

TO: RBAW Board

FROM: Doug Levy – 9/27/2020

RE: Report from State Lobbyist -- **SEPTEMBER 2020** & Also Summer 2020

RESPONSE NEEDED: For use at Thursday, Oct. 1 Board Meeting (*Doug will participate via Zoom*)

Hello, All:

We had a busy September and have been active on several issues during the summer boating season. Here is my report to catch you up:

Lakebay Marina: I believe President Wise will be covering this issue in more depth at our Board Meeting, but I would share that our efforts to obtain a 1-year extension of the purchase-and-sale agreement to secure Lakebay are coming down to the wire. As I write this, with a Sept. 30 deadline looming, there is more work to do. The current owner responded to the RBAW Marine Conservancy Board's offer to add some cash and escrow funds in exchange for a 1-year extension, by suggesting a 4-year extension and a more than 250 percent increase in the purchase price. Those are not conditions we can work with in any feasible or viable way. More to come.

Efforts to prevent significant cuts to Seattle Harbor Patrol: Throughout the summer and including September, we have been teaming up with the Northwest Marine Trade Association (NMTA), the North Seattle Maritime Industrial Council, and others to a major cut and/or transfer of the Seattle Harbor Patrol. At one point, in the wake of the horrific incident involving George Floyd and with "De-Fund the Police" demonstrations ongoing, there was a concern that the entire Harbor Patrol budget was at risk. We have met with City Councilmembers, teamed up with a House Committee Chair (Rep. Cindy Ryu, D-Shoreline/32nd Dist.) and maritime interests on a letter to the Mayor, and met with the Mayor's policy lead on this issue. At this point, we have had success in keeping formal budget cuts to a minimum (a minus-2 SHP officers' part of the budget means that open positions will not be filled but does not represent a 'cut' per se). However, there is a proposal to transfer Harbor Patrol operations to the Fire Department that at first glance appears ill-advised, and there is a requirement that the Mayor's Office prepare a report on Harbor Patrol functions and operations. We must stay vigilant on this one – which we will discuss in more detail at our Thursday Board meeting. FYI, I would like to give a huge shout-out to Board Member Kevin Haistings, a long-time Seattle Harbor Patrol officer, for his behind-the-scenes assistance.

Efforts with National Marine Fisheries Service (NMFS) on federal permitting for marina upgrades – looking for outside help: RBAW, NMTA, Ports, and the Pacific Northwest Waterways are, unfortunately, all at a standstill on this one. NMFS provided the U.S. Army Corps of Engineers with a "batch" list of 39 marina upgrade projects that can be permitted for on-the-water work through February 2021 if they meet certain mitigation requirements. The problem is that the mitigation requirements are widely seen as ones that will be cost-prohibitive and almost unattainable. At this writing, we are looking to join with NMTA, Marine Floats, and others in hiring a federal lobbying firm that can help us on this issue. Bob Wise and I covered this in some detail at

our Sept. 10 meeting. We have prepared a letter for many of the Yacht Clubs that will be directly impacted by the NMFS “guidance” on permitting, asking that they contribute funds to the federal lobbying effort, with an RBAW pledge to provide a 1:1 match to any Club pledges up to a maximum of \$5,000 in shared contributions.

Boating Safety/Mandatory Wearing of Personal Flotation Devices (PFDs): On September 23, I was one of the presenters for a House Housing, Community Development & Veterans Committee Work Session on boating safety. The Committee heard from the State Parks boating law administrator, from a lobbyist for a private vendor (Kalkomey Enterprises) that offers Boater Education Card courses, and from myself – with a particular emphasis on what is happening with the Seattle Harbor Patrol. I think there is a good likelihood we will again see “mandatory PFD wear at all times” legislation in 2021 and have asked that we spend some discussion time on this item at our Thursday Board Meeting. In the meantime, as background, I’m providing links to Bill Reports on two bills that arose and did not pass during the 2020 Session – one (**HB 2444**) that would have transitioned the Boater Education Card program for a one-time certificate to a renewal program; and one (HB 2443) that started out as a bill to require the wearing of PFDs at all times for those on “vessels” under 19 feet, and was later amended to require that of all age 18 and under:

<http://lawfilesexternal.wa.gov/biennium/2019-20/Pdf/Bill%20Reports/House/2444%20HBA%20HOUS%2020.pdf?q=20200927061622>

<http://lawfilesexternal.wa.gov/biennium/2019-20/Pdf/Bill%20Reports/House/2443-S.E%20HBR%20APH%2020.pdf?q=20200927061942>

Andrews Bay Issue – Some Want to Ban Boats Entirely: A couple of weeks ago we learned from one of our longtime Members about an effort by some citizens in the area around Andrews Bay (near Seward Park in the South Seattle area of Lake Washington) to ban all boaters from being in the Bay. That request, triggered by concerns over excessive noise and rowdiness, seems to us to be completely over-the-top and unnecessary. We have intervened to have conversations with Paula Hoff of the Seattle Mayor’s Office. Stay tuned.

Department of Natural Resources legislative ‘asks’ for 2021 related to Derelict Vessel

Removals: We have had two conference calls with officials of DNR, which hopes to request two items of the 2021 Legislature related to the Derelict Vessel Removal Program: 1) 2021-23 Capital Budget funds (\$5+ million) to address a backlog of vessels needing to be removed off state waters; and 2) some funding – enacted by the 2020 Legislature but subsequently vetoed by Governor Inslee to free up emergency COVID-19 funding – to work on a pilot project to evaluate ways to recycle vessels and vessel parts. RBAW has supported these items previously and will likely do so again, though we have asked for a much fuller effort on how to financially sustain the DVRP.
