

From: Kame Richards <kame@ >
Sent: Tuesday, September 26, 2023 2:52 PM
To: BCDC PublicComment <publiccomment@bcdc.ca.gov>
Subject: BCDC Enforcement Committee meeting

Some people who received this message don't often get email from kame@pineapplesails.com. [Learn why this is important](#)

Statement: Alameda Community Sailing Center is a 501 (c) 3 not for profit organization that helps Alameda kids expand their horizons by exposing them to San Francisco Bay through sailing. We use Rigid Inflatable Boats for safety and coach boats to watch over our young sailors. We have a fleet of 8 safety boats. They cost \$25,000 to \$35,000 each. We **cannot** run our program without these boats. We had 4 of these stolen from their berth at Ballena Isle Marina in one night. The response we received from APD was that they could do nothing, and a warning not to approach the perpetrators if we located our boats. OPD and USCG responses were nearly identical to Alameda's.

We declined to heed that advice.

We were able to retrieve all of our boats, and another RIB that was stolen from the Golden Gate Yacht Club (at the Marina in San Francisco).

How many replacements of these boats will our insurance company pay for before they drop us? We cannot continue our programs without the RIBS and cannot continue without insurance.

If the police and Coast Guard agree that they are not responsible for the theft of property, there are limited paths available to us: We will have to take care of the problem ourselves, or we will no longer be able to serve the community. Who knows what will become of these children?

Kame Richards
Alameda Community Sailing Center





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Public Comment to Sept. 27, 2023, BCDC Enforcement Committee Meeting

Why are blatant hazardous and environmentally destructive violations ignored for “anchor-outs”? Please refer to Brock de Lappe’s imagery of the end-of-life vessels in the estuary.

I speak of the people occupying unseaworthy, undocumented, or unregistered vessels that are either tied up at public docks for months or years, when for the “rest of us” we have hourly time limits; and those vessels that are anchored in the estuary, but for the “rest of us” we understand that it is not lawfully permitted nor safe.

The navigational charts for the San Francisco Bay including the Oakland/Alameda estuary does not provide anchorages in the estuary, yet for years they continue to unsafely anchor, ignored by the local authorities.

It is very peculiar that in my experience, almost every time I leave the dock in my boat, I am boarded by the Coast Guard for a minimum equipment check set forth by Code of Federal Regulations. The Coast Guard boarding party checks the vessel for proper documentation or registration, Personal Floatation Devices, fire extinguishers, visual and sound producing devices, flame arrestors, proper fuel ventilation, navigation lights, pollution regulations, Marine Sanitation Devices, and familiarity with the Navigation Rules.

I don’t believe for a minute “anchor-outs” worry about minimum equipment, Navigation Rules, or dumping their holding tanks into the estuary. There are no consequences for “anchor-outs”, only for the “rest of us”.

It appears that only the “rest of us”, those who respect the law, are subject to law enforcement; the “rest of us” pay substantial taxes so that the “anchor-out” can enjoy exemption of local law enforcement and exemption of the Code of Federal Regulations.

I demand equal justice for all.

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Art By Marti Walker

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Unhoused On the Water

Public Comment to Sept. 27, 2023 BCDC Enforcement Committee Meeting

Allowing unhoused individuals to illegally anchor in the Oakland/Alameda Estuary in derelict, end-of-life vessels is not an appropriate response to the current housing crisis in the San Francisco Bay Area. These vessels are most often not registered or insured and when they become loose from their anchorage and cause damage or sink, the “owner” simply walks away and the response becomes a public expense. Allowing such a flagrant violation of the law only results in further criminal activity as the recent rash of boat thefts and crime on the estuary can attest.

Such misguided “compassion” for the unhoused is a fool’s errand. The occupants of these vessels are rarely skilled in basic seamanship and often find themselves in dire straights during inclement weather. These derelicts rarely have proper holding tanks for sewage waste resulting in contamination of estuary waters. There are further impacts on the environment when these vessels sink releasing fuel oils and other hazardous contaminants.

These derelict anchor-outs are a blatant risk to navigation in this federal waterway. They do not display the required anchor light at night. And worst of all, they frequently break free from their anchorage drifting out of control on the estuary. This simply should not be allowed to happen. This problem has been present for years and it has only gotten worse. It is well past the time for the responsible authorities to take appropriate action to remove this threat to the general public.

What will it take?

Before



After



Before



After



Before



After



Before



After



Before



After



Before



After



Vessels Grounded on Coast Guard Island

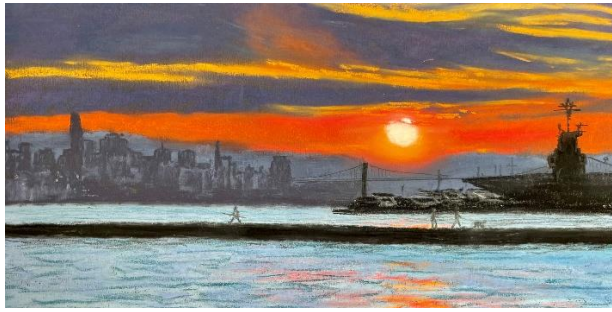


Vessel Fire Off Union Point Park



Unmanned, Unlit Vessels Adrift at Night Coast Guard Island in Background





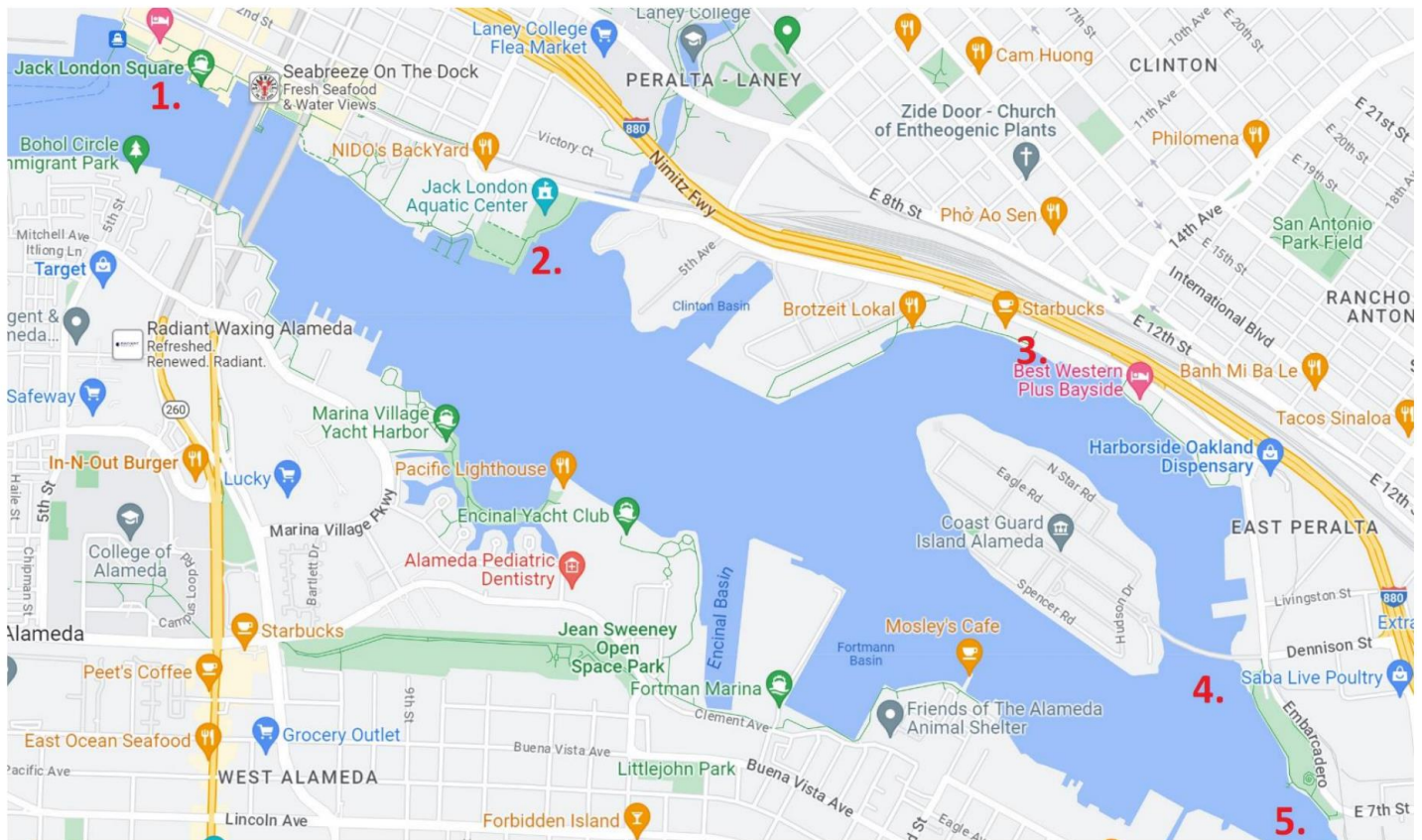
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Oakland/Alameda Estuary

September 19, 2023

Derelict Locations

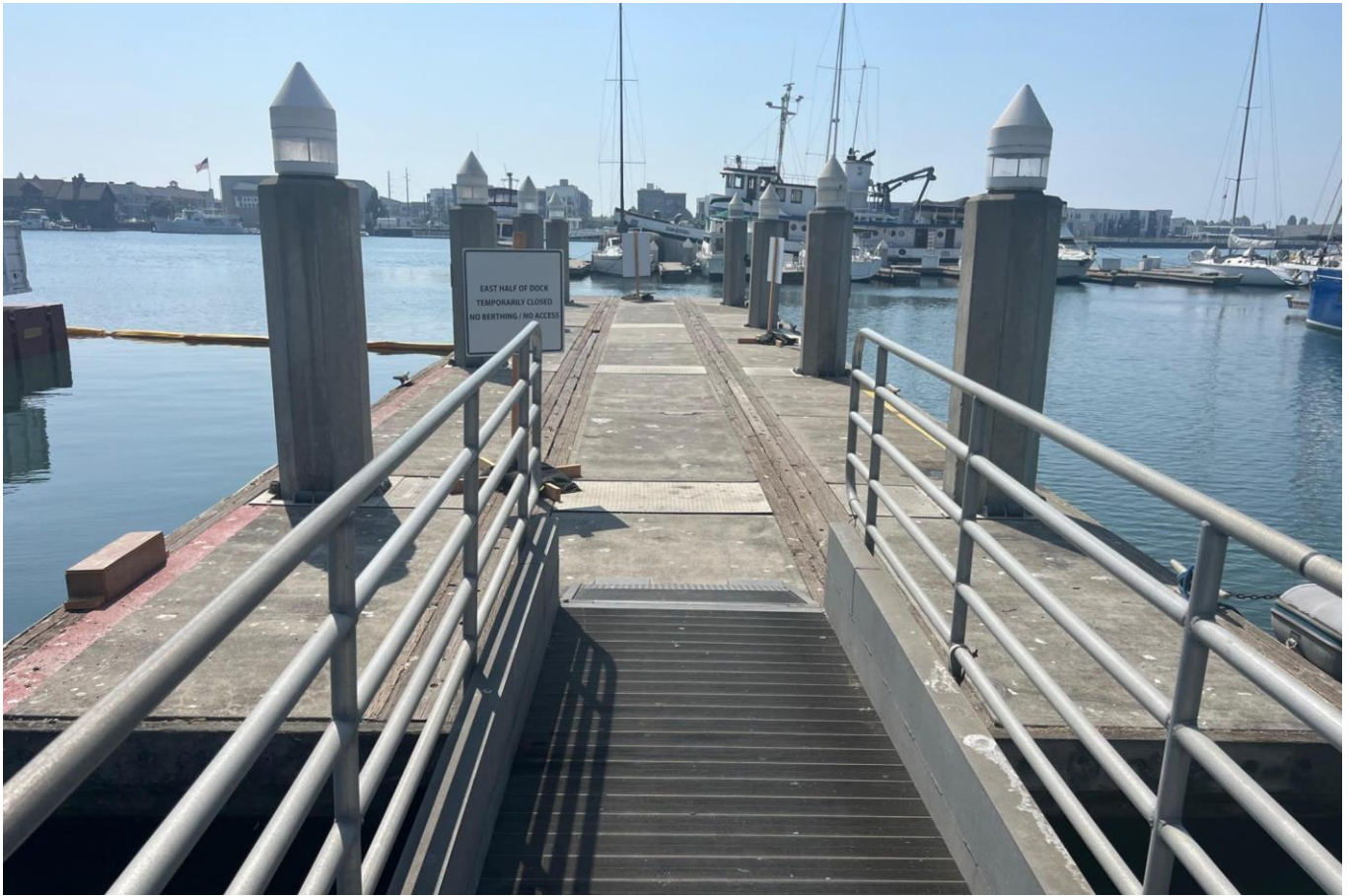


- 1. Jack London Square – Public Docks**
- 2. Jack London Aquatic Center – Public Dock and Basin**
- 3. Estuary Channel west of Bayside Hotel**
- 4. Union Point Park – West**
- 5. Union Point Park – Public Fishing Pier / East Parking Lot**

1. Jack London Square

The public docks at Jack London Square (the Broadway dock and the dock below the windows of Scott's Restaurant, are posted and limited to short-term 4-hour berthage. There have been multiple times during the past year that these docks were occupied by derelict anchor-outs who stayed not for only days, or weeks, but in one case for months. These illegal trespassers do not respond to requests to move by private Jack London Square security company, Securitas. There are currently no violating derelicts on the public docks which are now undergoing major construction to renovate the wooden docks.





2. Jack London Aquatic Center

There are current four sailboat hulls of derelict vessels that were removed from the estuary by the Oakland Police Department stored in the parking lot at JLAC awaiting funding for salvage. There are three sailboats anchored in the JLAC basin. One, a green sailboat called *Pheona Love*, had been using the public docks at Jack London Square for months. There are a total of twelve vessels tied up at the public dock. There are also a minimum of three sunken vessels at the public dock that need to be raised and salvaged.



Public Dock at Jack London Aquatic Center



JLAC Basin



JLAC Basin – Shell Dock



3. Estuary Channel west of Best Western Bayside Hotel

The \$3.5 Billion Brooklyn Basin Project is visible in the background



4. Union Point Park

There are currently four anchor-outs in the channel between Union Point Park and Coast Guard Island. There are a minimum of four sunken boats along the shoreline and in the channel.







5. East Parking Lot & Public Fishing Dock Union Point Park

There are currently two derelict anchor-outs off the east parking lot of Union Point Park. This has been the location of the recovery of stolen boating equipment and at least one arrest by the Oakland Police Department for the possession of stolen equipment (an outboard motor). There are two sunken vessels at the public fishing pier and one off the abandoned wharf offshore of Miller Milling.



Public Fishing Pier – Union Point Park





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Oakland/Alameda Estuary Press

Background:

Boats in Oakland Estuary Crushed in Cleanup Operation – April 26, 2019

<https://www.latitude38.com/lectronic/boats-oakland-estuary-crushed-cleanup-operation/>

That Sinking Feeling in the Oakland Estuary - January 2021

<https://www.latitude38.com/lectronic/that-sinking-feeling-in-the-oakland-estuary/>

Protection of the Oakland Estuary – January 19, 2023

<https://alamedasun.com/letters/16548>

Anchored-Out Vessels Cause Estuary Hazards - February 2023

<https://alamedapost.com/news/anchored-out-vessels-cause-estuary-hazards/>

Maritime Crime on the Estuary in Increasing – August 30, 2023

<https://alamedasun.com/news/maritime-crime-estuary-increasing>

Current Press:

As Piracy on the Estuary Continues, Coast Guard Announces Patrols

<https://www.latitude38.com/lectronic/2023/09/15/>

Thieves on Oakland Estuary Steal Boats With Impunity, Face Few Consequences

<https://www.latitude38.com/lectronic/2023/08/23/#thieves-on-the-oakland-estuary-have-been-stealing-boats-with-impunity-and-facing-few-repercussions>

New type of crime wave sweeps Oakland's waterfront: 'Pirates'

<https://www.sfchronicle.com/crime/article/oakland-pirates-boat-theft-marina-18327425.php>

Pirate crime spree, vigilantes throw Oakland estuary into lawlessness

<https://www.mercurynews.com/2023/08/28/pirate-crime-sprees-vigilantes-throw-oakland-estuary-into-lawlessness/>

Oakland faces rash of 'pirates' as thefts hit boats and docks as crime spikes in Bay Area

<https://www.dailymail.co.uk/news/article-12454333/Oakland-boat-theft-bay-area-pirates.html>

US Coast Guard to battle pirates of the Oakland estuary

<https://boingboing.net/2023/09/14/us-coast-guard-to-battle-pirates-of-the-oakland-estuary.html>

Television:

'Crime spree by pirates' at Oakland Estuary raises safety concerns

<https://www.ktvu.com/news/crime-sprees-by-pirates-at-oakland-estuary-raises-safety-concerns>

Coast Guard deploys boats to deter 'pirates' taking over Oakland estuary, officials say

<https://abc7news.com/oakland-estuary-marinas-pirates-us-coast-guard-boats-pirate-attacks-shipwrecks/13779792/>

Oakland pirates becoming more brazen as several ships stolen in span of a week

<https://www.cbsnews.com/sanfrancisco/news/oakland-pirates-becoming-more-brazen-as-several-ships-stolen-in-span-of-a-week/>

Boaters deal with 'modern-day pirates' in the East Bay

<https://www.nbcbayarea.com/news/local/east-bay/pirates-oakland-estuary/3305821/>

Boats docked at Oakland marina being targeted by pirates

<https://www.cbsnews.com/sanfrancisco/news/boats-docked-at-oakland-marina-being-targeted-by-pirates/?intcid=CNM-00-10abd1h>

Oakland boat owners watch out for 'pirates' as crime spreads to the water

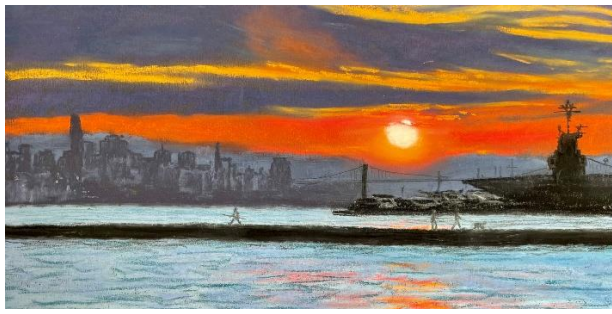
<https://abc7news.com/oakland-pirates-boat-thefts-jack-london-square-boats-crime/13714685/>

Burglars targeting boats on Oakland Estuary

<https://www.kron4.com/video/burglars-targeting-boats-on-oakland-estuary/8949134/>

Oakland police in process of training maritime officers to crack down on pirates

<https://www.youtube.com/watch?v=by1bWIHcg4>



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Law Enforcement on the Oakland/Alameda Estuary

Currently (September 3, 2023):

- **Oakland Police Department has one (1) dedicated officer to the marine patrol, Officer Kaleo Albino. He has trained/certified 3 additional officers he is hoping to have for a 90-day temporary deployment. He is awaiting the award of a \$170,000 grant from the SAVE program of the California Division of Boating & Waterways for dealing with derelict and abandoned vessels.**
- **Alameda Police Department has no dedicated marine patrol officers. All periodic staffing have other full-time responsibilities. The APD marine patrol boat is in Mariner Square Dry Stack storage severely limiting response capability. Alameda has done an exemplary job of preventing anchor-outs on its shoreline and they apply annually for SAVE grant funds. Alameda PD recently provided Oakland with \$30,000 from their SAVE grant to assist with Oakland's vessel cleanup.**
- **The Alameda County Sheriff Dept marine patrol unit has been recently disbanded. Why did this happen? Was a decision made that there was no need?**
- **The United States Coast Guard has a substantial presence in the estuary with Coast Guard Island, considered a part of Alameda, berthing both cutters and a fleet of smaller patrol boats. There are numerous illegal anchor-outs immediately adjacent to this base. Rarely are these vessels registered or insured, and are unlikely to contain the required safety equipment (PFDs, flares, fire extinguishers, etc.) and sanitation devices. Recreational vessels are routinely boarded and cited for infractions of these requirements. A significant safety concern is that these anchor-outs in a federal navigable waterway do not display an anchor light at night. Despite these obvious infractions, there is a complete hands off approach by the USCG, relegating all estuary law enforcement to local jurisdictions.**

What the Coast Guard has pending is an expansion of their security zone around the island. This action merely enhances their security cocoon, pushing the problem further away for others to deal with.

<https://www.federalregister.gov/documents/2023/02/16/2023-03296/security-zone-san-francisco-bay-oakland-estuary-alameda-ca>

There needs to be a more complete public understanding of the USCG's commitment to protecting this federal waterway. Based on current conditions, that is not entirely clear. The USCG has vastly more marine law enforcement resources than city police departments. They could definitely contribute substantially to addressing this problem.



Anchor-Out with Brooklyn Basin development in the background

This is a \$3.5 billion residential project on the Oakland Waterfront

Due to an exploding number of incidents of crime on the estuary, there has recently been a great deal of press, both print and television. Coverage has even extended internationally with an article in the London Daily Mail.

A concerted effort by government officials, law enforcement agencies, members of the boating community, and general public is needed to promote a thorough estuary cleanup. Once cleared of both floating and sunken vessels, there must be a commitment to ongoing on-the-water law enforcement. Those responsible must act responsibly in protecting this precious San Francisco Bay resource.

Anchor-Outs Off East Parking Lot, Union Point Park

US Coast Guard Cutters in background



Offshore of Union Point Park adjacent to Coast Guard Island



Bridge to Coast Guard Island – Dennison Street



Coast Guard Island Patrol Boats

