



DEPARTMENT OF PARKS AND RECREATION

Division of Boating and Waterways
PO Box 942896
Sacramento, California 94296

Armando Quintero, *Director*

June 8, 2026

Boating and Waterways Commission
Sent Via Email

Re: Response to Commissioner Hallahan's Letter, named "May 7th commissioner report and request" sent via email on May 26, 2026

Dear Commissioner Hallahan, Chair Pier, and fellow Commissioners,

While we recognize that the Boating and Waterways Commission (BWC) is passionate about all things related to recreational boating, these local fueling issues are outside of the California State Parks, Division of Boating and Waterways (DBW) and BWC jurisdiction and are the responsibility of other public agencies. To weigh in on this local matter, in order to influence other public bodies, under the authority of the BWC, would undermine efforts and activities of our partner agencies and break protocol.

Commissioner Hallahan's emailed letter, identified above, requested various items and clarifications from DBW. Her requests are copied and responded to below.

Request: "I respectfully request the Chair of this Commission write a letter, with the Commission seal, to Larry Goldzband, Executive Director of the BCDC recommending that BCDC require as a condition of the permit that the Gashouse Cove fuel dock remain open until a replacement facility in the general vicinity is fully constructed and operational."

DBW Response: The Boating and Waterways Commission (BWC) is authorized in the Harbors and Navigation Code (HNC) Section 82.3 to provide Advice and Comment on Division programs and activities. A request to delay planned environmental clean-up and construction activities, not funded by DBW, does not fall within the BWC authority as identified in the HNC.

Request: "I request clarification regarding whether California Boating and Waterways has oversight authority and responsibility to mandate or preserve gasoline and diesel fuel dock access and emergency maritime service access points on California waterways."

DBW Response: DBW does not have oversight authority or responsibility for gas or diesel fuel access or emergency maritime service access points.

Request: "I recommend that DBW Commission request a review by staff of the jurisdictional authority for fuel dock availability, funding and licensing to help clarify DBW's role in maintaining gas and diesel fuel access."

DBW Response: DBW does not have a role in maintaining gas and diesel fuel dock availability or licensing. The HNC and the federal Boating Infrastructure Grant allows DBW to provide available loan and grant funding to qualifying public and private marina owners, for their installation of such facilities.

Fuel docks in California are primarily regulated by local Certified Unified Program Agencies (CUPA's) under the state's Aboveground Petroleum Storage Act (APSA), with oversight from CAL FIRE–Office of the State Fire Marshal. Federal oversight also applies through the U.S. Coast Guard and EPA for marine fueling and spill prevention.

Request: "I'm also looking forward to the DBW Commission making recommendations concerning the preservation of emergency responder access points and infrastructure."

DBW Response: DBW does not have authority over 'emergency responder access points and infrastructure'. DBW's grant funding for boating access is specified for recreational boating access, which can be and is often used by emergency responders. Creation, oversight, or regulation of specific emergency responder access points and infrastructure however is not an authorized use of DBW resources or grant funding and therefore not under the BWC jurisdiction.

Commissioner Comment: "Additionally, the California Division of Boating and Waterways (DBW) provides funding for environmental improvement programs and actively promotes "Use Safe, Spill-Proof Fueling Practices" as part of its boating safety and environmental stewardship mission. However, current guidance does not adequately address the increased environmental and public safety risks associated with the growing reliance on portable fuel containers resulting from the continued loss of public marine fuel docks throughout San Francisco Bay."

DBW Response: DBW's Boating Clean and Green program, in partnership with the [California Office of Emergency Services](#) and input provided by the Pacific Oil Spill Prevention Education Team, has developed and provided [educational resources](#) and tools addressing proper fueling practices, including the use of portable containers.

DBW's website and resources page (hyper-linked above) contains recommended practices that mitigate these risks. As DBW's program is a statewide educational program, these resources:

- **are not framed as a response to the shift toward PFC fueling in the Bay Area.**
- **are not consolidated into a portable-fueling-specific section.**

The gap is not the absence of guidance, it's the lack of contextualized and region-specific guidance for a Bay-wide transition to portable fueling.

Commissioner Comment: As permanent fueling infrastructure continues to disappear, recreational boaters and small vessel operators are increasingly forced to transport gasoline and diesel fuel in portable containers by vehicle, dock cart, or hand transfer onto vessels. This practice can significantly increase spill risk. DBW's role in California maritime fuel docks should include a recommendation to minimize the use of fuel in portable containers to prevent spills. DBW's website and educational programs could include a section on "Use Safe, Spill-Proof Fueling Practices"

DBW Response: The Boating Clean and Green program can expand the current information found in DBW's website to include more detailed best management practices related to the use of portable containers.

As discussed in various BWC meetings, if members of the BWC feel compelled to comment on matters outside the BWC jurisdiction, they may do so as members of the public. If they identify themselves as members of the BWC in their comments, they must also state that they are **not** speaking on behalf of the Boating and Waterways Commission.

Sincerely,

Ramona Fernandez, Deputy Director
California State Parks

cc: Kathryn Tobias, Senior Counsel