

CBJ Docks and Harbors Board
Harbor Fee Review Committee Meeting Minutes
For Wednesday March 9th, 2016

- I. Call To Order – Budd Simpson called the meeting to order at 12:00 p.m. in CBJ room 224.
- II. Roll Call – The following members were present: Tom Donek, Robert Mosher, Bob Janes, and Budd Simpson.

Absent – David Lowell

Also present were the following: Carl Uchytel – Port Director, Doug Unruh – Operations Maintenance Supervisor at Statter Harbor, and Dolly Raster - Administrative Assistant III.

- III. Approval of Agenda.

MOTION By MR. JANES: TO APPROVE THE AGENDA AS PRESENTED AND ASK UNANIMOUS CONSENT.

Motion Passed With No Objection

- IV. Approval of February 10th, 2016 Harbor Fee Review Committee minutes.

MOTION By MR. DONEK: TO APPROVE THE FEBRUARY 10TH, 2016 HARBOR FEE REVIEW COMMITTEE MINUTES AS PRESENTED AND ASK UNANIMOUS CONSENT.

Motion Passed With No Objection

- V. Public Participation on Non-Agenda Items – None

- VI. Unfinished Business – None.

- VII. New Business

1. Active Fishing Vessel Discount at Statter Harbor ([05 CBJAC 20.044](#))

Mr. Uchytel said in regulation, we have the opportunity for fishing vessels that have reserved moorage downtown to receive up to 20 days in a calendar year of credit to use Statter Harbor. There are certain requirements to be eligible for those 20 days per calendar year. Fish tickets need to be provided to the office showing that you have landed fish and sold to a processor in the Juneau Borough. In 2014, the requirement for fish to come to a Juneau processing plant came up as an issue at the Ops/Planning Committee. Former Board Member Fisk had said that when the regulation was created in 2005, the intention was to incentivize patronizing local businesses.

Committee Questions

Mr. Simpson pointed out in the minutes from 2013 there were 75 fishermen who qualified for the credit in 2012, and 49 fisherman took advantage of it for a total of

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just under 600 days and \$12,500 in free moorage. He asked if that is a steady number or if more or less people are taking advantage of it now?

Ms. Raster said last year 76 fishermen were eligible and 35 participated, she can find out how many days were used and what the cost for moorage was.

Mr. Uchytal said it's possible that the number has decreased from 49 to 35 fishermen taking advantage of the credit because 14 are selling their fish outside the Borough.

Mr. Simpson said the revenue derived from fishermen making landings is a foundation for this policy.

Mr. Uchytal said the raw fish tax that Docks & Harbors received in 2015 was \$384,000, in 2014 was \$395,000, and in 2013 was \$425,000.

Public Discussion- None

Committee Discussion/Action

Mr. Mosher said having to turn in fish tickets is a ridiculous rule. Docks & Harbors does not need to know where people are selling their fish or strong-arm fishermen into who they sell to. Out of town boats sell to local companies and we're getting all of their fish tax. There is a lot of revenue being brought in by any of the fishing boats that come here. He resents having to show his pay stub to get free moorage. These are all local boats that are going to take advantage of this because they're going to have yearly moorage downtown. He suggested having the 20 days apply during May through September, and having no charge during the rest of the year when the harbor is not full.

Mr. Simpson asked if the purpose of showing fish tickets is to verify that you are an active commercial fisherman? It doesn't matter how much fish you're bringing in, as long as you're contributing to the fish tax.

Mr. Mosher said he doesn't fish up the Canal so he's not going to use this in the summer months. What harm would it do if he went sport fishing for king salmon in May? Why should he have to pay extra for moorage if he's already paying for his moorage downtown?

Mr. Simpson said everybody else with moorage downtown has to pay to use Statter Harbor.

Mr. Mosher said he thinks we should change that. Everyone that pays for a stall downtown should get 20 free days at Statter Harbor to do whatever. He sees no reason Docks & Harbors should be double-dipping.

Mr. Simpson said we may be able to look at a seasonal difference, since there is not a problem with space in the winter.

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Mr. Mosher said from a personal perspective he finds it quite intrusive to have to show his fish tickets in order to get free moorage.

Ms. Raster said staff only looks for the name of the boat and month. She never sees dollar amounts.

Mr. Mosher said it's the principle of it, and there are plenty of people that complain about it.

Mr. Unruh said if it was up to him he would do away with free moorage in the summer months completely because Statter Harbor is so overcrowded. We are turning paying people away for people that don't pay.

Mr. Mosher said there has to be some advantage to being a resident.

Mr. Simpson asked what would be another way to confirm you are an active commercial fisherman without having to show fish tickets?

Mr. Mosher suggested using limited entry gillnet or seine permits. He said he would have no problem showing his card.

Mr. Unruh asked if a commercial fishermen who is a stall holder in Auke Bay gets the 20 free days per year?

Mr. Simpson said no because he has an assigned stall. We could give him 20 free days downtown as an offset.

Mr. Janes said due to crowding, he disagrees with allowing 20 free days at Statter Harbor in the summer if you are not actively commercial fishing.

Mr. Donek said you don't have to be actively fishing the day that you're in the harbor in order to get your discount. You've got basically 60 days to turn in a fish ticket, so it doesn't make a lot of difference whether we use the limited entry permit or the fish tickets.

Mr. Simpson suggested accepting a limited entry permit on a trial basis for one season to see if there is a big difference or if it creates any unintended problems. He asked what if the free days were available only on weekdays?

Mr. Mosher said the fisheries always open at noon on Sunday so everyone is there Saturday.

Mr. Unruh agreed the boats will be there regardless.

Mr. Janes asked Mr. Unruh if he is able to sense whether someone is really fishing or just there for a family vacation?

Mr. Unruh said if a boat hasn't moved for ten days he obviously isn't fishing, but most of the seiners and gillnetters are using their boats.

Mr. Janes asked if we get many complaints about this?

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Mr. Uchytel said the clarification memo in 2014 was very helpful.

Ms. Raster asked if we did accept the fishing permit card, wouldn't that give all 76 eligible boats 20 days free?

Mr. Janes said yes, whether they were actively fishing or not. If they are not required to sell their fish locally, all 76 boats may be able to use the credit.

Ms. Raster requested that the Board wait until the Douglas Harbor rebuild is completed to implement this change.

Mr. Donek said he was concerned about the message Docks & Harbors would be sending to local processors if we did away with the fish tickets.

Mr. Mosher said it's none of Docks & Harbors' business whether the local fishermen sell locally or not.

Mr. Janes suggested inviting the local processors to a meeting to hear their comments before making a decision.

Mr. Donek said if it doesn't make any difference to the processors then we don't need this rule.

Mr. Uchytel asked if there are any packers that qualify for the credit?

Ms. Raster said there are two tenders that have year-round stalls downtown and we give them the 20 free days at Statter Harbor.

Mr. Simpson suggested forwarding this item to the next meeting and directed staff to contact the local fish buyers for their comments.

No motion was made.

2. Fee for Tenders ([05 CBJAC 20.045](#))

Mr. Simpson said he was here when this regulation was adopted. Every boat of a certain size has a skiff with it, on a davit or up on the roof. A lot of people were keeping their skiff in the water next to their boat to zip around and run errands, etc. From a policy standpoint, we decided that if people have an assigned stall and they can put the skiff within the footprint of the stall and not extend it out into anyone else's way, then we don't need to charge extra for that. If you're sticking it off your stern and it's projecting into the fairway then you need to be paying for it.

Mr. Uchytel asked how yachts are charged for their tenders?

Ms. Raster said if they are in the water we charge them moorage by the foot.

Mr. Simpson agreed if they are using space in the water at one of our docks then they should be charged for moorage.

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Ms. Raster said she would like to keep it simple and charge moorage for any vessel that's in the water. When people take their boats out and leave their skiffs, we can't borrow their stalls.

Mr. Simpson said if they take their boat out and leave their skiff, then it's not a tender. If it was a tender they should be taking it with them.

Mr. Uchytel asked if people leave their skiffs so no one else uses their slip?

Ms. Raster said no, they just don't need it so they don't take it.

Mr. Simpson said they are basically just putting two boats in their slip.

Committee Questions- None

Public Discussion- None

Committee Discussion/Action

Mr. Mosher said he has his 14 foot Lund tied to the side of his 34 foot boat for various sporting activities and he doesn't see any problem with that.

Mr. Janes said in Statter Harbor tying up to somebody is a practical, common occurrence. Sometimes the only place to tie up is next to somebody, and if somebody has a tender of some kind there, they are really taking that space for free.

Mr. Unruh said we are talking about two different things: stall holders and transient facilities. In the transient part of Statter Harbor, if you are in the water, you get charged.

Mr. Simpson said the regulation is for people who are paying for a stall, and have a small tender that fits in the footprint of their stall and doesn't impede anybody else's space or the fairway.

Mr. Uchytel said you can infer that this is for people who are paying reserved moorage for a stall but the regulation doesn't say that.

Mr. Unruh asked if someone gets charged for his 14 foot skiff if he goes fishing and leaves it there?

Mr. Mosher said yes, staff charges for the skiff and he disagrees with that.

Mr. Uchytel said if they leave the skiff then we can't hot berth the stall.

Ms. Raster said the 14 foot boat would be too small for that stall.

Mr. Simpson reiterated if you have a skiff that's not going with your main boat then it's not a tender, it's a second boat so the free tender moorage doesn't apply.

Mr. Donek asked where you put the tender for the \$150 annual rate?

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Mr. Simpson said up by the bow between your boat and the dock.

Mr. Donek said that's within the footprint.

Mr. Simpson said if your tender is interfering with somebody else's area then you have to pay.

Ms. Raster said for the most part it works. The only time patrons get upset is when their big boat leaves and they get charged for their little boat.

Mr. Mosher said if he leaves to go crabbing for a week, there is no place to leave his skiff in Harris Harbor. He's not supposed to leave it in his stall, tie it to the main float, or tuck it up under a neighbor's bow. He's done all those things and been charged the daily rate for it.

Mr. Donek said this regulation is fine just like it is. What we're talking about here is whether a stall holder is allowed to park a second boat in their stall when their primary boat isn't there.

Mr. Janes said if you have an assigned slip, and you have more than one boat you should be able to keep your second boat in your assigned slip.

Mr. Simpson said what you can't do is let your friend park his skiff in your spot while you're gone. Then it's hot-berthing and we'll charge for that.

Mr. Janes asked how often is staff unable to hot-berth a stall because there is a skiff in it?

Ms. Raster said it happens all the time, especially in the summer. We have very little transient area so we rely on hot-berthing. We call and tell them they need to move their skiff. We don't want to put a stranger up against their skiff in case something goes wrong.

MOTION By MR. MOSHER TO LEAVE THIS LIKE IT IS AND LEAVE IT TO THE STAFF'S DISCRETION TO MAKE IT WORK AND ASK UNANIMOUS CONSENT.

Motion passed with no objection.

VIII. Future Business

1. Active Fishing Vessel Discount at Statter Harbor ([05 CBJAC 20.044](#))
2. Residence surcharge ([05 CBJAC 20.050](#))

IX. Next Harbor Fee Review Meeting – Wednesday, April 13th, 2016.

X. Adjournment – The meeting adjourned at 1:15 pm.