



City of Sausalito - Bay Conservation and Development Commission

Triannual Update to the Enforcement Committee



Presented to BCDC August 23, 2023



Agreement Between BCDC and The City of Sausalito



-
- Waterfront and Vessel Management
 - Regional Cooperation - Housing
 - Eelgrass Habitat Mitigation and Damage Avoidance
 - Reporting

Discussion Outline



- Introduction
- Waterfront Management - Sausalito Police Department
- Regional Cooperation-Housing -Community & Economic Development Director Brandon Phipps
- Eelgrass Habitat Mitigation and Damage Avoidance Plan - Robert Mooney, Taxonomic Services, LTD, City Eelgrass Consultant
- Close and Questions

WATERFRONT MANAGMENT:

Sausalito Police Department

Waterfront Management Plan Priorities

HIGHEST PRIORITIES

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

LOWEST PRIORITY

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



STRATEGIES & PRIORITIES:



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 the five remaining occupied boats already on our waters through attrition and through Marin County / Sausalito relocation efforts

- The age of the remaining Legacy Anchor Outs ranges from 68 to 80; we estimate this approach could take three-five years for the five Legacy Anchor Outs to transition off the water

SAUSALITO POLICE DEPARTMENT EFFORTS:



Relationships with Legacy Anchor Outs

- We make it a priority to maintain contact with those living on our legacy vessels.



Safe Harbor Program

- We continue this work with our partners within the city and county to further the program.



Partnership with Marin County Sheriff Marine Unit

- Staffing has limited our ability to monitor the water - MCSO has been providing assistance when needed.

RICHARDSON BAY

2010



2015

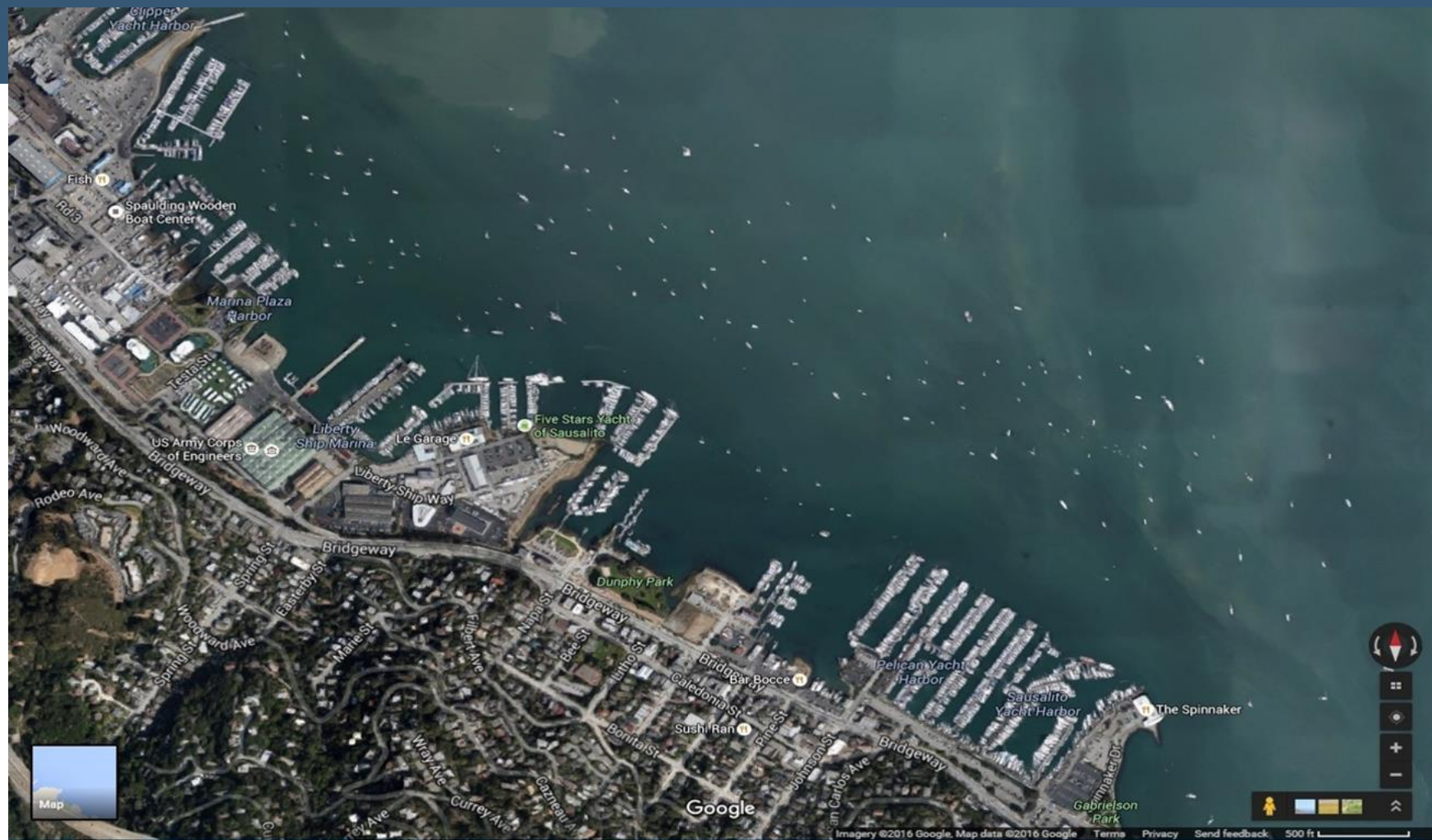


Photo Taken June 9, 2023

(1) Legacy Boat at Turney Basin



Photo Taken June 9, 2023

(4) Legacy boats plus Vadura.



Vadura

- Described as a 100-foot-long vessel that has been statically anchored in Sausalito waters for 25+ years.
- Due to size and construction, specific contractors and harbors will have to be located for towing, storage and dismantling.
- A surveyor will need to evaluate the Vadura's status prior to being towed.
- Need to evaluate and determine hazardous material on board and plan for removal.
- Potential for protests and other opposition.
- SPD has started the information gathering to determine cost and logistics for removal.



Examples of Waterfront Management

- Safe Harbor Program
 - A program to assist in the goal of empowering Anchor Outs toward an independent life.
 - Partnership with Marin County Department of Health and Human Services, Ritter Center, the Sausalito Chamber of Commerce, and with various marina operators throughout town
- Monitor for Illegally Moored Vessels
- Active Patrol on the Waterfront

REGIONAL COOPERATION-HOUSING:

Section 3a: Implement Measures to Create Additional Housing Opportunities

Brandon Phipps, Community and Economic Development Director

REGIONAL COOPERATION-HOUSING:

Section 3a: Implement Measures to Create Additional Housing Opportunities

6th Cycle Housing Element Update:

- Public Process to plan for 724 Housing Units
 - 200 Very Low-Income Units
 - 115 Low Income Units
 - 114 Moderate Income Units
 - 295 Above Moderate-Income Units

Housing Element (HE) Submittal & Review Timeline:


- **10/28/2022:** Draft HE submitted to the State Department of Housing and Community Development (HCD).
- **1/26/2023:** City received comments from HCD on January 26, 2023.
 - City revised the draft HE in response to comments/recommendations.
- **1/30/2023:** City Council adopted an updated HE.
- **2/27/2023:** City submitted adopted updated Housing Element to HCD.
- **4/28/2023:** City received letter of substantial compliance from HCD.

As of 5/30/2023, City of Sausalito was the only jurisdiction in Marin County with an adopted and compliant Housing Element

REGIONAL COOPERATION-HOUSING:

Section 3a: Implement Measures to Create Additional Housing Opportunities

-  6th Cycle Housing Element Update (Continued):
 - The City's adopted Housing Element promotes water-based housing opportunities.

-  Program 9: Liveaboard & Water-Based Housing
 - 8 marinas in the City
 - Sausalito & BCDC allow for up to 10% of marina berths as liveaboard
 - Maintain zoning provisions which support 10% liveaboard
 - If permitted, work with BCDC¹⁵ to allow 15% liveaboards & create provisions for 100% water-based residential communities (e.g., Galilee Harbor)
 - Reporting program to give preference to low/moderate income liveaboards
 - Quarterly meetings with BCDC on a model water-based housing program
 - Identify new sites for water-based housing, work with water-based owners

REGIONAL COOPERATION-HOUSING:

Section 3a: Implement Measures to Create Additional Housing Opportunities



SB 9:

- The City's SB 9 Ordinance went into effect on July 28, 2022.
- Implements ministerial "by-right" regulations for new housing units in residential zoning districts.
- City's SB 9 Ordinance may be amended in 2023 to include additional standards based on in-progress Objective Development & Design Standards.



Objective Development & Design Standards (ODDS):

- Facilitates the creation of new housing units by establishing by-right ministerial regulations that streamline the review and approval of housing projects.¹⁶
- Update on status presented to City Council on January 12, 2023.
- A draft version of the second phase of ODDS was brought before the Planning Commission on March 29, 2023 for their review and consideration.
- Staff are working to bring a revised version of the ODDS back to the Planning Commission for additional feedback / comment.

REGIONAL COOPERATION-HOUSING:

Section 3a: Implement Measures to Create Additional Housing Opportunities



Accessory Dwelling Unit (ADU) Ordinance Update:

- City currently working to update its ADU ordinance to comply with State ADU law
- Approved with recommendations by Planning Commission on July 12, 2023.
- Scheduled to be heard by City Council in September 2023 for final approval / adoption.



Machine Shop:

- Formerly pursuing purchase of the “Machine Shop” with Government Services Administration to relocate existing Corporation Yard to the Machine Shop site.
- Potential for shared corporation yard.
- UPDATE: Discussions on the potential acquisition have stalled and it is unlikely the City of Sausalito will proceed with this endeavor.

EELGRASS HABITAT MITIGATION AND DAMAGE AVOIDANCE

Robert Mooney, Taxonomic Services, LTD, City Eelgrass Consultant

EELGRASS HABITAT MITIGATION AND DAMAGE AVOIDANCE

Per the BCDC - Sausalito Agreement:

- **Goal is to restore, create, or enhance eelgrass habitat to mitigate for damage caused by unlawfully anchored vessels in City waters**



EELGRASS HABITAT MITIGATION AND DAMAGE AVOIDANCE

Mechanisms to Achieve Goal:

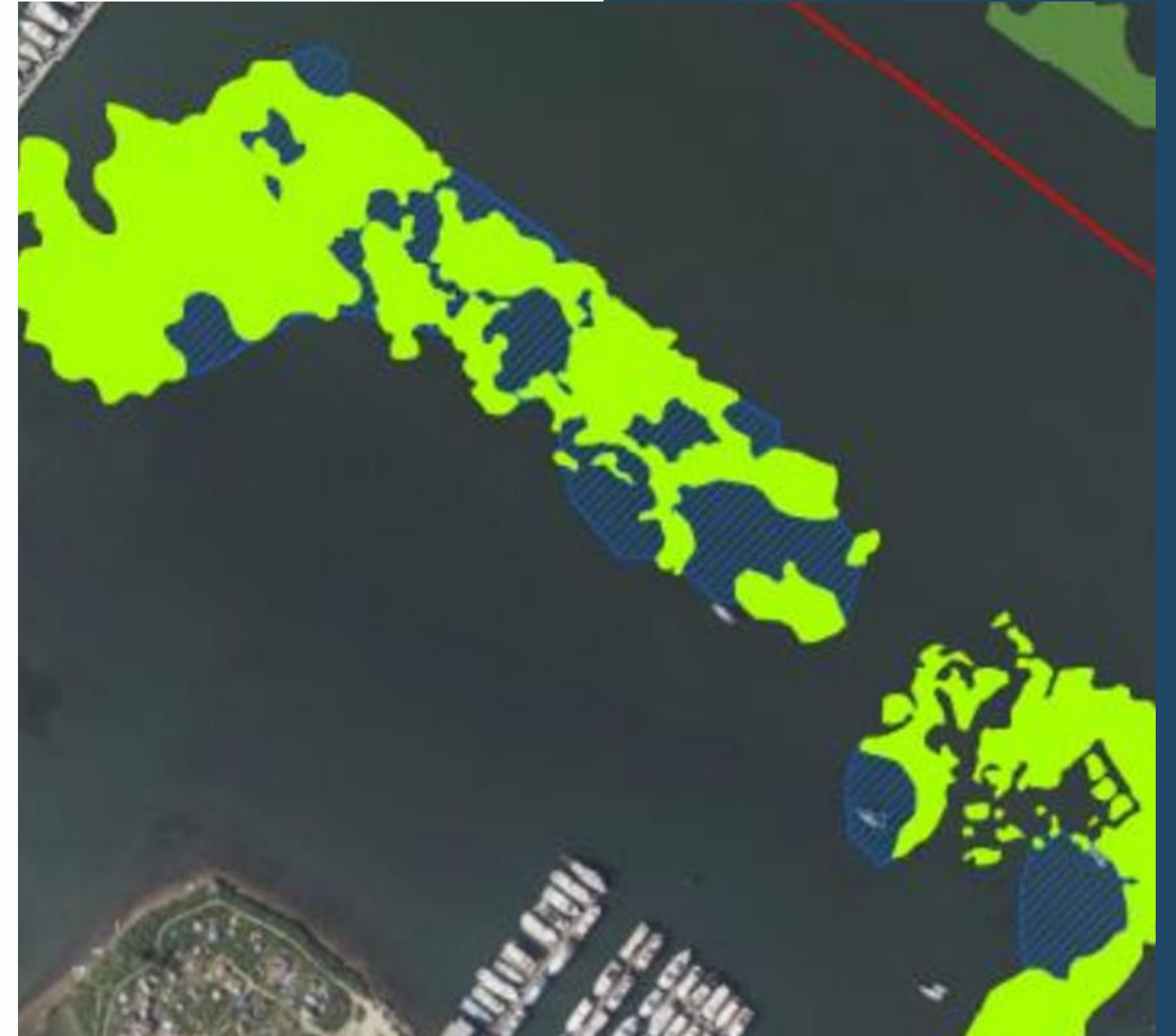
- **Quantify eelgrass damage**
- **Mitigation plan**
- **Measures to avoid and minimize further damage**
- **Develop Mitigation Plan**
- **Monitor and adaptively manage eelgrass feasible restoration activities for at least 10 years**



Eelgrass Habitat Mitigation and Damage Avoidance

Status Update:

- Eelgrass damage associated with illegal mooring and anchoring was conservatively estimated at 6.28 acres in Sausalito waters
- Source for data analysis was M&A (2019) which mapped eelgrass and anchor scars throughout Richardson's Bay
- Data was cropped by the City of Sausalito water limits
- Results provided in MTS memorandum dated October 15, 2021



Eelgrass Habitat Mitigation and Damage Avoidance

Status Update:

Additional data collection

- Eelgrass mapping update April 2022

Restoration Plan Preliminary draft

- Established potential restoration areas
- Was provided to BCDC on June 30, 2022

BCDC Response

- December 14, 2022

Mitigation / Restoration Plan 2nd draft

- Provided to BCDC May 4, 2023

BCDC Response

- June 16, 2023

Expert Review

- Received by BCDC July 31, 2023



Expert Comments on Draft ERP

Richardson Bay Eelgrass Carrying Capacity

- Expert agreement that the 1.2:1 mitigation ration could be infeasible to attain given Richardson Bay's natural geomorphology and ability to support eelgrass
- Suggestion to revisit the Settlement Agreement

Active vs Passive Restoration

- No mention in the Settlement Agreement
- Suggestion to consider restoration as a whole, rather than separate out

Adaptive Management

- Agreement by experts and CDFW that mooring scars should fill in naturally
- Adaptive management could be considered after 5 years of monitoring

City of Sausalito Eelgrass Restoration Plan for Impacts Associated with Vessel Anchor Outs

June 29, 2022 (Rev. May 4, 2023)

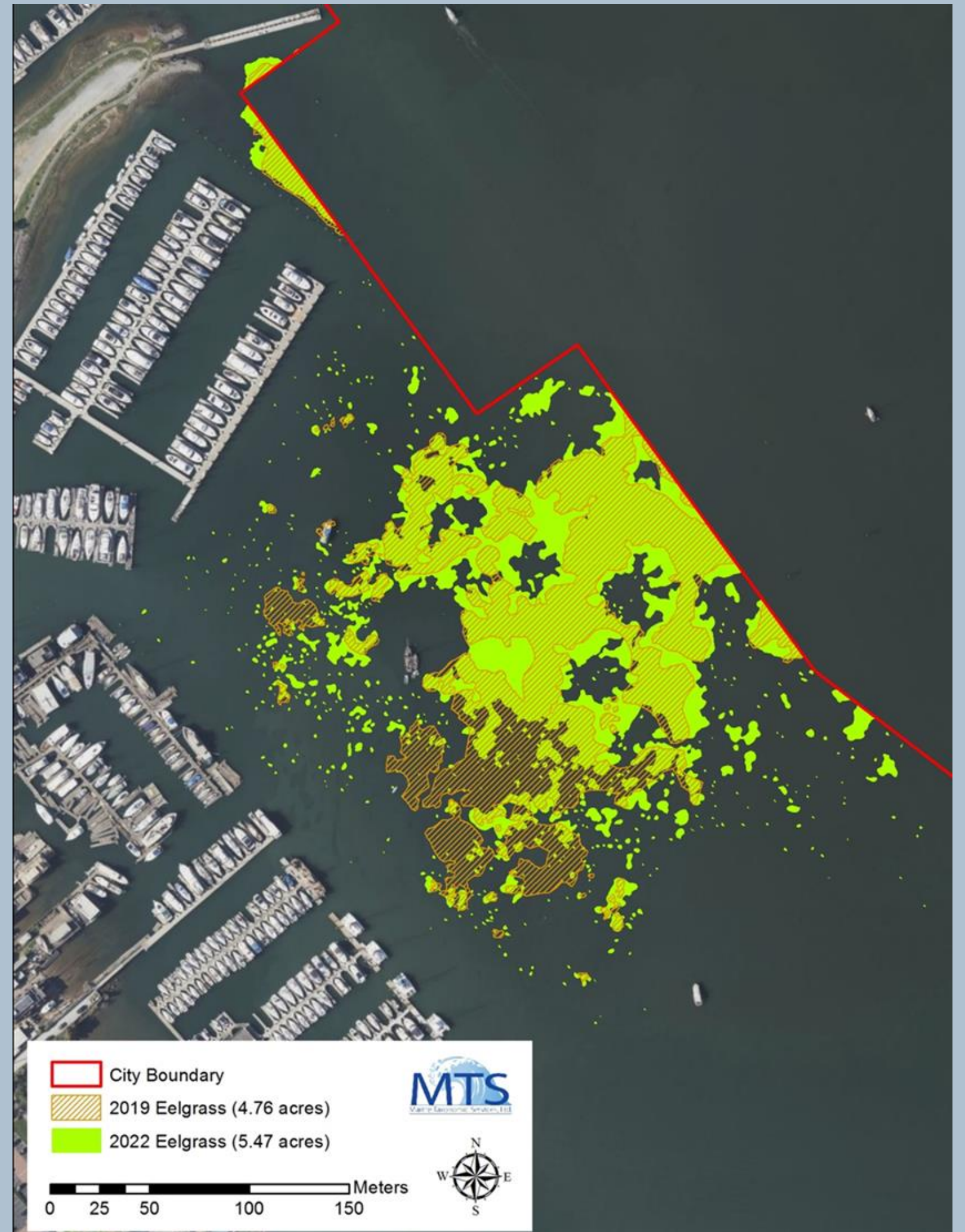
Prepared for:

City of Sausalito
420 Litho Street
Sausalito, CA 94965



Prepared By:

Marine Taxonomic Services, Ltd.



Questions?

Thank you!

MAILING ADDRESS

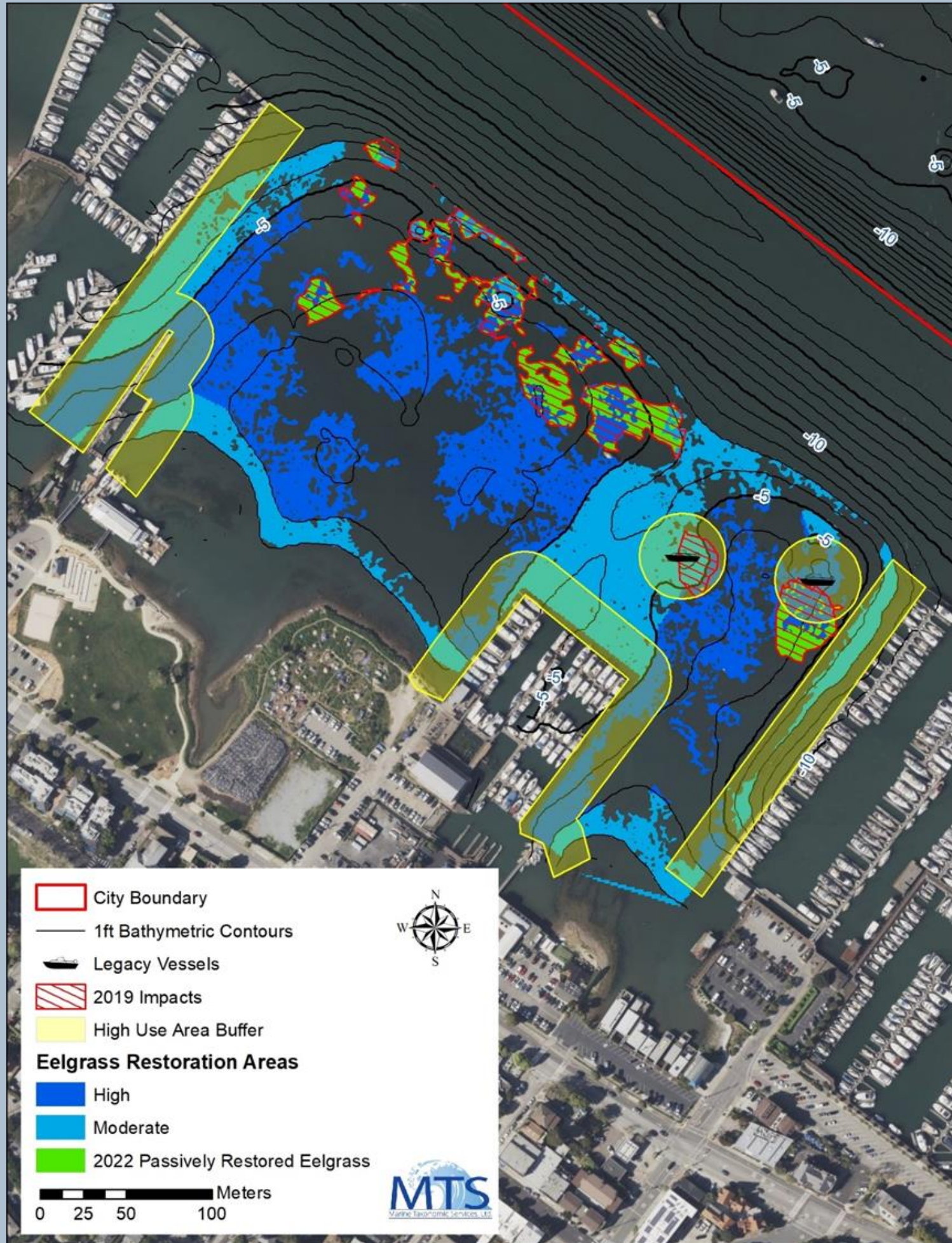
420 Litho Street, Sausalito, CA 94965

Website

www.sausalito.gov

PHONE NUMBER

(415) 289-4100



Eelgrass Habitat Mitigation and Damage Avoidance

Mitigation / Restoration Plan:

The revised eelgrass Mitigation / Restoration Plan:

- Is currently being reviewed by City of Sausalito Staff and Council
- Identifies 7.30 acres of passive recovery in Sausalito waters
- Sausalito is identifying suitable areas in Sausalito waters where restoration efforts may be feasible
- Sausalito is identifying the most suitable means and methods to restore (where feasible) and enhance eelgrass growth
- Discussions with CDFW to support the restoration has resulted in a need to balance harvest impacts with the value of the restoration.

