

CBJ DOCKS & HARBORS BOARD
OPERATIONS/PLANNING COMMITTEE MEETING AGENDA
For Wednesday, September 20th, 2017

- I. Call to Order** (5:00 p.m. in CBJ City Hall Room 224)
- II. Roll Call** (Don Etheridge, Tom Donek, David Lowell, Mark Ridgway, Bob Janes, David Seng, Robert Mosher, Weston Eiler, and Budd Simpson)
- III. Approval of Agenda**

MOTION: TO APPROVE THE AGENDA AS PRESENTED OR AMENDED
- IV. Public Participation on Non-Agenda Items** (not to exceed five minutes per person, or twenty minutes total)
- V. Approval of Wednesday, August 23rd, 2017 Operations/Planning Meetings Minutes**
- VI. Consent Agenda** - None
- VII. Unfinished Business** - None
- VIII. New Business** - None
- IX. Items for Information/Discussion**
 - 1. Regulation Change – Insurance (covered under 05 CBJAC 40.010)
Presentation by the Harbormaster

Committee Discussion/Public Comment
 - 2. Ordinance Change – Safe Condition of Vessels (85.02.020)
Presentation by the Harbormaster

Committee Discussion/Public Comment
 - 3. Update to Vessels Anchored on Docks & Harbors Submerged Lands
Presentation by the Harbormaster

Committee Discussion/Public Comment
 - 4. TIGER Grant Application
Presentation by the Port Engineer

Committee Discussion/Public Comment
 - 5. Auke Bay Marine Station – Leasing Opportunities
Presentation by the Port Engineer

CBJ DOCKS & HARBORS BOARD
OPERATIONS/PLANNING COMMITTEE MEETING AGENDA
For Wednesday, September 20th, 2017

Committee Discussion/Public Comment

6. Harris Harbor Bathroom - Update
Presentation by the Port Engineer

Committee Discussion/Public Comment

X. Staff & Member Reports

XI. Committee Administrative Matters

1. Next Operations/Planning Committee Meeting- **Wednesday, October 18th, 2017.**

XII. Executive Session

1. Personnel matters pertaining to the Port Director's Evaluation

XIII. Adjournment

CBJ DOCKS & HARBORS BOARD
OPERATIONS/PLANNING COMMITTEE MEETING MINUTES
For Wednesday, August 23rd, 2017

I. Call to Order The meeting was called to order at 5:00 p.m. in City Hall Conference Room 224.

II. Roll Call The following members were present: Don Etheridge, Tom Donek, David Lowell, Mark Ridgway, Bob Janes, Weston Eiler, David Seng, Robert Mosher and Budd Simpson.

Also Present: Carl Uchtyl – Port Director, David Borg – Harbormaster, Gary Gillette – Port Engineer, and Mary Becker – Assembly Liaison.

III. Approval of Agenda

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

Motion passed with no objection.

IV. Public Participation on Non-Agenda Items – None

V. Approval of Wednesday, July 19th, 2017 Operations/Planning Meetings Minutes

MOTION By MR. ETHERIDGE: TO APPROVE THE JULY 19th, 2017 MEETING MINUTES AND ASK UNANIMOUS CONSENT.

Motion passed with no objections.

VI. Consent Agenda - None

VII. Unfinished Business -

1. FY17 Docks Enterprise Supplemental Appropriation

Mr. Uchtyl presented the FY17 financial summaries for Docks and Harbors, which are found on pages 14 and 15 of the agenda. We operated in the black for Docks, making \$330,932.85 and for Harbors, with \$734,281.

Committee Discussion

Mr. Janes asked what the miscellaneous revenues are.

Mr. Uchtyl answered those are the leases. The budget we presented to the Assembly in April is on page 16. We need to ask them for authorization to supplement \$176,440. The Assembly knew about the cost but it was never approved as a supplemental.

CBJ DOCKS & HARBORS BOARD
OPERATIONS/PLANNING COMMITTEE MEETING MINUTES
For Wednesday, August 23rd, 2017

Public Comment - None

Committee Discussion

Mr. Eiler asked to please clarify on this thinking they approved it but they hadn't.

Mr. Uchytel said the projected actuals for the remainder of FY17 were presented in April, but we did not receive a supplemental appropriation during the FY18 budget process.

MOTION By MR. ETHERIDGE: TO REQUEST THAT THE ASSEMBLY APPROVE A FY2017 DOCKS ENTERPRISE SUPPLEMENTAL APPROPRIATION FOR \$176,400 AND ASK UNANIMOUS CONSENT.

Motion passed with no objections.

VIII. New Business

1. ADOT & PF Land Disposal and Easement Requests

Mr. Uchytel said ADOT has a project to reconstruct Egan from 10th St. to Seward St. and along that highway they will need easements that we manage as well as some others from the City. They approached the Lands and Resources division to spearhead the efforts. He is fine with the easements, which we will receive compensation for. He is asking the Board to grant Lands and Resources the authority to act in our stead. An appraiser will determine market value.

Committee Questions

Mr. Etheridge asked what effect this will have on our parking areas along Egan like Harris Harbor.

Mr. Uchytel answered this is from 10th Street and will not affect those areas.

Mr. Janes asked about the fraction of a lot on page 19.

Mr. Eiler said this was brought up at the Lands Committee Meeting earlier this month. The City had also reached out to Juneau Hydro Power to see if they had interest in this space but it was ultimately decided to do this.

Mr. Simpson asked is there any parcel or fraction of a parcel that we are doing anything with or have any future intention to do anything with.

Mr. Uchytel answered no. It is a very narrow area.

Public Comment - None

CBJ DOCKS & HARBORS BOARD
OPERATIONS/PLANNING COMMITTEE MEETING MINUTES
For Wednesday, August 23rd, 2017

Committee Discussion/Action

MOTION By Mr. ETHERIDGE THAT THE BOARD DEFER TO THE EFFORTS BY CBJ LANDS & RESOURCES DIVISION IN THE DISPOSAL OF DOCKS & HARBORS MANAGED LANDS WHICH ARE CONTAINED IN THE FRACTION OF LOT 3, USS 3566 AND FOR GRANTING 8 PERMANENT EASEMENTS AND 10 TEMPORARY CONSTRUCTION EASEMENTS TO THE DOT&PF NECESSARY FOR THE 10TH STREET AND SEWARD STREET RECONSTRUCTION PROJECT.

Motion passed with no objection.

Mr. Donek asked that it be put on the consent agenda.

Mr. Simpson said both this and the previous motion should be added to the consent agenda.

IX. Items for Information/Discussion

1. Douglas Harbor Pump-Out Replacement

Mr. Borg said one issue we have with moving forward with Clean Harbors in Douglas Harbor is the location of the current sewage pump-out at the end of the launch ramp. It receives too much ice and salt spray in the winter to be operational all year long. We have been looking at alternatives to improve the system and place it somewhere that it will not freeze in the winter. One option is a Keco pump at the end of the launch ramp, inside a heated facility, but that did not seem feasible. An idea was brought to us of a Keco pump on a barge that was submerged with a 750 gallon holding tank. This is more desirable as we could use a portable pump-out to take it right to our customers then dump it in the barge. Long term this would be much more appropriate but it is more expensive upfront at \$41,000 total. The portable pump itself is \$12,000. We will get more bids from different companies but right now we're probably looking at close to \$60,000 to get something set up and operational.

Committee Discussion-

Mr. Eiler asked how portable this is, could it be taken to Harris or Aurora as well.

Mr. Borg said it is 8'x25'. It would not be necessary to take this to the other harbors as they have their own pump-outs.

Mr. Janes asked if it is electric.

Mr. Borg answered it is gas powered. We have had success with this pump we have in Aurora, it works well and is easy to maintain.

CBJ DOCKS & HARBORS BOARD
OPERATIONS/PLANNING COMMITTEE MEETING MINUTES
For Wednesday, August 23rd, 2017

Mr. Simpson said we need to have this service available.

Mr. Borg said for comparison if we replaced the current pump out in Douglas it would be around \$30,000 - \$35,000, he can't guarantee it would still be working in a year, and it would be a maintenance nightmare.

Mr. Donek asked does Fish & Game have any pump-out money left.

Mr. Borg answered no.

Mr. Janes asked is there heated storage there to store the pump.

Mr. Borg answered yes at the base of B ramp.

Mr. Lowell said he agrees we should replace the pump. He asked where the barge would be moored and will it conflict with vessel traffic.

Mr. Borg answered on the inside of B ramp next to the storage building there. It will not impede vessels and we could actually tie boats up to it.

Mr. Lowell asked would this require a pumping service to come out and service it.

Mr. Borg answered yes, we already have a contract with Tyler and they could do it. At high tide we could move it over or run a line down the gangway.

2. Statter Harbor Breakwater Covers

Mr. Gillette said on page 44 of the agenda is the posting notice of bids for the Statter Harbor breakwater safety improvements, which are the covers over the holes in the breakwater. We are doing the two on the ends first, next to the head walk and next to the fish cleaning station. The plan is to eventually do them all but we wanted to test the waters first to see how much they would all cost. We did get a very low bid at \$73,500.00 when the Engineer's Estimate was \$123,000.00. We reached out to Silver Bow, who placed the lowest bid, and gave them the opportunity to review their bid. They responded and confirmed that amount for placing two covers and replacing the small ramp between the head walk and the breakwater.

Committee Discussion

Mr. Simpson asked how many more are there to do after these two are covered.

Mr. Gillette answered quite a few, maybe 18. One of the ideas was to make sure the system works and is what we want to go with by starting with just two covers.

Mr. Janes asked we came in \$50,000 less than our estimate, can we do a third cover as well.

CBJ DOCKS & HARBORS BOARD
OPERATIONS/PLANNING COMMITTEE MEETING MINUTES
For Wednesday, August 23rd, 2017

Mr. Gillette answered we would not be able to add a third one to the existing contract as it was not bid that way. There is no action needed at this time.

3. TIGER Grant Opportunity

Mr. Uchytel said he has the opportunity to meet with the Secretary of Transportation Elaine Chao and Senator Dan Sullivan in Anchorage tomorrow. He will have lunch and a gathering later as well to discuss what TIGER Grant opportunities there are in Juneau. He will do his best to argue for marine services. Our grand use master plan, expansion of Fisherman's Terminal, and the vision to build a seawalk from Statter Harbor to the Auke Bay Marine Station are the three TIGER Grant opportunities that we see.

Committee Discussion - None

4. Auke Bay Marine Station - Update

Mr. Gillette said CBJ and UAS have signed the agreement for the Auke Bay Marine Station; it has been forwarded to GSA and passed on to the two federal agents. We are not required to do anything at this point. The target date for transfer is November 1, 2017. Once that happens we need to go through a subdivision phase here locally. UAS will access their piece through the Anderson Building property. Our part will be accessed by the frontage road that is being built. Beyond that we need to figure out how we will manage this property now that we have it. The Coast Guard may wish to stay a little longer. NOAA is using the lower level of the fish house right now and they may wish to stay as well which is another opportunity. As we move along some more detailed planning will be needed to create the Statter breakwater connection. If we don't have those tenants there then we can look at the potential for new tenants.

Committee Discussion

Mr. Janes said he has noticed some deferred maintenance that we will need to begin sooner rather than later. Maybe we should do an assessment of immediate deferred maintenance to get a running list to begin getting it all done.

Mr. Gillette said we aren't starting from scratch as UAS has hired PND Engineers and others to look at every building for needed upgrades and that information was shared with us. Some of the buildings had very specific uses and may need to be improved before leasing out. The Fish House is probably the oldest part of the property. Right now the only obligation we have is to allow UAS to put two vessels there which they will pay moorage for.

Mr. Janes asked are we anticipating the need to increase staffing due to this new property.

Mr. Gillette said if we lease some of this out is it possible the tenant will need to caretake it. It would be up to Dave if they require another person.

CBJ DOCKS & HARBORS BOARD
OPERATIONS/PLANNING COMMITTEE MEETING MINUTES
For Wednesday, August 23rd, 2017

Mr. Simpson asked when it is expected that we take over.

Mr. Gillette answered November 1st, 2017.

5. Golden North Salmon Derby Weekend

Mr. Borg said this was an extremely successful derby weekend. My staff came out and did a wonderful job. We utilized the commercial parking lot and were able to fit 17 trucks and trailers in there. We had maximum participation and it all went very well.

Committee Discussion

Mr. Simpson asked was this the highest usage to date.

Mr. Borg said the weekend prior was actually bigger at Statter. He's gotten nothing but compliments on the new facility. We've had to block off the old launch ramp so that no one can use it any longer.

Mr. Janes gave his compliments to Dave and his staff as everyone did a great job. There were no issues from his point of view with the commercial vessels. It went really smooth from the water as well as on the land.

X. Staff & Member Reports

Mr. Uchytel said there will be a follow up liveaboard meeting at the Yacht Club tomorrow at 5 p.m. Reports from the last meeting were very favorable. The biggest concern from the community was safety and security. He spoke about the finances and there was a favorable bid for the breakwater. In Harbors we exceeded our revenues by \$734,000. It is not enough to do everything we want to do but it does show we are making revenue. He appreciates the compliments to staff during the derby weekend. This past weekend the Dock security staff had an incident with a breach by a man with mental issues who passed himself off as part of the Gustavus fire department.

Mr. Borg said to elaborate this man was an issue previously this summer with a security breach and he came back last weekend and just charged right by our Dock staff. My staff secured the dock and immediately called the ship security force who locked down the ship and cuffed him. JPD came down and escorted him off the dock and we had him trespass him from the area. About an hour later he attempted to gain access to the AS dock and JPD was able to arrest him for criminal trespassing. We learned a lot from the first attempt and had improved the way we handled the situation greatly the second time. We had some trespassing forms drawn up and three designated staff who can issue them.

Mr. Uchytel said we are still dealing with the Lumberman, the owner Lucas Drake has recently passed away but he had sold it to another man beforehand. Now we will deal with the new owner to remove it from our tidelands. Statter Harbor Phase III will be

CBJ DOCKS & HARBORS BOARD
OPERATIONS/PLANNING COMMITTEE MEETING MINUTES
For Wednesday, August 23rd, 2017

broken up into three phases. Statter Phase IIIA will be blasting and dredging and will need a 404B permit from Corps of Engineers and that has been applied for. In the meantime we are working with NOAA locally and nationally to get the permits for blasting, dredging, and pile driving.

Mr. Simpson said people should be aware that pile driving now uses vibration rather than a giant hammer.

Mr. Lowell said their science indicates that vibratory driving is more of an impact as it is a continuous nature.

Mr. Uchytel said we were lucky to get 16B done when we did.

Mr. Lowell said DOT paid to have a study done on the last Auke Bay project and based on those results we would have to monitor around 7 miles.

Mr. Janes said the biggest problem the Auke Bay Community had was about the 24 hour fuel dock that was briefly talked about. They have now been educated that the fuel dock is not in the plans.

Mr. Uchytel said he wanted to point out that the 16B project got a national award from the National Contracting Pile Driving Association. Also, Statter Phase II is receiving an award from the States Organization of Boating Access.

XI. Committee Administrative Matters

1. Urban Plan (Marine Park to Taku Dock) Workshop – **Tuesday, August 29th, 2017**

Mr. Uchytel asked if Mr. Donek wants a public workshop as well or just a Board workshop.

Mr. Donek said since there will be a public meeting next; we will just concentrate on the Board this time.

2. Next Operations/Planning Committee Meeting- **Wednesday, September 20th, 2017.**

XII. Adjournment – The meeting adjourned at 6:11 p.m.

05 CBJAC 40.010 - General moorage management policy.

- (a) *Policy.* It is the policy of the City and Borough to favor the use of the small boat harbors by commercial fishermen, government vessels in trade and commerce, and pleasure craft, and by the general public at large. It is further the policy of the City and Borough to prevent and discourage the use of the small boat harbors by boats that have been abandoned by the owners to the point of becoming derelicts as defined in CBJ 85.05 or becoming a charge and nuisance to the City and Borough, the Port Director, and the general public, or boats that are unsafe, or not used, or not fit to be used, regularly for transportation on the water.
- (b) *Applicability and other regulations.* CBJ Administrative Code Title 05, Chapter 40 applies to the small boat harbors under the jurisdiction of the City and Borough of Juneau Docks and Harbors Board. These include the Douglas Small Boat Harbor, the National Guard Dock, Harris Boat Harbor, the Fisheries Terminal Float, Aurora Boat Basin, Statter Boat Harbor, and moorage facilities appurtenant thereto. Where the requirements of 05 CBJAC 40 differ from other small boat harbor regulations in CBJ Administrative Code Title 05, the regulation that is more specific or restrictive shall take precedence.
- (c) *Duty to comply with harbor ordinances and regulations.* As a condition of use, each harbor user shall comply with all applicable requirements of Title 85 of the City and Borough Code and CBJ Administrative Code Title 05.
- (d) *General moorage management.* CBJ Administrative Code Title 05, Chapter 40 does not restrict the Port Director's authority to require the owner or operator of any boat, vessel, or floating structure to change from one mooring space to another, in the interests of safety, order, convenience and health, or to move any boat, vessel, or floating structure that is unoccupied and in violation of City and Borough harbor ordinances and regulations. It is the policy of the Docks and Harbors Board to manage the small boat harbors by using all harbor space as effectively as possible.
- (e) *Duty to register.* Every owner, master, operating or managing agent of any vessel using the small boat harbors shall register on a form provided by the Harbormaster. The owner, master operating, or managing agent of a vessel that is not registered shall register as soon as practical after the vessel enters and moors in any of the small boat harbors.
- (f) *Vessel size restrictions.* The Harbormaster will determine the maximum and minimum length and breadth of a vessel that is allowed to moor in the small boat harbors based on the size of the slip or moorage space available to ensure the maximum use of space available taking into account safety, maneuvering, and other factors. Except when approved by the Harbormaster on a case-by-case basis, no vessel, or part thereof, may extend more than ten feet beyond a finger or have a silhouette length less than three feet shorter than a finger in any slip or mooring space with a finger from 20 to 80 feet in length. For a slip or mooring space with a finger less than 20 feet in length and for side-tie moorage, the Harbormaster will establish the maximum and minimum vessel length on a case-by-case basis.
- (g) *Vessel salvage and disposal.*
 - (1) Prior to obtaining a moorage assignment pursuant to 05 CBJAC 40.035, 050, 055, or 065, the owner of a vessel must
 - (i) provide the Harbormaster with proof of current marine insurance showing, at a minimum, the owner's name, information identifying the vessel, and the dates of insurance coverage; or
 - (ii) pay a non-refundable moorage surcharge \$0.25 per foot per month.
 - (2) The funds collected from the moorage surcharge under this regulation will be used to pay for the unrecoverable costs attributable to vessel salvage and disposal activities in the small boat harbors.

- (3) This regulation does not relieve an owner from the responsibility to pay fees as set out in CBJ Ordinance Title 85 or regulations adopted thereunder, and does not constitute marine insurance.
- (h) *Moorage payments.* Except as noted in 05 CBJAC 20.020, the owner of a vessel may pay the daily or monthly moorage fee for moorage that is assigned by the Harbormaster as set out in 05 CBJAC 25, 35, and 40. If the owner fails to pay by the due date shown on an invoice for the moorage assignment, the Harbormaster shall forfeit the moorage assignment, notify the owner, and require the owner to move the vessel from the assigned moorage space within 72 hours of notice. If the owner does not move the vessel from the assigned space, the Harbormaster is authorized to move the vessel from the assigned space in accordance with CBJ Ordinance Title 85.

(Amended 9-12-2005, eff. 9-20-2005; Amended 9-11-2006, eff. 9-19-2006; Amended 12-11-2006, eff. 7-1-2007; [Amended 7-15-2013, eff. 7-23-2013](#).)

Port of Bellingham Vessel Insurance Requirements

FAQ's

This FAQ (Frequently Asked Questions) is intended to help answer questions about the Port of Bellingham's vessel insurance requirements and changes required by the State of Washington with the passing of Second Substitute House Bill 2457 (SSHB2457). In all cases, we recommend reviewing your vessel policy with your insurance agent.

How does Second Substitute House Bill 2457 (SSHB2457) affect vessel owners and moorage providers?

Vessel owners who permanently moor at private or public moorage facilities must secure and maintain minimum marine insurance coverage for their vessel. Moorage providers must ensure that vessel owners provide proof of minimum insurance coverage for their vessel. More information on the State of Washington's new vessel insurance requirement can be found here:

<http://boat.wa.gov/docs&downloads/MarinaVesselInsuranceQA.pdf>

What are the Port of Bellingham's Rules and Regulations for vessel insurance?

As a condition of moorage, the Moorage Customer is required to provide a marine policy with a term no less than 12 months with coverage of \$300,000 general, legal, and pollution liability. The Port endeavors to be listed as Additionally Insured and a current copy of the policy needs to be submitted at the time moorage is granted and then annually upon renewal. Canadian Moorage Customers need to provide proof of notification if policy is cancelled. Additionally, vessels that are greater than 65 feet and more than 40 years old must also provide coverage for the removal of the Vessel should it become derelict and coverage should the Vessel cause a pollution event.

What insurance requirements have changed since 2005?

The Port's vessel insurance requirement, adopted in 2005, required a minimum of \$300,000 liability coverage. The significant change required by the State of Washington is the inclusion of pollution liability coverage which before now was not a legal requirement. Please note that although individuals may want coverage above the state's minimum requirements, all vessels must still have liability coverage with a minimum of \$300,000.

What is the purpose of marine insurance?

Similar to any land-based vehicle, all vessels berthed within the Port of Bellingham must carry liability insurance. The purpose of this insurance is to financially protect both vessel and property owners in the event of an emergency. These emergencies include, but are not limited to: collisions, personal injury, fires, and extreme weather. Marine Insurance includes coverage for pollution spills and sunken vessels. Due to the large expense associated with many boating accidents, it is important that liability coverage is in place to ensure that the victims of such emergencies are compensated accordingly. Although not

required, it is also suggested that an insurance policy be upgraded to include the personal property of the insured vessel owner.

When must a vessel owner provide proof of insurance?

The Port of Bellingham has required proof of vessel insurance as a condition of moorage since 2005. It has only been recently, however, that certain requirements have changed to comply with Second Substitute House Bill 2457 (SSHB2457) including the addition of pollution liability coverage. An updated insurance policy that meets all Port coverage requirements must be submitted to the Harbor Office no later than April 31st, 2015, and then annually upon renewal.

Which companies supply marine insurance?

Many home and automotive insurance providers offer marine insurance, although some may have restrictions relating to vessel size, age, or value. Check with your current automotive or home insurance provider to find out if they are able to provide you with liability insurance for your vessel. Additionally, there are certain companies that specialize in marine insurance and can answer any marine-related insurance questions you may have.

What happens if I don't provide the Port the required insurance documentation?

The Port's goal is get all the vessels mooring in Squalicum and Blaine Harbors in compliance with the new regulations. Should a vessel owner refuse to comply the Port may proceed with termination of moorage.

What is the difference between a marine policy, watercraft policy, and boat policy?

For the most part these policy titles are used interchangeably. Some insurance agencies use different titles for their vessel policies to distinguish between small, medium, and large vessels, and because there is little standardization between insurance agencies it is common for each individual insurance agency to develop their own unique policy titles.

What type of policy should I look for?

The most common marine policies available are Personal Watercraft, Marine General Liability, and Commercial.

Personal Watercraft Policy: You typically see titles such as 'Boat Policy,' Yacht Policy,' 'Marine Insurance' depending on the size of the vessel. While this type of policy is called a marine policy, pollution coverage is not always included. Each insurance policy has its own terms and conditions so you will need to read yours fully to understand exactly what your policy covers and what it excludes. If you have any specific questions or concerns contact your insurance agent for further clarification.

Commercial Policy: Typically used for vessels that are part of a fleet, usually a business. This type of policy is only acceptable if the vessel(s) berthed within the harbor are specifically listed on the

declarations page, if it covers general, legal, and pollution liability, and if it lists the harbor as “additionally insured.”

Marine General Liability is an alternative to a Personal Watercraft Policy. These policies may exclude important required coverages such as legal and pollution liability. If you currently have a Marine General Liability policy, check with your agent to see if it meets the Port’s insurance requirements.

What is the difference between a Watercraft Policy and a Yacht Policy?

Generally speaking, a Watercraft Policy applies to vessels 30' and under. A vessel over 30' is covered by a Yacht Policy.

Can I add my boat to my homeowner's policy?

Some insurance companies may provide vessel coverage under your homeowner's policy, but there will likely be specific restrictions such as a limited navigation range. Additionally, some agencies will not allow the Port to be listed as the “additional insured.” Check with your insurance agent for more information.

What type of insurance do I need?

The Port of Bellingham requires a marine policy which specifically includes general, legal, and pollution liability coverage of at least \$300,000. Although each insurance provider will state this information differently on the declaration page, all should have each of these items listed. Other types of policies will be accepted on a case-by-case basis after it has been shown that they meet Port requirements.

What insurance documents do I need to present to the marina office?

Please come prepared with the declaration page of your vessel's marine insurance policy which shows policy effective dates, policy coverage limits, and the Port of Bellingham added for notification.

What is the difference between General, Legal, and Pollution liability coverage?

General Liability covers bodily injury and property damage to a 3rd party.

Legal Liability covers legal expenses such as defense and claims.

Pollution Liability covers fuel spill events caused by your vessel.

How can I tell if Pollution Liability is included on my insurance policy?

Most watercraft or yacht policies cover Pollution Liability, but not all insurance agencies list this coverage on your declarations page. Please review your policy for this coverage and contact your insurance agent if pollution coverage is not specifically listed.

How can I tell if Wreck Removal is included on my policy?

Generally, Wreck Removal is paid out of the liability section of the policy at a separate limit. We recommend checking with your insurance agent to verify that you have this coverage.

What does it mean for the Port to be listed as Additionally Insured on the policy?

Adding the Port as “Additionally Insured” to your policy allows the Port to be protected under your policy for expenses resulting from actions taken by you or your passengers either by accident or negligence. For example, if your boat sinks the Port can incur costs (such as contracting a diver to raise/remove the vessel) and be reimbursed for those costs with coverage from your policy.

When is a vessel survey required?

The requirement for a vessel survey may depend on a number of factors. Many lenders require a survey as a condition of vessel purchase and some insurance companies may require a survey as a condition of insurance. Insurance companies generally require a survey on vessels over 10 years old. Wood hulled vessels often require a survey every two years. Check with your insurance agent on their survey requirements and for a list of approved marine surveyors.

- **85.20.020 - Safe condition of vessel.**

(a) To qualify or remain qualified for space, a boat, except an approved boat shelter, must be seaworthy, must be equipped in accordance with [section 85.25.030](#) and ~~must have sufficient motive power to permit the boat to be maneuvered and controlled safely in and out of the boat harbor~~ **be capable of getting underway under its own primary power at all times, be operated from the helm with throttle controls as intended in the vessel's design and be a watercraft constructed and maintained for the primary purpose of navigating the waterways. A kicker/auxiliary motor will not be sufficient to meet the requirement of the seaworthy requirement. The seaworthy test will be conducted** under wind and water conditions which are not unusual and which do not constitute a hazard to small craft. **A seaworthy test shall consist of the vessel departing the slip/stall, exiting the boat harbor; conduct a series of figure eights to port and to starboard and mooring the vessel back in the slip/stall.**

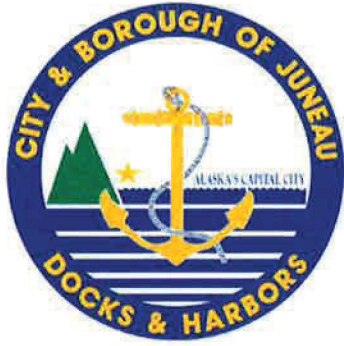
(b) Whenever the port director has probable cause to believe that a boat is not qualified under the conditions of this section, the port director may require, upon 72 hours' notice to the owner, operator, master, or managing agent of any such boat that such boat demonstrates that it is or remains qualified. An exception shall be made where repairs are being diligently pursued or where other extenuating circumstances prevent demonstration of qualification, but such exception shall be for only a reasonable time, considering the circumstances.

(c) The port director may refuse mooring space to any boat which does not qualify; it shall be a condition of every rental agreement that any boat authorized to moor at a rental space in the boat harbor shall remain qualified so long as it remains in the boat harbor. The port director may cancel the rental agreement for any mooring space which is occupied by a boat which is authorized to occupy such space, but which boat is not qualified in accordance with this section. Upon failure of a boat to qualify, the port director may require, upon notice to the owner, operator, master, or managing agent of such boat, that the rental agreement has been canceled, that such boat be removed from the boat harbor within not less than one week. Any such boat remaining after the time specified in the notice shall be subject to impoundment or removal as a nuisance.

(d) Every boat must clear the boat harbor under its own power on at least three occasions each year. Two such occasions must be not less than three months nor more than six months apart. Failure to comply with this subsection shall raise a presumption that the boat is not qualified.

- **85.25.030 - Required equipment.**

All watercraft or vessels shall carry the equipment required by any applicable United States laws or regulations as now or hereafter amended, and shall be numbered or designated in accordance with any applicable United States laws or regulations as now or hereafter amended. In the absence of extenuating circumstances, failure of any boat or vessel within the boat harbor to comply with applicable United States laws or regulations shall be a violation of this chapter.



Port of Juneau

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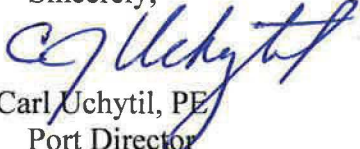
September 6, 2017

Brenden Mattson
PO Box 1168
Petersburg, AK 99833

Dear Mr. Mattson,

On behalf of the CBJ Docks and Harbors Board, I am directing you to relocate the M/V Lumberman/AK2718AR to include all vessels, owned by you or which are under your responsible charge, anchored or moored seaward of the Aurora Harbor breakwater by October 16, 2017. My authority to direct vessels off CBJ submerged properties rests within the general powers provided by CBJ ordinance and delegated through the CBJ Assembly.

Sincerely,


Carl Uchytel, PE
Port Director

Encl: Map

Copy: CBJ Docks and Harbors Board
CBJ Law Department
CBJ Manager