

STATE OF CALIFORNIA
NATURAL RESOURCES AGENCY
DEPARTMENT OF PARKS AND RECREATION
BOATING AND WATERWAYS COMMISSION

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REPORTER'S TRANSCRIPT FROM AUDIO
Boating and Waterways Commission Workshop
September 25, 2019
Held at
One Capitol Mall, Suite 500
Sacramento, CA 95814

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1 INDEX OF APPEARANCES
 2 --oOo--
 3 Douglas Metz, Vice Chair
 Katherine Pettibone, Commissioner
 4
 Lisa Mangat, Director Department of Parks & Recreation
 Amanda Martin, Water Resources Agency
 5
 Ramona Fernandez, Acting Deputy Director
 Marivel Barajas, Deputy Director
 Will Schaafsma, Deputy Director
 6
 Kathryn Tobias, Counsel
 7
 Edward J. Hard, MPPA, Chief
 Keren Dill, Manager
 8
 Other staff and members of the Public
 9
 10
 11 --oOo--
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1 our Parks staff. We have Lisa Mangat, Director of
 2 our Department of Parks and Recreation. Is Lisa
 3 here? Okay.
 4 DIRECTOR MANGAT: Yes, I am.
 5 VICE CHAIR METZ: And we have Ramona, who
 6 is our acting deputy director and Will Schaafsma.
 7 Will, glad to see you again. Anyone else I left
 8 out? Hearing none, then let's begin.
 9 I do want to stress, as I had a sidebar
 10 conversation with Ramona a few minutes ago, I would
 11 like really our first order of business to be: Do
 12 we have requests for data that either have not been
 13 able to be prepared to date or that we need?
 14 Because our next commission meeting, which
 15 will be in October in conjunction with Marine
 16 Recreation Association meeting, will be an important
 17 meeting. Our constituents will be there, and
 18 they're going to have lots and lots of questions.
 19 I recall that on August 25, I sent an
 20 email to our acting deputy director, and I read as
 21 follows:
 22 "To assist the Boating and
 23 Waterway Commission and its
 24 authorized ad hoc committee --" which
 25 consists of my colleague here,

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1 (Beginning of audio.)
 2 --oOo--
 3 VICE CHAIR METZ: -- invite you here to
 4 the California Boating and Waterway Commission
 5 hailing from Coronado.
 6 The purpose of this workshop -- and I
 7 stress it's a workshop, and we do not have a quorum
 8 of the Commission available, but very informal.
 9 There is no decision-making involved in our
 10 discussions, and it's purely a give-and-take request
 11 for data that we need for future discussions of this
 12 type and for future formal actions for various
 13 divisions that we talk with within Parks and
 14 Recreation.
 15 So I call it to order again. And we're
 16 recording this workshop. It will be transcribed
 17 after the fact, and it will be posted on DBW
 18 Commission page for meetings on www.parks.ca.gov.
 19 And please keep in mind we're going to
 20 adjourn the workshop at noon. Please keep your
 21 questions and comments concise and remember to state
 22 your name so that we have that on the transcript
 23 before you make a comment or ask a question.
 24 I understand we have some very
 25 distinguished guests here today. We have certainly

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1 Commissioner Pettibone and myself --
 2 "in its review of issues related to
 3 the financial condition of the
 4 Harbors and Watercraft Revolving
 5 Fund, the following information is
 6 requested to be provided to the
 7 Commission no later than
 8 September 14, 2019, in preparation
 9 for an additional meeting of the
 10 Commission to be devoted to that
 11 subject to be held later that month."
 12 Well, it's going to be October.
 13 "Number one, the date of statutory
 14 creation of the Harbors and
 15 Watercraft Fund and its predecessor,
 16 the Small Craft Harbor Revolving
 17 Fund; two, chronological dates when
 18 financial beneficiaries of the SCHRF
 19 and its successor, the HWRF, in
 20 addition to DBW were added including
 21 for each beneficiary the designated
 22 purpose of the use of funds and the
 23 responsible state agency; the
 24 specific authority cited for the use
 25 of HWRF funds by each beneficiary,

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1 could be by administrative order,
 2 statute, budget appropriation,
 3 et cetera; and, C, the cumulative
 4 dollar total received by each from
 5 its inception as a financial
 6 beneficiary. Thanks."
 7 Has that been done?
 8 _____: I believe that we had sent --
 9 this was our response to our consent to you from
 10 Lane Massey: We have received that.
 11 VICE CHAIR METZ: I recall some, the Davis
 12 Stellwag and others, were all listed. I didn't
 13 see -- beach replenishment and erosion, I didn't see
 14 there. I didn't see the amount for Parks, other
 15 beneficiaries. Hold on, I would like a full listing
 16 as I requested here of every.
 17 So we assume -- I'm assuming the fund when
 18 it was created in '55 or '56, its primary
 19 beneficiary was the then Department of Boating and
 20 Waterworks. There may have been one or two others.
 21 So I want to see since that time what other agencies
 22 have been authorized and by what authorization they
 23 were to have a share in the particular fund and what
 24 the cumulative amount has been. Forget the amount
 25 that Governor Schwarzenegger borrowed from the fund,

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1 which has been repaid, that sort of thing, just the
 2 ongoing appropriations.
 3 Then, finally, there was a recent request,
 4 namely, Monday teleconference, was to have a pie
 5 chart: 1955 here is the Boating and Waterways, here
 6 is the revolving fund, here is the Division's and
 7 the Department's share today, here is the size of
 8 the pie, here are all of the people that are
 9 appropriate have portions of it, and the piece of
 10 the pie that DBW has.
 11 That's basically the type of information I
 12 think is important for us to have as we go into our
 13 second Commission meeting on or about October,
 14 whatever this is, 14th.
 15 _____: Did you want to talk about
 16 that or go further down and answer questions?
 17 VICE CHAIR METZ: No, go ahead. I think
 18 it's important that we get our data requests
 19 clarified, whether they've been met or can be met,
 20 and when they -- (inaudible).
 21 _____: So on the -- I appreciate
 22 those answers. I just was trying to -- I saw on it,
 23 like where there was the authorization like 1990
 24 Budget Act -- (inaudible) and then there was an
 25 amount. What I don't know is that just this year,

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1 is that a total as to when that appropriation was.
 2 And then when I was looking at the budget
 3 online, this year's budget, I saw that there were
 4 some departments that had money that weren't
 5 necessarily on there. So then I was, you know, we
 6 definitely want to have that re-looked at as far as
 7 completion.
 8 _____: This was from information
 9 from 1988 to present.
 10 _____: So that amount, like total
 11 from '88 to -- (inaudible), so that doesn't speak to
 12 us in like this year or each year how much was taken
 13 in total.
 14 _____: Correct, yes.
 15 VICE CHAIR METZ: For which departments
 16 that you -- (inaudible)?
 17 _____: I saw one that wasn't on
 18 there was -- wait a second here. There was Delta, I
 19 think. Hang on. It was the Delta Protection
 20 Commission. No, it is here. No, you're right, that
 21 is there. And then the Natural Resources Agency in
 22 general, is that state outright? So that was like
 23 operations and a note where that kind of comes into
 24 here. Is that just part of -- is that separate and
 25 apart?

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1 LANE MASSEY: So the Natural Resources
 2 Appropriations Act I think was new for 1920, but the
 3 items listed as TURPA was also rolled up under
 4 Natural Resources.
 5 _____: Would you say your name for
 6 the record?
 7 LANE MASSEY: Lane Massey.
 8 VICE CHAIR METZ: Are there any comments?
 9 I've indicated what at least the chairman -- or my
 10 data requests are. To what extent, Ramona, have
 11 they been satisfied and when was the date for
 12 supplying the balance?
 13 DEPUTY DIRECTOR FERNANDEZ: Remaining
 14 balance for that from the Budget Office --
 15 (inaudible) -- further update for you.
 16 VICE CHAIR METZ: For October.
 17 DEPUTY DIRECTOR FERNANDEZ: For October,
 18 yes.
 19 VICE CHAIR METZ: To the extent you can
 20 have it to us in advance, we would appreciate that
 21 very much.
 22 I'll just rush ahead. Ultimately, if we
 23 find that the original purpose of the Harbors and
 24 Watercraft Fund has been redefined by appropriate
 25 actions in the State Legislature, then we have a

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1 problem.
 2 The last person, department, division that
 3 should be affected or impacted would be DBW. They
 4 were the ones who started it. So the ultimate
 5 question may be restrained upon the agencies that
 6 have since established new funds have done -- have
 7 participated in actually in it. They may need to
 8 scale back in order to assure that this division,
 9 the original purpose that the boaters when they paid
 10 into -- their taxes into a vehicle, that we have
 11 kept faith with them. Anyway, that's -- I don't
 12 know what the other line is going to be, but just
 13 projecting out, it may be the public policy
 14 projection.
 15 _____: Commissioner Metz, this is
 16 more a question for staff. I just want to make sure
 17 that I'm clear on exactly. Are we -- I just want to
 18 make sure that we memorialize what data request is
 19 outstanding. So what is the difference -- I'm not
 20 tracking what is the difference between what
 21 Commissioner Metz is requesting and what was
 22 provided here.
 23 DEPUTY DIRECTOR FERNANDEZ: That was going
 24 to be my next question because I think that DB --
 25 (inaudible) said there was some missing.

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1 _____: I actually think it's pretty
 2 good. It was more like trying to figure out where
 3 it was fitting. And I think Commissioner Metz is
 4 really interested in, like, the historical. So we
 5 had like really good information, this is like a
 6 total of what was taken by the different agencies,
 7 but like over the years is this -- you know, are
 8 these like a permanent? What's the percentage going
 9 forward, especially my question comes later in some
 10 of the changes from the tax, but the recent taxes
 11 that are putting money in different funds like just
 12 looking at it, how money was going on versus where
 13 it's gone historically over the years.
 14 So I think Commissioner Metz wants more
 15 detail over the years of where it was, how much was
 16 diverted, and then under -- we have now the pieces
 17 where it said, you know, what the statute was, but,
 18 you know, like, you know, Tahoe Regional Planning
 19 1999 Appropriations Budget Act for appropriation.
 20 Is that an ongoing thing? What's the amount every
 21 year? So it's more like -- the information is -- it
 22 just may be more information.
 23 VICE CHAIR METZ: The question was just
 24 good financial planning for some of these one-time
 25 appropriations. That's why accumulative to date is

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1 important, the original authorization to have a
 2 share in or came from, the appropriated form.
 3 Again, we're looking at -- that's the whole point.
 4 We're doing some financial planning here.
 5 One other point -- and I'll need your help
 6 because I've done the research. In 2011/'12 when
 7 the additional motor vehicle tax was appropriated
 8 and enacted, was there a change in the formula at
 9 that particular time. In other words, my question
 10 is this:
 11 Back to 2011/'12, the gasoline tax was
 12 increased by X percent. Does the statutory
 13 provision deal only with the distribution of that
 14 net additional revenue from the increase in the
 15 motor vehicle tax, or does that provision operate
 16 retroactively and applied to the entire proceeds,
 17 the net additional cause the base on which the
 18 additional was -- (inaudible). Do you have that
 19 provision?
 20 _____: I do. It looks to me --
 21 VICE CHAIR METZ: Would you read it?
 22 _____: Yes, it looks like it's just
 23 the additional, so it should leave everything out.
 24 VICE CHAIR METZ: If you would just read
 25 it so we have it for the record, please.

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1 _____: Yes. This was Revenue
 2 Taxation Code 8352.4 (a), is where you talk about --
 3 well, you know, about the transfer from the motor
 4 vehicle fuel account, but then down in Subsection
 5 (b) is the tax increase as of July 12th -- or
 6 July 1st of '12. And it says, "Revenues cumulative
 7 taxes both pursuant to Subdivision (b) Section
 8 7360," which was an increased taxes that year. I
 9 think it's 18 cents -- "and otherwise to be
 10 deposited in the Harbors and Watercraft Revolving
 11 Fund pursuant to sub (a) shall instead be
 12 transferred to the General Fund." And then it goes
 13 on.
 14 And then there are other pieces, other
 15 adjustments, and then sub (c) -- that was it, yeah.
 16 And then, oh, (b)(2) says, "Commencing November 1st
 17 of 2017," which was this recent tax, "revenues
 18 attributed to taxes imposed pursuant to sub (c) of
 19 Section 7360 and any adjustment of (d) of 7360 and
 20 7361.2 and otherwise to be deposited in the Harbors
 21 and Watercraft Revolving Fund pursuant to (a),"
 22 which is the motor vehicle, "shall instead be
 23 transferred to the State Parks Recreation Fund and
 24 be used for State Parks Off-Highway Vehicle programs
 25 or Boating programs.

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1 So I guess there's just kind of a question
 2 of it seems like only those additional taxes went
 3 elsewhere and everything else remained the same, but
 4 Craig wants to say something.
 5 CRAIG: Yeah, I wish I had my base excise
 6 tax chart to show folks because I think it breaks it
 7 down pretty well.
 8 I'm kind of going off memory here, but I
 9 would like to respond in writing to that question to
 10 make sure I get everything exactly correct, and make
 11 sure I'm interpreting the tax code correctly.
 12 But as I understand it for fuel-based
 13 excise tax, you've essentially got three components,
 14 right? You got a base that's around 30 cents or
 15 something. You've got your 12 cents, which is the
 16 SB 1, and that's the piece that goes into SPURT now.
 17 And then you've got another portion, which I think
 18 is the 2012 tax increase.
 19 So of that amount, the percentage -- and
 20 actually they calculate it based on the number of
 21 registered boats that is attributable to gasoline
 22 usage by registered vessels. That is then sent to
 23 Harbors and Watercraft, as well as SPURT, so that's
 24 the 26 one that goes to the State Parks. So that
 25 all comes off that, I think, 2012. But I want to go

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1 back and just confirm that.
 2 _____: Yeah, because when I
 3 looked -- you know, in like many of these, you have
 4 to do the chase through the codes, there was one
 5 that goes to that State Parks and Recreation Fund
 6 and then one that goes to the General Fund existing.
 7 CRAIG: Right. So essentially it gets
 8 split three ways, Harbors and Watercraft use and
 9 General Fund usage.
 10 _____: Yes.
 11 CRAIG: And I have a chart that breaks it
 12 all down. I just don't have it with me today, but I
 13 can get that out to you.
 14 _____: I think that helps with that
 15 historical context as well.
 16 VICE CHAIR METZ: I think the
 17 Commission -- one final item, just to recapitulate
 18 my request of August 25th that I read, number two,
 19 I'd like the pie chart approach before and today.
 20 Also, we used to -- when I came on the
 21 Commission in 2006 -- it was a long time ago,
 22 2006 -- we would get fund balance. We would say,
 23 okay, here is the Harbors and Watercraft Revolving
 24 Fund, here is the amount in it, here is the amount
 25 owed in terms of receivables, and here are the

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1 expenditures.
 2 And we were told at that time on the
 3 commission that we had about a third of a billion
 4 dollars outstanding in terms of receivables from
 5 loans that were made, which, of course, then
 6 depending on your interest rate is the source of
 7 income for the fund itself.
 8 I have not since that time seen a fund
 9 balance, just the fund itself. How much is it
 10 today? What are the receivables in terms of loans
 11 outstanding, that sort of thing? I don't know
 12 whether that is kept. Certainly, most organizations
 13 if you have a fund of any magnitude in all
 14 budgets -- (inaudible) you would know what the fund
 15 balance was, and then you could trace that over
 16 time. So, again, I'd like to make that request too.
 17 Because certainly one of the things the
 18 Commission has been thinking about and occasionally
 19 talking about is the fact that today we are not
 20 making the huge loans that we used to make to
 21 Long Beach, to San Francisco East Harbor, West
 22 Harbor, Dana Point, you mentioned Santa Barbara.
 23 And, therefore, that alone is a policy question:
 24 Why? The question of the interest rate that is
 25 being charged, how did we come to that?

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1 But, nevertheless, it's important I think
 2 to understand and be able to tell the boaters of
 3 California or anyone else for that matter is that we
 4 have these receivables that have not been paid in
 5 terms of loans and in our understanding was that's
 6 multiple funds for additional funds that have been
 7 repaid.
 8 So our flexibility -- even though the
 9 legislature has to say yes to Long Beach or yes to
 10 harbor, nevertheless, the funds are there from which
 11 an authorized appropriation can be made for a
 12 particular public purpose that's been approved.
 13 _____: So I'm not sure exactly what
 14 fund you're referring to, other than the Harbors and
 15 Watercraft Revolving Fund.
 16 VICE CHAIR METZ: Yes, we have a fund
 17 balance --
 18 _____: So the fund balance, it's
 19 actually --
 20 VICE CHAIR METZ: -- which includes the
 21 loans that are outstanding.
 22 _____: -- it's in the Governor's
 23 Budget, but we also keep apart from that a separate
 24 ledger which tracks receivables, outgoing funds, and
 25 interest owed on all of the public and private loans

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1 that the fund provides. So we keep a full
2 accounting of that. We know repayment dates. We
3 know by which year we'll be gathering interest, and
4 we update that fund balance every year. The fund
5 balance obviously only goes to the budget here,
6 which for this year was 1920, so it doesn't show the
7 respective payback of all of those outstanding
8 loans.

9 But last time I looked at it, it looked
10 like you were getting about \$5 million in interest
11 per year and then about another \$5 million in
12 principal per year. So we do keep track of that.
13 That's all reflected in the fund balance we see
14 here.

15 When the legislature looks at the fund
16 balance to determine how much to appropriate for
17 these loans, they're simply going to look at the
18 Harbors and Watercraft Revolving Fund's balance as
19 shown in the Governor's budget. So to the extent
20 there is enough money or cash in that fund to do
21 those loans, they will appropriate money. We've
22 asked for it every year, \$5.5 million this year to
23 make those loans.

24 And, actually, Keren has a presentation
25 today on loans. And one thing we also wanted to do

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1 at this workshop today was try to determine what the
2 demand is for the public loans going forward.
3 Because we know that is a big revenue generator for
4 the fund. It's one of the ways we fund our RBF
5 program. So understanding what the applications are
6 that we have not seen yet that might be out there
7 for these facilities, would be very helpful. We've
8 only got I think one in the last three years. So
9 understanding what that program looks like going
10 forward is a big component to the overall health and
11 welfare analysis of the fund.

12 VICE CHAIR METZ: Very good.
13 _____: Yeah, I would be really
14 interested because I suspect there might be some --
15 you know, one, if we're worried about that future,
16 these things are ticking down, that would be good to
17 start preparing for.

18 And then I also -- not to keep harping on
19 it, but I suspect there also might be some
20 opportunity with the Olympics coming in 2028 --
21 (inaudible) stuff down there, and is there stuff
22 that we can do to look at that and start gearing up,
23 especially if there is going to be freed-up funds if
24 we're not having as many in other places, and just
25 kind of -- you know, it just really hit me how

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1 important the loan program is for actually the
2 longevity fiscal welfare.

3 VICE CHAIR METZ: Okay. Before we turn to
4 our regular agenda, are there any other data needs,
5 data requests, to be put on the table as we go
6 forward in considering these issues, particularly in
7 preparation for a very important meeting next month
8 of the Commission? Or can you state right now it's
9 going to be impossible to come up with that by
10 October the 12th and 13th, our expectations are
11 not -- beyond realities. I would hope not.

12 DIRECTOR MANGAT: So, Commissioner Metz,
13 so I must confess, I'm still not clear as I'm
14 looking at folks. If you folks are clear, then I
15 trust we're clear.

16 Can we take a crack at articulating what
17 we believe that Commissioner Metz is requesting to
18 confirm so that I understand?

19 VICE CHAIR METZ: I can read again.
20 DIRECTOR MANGAT: If you could just ask
21 what agency or what you are looking for in
22 addition --

23 VICE CHAIR METZ: Let's assume -- do a
24 hypothetical. Again, hypothetical, I wasn't there
25 in 1955 or '56 when the voters in California said

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1 instead of sending claims in for reimbursement for
2 the gas tax we paid for my fishing boat, we'll let
3 the State collect all that and then create a special
4 fund for that from which there will be
5 appropriations, loans, et cetera, to be included in
6 the access to boating and waterways. So I'm
7 assuming that at that time the primary beneficiary
8 was the then department.

9 Now since then, a lot has happened with
10 the fund. So I'd like to see the progression so
11 that we can say this was the original intent most
12 boaters remember. They weren't around in '55. But,
13 nevertheless, the lower is -- the assumption is, the
14 stakeholders' assumptions are and so forth.

15 Here we have it today, and we have all
16 kinds of groups, individuals, activities, functions,
17 that are sharing in that -- (inaudible). So
18 certainly the historical revolution of that I think
19 is very important to see how we got from there to
20 here.

21 Then going from here, in terms of
22 financial planning, looking ahead, I would say first
23 of all the needs of DBW first, since they were the
24 original intended beneficiaries. Going forward
25 there's financial planning there, and so then we can

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1 be wise custodians of the public trust in terms of
 2 making policy recommendations -- (inaudible).
 3 DIRECTOR MANGAT: So, Commissioner Metz,
 4 let me share -- I think that you and I are saying
 5 the same thing. Let me kind of share our charging
 6 direction of how we are approaching this.
 7 You know, in statute it establishes the
 8 technical operations of the plants, right, revenue
 9 going in, but it also specifies how the funds should
 10 be used and for what purposes.
 11 I think what you're requesting, I think
 12 that this -- without any sort of -- this is not a
 13 criticism of staff, but I think that this gets to
 14 most of what Commissioner Metz is asking for, but I
 15 think that it's not perhaps -- it's not easily
 16 translatable.
 17 I think what we should do is go back, take
 18 a crack at this. But also I think to get to
 19 Commissioner Pettibone's point is it's unclear here
 20 what's ongoing and what was maybe a one-time take.
 21 So I think we can pull together a chart that makes
 22 that a bit clearer. But I assure you, this is
 23 absolutely what we're thinking about the fund.
 24 When the fund was established when the
 25 division was established, just like every other fund

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1 in state government, things change, right? We're on
 2 an annual budget, so we live with individual
 3 decisions that are made both by the legislature,
 4 administrations, you know, the programs.
 5 And so we've got to approach this as an
 6 opportunity to look at it with fresh eyes, and you
 7 know to be really candid with you, there's different
 8 policy reasons for which things happen, right? And
 9 this fund, while maybe perhaps I wasn't there back
 10 in the good old days, but when it was created, it
 11 may have been this vision that this fund would only
 12 be specifically housed and used for the purposes of
 13 this specific division, but that clearly is no
 14 longer the case.
 15 There's this broader view of the fund and
 16 how do we support boating activities across the
 17 State of California. And the policy, when you look
 18 at funding, right -- because we can talk about
 19 policy priorities, but when you really look at how
 20 funds are being used, that's the truest expression
 21 of the tough decisions that have been made.
 22 So part of what we've been doing is going
 23 back and looking at how the funds are being used by
 24 other state agencies. It does not mean if the fund
 25 is being used by another state agency that it's not

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1 benefitting Boating and Waterways activities
 2 throughout the state, but kind of taking a look at
 3 that and describing how these funds are being used
 4 and what that connection is. So we are doing that.
 5 I think what we should do is go back -- I
 6 think that from -- like going back to my budget tier
 7 technical life, I think that the content is here,
 8 but I think we could do a better job. If you, as
 9 the Chair, this doesn't leap out to you as super
 10 recognizable, then we need to -- that's good
 11 feedback for us. We'll go back and make sure that
 12 it makes sense to normal people, because that's
 13 going to be important in telling the story, right,
 14 about what's going on with the fund.
 15 VICE CHAIR METZ: I agree with you. They
 16 were basically saying the same thing. I think your
 17 expression is entirely accurate and appropriate.
 18 It's just bottom line, we have a
 19 constituency, as we all do. The Commission has a
 20 constituency. The agency has a constituency. We're
 21 trying to explain to them how we got from A, back in
 22 the dark ages, to today so forth.
 23 And so you're making us better able to
 24 explain these things for all of you and to also get
 25 a reaction from our constituency as to whether

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1 that's credible or they have more questions or what.
 2 _____: I was going to say fine. I
 3 think the information is here, but it's like -- I
 4 look -- even in this exercise, which I found very
 5 helpful, I went to back to where it says where the
 6 money and the fund is to be used, and pretty
 7 specific about boating-related. It does say
 8 specifically it can go to the State Water Resources
 9 Control Board for boating-related water quality reg,
 10 and it says -- (inaudible) basis.
 11 So it's pretty clear about -- and that
 12 would be helpful. And Keren was like, okay, it was
 13 a '99 budget act appropriation, but what was behind
 14 that? How did that fit into that pot?
 15 _____: (Inaudible).
 16 VICE CHAIR METZ: Thank you. Well, that
 17 not-so-brief digression and apology --
 18 _____: It's an important one,
 19 though.
 20 VICE CHAIR METZ: Why don't I turn it over
 21 to you?
 22 _____: That's why we're here.
 23 So do you want to start with --
 24 (inaudible) of the fund, give an overview of
 25 February and May's meeting -- (inaudible).

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1 DEPUTY DIRECTOR SCHAAFSMA: Sure, which I
 2 think that is a nice segue from Commissioner Metz's
 3 financial questions.
 4 So I provided two handouts, and I
 5 assume -- this one actually, which related back in
 6 February --
 7 VICE CHAIR METZ: You presented this.
 8 DEPUTY DIRECTOR SCHAAFSMA: -- in
 9 February, which I think is not exactly what you're
 10 looking for, but I think it is in the same vein as
 11 what is the progression of the fund, how did we get,
 12 you know, from 1955 to here. Obviously, it's a much
 13 shorter window. It doesn't have the narrative with
 14 it, and you're not seeing kind of what those spikes
 15 and valleys are, but --
 16 DIRECTOR MANGAT: Let me just interrupt
 17 very quickly and talk about the importance of this
 18 chart. This isn't just, you know, an inside within
 19 the Boating and Waterways family as we talked about
 20 this. We use this chart a lot when we meet with
 21 stakeholders and talk about the current condition of
 22 the fund. It's also a chart that we felt was really
 23 helpful with the Department of Finance to talk about
 24 historically what's been happening with the fund.
 25 And so for those of you that aren't -- you

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1 know, don't watch the state budget process as
 2 closely as we have to, we have an important seat at
 3 the table, but we also have to work with the
 4 Governor's fiscal and policy advisors, and that's
 5 the Department of Finance. Right now we are in that
 6 phase in the fall of developing the Governor's
 7 budget that will be shared by January 10th.
 8 So this is a very important time to be
 9 having this kind of conversation. As you know,
 10 whatever comes out of the January budget throughout
 11 the spring will be those public discussions that
 12 will be happening both in the Commission meetings
 13 but also in the floor of the Senate and the
 14 Assembly.
 15 So I can't impress upon you the importance
 16 of this, kind of telling this story about what's
 17 happened with the fund.
 18 DEPUTY DIRECTOR SCHAAFSMA: Thanks, Lisa.
 19 So I think this gives you a good snapshot
 20 of the problems we're facing today with the fund.
 21 And I'll just kind of reiterate from previous
 22 presentations that your green line is your
 23 expenditures and your blue line is the revenue, so
 24 those top two lines. What we've seen, those two
 25 lines diverged starting in about 2014, '15, and

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1 that's created what we call a shortfall underfund
 2 that we now have to address in the 2020 budget.
 3 A couple of things to point out here.
 4 Your yellow line is your other department spending,
 5 and that is primarily for aquatic invasive species.
 6 DRW is also included in that line. '13/'14, you see
 7 a spike there, so that's a couple of things. That
 8 is the first year we put Quagga Zebra fee into place
 9 which was dedicated obviously for treatment of those
 10 two -- '13/'14. '13/'14 Quagga Zebra goes into
 11 place, so you see revenues and expenditures kind of
 12 tick up for that, also -- (inaudible) started in
 13 '13/'14.
 14 So those are things that we continue to
 15 get smart on, State Parks, in trying to understand
 16 all of the different moving parts. Where is the
 17 spending relative to the revenue on those programs?
 18 What is being done with those expenditures at other
 19 departments. It is an ongoing exercise that we've
 20 been partaking in ever since this initiative
 21 started.
 22 So with that, I think there's two things
 23 we wanted to talk about today. Since it seems like
 24 there's a focus on other department spending,
 25 specifically aquatic invasive species, we wanted to

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1 have Ed just talk about the program that DBW runs so
 2 folks can understand why it is a viable program for
 3 DBW and what some of the drivers are that have
 4 caused the expenditures to tick up in AIS program.
 5 We see that as kind of a fundamental
 6 expenditure that is impacting the -- (inaudible)
 7 fund, so we just wanted to talk a little about that.
 8 And then, also, as we briefly hit on earlier, the
 9 loan program, what is the potential there to realize
 10 more revenue with that program, and what is the
 11 demand out there currently for both the public and
 12 private loans, so.
 13 If there are any questions, I'll take
 14 them, or if not, we can get to Ed's presentation
 15 here.
 16 MR. HARD: All right. While this begins,
 17 good morning, Vice Chair Metz, members of the
 18 Commission, Director Mangat, who has left the room
 19 temporarily, Deputy Director Marivel Barajas, Deputy
 20 Director Will Schaafsma, Deputy Director Ramona
 21 Fernandez, and not last but the best legal counsel
 22 we've got here is Kathryn Tobias. Good morning.
 23 I'm going to speak to you today about one
 24 aspect of the division of Boating and Waterways,
 25 aquatic invasive species programs, is the aquatic

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1 invasive plant control program. Will just mentioned
 2 the Quagga. We're not talking about that today.
 3 The Division's scope for this program is
 4 not statewide. It is primarily in the Delta,
 5 Sacramento-San Joaquin Delta. It's essentially
 6 authorized nearly 38 years ago. Next year will be
 7 the 38th year of this program. It was authorized by
 8 a series of bills, most recently in 2018 but began
 9 in 1986, for one specific aspect of the program,
 10 which was water hyacinth. It has evolved to a
 11 variety of different plant species.
 12 And I think the legislature and the
 13 community that is interested in this particular
 14 program realized around 2013 when AB 763 came in
 15 when they said the cost to the Division was pretty
 16 high by going plant by plant by plant. And AB 763
 17 came in and said, okay, enough of the individual
 18 plant submissions. Just give us a risk assessment
 19 to the boaters on the impact to navigation in three
 20 categories, and those categories I'll get to in a
 21 minute. But what's evolved here is that very smart
 22 thinking about this, but there's a resource need
 23 that goes along with that compliment.
 24 The commitment to this program, as you
 25 see, is about \$13 million currently. This is the

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1 scope of the program. Currently, if we walk outside
 2 the door, we can go to the I Street Bridge just
 3 north of here. It starts there and goes as far west
 4 as the Suisun Marsh, and it goes as far south as
 5 Friant Dam on the San Joaquin River. It's 101,000
 6 acres, huge area for the Division.
 7 What is the mission? The legislature has
 8 directed that we're the lead agency to cooperate and
 9 collaborate with local, state and federal as well as
 10 private entities. The purpose is to identify,
 11 detect, control, and administer, and, to the extent
 12 we can, manage for the purposes of aquatic invasive
 13 plants. There are certain spots in the Delta where
 14 we might be able to eradicate, which is a good
 15 thing, so we won't have to continually use
 16 expenditures.
 17 But the last point I want to bring to your
 18 attention, the permissive program. What does that
 19 mean? We've been advised by legal office that that
 20 means that its only ability to operate is if we have
 21 the resources, meaning the human capital and the
 22 financial capital. It is not a mandatory program.
 23 The three pieces I mentioned earlier
 24 pursuant to the legislation in 2018 asks the
 25 Division to focus on three things: Environment,

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1 economy, and public health, all of which the boating
 2 community enjoys when they go out on the Delta.
 3 They go to marinas. They enjoy fishing. They
 4 contribute to the local economy. They enjoy the
 5 public health aspect of boating, and they also
 6 enjoy, obviously, the environmental conditions that
 7 this great resource, the only place in the world
 8 offers.
 9 Who benefits? Who are the beneficiaries?
 10 Somebody mentioned earlier: Who are the
 11 beneficiaries? For this program it is a lot of
 12 folks. From the federal government, you can see
 13 here Agriculture, to the Department of the Army and
 14 NASA; from the state, the Department of Water
 15 Resources, the Delta, the big Delta three entities;
 16 local, the most important part here I think in the
 17 context of politics being local is marina operators,
 18 local businesses, reclamation districts, vector
 19 control, and agricultural purveyors and producers.
 20 This program began in '86. Around the
 21 turn of the century, 2001, the program was hit with
 22 a large environmental oversight from the state and
 23 federal government. One, the State Water Board
 24 required that this program obtain a national
 25 pollutant discharge permit, which is basically

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1 discharging waste to the waterways, which is alluded
 2 to by the fact that we are using herbicides that are
 3 approved by the state and federal government. You
 4 still must have a permit to discharge those.
 5 So one was a permit from the Water Board,
 6 but two were these biological opinions from the
 7 United States of America: One, the National Marine
 8 Fishery Service and, two, the U.S. Fish and
 9 Wildlife. Those are the crux of this program since
 10 2001 until today. They're evolving, but what is
 11 around this Trivial Pursuit pinwheel is a myriad of
 12 other requirements pursuant to this democracy.
 13 You can see -- I'm not going to call them
 14 all out, but it ranges from the California
 15 Environmental Quality Act, and the federal
 16 equivalent, as well as the state equivalent to the
 17 Endangered Species Act, but also the Rivers and
 18 Harbors Act if we're going to be utilizing different
 19 mechanisms to control weeds such as put booms in the
 20 waterways.
 21 A little bit of technical background on
 22 this slide, and it's correlative to what's coming
 23 next on the slides about the financials. Oftentimes
 24 when you want to control a particular problem, such
 25 as aquatic invasive plants -- this is a really

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1 interesting slide to show, the green line shows that
 2 if you start early in the season, say January, your
 3 ability to control the problem given the lifecycle
 4 of the plant is extremely good. Your acreage
 5 control is much lower because you started earlier,
 6 and things are pretty helpful to the users of the
 7 waterways.

8 However, if there's a later start for
 9 reasons that I aforementioned, such as regulatory
 10 permits and constraints that are really driven by
 11 the Endangered Species Act in the Delta -- keep in
 12 mind the Delta is the only place on this planet that
 13 has 38 million people needing water to be shipped
 14 south. And in order to pump water, they can't have
 15 weeds blocking those pumps. And a lot of that is
 16 tied to fish that's protected under the Endangered
 17 Species Act because in order to pump water, fish may
 18 be entrained or killed. And part of the mitigation
 19 is anyone who's doing that type of work has to start
 20 at a certain time, and this start time here is
 21 March.

22 So the connection is these plants -- I'm
 23 not going to get into all of them, but for floating,
 24 these plants produce twice their size in seven to
 25 ten days in temperatures over 90 degrees. So the

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1 size of this room is some X number of plants, but
 2 within seven to ten days, it could be tripled or
 3 quadrupled in size. And especially with warming
 4 temperatures in March, that really constrains the
 5 Division's ability to control these plants because
 6 they're out of control. And the Delta is very
 7 unique. There are tides twice a day, ebbing and
 8 flooding about 140 CSF between I Bridge and the bay,
 9 and these plants move all over causing huge
 10 navigational impact.

11 So the summary here is that where we are
 12 with funding versus acres treated. This yellow line
 13 shows total acres treated since 2008 until current
 14 year. Now, there's a correlation here, obviously,
 15 you can see in this chart with the blue funding in
 16 Boating and Waterways, Harbors and Watercraft
 17 Funding. And you're noticing around '14/'15 an
 18 incremental progress to receive funding from other
 19 entities in cooperative fashions pursuant to our
 20 charge in the legislature, and that's beneficial.
 21 It's slow to come, but it's working.

22 The next slide shows the cost per acre
 23 correlating to the little chart I showed you about
 24 treating early versus treating late. If we are able
 25 to get into our program and start earlier, that's

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1 very advantageous, because the costs go down because
 2 we're not having to go out so frequently and treat
 3 when we've been in there late. And part of this
 4 slide, there's a lot of information packed behind
 5 it. And I tried to articulate to you that a lot of
 6 the drivers are regulatory in terms of timing, and
 7 that timing is directly correlated to us being able
 8 to provide resources to attack the problem. Yes,
 9 there was a plus up in funds, about \$4 million in
 10 2014/'15, and you can see a notable difference in
 11 our ability to reduce the cost per acre, which is
 12 advantageous for a program like this, but also
 13 maintain a semblance of control, which is the
 14 overall objective of the program.

15 I tried to not talk too fast. The last
 16 time we did a dry run, I was 17 minutes, so I'm more
 17 than happy to answer any questions that you have.

18 VICE CHAIR METZ: Do you have questions,
 19 answers?

20 LENORA CLARK: Lenora Clark, from
 21 Recreational Boaters of California.

22 I've been given to understand that when we
 23 apply for the permits to treat the different species
 24 in the Delta, that we have some wiggle room in how
 25 early we can begin application versus those permits

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1 that we're getting.

2 MR. HARD: There's not a lot of wiggle
 3 room. Our time frame that we've been given from
 4 650 Capitol Mall, which is where U.S. Fish and NOAA
 5 Fisheries are, starts March 1, and we must stop
 6 November 30th.

7 And now Mother Nature is in control of
 8 this entire program. If we have high discharge
 9 coming from the dams, like we've had in the last two
 10 years, our start date doesn't just happen on
 11 March 1st, because we have to read the water. If
 12 we're not going to be able to provide impact to the
 13 target, we're wasting taxpayer resources by applying
 14 the material out there and having it get flushed in
 15 the case of treating underwater vegetation. And the
 16 same would go for floating. If it's a windy day, we
 17 can't spray.

18 So there's some aspects relative to that
 19 word "wiggle" after the program had started, but
 20 there is no wiggle before that program has started;
 21 otherwise, we'd be in violation of our biological
 22 opinion. Did that help?

23 LENORA CLARK: Yes.

24 MR. HARD: Okay, good.

25 VICE CHAIR METZ: Other questions?

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1 Well, I have one. Whose responsibility is
 2 it to say, notwithstanding the permit problem, the
 3 ability to perhaps increase the cross benefit of
 4 public expenditures and the state of initiation and
 5 remedial, preventative in fact, whose responsibility
 6 is it to say, look, \$12 million, which it is today,
 7 that's it. You do all of the other claims on the
 8 fund, that's basically all you're going to get now.
 9 And those responsible for the program can scramble
 10 and find other sources, federal and otherwise,
 11 private, partnerships, et cetera.
 12 Who makes that decision or raise that
 13 decision, or is it just say, gee, if we need
 14 13 million next year, someone goes to legislature,
 15 says we're going to need 13 million or 14, depending
 16 on that? Please inform me of how those decisions
 17 are made, particularly when there are other
 18 claimants, important claimants, to a particular fund
 19 like this one.
 20 MR. HARD: Do you want to address that,
 21 Lisa, or do you want me to?
 22 DEPUTY DIRECTOR SCHAAFSMA: I think the
 23 last substantial increase we had in this program
 24 through the legislative process was in '14/'15, and
 25 that coincided with some of our peak drought years,

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1 right?
 2 MR. HARD: Correct.
 3 DEPUTY DIRECTOR SCHAAFSMA: And that was a
 4 \$3.9 million -- (inaudible).
 5 MR. HARD: 3.993, yeah.
 6 DEPUTY DIRECTOR SCHAAFSMA: -- to the
 7 program. So I think in that year there was a big
 8 focus with the administration -- and this was put
 9 forward actually in special legislation, right?
 10 MR. HARD: Correct.
 11 DEPUTY DIRECTOR SCHAAFSMA: So this was
 12 part of the drought funding package that went
 13 forward as a collaboration with the administration
 14 and legislature, of course, to put more funding to
 15 this program because I think at the time we were
 16 seeing a substantial amount of increase in --
 17 What was the primary?
 18 MR. HARD: The primary driver there was
 19 the floating aquatic vegetation, water hyacinths.
 20 DEPUTY DIRECTOR SCHAAFSMA: Floating
 21 aquatics.
 22 So that was the last one we had, and I
 23 think generally this would be, like any other
 24 program, subject to a normal PCP process.
 25 So how those typically work is if the

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1 Department feels there is a need to expand the
 2 program or put more resources through the program,
 3 that's presented to Finance, and then Finance weighs
 4 in on it.
 5 So I don't know if that gets to that kind
 6 of question you have there, or are you more
 7 asking --
 8 VICE CHAIR METZ: Well, again, is there
 9 anyone who feels that they have a special
 10 responsibility to look at the totality of the fund,
 11 the various claimants, all-important claimants, in
 12 the fund, and to say that if we allow this claimant
 13 to get 10 percent or 20 percent more for a
 14 particular program, it's going to mean that limits
 15 the other recipients and beneficiaries? Who makes
 16 that decision -- (inaudible) why?
 17 Because, otherwise, there's virtually no
 18 overall control. Because one could argue -- and I
 19 don't live in the Delta -- that this is a serious
 20 problem. It's much larger than the question of
 21 boating and navigation and access to that for those
 22 that live or come to the Delta for recreation. It
 23 involves the entire Water Resource picture in the
 24 state of California, 38, soon to be 40 million
 25 people.

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1 But, you know, otherwise, one could argue
 2 that this has priority. This has priority, and
 3 therefore there may be nothing left ten years from
 4 now. If the legislature in its wisdom chooses to
 5 increase and give priority to this, there is nothing
 6 left for anyone else. I'm just saying -- trying to
 7 understand --
 8 DEPUTY DIRECTOR SCHAAFSMA: Let me respond
 9 to that.
 10 VICE CHAIR METZ: -- what the
 11 decision-making process is.
 12 DEPUTY DIRECTOR SCHAAFSMA: A little bit
 13 broader than that.
 14 So going back more than ten years, I think
 15 through various budget documents and LAO analysis,
 16 there's been signals of what we call an operational
 17 deficit, which means revenues and expenditures are
 18 not sustainable in the current path. I think the
 19 question you're asking is whose responsibility is --
 20 we're doing this now, right? So we're engaging
 21 with --
 22 VICE CHAIR METZ: That's good.
 23 DEPUTY DIRECTOR SCHAAFSMA: -- (inaudible)
 24 Irrigation, Finance, but this has been a long time
 25 coming.

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1 So I think in respect to who is making
 2 sure that the revenues or expenditures are balanced
 3 every year, Finance has a role in that, State Parks
 4 plays a role in that, you play a role in that. So,
 5 unfortunately, we're doing this at probably the 25th
 6 hour for this fund. But going forward we're trying
 7 to get us back on the path of sustainability, and
 8 we're going to make those policy decisions now
 9 through this engagement and then be recommending the
 10 policy ideas.

11 DIRECTOR MANGAT: One other thing I would
 12 probably share -- that's the executive branch lens,
 13 right? But the legislature ultimately has
 14 responsibility for appropriations. So that's why
 15 there's this multi-month budget discussion where
 16 there's a vetting of all of these things and also
 17 stakeholders and all of the various folks who pay
 18 attention to these things, but first it needs to be
 19 brought to everyone's attention, right?

20 So while I think you may feel like it's
 21 the 25th hour, I think in a lot of respects it's
 22 kind of early. The fact that we're having this
 23 conversation before there are some budget solution
 24 that's processed and then we're reacting.

25 So part of this is just really kind of

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1 educating everybody about the condition of the fund.
 2 So hopefully what you saw -- when you look at the
 3 story of what's been happening to the fund, is that
 4 incrementally over time this -- we've been investing
 5 more resources into this program. So sometimes what
 6 happens -- not just with this program but just
 7 programs overall with the state -- is that there's
 8 these -- it's an incremental budget, right? We
 9 don't zero-base our budget in California every
 10 single year. There's this understanding that this
 11 is the funding level, and you just pick whatever
 12 department it is, right?

13 And so what happens is that the budget
 14 proposals that are put forward -- rarely are there
 15 minus budget proposals, right? They're mostly
 16 additive, but over time you're just looking at that
 17 incremental increase, and then all of our focus gets
 18 on that incremental increase.

19 What we're trying to do now is far more
 20 broader, right, and holistic. And when you look at
 21 the allocation of our resources, essentially if you
 22 were to take a snapshot of the Boating and Waterway
 23 program today, one of the highest priorities by
 24 allocation of funds, right, in terms of
 25 importance -- because every dollar could go to

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1 something else, but as a state we've chosen, no,
 2 this dollar is going to this program, that that's
 3 kind of where we've ended up.

4 VICE CHAIR METZ: Very well stated. Thank
 5 you very much.

6 DIRECTOR MANGAT: Yes.

7 So when we're looking at the fund, we're
 8 looking at the program overall. I mean part of the
 9 inherent question here for us and also what will be
 10 before the legislature -- because they may not like
 11 whatever is proposed, right? So we expect that
 12 they're smart staffers and the members themselves
 13 and folks that care about boating are going to visit
 14 and share their own views on things, that's when the
 15 system works, right? But everybody has a voice in
 16 this process is going to have an opinion on this,
 17 right?

18 But make no mistake that the question
 19 before all of us is: What should the Boating and
 20 Waterways division and program be focusing on in a
 21 world where there's not unlimited resources, you
 22 know, instead of just backing into it incrementally.
 23 And so clearly this has been a high priority.

24 When we start talking about the loans
 25 program, I'll be very candid in this room, a lot of

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1 people are asking should the State be in the
 2 business of operating a loan program, and I don't
 3 have an answer for that. And when I've met with
 4 people, I have said, you know, some people point to
 5 the fact that we have very little interest out there
 6 and that the landscape has changed so that the State
 7 doesn't need to be in this business, but I still
 8 hear from folks that remember a time where this was
 9 a big revenue generator. So we need like to --
 10 we're going to have to land on that.

11 So that's kind of more than you asked for,
 12 but that I think is an important message relative to
 13 this program, that it's grown. Folks have been
 14 doing a great job, but it's kind of a reality that a
 15 higher percentage of our Division resources have
 16 gone to this program.

17 _____: I would just like to comment
 18 on that. You hit it spot on, I guess. You know,
 19 the thing is that it's been really effective, right?
 20 The cost per acre has gone down, so people are
 21 excited about it. I can see how they're --
 22 (inaudible), but Eddie hit it on the nail as well
 23 about the different stakeholders in the south
 24 needing the water. And there are stakeholders that
 25 need the water and are using the water for other

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1 things than just boating and recreation, but it's
 2 this fund that is related to boating and recreation
 3 that's funding most of it.
 4 So to his point, when you're looking at
 5 this, it's super important to the State, but then
 6 should the recreational boaters be funding the lion
 7 share of it? Should we start being like, okay, hang
 8 on a second, ag needs this water, L.A. needs it for
 9 drinking, like, you know, I see little bits here,
 10 like maybe we need to have a broader discussion
 11 about that.
 12 But I mean I found it really effective and
 13 I think they're doing a great job. And like most
 14 things, when it's in your face and it doesn't take
 15 much to see the visuals or if you use the water
 16 there, when something is sludge with all these green
 17 plants, everyone is onboard with we need to get
 18 after this, and the results have been really good.
 19 DIRECTOR MANGAT: But I think you've
 20 raised a fundamental policy, is that while this is
 21 an important role state government is playing, but
 22 are boaters the sole beneficiaries of this effort.
 23 VICE CHAIR METZ: Okay. Thank you.
 24 MR. HARD: You're welcome.
 25 VICE CHAIR METZ: So next presentation.

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1 MS. DILL: I'm Keren on the loan programs.
 2 VICE CHAIR METZ: Okay. Keren has been
 3 around a while, so she knows and sees old friends.
 4 MS. DILL: Yes, I have been around a
 5 while. I remember when Ms. Clark was one of our
 6 commissioners, so welcome back. Thank you so much
 7 for coming, these are really important issues. We
 8 are glad to talk about this.
 9 My name is Keren Dill. I'm the chief of
 10 grants and loans for Division of Boating and
 11 Waterways. I'll be providing a brief overview of
 12 both the public marina loan program and the private
 13 marina loan program for our discussions this
 14 morning.
 15 In the last 67 years, Boating and
 16 Waterways has provided approximately 360 loans to
 17 public agencies under this program. These funds
 18 were used to develop or to rehabilitate marinas
 19 owned or controlled by public agencies. This
 20 program is authorized in the Harbors and Navigation
 21 Code, and over the life of the program about
 22 \$446 million in public marina loans have been
 23 issued. Loan amounts range from \$100,000 planning
 24 grant to a \$12 million construction loan. Projects
 25 take between five to eight years to plan, permit,

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1 and construct.
 2 Requests and need for funding fluctuate
 3 tremendously based on the economy, the condition of
 4 the existing marinas, and public entities'
 5 willingness and ability to either self-fund or issue
 6 bonds for larger cities, for instance, or to seek a
 7 Boating and Waterways loan.
 8 Historically, anywhere from zero to ten
 9 loans have been funded annually through this
 10 program. The majority of marinas were constructed
 11 with Harbors and Watercraft Revolving Fund dollars
 12 prior to 1991.
 13 In the last 31 years, as far back as we
 14 can get the financials, since 1998 this program has
 15 issued 119 loans, generated \$159 million in interest
 16 for the Harbors and Watercraft Revolving Fund,
 17 including replacing all of the principal. Of those
 18 119 loans, there has been one default to the City of
 19 Stockton for \$10.8 million. Over the 67-year life
 20 of the program, three agencies have had delinquent
 21 loans: The cities of Martinez, Petaluma, and
 22 Stockton. For a combined total programmatic loss,
 23 because of default of \$15.9 million, this equates to
 24 a total profit over 31 years, since 1998, of
 25 \$148 million, again plus full repayment of

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1 principal.
 2 Currently, we have 55 loans in repayment
 3 to 24 different agencies. These loans paid over
 4 \$4 million this year into the Harbors and Watercraft
 5 Revolving Fund. The current interest rate for the
 6 loan program is 4.5 percent. The terms for these
 7 loans are between 30 years per revenue-generating
 8 infrastructure to 50 years for non-revenue-
 9 generating infrastructure such as breakwaters. This
 10 year we're considering one new loan to the City of
 11 Berkeley for the Berkeley Marina.
 12 Forecasting our future need, historically
 13 marina construction techniques produce marinas that
 14 would typically last between 30 and 40 years. Due
 15 to the aging marina infrastructure in California and
 16 based on previous lending, it appears that requests
 17 for marina loans in this program may increase
 18 significantly in the next five to ten years with the
 19 need perhaps reaching 10 to \$30 million annually.
 20 That's if there are no other lending sources.
 21 The alternatives for lending are either
 22 self-funding, because commercial banks have been
 23 unwilling to lend to public agencies for marina
 24 development, outside of instruments like bond
 25 funding. Some agencies like Dana Point have

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1 self-funded. They realized enough revenue to not
 2 need our loan. But outside these options, bond
 3 funding and self-funding, our understanding is that
 4 there are very few options for agencies for funding
 5 when they need to replace their marinas.
 6 So we'd like to hear from the public and
 7 those distinguished guests that are here: Are there
 8 additional funding sources out there that you know
 9 of for public loans? What needs are you aware of
 10 for public loan redevelopment in the next five to
 11 ten years? And is 4.5 percent interest competitive
 12 in the current market?
 13 Just want to open this up to those in the
 14 know.
 15 VICE CHAIR METZ: You mean right now?
 16 MS. DILL: Yes.
 17 VICE CHAIR METZ: Okay. These are, I
 18 think -- thank you, Keren, those are really
 19 important, important questions -- (inaudible) the
 20 fund, yes.
 21 But one other factor, when we talk about
 22 needs for docks and facilities related to harbors,
 23 access for boaters, what is our needs assessments?
 24 What are our needs for the future? We can't answer
 25 some of these questions unless we have a feeling,

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1 regardless of funding source, self-funding if it's
 2 Dana Point or so on. What are our infrastructure
 3 needs to permit fishermen, boaters, yachters,
 4 anyone, kayakers to get to the water?
 5 MS. DILL: Unfortunately, our boating
 6 assessment study did not capture the aging marina,
 7 so that's a good thing for us to look at.
 8 VICE CHAIR METZ: Do you have through the
 9 various organizations in our constituency, the
 10 harbor captains and others through their own harbor
 11 districts, do we have any feel or ready way to get
 12 just some feel, say, for the next 10 to 15 years of
 13 what your needs are in terms of refinement,
 14 redevelopment, or replacement of docks? I think
 15 that is very, very important.
 16 MS. DILL: Right. What we've been told is
 17 San Francisco Marina East is going to need to be
 18 redeveloped, but they're not sure when because
 19 they're dealing with a bunch of work. Berkeley
 20 Marina is needing to be replaced.
 21 No other agencies have said, hey, we're
 22 looking at this, we're looking at your fund in the
 23 future. What we've heard from public marinas is
 24 that when the recession hits, and everyone has been
 25 talking about another recession hitting, their

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1 occupancy is going to go down again like it did in
 2 2008, and marinas have not really recovered fully
 3 since pre-recession.
 4 So no one is really talking to us, and
 5 that's why we would really like to hear from the
 6 public, from these agencies. What we've heard is
 7 that more public agencies, they're spending a lot
 8 more money in maintenance, and they're more willing
 9 to do that than take out a huge loan to burden their
 10 city.
 11 VICE CHAIR METZ: Can you suggest ways of
 12 getting that information, including the workshop or?
 13 MS. DILL: Well, I think your harbor
 14 masters and port captain idea is really good, going
 15 to them.
 16 _____: Send a survey to them.
 17 _____: I think one of the other
 18 things that we've been doing -- and I don't know if
 19 you touched on it, Keren -- was that we have been
 20 looking at (inaudible) -- marinas that we've had
 21 to -- (inaudible) send any letters out asking and
 22 checking in. All of the data that we have from them
 23 that we have loaned in the past, that's one of the
 24 things that we have just recently done is reached
 25 out that way.

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1 MS. DILL: We're doing that for boat
 2 launching facilities and marinas as well to let them
 3 know about these options.
 4 VICE CHAIR METZ: So we could have a
 5 situation whereby if you're a marina operator,
 6 public or private, were putting money into
 7 maintenance and that sort of thing, so that no
 8 replacement item are not really in our vision now
 9 until demand we receive -- the demand picks up.
 10 So then the question -- I'm spinning out.
 11 The question was the 4.5 percent interest rate or
 12 whether it's 1.2 percent, whatever the Federal
 13 Reserve has gone to at the present time is really
 14 not that important. But certainly one could say
 15 that 4.5 percent who is going to pay that amount
 16 today when there are less interest rates available
 17 from a variety of funding sources?
 18 LENORA CLARK: Just a comment, Lenora
 19 Clark --
 20 VICE CHAIR METZ: Lenora.
 21 LENORA CLARK: -- Recreational Boaters of
 22 California.
 23 Way back when, I was on the commission of
 24 boating -- (inaudible) assessment. And I think that
 25 needs assessment went into 20 years, you know,

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1 projection. And certainly that projection probably
2 fell apart with the recession because we were
3 looking at larger slips versus eliminating smaller
4 slips and things like that.
5 But certainly something like a needs
6 assessment would be in line right now. Because if
7 we're looking at where the money needs to be spent,
8 and people aren't asking for those loans because
9 they don't -- there's no need there, that would be
10 something that would allow the fund to utilize money
11 in areas that are needed.
12 VICE CHAIR METZ: Well, we're back to the
13 point. Keren, we're looking for you for leadership
14 to give to Ramona and the Commission as to ways to
15 get information you think is very important for
16 purposes of financial planning and public planing
17 and so on and so forth.
18 Now, we know that there is in process and
19 we should receive, Lenora, very, very soon, within
20 the next few months, the results of the boater needs
21 assessment, finally updated.
22 So some of this is coming together, but I
23 think these are vital questions, vital questions.
24 So we look to ways, workshops, surveys of the harbor
25 masters, to have a program of actually requiring

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1 information that we need for purposes --
2 (inaudible).
3 LENORA CLARK: Right.
4 MS. DILL: Thank you. Yes.
5 _____: I'm wondering, though, I'm
6 curious: Are there additional funding sources for
7 public loans? I would be interested for marinas for
8 those who have gotten these, you know, what did they
9 look at? I don't even know if there's federal money
10 available for that or what other pots aside from
11 private.
12 MS. DILL: I know for ports, there is a
13 separate funding, but it's not for recreational
14 boating.
15 _____: Just commercial?
16 MS. DILL: Yeah, commercial.
17 But I don't know of any others, and that's
18 why I'm posing the question.
19 Okay. So this is the public loan program.
20 We'll move on to the private.
21 Now to the private marina loan program.
22 So this program began in 1980. In the last 39
23 years, Boating and Waterways has provided
24 approximately 78 loans to private marina owners
25 under this program. This is authorized in the

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1 Harbors Navigation Code as well.
2 And over the life of the program, about
3 \$51 million in private marina loans has been issued
4 from the Harbors and Watercraft Revolving Fund.
5 Like the public, marina loan program projects as
6 well take five to eight years to plan, permit, and
7 construct and sometimes longer because these are
8 private marina owners who don't necessarily have the
9 savvy or pull to get permits through as effectively
10 as public agencies do.
11 Requests and need fluctuate tremendously
12 based on the economy as well, condition of the
13 existing marinas, the ability of private lending
14 sources and entities' willingness and ability to
15 manage and facilitate a Boating and Waterways loan.
16 Only two loans have been issued in the last 14 years
17 in this program.
18 VICE CHAIR METZ: Two.
19 MS. DILL: Yes, two.
20 _____: Just give us the full
21 picture, is that -- you said we issued two?
22 MS. DILL: Correct.
23 _____: And how many requests did we
24 receive?
25 MS. DILL: Three.

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1 _____: Which I think is important.
2 VICE CHAIR METZ: I agree. I think we
3 have to examine everything.
4 One could say that at least based on my
5 tenure on the Commission, that many, if not most of
6 the assets, the docks and so forth, that people use
7 strictly on the inland are largely private marinas.
8 Name our meetings in places we've gone to.
9 So their welfare, their continued function
10 to serve the public, to serve the boating are very,
11 very important. But apparently they've been meeting
12 their capital needs or reconstruction needs or
13 replacement needs through resources other than
14 applying to DBW.
15 MS. DILL: Correct.
16 VICE CHAIR METZ: Now, based on your
17 extensive background, what have you heard, just
18 going on the private market?
19 MS. DILL: Right. Commercial banks are
20 willing to lend to private operators because they
21 have leases. Also, private equity is much more
22 available for privately-owned marinas because
23 there's something to go after.
24 You don't have that with the public
25 agencies because someone can't go after a public

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1 marina. But a private marina who has a lease and
 2 has infrastructure, the banks and private equity
 3 firms can go after those.
 4 _____: Waterfront is very available.
 5 MS. DILL: Right.
 6 _____: So this has been one point
 7 that when meeting with stakeholders, I raise.
 8 Because as you can manage, when you look at the
 9 facts here, it's very difficult for us to kind of
 10 make the case and argue that this is a critical
 11 program when we see this in play. So I never want
 12 to assume that just because people aren't applying
 13 that there's not an interest, but when you're going
 14 to folks directly, you know.
 15 So if there is something that we're
 16 missing, please let us know. But I'm hearing the
 17 same thing that you're sharing.
 18 MS. DILL: Yeah.
 19 VICE CHAIR METZ: What is the interest
 20 rate today? If I were to come -- private marina
 21 were to come -- (inaudible).
 22 MS. DILL: Later, we were -- we could
 23 just -- we can forgo the presentation.
 24 Right now it's 6.25, but it's based on
 25 prime plus one as of January. So it's prime plus

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1 one as of each January, and it adjusts annually.
 2 _____: Keren, how is that
 3 established? Is that through statute?
 4 MS. DILL: Correct, by statute.
 5 So from a scope perspective, since 1998,
 6 going back 30 years, this program has generated
 7 \$16 million in interest for the Harbors and
 8 Watercraft Revolving Fund. And over the life of the
 9 program, there have been four defaults. So the
 10 private marina operators have not -- people are
 11 paying their bills, generally. The program has lost
 12 \$1.4 million in loss because of defaults, for a
 13 total profit of \$14.8 million over the last 31
 14 years.
 15 Currently we have five loans in repayment
 16 to four different marinas. These loans paid
 17 \$230,000 in interest into the Harbors and Watercraft
 18 Revolving Fund this year. Their interest rate is
 19 6.25 percent, and the term is 20 years on the
 20 privately-held loans.
 21 And forecasting future need, unlike public
 22 entities like we just discussed, capital funding for
 23 these kinds of projects seems to be readily
 24 available. It's more flexible, less cumbersome than
 25 a state agency would give, and more timely. They

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1 can operate much faster than we can at the State.
 2 Do we know of any marinas that are going
 3 to seek Harbors and Watercraft Funds in the next
 4 five years, ROC or any of the our other guests? As
 5 mentioned, commercial banks can loan. Private
 6 equity provides funding as well as us and other
 7 folks as well.
 8 So our questions for the public and the
 9 Commission are: Is this funding still needed? Do
 10 you know of any marinas that are going to need
 11 Harbors and Watercraft Revolving funding in the
 12 future? And are there other sources of funding than
 13 private equity, commercial banks that we don't know
 14 about?
 15 VICE CHAIR METZ: All right. How are we
 16 going to get this information? One can assume that
 17 we're getting it because of silence, because of lack
 18 of application.
 19 Do we have an obligation to go out to the
 20 Marina Recreation Association or any other group and
 21 pose that particular question and give a deadline as
 22 to getting any responses?
 23 I don't know what our public obligation
 24 is, but I am certainly of the feeling that the fact
 25 that we haven't had much interest is pretty much

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1 telling us, that the market really is giving us the
 2 answer. There is not a demand given our interest
 3 rate, process, and paperwork involved, so.
 4 _____: But I also wonder -- I mean I
 5 think you're right the silence is there is
 6 availability, but that doesn't mean there won't be a
 7 future time when there isn't, and does this cost us
 8 anything to have the ability to do it?
 9 I mean it seems like statutorily it hasn't
 10 really -- you know, when you look at where the money
 11 is going for the fund, it hasn't like taken or
 12 competed, you know, like we just had a conversation
 13 about the AIS program. But, you know, I could see a
 14 time if we have an earthquake, right, that maybe
 15 it's too risky for the private market and maybe they
 16 will need help, especially if infrastructure is
 17 damaged.
 18 So I would hate to see that it's like, oh,
 19 we should get out of the business and delete the
 20 codes and that therefore be out of the game of ever
 21 being able to do this. We really know what might
 22 happen in the future.
 23 Maybe we just go back to the boating
 24 community and say, look, this is out there, you
 25 know, not getting used so much. If you want to use

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1 it, use it, but, you know, it's not getting used.
 2 So be aware that at some point if there are
 3 problems, it could be down, you know, on the
 4 chopping block. If it's not costing us anything,
 5 I'm not sure we need to go, you know, and cut it out
 6 or suggest as a policy that this should be removed
 7 statutorily and then we can't do it in the future.
 8 That would be my only concern.
 9 _____: So I think for us the
 10 consideration is mostly financial planning, so what
 11 type of revenue forecast would that impose, what do
 12 we need to appropriate. So I think less of a
 13 statutory budget as more of the financial --
 14 (inaudible).
 15 _____: Maybe then to them we're not
 16 going to apply to it -- (inaudible). I definitely
 17 consider it -- (inaudible).
 18 MS. DILL: Any other questions or comments
 19 on this? All right. Thank you.
 20 VICE CHAIR METZ: Thank you, Keren.
 21 Where are we now?
 22 _____: So let's see where we are.
 23 VICE CHAIR METZ: Our time allocation, do
 24 we need a break?
 25 _____: We have plenty of time.

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1 VICE CHAIR METZ: Let's take a five-minute
 2 break.
 3 (Break taken in proceedings 1:23:00 to 1:36:28.)
 4 VICE CHAIR METZ: We'll reconvene.
 5 Ramona, we're in your hands now.
 6 DEPUTY DIRECTOR FERNANDEZ: Thank you,
 7 Vice Chair. That kind of completes our discussion
 8 on the -- (inaudible) programs. So I kind of want
 9 to open it up to -- (inaudible) discuss it. We've
 10 been having an open discussion -- (inaudible).
 11 VICE CHAIR METZ: We've had a lot of open
 12 discussions thus far, so this is -- as far as I'm
 13 concerned, I want to thank you and others for
 14 planning this meeting. This is what a workshop
 15 should be. Sometimes I know we interrupt each other
 16 and shouldn't, but nevertheless -- it should be give
 17 and take with people speaking freely their questions
 18 or asking for interpretation.
 19 So right now what do we believe or
 20 recommend should be done? I know one of the
 21 suggestions is that we take a proactive stance in
 22 terms of asking various groups regarding their
 23 future needs, whether it's for infrastructure in
 24 docks and so forth, or private marina loans, or
 25 whatever and so forth. So those were items.

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1 Are there others that you recall that we
 2 included as needs for more information?
 3 DEPUTY DIRECTOR FERNANDEZ: I think one of
 4 the other -- the biggest one obviously was the
 5 boating facility needs assessment.
 6 VICE CHAIR METZ: Yes.
 7 DEPUTY DIRECTOR FERNANDEZ: That we plan
 8 to have.
 9 VICE CHAIR METZ: What it does contain and
 10 does not in relation to the questions that have been
 11 raised here.
 12 DEPUTY DIRECTOR FERNANDEZ: Correct.
 13 VICE CHAIR METZ: I think that's
 14 important.
 15 DEPUTY DIRECTOR FERNANDEZ: The other, as
 16 we mentioned, would be those workshops, surveys, and
 17 then I think coordinating with the Marine Recreation
 18 Association, which is one of the things that we are
 19 doing next commission is in conjunction with MRA
 20 that we will be also conducting our commission
 21 meeting, so that will be a discussion as -- I don't
 22 know if all of you are going to the whole --
 23 Commissioner Metz, I think you're going to the whole
 24 MRA conference, correct?
 25 VICE CHAIR METZ: I registered --

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1 (inaudible).
 2 DEPUTY DIRECTOR FERNANDEZ: The other
 3 request I do have is the tax breakdown that you
 4 requested that people will be providing additional
 5 information and clarification on your original
 6 request, Vice Chair, on the Harbors and Watercraft
 7 Fund itself and the history. And, let's see, I
 8 think that's kind of it that I have right now.
 9 VICE CHAIR METZ: Any other?
 10 DEPUTY DIRECTOR FERNANDEZ: Is there
 11 anyone else that wants to speak on it, on the
 12 Harbors and Watercraft Revolving Fund or?
 13 VICE CHAIR METZ: To the extent that one
 14 can broadcast to the staff or the hierarchy of
 15 Marine Recreation Association that we are actively
 16 seeking information regarding area A, area B, I
 17 think would be important because it's a rare
 18 opportunity when we're all together informally or in
 19 a formal way to make announcements. And we have
 20 representatives of the Commission here. They'll be
 21 meeting the day after our regular meeting --
 22 DEPUTY DIRECTOR FERNANDEZ: Absolutely.
 23 VICE CHAIR METZ: -- and so forth, so
 24 trying to generate interest --
 25 DEPUTY DIRECTOR FERNANDEZ: Correct.

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1 VICE CHAIR METZ: -- and then also to try
 2 to alert them that there are important data needs
 3 that we would like to meet, not only for our own,
 4 doing our own work for our own responsibilities, but
 5 ultimately for their benefit as well.
 6 COMMISSIONER PETTIBONE: Is there a way --
 7 I would like to put it on some of the recreational
 8 boating/sailing networks for response and
 9 encouragement for engagement. Is there someone we
 10 should contact if I put it on like U.S. Sailing
 11 list, say folks who, you know, these are things that
 12 DBW is offering, and we're looking for feedback,
 13 reach out to myself or is there anybody else you
 14 would like to have?
 15 DEPUTY DIRECTOR FERNANDEZ: You can
 16 probably have them reach out to Keren.
 17 COMMISSIONER PETTIBONE: Because I mean
 18 there might be projects that are out there that we
 19 don't know about. It would be like, oh, five years
 20 down the road we are going to do this complete
 21 refit. We're not there yet. We're not applying,
 22 but we want to put it on the radar.
 23 DEPUTY DIRECTOR FERNANDEZ: Yes, sure.
 24 VICE CHAIR METZ: Do we have
 25 representatives from the Natural Resources?

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1 DIRECTOR MANGAT: She just stepped out,
 2 but yes.
 3 VICE CHAIR METZ: We do have, okay.
 4 That's very good. I think that's important --
 5 (inaudible). Such a violation -- (inaudible) -- the
 6 airports. It's important to have their perspective
 7 and involvement as we try to work through some of
 8 these questions.
 9 DIRECTOR MANGAT: And I would say that
 10 Secretary Crowfoot's staff are very engaged with us
 11 on this.
 12 VICE CHAIR METZ: One of the privileges
 13 I've had working with the Commission over the years
 14 is to have occasional contact with Natural
 15 Resources, and it's been a plus every single time.
 16 They're generally interested in what's happening in
 17 our world -- they exercise their oversight policy
 18 direction -- (inaudible).
 19 Lisa, is there anything else? Greg.
 20 GREG URIZA: Greg Uriza, president of
 21 RVUC. When you say Natural Resources, are you
 22 referring to the Department of Water Resources or a
 23 different organization? At least explain the
 24 structure.
 25 DIRECTOR MANGAT: So the governor has

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1 various cabinet members who help various policy
 2 areas, and they are at the secretary level. So the
 3 cabinet-level individual is Secretary Wade Crowfoot.
 4 So under the umbrella of the Natural
 5 Resources Agency is nested very important agencies
 6 like the Department of Fish and Wildlife, and the
 7 Department of Parks and Recreation, under which
 8 Boating and Water Activities are nested under the
 9 Department of Water Resources. So all of those
 10 Natural Resources departments is nested within that
 11 agency.
 12 Why it's important to have that agency
 13 engaged is because you want the Governor's
 14 cabinet-level advisor to understand that this is an
 15 issue and that we're off having conversations with
 16 the Department of Finance. So the woman that was
 17 sitting there, that's Amanda Martin, she is the
 18 fiscal -- kind of like one of the fiscal gurus in
 19 the Natural Resources Agency, and she's one of the
 20 individuals that we've been working closely with.
 21 GREG URIZA: Thank you for the
 22 clarification. I have a second question.
 23 I notice that there are our
 24 representatives here from law enforcement, and I'm
 25 just wondering what their interest in all of this

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1 might be.
 2 DEPUTY ELAMON: Thank you. My name is
 3 Jose Elamon. I'm here on behalf of Cal State
 4 Sheriffs Association Boating and Watercraft Safety
 5 Committee. My sheriff, San Joaquin County sheriff,
 6 is actually the chair, so I'm here on his behalf
 7 today.
 8 I just wanted to share with you guys a few
 9 things from a law enforcement perspective as far as
 10 funding is concerned and how we operate. Four
 11 things specifically, one being prevention funding;
 12 two, training funding; three, safety grants; and
 13 four, equipment grants that we rely on heavily.
 14 For my home county, San Joaquin County, we
 15 rely on Commission funding to support about a third
 16 of our operational budget. We are centralized in
 17 the Delta based out of Stockton, so we have many,
 18 many, many miles of waterway that we are responsible
 19 for seven days a week, 365 days a year. A lot of
 20 agencies are seasonal up in the lake areas. We
 21 operate all year. Our recreation goes from
 22 waterskis, jet skis, recreational boaters in the
 23 summertime, fishermen, to hunters, fishermen in the
 24 off-season. So we really never have a slow period
 25 for us.

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1 What that allows us to do with this
 2 funding is put six full-time staff there all year
 3 round with a supervisor, which is actually rather a
 4 robust maritime enforcement, with other agencies
 5 that are seasonal. So I just wanted to share with
 6 you the importance of that.

7 Also, the training budget, as you know,
 8 POST has made some cuts as far as what they're going
 9 to pay for for training several years back, and with
 10 that we have to compete with our day-to-day
 11 operations trainings that are going on throughout
 12 the department, department-wide, and we're then to
 13 send our folks through maritime enforcement, boating
 14 accident training, DUI enforcement training, boat
 15 operator school, those things are very, very costly,
 16 but they're necessary in order to train our folks
 17 properly to go out and do the job.

18 And if we can't come up with the funds
 19 within county -- oftentimes the answer is no, so we
 20 rely on those training funds from DBW with those
 21 MOUs for reimbursement to send our folks to the
 22 proper training.

23 We have turnover, as every agency does.
 24 We have folks that promote out of the unit. We have
 25 people that retired. I'm not there yet. But we

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1 have that constant turnover, and it's important that
 2 we maintain our training, and our skills, and there
 3 are times that we rely on that funding.

4 State grant funding, not just our agency,
 5 but many of our neighbors throughout the Delta
 6 community rely on state grant funding. Just a quick
 7 short story: I was on vacation in Florida and on
 8 the news popped up an abandoned vessel problem that
 9 the local agency was dealing with over there, so
 10 it's actually nationwide, but here in California
 11 abandoned watercrafts are nothing new. It's only
 12 getting worse with having commercial vessels now --
 13 (inaudible). Same thing, it's getting more and more
 14 expensive. So we rely on -- (inaudible) because we
 15 can't necessarily support those removals through
 16 county funding, so we rely on the state grant every
 17 year to support those operations.

18 My phone rings probably five days a week
 19 regarding an abandoned boat or derelict boat or
 20 vessel turn-in. With the incorporation of vessel
 21 turn-ins with the state grant, we've actually seen a
 22 turn in -- folks coming in voluntarily as opposed to
 23 being dumped. So we're starting to see that shift
 24 where the vessel turn-in program is working. We're
 25 getting ahead of the game by getting those things

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1 turned in, disposed of at our local landfill, before
 2 they hit the water and become tens and thousands of
 3 dollars -- (inaudible) several hundred dollars, but
 4 that's very important to us.

5 In addition to that, is the equipment
 6 grant. Our Delta patrol fleet is state-owned. It's
 7 a state-owned fleet, and they're expensive. They're
 8 expensive to purchase. They're expensive to
 9 operate. As gas prices go up, everything goes up,
 10 those go up. So we rely on those equipment grant
 11 funds for vessel replacement, re-power, day-to-day
 12 maintenance, all of those things that if, quite
 13 frankly, the local agency would have to pay for out
 14 of their own pocket, and if they can't afford that
 15 then either reduce or dissolve their maritime
 16 enforcement agency, which we can't afford to do in
 17 our state.

18 So that's a lot to answer your question.
 19 That's basically my two cents of why I'm here, and
 20 some things we wanted to share and put on the ear of
 21 the Commission for their considerations.

22 GREG URIZA: Law enforcement is important
 23 to RVUC, recreational boaters. And we commend you
 24 for your work, and we would encourage the necessary
 25 funding for training, et cetera, especially for

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1 derelict vessels. That's also important to us as an
 2 organization. Because for you and for others, it
 3 might just be an eyesore, but for our members it's
 4 also a navigational hazard. Derelict boats can
 5 break free from their anchors and moorings, drift
 6 out and cause serious accidents. So thank you for
 7 your work, and we hope you get your funds.

8 DEPUTY ELAMON: Thank you.

9 VICE CHAIR METZ: On law enforcement, we
 10 have a new nominee from the Governor for our
 11 Commission, and I was looking for the email he sent.
 12 Ramona, could you sort of advise us as to who that
 13 individual is? And I assume he's filling that
 14 position from law enforcement; is that correct?

15 DEPUTY DIRECTOR FERNANDEZ: That's
 16 correct.

17 VICE CHAIR METZ: He is, okay. He's 50
 18 years old. His name is Al Urman. Will he be
 19 joining us at our next meeting?

20 DEPUTY DIRECTOR FERNANDEZ: I hope so,
 21 yes.

22 VICE CHAIR METZ: Good, great. Well, we
 23 need to do more.

24 _____: It looks like it's very
 25 interesting and very helpful.

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1 _____: Yes.

2 VICE CHAIR METZ: Oxnard, we have a great

3 community up there in Santa Barbara and Oxnard and

4 the Channel Islands, great harbors and marine areas.

5 DEPUTY DIRECTOR FERNANDEZ: Any there

6 other comments?

7 VICE CHAIR METZ: Any other comments?

8 Well, I want to thank you all. There is

9 no reason staying around just because we set a noon

10 deadline as the ultimate final time.

11 This has been very, very helpful. I want

12 to thank everyone here who has participated in

13 planning this and on our panel.

14 _____: Are we getting ready to

15 adjourn? Oh, because I do want to --

16 VICE CHAIR METZ: No reason to, but

17 otherwise, go ahead.

18 _____: I thought I heard Will

19 indicate that he was going to go into some

20 information on the Davis Stellwag expenditure --

21 (inaudible) fund.

22 _____: We're looking at that right

23 now. We're trying to understand what all of those

24 expenditures were and what the relationship is at

25 this point with -- (inaudible).

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1 So we're just doing our due diligence in

2 analyzing the expenditures they made and --

3 (inaudible). So that's just one of the many things

4 that we're currently looking at as well.

5 _____: Okay. Because our concern is

6 that Davis Stellwag had an overarching opportunity

7 to pull from the fund things that had to do with

8 recreation. And our concern is that to ensure that

9 the monies that they are getting from the fund

10 actually have to be for recreation and not something

11 that the contractors should be obligated to in light

12 with what we're looking at as far as the AIS

13 program, that if those funds are going towards the

14 water project, then we believe the contractors

15 should have more to do with what's coming out of

16 their fund than the actual boaters.

17 _____: I think our hope is to create

18 a comfort level with the Commission and stakeholders

19 on the use of those funds by DWR. So we're going

20 back and we're reanalyzing now that it's been

21 several years since that initial action was taken.

22 So just to ensure that there are some guardians

23 looking out for the use of those funds.

24 _____: And I didn't realize that

25 they had the opportunity to get money from the fund

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1 for that long.

2 _____: So I think it's a statutory

3 transfer now, and \$10 million per year, and about

4 2.5 of that is to repay debt that the State Water

5 Project took on under the Davis Stellwag agreement

6 which essentially specifies that there's a certain

7 amount of money that shall be used for recreation,

8 fishing and wildlife -- (inaudible) State Parks

9 facilities. So the \$10 million is for recreation

10 share of that commitment made to Davis Stellwag.

11 So we're working with agency, DWR and the

12 Department of Finance, to get a good understanding

13 of those figures and make sure they are spending --

14 (inaudible).

15 _____: And that represents the state

16 operations or the other departments on the ground?

17 _____: That would be under the

18 yellow line for other departments.

19 _____: Okay.

20 _____: So in '13/'14, that's when

21 that agreement took place, and that's part of the

22 trans line increase that you see there of

23 \$10 million (inaudible).

24 _____: And that's a lot of money,

25 but I think you -- that figure is from the inception

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1 of Davis Stellwag.

2 _____: Correct.

3 _____: Okay. And they are getting

4 10 million?

5 _____: Correct.

6 VICE CHAIR METZ: Any other questions?

7 Well, thank you all. We stand adjourned until our

8 next regular meeting.

9 (End of transcript, time marker 1:54:42.)

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