

Tomales Bay Vessel Management SAC Working Group

November 12, 2008

Summary Notes

1. Updates

Agenda Overview

Dominique Richard pointed out that our agenda is set up to finish our recommendations for the SAC, including the mooring criteria, education and outreach recommendations and oil recycling and bilge services.

Meeting notes from Oct 30

The meeting notes were approved with two additions:

1. There was an "Additional Criteria" section added, which stated that a member of the Working Group (WG) raised a concern about moorings in front of shoreside properties and stated that it would be desirable to prevent moorings in front of residential areas without owners consent.
2. There was a "Wrap Up" section added, which covered the a discussion about extending the length of the November 12, 2008 meeting and noted a staff action to provide an updated schedule at the November 12th meeting and provide an updated timeline.

CA State Lands Commission (SLC) Live-Aboard Policy

Nanci Smith reported to the WG that SLC generally did not permit live-aboards on State tidelands and submerged properties. An exception is made for a very limited number of live-aboards in marinas, where their presence would improve marina security.

It was noted that in Tomales Bay, the lease between SLC and the Golden Gate National Recreational Area (GGNRA) means that GGNRA can enforce GGNRA prohibitions on live-aboards by citing violators in areas that are covered by the lease. However, there are areas in Tomales Bay that are not covered by the SLC-GGNRA lease, including private properties outside of the GGNRA boundaries that extend into the Bay (including areas off of Nick's Cove and Marshall Boat Works), where GGNRA would not have jurisdiction to cite live-aboards. SLC could exercise its trust authority to remove violators in these areas, but this is not an easy or speedy process. It was noted that without a County ordinance or some other authority, law enforcement officers could not quickly cite and remove live-aboards in those areas.

It was also noted that the interagency committee will be discussing this issue and the County of Marin and Supervisor Kinsey will be invited to the next meeting.

There was also an additional discussion regarding moorings in front of shoreside residential properties. Nanci Smith stated that SLC would not permit moorings to be installed in front of shoreside residential properties without the approval of the owner. However, it was noted that SLC could enter into a master lease with a private or public party (such as it has done at Lawson's Landing), where the lessee would decide the exact location of the mooring buoys. George Clyde said that this was the reason the WG should recommend a policy that prohibited moorings in front of residential properties without the owner's permission. Such a policy would also help address the problem of property owners installing unused mooring buoys in front of their properties just to prevent others from being installed there.

Response to Public Comment Update

Marin County is close to getting sign off for the response to public comments, and so the GFNMS has decided to wait until the County can finish their review process.

2. Education and Outreach Planning

Brad Damitz gave a Power Point presentation about the potential topics, the materials, and the locations for potential education and outreach materials to be included as part of the education and outreach component of the Vessel Management Plan. Key issues raised:

- Maps are a very good idea and should be a top priority. Key components of the map should include: names of places (coves, beaches, locations), aids to navigation (sand bar, eelgrass beds), marine mammal haul out, sensitive bird areas, sewage and oil services, locations of kayak companies, official launch ramps, tide information, national, state and county parks). Start with NOS chart.
- Target audiences can include the local boating community and visiting boaters who use kayaks, sailboats and small motor vessels.
- Boat shows are not the best outreach method because it's mostly just local boaters.
- Signage should be minimally used.
- Regattas are good targets as possible venue (Inverness is a good venue because of regattas and because it hosts classes).
- Blue Waters Kayaking has 2 facilities on the Bay that could be possible venues.
- A lecture once a year or twice a year can be a good way to educate boaters.

ACTION>> The Working Group Recommends that a boater education and outreach program be developed that encompasses the following:

Messages

1. Take out your trash
2. Dispose of human waste properly (locations of disposal sites)
3. Dispose of oil, fuel and maintenance products properly (locations of disposal sites)
4. Do not disturb wildlife;
5. Do not introduce non-native species;
6. Register your Vessel/ do not abandon boats
7. Protect eelgrass: don't anchor in eelgrass.

Education and Outreach Materials/Strategies

- Short Term: Existing materials, website, newspapers/radio, and a basic interim map.
- Medium Term: New map; customized TB educational materials
- Long Term: events, lectures, permanent signage

The highest/short-term priority was identified as creating a webpage with maps, locations for products and services, and integrated messages, and outreach at specific venues and events.

Details of education priorities:

- Links on local websites—Maps, locations for products and services. Link to GFNMS Tomales Bay site. Have 1-pager map available. (IYC, Blue Water Kayaks)—**Highest Priority**
- Signage at vessel launch ramps, marinas, etc.—**Long-term project.**
 - Existing Pamphlets and brochures-**High Priority**
- Customized pamphlets and brochures—**Medium Priority**

- Maps-**High Priority**
- TideBooks-**High Priority**
- “Peer visits” -- i.e. Dockwalker program (e.g. opening of salmon or Halibut season, strategic times)—**Intermittent, medium priority**
- Newspaper announcements periodically- **High Priority**
- Radio: interview and information session on KWMR- **High Priority**
- Tomales Bay Boaters Association- **High Priority**
- Bay Area Sea Kayakers (BASK): user group that has email network and newsletter- **High Priority**
- San Francisco Sailboarding Association- **High Priority**
- Events targeted at informal education
- Santa Rosa Sailing Club Regatta (usually on Labor Day)

Potential Locations

- Lawson’s Landing: Pamphlets, tide books, maps
- Marshall Store: Pamphlets, tide books, maps
- Every Boat launch site: Signage, or pamphlet/map handouts.
- Blue Water Kayak: Maps, tide books
- IYC and Golden Hinde: Pamphlets, tide books, maps
- Nick’s Cove
- Drakes Oyster Company-Kayak launching
- Regattas
- Miller Park
- Day Sailors

STAFF ACTION>> Get name of Miller Park manager from George Clyde.

STAFF ACTION>> Look into information that would be useful for interim web-based map.

Education of Boaters Regarding Anchoring in Eelgrass Beds

There was a discussion regarding how best to educate boaters regarding anchoring in seagrass (eelgrass) beds. Key points raised:

- Buoys marking proposed eelgrass zones are not recommended
- Showing zones on websites is useful
- The target audience is visiting boaters
- It was pointed out that the public needs a GPS to know where the proposed zones are
- There are eelgrass beds on the West side that are not part of GFNMS and were not included as part of the proposed eelgrass zones.
- There is an issue of beaching boats on land above the eelgrass.

ACTION>> WG recommends an educational approach focused on not anchoring in eelgrass beds, rather than using buoys as markers of eelgrass beds or anchoring/no-anchoring zones.

3. Oil Recycling and Bilge Services (distribution/collection)

Brad Damitz gave a power point overview of potential options for services, which include a bilge pumpout station and an oil absorbent exchange program. It was pointed out that a bilge pumpout station would not make sense in for Tomales Bay, there are maintenance issues with bilge pump-out stations (often caused by uninformed boaters using it as a sewage pump-out), it’s a long and difficult process for obtaining permits, and currently it is extremely difficult to get funding.

Furthermore, bilge pumpouts are expensive (up to \$150K), and they are typically only used in locations where there are numerous vessels being used on a daily basis. In light of this there was unanimous agreement that a bilge pump-out station should not be recommended. Instead, an oil absorbent exchange program was discussed as a possible option for Tomales Bay. These programs consist of cost free distribution and collection of oil absorbent pads, socks, or sheets for boaters.

Oil Absorbent Exchange Program: What is necessary?

1. Need an EPA number to be small quantity generator
2. Coordination with county hazmat –compliance with regulations
3. Intermediary container needs to be emptied
4. Need to contract a pick up service to remove used absorbents
5. Should be located in an area that is staffed

Cost: There are minor initial costs and ongoing costs associated with these exchange programs, which are typically funded by the county. The following is an example of the costs of a recently initiated program in the California Delta:

Initial Costs:

Set-up for 55-gallon drum and 300 absorbent sheets: \$130

Metal newspaper holder: \$221.90

Intermediary container: \$140

Signage: for container \$37 for Newspaper stand: \$21

Ongoing Costs:

Pick-up used pads/oil and drop off 300 absorbent sheets: \$289

Locations: The oil absorbent exchange program could be a potential program at Miller Park (staffing has to be checked), Lawson’s Landing (can provide the service now), and Marshall Boat Works shop.

Used Motor Oil Recycling (Boat Oil Drop Off) Locations were also discussed by the Working Group. The following locations have existing oil recycling services, and it was proposed to include these locations on an educational map: 1) Lawson’s Landing; 2) Green bridge in Point Reyes Station; and 3) Spud Point (Bodega Bay).

A future location could be at Marshall Boat Works.

ACTION>> The WG recommends the issue of oil and bilge services be included as part of the Vessel Management Plan for reducing impacts to water quality, and impacts to wildlife, habitats, and human health. Specifically, the WG recommends:

- A. Oil absorbent exchange program for the following locations: Marshall Boatworks, Miller Park, and Lawson’s Landing.
- B. Identification of existing vessel oil recycling facilities for Tomales Bay (including Lawson’s Landing, Greenbridge Auto and Gas and others) and investigation of the potential for a new facility at Marshall Boat Works.

ACTION>> The Working Group requests that the SAC not include a recommendation for pursuing a bilge pump-out station for Tomales Bay, in the *Tomales Bay Vessel Management Plan*.

4. Review Recommendations and Wrap-Up

Sewage Services

The WG reviewed a proposed list of actions from the October 30, 2008 meeting related to providing sewage services on Tomales Bay. There was a discussion regarding which locations would be suitable for investigating and planning sewage services. There were pros and cons discussed related to different locations and a few locations were removed including Grassy Point and Golden Hinde, and the WG ended up recommending investigating four locations.

ACTION>> Recommend to SAC that staff, with continued input from community stakeholders, pursue the investigation and planning for sewage services at the following locations: Lawson's Landing, Marshall Boat Works, Marconi Cove, and Miller Park.

ACTION>> Recommend to SAC staff support in pursuit of environmental services grants at those sites deemed appropriate in the investigation from #1 above.

There was a discussion about the potential public use of the private Marconi Cove parcel up for sale in Marconi Cove.

ACTION>> Recommend to SAC that the Sanctuary encourage Marin County Parks and Recreation, State Parks and/or GGNRA to purchase the private Marconi Cove parcel up for sale that is currently being used as a boat ramp.

Since Grassy Point was considered a location that would not be suitable for on-the-water sewage services, it was considered as a possible location for a bathroom facility.

ACTION>> Recommend to the SAC that the Sanctuary write a letter to GGNRA requesting that the GGNRA install and maintain a "Port-a-John" bathroom facility at Grassy Point on GGNRA 17-111 (Marin County Assessors Parcel No. 104-230-23).

PARKING LOT>> The following recommendation was deferred to a later date by the TB SAC Working Group: Recommend to SAC to draft a letter of support for transient infrastructure grant and ask for support/letters from all permitting agencies and associations (EAC, TBWC, Sierra Club). This will be discussed after the staff has investigated the grant application process. Marshall Boat Works must develop a vision for the East Shore transient facility before a grant is pursued. Potential future action: GFNMS draft a letter to Marshall Boat Works in support of a transient infrastructure grant.

Mooring Criteria

Seagrass Criteria

There was a discussion about crafting specific language for the seagrass criteria. The criteria recommendations attempted to give GFNMS flexibility to determine if it's appropriate to place moorings in seagrass (eelgrass) beds, such as putting in a transient-use mooring to prevent people from anchoring in an eelgrass bed, or placing a mooring into a designated eelgrass bed where there is no actual eelgrass. However, there was a minority opinion about allowing installations of new moorings in eelgrass beds.

ACTION>> The WG recommends to the SAC the following criteria for seagrass beds:

Seagrass extents from 1992 were merged with updates from 2000, 2001, and 2002 to designate current seagrass beds. No mooring in designated seagrass beds will be permitted and, if mooring tackle touches submerged lands, a buffer equal to the radius of the mooring tackle would be applied. Seagrass criteria can be amended to allow the Sanctuary in its sole discretion to allow a mooring in a designated seagrass bed if its installation, maintenance, and use results in negligible impacts individually or cumulatively, or is beneficial to the environment in comparison to the alternatives. Based on adaptive management, designated seagrass beds will be periodically updated using surveys.”

*There was a minority dissenting opinion that the above criteria not be applied for new installations in actual eelgrass beds.

ACTION>> Recommend to the SAC the following criteria for addressing migrating seagrass beds and the citing of future seagrass beds:

- A. Designated seagrass beds will be established at the time that the permitting process is approved, subject to amendment in accordance with periodic review.
- B. Prior to permit/lease renewal, evaluate location and extent of designated seagrass beds based on the most recent reviewed data. If moorings are within designated seagrass beds, consider repealing the mooring license or permit, relocating the mooring or mandating alternative mooring technology in that location.
- C. Seagrass criteria can be amended to allow the Sanctuary, in its sole discretion, to allow a mooring in a designated seagrass bed if its installation, maintenance, and use results in negligible impact or is beneficial to the environment in comparison to the alternatives.

*There was a minority dissenting opinion that the above criteria not be applied for new installations in actual eelgrass beds

State Parks

ACTION>> Working Group recommends to the SAC that the Sanctuary investigate the possibility of State Parks revising their recommendations for mooring. Specifically, to change the recommendation from “No mooring in areas 1000 feet offshore of State Park lands” to “individual mooring permits be reviewed subject to the approval of State Parks, if required.”

Additional Criteria

There was a discussion about adding an additional criterion to prevent moorings from being established in front of private property. A distance of 300’ was suggested. It was noted by Nancy Smith, SLC, that a criterion such as this it does not conflict, but distance is something that needs to be examined. It was also noted that the original document for public input should address water quality, human health, impacts to wildlife and habitat. The Interagency Committee will need to examine how this fits into these goals.

ACTION>> The WG recommends to the SAC that the Sanctuary bring for consideration to the IC the creation of a no-mooring buffer in front of residential shoreside properties without the consent of the property owner.

STAFF ACTION>> If the SAC makes a recommendation, bring the on buffer zone to the Interagency Committee meeting.

Next Steps

The January WG meeting is cancelled in order to adequately prepare for the discussion on permitting. **The next meeting will be Tuesday, February 3, 2009.**

Topics: Tackle Test, Permitting Options

STAFF ACTION >> Staff plan to consult WG in development of the tackle test(s), in accordance with laws, regulations and policies of developing government contracts. Note that staff plan to have a discussion about what will go into the pull test and tackle test, but may not be able to discuss the results of a full tackle test. The WG will likely end before the results come back. There is insufficient funding for another meeting to discuss the results of the tackle test.

Issue raised:

- Before the WG was established, local people with knowledge we not able to communicate with the Sanctuary. It was suggested that the WG could be extended without staff.

STAFF ACTION >> Investigate if the WG can continue without staff time, so they can continue to give recommendations to the Sanctuary.

Update: Staff are developing a 6 month staffing plan for SAC review and have determined that there might be funding for one additional WG meeting if there is a shift in staff resources, but the meeting needs to take place before the April 2009 SAC meeting.

STAFF ACTION >> Brad will update the timeline.

STAFF ACTION>> Brad will send a notice about the SAC meeting to WG members.