

Golden Gate Water Ski Club

A Call For

Governmental Accountability

Bulletin One

The issues related to Contra Costa County (County) and Golden Gate Water Ski Club (GGWSC) are misaligned at the most fundamental level. GGWSC is the oldest organized water ski club in the U.S. It consists of approximately 100 family members and has been a contributing member of the Delta region and County since 1948. GGWSC's members have continually served the people of the Delta by rendering use of Golden Isle to the Sheriffs Marine Patrol, Coast Guard and community groups, as well as providing ongoing aid and assistance to the boating public. GGWSC acts as a steward of the Delta, protecting Golden Isle from the misuse and pollution that has befallen so many of the neighboring islands, and as such, is a true asset to the Delta community.

The County, in their unempirical pursuit of all those not in "compliance" (in typical politically charged governmental fashion), has chosen to overlook fundamental facts. A review of the actions of the County throughout this process reveals that the County has lost focus of their chartered responsibilities and has succumbed to a political agenda. This misuse of governmental power should be of serious concern to the tax payers of the County as well as all citizens of California.

Attempting to enforce terms of a General Plan that was enacted 29 years *after* the existence of Golden Isle, and with extremely narrow interpretation, is standard County Method of Operation and is unjust. GGWSC has tried for nearly 40 years to work with the County and followed their suggestions. The members have filed and withdrawn applications for permits, offered to sit on committees, submitted reports and proposed alternatives, all to no avail. GGWSC has even AGREED with the County to abate many of the trailers and lodges!!!

The main issue is that the *County has refused to recognize* the major fundamental differences between Golden Isle and the other islands targeted. The *County has failed* to address the recreational uses of the Delta and now expects the members of GGWSC who are law abiding, tax paying landowners, *to suffer and pay for the County's lack of accountability*. The abatement actions of the County clearly violate the Constitutional rights of GGWSC as a property owner. In addition, it has become clear that the County has *not considered the immense liabilities and costly risks it will assume or the long term affects of pushing its abatement agenda*.

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Review of County statements, facts and results.

County Statement:

*“These islands.....have remained largely unnoticed by County officials”

Fact:

The County has had full knowledge that GGWSC has existed and improved the island for **35 years**. More importantly, in 1979 the County, in writing, stated that GGWSC’s use of Golden Isle was desirable and asked the club to withdraw its Land Use Application until a committee could be formed to address recreational uses in the Delta.

Result:

This committee was never formed and the County has not addressed the recreational uses of the Delta. No other communication transpired for over **20 years**.

Fact:

The County had actual notice of the improvements and structures on Golden Isle. GGWSC has paid County taxes on property and improvements since 1965. In addition, the *Assessors office made numerous visits to the island to verify and document all of the structures and improvements, thereby keeping the property valuation current.* In fact, at the time of the site inspection by the County, the Assessors’ records were complete and updated with all the current improvements documented.

Result:

The County claims no “notice” of the island and its improvements, yet kept thorough records, recognized and approved peripheral permits (docks, etc.) and *accepted tax monies based upon them.*

County Statement:

*“Golden Gate Isleconsists of twenty eight residential structures...”

*”It has facilities for picnicking and barbequing, but also provides lodges for individual members.”

Fact:

The County has never fully realized the spectrum of open space uses contemplated under the General Plan. The County FAILED to address the recreational uses AND the existing uses of lands and waterways within the Delta area in the General Plan or any plan whatsoever.

The County labels the units (as it does with the other islands) “residential structures”. The description then changes to “lodges” in the same paragraph. The fact that the lodges were built exclusively for summer weekend use specifically for recreational activities, excludes them from a “residential” designation. *Unlike the other islands, there is no PG&E, running water or permanent residence on Golden Isle.*

Result:

The County again conveniently *chooses* to use the designation that makes the case for abatement. *The simple designation of lodges resolves the issue in that the current A-2 zoning allows for recreational facilities.* The lodges are utilized by club members while pursuing their recreational sport of choice, water skiing.

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County Statement:

*“These waters need to be protected from the needless disposal of sewage and waste into the Delta. Many of these houses have seepage pits underneath them where liquid waste is transported via piping to a bottomless wooden box or directly into the ground. This tainted effluent eventually flows to the Delta.”

Fact:

In regards to Golden Isle, this statement is baseless and simply not true. GGWSC is and always has been extremely concerned regarding pollution in the Delta. GGWSC has installed and maintains state of the art septic facilities and employs a testing firm that tests the water around Golden Isle. In fact, upon a site visit to the island and subsequent meetings, representatives of the Environmental Health Department commented on the quality of our systems and that they were “*surprised*” that the club had invested such effort to incorporate a state of the art system. **The test results are facts that indicate that the island facilities do not pollute the Delta water.** Ironically, the majority of sewage type pollution comes from the thousands of recreational boaters that use the Delta and have no access to **any type (public OR private) of sanitary facilities.**

Result:

The County makes generalizing and exaggerated statements that may or may not apply to any specific situation. The fact that the County has not performed **any testing** at Golden Isle, has **supplied no evidence** to back up any statements and again, continues to *sensationalize* the situation to cater to its agenda, is a statement in itself. In addition, the County Environmental Health Department has stated that *their specific concerns can be resolved*. With the documented increase in boaters every year, **when will the County realize** they have not addressed the needs of the Delta area?

County Statement:

*“It takes the Sheriff’s Marine Patrol forty five minutes to get to these islands”

Fact:

Again, another meaningless statement. The issue here, again, is the fact *the County has not planned for*, and therefore has consistently lacked, resources in the Delta areas. The island and club members have supported the Marine Patrols and Coast Guard Patrols since its origin. In a letter dated 8/5/04, from Deputy Jim Lambert, Contra Costa Marine Patrol, he states

“.....I have developed nothing but respect for the Golden Gate Ski Club, and its membership as a whole. The members of this particular club are an asset to the boating community in general.I often deal with many tragedies and negativity involving uneducated boaters. The club members on this island make our job much easier, and we appreciate their professionalism and dedication to boating, and to the sport of water skiing.”

Has the County inquired with its own departments? It again becomes excruciatingly clear, that the Building Inspection Department has lead the County down a dead end and very dangerous road. The exposure to liabilities, accidents and deaths without the presence of the club members is immense.

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Fact:

If the County is successful in the abatement action, the GGWSC will be financially bankrupt, thereby forcing the closure of the club and the 503C Corporation (The GGWSC is the oldest water ski club in the U.S.A.). The County will then “inherit” the assets and liabilities of the club. As all of the available cash assets have been used in the defense of the abatement process, the only remaining asset will be the island itself. With a current valuation of \$19,000 and approximate abatement costs of well over \$1,000,000, the County will have essentially acquired a **\$900,000+ liability**. **The property tax now being paid by the GGWSC of approximately \$10,000 per year would cease. The County itself, via the Risk Management Department, would be required to insure the property for all potential losses including fire, pollution, serious injuries and deaths**. In addition, the County would be responsible to maintain, police and manage the property through the abatement process and until (if possible) the property could be sold. With the restrictions and requirements outlined by the County regarding the uses of the island, it is doubtful the property would have any market value at all.

Result:

There is no question as to what will become of the island in the absence of a responsible owner. As with all other accessible areas of the Delta, Golden Isle will become **a haven for partiers, illegal activity, dumping and a community cesspool**. This will undoubtedly create a source point for pollution that will have serious repercussions and costs. **The County has no resources to facilitate such an undertaking**. The current resources are under severe budget constraints. The Sheriff’s department and others have made their concerns clear. The abatement process would be an insurmountable task and create additional stress to the extremely limited County resources.

Golden Isle and GGWSC are an asset to the Delta. By establishment of the permitted five mile per hour zone GGWSC **provides and maintains a safety area within one of the most dangerous intersections in the Delta**. Golden Isle is equipped with CPR medical equipment and has been used for staging rescues of many different types over the years.

Source:

***CCC Building Inspection newsletter “Building 2020” July, 2004**

<http://www.co.contra-costa.ca.us/depart/bi/index.htm>

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Conclusion

This issue is much broader than just a simple ski club that has very successfully existed in the Delta for forty years. This issue is related to the officials we elect and the civil servants we employ. The arguments used by the County throughout this ordeal are disturbing, for example, “Ordinances and Codes are put in place to protect people, even from themselves.” **Golden Isle and GGWSC have operated successfully for forty years without a single incident or issue. Can ANY neighborhood or area in the County make that statement?** In meetings and offline, each of the County Departments has expressed their *support* for the GGWSC and the island. The County, in the past, has made the statement in writing that the clubs use and activities are “*desirable and should be permitted.*”

- Why is it the Building Inspection and Community Development Departments are refusing to see, hear and understand the facts as everyone else?
- Why is the *only apparent acceptable solution* from the County the most extreme and the most damaging to the Club as a landowner?
- Are the political motives such that they can override all **common sense** and the rights of the landowner and taxpayer?
- With illegal and dangerous structures and “granny units” not only prevalent but perhaps epidemic all over the County, *these are the decisions* that are being made by our paid civil servants and elected officials?
- Illegal structures, garages and sheds with families and children living in *life threatening circumstances are being ignored*, and their choice is to attack weekend recreational user’s property?
- Responsible community minded taxpaying club members using their property **10 to 15 percent** of the year are a priority over landowners that *willfully and illegally alter their properties for monetary gain*?
- Using a the General Plan as leverage, instead of beginning a process to address the issues at hand will continue to plague the County and *this a good use of taxpayers’ money*?

The County should have recognized it had the responsibility of addressing these issues over 25 years ago. The failure in not forming the committee as promised and again not addressing the recreational uses in the Delta by way of the General Plan has created the situation we have today. The recreational uses of the Delta are consistently growing. **This is an issue that has to be acknowledged and addressed by the elected officials.**

Most importantly, we need to demand accountability of our elected officials and our paid County Officials!!

More information can be obtained at <http://www.ggwsc.org/>

Please contact the:

Contra Costa County Board of Supervisors and let them know this is not right.

These types of actions are NOT what we have elected them to endorse.

This type of enforcement is NOT what the Building Department is PAID to execute.

<http://www.co.contra-costa.ca.us/>

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