



STAFF REPORT

TO: Board of Commissioners
FROM: Andrea Lueker, Harbor Manager
DATE: November 17, 2020
SUBJECT: **Gear Storage Permits and Space Allocation Discussion**

Recommendation / Proposed Motion

- Recommendation: Staff recommends the Board of Commissioners review, discuss, and approve the Gear Storage site allocation process for current Gear Storage Patrons and those on the Gear Storage Site Wait List. Staff recommends the following process:
 - **Allocating Spaces (in order)**
 1. Spaces will be allocated using the figures in Column 3 - Gear Storage Patron Matrix (Attachment 2). Patrons who have 1.5 spaces will be considered as having 2 spaces, with the following exceptions:
 - a. Costello has indicated the need of only 1 space.
 - b. Patriot Sport Fishing has asked for 2 spaces, however the Committee recommended 1 space.
 2. Existing Waiting List (five currently on the list), wait list patrons are allowed only 1 space initially.
 3. Current Patrons who are interested in a second space, are allocated in order by mooring seniority.
 4. Space location selection based on mooring seniority. Hillside is reserved for stacked units.

Waiting List

1. Will continue to be maintained.

Grace Period

1. No grace period for current Gear Storage Patrons who do not meet the Gear Storage Permit Criteria.

Motion: Move to approve Staff's recommendations.

District Major Objective/Goal

Objective #2 – Maintain and enhance a boater friendly atmosphere at Port San Luis for both commercial and recreational boaters.

Policy Implications

Port San Luis Harbor District – Port Master Plan
Gear Storage Permit

Fiscal Implications / Budget Status

To be determined.

Alternatives Considered

The following actions were considered but are not recommended at this time:

- Not applicable

Background

On June 23, 2020, the Board of Commissioners appointed two Commissioners to a Gear Storage Ad Hoc Committee. The Gear Storage Ad Hoc Committee met several times (July 16th, July 30th, and November 5th, 2020) and the Board of Commissioners met several times (July 28th, August 25th and October 14th) to discuss the new Gear Storage area.

Following the July 30, 2020 Gear Storage Ad-hoc Committee meeting, staff sent out a communication to all current gear storage patrons to gather information to help with planning the gear storage move and space allocation. The following was sent:

1. The new Gear Storage Permit Application with a request to complete the permit and return it with the required documents to certify eligibility as a Commercial Fishermen.
2. A request to complete a brief survey which asked the following:
 - Type of fish/fishing done by the commercial fisherman for his/her commercial fishing operation.
 - Type of gear utilized by the commercial fisherman that will be stored in gear storage.
 - In the past, if the gear storage permittee had two gear storage permits/gear storage sites, would they be interested in decreasing to one gear storage permit?

If a current patron did not respond to the request, they were recontacted and, in some cases, physically handed a permit application. Staff then followed up a second or third time with patrons who did not complete or submit the required documents.

On November 5, 2020, the Gear Storage Ad Hoc Committee met to review the gear storage survey results (Attachment 1) and discuss a process to move forward. The Gear Storage Committee made the following recommendations:

1. Contact Gear Storage Patrons who had more than 1 space and ask how many spaces they would like/needed. Staff did contact all patrons regarding this question and the results can be found on the Gear Storage Patron Matrix (Attachment 2).
2. Ask each Gear Storage Patron if they were planning to stack their gear storage units (if they have two spaces or in some cases have two units in one space).
3. Decisions on space location within the new Gear Storage area would be made based on mooring seniority (mooring seniority is a trackable metric and all gear storage patrons must have a mooring).
4. A waiting list will continue to be maintained.
5. No grace period will be provided for current Gear Storage Patrons who do not meeting the Gear Storage Permit Criteria (see below). However, the committee discussed and considered a grace period of one year for fishermen on the waiting list to secure fish tickets.

Permittee acknowledges and agrees to the following terms. Noncompliance of the terms may result in revocation of the permit.

1. Permittee shall meet the following definition of Commercial Fisherman:
 - a. Must own a vessel with:
 - i. current California Dept. of Fish and Wildlife Commercial Fishing License consistent with District permits; and
 - ii. current California Dept. of Fish and Wildlife Commercial Vessel Registration consistent with District permits; and
 - iii. current United States Coast Guard Certificate of Documentation with *fishery* endorsement consistent with District permits or
 - iv. current California Department of Motor Vehicles Commercial Vessel Registration consistent with District permits.
 - b. Must provide California Dept. of Fish and Wildlife Fish Landing Receipts for the past 12 months totaling at least \$5,000 (or \$15,000 over a 3-year period) for each Gear Storage Unit occupied. Should a previously qualifying patron, through regulatory action, be unable to fulfill this requirement, this requirement may be waived by Harbor Manager on receipt of a written request for such a waiver.
 - i. Qualifying Landing Receipts must indicate *Port of First Landing* is Port San Luis Harbor (602).
 - c. Must be a Harbor District mooring permit holder for at least twelve (12) continuous months prior to application. This requirement may be waived by Harbor Manager on receipt of a written request for such a waiver submitted by the Port San Luis Commercial Fishermen's Association outlining reasons to justify request.
 - d. Must have no record of a District account past due more than 60 days in the previous twelve months.
 - e. The Port San Luis Commercial Fishing Boat Owners and Commercial Fishermen's Association (commonly referred to as the Port San Luis Commercial Fishermen's Association) and sportfishing lessee (commercial passenger vessels) will have exemptions to above requirements a, b, and d for a gear storage permit.

Discussion

Based on the recommendations from the Ad Hoc Committee (listed in the Background Section of the staff report), staff recommends the following process to allocate spaces and integrate the waiting list for the new Gear Storage Area:

- **Staff Recommendation:**
 1. Spaces will be granted using Column 3 - Gear Storage Patron Matrix (attachment 2). Patrons who have 1.5 spaces will be considered as having 2 spaces. With the following exceptions:
 - a. Costello has indicated the need of only 1 space.
 - b. Patriot Sport Fishing has asked for 2 spaces, however the Committee recommended 1 space.
 2. Existing Waiting List (five currently on the list), wait list patrons are allowed only 1 space initially.
 3. Current Patrons who are interested in a second space, allocated by mooring seniority.
 4. Space location selection based on mooring seniority. Hillside reserved for stacked units.

- **Alternative Recommendation (item 2 and 3 are reversed):**
 1. Spaces will be granted using Column 3 - Gear Storage Patron Matrix (attachment 2). Patrons who have 1.5 spaces will be considered as having 2 spaces. With the following exceptions:
 - a. Costello has indicated the need of only 1 space.
 - b. Patriot Sport Fishing has asked for 2 spaces, however the Committee recommended 1 space.
 2. Current Patrons who are interested in a second space, allocated by mooring seniority.
 3. Existing Waiting List (five currently on the list) wait list patrons are allowed only 1 space initially.
 4. Space location selection based on mooring seniority. Hillside reserved for stacked units

The Board allowed Patriot Sportfishing to be exempt of the requirements (noted in the Gear Storage Permit Application) and has permitted them a space. Based on the survey, they are requesting a 2nd space. Staff seeks direction from the Board if they are allowed a 2nd space.

Conclusion

Following the Board's discussion and decision on the process for the Gear Storage area, Staff will move forward and meet with the Gear Storage patrons and implement the determined process to choose sites and move patrons from the waiting list. The Gear Storage site allocation process needs to be implemented no later than the end of December 2020, as the site will hopefully be made available for the Gear Storage patrons shortly thereafter.

Attachments:

1. Survey results
2. Gear Storage Patron Matrix
3. Gear Storage layout