

MINUTES
BOATING AND WATERWAYS COMMISSION MEETING
MONTEREY, CALIFORNIA
NOVEMBER 6, 2014

Pursuant to due and regular notice, the meeting of the Boating and Waterways Commission was called to order by Vice Chairman Livingston on November 6, 2014, at 9:01 a.m. at the Hyatt Regency Monterey, One Old Golf Course Road, Monterey, California.

INTRODUCTION OF COMMISSIONERS AND STAFF

A quorum among Commissioners present, David Livingston, Vice Chair; Katherine Pettibone, Frank Peralta, and Randy Short. State of California, Department of Parks and Recreation (State Parks) staff present was Christopher Conlin, Acting Deputy Director, Division of Boating and Waterways (DBW); Katherine Tobias, Chief Counsel; other DBW staff and registered visitors.

Not present: Chairman Douglas Metz and Virginia Madueno, Commissioner.

APPROVAL OF MINUTES

MOTION: It was moved by the Commissioners that the Boating and Waterways Commission Minutes of August 20, 2014, meeting be approved.

CHAIRMAN'S REPORT

Vice Chairman Livingston had nothing to report at this meeting.

COMMISSIONERS' ACTIVITIES UPDATES

Commissioner Short gave a brief update on the previous discussions with local community of Owens Valley and the Eastern Sierra regarding assistance from the Los Angeles Department of Water and Power, a public/private partnership for a new Eastern Sierra project, newly called the Eastern Sierra Waterways Project consisting of 60 miles of lakes Highway 395 between Bishop and Lone Pine. This region has millions of travelers with no boating facilities or waterway access. To date, the project has been a successful joint effort with local people (volunteers) and local companies in accomplishing to improve the access to remote sections of the Owens River and adjacent ponds. This project will now give access to boaters, kayakers, wounded warriors, disabled sportsman, stand-up paddle boarders, swimmers, fishermen, photographers and wildlife enthusiasts. This project extends to everyone regardless of age, physical ability access boating and off-highway transportation.

Commissioner Short continued, regarding lakes. There is no boating access. So further assistance can provide additional facilities for disabled athletes and disabled people for the Eastern Sierra. Disabled Sports Eastern Sierra is based at Mammoth Lake and eager to expand their boating activity. They are associated with the Wounded Warriors, and they create all kinds of recreational activities. Commissioner Short expressed the enthusiasm of involvement, and the fact that it really created a spectacular expansion of this.

Commissioner Short continued, this project started as a small project in the Owens Valley, and the folks that run the Wounded Warrior Project in the Eastern Sierra. Since the introduction of this project, I received immediate reception from Inyo County and Mono County to get involved. This project has grown from a small project to 30 miles area to encompass 150 miles from Bridgeport to Lone Pine. Commissioner Short asked support from the Division of Boating and Waterways to allow grants for Inyo County, Mono County and U.S. Forest Service. Commissioner Short expressed, there are many things that can be done. A group is being assembled to discuss beyond ADA accessibility to create facilities for people of abilities.

Commissioner Short provided a brief discussion on Eastern Sierra Venture Trails, a pilot program created by Legislation that allows All Terrain-Vehicles ATVs in relationship to southern part waterways project.

Commissioner Slavik, OHMVR provided a brief update regarding activities at Castaic Lake, Southern California. The outgrowth of activity with the California Police Activities League when the financial crisis hit. Commissioner Slavik expressed Huntington State Beach had 900 kids on the beach that were at-risk kids from all over the State of California came and had the opportunity to enjoy the ocean.

The effort was restarted with Castaic Lake along with L.A. County Sheriffs, Boating and Waterways, California Parks and Recreation, OHMVR Commission and Cal State, Northridge. To date, there were 50 kids, but it was an opportunity to get started with this kind of interdisciplinary approach. The kids participated on ATVs, kayaks, stand-up paddle boats and SVRAs large-scale remote controlled jeeps. This is an opportunity to introduce at-risk kids into responsible recreation on a much smaller footprint. This effort will continue and expand around the state and include the recreation community to get kids basically away from those electronic screens that they've been so enamored with for the last few years and get them outside.

DEPUTY DIRECTOR'S REPORT - LEGISLATION

Acting Deputy Director Conlin expressed his appreciation in having chairs from two other Commissions present, it truly shows a team effort to make sure that everyone is successful, to make sure that Boating and Waterways is successful. That is very significant.

Acting Deputy Director Conlin signed off on a request to take the software that is currently used for the Off-Highway Vehicle Division. An opportunity to link with State Parks Law Enforcement to standardize training.

Acting Deputy Director Conlin briefly discussed the launch of several Interagency Agreements, one with the Department of Water Resources.

Acting Deputy Director Conlin briefly shared the latest update on legislative activities:

Assembly Bill 763

This bill would provide more authority to the treatment and make us a lead agency, facilitated us receiving the federal, local and state entities and coming up with an interagency process. This will start our treatments in the next season. This is good news for Boating and Waterways.

Senate Bill 941 (Monning) Vessel Operator Cards – Passed

This bill is the mandatory education bill. It's a tremendous opportunity for the Division. Part of the legislation requires that there be a Technical Advisory Group (TAG). The TAG will help in an advisory role on such other issues as grandfathering through other trainings. Acting Deputy Director Conlin briefly discuss and made a request to the Commission to takes steps to form an Ad HOC subcommittee, to evaluate and provide recommendation back to the Department /Division. Acting Deputy Director Conlin has a list of volunteers and staff within the Division we thought might be good. This is a public process, as is the Commission, and the TAG should be. Acting Deputy Director Conlin would like to get the public looking at this, making some good recommendations to the Department that we can move forward to present back to the Governor's office for some of these critical issues.

*MOTION: Commissioner Pettibone and Short agreed to accept.
Recommendation and vote will be presented at the next Commission meeting.*

Senate Bill 1162

Briefly discussed, this bill redefined some of the violations and would strengthen the law enforcement. Which reclassifies as a number of misdemeanors down to a citable infraction.

PUBLIC COMMENTS

No public comment at this meeting.

ADVISE AND COMMENT REGARDING PUBLIC GRANTS

Mr. Cuong Chu, Project Manager, DBW Loan and Grants Financial Services, presented the City of Reedley request for a \$225,000 planning grant for Cricket Hollow Boat Launching Facility at Kings River in Fresno County.

DBW recommends completion of CEQA as a condition of this grant to be completed by March 1, 2016. Also request DBW Commission Advise and Comment on the proposed \$225,000 Harbors and Watercraft Revolving Fund planning grant with conditions to the City of Reedley for Cricket Hollow Boat Launching Facility for improvements described in the November 6, 2014 Feasibility Report.

Jerry Isaak, Fire Department Chief, Reedley Fire Department expressed his concern from a public safety and a recreational user and in charge the fire department. Chief Isaak suggested, to retain but an upgrade is need to the two-lane ramp, which would allow public safety entity to access the river when public is at the dock using it safely. Mr. Isaak expressed the need for reliable launching facility to King River and other public launching areas. This concern is also expressed by the Fresno and Tulare County Sheriff's Department.

Keren Dill, Chief, DBW Loan and Grant Financial Services, gave a brief clarification to Chief Isaak suggestion, the proposal isn't to remove the second lane but only to improve the first lane. The second lane would retain access for fire and emergency vehicle, but it would not be improved. The benefit cost analysis with the number of boat users at that facility doesn't justify the improvement of the second lane, but the proposal does retain the second lane. It just does not improve it at this time.

Joel Glick, Community Services Director was also present to answer questions on the project. Also presented to the Commissioners letters of support from our Parks and Recreation foundation and private citizens.

MOTION: It was moved by Commissioner Peralta, seconded by Commissioner Short to approve. The Commissioners simultaneously voted, passed unanimously.

Joe Dux, Project Manager, DBW Loan and Grant Financial Services Unit. Mr. Dux presented his request for DBW Commission Advise and Comment on the \$300,000 planning grant from the Harbor and Watercraft Revolving Fund (HWRF) program for The County of Los Angeles for improvements at the Marina del Rey (BLF).

Also, present was Charlotte Miyamoto, Division Chief, L.A. Planning with Department of Beaches and Harbors to seek the Commission Advice and Comment on the proposed project.

Ms. Miyamoto briefly discussed, the many improvements needed in parking areas, cracks and fencing will continue to deteriorate. Striping has faded. Pedestrian and vehicle navigation isn't guided, which poses a potential hazard. The proposed to remove the six-lane concrete launch ramp and replace it with a new V-groove concrete ramp, pave and strip the parking area, replace entire perimeter fencing, add a boat queue dock with ADA accessible gangway to improve boat launching traffic and increase usage. The proposed project will contribute \$300,000 to plan, design and acquire permits. DBW recommends the condition that the County shall complete CEQA funding by May 1st, 2015. DBW seeks Commission advice and comment on the proposed \$300,000 HWRF planning grant with conditions to the County of Los Angeles for the Marina del Rey Boat Launch Facility for the improvements described in the November 6, 2014 Feasibility Report.

MOTION: It was moved by Commissioner Pettibone, seconded by Commissioner Short to approve the proposed \$300, 000 planning and construction grants and the proposed \$300,000 Harbors and Watercraft Revolving Fund planning grant with conditions to the County of Los Angeles, Marina del Rey Launching Facility for improvements described in the November 6, 2014 Feasibility Report. The specific conditions are the County at its expense will complete the California Environmental Quality Act (CQEA) requirements by March 1, 2016. No reimbursement will occur until CQEA is complete. The Commissioners simultaneously voted, passed unanimously.

Keren Dill, Chief, DBW Loan and Grant Financial Services presented and requested Commission advice and comment on the City of Long Beach's request for a \$16.9 million loan. Also present from the City were: Elvira Hallinan, Operations Manager of Marine Bureau, Department of Parks and Recreation and Marine; George Chapjian, Director, Department of Parks and Recreation and Marine.

Ms. Dill expressed the loan program has funded all three of the City's marina, the shoreline, downtown - the names have changed. The Rainbow Marina, the Shoreline – all three of them including Alamitos Bay. The Division is recently involved in the rehabilitation.

Ms. Dill briefly discussed a timeline of the relationships with the city and the funding projects completions. To date, the request for Basin 2 infrastructure was originally constructed in the 1960s. Then despite significant city effort in maintenance, just the infrastructure is failing. Not exactly safe conditions for boaters and not accessible to those with disabilities. The proposed project includes demolition of the existing 623 slips and associated infrastructure, dredging the facility to the original design depth of minus ten feet mean lower low water. Reconfiguration of the docks to 517 new slips. The Coastal Commission approval was received for the reduction for slips. The city has received all permits and designs are complete. The construction funding is needed.

Ms. Dill explained, the City is going to take primarily the soft costs, lots of the land side, and Boating and Waterway funding is going to be used just for construction expenses, dredging, demolition, marina floats, piles, gangways, et cetera. This proposal or cost estimate is \$29.35 million. The City is funding the remainder, and this estimate includes a 10 percent contingencies for unforeseen expenses. As with all infrastructure funding, particularly with loans, the need to make sure there are covered for the outlay of public funds, sufficient capital to construct the project, there is. If the \$16.9 million loan is approved, it will be combined with the City's funding to have a fully-funded project.

Ms. Dill made the request to the Commission for Advise and Comment on the proposed \$16.9 million Harbors and Watercraft Revolving Fund loan with conditions for the City of Long Beach for the Alamitos Bay Marina, Basin 2 improvements described in the November 6, 2014 Feasibility Report.

Vice Chairman Livingston asked for other comments?

George Chapjian, Director, Department of Parks and Recreation and Marine. Mr. Chapjian thanked the Division of Boating and Waterways and the Commission expressing the tremendous relationship and staff. Mr. Chapjian along with Elvira Hallinan, Operations Manager expressed the City is on Board with the rebuilding and project completion.

MOTION: It was moved by Commissioner Peralta, we fund the requirements, seconded by Commissioner Pettibone. The Commissioners simultaneously voted, passed unanimously.

RECEIVE PUBLIC COMMENTS REGARDING DIVISION PROGRAMS

Mr. Chu; Mr. Dux; Ms. Dill; Ms. Fernandez; Ms. Turgeon; and Ms. Mutak presented on the following programs:

City of Reedley, Cricket Hollow BLF–Mr. Chu
County of Los Angeles, Marina del Rey BLF– Mr. Dux
City of Long Beach, Alamitos Bay Marina, Basin 2–Ms. Dill
Law Enforcement Training Program –Ms. Fernandez
Boating Clean and Green Program – Ms. Mutak
Dock-Walker Program – Ms. Mutak
Local Assistance Floating Restroom Grant Program –Ms. Dill
Local Assistance Pumpout Facility Grant Program – Ms. Dill
Local Assistance Boat Launching Facility Grants Program – Ms. Dill
Local Assistance Public Small Craft harbor Loan Program – Ms. Dill
Private Small Craft Harbor Loan Program – Ms. Dill
Beach Erosion and Restoration Programs – Ms. Dill
Aquatic Invasive Species – Quagga /Zebra Grant Program – Ms. Turgeon

ADVICE AND COMMENT REGARDING CHANGES IN REGULATIONS

AB 2443, the final rulemaking, has been submitted to the Secretary of State for enactment.

INFORMATION: CALENDAR OF EVENTS

Next Commission Meeting

May 12 & 13, 2015 Plumas / Paradise

Pending August 2015 meeting until Chairman Metz returns.

Meeting adjourned at 12:02 p.m.

