

**TOWN OF CAPE ELIZABETH
HARBORS COMMITTEE**

Meeting Minutes
April 4, 2018

Present: Chair James Casey (JC), Stephen Culver (SC), Susan Farady (SF), and Caitlin Jordan (CJ – arrived after meeting had begun)

Absent: Katharine Ray (KR)

Staff: Town Engineer Stephen Harding (SH)

Public: Nate Perry (NP) representative of the Cape Elizabeth Fishermen’s Alliance (CEFA)

Call to Order: Chair Jim Casey called the meeting to order at 6:20 p.m. with a roll call in which Committee Members JC, SC, and SF were present at that time.

Reports and Correspondence: The Committee had been provided in their meeting packets information which included:

1. Draft February 27, 2017 Meeting Minutes
2. March 17, 2018 email with 2106 licensure with 2007 Comprehensive Plan data table compiled by Caitlin Jordan
3. March 12, 2018 email from Town Planner Maureen O’Meara and March 16, 2018 tracked changes Draft Comprehensive Plan Marine Resources Section
4. July 5, 1961 State of Maine “Pride” deed.
5. September 20, 1968 State of Maine ‘Bancroft and Martin” deed.
6. March 27, 2018 4th Draft of the Committee Report, tracked changes and clean versions
7. March 27, 2018 2nd Draft Comprehensive Plan Marine Resources Section, tracked changes and clean versions

Citizen Opportunity for Public Comment:

- NP reviewed that he and Ernie Tweedy, a local lobsterman, accompanied Harbormaster Ian Anderson (IA) in locating the moorings within Seal Cove. They did not go along the eastern shoreline as those moorings are recreational and won’t be used until the weather improves. NP speculated that the mooring balls for these moorings have likely been removed or placed below the water level throughout the winter to avoid being damaged. NP also voiced CEFA’s support of the Committee’s inclusion of receiving a permanent easement from the State of Maine for the WETeam and the commercial fishermen to use the parking area and boat launch at Boat Cove within Kettle Cove State Park.

Meeting Minutes: The February 27, 2018 meeting minutes were then approved as written (3 Yes, 0 No, and 2 absent).

Update on status of Mooring Location Mapping

- SH reviewed IA's April 4, 2018 email that included a summary of the mooring locations that were gathered in Seal Cove. IA's email included the following discussion "...I've attached what we have for mooring info at this time, Unfortunately given winter conditions, some mooring balls being removed, etc., our information is incomplete. I plan to follow up on the data in the summer as moorings are put in, and we are able to get more accurate info. I'll also be able to bottom sound with our side scan sonar that was recently installed in our boat, to record any old moorings that may have been abandoned...."
- There was a general discussion regarding the annual inspections of the moorings and that there are four listed entities approved to conduct inspections on the Town's website. JC suggested contacting these entities for their records of Cape Elizabeth moorings. SH questioned the accuracy of this information whereas IA would be a single source using the same GPS instrumentation.
- The group discussed whether to issue a separate mooring location report when the moorings have all been located and after their report to the Council had been submitted. Rather, the Committee decided that the approach should be to note in their report to the Council that the mooring mapping is incomplete and should be completed and the website mooring information should be updated and kept current with accurate information.
- CJ joined the discussion and noted that the annual mooring renewals likely all use past mooring coordinates so if any of these are wrong then the error gets repeated and never corrected. The group reviewed the mooring maps on the Town website and it was noted that at least two of the moorings cannot be positioned in the areas shown. CJ noted that the annual renewal process in the past led to many mooring holders self-inspecting their moorings which may also have led to inaccurate information.
- JC stated that IA should be the one who has ownership to complete the mapping and submit to the Town Council through the Police Department. There was a general discussion that once this information has been gathered that inconsistencies with the mooring permit renewal coordinates should be identified and corrected. This mapping location information should also be used to identify moorings that are no longer active.

Review of the 4th Draft of the Harbors Committee Report

- The Committee then reviewed the most recent draft version of the Committee Report dated March 27th. SH led the group through the draft and a general discussion ensued about the difference in the mooring count between 2006 (104) and 2017 (59). CJ noted that it was possible that the number of moorings in both Maiden Cove and Crescent Beach could have gone down significantly as several boats are no longer moored in Maiden Cove and that was historically an over-crowding issue at Crescent Beach.
- SH stated that he did exchange emails with the Police Chief and that the Chief has indicated that the record keeping of some of the past Harbormasters was not well documented. The group speculated that some of the old moorings noted may not have been actually active at the time and just continued to be carried on the list of moorings.
- SC suggested that that Committee note that there is speculation that the mooring information from the past is likely inaccurate and that there were

issues with documentation and information on the website. There was a general discussion with the consensus being that a recommendation should be made that the Harbormaster and Police Department keep good records going forward and the information on the website should be updated and kept current with information that the public can rely on being correct.

- SC asked SH to inquire from IA as to whether there is an actual waiting list and, if so, where are the areas being on a wait list.
- The group then reviewed the licensure breakdown that CJ prepared based on information received from the State of Maine Department of Marine Resources. CJ noted that the system incentivizes the student entry process by making it very difficult to gain a new license through the regulatory process. CJ stated that the numbers in the table reflect that situation.
- SF discussed the difficulty in getting a new license based on regulations and limited entry system restrictions of the two zones that straddle Cape Elizabeth. SF noted that the trend is reflective across nearby states and that the lobster population appears to be heading northward. The group determined that in perspective Cape Elizabeth doing well to hang on to a working waterfront area that does not have the benefits of a pier or protected harbor that other communities use to sustain their commercial fleet.
- The Committee made comments on the draft and directed SH prepare a final draft to review.

Review of the 2nd Draft of the Comprehensive Plan Marine Resources Section

- The Committee then discussed the March 27th draft of the Comprehensive Plan Marine Resources section. SH reviewed with the group the draft that Town Planner Maureen O'Meara had provided which made some text suggestions, but primarily focused on the goals and recommendations portion at the end of the section. Maureen had made this section consistent with other sections being prepared for the Comprehensive Plan. The group reacted positively to Maureen's suggested changes.
- The group reviewed a paragraph related to shellfish harvesting. NP noted that the Town of Scarborough has municipal license requirements in addition to those of the state, whereas Cape Elizabeth had no additional local oversight requirements. In general, it is not believed that there is a significant amount of shellfish harvested that occurs in Cape Elizabeth and most of the activity that does occur near the Spurwink River occurs on the Town of Scarborough side.
- It was determined that SH would continue to refine information for the draft and provide a 3rd and final draft for the Committee to review.

Other Items not on the Agenda

- SC wanted to note for the record his appreciation of the participation of NP at every meeting and the role that CEFA has played in support of the Harbors Committee's work. Other members of the Committee echoed SC's sentiments.
- SH noted that the Committee's extension request had been granted to April 30th and that Town Planner Maureen O'Meara had requested representation from the Harbors Committee at the Comprehensive Plan meeting on June 7th when the Marine Resources section is scheduled to be discussed. SH stated that he could attend the meeting and hoped that JC could attend as well at a minimum.

- The group discussed the process once the documents are complete with CJ noting that the Council can accept the Committee's report and the Comprehensive Plan Committee can review the Marine Resources section as separate matters. It is believed that the Council will accept the report at a regular meeting and then have the Harbors Committee present their report at a workshop.

Public Comment:

- There were no comments made at this time.

Next Meeting: The next Harbors Committee regular meeting will be held on Thursday, April 26, 2018 at 5:30 P.M. in the Lower Conference Room at Town Hall.

The meeting was adjourned at 7:54 p.m.

Respectfully Submitted,
Stephen D. Harding, P.E.
Town Engineer