

**MINUTES
BOATING AND WATERWAYS COMMISSION MEETING
SANTA CRUZ, CALIFORNIA
OCTOBER 26, 2011**

Pursuant to due and regular notice, the meeting of the Boating and Waterways Commission was called to order by Chairwoman Clark on October 26, 2011, at 9:01 A.M. at the Hilton Hotel, 6001 La Madrona Drive, Santa Cruz, California.

ROLL CALL

Commissioners Present: Lenora S. Clark; Douglas W. Metz; H.P. "Sandy" Purdon, and Matthew Webb

Dept. of Boating and Waterways

Personnel Present: Lucia Becerra, Acting Director; Steve Watanabe, Facilities Chief; Sylvia Hunter, Facilities Loans and Grants Chief, and Margarita Sanchez, Administrative Assistant

CONVENE AND APPROVAL OF MINUTES

***MOTION:** It was moved by Commissioner Metz and seconded by Commissioner Purdon that the Boating and Waterways Commission Minutes of August 24, 2011, meeting be approved. The motion carried unanimously.*

CHAIRMAN'S REPORT

Chairwoman Clark welcomed everyone and said yesterday's workshop was well attended and much was accomplished. She added that the Director will be putting together a committee to look over the concerns of streamlining the Department's Abandoned Watercraft Abatement Fund (AWAF) program and will report back to the Commission. Chairwoman Clark noted that November 15 is the last day the Commission will accept any comments from stakeholders on the loan and grant program that was discussed at the workshops.

Chairwoman Clark reported as this year's Chair, the Commission focused on many issues, especially on outreach and communication within and outside the Department. The Commission, she said, held workshops where stakeholders were able to attend and provide their concerns and suggestions on Department's programs. Chairwoman Clark indicating there is still work to be done and will be tackling the challenges created by the fastest growing segment of non-motorized boaters: canoes, kayaks, rafts and sailboards to ensure their safety on the water

and providing access opportunities. The Commission will be ensuring that the Harbors and Watercraft Revolving Fund monies are used to the greatest extent to rid the waterways of navigational and polluting hazards and improve marinas for better boating access.

DIRECTOR'S REPORT

Ms. Becerra reported on the water hyacinth treatment in the Delta. She indicated the Department has asked for an extension from the federal government to treat through November; treatment ended on October 15, 2011.

Ms. Becerra stated that legislation has been passed for zero-based budgeting and to expand the authority of the state auditor. The Department and grantees, she said, may face audits by state and federal government.

LEGISLATIVE REPORT

Ms. Becerra briefed the Commission on the following bills: AB 656 (Huber); AB 977 (Harkey); AB 1429 (Chesbro); SB 595 (Wolk), SB 623 (Kehoe).

COMMISSIONER ANNOUNCEMENTS

Boating and Waterways Commission Hall of Fame Champion

John Mann, Berkeley Marina, Waterfront Manager, was inducted into the Commission's "Hall of Fame"; unfortunately, he was not able to attend the meeting to receive his award.

Commissioner Purdon mentioned the first inaugural class of 15 inductees into the National Sailing Hall of Fame. Commissioner Purdon is on the Board of Directors of the Hall of Fame. He said it was an honor to have the first inductees' ceremony at the San Diego Yacht Club in San Diego, California. Next year, he said, it will be held in New Orleans. Inductees were Betsy Alison; Hobie Alter; Charlie Barr; Paul Cayard; Dennis Conner; Nathanael Herreshoff; Ted Hood; Gary Jobson; Buddy Melges; Bus Mosbacher; Lowell North; Joshua Slocum; Olin Stephens; Ted Turner and Harold Vanderbilt. The home to the Hall of Fame will be located near the U.S. Naval Academy in Annapolis, Maryland.

PUBLIC COMMENT

Lisa Ekers, Executive Director, Santa Cruz Harbor. Ms. Ekers was joined by Dennis Smith, Vice Chairman, Santa Cruz Port Commissioner. She thanked the Commission and staff for their support and hoped everyone enjoyed yesterday's field trip of the harbor. Commissioner Purdon asked about the slips at the Santa Cruz Harbor and how has the waiting list been handled since 2007. Ms. Ekers replied that overall the program is managed the same way as in 2007 and can give the Commission a more detail analysis sometime in the future.

Lt. George Wright, Contra Costa County Sheriff Office. Lt. Wright read from the letter dated July 12, 2011, from Mark Pazin, President, California State Sheriffs' Association to Acting Director Lucia Becerra. He requested to allow all AWAFF participants the option of providing an "in-Kind" match as the required program contribution and requested allocated AWAFF and Vessel Turn-In Program funds commensurate with the demand for the removal of abandoned and surrendered vessels, irrespective of the method of contribution provided by the grant program participants.

Chairwoman Clark mentioned the "Play Book" that the Contra Costa County Sheriff Office created on how to utilize the Department's AWAFF program and said the Sheriff's office is willing to provide training to other municipalities and marina industry on its use. She said a small committee was formed which will include Lt. Wright, Bill Price, Harbor Masters and Port Captains Associations, and the Director to look into the current AWAFF process.

Ms. Becerra thanked Contra Costa County Sheriff's office for assisting Department staff by taking them out on the Delta to view the work done on invasive species.

Mark Sandoval, Manager of Long Beach Parks, Recreation Marine Bureau, incoming President of California Association of Harbor Masters & Port Captains, Director of Marina Recreation Association. Mr. Sandoval said the industry supports the Commission, Department and staff and he thanked Ms. Becerra for swearing in the new incoming Board Members to the Harbors Masters & Port Captains' Conference.

Chairwoman Clark called for a break at 10:05 A.M.; meeting resumed at 10:21 A.M.

CONSIDERATION OF PUBLIC GRANTS

Ms. Hunter and Mr. Watanabe presented to the Commission for its advice and consent the following requests for public grants and marina loan.

Sandy Beach Boat Launching Facility

The Solano County Parks and Recreation has applied for a \$60,000 Harbors and Watercraft Revolving Fund grant for installation of a fish cleaning station and to make related pathway improvements at the Sandy Beach Boat Launching Facility in Sandy Beach County Park.

Dan Sykes, Parks Services Manager, County of Solano, was available to answer questions from the Commission. He stated the fish cleaning station should be completed by October 2012.

Commissioner Clark visited the proposed project site and recommended approval. She noted that many organizations are helping in the financing of the overall project.

Department staff recommended that the Commission approve the \$60,000 Harbors and Watercraft Revolving Fund grant to the Solano County Parks and Recreation.

MOTION: *It was moved by Commissioner Metz and seconded by Commissioner Webb that the Boating and Waterways Commission approve the \$60,000 grant to the Solano County Parks and Recreation for the proposed project described in the October 26, 2011, Feasibility Report. The motion carried unanimously.*

Santa Barbara Boat Launching Facility

The City of Santa Barbara has applied for a \$350,000 Harbors and Watercraft Revolving Fund grant to demolish the existing ramp area and construct two new V-groove launching lanes and a boat wash-down area at the Santa Barbara Harbor Boat Launching Facility.

Karl Treiber, Manager, Waterfront Facilities, was available to answer questions from the Commission and gave a PowerPoint presentation on the proposed project.

Department staff recommended that the Commission approve the \$350,000 grant to the City of Santa Barbara. Commissioner Metz visited the proposed project and recommended approval.

MOTION: *It was moved by Commissioner Metz and seconded by Commissioner Webb that the Boating and Waterways Commission approve the \$350,000 Harbors and Watercraft Revolving Fund grant to the City of Santa Barbara for the proposed project described in the October 26, 2011, Feasibility Report. The motion carried unanimously.*

CONSIDERATION OF PUBLIC LOAN

Santa Barbara Harbor

The City of Santa Barbara has applied for a \$1,700,000 Harbors and Watercraft Revolving Fund loan to make improvements to the Santa Barbara Harbor. The loan will be used to construct Fingers L and M at Marina One and, if after completion, any unexpended loan funds remain then eight berths to Marina One will be added by extending Finger F.

Commissioner Metz visited the proposed project site and recommended approval. He indicated it is the best-managed harbor he has seen.

Karl Treiber, Manager, Waterfront Facilities, was available to answer questions from the Commission and gave a PowerPoint presentation on the proposed project. There were discussions on waiting lists and slip sizes.

Department staff recommends that the Commission consent to a \$1,700,000 loan to the City of Santa Barbara to make improvements to the Santa Barbara Harbor.

MOTION: *It was moved by Commissioner Metz and seconded by Commissioner Purdon that the Boating and Waterways Commission approve the \$1,700,000 loan to the City of Santa Barbara for the proposed project described in the October 26, 2011, Feasibility Report. The motion carried unanimously.*

NEW BUSINESS

Public Access Concerns

Ms. Becerra indicated that various government entities and constituents have many questions on issues of public access, so she proposed a study to be done on what the current policy is on slip fees, waiting lists, and other related areas. Commissioner Metz asked that a scope of the study be done by staff and present it to the Commission.

Mr. Sandoval said if a study is to be done, the Department should keep in mind the demand on slips is different depending on where in the State you are located and if there are a lot of complaints from constituents, then they need to be identified. He added if the study will help the industry it would be great and he would like to be involved, but he is wary if we are listening to a few individuals in the State and then shaping a policy that will slow the process and add another layer of approvals.

OLD BUSINESS

Martinez Marina Update

Ms. Becerra gave the Commission an update on the Martinez Marina. She said the Department and the City of Martinez (City) have been working on developing a viable plan for improvements at the marina. Ms. Becerra asked the Commission to give her flexibility to use other options than the Commission's requirement of using an outside operator at the Marina.

Mitch Austin, City of Martinez, said the City is looking at the western side of the marina for improvements and has allocated a \$1.6 million loan from East Bay Regional Parks for use on the wall and dredging. The City, he said, is looking at various entities for further funding.

MOTION: *It was moved by Commissioner Metz and seconded by Commissioner Webb that the Boating and Waterways Commission give the Department the discretion to deviate from the past practice of requiring a third party manager for the city marina if in the judgment of the Department that is in the best interest of securing the loan and moving forward with needed development. The motion carried unanimously.*

COMMISSIONER ANNOUNCEMENTS

Bagley-Keene Act Training Dates

It was decided that training for the Bagley-Keene Act will be held when the Commission meets in Sacramento.

2012 Meeting Schedule

After discussion the following meeting schedule was decided.

- January 17 & 18, 2012 in Santa Barbara
- March 13 & 14, 2012 in Sacramento
- May 22 & 23, 2012 in San Diego

Election of Officers

After discussion, Commissioner Purdon was elected Chair and Commissioner Webb was elected Vice Chair for 2012.

ADJOURN

Chairwoman Clark adjourned the meeting at 11:57 A.M.



Lucia C. Becerra, Acting Secretary