

**Fairhaven Marine Resources Committee
Meeting Minutes: August 6, 2020**

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2020 AUG 28 AM 11:10

Present: Harbormaster Tim Cox, Chairman Mike McNamara, Michelle Potter, Andrew Jones, Eric Dawicki, Selectman Robert Espindola, Robert Hobson

FAIRHAVEN,
MASS.

Chairman McNamara called the meeting order at 6:40 pm.

A discussion was had regarding whether or not Harbormaster Cox is a voting member of the committee. He will speak to the Town Clerk and or Town Administrator to confirm either way.

Approval of Minutes:

Mr. Jones made motion to approve the July 2, 2020 minutes. Selectman Espindola seconded the motion. Motion passed unanimously.

Harbormaster Updates:

Union Wharf: Harbormaster Cox noted that there was a pre-bid meeting at the wharf to go over any questions contractors may have. The bids are due on 8/26 and the bids will be reviewed and awarded on 8/28.

Phase V Dredging: The Harbormaster updated the group stating that North of Popes Island is almost complete and they will be completing the CAD cell in September. They are ahead of schedule.

Quahog Relay: The relay planting is complete. 500 bushel were planted in Round Cove. We will be getting an additional 800 bushel that will be going into Senior Cove. The 800 bushel will be paid for by the last of the Bouchard Oil Spill money awarded.

Mr. Hobson then had a question regarding who is responsible for the cleaning, etc at Union Wharf. Mr. Hobson believes that the Board of Public works should be maintaining this area. The second issue Mr. Hobson would like to know why there is a boat at the Wharf that has not been out actively fishing in 10 years. Harbormaster Cox replied that the current rules and regulations do not state the boat has to be actively fishing. Regarding the maintenance items like day to day litter Harbormaster Cox has been taking care of that himself. He is working with Vinny Furtado at the BPW to clean it thoroughly for the construction that is to be starting.

Aquaculture / Upwell Updates:

Harbormaster Cox stated the upweller is going well. It is cleaned twice a week and they are measured every three weeks to measure and separate them.

He has also been in contact with Larry Fowler regarding his two acre aquaculture site. It will go to the selectman for approval soon.

Chairman McNamara asked about the B-120 contaminated quahog memo that was received. What makes them contaminated? Harbormaster Cox stated they are contaminated because of bad water quality.

West Island Crowding / Bridge Jumping:

Chairman McNamara stated this issue was brought to his attention by the public. There is a safety concern for the pedestrians as well as boater and automotive traffic because of overcrowding, etc. Are there some options we can discuss projects to deter and protect?

Mr. Dawicki believes putting physical barriers up will create more injury. The possible way to go is getting the police involved and enforcing the rules with arrests / fines.

Selectman Espindola suggested possible video surveillance from Hoppy's Landing as there is already fiber optic set up there now. In addition, adding more and or better signage that states the area is under video surveillance.

Mr. Jones noted bicycles are also an issue. As they are being left lying around. As well as people stopping traffic to run and jump the bridge. He believes the police can help better persuade the bad behavior.

Mr. Hobson suggested the Town hire summer help for the two months like they do at the beach to help deter the bad behavior.

The committee asked Harbormaster Cox to check on whether the surveillance is possible from Hoppy's Landing and update them at the next meeting on the cost and the picture quality.

Selectman Espindola will bring the concern to the Town Administrator and to the Police Chief.

New Business:

Harbormaster Cox mentioned the winter sticks still in the water near the West Island Marina. One has been removed and the other will be removed shortly. The owner of the marina was having an issue with getting them out. Harbormaster Cox is working on those in the mooring field. Mr. Dawicki thinks it will be important to include clear language on this topic in the new rules & regulations.

Waterways Rules & Regulations Review:

Chairman McNamara suggested for someone to make a motion regarding the time to conclude the meeting as this is as lengthy discussion. Mr. Jones made the motion to end the meeting by 8:30 pm and Selectman Espindola seconded the motion. Motion passed unanimously.

The board continued its discussion and review of the Waterway Rules & Regulation suggestions submitted by the committee members. See attached Waterway Rules Suggestions.

A vote was taken on how to word section 1.1 regarding inspections of the moorings. Options being: 1) Self-inspection only. 2) Crafts over 26 feet, all commercial vessels and all commercial moorings must be inspected by a certified inspector. 3) Every mooring must be inspected by a certified inspector.

There were two votes for option #1, and 4 votes for option #2.

The final wording will be:

The inspection, care, and maintenance of mooring tackle, including mooring, chain, buoy, pennant, and associated swivels, shackles, thimbles, and eye splices, are the responsibility of the permittee. All moorings for vessels over the size of small craft (26 feet), as well as all commercial moorings and all commercial vessels must be inspected by a certified inspector approved by the Harbormaster every three years with reports forwarded to the Harbormaster, at the expense of the permittee. The permittee will be notified at the time of annual renewal when the ground tackle is due for inspection. An inspection must also be performed before any reassignment. After reassignment, an initial inspection shall be made by raising the mooring, or in the cases where the Harbormaster considers the weight of the mooring to be such as to make raising it impractical, inspection may be made underwater. After inspection, the inspector must submit an inspection report with a report of compliance or non-compliance to the permittee and the Harbormaster within seven days after inspection.

Discussion ensued on the new waterway rules and regulations suggestions.

The committee agreed to have an extra meeting in order to complete the review of the suggestions. Dates agreed upon were August 27th and September 3rd.

Motion to adjourn made by Mr. Jones, seconded by Selectmen Espindola. Vote passed unanimously.

The meeting adjourned at 8:45 pm.

Next Meeting:

The next meeting is August 27, 2020 at 6:30 pm.

Respectively submitted,

Sheri Souza
Recording Secretary

Approved
August 27, 2020

To: Chief Michael Myers

From: Lieutenant David R. Sobral

Re: Public Safety concerns Causeway Bridge Date: 08/14/2020

I received a memo in regards to Public Safety on West Island Causeway Bridge and the concerns that the Marine Resource Committee discussed at a meeting recently.

Some of the concerns are that the past two summers there appears to be more youths/adults that are jumping or diving off the Causeway Bridge then in the past. Also the type of activity which is taking place where youths/adults are in the middle of the roadway blocking the roadway at times and getting a running start doing cartwheels And other tricks off the bridge into the waters below. Other concerns are overcrowding issues on the bridge where youths/adults are not social distancing themselves from others. Also, blocking the sidewalk areas on the Causeway Bridge due to the large gatherings of youths/adults along with other items placed on the sidewalk areas (bicycles) and any other clutter on the sidewalk area which causes pedestrians to step off the sidewalk into the roadway.

The Fairhaven Police Departments short term plan for the remainder of the summer will involve placing directive patrols in the area of the Causeway Bridge and hiring bike patrols to be assigned directive patrol in the area of the Causeway. Officers that are assigned these duties will have the ability to enforce any violations which are viewed by them. The method of enforcing these violations are by a verbal warning, written warning and a non-criminal By-Law ticket (No diving, swimming, or bathing will be permitted from the Causeway Bridge and for a distance of 100 feet east and 100 feet west of the bridge). The By-Law violation fine is 100.00 dollars.

Officers will also address any issues with large gatherings or items and clutter blocking the sidewalk areas on the Causeway Bridge.

The Fairhaven Police Departments long term plan for the future will be working with the BPW in placing a fence on the south side of the Causeway Bridge railing, similar to the fencing which was designed on the north side of the Causeway Bridge. Also, to place a sign on the Causeway Bridge which will have the By-Law and the fine posted on the sign. The Fairhaven Police Department will continue to monitor and enforce any violations that occur on the Causeway Bridge and continue to assure Public Safety on West Island and through out the Town Of Fairhaven.

Respectfully Submitted,


Lieutenant David R. Sobral #019
Fairhaven Police Department.

Waterway Rules Regulation Draft Suggestions

<u>Section</u>	<u>Paragraph</u>	<u>Line</u>	<u>Comment / Suggestion</u>
Mike McNamara	1.1		The Town of Fairhaven is redundant
Eric Dawicki Andy Jones	2.1 Marine Resources Commission Mooring	1	I suggest qualifying these "definitions as "Terms of Reference and include the terms found on page 21. On the town website it is also referred to as the Marine Resources Advisory Committee
Mike McNamara	2	5	Should this include other terms like" tackle, chain, floats, shackles, etc. Why is service exempted to any boat within the waters of Fairhaven for service work provided by a Fairhaven marine service company
Eric Dawicki	2.2	4	This might violate state tax code as there is some gray area as to whether this is still a straight tax even though it is written as a fine. There's strong likelihood that at some point someone would contest this. 120% seems arbitrary and capricious.
Eric Dawicki	3.1	2	I would suggest creating a period of 5 days as people might be away and offer an opportunity to a transient vessel to hop on a mooring that is unused. Wanting a written approval for anything less seems to create an undue burden on an already burdened Harbor Master.
Mike McNamara	3.3	2	1 Only one 'new' recreational mooring permit will be granted to a new applicant for the personal, non-commercial use of the permittee per calendar year. Added the word 'new'
Eric Dawicki	2	3	See comment in §3.1
Mike McNamara	3.4	1	Upon issuance of a mooring permit, the Harbormaster shall assign a mooring location to an - Redundant language
Andy Jones		3	See Above. Tackle and other terms should be specified above in the definitions.
Mike McNamara	3.7	3	Added applicant's preferred mooring area after application date
	3.7	6	and must pay an annual fee by March 31st of each subsequent year to retain their position upon the mooring waiting list - Suggesting one initial fee only
Mike McNamara	3.9	2	Questioning March to May
Mike McNamara	3.14.1	2	The equivalent to is redundant
		5	Added to the end of the paragraph : No portion of the helix anchor shall protrude from the sea floor more than 1 foot.
Eric Dawicki		3	I suggest removing any reference to any manufacturer. It hints of an ethical dilemma when any government entity refers to a manufacturer.
Andy Jones	3.15	1	These are the types of details that should be spelled out in the definition of MOORING.
Mike McNamara	Schedule A		Add under Header - All Specifications should reflect current Fairhaven Tackle Specifications with the verbiage regarding chain lengths vs. depth. OR See Excel spreadsheet by Mike McNamara (attached)
Mike McNamara	3.15	3	1.1 Inspection, Care, and Maintenance

Waterway Rules Regulation Draft Suggestions

The inspection, care, and maintenance of mooring tackle, including anchor, chain, buoy, pennant, and associated swivels, shackles, thimbles, and eye splices, are the responsibility of the permittee. All moorings and components must be inspected every three years with reports forwarded to the harbormaster. Moorings for vessels over the size of small craft (26 feet), at the expense of the permittee, all such components shall be inspected by a certified inspector, approved by the Harbormaster. The permittee will be notified at the time of annual renewal when the ground tackle is due for inspection. An inspection must also be performed before any reassignment. After INSERT DATE, reassignment, an initial inspections shall be made by raising the mooring anchor, or in the cases where the Harbormaster considers the weight of the anchor to be such as to make raising it impractical, inspection may be made underwater. ~~Thereafter, the mooring anchor shall be raised every other inspection period, unless excessive deterioration is observed by the inspector.~~ After inspection, the inspector must submit an inspection report with a certificate report of compliance or non-compliance to the permittee and the Harbormaster within seven days after inspection.

****Under 20 foot may self-inspect.**

**** Raising a "wedged" mooring reduces its effectiveness.**

Mike McNamara	3.22	5	strike "from at least two sides when the take is in place"
Mike McNamara	3.23	1	Change date from March to May
Mike McNamara	4.2.1	1	Change Two to Five - Per mooring 5X depth, anchors drag in storms
Mike McNamara	5.3.4	5	Insurance No Swimming Storage of Piers
		5	Questioning if Cost to Owners. Add - Notification must be given to the Harbormaster if commercial diving is required Add a 3 hour maximum time limit
Andy Jones	5.3.7	2	Should also include bilge wastes, antifreeze/coolant, etc.
Eric Dawicki	5.4	3	Title I suggest removing the term Lobster Boat Basin type--change note to not
Mike McNamara	5.5	1	North & East Side of Union Wharf - questioning if we meant West
Mike McNamara	5.5.2	7	Add "the waiting list will be published on the town website"
Mike McNamara	6.4	1	Change from March to May?
Andy Jones	7.2		Fines Oysters Permit Veteran Quahog Shellfish Size Limits GAUGE: There should be a definition of a shellfish gauge and requirement to have one. Insert - Crassostrea virginica Standard discharge form DD-214 should be a requisite There should be a definition of Quahog (mercenaria mercenaria) and the types Chowder, littleneck, cherrystone, and maybe include legal size Gauge should be defined.
Frank Coelho	7.3.1		Bullet Point # 11 Highlighted - quantity of scallops take daily
Frank Coelho	8.4.3		Highlighted - refer to fee schedule
Frank Coelho	8.4.4	B D	2 3 Highlighted - to ten (10) years Highlighted - exceed 10 years

Waterway Rules Regulation Draft Suggestions

Frank Coelho	8.4.5	A.	4	Highlighted - and tag shellfish	8.6.3
Frank Coelho	8.6.2	B	1	Highlighted - Any changes to the type of equipment used	
Andy Jones	8.6.3	Equipment Markings		What about lighting of marker buoys? Should there be an option for the Harbormaster to determine if lighting should be required? This has been in an issue in the past.	
		B	1	Highlighted - an identification tag	
Andy Jones	10	Parking Sticker Ruels		Also, there should be a written rule that boaters may use Hoppy's (with a valid other sticker) in times of extreme high/low tides and emergencies, or when approval has been given by the Harbormaster.	
Andy Jones	13	3		This needs a re-write. It's poorly written.	
Andy Jones	Attachment A - Shellfish Information			IS this section necessary for a regulation package? Maybe this should it just be given along with a copy of your license, a digital copy on the the website, etc.?	
Mike McNamara	Fee Schedule	Moorings		Eliminate Waiting List Fee Change Annual Fee to 15.00 Change Non - Use Fee to 15.00 Change Commercial Fee to 100.00 (see NB) Maybe specify COMMERCIAL?	
Andy Jones		Shellfish Licenses		Highlighted	
Frank Coelho		Annual Fee		Highlighted	
		Non Use Fee		Highlighted	
		Pease & Seaview Parking		Highlighted	
		Hoppy's Parking		Highlighted	
		Non Resident Veteran Shellfish Lic		Highlighted	
Frank Coelho	Permit Application	Non Resident Veteran Shellfish Lic		Highlighted	
		Pease & Seaview Parking		Highlighted	
		Hoppy's Parking		Highlighted	

Example: Minimum mooring inspection information					
Mooring component	Nominal Size	Length	Maximum wear measured (maximum allowable wear 30%)	Within Spec? Yes / No	Notes
Pennant	5/8"	15'	9/16" cleat eye	Y	chafe gear shows wear
Shackle	5/8"	n/a	1/2"	Y	
Mooring Float	18"	n/a	none detected	Y	> 1/2 floats above water surface
Top Chain	1/2"	30'	7/16"	Y	
Shackle	1/2"	n/a	7/16"	Y	
Swivel	5/8"	n/a	3/8"	N to Y	center worn to 3/8" = replaced
Shackle	5/8"	n/a	1/2"	Y	
Bottom Chain	5/8"	25'	1/2"	Y	
Shackle	3/4"	n/a	5/8"	Y	
Mooring Eye	1"	n/a	7/8"	Y	
Mooring Type	350lb. Mushroom	n/a	n/a	Y	Moderate corrosion

Inspection form to be completed by Inspector

Mooring Hardware Size	Nominal Rated work Load (lbs.) for US Low Carbon GP Hot Dip	Load calculation if 50% wear	Rated load	Maximum allowable wear = 50%	Rated load
3/8"	4050	3/16"	2025	3/16"	1012.5
1/2"	6900	1/4"	3450	1/4"	1725
5/8"	9750	5/16"	4875	5/16"	2437.5
3/4"	15000	3/8"	7500	3/8"	3750
1"	17900	1/2"	8950	1/2"	4475
1"	17900	1/2"	8950	1/2"	4475

