

## 6/23/21 EC Meeting

General Public Comment

**From:** sonja hanson <[sonyahanson@hotmail.com](mailto:sonyahanson@hotmail.com)>

**Date:** Tuesday, April 6, 2021 at 3:46 PM

**To:** "Klein, Adrienne@BCDC" <[adrienne.klein@bcdc.ca.gov](mailto:adrienne.klein@bcdc.ca.gov)>

**Subject:** Re: RBRA Actions on Richardson's Bay, Marin County (BCDC Enforcement Case No. ER2010.038)

Thank you, Adrienne, for your time and willingness to listen to concerns that question BCDC's current policies on anchor outs. I will convey my concerns at the RBRA meeting on Thursday.

I suspect there is a feeling across the country right now about how law enforcement addresses conflict with persons that are chemically and/or mentally "altered". I disagree with the term "defund" the police. I think it is wrong in oh so many ways. I do agree with the intended idea; as a society we need to address multiple types of negative behavior, in multiple ways.

It is not fair to law enforcement staff, nor to the public, to expect law enforcement to deal with every human behavior that is seen as detrimental. Many years ago, California had a robust response to mental illness. Alas, that is no longer true. I adamantly believe that we need to share funding directed to law enforcement agencies with healthcare professionals (whether working within or outside law enforcement) that are trained to work with the addicted and/or mentally ill.

Paul Ray Smith's story is tragic, and it is not unique. May we all learn from it.

Wishing you safe and well, Sonja

On Apr 6, 2021 at 12:08 PM, <[Adrienne@BCDC Klein](mailto:Adrienne@BCDC Klein)> wrote:

Hello Sonja,

Thanks for calling BCDC to express your concern about the RBRA's removal of Ms. Moyer's houseboat and Mr. Smith's vessel from the anchorage during the past two weeks. You asked how to express your concerns to BCDC and I provided you with the dates and times of the RBRA meetings (there's one this week) and of the BCDC Enforcement Committee and Commission meetings. As advised, you and all interested members of the public are welcome to make written comments and oral comments at all of these meetings. If the matter is not on the agenda, as you are aware, you would address the Board/Committee/Commission during the general open expression/public comment period. At BCDC, this occurs at the beginning of the meetings.

We appreciate you letting us know your views and welcome your continued input.

Very sincerely,

Adrienne Klein  
Principal Enforcement Analyst

[415-352-3609](tel:415-352-3609)

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**From:** sonja hanson <[sonyahanson@hotmail.com](mailto:sonyahanson@hotmail.com)>  
**Date:** Thursday, April 8, 2021 at 12:44 PM  
**To:** "Klein, Adrienne@BCDC" <[adrienne.klein@bcdc.ca.gov](mailto:adrienne.klein@bcdc.ca.gov)>  
**Subject:** RBRA Actions on Richardson's Bay, Marin County (BCDC Enforcement Case No. ER2010.038)

Thank you, Adrienne, and yes, please share as you think appropriate. I will "look" for you this evening. Onward, Sonja

On Apr 6, 2021 at 4:29 PM, <[Adrienne@BCDC Klein](mailto:Adrienne@BCDC Klein)> wrote:

Thanks, Sonja. Let me know if you would like this email shared with the BCDC EC or Commission or if you will make separate comments? This will be placed in the file noted above.

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**From:** Brock de Lappe <[bdelappe@oaklandmarinas.com](mailto:bdelappe@oaklandmarinas.com)>  
**Date:** Thursday, April 8, 2021 at 2:20 PM  
**To:** "'ebermudez@oaklandca.gov'" <[ebermudez@oaklandca.gov](mailto:ebermudez@oaklandca.gov)>  
**Cc:** "'officeofthemayor@oaklandnet.com'" <[officeofthemayor@oaklandnet.com](mailto:officeofthemayor@oaklandnet.com)>, "'DeVries, Joe'" <[JDeVries@oaklandca.gov](mailto:JDeVries@oaklandca.gov)>, "'Isimmons@oaklandca.gov'" <[lsimmons@oaklandca.gov](mailto:lsimmons@oaklandca.gov)>, "Gallo, Noel" <[NGallo@oaklandca.gov](mailto:NGallo@oaklandca.gov)>, "Fortunato Bas, Nikki" <[NFortunatoBas@oaklandca.gov](mailto:NFortunatoBas@oaklandca.gov)>, "Njuguna, Priscilla@BCDC" <[priscilla.njuguna@bcdc.ca.gov](mailto:priscilla.njuguna@bcdc.ca.gov)>, "'rnarcisse@portoakland.com'" <[rnarcisse@portoakland.com](mailto:rnarcisse@portoakland.com)>, Jim Hayes <[jhayes@almar.com](mailto:jhayes@almar.com)>  
**Subject:** Oakland Police Department - Letter of Commendation

Chief Armstrong,

Please see the attached letter of commendation for the Oakland Police Department officers involved in the clearance of the homeless encampments at Union Point Park.

A hard copy will be sent via US Mail.

With gratitude,

Brock

**Brock de Lappe | Oakland Marinas**

**Harbor Master / Marina Manager**

**1853 Embarcadero, Suite 2A Oakland, CA 94606**

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## **OAKLAND MARINAS**

1853 Embarcadero, Suite 2A

Oakland, CA 94606

Tel. (510) 834-4591

April 8, 2021

**Chief LeRonne L. Armstrong**

Oakland Police Department

455 7<sup>th</sup> Street

Oakland, CA 94607

Dear Chief Armstrong,

I am writing to you in regards to the recent clearing of homeless encampments from Union Point Park. For years this once beautiful shoreline park on the Oakland Estuary had been totally overrun by multiple homeless encampments. This

condition produced absolute squalor, rat infestation and a serious crime environment including multiple murders.

In response to a Cease and Desist Order issued by the BCDC, and in compliance with the new Encampment Management Policy unanimously adopted by the Oakland City Council, the park was cleared of all encampments in mid-March. This was a challenging task as there was considerable resistance and hostility from the residents of the encampment. Nevertheless, officers of the Oakland Police Department provided the necessary support to Oakland Public Works to accomplish the required clearance in a humane and diplomatic fashion avoiding any altercation or undesirable incidents.

Slip holders in the Union Point Marina and businesses along the Oakland Embarcadero are extremely appreciative of this dramatic improvement of the neighborhood. The park is once again being used for its intended purpose with recreational access for the public at large. There is a strong consensus that the OPD officers involved in project should receive appropriate commendation. They are:

- • **Sgt. John Perrodin 8185**
- • Sgt. Pat Gonzales 8181
- • Ofc. Forrest Maio 9397
- • Ofc. Raul Muela 9505
- • Ofc. John Romero 8927
- • **Ofc. Jennifer Sena 8375**
- • Ofc N. Patane
- • Ofc. A. Alcantar
- • PST Trina Johnson
- • PST Andrew Lew
- 

Given that this was the first Oakland city park clearance under the newly adopted EMP, is it would be very appreciated if these officers could receive an acknowledgement for a job well done.

Sincerely,

Brock de Lappe  
Harbor Master / Marina Manager

cc: Office of Mayor Libby Schaaf Joe DeVries, City Administration  
LaTonda Simmons, City Administration  
Nikki Fortunato Bas, Councilmember District 2  
Noel Gallo, Councilmember District 5  
Priscilla Njuguna, BCDC  
Rina Narcisse, Port of Oakland  
Jim Hayes, Almar Marinas

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-----Original Message-----

From: WILL TRAVIS <[willtravis@sbcglobal.net](mailto:willtravis@sbcglobal.net)>  
Sent: Tuesday, April 20, 2021 1:08 AM  
To: David Schonbrunn <[david@schonbrunn.org](mailto:david@schonbrunn.org)>  
Cc: Goldzband, Larry@BCDC <[larry.goldzband@bcdc.ca.gov](mailto:larry.goldzband@bcdc.ca.gov)>  
Subject: Re: RBRA

David,

Despite what the late Senator Nick Petris recalled about the Legislature's intent 35 years earlier and despite how former Senator John Burton wanted BCDC to administer the law 20 years ago, a few simple legal facts remain.

When the McAteer-Petris Act was enacted in 1965, (1) the Legislature determined that BCDC has regulatory authority over houseboats and other vessels that are moored for extended periods of time, which technically makes these vessels a type of "bay fill"; and (2) the Legislature did not empower BCDC to authorize new bay fill for private residential uses. These legislative provisions have remained unchanged for over half a century.

Given these provisions, from a purely legal perspective BCDC could long ago have banned every and all residential use of vessels in San Francisco Bay. But BCDC didn't do that. Instead BCDC recognized and embraced the long, rich and often colorful history of boats being used as residences. For example, so-called "arks" were moored in Richardson Bay and used by San Franciscans as vacation homes in the 19th century. Alterations crafted by shipyard workers made derelict boats suitable for the workers' desperately needed housing during World War II. And in the 1970's BCDC played an important role in the emergence of a new industry which fostered the design, construction and financing of contemporary floating homes that ranged in style from eclectic and funky to stylish and elegant.

Thus, BCDC has acknowledged that boats have been used for residential purposes and has accepted a continuation of this historic practice by adopting Bay Plan policies

which allow houseboats and has approved regulations to accommodate world travelers, leisure travel cruisers and week-end sailors who want to live on their boats. But the Commission is also responsible for protecting the natural resources of the Bay so BCDC adopted policies, enacted regulations, set criteria and initiated enforcement actions to ensure that residential use of vessels does not adversely impact the Bay's ecology.

Because of all that BCDC has done to accommodate the residential use of boats I find your assertions that BCDC is intentionally making people homeless and is the cause of a homeless camp in Sausalito completely lacking in credibility.

At the same time I can also appreciate why you have become enamored with the notion that boats can serve as a source of very low-cost housing. I suspect you might believe that this affordability stems from the process by which boats are designed and built. Every detail is carefully thought out. Living spaces are small and multi-purpose. Every feature is built to be durable. And the boats are constructed off-site under optimal conditions.

Alas, much of what you may think you're seeing as the reason boat living is inexpensive is an illusion. Boats aren't cheap to build, buy, maintain or operate. If they were, owning a boat wouldn't be a status symbol.

Living on a boat is tough. The normally simple chore of grocery shopping is complex and difficult. This onerous necessity can become a dangerous ordeal when done on a winter night, with rain falling, wind blowing and with a child in tow. Life on a boat requires a willingness to dwell in small, sometimes cramped, spaces and to forego the simple elements of domestic comfort—elements like living in a room that's not always in motion. Boat residents have to accept the fact that any number of inadvertent missteps—missteps that would be inconvenient for a landlubber—can quickly result in their vessel sinking and bring injury or death to them or other occupants of their boat.

As a result of its many downsides it becomes clear why relatively few people are anxious to live on boats. Absent a strong demand, the market cost of owning or renting a live-aboard vessel is driven downward. Their seeming low price may make it appear that boats are a magic way to meet our need for affordable housing. But the magic is just a trick: living on a boat is cheap only because it's difficult, uncomfortable and dangerous.

Despite its many drawbacks, some people embrace the boat dweller lifestyle, perhaps because of its novelty, adventure, romance or other appeal. BCDC has accommodated the brave souls who want to live on boats as a matter of choice. But suggesting that impoverished people should be forced to endure these conditions by incorporating live-aboard boats into our regional housing strategy would, I believe, be ill-advised and cruel.

If you still have some hope that there must be something we can learn from boat living, something that we can apply as we try to solve our housing problem, let me suggest that this “something” is the design and construction process used in building boats. A similar process is used in manufacturing recreational vehicles so there may be reason to believe that these “land yachts” might be yet another bit of magic that can quickly increase our supply of affordable housing. But I am skeptical. Allowing RVs to permanently park on city streets or in public parking lots without adequate utilities and other needed amenities would, I believe, be akin to allowing live-aboard boats to foul the waters of San Francisco Bay.

However, we have learned that modular construction and other manufacturing techniques, much like those used in building boats and RVs, can reduce the cost of constructing traditional-styled housing 20% to 40%. We should take full advantage of these innovations. Unfortunately, we also have to recognize that the main obstacle to building affordable housing where it should be built in the Bay Area—near transit in our existing communities—has remained unchanged for decades.

That obstacle is a far-from-seamless regulatory system, one which all-too-often endorses local residents' love of the status quo and their resistance to change. Whenever a development project is proposed, one that is a bit taller, a bit more dense, a bit different from what now exists, neighbors cry out, “Please preserve the character of our community.” I hope the day will soon come when we are less concerned about the character of our communities and more concerned about the characters in our communities who can't afford decent housing. Until that day comes I believe that any suggestion that our regional housing strategy should include a policy of condemning people to survive in tiny dwellings moored in the cold, dark waters of San Francisco Bay would be thoughtless, ineffective and inhumane.

trav

Will Travis

[willtravis@sbcglobal.net](mailto:willtravis@sbcglobal.net)

> On Apr 15, 2021, at 9:06 PM, David Schonbrunn <[david@schonbrunn.org](mailto:david@schonbrunn.org)> wrote:  
>  
> Will,  
>  
> As a Sausalito resident, I've been speaking out against the boat crushing being done by RBRA at the behest of BCDC. Things have now escalated to completely unacceptable levels:  
>  
> <https://pacificsun.com/tensions-rising-on-richardson-bay-as-police-arrest-man-living-on-boat/>  
>

> I think it is time to revisit BCDC's environmental mission in Richardson's Bay, in the recognition that the environment can be protected at the same time that people can have a place to live. I believe it is unconscionable for public agencies to intentionally make people homeless. BCDC is the reason there is now a homeless camp in Sausalito.

>

> Our society cannot produce housing at a lower cost than living on the water. We can afford to protect the eel grass and the water quality by assisting with pump-outs and small loans/grants to make vessels seaworthy.

>

> I see the need to change the paradigm--and tell the overprivileged people who live on the hill and don't like the riff-raff on the water to stuff it.

>

> I attach John Burton's letter from 2001. I requested BCDC's response to it by PRA, but it no longer exists. Could you please give me your opinion on all of this?

>

> Thank you,

>

> --David

>

> <Sen. Burton letter to BCDC.pdf>

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-----Original Message-----

From: David Schonbrunn <[David@Schonbrunn.org](mailto:David@Schonbrunn.org)>

Sent: Monday, May 3, 2021 1:33 PM

To: Will Travis <[willtravis@sbcglobal.net](mailto:willtravis@sbcglobal.net)>

Cc: Goldzband, Larry@BCDC <[larry.goldzband@bcdc.ca.gov](mailto:larry.goldzband@bcdc.ca.gov)>

Subject: RBRA

Trav,

I attempted a softer approach, working with you. As that was unsuccessful, I was forced to take a harder approach. See attached.

--David