

Briefings on the Richardson's Bay Anchorage

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Four-Part Briefing

- **BCDC Richardson's Bay Special Area Plan**
 - Adrienne Klein, Chief of Enforcement
- **Richardson's Bay Regional Agency (Marin County, Mill Valley, Belvedere and Tiburon)**
 - Beth Pollard, Executive Director
- **City of Sausalito**
 - Joan Cox, Mayor & Adam Politzer, City Manager
- **Audubon California**
 - Rebecca Schwarz-Lesberg, SF Bay Program Director



Jurisdictional Map



The Challenge

- 1997 - Present - Over 1,000 vessels removed at a cost of more than \$2,000,000
- 2012 - \$500,000 grant increased vessel removal capacity
- 2013 - 2016 - Number of illegally moored vessels increased from 160 to 220 vessels
- 2018 - 220 illegally moored vessels on publicly-owned property (cities and county)

Insufficient Management and Enforcement

- Vessel abatement continues
- Existing rules not being enforced
- Vessels continue to arrive and stay
- Illegal moorings are installed

McAteer-Petris Act Limits Bay Fill

- Threat of uncoordinated, haphazard filling
- Certain water-oriented uses are essential
- Further filling of SF Bay should be limited to water-oriented uses (*or minor fill for improving shoreline appearance or public access to the bay*)

Bay Fill for Water-Oriented Purposes

- Ports
- Water-related industry
- Airports
- Bridges
- Wildlife refuges
- Water-oriented recreation
- Public assembly
- Water intake and discharge lines for desalinization plants and power generating plants requiring large amounts of water for cooling purposes

Residential Use of SF Bay is Not Water-Oriented

- San Francisco Bay Plan
- “Recreation”
 - Finding h, live-aboard vessels for recreational use belong in marinas
- “Other Uses of the Bay and Shoreline”
 - Finding c, houseboats are not a use that furthers public trust or serves statewide public benefit

Purpose of the Richardson's Bay SAP

- To protect Richardson's Bay's natural resources
- To use Richardson's Bay for water-oriented purposes
- To restore and enhance degraded tidal wetlands
- Provide public access to and along the shoreline of Richardson's Bay

What Led to the Richardson's Bay SAP?

- Expansion of existing recreational boat marinas
- Construction of new marinas possibly increasing amount of berths by 50%
- Expansion of existing and development of new houseboat marinas
- Many vessels and floating structures used as residences are anchored or moored offshore

Richardson's Bay SAP

- Five background reports
 - Status of shoreline and water uses
 - Water quality issues
 - Sediment hydraulics
 - Aquatic and wildlife resources
 - Regulations report
- Adopted, April, 1984

Richardson's Bay Special Area Plan

- Introduction
- **Findings and Policies**
- The Special Area Plan Maps
- **Recommendations for Carrying Out the Special Area Plan**

Residential Vessels and Floating Structures

- Vessels and floating structures used for residential purposes (i.e. houseboats and live-aboards) should be allowed only in recreational or houseboat marina berths when consistent with and in compliance with local codes, Bay Commission policies and public trust needs. **All anchor-outs should be removed from Richardson Bay.**

Definition of “Anchor-out”

- “Anchor-out” means a houseboat or live-aboard which is moored or anchored offshore and not at a marina or shoreside facility

SAP Recommendations

- The local governments and Bay Commission establish uniform policy and regulatory control for Richardson Bay
- Local acts in conformity with the policies of the SAP

SAP Recommendations

- EPA to designate Richardson's Bay as a vessel sewage no discharge area
- USCG to amend federal anchorage regulations to include the authority of local anchorage and mooring ordinances.

SAP Recommendations

Benefits of a Cooperative Agreement

- Local governments establish, administer and enforce the navigation plan including removal of debris and other obstructions to navigation, and the regulation of anchor outs
- Local governments provide water-based police, fire, rescue, and similar public safety services on and from water

SAP Recommendations

Benefits of a Cooperative Agreement

- Establish an anchorage and moorage area to serve transient vessels and permitting mechanism to govern anchoring conditions, including length of stay
- Provide for the authority to issue cease and desist order and civil penalties for violation of those orders

SAP Recommendations

- Development requires authorization from both the local government and BCDC.
- Must be consistent with GP, SAP and BP
- Enforcement of the SAP should primarily be undertaken by local government

What Are Local Obstacles?

- Many disincentives to solve anchor out problem
 - Leadership
 - Staff and Funding
 - Law Enforcement
 - Longstanding history of residential use of RB
 - Anchor-out community is established
 - Desire to work cooperatively and maintain respect and human dignity

Questions for Committee Discussion at the Conclusions of Presentations

- Does the Enforcement Committee have confidence that the RBRA, the City and their partners will generate and implement a wholistic solution?
- Would the Committee be comfortable directing staff to direct local agencies to establish and meet milestones to remove all anchor outs from Richardson's Bay?
- Would the the Committee like a progress update this year and, if so, when?