



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: County Executive
Office
Department No.: 012
For Agenda Of: September 11, 2007
Placement: * Set Hearing*
Estimated Tme: 20 minutes on
September 18, 2007
Continued Item: No
If Yes, date from:
Vote Required: Majority*

TO: Board of Supervisors
FROM: Michael F. Brown, County Executive Officer
Contact Info: Jim Laponis, Deputy CEO(805) (805) 568-3400
SUBJECT: **Abandoned Boat Response and Removal and AWAFF Grant Award**

County Counsel Concurrence * N/A

Auditor-Controller Concurrence N/A

Other Concurrence: Sheriff, Public Works, Parks

Recommended Actions:

Set a hearing for 20 minutes on September 18, 2007:

- A. To receive a receive a report on and approve the multi-department response and removal processes for abandoned and/or hazardous vessels and direct staff to take necessary action as necessary; and,
- B. Approve and authorize the Sheriff to accept a State Grant from the California Department of Boating and Waterways, Abandoned Watercraft Abatement Fund (AWAF), in the amount of \$25,000 to reimburse County costs, up to 90%, for the removal of non-commercial watercraft that are abandoned and/or present a hazard to the public and/or environment.

Summary Text:

The enactment of local regulations by California coastal municipalities has resulted in an increase of derelict, abandoned vessels, and navigational hazards in the waterways under the jurisdiction of Santa Barbara County. In the last 12 months, a total of 6 vessels have beached within County jurisdiction. Derelict, abandoned, and beached vessels present a hazard to boaters, public accessing the beach and the environment. Additionally, many of these vessels are also home to low income individuals. Once their vessels are beached in a storm event, they are left homeless.

The Sheriff is the first responder with the legal authority to declare a water hazard under Chapter 523 § (a) (1) Harbors and Navigation Code and is a new grantee of the California Department of Boating and Waterways (DBW), Abandoned Watercraft Abatement Fund (AWAF), in the amount of \$25,000. A

process to respond to navigational hazards has been coordinated through the County Executive Office, with concurrence from County Counsel, removal and includes the following partner agencies:

- Santa Barbara County Sheriff
- City of Santa Barbara Harbor Patrol
- United States Coast Guard
- Santa Barbara County Parks
- Santa Barbara County Public Works Resource Recovery and Waste Management
- Santa Barbara County Social Services
- Santa Barbara County Alcohol, Drug, and Mental Health Services
- Santa Barbara Chapter of the Red Cross

This intergovernmental project team met several times to address concerns about the impacts to the public and the environment and to develop the recommended process.

Background:

Abandoned/Beached Boats

Throughout the State of California, public agencies having jurisdiction over navigable waterways and the surrounding lands have been plagued with an increase of abandoned vessels and other navigational hazards. A pre-existing problematic condition commonly referred to as “\$1 Boats” was outlined in “Dock Lines” – the Santa Barbara Waterfront Department Newsletter: “... *the infamous “\$1 Boat.” These outdated vessels from the ‘50s, 60s, and 70s have reached the end of their useful lives...some use the boats as home base for an alternative lifestyle – a home that lasts only as long as the boat itself. Then it’s time to get a “new” one.*”

These abandoned vessels present a navigational hazard to the boating public and eventually sink or crash ashore. The sunken or beached vessels present an immediate hazard to the owner, the public and causes concerns about releasing chemical and biological waste into the environment. During the last several years, the City of Santa Barbara and cities in the San Diego area have experienced such problems with abandoned vessels. To combat this public hazard, they implemented local ordinances that regulate boats mooring and anchoring in their harbors and immediate waterways. The City of Santa Barbara harbor regulations address mooring, anchoring, seasonal and permanent slip fees as well as minimum boat seaworthiness standards.

Since the passage of such regulations, the number of \$1 boats and other navigational hazards has increased dramatically within Santa Barbara County jurisdiction waters. The most common navigational hazard that has appeared is unauthorized moorings which attract derelict boats to them. During the last 12 months, six boats have broken free from anchor or moorings and washed ashore and strewn debris on beaches within the County’s jurisdiction. Five out of six vessels were considered valueless and junked. It should be noted that the weather conditions this past winter were very mild with no major storms in the area.

Grant to Offset Boat Removal Costs

The State of California has instituted a grant program to assist local jurisdictions with the removal costs of hazardous and debris from our navigable waterways. In October of 1997, Senate Bill 172 (Rainey) created the Abandoned Watercraft Abatement Fund (AWAF). It provides funds to public agencies to remove, store, and dispose of abandoned, wrecked, or dismantled vessels or any other partially submerged objects which pose a substantial hazard to navigation, from navigable waterways or adjacent public property, or private property with the landowner's consent.

The grant covers average costs to remove, store and/or dispose of abandoned vessels and other navigational hazards. The removal of commercial vessels is not reimbursable. The grantee must comply with the following AWAf requirements:

- Adherence to California law regarding titles and liens in conjunction with each vessel, including provisions set forth in the Harbors and Navigation Code Chapter 3, Article 1 regarding wrecked and salvaged vessels.
- Submittal of complete and current Water Hazard Removal Lists (WHRL).
- Securing of any studies, permits, or authorizations associated with treatment, removal, storage, disposal, or any other handling of hazardous substances including but not limited to toxic waste, petroleum waste, asbestos, and like substances prior to the removal of any vessel.
- Acceptance of responsibility for the proper and legal disposal or recycling of vessels, parts of any vessels, materials, fluids, petroleum products and associated chemicals.

The City of Santa Barbara allowed the County of Santa Barbara to share its Water Hazard Boat Removal List (WHRL) where applicable during FY 2006 – 2007 allowing for 90 % reimbursement of boat removal costs under the City’s AWAf grant until the County was able to receive its own AWAf grant. WHRL sharing will continue between the County of Santa Barbara and the City of Santa Barbara.

Performance Measure:

The Sheriff’s Department Coastal Patrol Unit will track the following performance measures:
 Number of navigational hazards removed during the grant cycle.
 Number of days to remove the hazard once it is eligible for public removal
 (Declaration of an immediate public hazard or after a 30 day abandonment waiting period has lapsed)

Fiscal and Facilities Impacts:

Budgeted: Yes

Fiscal Analysis:

<u>Funding Sources</u>	<u>Current FY Cost:</u>	<u>Annualized On-going Cost:</u>	<u>Total One-Time Project Cost</u>
General Fund	\$2,500	\$2,500	
State	\$25,000	\$25,000	
Federal			
Fees			
Other:			
Total	\$27,500	\$27,500	\$ -

Narrative:

No additional General Funds are required; the \$2,500 General Fund cost will be absorbed within the exiting Sheriff’s budget. Removal costs vary depending on the boat, location, accessibility, weather conditions and time to remove the hazard. The least expensive removal done by the County of Santa Barbara during the last 12 months was \$1,250. Removal costs can easily exceed \$5,000 depending on the location and size of the vessel. The AWAf grant funds up to 90% of the cost of removal of navigational hazards. The remaining 10% is funded by the Sheriff Department existing budget, line item 7460.

Staffing Impacts:

Legal Positions:

0

FTEs:

0.25 (Existing Position)

Attachments:

SBC Sheriff Hazard Removal Procedure
AWAF Grant Award

Authored by:

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cc:

Bill Brown, Sheriff / Coroner
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