESOLUTION NUMBER 08-18

### OF THE RICHARDSON'S BAY REGIONAL AGENCY

APPROVING THE ACCEPTANCE OF GRANT FUNDS FROM THE CALIFORNIA STATE DEPARTMENT OF PARKS AND RECREATION, DIVISION OF BOATING AND WATERWAYS, FOR THE AMOUNT OF \$180,000 TO BE USED FOR THE SURRENDERED AND ABANDONED VESSEL EXCHANGE PROGRAM

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

WHEREAS, the State Division of Boating and Waterways has accepted our application for \$180,000, available for use in this program, requiring a 10% matching contribution from the RBRA; and

WHEREAS, these funds will be available with a term from the date fully executed, Fall 2018 through September 30, 2020;

NOW, THEREFORE, BE IT RESOLVED, that the Richardson's Bay Regional Agency by adoption of this resolution hereby accepts Grant Contract # C18S0614 in the amount of \$180,000 from the State Division of Boating and Waterways.

PASSED AND ADOPTED by the Board of the Richardson's Bay Regional Agency on October 11, 2018.

CERTIFICATION:

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Marty Winter - Board Chair

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Beth Pollard – Executive Director



# RICHARDSON'S BAY REGIONAL AGENCY

## STAFF REPORT

For the meeting of: October 11, 2018

**To:** RBRA Board of Directors  
**From:** Beth Pollard, Executive Director  
**Subject:** NOAA Debris Removal Grant Program

### **STAFF RECOMMENDATION:**

Approve Resolution No. 08-18 authorizing the submittal of an application to the Fiscal Year 2019 grant program of the National Oceanic and Atmospheric Administration (NOAA) Marine Debris Removal Program.

### **BACKGROUND:**

NOAA is conducting a federal grant program for efforts throughout the United States to remove marine debris, and describes the program as follows:

*Projects awarded through the removal grant competition will create long-term, quantifiable ecological habitat improvements for NOAA trust resources, with priority consideration for efforts targeting derelict fishing gear and other medium- and large-scale debris. Projects should also foster public awareness of the effects of marine debris to further the conservation of living marine resource habitats, and contribute to the understanding of marine debris composition, distribution and impacts.*

It is a competitive grant program that offers grants that generally will range from \$50,000 to \$150,000. Agencies are expected to supply 50/50 matching funds, although some in-kind services may be eligible in the match.

### **DISCUSSION:**

Vessels that are marine debris, or are on their way to becoming marine debris, are frequently anchored or moored in Richardson's Bay. If left unaddressed, these vessels can become risks to the environment in ways such as oil leaks, disintegrated toxic materials, loose debris that enters the bay, sinking onto the bay floor, etc.

Posting, noticing, towing, and storing, and abating vessels and other marine debris objects can be labor intensive and costly. The RBRA has been successful in obtaining grant funds from the State Division of Boating & Waterways for abatement of vessels that are abandoned, surrendered, or marine debris, while recognizing there is still more work to be done with the arrival of marine debris vessels into the bay.

**ANALYSIS:**

RBRA is making a concerted effort to improve the health, safety and management of the bay by upgrading vessel requirements and exploring the potential for moorings to assist in reaching this goal. It is essential that RBRA have sufficient resources to implement its requirements as they unfold. As such, staff is continually searching for funding opportunities to support RBRA's efforts. While the NOAA grant program can be very competitive, NOAA staff has indicated that a program for removal of marine debris vessels from Richardson's Bay is a eligible for consideration.

**FINANCIAL IMPACT:**

The financial considerations in going forward with a grant application are:

- 1) It requires a 100% local match. There is potential for in-kind matches and possibly even other non-federal grant funds, but RBRA should be prepared to match a grant with local dollars.
- 2) It requires a fair amount of staff time for the application process, and if successful, handle its administration.
- 3) The funds will not be released until August 2019.
- 4) The grant amounts are generally between \$50,000 and \$150,000.
- 5) The abatement of commercial vessels or formerly commercial vessels are eligible for these grant funds; the abatement of these vessels are not eligible for State Boating & Waterways funds

**NEXT STEPS:**

If the Board supports moving forward with an application, staff would:

1. For the deadline of October 29, 2018, prepare an application for a grant of up to \$150,000 to assist RBRA in removal of marine debris. The grant funds would be used to supplement State and local funds. Staff envisions that the funds would be used to supplement staffing efforts to notice and process abatement of marine debris, and costs for towing, storing and abating vessels and other marine debris. As marine debris prevention is also a recognized element of the grant program, outreach education and prevention efforts would be included in the program.
2. Seek support from other organizations and agencies for RBRA's grant application.

# **RICHARDSON'S BAY REGIONAL AGENCY**

## **RESOLUTION NUMBER 09-18**

### **OF THE BOARD OF DIRECTORS OF THE RICHARDSON'S BAY REGIONAL AGENCY AUTHORIZING SUBMITTAL OF AN APPLICATION TO THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION (NOAA) FY 19 MARINE DEBRIS REMOVAL PROGRAM**

WHEREAS, the National Oceanic and Atmospheric Administration has issued a request for proposals for a FY 2019 Marine Debris Removal Program; and

WHEREAS, the Richardson's Bay Regional Agency is eligible to submit an application for the grant funds; and

WHEREAS, Richardson's Bay has a long history of being the site of vessels and materials that have fallen into disrepair and become marine debris; and

WHEREAS, the Richardson's Bay Regional Agency has initiated a focused effort to eliminate marine debris from the bay; and

WHEREAS, removing and discouraging the influx of marine debris in Richardson's Bay requires funding for staff and/or contract personnel to notice and tow vessels, for storing of vessels, and abating the vessels beyond the fiscal capacity of the local agencies; and

WHEREAS, Richardson's Bay is a habitat for eelgrass beds and other aquatic life that the NOAA Marine Debris Program seeks to protect,

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Richardson's Bay Regional Agency hereby authorizes the submittal of a grant application in an amount not to exceed \$150,000, and authorizes up to \$150,000 in local matching funds or in-kind services in fiscal year 2019-20.

PASSED AND ADOPTED by the Board of the Richardson's Bay Regional Agency on October 11, 2018.

CERTIFICATION: \_\_\_\_\_

Marty Winter - Board Chair

\_\_\_\_\_

Beth Pollard – Executive Director



# **RICHARDSON'S BAY REGIONAL AGENCY**

## **STAFF REPORT**

For the meeting of: October 11, 2018

**To:** RBRA Board of Directors  
**From:** Bill Price – Harbor Administrator  
**Subject:** 2018-19 1<sup>st</sup> Quarter report

### **Vessel abatement activities**

The RBRA has been active in this area, with 61 boats disposed since January 2018. 14 of these were VTIP turn-in vessels. Over \$137K has been expended in disposal efforts in 2018, and there is just under \$150K in this year's SAVE fund remaining, with an additional \$180K set for next year. This is the first year in recent memory where we have had overlapping grant funds.

### **Water testing**

Fall results had been outstanding until last week's downpour on our test date. The extreme runoff from the first gully washer of the year spiked results, especially in the stormwater drain basins that we test in. Until that rain event, we had no beach closures this year, in comparison with frequent closures at McNear's, Green Bridges, Heart's Desire, and the Samuel P Taylor drainage. A full test report will be available at the next RBRA meeting.

The Gates Cooperative area is completely transformed. Please visit the new pocket park and adjacent houseboat dock area, and enjoy the wide-open view corridor from the new viewing pier.

### **Vessel census**

We are working to undertake the next vessel census, which can be used for comparative analysis. Results are expected to be available at the next RBRA meeting.

### **Vessel maintenance**

The marine patrol vessel Mud Puppy has been hauled, painted and undergone motor maintenance. Also, the sewage pump-out vessel Waste Aweigh has been hauled, painted and undergone motor maintenance

