

DRAFT

Richardson Bay Regional Agency

Vessel Buy Back Program

PROCEDURES

1. Procedures

- a. The following Procedures have been developed by staff in order to properly implement the Program approved by the RBRA Board of Directors.
- b. Procedures may be amended by the Executive Director to fully implement the policy direction of the Board of Directors.

2. Notification and steps

- a. RBRA will notify each vessel owner/responsible party, based on best available data, regarding existence of the program.
- b. Applications for participation in this program will be confidential until such time as the final payment has been made. The RBRA will not proactively publicize the name of any individual participating in the program.
- c. RBRA will provide an application form to interested parties.
- d. Vessel owners/responsible parties are advised to apply at the earliest possible date, as funds are limited.

3. Vessel and Recipient Eligibility

- a. To be eligible for payment, vessels and floating homes must be included on the vessel inventory compiled by RBRA, dated June 1, 2022.
- b. RBRA will notify vessel owner/responsible party applicant of eligibility within thirty (30) days of receipt of application deemed complete by RBRA.
- c. RBRA will determine the length of the vessel or the floating home at the water line. Determinations of vessel length are final and are not subject to appeal.

4. Owners' and occupants' ability to meet program requirements and terms of the buyback agreement

- a. Where relocation to safe housing on land or in an authorized liveaboard marina slip is required for eligibility, verification of such relocation for all vessel occupants shall be required. Authorized forms of verification include an executed lease, purchase agreement or

recorded deed demonstrating housing ownership, written statement from a public or non-profit housing provider, written statement from a family member or friend providing housing, or other form of verification determined satisfactory by RBRA to demonstrate an extended living arrangement in safe housing. RBRA reserves the right to independently verify safe housing arrangements.

- b. Where relocation to another vessel on the bay is required for eligibility, the vessel serving as relocation may be owned by the person participating in the vessel turn-in program or owned by another party. If the vessel is owned by another party, a signed statement from that other party authorizing the relocation for a period of up to at least six months shall be required. RBRA may communicate directly with the other party to confirm relocation arrangements and conditions.
- c. Payments will be made by RBRA upon its determination that all program requirements have been met, in accordance with *Section K, Payment Timing*, of the Program.
- d. Eligibility for the final 20% payment will be determined by RBRA, based on its own observations and from verifications from third parties such as those providing relocation or housing required under the agreement. In the event that RBRA determines that the program participant has not complied with the terms of the agreement, RBRA may, at its sole discretion, suspend, reduce or revoke the final payment. In addition:
 - i. RBRA shall make a good faith effort to notify the program participant of the decision and the reasons for suspension, reduction or revocation of final payment.
 - ii. In cases where a final payment has been suspended, reduced, or revoked, the program recipient may provide RBRA with information refuting the grounds for the decision. RBRA has sole discretion on whether sufficient information has been provided to alter the decision. Following consideration of any submitted information, RBRA may decide to make partial or full payment, set a date sixty (60) days later to re-evaluate compliance with terms of the agreement, or determine that violations of the agreement cannot be cured and render the final payment revoked.
- e. In cases where the terms of the agreement have been violated, RBRA may determine the violations are significant and/or ongoing and warrant action on RBRA's part to seek payment recovery.

5. Prioritization

- a. Vessels/floating homes will be considered for program eligibility and payment on a first come first served basis.
- b. Applications will be reviewed on a weekly basis.
- c. Should there be insufficient funds for all applicants, eligibility will be prioritized according to Section F of the 'Vessel Buyback Program.'

6. Financial and legal interests

- a. RBRA staff will maintain records of program funds available, committed, and expended.
- b. Agreements required under the buyback program shall be in a form approved by RBRA legal counsel.
- c. RBRA may suspend or terminate the program at any time.

7. Success in meeting program goals

- a. Staff will report out to the RBRA Board of Directors on a monthly basis on program metrics.
- b. Metrics will include but not be limited to:
 - i. Number of vessels/floating homes beginning the process with:
 - a) submittal of application; and b) approved application
 - ii. Number of vessels/floating homes turned in/removed
 - iii. Location of vessels turned-in/removed; i.e. inside or outside the EPZ
 - iv. Progress reporting by number of vessels for which: a) initial payment has been authorized or issued; b) final payment has been issued; c) number of vessels for whom final payment has not been made due to failure in meeting program requirements
 - v. To-date financial reporting on funds committed for payment, expended, and remaining in program