

**MINUTES
BOATING AND WATERWAYS COMMISSION MEETING
SACRAMENTO, CALIFORNIA
AUGUST 22, 2012**

Pursuant to due and regular notice, the meeting of the Boating and Waterways Commission was called to order by Chairman Webb on August 22, 2012, at 9:04 A.M. at the Embassy Suites Hotel, 1345 Treat Blvd., Walnut Creek, California.

ROLL CALL

Commissioners Present: Matthew Webb (Chair), Douglas W. Metz (Vice Chair), John R. Bañuelos, David Lumian, and Frank Peralta

Commissioners Absent: David Livingston

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

APPROVAL OF MINUTES

***MOTION:** It was moved by Commissioner Lumian and seconded by Commissioner Metz that the Boating and Waterways Commission Minutes of the May 23, 2012, meeting be approved. The motion carried unanimously.*

CHAIRMAN'S REPORT

Summary of August 21, 2012 Field Trip

Chairman Webb commented on the excellent field trip of the Delta, which was conducted by the Contra Costa County Sheriff's office. The Commissioners were informed on invasive aquatic species by Lars Anderson and a presentation on the Bay Delta Conservation Plan was given by Department of Water Resources representative's Doug Rischbieter and Michelle Morrow.

Chairman Webb suggested boaters give their input on the environmental document the State is preparing on the Bay Delta Conservation Plan.

Procedure for Adding Items to Agenda

Chairman Webb suggested any items that the Commissioners would like to have included in the agenda should be sent by email to the Chairman with a copy to the Vice Chairman, Ms. Becerra and Ms. Sanchez. The suggested items, he said, will then be discussed for inclusion at the in-between meeting with Ms. Becerra.

Review of Exparte Communication Policy

Chairman Webb would like to hold this agenda item for the next commission meeting or for a future workshop.

DIRECTOR'S REPORT

Ms. Becerra reported that the Department programs are continuing to educate the public on the use of life jackets for motorized and non-motorized boaters. She updated the Commission on the following:

- Boating and Water Safety Education at the State Fair
- Multimedia Boating Awareness Campaign
- Standup paddling video
- Clean and Green Program
- Americas Cup
- Boating Accidents

Ms. Becerra commented on the passing of former Commissioner Warren Rupf.

LEGISLATIVE REPORT

Ms. Becerra acknowledged legislative representatives Iris Obregon of Assemblymember Buchanan's office, and Satinder Malhi, of Senator Mark DeSaulnier's office. Ms. Becerra commented on the following bills:

- AB 737, Buchanan, would create a Harbors and Watercraft Commission in the Department of Parks and Recreation within the Division of Boating and Waterways.
- AB 1540, Buchanan, would designate DBW as the control agency for the control of the South American Spongeplant.
- AB 2443, Williams, would create a new statewide local assistance program that would pay for dreissenid mussel prevention programs at reservoirs and would set aside a specified amount of revenues for grants to local agencies.
- SB 1251, Evans, would require the Ocean Protection Council and the Wildlife Conservation Board to enter into a memorandum of agreement to jointly establish an Aquatic Invasive Species Working Group.

PUBLIC COMMENT

Lenora Clark, former commissioner, Rear Commodore of the Pacific Inter-Club Yacht Association, thanked the Commission for the Delta field trip. She invited everyone to Opening Day at the Bay which will be held the last Sunday in April. Ms. Clark reported that the Recreational Boaters of California (RBOC) opposes AB 2443 and believes the water districts should bear the cost of ensuring that the reservoirs are kept free of the mussels. She also added that RBOC will be monitoring the Department and Commission as it is merged with the Department of Parks and Recreation.

Tim Leathers, Martinez Marina, spoke on the Clean Marinas California program. He thanked the Department's staff for their help in restructuring their marina loan.

Satinder Malhi, Senator DeSaulnier representative, welcomed the Commissioners to their district and thanked Ms. Becerra for her assistance when helping their constituencies.

CONSIDERATION OF STATEWIDE PROJECTS

Mr. Watanabe presented to the Commission for its consent the following statewide projects. He also discussed last year's statewide project expenditures. After discussion the following motions were made.

Ramp Repair and Modification

MOTION: *It was moved by Commissioner Lumian and seconded by Commissioner Peralta that the Boating and Waterways Commission approve \$1,000,000 for ramp repair and modification, with the condition that a report is given next year on how the money was spent. The motion carried unanimously.*

Non-Motorized Boating

MOTION: *It was moved by Commissioner Lumian and seconded by Commissioner Peralta that the Boating and Waterways Commission approve \$550,000 for Non-Motorized boating, with the condition that a report is given next year on how the money was spent. The motion carried unanimously.*

Floating Restrooms

MOTION: *It was moved by Commissioner Lumian and seconded by Commissioner Peralta that the Boating and Waterways Commission approve \$300,000 for floating restrooms, with the condition that a report is given next year on how the money was spent. The motion carried unanimously.*

Signs

MOTION: *It was moved by Commissioner Lumian and seconded by Commissioner Peralta that the Boating and Waterways Commission approve \$20,000 for signs, with the condition that a report is given next year on how the money was spent. The motion carried unanimously.*

NEW BUSINESS

Summary of FY 2012-13 Enacted DBW Budget

Ms. Becerra gave an update on the Department's \$69 million budget. She added if the Governor's proposal to increase taxes is not passed then \$5 million from the Harbors and Watercraft Revolving Fund to locals to fund portion of their law enforcement programs will be eliminated. Ms. Clark stated Contra Costa County had said a third of their budget will be affected if funds are cut.

Ms. Becerra said a table, which will list the amounts to be cut from local agencies that might be affected, can be provided at the next Commission meeting.

Summary of Enacted Governor's Reorganization Proposal

Ms. Becerra reported that the Governor's reorganization's plan was approved and will be operative by July 1, 2013, and that planning will begin soon. Ms. Becerra indicated that AB 737 would establish a new commission with the some of the same current requirements, but it will no longer approve loans and grants. The Director of Parks and Recreation will approve them.

Summary of State Special Funds Activities

Ms. Becerra reported that several departments with special funds, including Boating and Waterways, were reviewed. There were no issues found with the Harbors and Watercraft Revolving Fund. She said, new quality control efforts, beginning with FY 2013/2014, will be done with the State Controllers' office and the Department of Finance and will be consistent with what already occurs with the General Fund.

Chairman Webb asked that a workshop be scheduled as soon as it is known if the current Commission members will remain when merged into the Department Parks and Recreation. Ms. Becerra asked that the Commission wait until the Governor's office has indicated what it plans do to.

List of FY 2013-14 Loan and Grant Applicants

A list of the FY 2013-14 loan and grant applicants was given to the Commission.

Aquatic Weed Control Update

Ms. Becerra gave the Commission a summary of acres treated and total program expenditures for aquatic weed control. Two maps of the Delta were also provided to the Commissioners at the field trip. She reported that the U.S. Fish and Wildlife Service have approved the treatment for the 2012 Water Hyacinth program and that the Egeria Densa treatment began on July 9, 2012. A meeting will be scheduled with the U.S. Fish and Wildlife Service and NOAA to facilitate a smoother process for the Department to obtain necessary permits to treat.

Completed Projects Update

Mr. Watanabe gave a presentation on the Lake Elsinore boat launching facility which was completed June 2012. Chairman Webb was at the opening of the new facility.

OLD BUSINESS

City of Martinez Marina Loan Payment Update

Ms. Becerra provided an update on the City of Martinez Marina loan. She said the City of Martinez has informed the Department that the City will not be able to make full loan payment on August 1 due to insufficient marina revenues. The balance on the loan is \$1.5 million. The City is working on a revised plan which will propose downsizing marina operations and new uses of the marina which will generate revenues without requiring expensive capital improvements. The Department requested a letter from the City Manager detailing the current status of the marina's plans. The Department is working with Agency on this matter.

City of Stockton Marina Loan Payment Update

Ms. Becerra provided an update on the City of Stockton Marina loan. She said the Department is working with Agency on this matter.

COMMISSIONER ANNOUNCEMENTS

It was decided that the next Commission meeting be held in Long Beach on October 23 and 24.

ADJOURN

Chairman Webb adjourned the meeting at 11:46 A.M.



Lucia C. Becerra, Acting Secretary