



RBOC
Protecting your boating interests.

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KEY ISSUE OVERVIEW

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Activities in the State Capitol are well-underway in this 2010 election year, with a June 8 primary election and November 2 general election. This is the final year for termed-out Governor Schwarzenegger as well as 26 members of the Senate and Assembly.

While state revenues have been received at levels exceeding initial projections, the state budget continues to face serious shortfalls. In addition, 1,900 new pieces of legislation have been introduced, and RBOC is engaged on a number of key issues that have the potential to directly impact boating.

Marina Permit Proposal

RBOC is opposing the state Water Board's proposal that every coastal marina [including many inland marinas that are in "bays" and "estuaries"] obtain a permit and spend hundreds of thousands of dollars each year to conduct expensive water quality testing and monitoring and report that information to the State.

Boaters are urged to take action: see our Call-to-Arms at www.rboc.org.

Water Board staff has conditionally offered to pursue a voluntary program rather than a formal permit. While the specific provisions of any possible agreement are being negotiated, it is important that boaters continue to voice opposition to the Water Board's proposal to move forward with a broad, burdensome, and costly permitting program.

RBOC is concerned that the proposed permit program is not based upon facts regarding the presence of specific pollutants in identified bodies of water, and it is not based upon the identification of the sources of any such pollutants. The program has not been developed through a transparent process with the participation of the recreational boating community.

RBOC is urging that the Water Board instead work with the boating community to pursue a fact and science-based approach that first identifies and then addresses pollution in marinas that is determined to be attributable to recreational vessels and marina operations.

Boater Fees & Taxes

Governor Schwarzenegger has proposed that, in the next fiscal year that begins on July 1, Cal Boating's budget be reduced from \$76 million to \$64 million.

In addition to the continued transfer of close to \$30 million to State Parks, the proposal would also divert \$22.6 million for recreation and fish and wildlife enhancements at state water project facilities. RBOC is opposing this new diversion of boater funds.

Cal Boating

RBOC is maintaining vigilance to ensure that the Governor's proposal to eliminate Cal Boating will not be adopted if it is resurrected again this year. The proposal was considered in the State Capitol in 2009, but was not adopted following an outpouring of support from the boating community.

Certificate Requirement for Adult Supervising Minor Operator

RBOC is reviewing the provisions of AB 1725 [Swanson] as revised on March 8 to propose a Boating Certification and Child Safety Act. The bill would prohibit a person under 18 from operating a vessel propelled by an engine unless that person is being supervised by a person who is 18 or older and who has in his or her possession a vessel operator certificate issued by Cal Boating.

The bill would require the department to issue a vessel operator certificate to a person who provides Cal Boating with proof that the person has passed a vessel operator test approved by the department. The bill would require the department to charge a fee of no more than \$13 for the vessel operator certificate, with the revenue to be used to pay for the department's implementation costs. Cal Boating would provide a vessel operator test on the department's web site and would provide links from to other approved tests.

Boater Fuel Tax Dollars

RBOC is urging Governor Schwarzenegger to veto the "fuel tax swap" legislation passed to him as part of the effort to obtain a partial reduction in the budget deficit. ABx8 6 passed the Legislature with a majority rather than a 2/3 vote on the basis that the provisions are "revenue neutral" since it raises one tax Californians pay for gasoline, while lowering another.

The precedent-setting maneuver, if upheld, would enable the Legislature to enact future increases in the motor vehicle fuel taxes paid by California's recreational boaters by a majority vote rather than a 2/3 vote. This would circumvent the will of the state's voters when they enacted Proposition 13 in 1978 voters and made it clear that they desire to require a 2/3 vote of the state legislature to raise taxes.

Boater Access

The continued ability of boaters to access the state's waterways is being challenged on a number of fronts with the proposal of regulations and legislation that would negatively impact boating recreation.

Channel Islands Harbor- RBOC supported local boaters in urging the California Coastal Commission (CCC) not to approve the Notice of Impending Development (NOID) 2-09, for Reconstruction of the Channel Islands Harbor Public Boat Launching Facility. The impending development was not consistent with the certified Channel Islands Harbor Public Works Plan (PWP). The proposal would shrink the public boat launch ramp by half to create extra acreage for a planned 800 apartment residential and 175,000 sq. ft. of retail mixed use development to replace Fisherman's Wharf.

Sacramento San Joaquin Delta - RBOC is urging that two proposed legislative resolutions [AJR 35 and AJR 38] be amended to include the installation, maintenance and operation of boat locks without cost or expense to recreational boaters, at both locations of the Two-Gates Fish Protection Demonstration Program. The resolutions would urge the US Department of the Interior to re-start the Two-Gates project.

San Rafael - RBOC has reiterated the concerns of San Rafael Yacht Club that the construction of one or more bridges on San Rafael Creek will have detrimental consequences on the use of the waterway, urging the City of San Rafael and the United States Coast Guard to resolve these important issues. As the club has communicated, the proposed bridges would have a significant, negative impact on vessels moored at the various harbors in the Canal as well as boats visiting the club.

Boat Turn-in Program

RBOC is working with Cal Boating and other stakeholders as the department implements preventative legislation enacted in 2009 to enable boaters to turn-in their vessels rather than abandon them on the waterways. RBOC has also submits comments aimed at ensuring that peace officers do not misuse the broad discretion they will be provided to terminate vessel voyage and remove vessels from waterways when the vessels are determined to be unseaworthy.

Visit RBOC on-line at www.rbo.org for the latest updates, press releases, calls-to-arms, and reports on government relations issues impacting the recreational boating community. Recreational Boaters of California [RBOC] is the nonprofit governmental advocacy organization that works to protect and enhance the interests of the state's recreational boaters before the legislative and executive branches of state and local government. RBOC is in its 42nd year as a statewide organization, and since 1968 it has continued its commitment to promoting the enjoyment, protection, and responsible use of our waterways.