

Boater Voter Information

County of Orange Proposed Dana Point Harbor Slip Reductions

Key Issues:

- 1) After the slips are reconstructed the 3 foot overhang will not be allowed. This means that an estimated 90% of the boaters will be moved to the next larger size slips. Approximately 400 will be moved up two sizes. OC DPH's director stated at the last Boaters Focus Group (BFG) meeting that it is only a \$20 per month increase for most families. The fact is that if you currently have a 28 foot boat in a 25 foot slip you will likely end up in a 30 foot slip. Your monthly bill will increase by \$156 for a total annual increase of \$1,872. The Dana Point Boaters Association (DPBA) brought up that the OC DPH director is making this change to enhance safety and not as a way to enhance revenue generation in the harbor. However, Boaters for Dana Point Harbor have researched this issue with the Department of Boating and Waterways and BoatUS Insurance. There is NO data to support the claim that overhang is a problem in Dana Point Harbor. The Department of Boating and Waterways has never withheld funding for harbors which allow overhang. Furthermore, the original documentation for our harbor stated that overhang up to 3' is to be allowed.
- 2) All 4 slip reduction alternatives employ end ties on the main channel. While these end ties have been coded for smaller vessels, they are being constructed to insure that the electricity, water and finger width could support a single larger vessel in the range of 60 to 70 feet or more. Boaters for Dana Point Harbor pointed out that this, in the case of plan O could result in an increase of 14 slips over 60' and an elimination of 28 smaller slips. OC DPH said they were not willing to adjust the plan as they wanted the opportunity to put the larger boats in should there be any vacancies in the smaller slips in a couple of years. (Given the price increase these smaller slips will shortly see, it is obvious that there will be "these" vacancies). They also felt that this represented less than a 1% change. The fact is this will allow OC DPH to have nearly a 100% increase in the largest slips in our harbor, while further eliminating those that are more affordable.
- 3) In June of 2007, the Harbor Department implemented an Attrition Policy aimed at dealing with the proposed slip loss. Any boater who obtains a slip after 6/15/2007 will have temporary status. If you have temporary status and there are not enough of your size slips, you will not receive a slip. This allows OC DPH to not have to issue eviction notices, but the result is the same, you have to leave. At the last DPBA General Membership meeting OC DPH Director, Brad Gross, stated that the Attrition Policy had been a success and they now have over 550 boats in temporary status. It was probably not obvious to those at the meeting that this means that up

to 550 families could have to remove their boats. Many of the 550 families in temporary status are the ones in the under 30' affordable slips. All but one of the 20 plans considered by OC DPH eliminated affordable slips and all four of the plans you are being asked to vote on eliminate smaller slips to create more harbor space for larger slips.

Discussion:

- 1) Claim: Slips are being replaced because they are worn out and likely to fail during next storm. *We've seen no reports nor received any technical explanations. When this issue was brought before the BFG, the paid meeting facilitator simply called for a show of hands of how many people believe the docks are worn out. When it comes to highly specialized construction issues, most businesses use expert opinions and studies from industry experts versus popular opinions and hand waving.*
- 2) Claim: It is OK to eliminate smaller slips because smaller boats have other options. *Really? Exactly where are these other options? If the claim is that they can be put on trailers and then stored in the harbor, there are several problems:*
 - a. *The amount of dry boat storage within the harbor is being reduced to make more room for the commercial expansion. There will not be enough room in the harbor for the existing dry storage boats so clearly there is no room to pull a boat out of a wet slip, put it on a trailer and store it within the harbor.*
 - b. *While it is possible to have up to 683 mast up dry boat storage spots today, the new plan will have 400 of the 493 spaces in a boat barn. The logistics and physical realities of the Boat Barn means that most sail boats and many power boats will not be accommodated.*
 - c. *Not all boats can be accommodated by trailers. While there are some sailboats designed to easily step the mast and the keel and have a boat weight that allows for trailering, the vast majority of sail boats in the 25 to 29 foot range cannot be trailered.*
 - d. *Most boaters want their boat in the water so that they can spend time on their boat in a slip. Having your boat on a shelf in the boat barn will not be the same, although it may be appropriate for some.*
- 3) Claim: Boating demand has changed to longer and wider vessels. *True. In the last 50 years boats have become more maneuverable and can be handled by smaller crews. However, this fact must not be used to mask the fact that Orange County has more than doubled in population since the creation of the harbor. The number of boaters in OC during this time has exploded. While new highways, schools, towns, libraries and other infrastructure has been built to handle the demands of the massive OC development, the number wet slips has not come close to keeping pace. In fact, in Dana Point Harbor many slips have already been eliminated by the Harbor Department without even working with the Coastal Commission. Communities like Santa Barbara stepped up to the plate, worked with the Department of Boating, California Coastal Commission and the Army Corps of Engineers and added larger slips to their harbor without eliminating a single smaller slip. Why not in Dana Point?*

- 4) Claim: Department of Boating and Waterways standards result in slip loss. *It is often claimed that 100's of slips will be lost by bringing the harbor into compliance with the Department of Boating and Waterways guidelines, which is just not true. If you take the time, as we have, to compare the existing design to the current Department of Boating and Waterways design guidelines then you will find that in most cases the original design was either the same or more generous than the current requirement. If any slips are lost by going to the new guidelines they can be more than compensated for by building 30% sail /70% power width slips.*

- 5) Claim: American with Disabilities Act results in slip loss. At the first meeting in August 2006 the statement was made that over 277 slips would be lost due to ADA compliance alone. While the Federal Standards for marine ADA access have still not been approved, the Department of Boating and Waterways has created marina design guidelines that hopefully will be compliant with the Federal Standards when they are ultimately issued. However nothing in the guidelines comes even close to eliminating 277 slips. Before the latest designs alternatives L, M, N and O, the total slip loss due to ADA was only 2.6 slips. With the new placements of the ADA ramps and head walks additional slips will be lost but the total number will remain in the single digits.

- 6) There are large numbers of vacancies in the smaller slips. *Given the price premium charged for the smaller slips vs. the largest slips in the harbor, it is not surprising. Many boaters have recently found that by moving to other harbors they could save on their slip fees significantly. Boaters for Dana Point Harbor believe that if slip fees were fairly and competitively priced vacancies would not be a problem. To believe that vacancies are only a function of size of slip one only has to look at what Vintage Marina Partners (Embarcadero) did in Channel Islands Harbor. Working with the Channels Island Harbor Director they were able to eliminate all of the affordable slips. While the smallest slip they have is 30' they now have vacancies in sizes into the 40's. Price and rules/restrictions have a major impact on vacancies.*

- 7) Wait List. *The slip allocation process is a mess in Dana Point. While OC DPH is aware of all of the problems, it is hoped that with the recent Broker issue being investigated by the OC Sheriff's Department OC DPH will be forced to start taking action instead of allowing it to continue. Many requests to have this wait list audited have been rebuffed; even offers to provide the labor for the audit have been ignored. For example there is one OC DPH employee that is on the wait list for seven slips. How can we eliminate slips in an attempt to align with a wait list closed to public scrutiny and containing obvious flaws?*

Boaters for Dana Point Harbor Recommendation:

- 1) Vote for the plan that proposes the fewest loss of slips, "Plan 0".
- 2) Write to your County Supervisor & Coastal Commissioners letting them know that you feel we deserve a better process and a better result. Tell them that;
 - a. the Attrition Policy needs to be eliminated,
 - b. overhang reinstated (no one should be forced into the next higher slip fee category),
 - c. that there should be a full accounting of how many slips we should have no not the 2409 that remain after unpermitted changes,
 - d. smaller slips should be moved off the main channel eliminating the potential for OC DPH to double the number of the largest (>60') slips after the CCC approves the plan.

Supervisors: <http://egov.ocgov.com/ocgov/Government/Board%20of%20Supervisors>

Coastal Commissioners: <http://www.coastal.ca.gov/roster.html>