

**CITY OF SAUSALITO
WATERFRONT UPDATE AND
REQUESTED PATH FORWARD**

PRESENTED TO BCDC

JULY 9, 2020

BACKGROUND

- City of Sausalito withdrew from Richardson Bay Regional Agency on June 30, 2017
- The two agencies continue to collaborate and cooperate with one another regarding the handling of Sausalito and Richardson's Bay waters
- A subcommittee comprised of members of City of Sausalito, RBRA, and BCDC met regularly in 2018 and the beginning of 2019 in an ongoing effort to align on priorities moving forward; officials from the City of Sausalito and RBRA commenced regular meetings in the beginning of 2020

WATERFRONT MANAGEMENT PLAN PRIORITIES

Highest Priorities

1. Removal of marine debris vessels
2. Removal of unoccupied vessels being stored on Sausalito waters
3. Unregistered vessels
4. Vessels occupied by persons who are a danger to themselves or others

Lowest Priority

1. Legacy occupied vessels that are:
 - Licensed
 - Registered
 - In possession of a waste disposal contract or utilizing similar form of service

WATERFRONT MANAGEMENT PLAN PRIORITIES

- On January 22, 2018, the City Council modified Phase IV to adopt a 2-part strategy:
 - Immediate enforcement of 72-hour ordinance with respect to any new occupied boats entering our waters;
 - Deferred enforcement of Legacy Anchor Outs: reduce number of occupied boats already on our waters through attrition and through Marin County / Sausalito relocation efforts (i.e., Marin County housing vouchers / increase in Sausalito live-aboard limits) – Legacy Anchor Outs
 - The age of the remaining Legacy Anchor outs ranges from 68 to 80; we estimate this approach could take five years for the approximately half dozen Legacy Anchor Outs to transition off the water

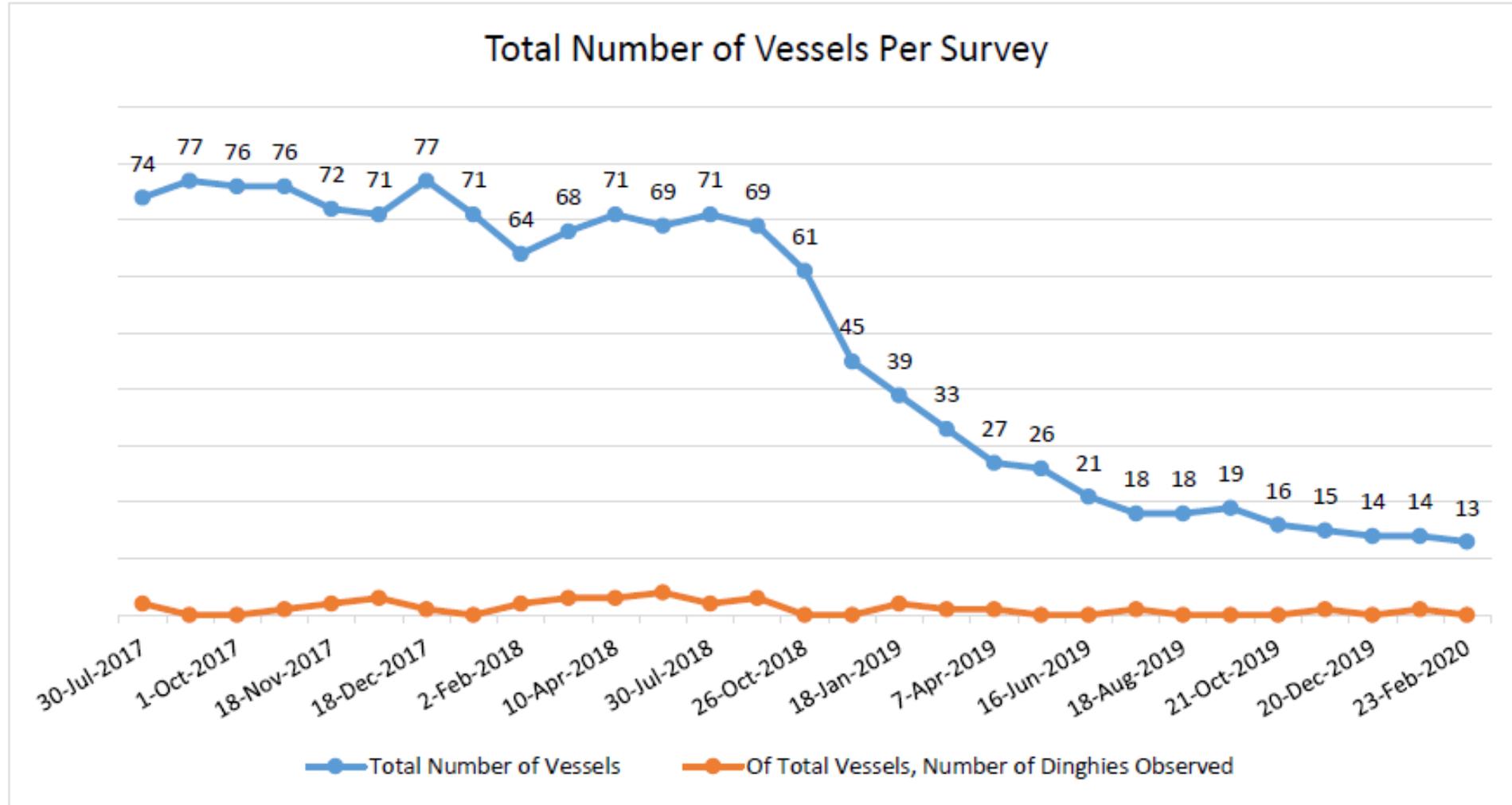
AUTHORITY TO REGULATE

- A “Special Anchorage Area” exists within Richardson Bay.
- Some anchor outs have contended they have immunity from regulation so long as their boats are in the Special Anchorage Area.
- Special legal counsel hired by City of Sausalito have confirmed that no Coast Guard regulation or “Special Anchorage Area” preempts the City of Sausalito from regulating where, when or how vessels may anchor within the overlap of the “special anchorage area” and the waters of the City of Sausalito.
- Sausalito has now shared a 40-page White Paper containing its exhaustive analysis with all affected agencies including RBRA and BCDC

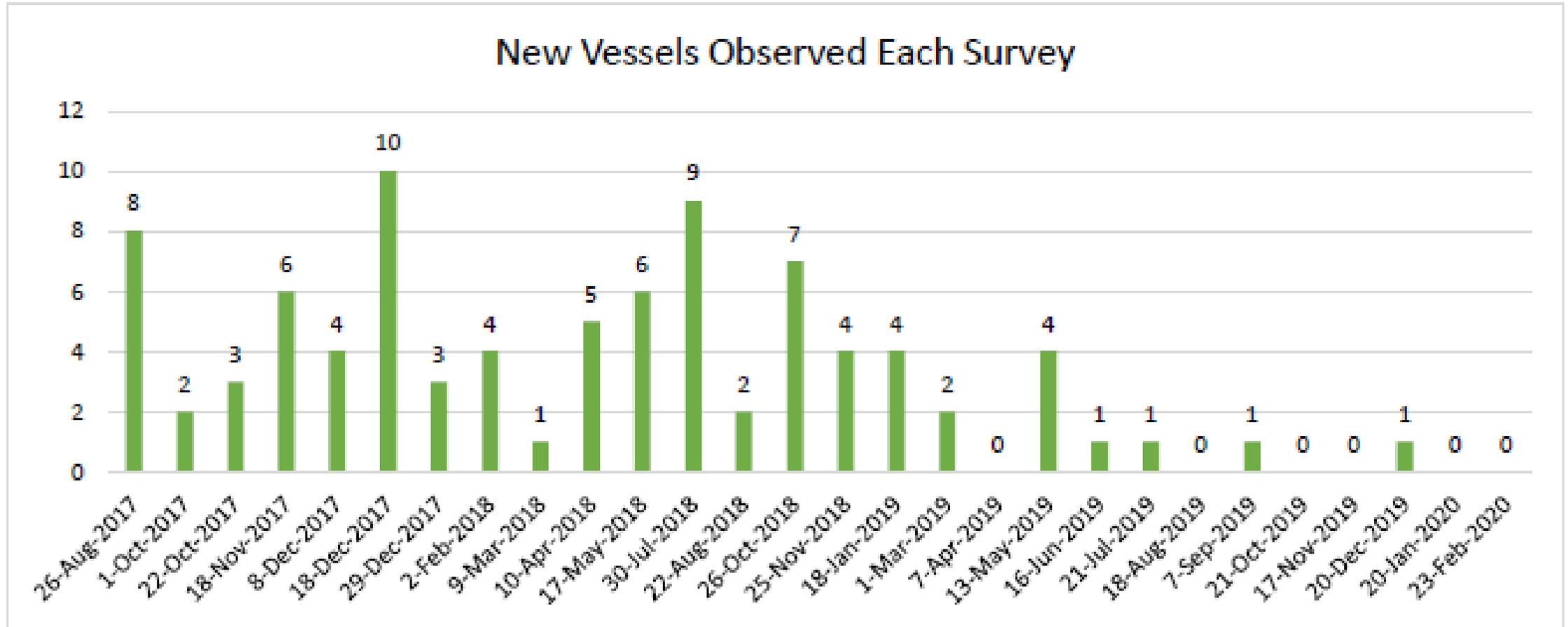
STAFFING / ENFORCEMENT EFFORTS

- Sausalito hired two part-time temporary technical specialists in July 2017 to:
 - Conduct surveys of vessels and preparing detailed Geographic Information System (GIS) based maps using the ESRI ArcGIS program
 - Assist with marine debris vessel abatements and noticing of vessels in violation of Sausalito City Ordinances and/or California Harbor and Navigation Codes
- In mid-2019, Coast Guard Station Golden Gate offered additional assistance on Richardson Bay
- In January 2020, the Sausalito Police Department hired a part-time Marine Patrol Police Officer to assist with law enforcement operations on the water
- In March, 2020, upon receipt of the Governor's and Public Health Officer's Stay-at-Home Orders, the Sausalito Police Department temporarily ceased removing boats, but has continued to interact with occupied boats to encourage their compliance with Sausalito regulations

SAUSALITO WATERFRONT ENFORCEMENT



SAUSALITO WATERFRONT ENFORCEMENT



NOTICE TO PUBLIC REGARDING BCDC ENFORCEMENT CASE

- On January 9, 2020, the Sausalito Police Department sent removal notifications to the owners of four (4) non Legacy Anchor out vessels being stored on Sausalito waters and the seven (7) unauthorized mooring balls. These removal notifications were based on BCDC's December 3, 2019 Resolution of anchor outs on City Property letter
- These owner notifications resulted in:
 - The removal of two (2) vessels from Sausalito waters
 - One (1) vessel being prepared for a move from Sausalito waters to Bodega Bay in March 2020
 - Five (5) unauthorized moorings balls being removed from Sausalito waters

EEL GRASS

- In an effort to address the damage to the natural habitat in Sausalito's waters, the City of Sausalito, working in collaboration with RBRA and Senator McGuire, is seeking State funding to restore damaged eel grass in Sausalito's waters in concert with a comprehensive eel grass restoration plan for all of Richardson's Bay.
- Fortunately for Sausalito, much of our waterfront is fronted by marinas or very deep waters, so the areas where eel grass exist continue to be a high priority for enforcement and continue to be a high area of importance against future developments and anchoring of any nature; recreational, commercial or other.

EEL GRASS

- Based on a hybrid of interferometric sidescan sonar and UAV based aerial photographic surveys conducted by Merkel & Associates in June and July 2019, two primary eelgrass beds are located within the City of Sausalito, comprising approximately 40,236 sq. meters (9.9 acres).
- One of these eelgrass beds is located in the northern reaches of the city boundary, and the second is offshore of Dunphy Park and Turney Basin. These areas make up approximately 1% of the total eelgrass observed within Richardson Bay during the 2019 survey.

EEL GRASS

- Sausalito has reduced the number of vessels anchored in Sausalito waters from 90 vessels to 12. This is an 87% reduction in the number of vessels in Sausalito waters.
- Additionally, several of the vessels removed were moored offshore of Dunphy Park and Turney Basin.
- With the absence of moored and anchored vessels, the eelgrass beds will have an opportunity to expand in these areas.

EEL GRASS

- In addition, the Sausalito City Council has declared the waters of Dunphy Park are and shall be an open water area [Sausalito Municipal Code 16.04.050] for the purpose of providing active recreational boating and an unobstructed water vista for those using and enjoying the upland area of Dunphy Park. Thus, it is unlawful for any person to moor any vessel in the waters of Dunphy Park, or to go upon, board, occupy, reside or dwell upon, or be present upon any vessel moored in the waters of Dunphy Park.

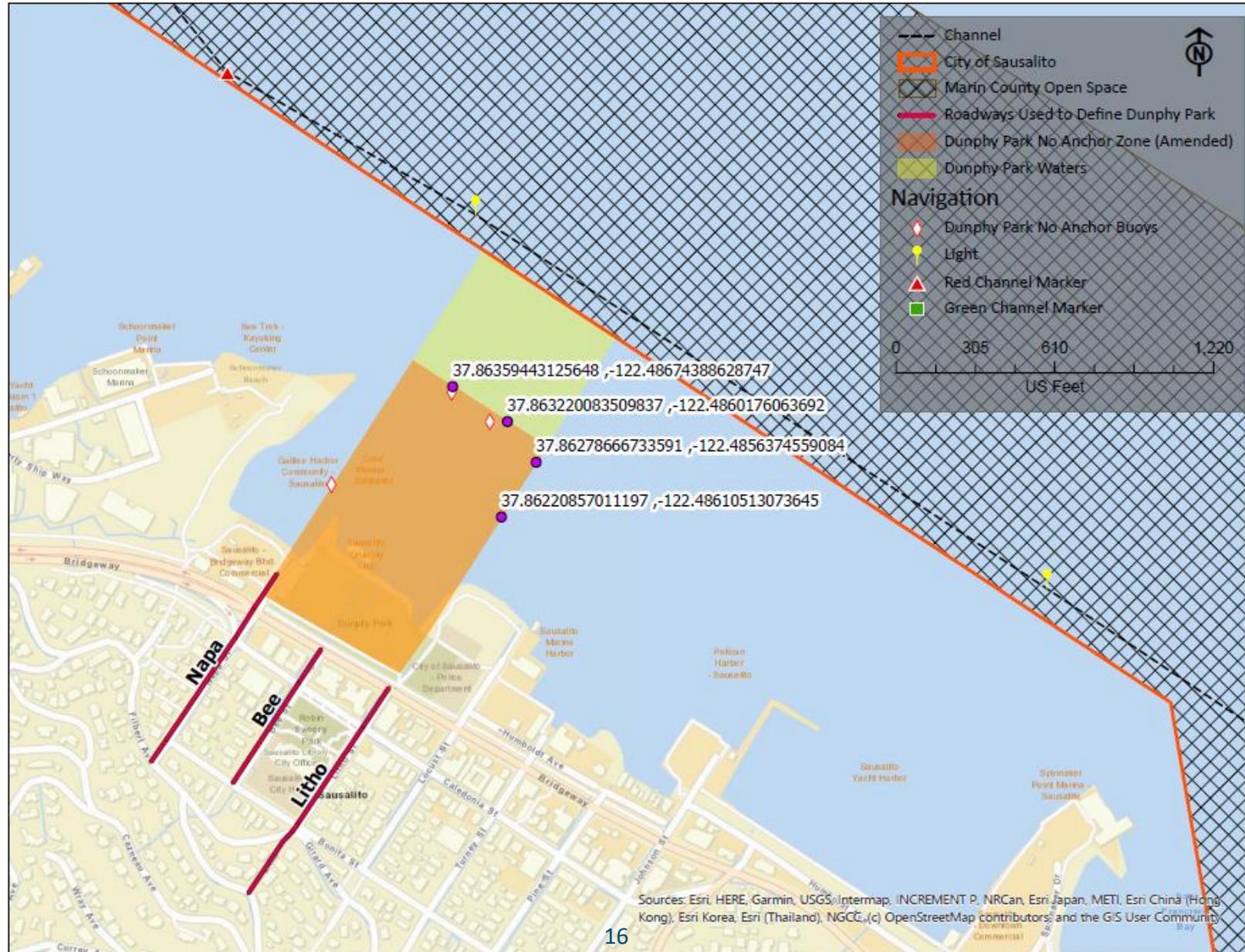
EEL GRASS

- Sausalito is in negotiations with a marina owner to acquire additional underwater lots adjoining Dunphy Park that will facilitate Sausalito's ability to foster eelgrass in those areas where it already thrives
- In recent conversations, Marin Audubon Society has agreed to collaborate with Sausalito to formulate a plan for the most efficient way to restore eelgrass in Sausalito waters
- Marin Audubon Society has also offered to assist Sausalito in identifying grant funding to facilitate Sausalito's efforts with eelgrass restoration

EEL GRASS

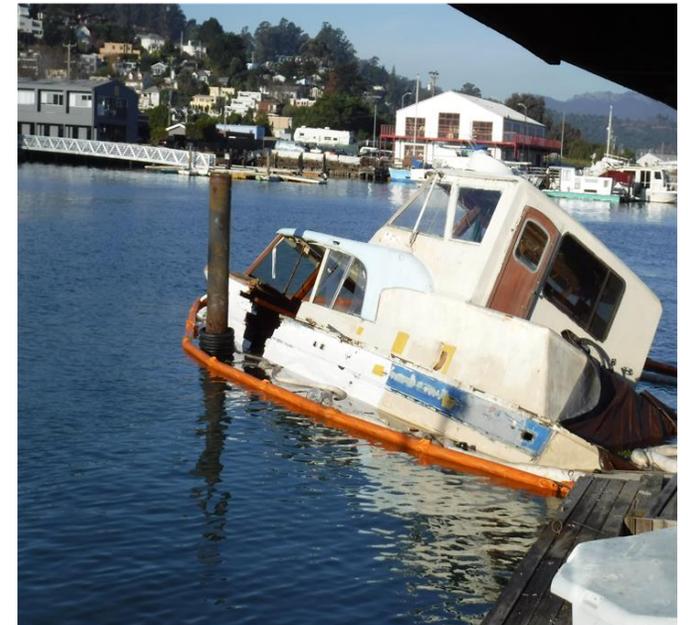
- The City of Sausalito has not yet identified the specific process and timing of eel grass restoration but is collaborating with Marin Audubon Society to do so, as well as to identify sources of potential grant funding to facilitate those efforts.
- The City of Sausalito is confident and committed to working with RBRA, Marin Audubon Society, Audubon California, and the State of California to secure funding, so we can strategically prioritize an eelgrass restoration program that preserves and protects Richardson's Bay for generations to come.

DUNPHY PARK BUOYS



ENFORCEMENT – MARINE DEBRIS

- Since the start of the Waterfront Management Plan, the Sausalito Police Department has abated twenty-six (26) vessels as Marine Debris



ENFORCEMENT - VTIP

- Since the start of the Waterfront Management Plan, the Sausalito Police Department has received/abated twelve (12) vessels as part of the Vessel-Turn-In-Program



ENFORCEMENT

- Since November 14, 2017, citations have been issued for the following violations:
 - Expired Registration
 - Nuisance/Debris on Deck
 - Unlawful Mooring in Waters of Dunphy Park
- Three (3) vessels are currently not registered/documented
- Copies of City of Sausalito waterfront ordinances have been posted on all vessels that are moored/ anchored in Sausalito waters



72 HOUR TOWS

- Since the start of the Waterfront Management Plan, the Sausalito Police Department has marked over 20 apparent unoccupied vessels for being in violation of Sausalito City Ordinance 16.04.100B (Anchoring/mooring in excess of 72 hours)
- Of these twenty (20) + vessels:
 - The majority were removed from Sausalito waters prior to police action
 - Seven (7) were impounded and later released to their owners whom removed them from Sausalito waters
 - Four (4) had the impound procedure stopped due to claims people were residing on them
 - Two (2) were impounded and later abated after going unclaimed for over 90 days
 - One (1) vessels is currently impounded
 - One (1) was impounded and later abated as part of the VTIP program

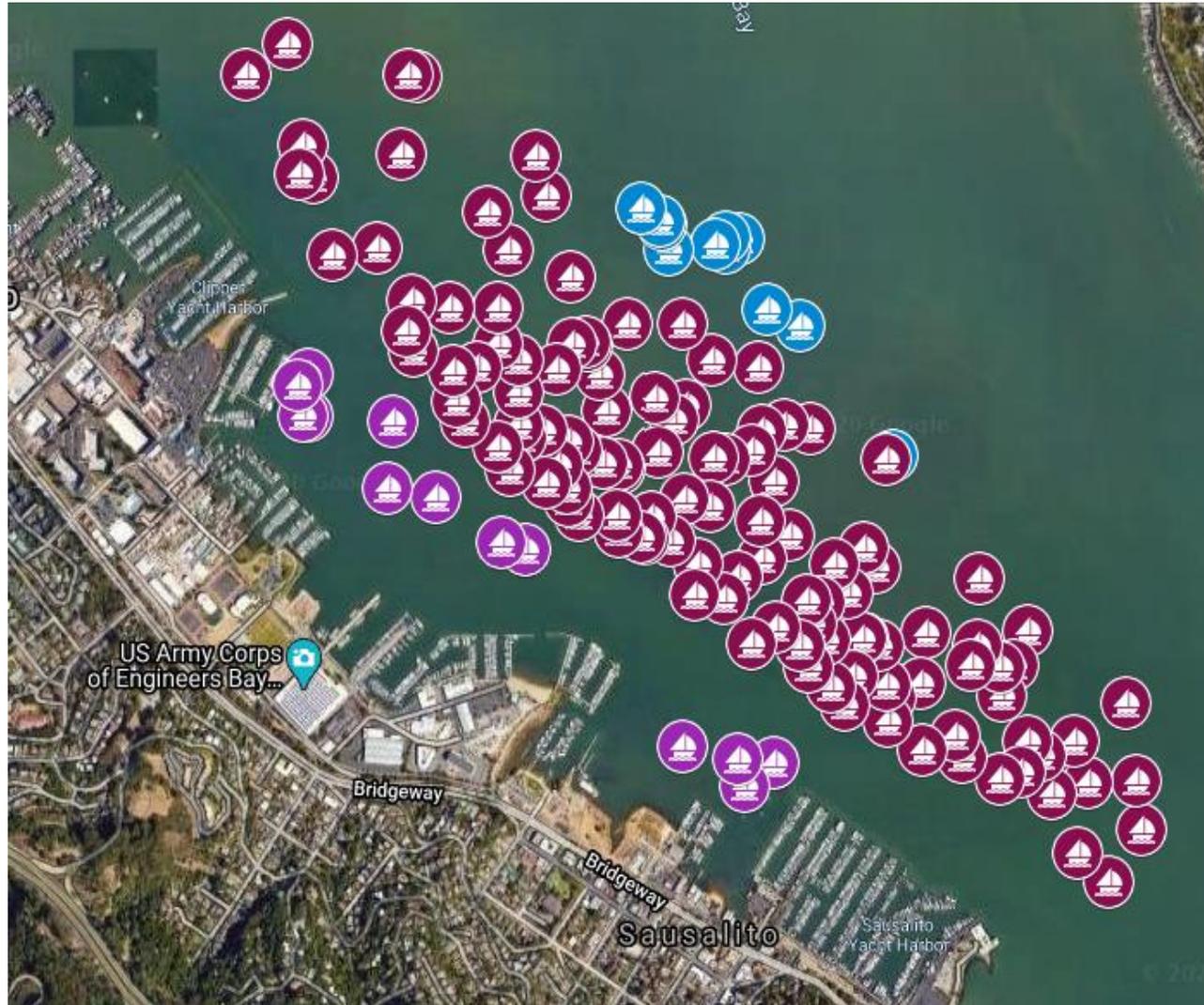
UNOCCUPIED MOORINGS

- The Sausalito Police Department has removed over fifty (50) mooring balls/devices from Richardson Bay. These mooring balls were either unoccupied or attached to vessels that were abated as marine debris or impounded



ENFORCEMENT – FIRST TWO / MAPPING

<https://www.firsttwo.com/home>



FEBRUARY 26, 2020 (POST-ENFORCEMENT)



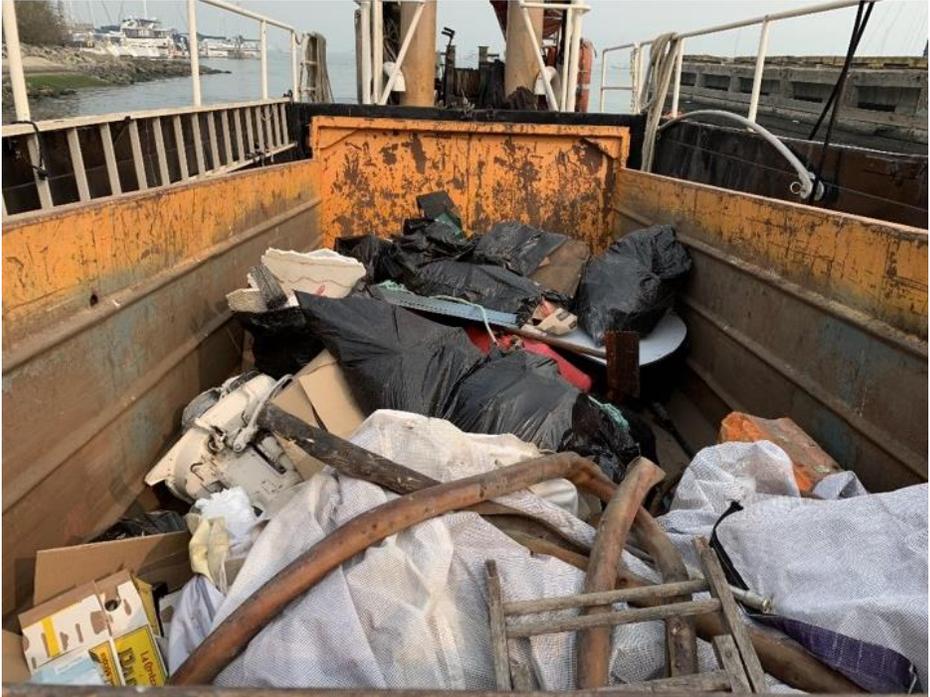
FEBRUARY 26, 2020 (POST-ENFORCEMENT)



ANNUAL DEBRIS COLLECTION EVENTS

- Sausalito Police Department, Richardson Bay Regional Agency, Marin County Sheriff's Office, and Marin County Health and Human Services hold annual debris collection events upon Richardson Bay
- Goal of events is threefold:
 - Remove debris from anchored vessels before winter in order to help prevent debris and hazardous items from falling into the Bay during storms
 - Assist individuals in making their vessels compliant with City of Sausalito and Richardson Bay Regional Agency nuisance/debris ordinances
 - Provide a forum for Marin County Health and Human Services to contact individuals from the waterfront and offer, for those who are interested, services which may assist them in obtaining housing.
- In addition to the debris collection:
 - In 2017, 11 people were contacted and offered services by Marin County Health and Human Services. 3 of the 11 people requested services
 - In 2018, 10 people were contacted and offered services by Marin County Health and Human Services. 3 of the 10 people requested services
 - In 2019, 16 people were contacted and offered services by Marin County Health and Human Services. 3 of the 16 people requested services

ANNUAL DEBRIS COLLECTION EVENTS



OVERVIEW OF PUBLIC SAFETY IMPACTS RELATED TO WATERFRONT

- Each winter, Sausalito Police Department and Southern Marin Fire must respond to distressed boats and mariners during heavy storms.
- In addition, Sausalito Police Department and Southern Marin Fire are required to respond to other public safety issues arising from waterfront activities including crime incidents upon the water, crime incidents committed by anchor outs visiting Sausalito, and various calls for medical service, among others.
- In May of 2017, Sausalito was required to rely on mutual aid to respond to a hillside fire because Southern Marin Fire was busy providing aid to anchor outs during a winter storm.
- In Winter of 2018, Southern Marin Fire first responder was injured attempting to rescue an anchor out in a winter storm.
- In both 2017 and 2018, an anchor out perished
- On October 27, 2019, a winter storm blew 20 boats from RBRA waters into Sausalito's docks and damaged Sausalito's fire boat dock
- On February 9, 2020, a wind storm blew 10 boats from RBRA waters into Sausalito's waters, several of which ended up beached upon the Sausalito waterfront

MARIN MOBILE CARE'S SHOWER PROGRAM

- Marin Mobile Care's Shower program has two primary goals:
 1. To offer a basic need, a shower, which lends itself to people rediscovering dignity and washing away stigma. A shower alleviates some of the day-to-day stresses of being in "survival mode" and often allows people to focus on their next step
 2. To connect individuals to the resources they need, such as a bed for the night, medical care, mental health counseling, food resources, and employment and housing opportunities. Downtown Streets Team staff are on site at the mobile showers to help guests connect with these resources
- Per the last statistics provided by Marin Mobile Care, over 1800 showers have been provided to individuals
 - 2018: 39 showers
 - 2019: 1236 showers
 - 2020 so far: 587 showers
- The vast majority of people that have utilized the mobile showers are from the Sausalito community (living on boats in Richardson's Bay, living in vehicles, or local homeless)
- Individuals who have participated in the Mobile Care's Shower Program have gained employment, gained confidence to reconnect with their family, treated unaddressed chronic and acute health issues, and had their dignity restored to feel comfortable in their own community

MARIN MOBILE CARE'S SHOWER PROGRAM

- During COVID-19, we have seen an increase in usage by a little over 50%, averaging 161 guests a month from April-June. The 2019 and early 2020 average was 103 guests per month
- Since the Shelter-in-Place Order was issued in Marin County, the City of Sausalito has collaborated with Marin County Social Services to provide grab and go bags of groceries during the Mobile Shower visits on Tuesdays and Fridays
- We had County Of Marin employees volunteer to hand out food from the San Francisco Marin Food Bank. Almost every shower guest took a bag of food with them, some would even take 2 so they could pass it to a friend who hadn't made it to the showers.
- We had about 3-5 folks every shower day who would come by just for the food pantry.
- That program has wound down as the community volunteers have resumed their work at the County.

SAFE HARBOR: A PILOT PROGRAM CONCEPT

- Sausalito has demonstrated both compassion and an opportunity for long term success in its outreach efforts through its mobile shower program and its Safe Harbor program
- Working in conjunction with the Marin County Department of Health and Human Services, Ritter Center, the Sausalito Chamber of Commerce, and with various marina operators throughout town, Sausalito has commenced a pilot program to assist in the goal of Empowering anchor outs toward an independent life.

SAFE HARBOR: A PILOT PROGRAM CONCEPT

- Various marina operators throughout Sausalito have agreed to make available eight live aboard slips for a period of six to eighteen months for the pilot program.
- Each participant enrolled in the pilot program is assigned to a Ritter Center Whole Person Care case manager who will ensure that participants are provided access to programs and resources intended to facilitate their transition out of homelessness, perhaps to a permanent liveaboard slip or to land-based housing.
- Through the Ritter Center partnership with the City of Sausalito and the Sausalito Chamber of Commerce, participants will be placed in jobs within the Sausalito Business Community as well as elsewhere in the County.
- Through the innovation and leadership of the City of Sausalito and Ritter Center, we are optimistic our Safe Harbor program will dramatically improve the lives of the anchor out participants and could be expanded to meet the need of the vulnerable residents on Richardson Bay in partnership with RBRA.

SAFE HARBOR: A PILOT PROGRAM CONCEPT

- \$25,000 seed money from Sausalito Tidelands Fund
- Up to \$165,000 CESH (California Emergency Solutions and Housing) grant funding
- Up to \$25,000 from Marin Community Foundation
- Additional options include Sierra Club, HUD Vouchers, Homeward Bound, Veterans Services
- Coastal Trust Fund?
- Other federal, state, county, and local funding opportunities

SAFE HARBOR: A PILOT PROGRAM CONCEPT

- In early November 2019, the first anchor out was moved into a berth in Sausalito Yacht Harbor
- In December 2019, the second anchor out was moved into a berth in Clipper Yacht Harbor
- Currently:
 - A third anchor out has been accepted into a marina and will move into a berth as soon as some minor repairs are made to his vessel
 - Additional anchor outs are being vetted with the goal of placing two (2) more anchor outs into harbors within the next 60 days
 - Although the pandemic has sapped many resources throughout California, Sausalito hopes to identify long term funding for its Safe Harbor program

MEETING WITH SENATOR MCGUIRE

- Senator Mike McGuire and representatives of the City of Sausalito and Richardson Bay Regional Agency have recently attended several in-person and telephonic meetings to strategize regarding issues related to Richardson's Bay.
- Topics discussed included possible solutions to meet BCDC's enforcement requirements and possible one-time funding sources for those proposed solutions.
- Senator McGuire, RBRA and the City of Sausalito are drafting a joint letter to transmit to BCDC's Enforcement Committee containing a conceptual transition plan for those living on Richardson's Bay.

3-PART CONCEPTUAL PLAN:

Our plan, which is still conceptual in nature, is comprised of three key components:

1. The provision of permanent supportive housing for those individuals living on the Bay including:
 - a. Land-based housing through the creation of affordable housing wrapped with supportive services;
 - b. Creation of affordable housing in marina slips wrapped with supportive services; and
 - c. Identification of available affordable special needs housing in County of Marin to assist in the process of transitioning people off the water and into housing. The reason this portion of the plan is important is that before we can start transitioning people off the water, we have to provide them with shelter.
2. Restoration and improvement of Richardson's Bay water quality including eel grass restoration.
3. Enhanced enforcement on Richardson's Bay as individuals presently living on Richardson's Bay are transitioned elsewhere.

FUNDING AND TIMING OF 3-PART TRANSITION PLAN

- Separately, Senator McGuire is working with California's Housing and Community Development Department and California's Department of Finance to identify potential funding for affordable housing -- the first component listed above.
 - The City of Sausalito is working to identify potential sites for affordable housing (sites already identified in our current Housing Element or that we have discussed as part of our General Plan update).
 - We may also elicit our housing consultant's assistance in identifying the most feasible site(s) for the financial assistance the Senator is seeking.
 - This could be an excellent opportunity to secure funding for affordable housing sites, the development of which might otherwise have to be put off quite a bit longer.
- The Senator is also seeking funding to assist in restoration of Richardson's Bay.
- Because some of these efforts will require a significant investment of time and resources in order for our state and regional partners to identify funding and necessary supportive services, the Senator is requesting BCDC's support of our conceptual plan, as well as additional time to collaborate to formalize and implement this plan to respond to the concerns enunciated in the Audit Report from the State Auditor.

COVID-19

- The financial impacts of COVID-19 are uncertain but will certainly be significant
- Sausalito is looking at a 10-20% impact to its General Fund revenues in the next year
- The level of State and Federal relief available is uncertain
- Already the CESH grant funding the City of Sausalito was depending on for its Safe Harbor Program has been delayed
- Sausalito's future waterfront management efforts will undoubtedly be affected, as will all of its services
- Sausalito will continue to keep BCDC apprised on a monthly basis of the feasibility and efficacy of its waterfront management efforts

SAUSALITO REQUESTS OF BCDC

- Clarity regarding enforcement of BCDC policies for Richardson Bay
- Support Sausalito's existing plan for its Legacy Anchor Outs, including its Safe Harbor program and its policy to not allow newly arrived boats to moor longer than 72 hours, including Legacy Anchor Outs who voluntarily leave Sausalito waters
- Increase Sausalito's liveaboard allocation from 10% to 15% per marina to facilitate transition from anchor out to Safe Harbor to liveaboard
 - This solution would address a regional issue: By reducing moorings in Richardson's Bay, allow eel grass to thrive; eel grass is food source for herring; herring is food source for migratory birds along western seaboard
 - Aligns with BCDC mission to preserve the Bay from indiscriminate filling
 - Ritter Center estimates each person will take 6-18 months to transition; there may be up to 100 people living on Richardson Bay; we presently have 8 slips available
 - The length of time this overall program will take will depend on the number of slips available

THANK YOU

