

CITY OF SANTA BARBARA WATERFRONT DEPARTMENT

MEMORANDUM

Date: July 21, 2016
To: Harbor Commissioners
From: Scott Riedman, Waterfront Director
Subject: **Annual Mooring Report**

RECOMMENDATION:

That Harbor Commission receive a staff report on the status of the Department's East Beach Mooring Program.

BACKGROUND

Established in 2006, a Permitted Mooring Area east of Stearns Wharf includes 44 mooring sites. Moorings are owned by individual permittees and inspected annually by City-approved inspectors. Deployment and inspection costs are borne by permittees, who also pay annual permit renewal fees of \$250 apiece.

Staff annually presents a report to the Harbor Commission on this project.

DISCUSSION

Prior to January, 2015, City rules required that any time the number of Mooring permittees declined to 30 or fewer, the Waterfront Department may undertake a lottery to fill the vacant mooring sites. The Department conducted five such lotteries (2006, 2007, 2010, 2011 and 2013) to assign vessels to vacant mooring sites.

At Harbor Commission meetings in November, 2014 and January, 2015, the idea of eliminating the mooring-lottery process in favor of a first-come-first-served method of permit assignment was discussed. Staff advanced this recommendation for three primary reasons: **First**, only small minority of people who signed up for mooring-permit lotteries and were selected and ranked in those lotteries ever followed through on their intentions. **Second**, the amount of staff time involved in organizing lotteries, sending notices and confirming lottery participants' interest or lack of interest in acquiring permits was excessive and expensive. **Third**, during periods between lotteries, people would contact the Department inquiring about obtaining a mooring permit, only to be told they had to wait for the next lottery, which was often many months away.

Harbor Commission forwarded a recommendation to City Council to change the permit-assignment method to first-come, first served. Council approved the recommendation and new rules reflecting this change are captured in Resolution 15-033 (Attachment 1).

Since adoption of Resolution 15-033, the number of mooring permittees has remained rather stable (Attachments 2, 3), as a few new permittees take the place of permittees who quit the program. Currently, 21 of 44 available mooring spaces are assigned, indicating rather stable occupancy over the past few years. Meanwhile, the Department receives telephone inquiries about the Program and interested parties continue to pick up packets that describe mooring-field rules and regulations—indications that the new procedure for accepting permit applications is simpler than the previous lottery system.

In March, 2016, a boat broke loose from its mooring and grounded on east beach—the first such incident in many years. The grounding resulted not from a failure of mooring tackle, but a failure to maintain the vessel’s “pendant”—the line that attaches the moored vessel to the mooring itself. As noted in ground-tackle specifications that are included with every mooring permit issued, maintenance of the pendant is extremely important, as the entire system is only as strong as its weakest link. That’s why #13 of Ground Tackle Specifications for the East Beach Mooring area (Attachment 4) is highlighted in red and included with an application packet given to prospective permittees. The grounded boat, meanwhile, was safely pulled back to sea and eventually returned to its mooring site.

Water quality in the East Beach Mooring Area remains good. Coastal Commission permit conditions for the mooring project require twice-yearly water-quality testing for heavy metals and three times a year for bacteria. Results remain consistent with baseline results from 2006, indicating good water quality in the project area (Attachment 5). Per the Department’s Coastal Commission permit, the testing requirement will be waived moving forward, since the area has tested “clean” for 10 consecutive years. This will save the Waterfront Department nearly \$8,000 per year.

In 2015, all mooring inspection reports and permit payments were received on time.

Attachments: 1. City Council Resolution 15-033
2. Mooring Area Permit Data
3. Drawing—East Beach Mooring Area as currently occupied
4. Mooring Area Ground Tackle Specifications
5. Mooring Area Water Quality Results

Prepared by: Mick Kronman, Harbor Operations Manager

RESOLUTION NO. 15-033

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA ESTABLISHING RULES AND REGULATIONS FOR ISSUING MOORING PERMITS IN THE CITY OF SANTA BARBARA MOORING AREA, SETTING MINIMUM SPECIFICATIONS FOR INSTALLING, INSPECTING AND REPAIRING SUCH MOORINGS, AND REPEALING RESOLUTION NO. 12-014

WHEREAS, the Santa Barbara Mooring Area is established in Santa Barbara Municipal Code Chapter 17.20;

WHEREAS, the Santa Barbara Mooring Area, as established in Santa Barbara Municipal Code Chapter 17.20, requires that all vessels moored within the area possess mooring permits;

WHEREAS, the rules and regulations for Mooring Permits issued for Mooring Sites within the Santa Barbara Mooring Area are set forth herein;

WHEREAS, pursuant to SBMC Chapter 17.20 mooring permits for available Mooring Sites within the Santa Barbara Mooring Area are issued by the Waterfront Department on a first-come, first-served basis;

WHEREAS, the City procedure for assigning Mooring Permits is set forth herein;

WHEREAS, in order to implement the Santa Barbara Mooring Area, procedures and policies which include the intent to protect the natural environment of the Mooring Area and assets of the City and to ensure safe navigation, minimum Ground Tackle Specifications are appropriate;

WHEREAS, the issuance and renewal of Mooring permits to individuals for Moorings in the Santa Barbara Mooring Area requires the adherence to rules and regulations for installing, inspecting and repairing Moorings in the Santa Barbara Mooring Area;

WHEREAS, SBMC Section 17.20.255 of the Santa Barbara Municipal Code describes requirements for installation, inspection and repair of Moorings in the Santa Barbara Mooring Area;

WHEREAS, SBMC Section 17.20.255 declares that the installation, inspection, and repair of Moorings in the Santa Barbara Mooring Area shall be conducted only by contractors on the City Approved Mooring Inspectors List; and

WHEREAS, the Waterfront Director may, from time to time, amend the list of City Approved Mooring Inspectors to facilitate fair, orderly and equitable administration of the Santa Barbara Mooring Area.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SANTA BARBARA AS FOLLOWS:

SECTION 1. Establishing Rules and Regulations for Mooring Permits in the Santa Barbara Mooring Area.

A. ASSIGNMENT AND RENEWAL OF MOORING PERMITS

1. General. A permit to moor a vessel in the Santa Barbara Mooring Area shall be offered on a first-come, first-served basis, in the order that Mooring Permit Applications are received by the Waterfront Director from members of the public requesting a Mooring Permit assignment.
2. Mooring Permit Assignments. A prospective Mooring Permittee who has completed a Mooring Permit Application shall pay a non-refundable Mooring Permit Assignment Fee of \$300, of which \$250 shall be applied to the applicant's first annual Mooring Permit Fee, provided the Permittee completes all requirements of the Mooring Permit Assignment Process described herein.
3. Mooring Permit Assignment Process. To finalize a Mooring Permit Assignment, a prospective Mooring Permittee shall:
 - a. Establish a mooring on a site designated by the Waterfront Director or his/her designee, in accordance with the requirements established herein, within 90 days of completing a Mooring Permit Assignment Application.
 - b. Submit an installation report provided by a City-approved Mooring Contractor, proving compliance with the Minimum Ground Tackle Specifications established by City Council Resolution.
 - c. Provide Vessel Ownership Documentation consisting of applicable California Department of Motor Vehicle registration or U.S. Coast Guard documentation.
 - d. Have the vessel officially measured by Waterfront Staff.
4. Timing—Mooring Assignments. All Mooring Assignments shall be finalized between May 1st and September 1st.
5. Permit Duration. Permits shall be offered for a period of one year.
6. Permit renewal. Permits may be renewed annually, dependent upon compliance with all Mooring Permit Rules and Regulations and the Minimum Ground Tackle Specifications. Failure to meet these requirements is grounds for permit termination as described herein.
7. Non-Transferable. Mooring Permits are not transferable or inheritable.

B. ISSUANCE OF MOORING PERMIT

1. Issuance. Mooring Permits issued by the Waterfront Director shall be issued for designated Mooring Sites. The Waterfront Director shall have full and absolute discretion to designate Mooring Sites to Permittees. The Waterfront Director may base a determination regarding the designation of Mooring Sites on criteria including size and type of vessel, and any other information or vessel specifications pertinent to the assignment and the overall orderliness and safety of the Santa Barbara Mooring Area. Mooring Permits may be issued upon satisfactory completion of the Mooring installation by the City Approved Mooring Inspector.
2. Relocation. The Waterfront Director may relocate vessels to other Mooring Sites within the Santa Barbara Mooring Area in the interest of safety, space limitations, traffic, and reduction of risk due to fire, sinking, breakaway or collision. The Waterfront Department shall pay the reasonable costs to relocate a vessel and Mooring to an alternate Mooring Site if such relocation is required by the Waterfront Director. If such relocation is made at the request of a Permittee, the Permittee shall bear all Mooring and vessel relocation costs.
3. Mooring Permits shall be issued for Identified vessels only as follows:
 - a. Mooring Permit shall be issued only for a specifically designated vessel owned by the Mooring Permittee. Proof of ownership of the designated vessel must be supplied to the Waterfront Director at the time of Mooring Permit assignment and annually thereafter at each Mooring Permit renewal in the form of a current California Department of Motor Vehicles Registration or United States Coast Guard Document.
 - b. If a vessel designated to a Mooring Permit is sold, destroyed or ruined by accident, damage, fire, sinking or other casualty, the Mooring Permittee may be allowed to place a replacement vessel owned by the Mooring Permittee, as such ownership is demonstrated as required herein, in the Mooring Site. Such replacement vessel shall comply with size restrictions determined by the Waterfront Director as appropriate for vessels assigned to the Mooring Site receiving the replacement vessel. Upon approval by the Waterfront Director, a Mooring Permit describing the replacement vessel shall be issued for the remaining term of the existing Mooring Permit. If an approved replacement vessel is not procured within one hundred twenty (120) days of the date that the designated vessel is removed from the Mooring Site, either by sale or casualty, the Mooring Permit shall terminate as provided herein.

4. Vessel Size.
 - a. All designated vessels assigned to a Mooring Site shall be a minimum of twenty (20) feet in length without bow sprit, bumpkin, pulpit, swimstep or other such appurtenance.
 - b. No Dinghy assigned to the Mooring Site shall exceed thirteen (13) feet without express permission of the Waterfront Director.

C. TERMINATION OF MOORING PERMIT

1. Either party may terminate the Mooring Permit for any reason by giving thirty (30) days prior written notice to the other party.
2. The Mooring Permit may be terminated by the Waterfront Director without prior notice to the Permittee upon the occurrence of one or more of the events described below:
 - a. Failure to pay when due Mooring Permit fees. No termination shall occur for this reason unless the fee is thirty (30) days past due;
 - b. Failure to meet the Minimum Ground Tackle Specifications upon installation or annual inspection, or failure to complete required corrections;
 - c. Failure to submit to the Waterfront Director a timely Mooring Inspection Report;
 - d. Failure to maintain a vessel assigned to a Mooring Site in an Operable condition, as defined in Section 17.04.010 of the Santa Barbara Municipal Code;
 - e. Failure to maintain the Mooring in a manner that is not detrimental to the use, operation or development of the waters of the City of Santa Barbara or does not pose a hazard to navigation;
 - f. Failure or refusal of the Mooring Permittee to allow an inspection of the vessel, Mooring, or both to determine if the vessel is Operable or the Mooring meets the Minimum Ground Tackle Specifications;
 - g. Rental, lease, sublease, or loan of a Mooring Site;
 - h. Failure or refusal to relocate a Mooring, vessel, or both back to an appropriate Mooring Site within fourteen (14) days of notification by the Waterfront Director that the vessel, Mooring, or both have migrated off station;
 - i. Use of the Mooring Site for commercial purposes, unless approved by the Waterfront Director;

- j. Violation of any condition of the Mooring Permit, any provision of Title 17 of the Santa Barbara Municipal Code or any resolution adopted by the City Council.
 - k. Allowing alterations or repairs to mooring equipment by persons or companies not listed on the Waterfront Department's list of Approved Mooring Inspectors.
3. Removal of Mooring and vessel from Mooring Site.
- a. Termination under section D 1. Upon termination of a Mooring Permit due to a termination under Section D 1 or expiration of the permit, it shall be the duty of the Permittee to remove all Ground Tackle and the moored vessel within fourteen (14) days from the date the Mooring Permit terminates or expires. If the Mooring is not removed within this time, title to the Mooring shall vest in the City. The City may, thereafter, remove and sell or dispose of the Mooring and recover the removal, storage or disposal costs from the Mooring Permittee. If the Mooring Permittee fails to pay such cost, the Waterfront Director may collect such costs in any court of competent jurisdiction or may recover any costs from the proceeds of sale of the Mooring. Vessels not removed from the Mooring Site within fourteen (14) days from the date the Mooring Permit terminates or expires shall be impounded by the City and subject to storage fees, disposal or lien sale proceedings as provided by law.
 - b. Termination under section D 2. The Waterfront Director shall notify the Mooring Permittee of the Mooring Permit termination by any reasonable means available and the Permittee shall remove the vessel and the Mooring from the Mooring Site within fourteen (14) days of the Waterfront Director's notification. If the Mooring and/or vessel are not removed within this time, title to the Mooring shall vest in the City. The City may, thereafter, remove and sell or dispose of the Mooring and recover the removal, storage or disposal costs from the Mooring Permittee. If the Mooring Permittee fails to pay such cost, the Waterfront Director may collect such costs in any court of competent jurisdiction or may recover any costs from the proceeds of sale of the Mooring. Vessels not removed from the Mooring Site within fourteen (14) days from the date the Mooring Permit terminates shall be impounded by the City and subject to storage fees, disposal or lien sale proceedings as provided by law.
4. Request for waiver or appeal of Mooring Permit Termination. A waiver or appeal of a Mooring Permit termination may be made or filed by a Mooring Permittee according to the procedures set forth in SBMC Section 17.20.255 C. 5.

D. MOORING POSITION

1. **Vessel Securely Moored.** Any vessel moored in a Mooring Site within the City of Santa Barbara Mooring Area shall be firmly secured to a Mooring in such a manner as to prevent the vessel from drifting, dragging or otherwise moving off the Mooring Site.
2. **Migration of Vessel or Mooring.** Any vessel or Mooring that migrates off station shall be relocated to the Mooring Site within fourteen (14) days of the date that the Mooring Permittee is notified by the Waterfront Director that the vessel or Mooring has migrated. The relocation of the Mooring shall be undertaken only by a City Approved Mooring Inspector. Costs of relocating a Mooring, vessel, or both, that has migrated off station from a Mooring Site shall be borne in full by the Mooring Permittee.

SECTION 2. City Approved Mooring Inspectors. The Waterfront Department shall maintain a list of inspectors who are approved to install, inspect and repair Moorings in the Santa Barbara Mooring Area. Mooring Permittees may select only those inspectors on the list of City Approved Mooring Inspectors to perform Mooring installations, inspections and repairs.

SECTION 3. Minimum Ground Tackle Specifications.

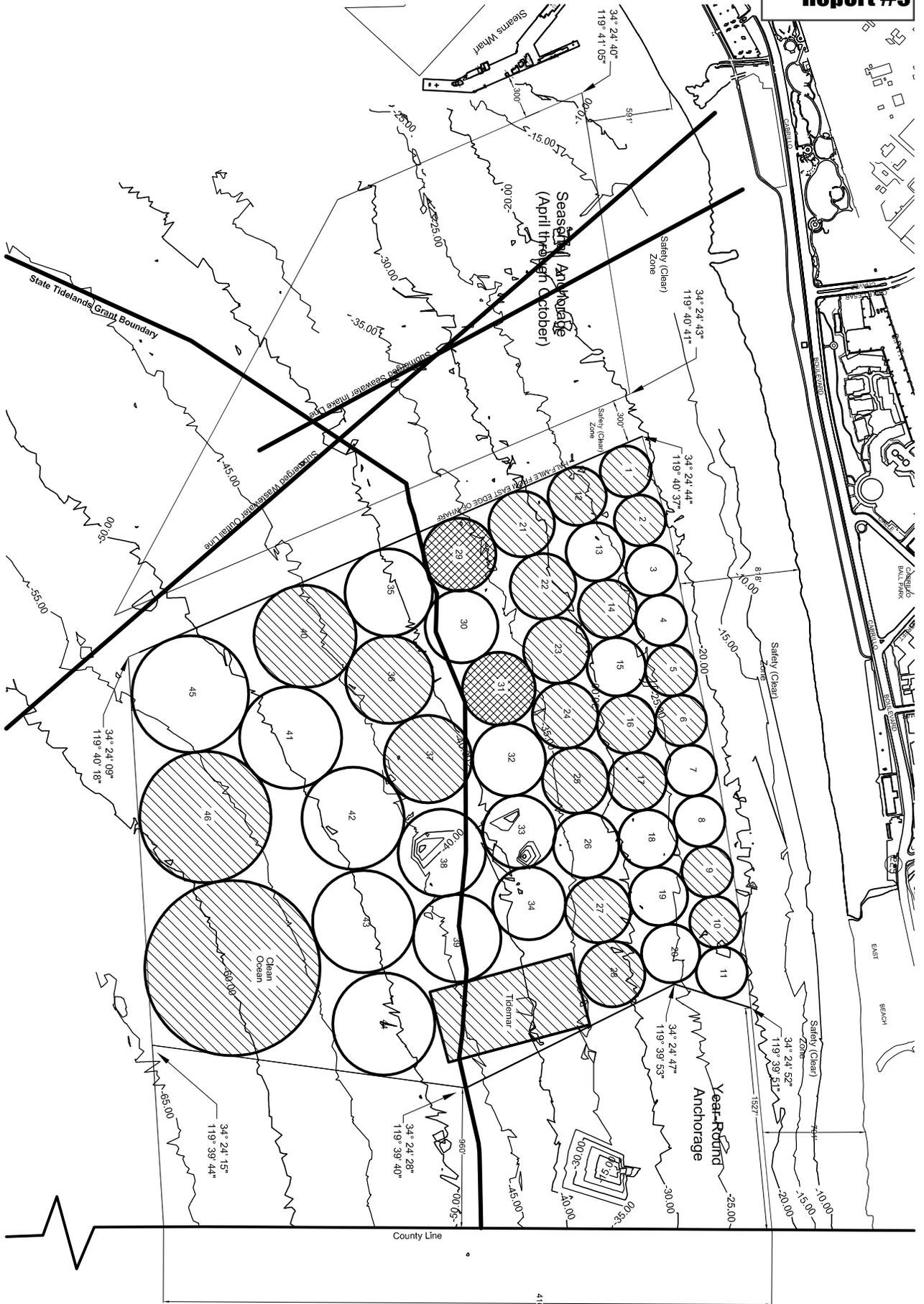
1. **Ground Tackle Specifications.** All Moorings permitted and installed in the Santa Barbara Mooring Area shall comply with Minimum Ground Tackle Specifications attached hereto in Attachment A and incorporated herein by this reference.
2. **Mooring Installation.** An inspector selected from the City Approved Mooring Inspector list shall be the only entity approved to install Moorings in the Santa Barbara Mooring Area. The installation shall be at the Mooring Permittee's sole cost and expense. The Mooring Inspector shall submit written specifications of the Mooring installation on a City-supplied Mooring Inspection Report within fourteen (14) days of the installation.
3. **Mooring Inspection.** An inspector selected from the City Approved Mooring Inspector list shall be the only entity approved to inspect Moorings in the Santa Barbara Mooring Area. Moorings shall be inspected upon installation at the Mooring Site and, except as provided below, annually thereafter in August or September to confirm continued compliance with City-approved Minimum Ground Tackle Specifications. Any mooring initially deployed in May, June or July may delay its next annual inspection after deployment until August or September of the following year. All inspections shall be at the Mooring Permittee's sole cost and expense. The Mooring Inspector shall submit written results of the inspection on a Mooring Inspection Report within ten (10) days of completion of the inspection.

4. **Mooring Repairs.** Any and all repairs recommended in the Mooring Inspection Report shall be completed by the City Approved Mooring Inspector at the Mooring Permittee's sole cost and expense and verified by the Mooring Inspector by the time the Mooring Inspection Report is submitted to the Waterfront Director. The Mooring Permit shall terminate if repairs recommended in the Mooring Inspection Report are not completed and the Mooring Inspection Report is not submitted within fourteen (14) days of the inspection and subsequently approved by the Waterfront Director.
5. **Additional Inspection at Request of Waterfront Director.** The Waterfront Director may require additional inspections of a Mooring anytime she or he deems such inspection necessary to assess the Mooring's compliance with the Minimum Ground Tackle Specifications. If following an inspection by a City Approved Mooring Inspector the Mooring is deemed compliant with Minimum Ground Tackle Specifications described in Attachment A, costs for said inspection shall be paid by the City. If the Mooring is deemed non-compliant, all costs for raising, inspecting, repairing and re-installing the Mooring as described and required herein shall be paid by the Mooring Permittee. All repairs necessitated by the inspection, as described in a Mooring Inspection Report, shall be undertaken within the time set forth herein. The Mooring Permit shall terminate if repairs recommended in the Mooring Inspection Report are not completed within the time set forth herein.
6. **Mooring Inspections; Method.** All Mooring inspections shall be conducted by raising the Mooring and inspecting its entirety out of the water unless another method is approved by the Waterfront Director.
7. **Minimum Ground Tackle Specifications.** The Minimum Ground Tackle Specifications described in Attachment A may be amended from time to time by the Waterfront Director.

MOORING PERMIT NUMBERS

2010 - 2016

YEAR	TOTAL MOORINGS	NUMBER OF CURRENT PERMITS
2010	44	28
2011	44	24
2012	44	23
2013	44	22
2014	44	22
2015	44	20
2016	44	21



LEGEND



AVAILABLE MOORING



UNAVAILABLE



IN USE



Mooring Locations
Scale 1" = 400'

Minimum Ground Tackle Specifications

Overall Boat Length	Steel Weight	Bottom Chain		Top Chain
Up to 25 feet	550 lbs.	1/2" (50%)		1/2" (50%)
26 to 35 feet	800 lbs.	3/4" (50%)		1/2" (50%)
36 to 45 feet	1,500 lbs.	1" (33%)	3/4" (33%)	1/2" (33%)
46 to 55 feet	2,000 lbs.	1-1/4" (50%)	3/4" (25%)	5/8" (25%)
Over 55 feet	As Determined by the Harbor Operations Manager*			

Note: Chain length must equal 5 times water depth ("5:1 rode")

Mooring Pendant Specifications (Minimum Line Diameter)

Boat Length	Of Nylon or Dacron Line
20' to 25'	5/8"
26' to 30'	5/8"
31' to 40'	5/8"
41' to 50'	3/4 "
51' to 70'	1 "

Additional Ground-Tackle Requirements

1. City-assigned mooring permit number shall be prominently displayed on mooring buoy in painted, block letters measuring a minimum of 4" in height and in contrasting color to the buoy.
2. Anchor weight shall be steel or of a material deemed satisfactory by mooring inspector. Cement and engine-block anchors prohibited.
3. "Dip section," as determined by mooring inspector, along with associated swivels and shackles, shall be replaced yearly for moorings whose dip section includes 1/2"-diameter chain.
4. To the satisfaction of the mooring inspector, mooring buoy shall be of size, material, configuration and construction appropriate for the vessel moored and ground tackle deployed, to adequately withstand strain on the buoy or transmit strain through the buoy.
5. Where top chain and bottom chain are required, they must be shackled together, with swivel, to form one continuous length.
6. Where mooring chain is a single piece (no bottom chain/top chain configuration—e.g. vessels under 25' in length) shackle and swivel shall be placed between anchor and chain or at a location satisfactory to the mooring inspector.

7. Shackle and swivel required between buoy and top of mooring chain.
8. All shackles must be seized with stainless-steel wire.
9. All ½" chain must be new upon initial installation.
10. Pendants are required for all moored vessels. Pendants shall not be wire. Pendants may be constructed of chain (minimum diameter--3/8"). Pendant line diameter shall conform to specifications contained herein. Pendants shall be shackled, with thimble, at mooring buoy.
11. Pendant length shall be approximately 2.5 times the vertical distance from bow chock to waterline, plus distance from bow chock to mooring cleat, post or other deck hardware.
12. Chafing gear required between pendant and vessel, to satisfaction of mooring inspector. Note: Mooring Permittee shall regularly and routinely check pendant for chafing and wear, and replace as necessary to prevent pendant failure. Mooring permittee is solely responsible for maintaining and replacing pendant as needed, to specifications outlined in this document.
13. Cleat, post or deck hardware to which pendant is attached must be visibly free of rot, corrosion or disrepair and capable of bearing anticipated loads, to the satisfaction of mooring inspector. Gussets, backing plates and other structural supports are recommended.
14. Any mooring inspection report with "fair" rating or lower for any ground tackle component(s) shall not be eligible for a "pass" grade.

**EAST BEACH MOORING
WATER QUALITY TEST RESULTS
2015**

Total Coliform MPN/100ml			
Station	June	August	September
EBM #1	<10	<10	<10
EBM #2	<10	<10	<10
EBM #3	<10	<10	<10
EBM #4	<10	<10	<10
EBM #5	<10	<10	<10
EBM #6	<10	20	<10
CONTROL	<10	<10	<10
Limit:		< 10,000 MPN/100 ml	

Fecal Coliform MPN/100ml			
Station	July	August	September
EBM #1	<10	<10	<10
EBM #2	<10	<10	<10
EBM #3	<10	<10	<10
EBM #4	<10	<10	<10
EBM #5	<10	<10	<10
EBM #6	<10	10	<10
CONTROL	<10	<10	<10
Limit:		< 400 MPN/100ml	

Enterococcus MPN/100ml			
Station	July	August	September
EBM #1	<10	<10	<10
EBM #2	<10	<10	<10
EBM #3	<10	<10	<10
EBM #4	<10	<10	<10
EBM #5	<10	<10	<10
EBM #6	<10	<10	<10
CONTROL	<10	<10	<10
Limit:		< 104 MPN/100ml	