

## Harbor commission updates rules, elects leaders

December 24, 2021



The Crescent City Harbor Commission recently updated a majority of the district's rules and regulations, and elected next year's president and secretary.

On Dec. 21, Rick Shepherd was elected to serve as president and Harry Adams as secretary. Shepherd stated shortly after the vote that he wasn't sure about taking the position due to what he called "animosity amongst the public" towards former President Brian Stone, "but I'm hoping things will go a little smoother and we won't have the animosity we've had," he said.

A week prior, during a Dec. 16 workshop, the commission made minor changes to two of its articles that fall under the Crescent City Harbor District Ordinance Code, though some changes were postponed to allow for more discussion.

One of the regulations passed requires boat owners to use an approved isolation transformer or galvanic isolator.

The commission also agreed that boat owners will be notified if electrical service at the harbor are turned off so that commercial fishermen can take precautions to preserve bait and other perishables.

However, some of the more contested matters, such as how much to charge an oversized vessel and what time to hold their twice-monthly meetings, was postponed.

According to the district's legal counsel, Gina Herrera, specific days and a meeting time must be specified in its ordinance under the California Harbors and Navigation Code.

Currently, the commission meets on the first and third Tuesday of the month at 2 p.m.

Attendee Annie Nehmer spoke before the commission and said the midday meeting time is difficult for people who need to pick up kids from school or attend county supervisor meetings earlier in the day. She also noted that Pelican Bay's shift change occurs at 2 p.m., and commercial fishermen are out at sea.

"Why not change it to 3 p.m.?" asked Nehmer. "The prison - the big thing here in this county - has two shifts merging. At 2 p.m., there is just a lot happening."

Stone disagreed, saying the board previously met at 5 p.m., but that required paying staff overtime and meeting earlier in the day is easier for the commissioners.

After several more minutes of discussion, the matter was tabled but will be discussed at the next workshop, which will also include reviewing article three, in either January or February.

In other action, vessel berthing size limitations and what to do about boats that require more than 30-feet in width was discussed.

Under the district's current fee schedule, which was updated in 2017 but is slated to be updated again within the next couple of months, a vessel beam (width of the boat) may not exceed 80 percent of the slip beam, and if it does it must pay an additional 20% of the moorage fee.

Boats exceeding 100% of the slip would pay for 50% of the slip it encroaches upon.

"That's what I was going at, I don't know how to word it, but if we need to work with the boats to make sure they are able to fit in the slips, we need to have some assurance that we can collect money for the revenue we've lost," said Shepherd.

The commissioners agreed that vessels exceeding 100% of its slip would be charged full price for the other slip it encroached upon, unless a smaller boat is able to fit in the adjoining space. In that case, the larger vessel owner would be charged based on the space occupied. According to Harbormaster Tim Petrick, moorage fee changes will be postponed until vessel owners are notified, and after crab season.

Flexibility for those who don't use their slip might also be accommodated.

"It's been my policy at other harbors that if I know you're going to be gone and I've been informed, and if you've paid annually but you're going to be gone for three months, I would credit you back," Petrick said.

“I’ve done that at my last two harbors. It’s harder on accounting but it’s the right thing to do.”

Under the old code, vessel owners were required to move their boats to the harbor’s self-help or work dock if they were going to be welding or using other burn equipment.

“I think welding should be permitted, but if you don’t have your own generator then you need to go to the work dock area,” said Shepherd.

Herrera agreed, adding that an indemnification clause in their rental slip contract should shield the harbor district from liability, but requiring a hot work permit was advised.

A fish cleaning prohibition within the marina, outer boat basin, on docks, moorings and walkways will stand.

“It’s because we don’t want the sea lions getting up on the docks,” said Stone. “If stuff is cut up and thrown in the water or we have scraps on the docks, we’re going to get these 2,000 pound behemoths climbing up onto the docks and they’re going to destroy our docks.”

Currently, the port offers two enclosed fish cleaning stations, and a grant to purchase portable trailers for commercial fishermen to clean, filet and sell their daily catch is being pursued. Under the harbor’s disorderly conduct section, a rule prohibiting foul language was eliminated because according to Herrera, the provision would not comport with the U.S. Constitution’s first amendment.