Richardson Bay Regional Agency

Transition Plan 2.0

Adopted

June 23, 2022

Richardson Bay Regional Agency

TRANSITION PLAN 2.0 - INTRODUCTION

Summary:
Transition Plan 2.0 updates, amplifies and refines RBRA's 2020 Transition Plan, which provides a vision, principles, and policy direction towards the goal of a safer, healthier and well-managed Richardson Bay.

Background:
On June 11, 2020, the Board of Directors of the Richardson Bay Regional Agency adopted a Transition Plan to guide future actions of the agency. Such actions have included adoption of an Eelgrass Protection and Management Plan, execution of an agreement in 2021 with the Bay Conservation & Development Commission (BCDC), support of efforts to engage vessel occupants on relocating to safe housing, and development of a staffing plan to fulfill the Agency's mission. Since adoption of the plan, the number of anchored vessels and floating homes has diminished from close to 100 in June 2020 to a total of 69 of June 1, 2022.

The Plan's Transition Vision, Transition Principles, and its Transition Goal of a safe, healthy, and well-managed Richardson Bay are still apt for the agency's work going forward. Progress on the Transition Plan's Policy Direction is summarized below.

Original Transition Policy Direction and Progress to Date:

1. Maintain existing enforcement priorities for unoccupied vessels and time limits on incoming vessels, including required notifications and removal: *Unoccupied vessels and time limits on new vessels remain a priority.*

2. Implement a "Safe & Seaworthy" program available to vessels identified in the August 2019 anchorage census performed by the Marin County Sheriff's Office, to enable a discretionary legacy designation for vessels meeting existing RBRA regulations, and State and Federal regulations, allowing deferred enforcement of time limits: *Owners/occupants of vessels identified in the Sheriff's survey were notified in 2020 of the requirements and timeline for enrollment in the Safe & Seaworthy program. A total of 17 vessels enrolled in the program; as of June 1, 2022, 11 enrolled vessels remained on the bay. Vessels enrolled in the Safe & Seaworthy program are in the lowest tier of enforcement priority, with the further extended timeline for eligibility to remain on the bay until October 15, 2026*.

3. Connect persons living on vessels with outreach agencies and organizations for assistance with finding alternative housing and encourage expansion of housing opportunities. *Marin County Health and Human Services awarded a grant to the Downtown Streets Team to staff efforts to connect persons on vessels with housing on land; this work is underway.*

Additionally, staff is researching opportunities and funding for incentive programs to remove vessels from the bay, and capacity building for dock/slip space in marinas.

4. Set a sunset date by which occupied vessels with extended stays will not be allowed in Richardson Bay. *RBRA set a sunset date of October 15, 2026 - after which no vessels will be allowed to anchor beyond authorized time limits, as provided in its 2021 agreement with BCDC.*

5. Working with agencies, organizations, and other stakeholders, develop eelgrass protection measures and consider specific eelgrass restoration funding and projects. *With outreach to and involvement of stakeholders, RBRA developed, adopted, and is implementing an Eelgrass Protection and Management Plan (EPMP). A primary feature of the EPMP is that it establishes an Eelgrass Protection Zone, in which vessels are not allowed to anchor. Additionally, with the inclusion of stakeholders, RBRA is actively applying for grants to restore eelgrass in Richardson Bay.*

Transition Plan 2.0 Purpose and Direction:

For 2022 and beyond, Transition Plan 2.0 updates, amplifies, and refines RBRA's policy direction, with the addition of more targeted goals and establishment of objectives, strategies, actions and preliminary estimates of resource needs. This direction will guide staff priorities, tactics and activities in accomplishing RBRA's Transition Plan Goal of a safe, healthy, and well-managed Richardson Bay.

Transition Plan 2.0 is crafted in three distinct and overlapping policy categories: **Eelgrass Habitat, Safe Housing, and Vessel Enforcement**. In addition to goals, objectives, strategies and actions, each category references the RBRA resources currently identified as necessary to accomplish the plan.

TRANSITION PLAN 2.0 – EELGRASS HABITAT

GOAL:
Healthy and robust eelgrass beds in Richardson Bay.

OBJECTIVES:
1. Protection of eelgrass beds against damage from anchor scour.
2. Development and implementation of a phased, collaborative, and adaptive approach to eelgrass habitat restoration.

STRATEGIES:
1. Prevent vessels from anchoring in sensitive eelgrass habitat areas.
2. Collaborate with partners to seek grant funding for preparation and implementation of a 10-year Restoration and Adaptive Management Plan for eelgrass habitat in Richardson Bay.
3. Collaborate with partners to monitor/survey eelgrass and wildlife resources (e.g., waterbirds) to evaluate effectiveness of restoration and protection efforts, followed by updates/changes to plans as needed to meet habitat and wildlife goals.

STRATEGIC ACTIONS:
1. Prevent vessels from anchoring in sensitive eelgrass habitat areas.

   a. Implement RBRA's Eelgrass Protection and Management Plan (EPMP), which provides for an Eelgrass Protection Zone/no anchoring area (EPZ) separate from an authorized anchorage area; implementation includes codifying the EPZ through RBRA ordinance adoption.

   b. Coordinate with the United States Coast Guard to update the Code of Federal Regulations, if necessary, and US Nautical Navigation Charts 18649 and 18653 and United State Coast Pilot 7 to reflect boundaries and related information pertaining to the EPZ and the Anchorage Area. Complete by December 15, 2023.

   c. Conduct educational outreach and place signage to inform the public about the boundaries, regulations, and purpose of the EPZ and the importance of eelgrass. Note that most of the EPZ is five feet deep or less in low tide, which is a shallow depth for visiting vessels especially for sailboats with keels. In addition to signage at relevant locations along the Sausalito shoreline (with the cooperation of the City of Sausalito and landowners), consider installation of a hard piling or marker at the southern tip of the Richardson Bay Audubon Society, marked appropriately for visibility from Day Marker Four.

   d. Prohibit and enforce against new vessels anchoring in the EPZ for any period of time, upon promulgation of the EPZ regulations. No permission shall be granted for anchoring in the EPZ.

e. Place up to 15 temporary moorings in the revised Anchorage Area, pursuant to the provisions in the 2021 agreement with BCDC, outside the EPZ; complete by December 15, 2022.

f. Encourage vessels enrolled in RBRA's Safe & Seaworthy Program, and other eligible vessels to relocate from the EPZ to the new RBRA moorings. (See Vessel Enforcement).

g. Other than RBRA moorings, allow only standard removable marine equipment to be utilized as ground tackle for vessels anchoring in the anchoring zone (i.e. no individual mooring placement).

2. Collaborate with partners to seek grant funding for preparation and implementation of a 10-year Restoration and Adaptive Management Plan (RAMP) for eelgrass habitat.

a. Be on active watch for grant opportunities for which preparation and implementation of a RAMP may be eligible for funding.

b. Collaborate with organizations and agencies with shared interests in eelgrass protection and growth to support and submit grant applications to prepare and implement an RAMP.
c. Identify local, regional, state, and/or federal resources to supply any needed funding support for preparing and implementing a RAMP.

d. Secure research study data on restoration scenarios to inform the RAMP, with scenarios including passive (no intervention) restoration of scour pits; restoring the bay bottom grade of scour pits by adding clean dredged sediment without planting eelgrass; planting eelgrass in scour pits without first restoring the bay bottom grade of scour pits; and planting in scour pits after restoring the bay bottom grad of scour pits by adding clean dredged sediment.

e. Prepare, adopt, and implement a RAMP for eelgrass restoration that will be consistent with the San Francisco Bay Plan & the Richardson Bay Special Area Plan, that will incorporate the best available science on eelgrass habitat restoration and the California Eelgrass Management Plan (CEMP), and outcomes from restoration study scenarios. Complete RAMP development and begin implementation by December 15, 2023.

3. Collaborate with partners to monitor/survey eelgrass and wildlife resources (e.g., waterbirds) to evaluate effectiveness of restoration and protection efforts, followed by updates/changes to plans as needed to meet habitat and wildlife goals.

a. With the support of 2021 grant funding from the Ocean Protection Council (OPC), conduct baseline and seasonal UAV (drone) waterbird monitoring, perform an aerial eelgrass survey to document changes to anchor scour, and conduct an eelgrass bathymetric survey.

b. Obtain available data and information from organizations, agencies and others performing bay habitat, wildlife and related resource monitoring and survey work.

c. Pending availability of funding, conduct monitoring and surveying of eelgrass habitat pursuant to the EPMP; consider revising the boundaries of the EPZ if warranted by monitoring and surveying.

d. Incorporate findings from monitoring and surveying into the Restoration and Adapti e Management Plan, through amendments as warranted.

e. After RBRA placement of moorings in the anchoring zone, monitor them to evaluate their effectiveness at protecting subtidal resources and securing vessels.

RBRA RESOURCES NEEDED - PRELIMINARY OUTLINE:

- Legal counsel to update ordinances
- Staff time to update federal regulations/mapping
- Continued use of the 2021 Proposition 68 Coastal Resilience Grant from the Ocean Protection Council to support implementation of the EPMP exclusive of water quality monitoring and installation of signage
- For installation of up to 15 temporary moorings : Est. $ $225,000 + staff time
- Grants and other funds to:
    - Prepare the Restoration and Adaptive Management Plan (RAMP): Est. ~$100,000 - $200,000

    Implement the RAMP, including monitoring, surveying, research, and revisions: Est. ~$4,500,000 to $8,000,000
- Staff and/or consultant time to manage preparation, implementation, monitoring, and adaptation of the RAMP and related initiatives

TRANSITION PLAN 2.0 – SAFE HOUSING

GOALS:

1. All willing and eligible vessel occupants have an opportunity to relocate into safe housing within the timeframes for vessel departure/removal under the 2021 agreement with the Bay Conservation & Development Commission (BCDC).
2. RBRA obtains sufficient information from others to monitor and report progress in vessel occupants' relocation to safe housing.

OBJECTIVES:

1. Occupants on all vessels are provided with information on how to connect with available resources and opportunities to assist in their relocation off the anchorage.
2. All willing vessel occupants are assessed for eligibility, interest, challenges and needs to relocate to land-based housing or to a liveaboard marina slip.
3. Vessel occupants relocate off Richardson Bay within the timeframes of the BCDC agreement for departure or removal of vessels from the bay.
4. No additional vessels exceed the 72-hour limit for anchoring in Richardson Bay
5. RBRA prepares quarterly reports on the status of housing relocation as it relates to vessel departure/removal, as contained in the 2021 BCDC agreement, without compromising relocation efforts.

STRATEGIES:

1. Obtain a determination of housing needs of vessel occupants, their potential for eligibility in meeting housing/marina slip criteria, and their interest in pursuing housing
2. Evaluate current and planned capacity and feasibility for meeting housing needs.
3. Expand number of available liveaboard marina slips and vessels' ability to meet marina requirements.
4. Expand capacity in land-based housing for vessel occupants.
5. Encourage vessel occupants' cooperation with pursuing and realizing relocation to safe housing within vessel departure/removal timelines 2021 BCDC agreement.
6. Establish means for RBRA to secure and report housing data/information to BCDC pursuant to the 2021 agreement, without compromising confidentiality, relationships, and trust.
7. Identify or develop funding for continued housing support beyond placement.

STRATEGIC ACTIONS:

1. Obtain a determination of housing needs of vessel occupants, their potential for eligibility in meeting housing/marina slip criteria, and their interest in pursuing housing
    a. Consider funding a dedicated case manager, full or part time, to work exclusively with the water- based community
    b. Seek the contact of all vessels/occupants for Coordinated Entry assessment, noting repeated decliners.
    c. See that low-income eligibility criteria are established for the 20 liveaboard marina slips authorized in a temporary and conditional BCDC policy.
    d. Seek to identify circumstances and challenges that inform capacity, ability and needs for placement in specific types of safe housing options.
    e. Pursue the identification of the type of housing options for which each set of vessel occupants are currently eligible or could become eligible.
    f. Obtain an evaluation of the interest in pursuing housing.
    g. Create an aggregate summary dashboard reflecting the above information.

2. Evaluate current and planned capacity and feasibility for meeting housing needs
    a. Identify number of vessels whose occupants are willing and eligible to be housed with current and planned inventory.
    b. Contact marina operators to ascertain interest and availability in expanding liveaboard slip availability to eligible vessels or their occupants, pursuant to BCDC's temporary and conditional policy.
    c. Explore the feasibility of additional dock space on Richardson Bay for liveaboard marina slips.
    d. Obtain estimates of housing supply applicable to vessels' population in the pipeline in next five years (based on estimated funding, property owner/developer interest, legislation, ability to obtain local government approval, etc.).
    e. Obtain the comparison of the estimated housing supply to vessel occupants' eligibility in order to estimate viability for placement in next five years.
    f. Identify gaps between availability and needs in type, number, and any other characteristics.

3. Expand number of available liveaboard marina slips and vessels' ability to meet marina requirements
    a. With partner agencies and organizations, seek funding sources to support liveaboard marina slip fees, vessel insurance, and supportive services.
    b. Urge marina owners to make liveaboard slips available per BCDC provisions.
    c. Investigate potential for addition of dock/slip space in marinas.

d. Identify obstacles to marina or occupants' interest and seek ways to address/resolve.

e. Through vessel improvements or replacement, encourage vessels to meet safe & seaworthy criteria for acquiring a liveaboard marina slip.

4. <u>Expand capacity in land-based housing for vessel occupants</u>

   a. Urge acquisition and development of supportive housing in jurisdictions in Southern Marin (city councils, property owners, Housing Authority, etc.).

   b. Engage with State officials to urge additional funding, legislation and other State cooperation for supportive housing, mental health support, and other housing/services.

   c. Identify and pursue any other federal, state, regional, or philanthropic funding sources to fulfill housing placement needs.

5. <u>Encourage vessel occupants' cooperation with pursuing and realizing safe housing within vessel departure/removal deadlines in the 2021 BCDC agreement</u>

   a. Ascertain from County HHS the feasibility and pathway to ensuring continued outreach with housing, mental health and other social services, until objectives are met or October 2026, whichever comes first.

   b. Identify additional strategies to assist vessel occupants in transitioning to safe housing.

   c. Consider developing strategies to incentivize vessel occupants to pursue relocation and/or to disincentivize vessel occupants to refuse to cooperate with relocation assistance.

6. <u>Establish means for RBRA to secure and report housing data/information to BCDC as required, without compromising confidentiality, relationships and trust</u>

   a. Designate the appropriate source of non-confidential vessel occupant housing data and information required for reporting, such as aggregate data and non-identifying information.

   b. Ensure that RBRA and partner agencies/organizations protect confidential data and information on vessel occupants from public disclosure by establishing protocols/requirements for data storage and communication.

7. <u>Identify or develop funding for continued housing support beyond placement</u>

   a. Seek collaboration and support from governmental and non-profit agencies for longer-term housing subsidies and services resources.

RBRA RESOURCES NEEDED - PRELIMINARY OUTLINE:

- Marin County Health & Human Services support
- Downtown Streets Team – outreach and management
- Subsidized/supportive housing units
- Subsidized/supportive services
- Supportive services for liveaboard marina slip occupants
- Staff time to support safe housing relocation strategies
- Funding for:
    - Improvements to vessel conditions/replacement for slip placement
    - Liveaboard marina slip fees
    - Potentially for a dedicated case manager

TRANSITION PLAN 2.0 – VESSEL ENFORCEMENT

GOALS:

1. Avoid injury or death of persons on the bay or along the shoreline.
2. Involve relevant agencies/organizations to provide case management and housing as necessary and appropriate for vessel occupants.
3. Protect bay habitat and prevent vessel-related waste and debris from polluting Richardson Bay.
4. Wherever possible, avoid risk and hazards of vessels running adrift, running aground, or sinking.
5. Ensure that vessels depart or are removed from the Eelgrass Protection Zone and from Richardson Bay within the timelines set under the 2021 agreement with the Bay Conservation & Development Commission (BCDC).
6. All vessels on the Bay comply with RBRA rules and regulations.

OBJECTIVES:

1. No incoming/new vessels stay on the bay in contravention of RBRA time limits and other rules and regulations.
2. No unoccupied vessels on the bay.
3. Vessels that arrived after August 2019 depart voluntarily or are removed by October 15, 2023.
4. No vessels are allowed to anchor in the Eelgrass Protection Zone.
5. Up to 15 vessels relocate from the Eelgrass Protection Zone, or from anchoring locations in the Anchoring Area, onto new temporary moorings that are installed as of December 15, 2022 in the Anchoring Area.
6. The four floating homes are removed by October 15, 2023.
7. Vessels that are not enrolled in the Safe & Seaworthy Program depart or are removed by October 15, 2024.
8. Vessels enrolled in the Safe & Seaworthy Program are all located in the Anchoring Area after October 15, 2024.
9. No vessels are allowed to stay on the bay in contravention of RBRA rules and regulations as of October 15, 2026.

STRATEGIES:

1. Notice and remove unoccupied vessels in as immediate and timely a manner as feasible.
2. Prevent new vessels from staying longer than authorized time limits.

3. Support efforts by outreach personnel from other agencies/organizations in connecting with vessel occupants to encourage their pursuit of safe housing on land or in a liveaboard marina slip.
4. Establish and implement prioritization factors for the noticing and removal of vessels and floating homes within each timeline category contained within the BCDC settlement agreement and the above objective.
5. Apply enforcement mechanisms for prioritized non-complying vessels until full compliance with BCDC agreement is achieved.
6. Develop incentive programs for removal of vessels from the anchorage.
7. Urge vessels that are safe & seaworthy to move out of the Eelgrass Protection Zone and into the Anchorage Zone as soon as feasible and consider their placement onto RBRA moorings.

STRATEGIC ACTIONS:

1. Notice and remove unoccupied vessels in as timely manner as feasible.
    a. Conduct regular anchorage patrols to look for abandoned or otherwise unoccupied vessels, present notification to urge vessel owners and occupants to voluntarily remove the vessel along with notice of intent to remove the vessels if not voluntarily removed in the noticed time period. Remove such vessels if they are not voluntarily removed within the legally noticed time period.

    b. Notify owners of vessels tied to another vessel that no vessel (other than a dingy, skiff, or tender) may be attached to another vessel. Provide legal notice of intent to remove vessels that are tied to another vessel. In the absence of removal of extra vessels and the cooperation of vessel owners in identifying which vessel may temporarily remain, the Harbormaster may determine which vessel may temporarily remain and which extra vessel(s) will be removed.

2. Discourage and prevent new vessels from staying beyond authorized time limits
    a. Communicate via nautical/mariner platforms about time limit enforcement so as to discourage new vessels from entering Richardson Bay seeking extended stays.
    b. Provide notice to vessels as soon as feasible after their arrival about time limits.
    c. Encourage the voluntary departure of vessels by the end date of their authorized time limit.
    d. Provide vessel occupants requesting social services or housing assistance with information on how to access agencies or organizations that provide services and assistance.
    e. Notice and cause the removal of vessels that exceed their authorized limits, within the provisions and limits of the law.

3. Upon request, support outreach personnel from other agencies/organizations to contact vessel occupants to encourage their pursuit of safe housing on land or in a liveaboard marina slip.
   a. Offer and be available to assist other agencies/organizations in their contact and connection with vessel occupants in the pursuit of housing opportunities.
   b. Contact marinas to encourage interest in providing liveaboard slips for vessels that move off the bay, such as under the expanded BCDC liveaboard program which temporarily and conditionally authorizes an additional 20 liveaboard slips in Richardson Bay in excess of the 10% liveaboard marina slip limit - to accommodate relocated vessels and/or their occupants.
   c. Assist with connecting any interested and eligible mariners with interested marinas with available slips.

4. Establish and implement prioritization factors for the noticing and removal of vessels and floating homes within each timeline category contained in the BCDC settlement agreement.
   a. Vessels that are an imminent hazard for sinking, have run aground, or otherwise present an immediate risk to public safety or the environment are a priority for immediate removal, pursuant to current practice.
   b. Vessels whose occupants have been assessed for housing and who are actively cooperating with efforts to connect them with safe housing on land or in liveaboard marina berth will be a lower priority for removal, unless they become imminent environmental or navigational hazards.
   c. Vessels whose occupants cooperate with efforts to move out of the eelgrass protection zone will be a lower priority for removal, unless the vessels become imminent environmental or navigational hazards.
   d. All floating homes will be provided with legal notice to depart and be subject to removal by December 31, 2023.

5. Apply enforcement mechanisms for all non-complying vessels that fail to voluntarily depart.
   a. Prioritize enforcement actions according to timeline for departure in 2021 BCDC agreement, with additional consideration for priorities provided for in Strategic Action 4.
   b. Consider the development of an impound facility, through direct lease of existing slip spaces
   c. Issue infraction and misdemeanor citations for vessels that fail to voluntarily depart, generally prioritized pursuant to timeline in 2021 BCDC agreement for departure, with additional consideration for priorities provided for in Strategic Action 4.

d. Carry out the removal of vessels that fail to comply with legal notification, as prioritized, and to achieve the timelines in the 2021 BCDC agreement. , with involvement of law enforcement where necessary to accomplish the removal of vessels.

6. <u>Develop incentive programs for removal of vessels from the anchorage</u>
   a. Identify incentive programs, possibly different for each vessel category
   b. Research funding sources for approved incentive programs
   c. Develop appropriate policies and amend ordinances as necessary

7. <u>Urge vessels that are considered safe & seaworthy to move out of the Eelgrass Protection Zone and into the Anchorage Area as soon as feasible, and consider for placement on RBRA moorings</u>
   a. Establish criteria, protocols, and regulations for use of RBRA moorings in the Anchorage Area, by vessels enrolled in the Safe & Seaworthy program, and/or other vessels that RBRA considers are sufficiently safe and seaworthy to locate on the moorings.
   b. Contact each vessel in the Safe & Seaworthy program to ascertain voluntary interest in a mooring in the anchorage zone upon their availability after installation in late 2022, and ability to comply with criteria, protocols, and regulations.
   c. Facilitate the placement of eligible vessels onto the temporary moorings in the Anchorage Area.
   d. Notify vessels located in the EPZ that they will be removed from the bay if they fail to depart the EPZ by October 15, 2024; vessels already enrolled in the Safe & Seaworthy program and located in the EPZ will be notified that they will be removed if they do not relocate to the Anchorage Area by that date.

<u>RBRA RESOURCES NEEDED - PRELIMINARY OUTLINE:</u>

- Legal counsel to draft ordinance updates
- Harbormaster and Assistant Harbormaster to conduct regular patrols
- Additional law enforcement personnel to accompany Harbormaster or Assistant Harbormaster on notification and removal actions
- Legal counsel to address any legal issues that arise
- Staff time for Executive Director and Harbormaster to communicate with nautical/maritime platforms, and with marinas and housing/social services agencies and organizations
- Grant funding for vessel and floating home abatement costs (SAVE, NOAA)
- Impound and vessel disposal facilities
- Mooring placement and regulation (see Eelgrass Habitat)