



MEMORANDUM

November 9, 2023

TO: MEMBERS, PORT COMMISSION
Hon. Kimberly Brandon, President
Hon. Willie Adams, Vice President
Hon. Gail Gilman
Hon. Ed Harrington
Hon. Steven Lee

FROM: Elaine Forbes
Executive Director 

SUBJECT: Request authorization to accept and expend a \$50,000 grant from the California Department of Parks and Recreation, Division of Boating & Waterways, Surrendered and Abandoned Vessel Exchange (SAVE) Program to allow for removal, storage, and disposal of eligible surrendered and abandoned vessels within the Port of San Francisco.

DIRECTOR'S RECOMMENDATION: Approve the Attached Resolution No. 23-49

EXECUTIVE SUMMARY

Statewide, the disposal of abandoned watercraft has been an ongoing issue. Many recreational boats are abandoned by their owners in public waterways creating navigational and environmental hazards. The State of California has, through statute, created programs aimed at helping local public agencies such as ports and marinas to address this problem.

In 1997, Senate Bill 172 (Rainey) created the Abandoned Watercraft Abatement Fund (AWAF). The AWAF specifically budgets grant funding for various public agencies in the state for the removal of abandoned recreational vessels and navigation hazards from California's navigable waterways.

The Vessel Turn-In Program (VTIP) is another such program that was established by Assembly Bill 166 (Chapter 416, Statutes 2009). The program was created to provide

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grants to public local agencies to administer a turn-in program in their jurisdiction. VTIP grants provide an alternative for boat owners who may otherwise consider abandoning a vessel because they are financially unable to make suitable arrangements.

The Department of Boating & Waterways has undergone reorganization within the State of California's government and has become the California Department of Parks and Recreation, Division of Boating & Waterways. This reorganization caused the amalgamation of the AWAFF and VTIP programs into a new program called the Surrendered and Abandoned Vessel Exchange (SAVE) program. Local agencies may now request grant funding that previously covered operations under the AWAFF and VTIP programs from the SAVE grant program.

In March 2023, the Port's Maritime Division requested participation in this program and received a letter of approval from the California Department of Parks and Recreation, Division of Boating & Waterways. The Port regularly participates in the Division of Boating & Waterways grant programs. From 2020 to 2022 the Port removed and demolished over 10 surrendered or abandoned vessels from Port harbors and waterways. The Port of San Francisco was assigned Grant Number C23SO619 and awarded a grant for \$50,000 to be used during the Grant's two-year term of October 1, 2023 – September 30, 2025.

COMMISSION ACTION

In order to receive the approved grant funds, the California Department of Parks and Recreation, Division of Boating & Waterways requires a San Francisco Port Commission action authorizing the Port of San Francisco to enter into and execute this contract, and to indemnify the State of California, its officers, agents, and employees from any and all claims that arise in connection with the performance of the proposed grant agreement.

Removal of abandoned watercraft not only beautifies San Francisco's waterfront but also greatly improves boating safety by reducing navigational hazards and potential environmental dangers.

Port staff seeks Commission authorization for the Executive Director to accept and expend \$50,000 in grant funds from the California Department of Parks and Recreation, Division of Boating & Waterways, and enter into the Grant Agreement substantially in the form on file with the Commission Secretary, which provides requisite indemnification to the State of California.

Prepared by: Dominic Moreno, Assistant Deputy Director
 Maritime Division

For: Andre Coleman, Deputy Director
 Maritime Division

Attachment: SAVE Grant Agreement

**PORT COMMISSION
CITY AND COUNTY OF SAN FRANCISCO**

RESOLUTION NO. 23-49

WHEREAS, Charter Section B3.581 empowers the Port Commission with the power and duty to use, conduct, operate, maintain, manage, regulate, and control the Port area of the City and County of San Francisco; and

WHEREAS, State legislation created the Abandoned Watercraft Abatement Fund (AWAF) and the Vessel Turn-In Program (VTIP) to provide grant funding to public agencies for the removal and demolition of abandoned vessels from California's navigable waterways; and

WHEREAS, The California Department of Boating & Waterways, which administered the AWAF and VTIP, has undergone reorganization within the State of California's government, and has become the California Department of Parks and Recreation, Division of Boating & Waterways (Division of Boating & Waterways); and

WHEREAS, This reorganization caused the amalgamation of the AWAF and VTIP programs into a new program called the Surrendered and Abandoned Vessel Exchange (SAVE) program; and

WHEREAS, Local agencies now may request grant funding that previously covered operations under the AWAF and VTIP programs from the SAVE grant program; and

WHEREAS, Port staff annually addresses between ten and twelve identified abandoned recreational vessels within the Port's jurisdiction that pose potential navigation and environmental hazards; and

WHEREAS, Port staff routinely applies for grants from the State of California to assist with the disposal of abandoned vessels; and

WHEREAS, In March 2023, the Port applied to the Division of Boating & Waterways for SAVE program monies for the removal and demolition of abandoned vessels; and

WHEREAS, On September 20, 2023, the Division of Boating & Waterways awarded the Port \$50,000 for this purpose; now, therefore, be it

RESOLVED, That the Port Commission hereby authorizes Port staff to accept and expend \$50,000 in grant funds from the Division of Boating & Waterways for removal and demolition of abandoned watercraft at the Port of San Francisco; and, be it further

RESOLVED, That the Port Commission hereby authorizes the Executive Director or her designee to execute a grant agreement for use of these grant funds that obligates the Port to indemnify the State of California, its officers, agents and employees from any and all claims that arise in connection with the performance of the proposed grant agreement; and, be it further

RESOLVED, That the Port Commission hereby authorizes the Executive Director or her designee to execute any other documents necessary for the purpose of obtaining and expending these grant funds, including any extensions, augmentations or amendments thereto, that the Executive Director, in consultation with the City Attorney, determines are in the best interest of the Port, do not materially increase the obligations or liabilities of the Port or materially decrease the public benefits accruing to the Port, and are necessary and advisable to complete the transaction and effectuate the purpose and intent of this Resolution, such determination to be conclusively evidenced by the execution and delivery by the Executive Director of any such documents.

I hereby certify that the foregoing resolution was adopted by the Port Commission at its meeting of November 14, 2023.

Secretary