TO: RBAW Board

FROM: Doug Levy – 12/1/2021

RE: Report from State Lobbyist – ***OCTOBER-NOVEMBER 2021***

RESPONSE NEEDED: For Thursday, Dec. 2 Board Meeting (*Doug will attend via Zoom)*

**Hello, everyone**: We continue to maintain a full plate on the legislative and regulatory front and at all levels of government. Before I delve into specific issues, a couple “kudos” are in order:

1. ***RBAW Annual Meeting – New Directors***: I wanted to again give a “welcome aboard” shout-out to our two new Directors, Jordan Glidden, and Steve Mitchell. I know they will be outstanding additions to the RBAW Board!
2. ***Peter Schrappen*:** A longtime and valued colleague of ours, Peter Schrappen, is leaving the Northwest Marine Trade Association (NMTA) after 10 ½ years and will have a new position as Vice President of the Pacific Coast region for the American Waterways Operators (AWO). Peter helped foster a very close, very consistent, and very productive working relationship between RBAW and NMTA and he will certainly be missed. For those wanting to see Peter off and wish him well in his new job, there will be an event at the Seattle Yacht Club beginning at 3 p.m. on Thursday, Dec. 9.
* **Annual Meeting – adoption of state-local-federal legislative and regulatory priorities**: I appreciate the vote of confidence you gave us on Nov. 20 at the Annual Meeting, where Board Members approved a set of legislative and regulatory priorities to guide our work in 2022. I know VP for Administration Andrea Pierantozzi has sent those along, but I am including them as well along with this report.
* **2022 Legislative Session Ahead – A lot of virtual with a little ‘hybrid’**: A quick note about the upcoming Session of the State Legislature, due to begin on Jan. 10, 2022. Even-year sessions of the Legislature are “short sessions” – 60 days vs. the 105 days for longer sessions in odd-numbered years. Both the Senate and House have now issued their operating rules for a 2022 Session that will be conducted under the continued shadow of the COVID-19 pandemic. All legislative hearings will be held remotely by Zoom and the Capitol Campus will be largely closed off to visitors. However, there are allowances being made for a limited number of people (up to 12 at a time) to be in the galleries of the Capitol Building. Senators will be able to access the Floor and the House will have *some* of its Members on the Floor for proceedings. Senators also may host up to three people at a time in their legislative offices for in-person meetings.
* **Seattle Harbor Patrol – our work made a difference:** I’ve been reporting to you on the considerable volume of work we have been doing to preserve the Harbor Patrol and bring back some of the staffing that has left them with a diminished force to deal with the myriad of challenges that go with patrolling 200 miles of saltwater (Puget Sound, Elliott Bay) and freshwater (Lake Union, Lake Washington) waterways. On the positive side, the budget adopted by the Seattle City Council in late November leaves the number of Full-Time Equivalents (FTEs) assigned to the Harbor Patrol intact, and prior talk of doing away with SHP and folding it into the Fire Department appears to be in the rear-view mirror. Additionally, Seattle’s budget does presume hiring up to 125 new police officers, some of whom we hope to have assigned to Harbor Patrol. Further, we worked with Councilmember Dan Strauss on an adopted budget amendment that will allocate $200,000 toward a study to more precisely determine the necessary staffing and equipment that *should* be in place to effectively ensure safety on and along the City’s waterways. On the negative side, the City Council made some cuts to the police budget and did *not* approve amendments to restore funding for police-hiring incentives. And we have no assurances that the Harbor Patrol in the short-term will have more boats on the water (a presence of three boats is now more often trimmed to one boat) or more men and women on the water (SHP is allocated up to 30 FTEs but typically has half that many actually working). We have hope that with the mayoral election of Bruce Harrell – with whom we had a fabulous and productive meeting – the outlook will improve next year. We also spearheaded a coalition to raise awareness about Harbor Patrol, penned an op-ed that ran in the *Seattle Times* (our Board Member Seth Muir was a co-signer), and gained very positive television media coverage with a KOMO News piece by Lee Stoll which ran on Nov. 24. If you haven’t seen the KOMO story, featuring interviews with President Bob Wise and VP/Government Affairs Steve Finney, it’s here: [Amid funding cuts to SPD harbor patrol, boaters fret over slow response times, crime | KOMO (komonews.com)](https://komonews.com/news-brief-newsletter/amid-funding-cuts-to-spd-harbor-patrol-boaters-fret-over-slow-response-times-crime)
* **Lakebay Marina**: As we reported to you at the Annual Meeting, the two-plus years of work we did to secure the purchase of this South Sound marina has succeeded! As November ended, we learned of one new wrinkle, which is that the formal appraisal of the Lakebay site done by the Department of Natural Resources (DNR) came in lower than expected. DNR is attempting to find out whether that hinders our ability to use the entirety of a $1.776 million state Boating Facilities Program (BFP) grant. Stay tuned and I will report further as we learn more on this front.
* **DNR’s Derelict Vessel Removal Program – bill to enhance, stabilize, and sustain funding:** We have been pushing DNR for years to look at new ways to more sustainably run the DVRP, especially since about ¾ of the Agency’s biennial funding ($1.44M) comes from the $3-per-vessel equivalent that boaters pay toward the derelict vessel program when they establish or renew annual registrations. With our prodding and support, DNR is pursuing an Agency Request bill in 2022 that would redirect up to $7.5 million (25 percent) of the Watercraft Excise Tax that goes into the General Fund and instead use it toward the Derelict Vessel Removal Program. We succeeded in ensuring that the DNR bill has language in it to step up efforts to remove vessels from non-public lands, to devote more funding toward the Vessel Turn-In Program (VTIP), and to do more work to move toward a full vessel recycling program in the future. We are never thrilled about paying Watercraft Excise Tax, but at least if we are paying it, we want to ensure it goes toward things that more directly benefit boaters. That’s a central theme of this legislative effort. I am providing with this monthly report a copy of the latest version of the legislation.
* **Watercraft Excise Tax Depreciation Schedule**: And speaking of the Watercraft Excise Tax, another note: The RBAW Board’s Executive officers have directed me to initiate and draft up a petition letter to challenge part of the new depreciation schedule the state just adopted by rulemaking to assess the annual Watercraft Excise Tax. The state has not adjusted that schedule since 2010, even though DOR technically has statutory authority to adjust it at least annually. Our involvement in the rulemaking that DOR did this year, and our building of a broad-based coalition to ‘push back’ on initial versions of the rulemaking, bore some fruit. DOR’s final Deprecation Schedule under the new rulemaking does a much better job of reflecting boat values over the first 10-15 years of a vessel’s life. However, we continue to have strong concerns about the revised schedule’s impact on older vessels (15-17 years and older), which is what we will pass our petition challenge on. At month’s end, I had a detailed meeting with DOR staff to learn about what they based their Depreciation Schedule on, what data they used, etc. More to come on this one – I will keep folks posted!
* **Upcoming meeting with Washington State Parks leadership:** On Dec. 2, our RBAW leadership will have the second in a series of quarterly meetings we have instituted with Washington State Parks (*we already do these with the Recreation and Conservation Office, or RCO, and we have very regular interactions with DNR*). Attendees for this meeting will include our VPs Steve Finney and Andrea Pierantozzi, Past President Wayne Gilham, Treasurer Loyd Walker, Marine Parks Conservancy Treasurer Steve Greaves, and new Board members Steve Mitchell and Jordan Glidden. We plan to discuss buoys and stern ties, Lakebay Marine, vessel pump-out funding and coverage, boating safety and possible 2022 legislation, an emerging Kenmore Air issue (see below), and more.
* **Kenmore Air – Seeks Dialogue about making environment safer for Lake Union landings and takeoffs:** That brief teaser above regarding Kenmore Air has to do with the fact that they reached out to me in November and seek a dialogue with RBAW leadership. Specifically, with the reopening of the Canadian border in both directions, Kenmore Air is working to restart service from Lake Union to Vancouver, B.C. That has the airline increasingly worried about the safety of the takeoff/landing zone they depend upon, especially in warmer months when more and more boaters, kayakers, and stand-up paddleboarders than ever before are dotting the waters of Lake Union. We worked with Kenmore Air on a landing zone in summer months that is rectangular in shape, has lighted buoys, and is designed to keep the area free of watercraft when seaplanes are approaching or taking off. Kenmore Air worries that many people either do not pay attention or don’t understand what the landing zone is about. They may well seek state funding to enhance law enforcement on Lake Union. More to come as we initiate a more formal dialogue in December.