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Port catches flak over liveboard fishermen

Another suggestion to end terminal policy draws complaints

By KRISTEN MILLARES BOLT, P-I REPORTER
Published 10:00 p.m., Thursday, April 26, 2007

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Sam Waikel has been living aboard the Nordic Lass for about a month now.

His boat dog, Lucy, yips and whines at people walking through the Salmon Bay Boatyard to the docks at Fishermen's Terminal. Waikel, 21, has been replacing many of the hull's planks, which could cost him about \$15,000 in materials.

With that kind of spending, he has to live cheaply, and that means living onboard the Lass until the troller is seaworthy enough to reach Alaska.

Owning a 53-year-old boat has its downsides -- last year, he spent nearly four months at Fishermen's Terminal doing other maintenance and repairs. It was all worth it, though, when he reached the great, teeming waters of the North Pacific.

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Under new rules proposed by the Port of Seattle, Waikel wouldn't have had enough time to finish his repairs before being booted from the property.

Nearly one year after a similar plan failed amid controversy, the port has once again proposed to bar anyone from living aboard a boat at Fishermen's Terminal for more than 30 consecutive days.

Now, as then, the port has backpedaled from its original plan, which was poorly received by fishermen at the historic, 94-year-old terminal.

A vote on the matter won't take place until October, during the next meeting of the Fishermen's Terminal Advisory Committee.

But the port's insistence on reintroducing a proposal clearly rejected by that same committee last year has some preparing for another debate.

"It's a tradition that some people are going to live on their boats," said David Harsila, the chairman of the advisory committee and owner of the 34-foot gillnetter Excel. "If you've invested a quarter-million dollars in it, and that's your life, you should be able to call it home."

When the stringent rules were first proposed in April 2006, the fishing community was reeling from the loss of four people, three of them fishermen, who drowned in the frigid, dark waters at the terminal.

Some blamed the lack of well-lit ladders and slippery docks for the deaths, while others said the tragedies were a result of too much partying by a "fringe element" in dangerous conditions.

A state Department of Labor and Industries investigation found fault with the port's safety measures and maintenance at the dock, but Harsila said he was satisfied with the steps the port has taken since then.

The port -- sensing an opportunity to clear out what they consider the flotsam and jetsam of the fishing industry to make way for larger fishing, tour and dive boats -- used the occasion last year to try to crack down on liveaboards. The committee rejected the proposal, and while the fishermen's authority is limited to advice, the port withdrew the plan.

This time, the port reintroduced the plan only to recant a few days later, and fishermen will have nearly the whole season to reflect upon what it would mean to have a terminal where folks would have to monitor the number of nights they are allowed to sleep on their boats.

"I wouldn't be able to afford to fish," Waikel said. "I live in Alaska six months of the year, but when I'm not there, I need a place to be and work on my boat."

Under the terms proposed last Friday by the port, which titled its plan "Owner/Captain/Crewmember Live A-board Policy," liveaboards would:

- Be barred from residing on their vessels permanently.
- Not be able to live aboard for more than 30 consecutive days or more than four months per year.
- Not be able to live aboard a vessel of less than 40 feet for more than two weeks prior to leaving for at least a three-week fishing trip, or more than 10 days after returning.
- Not be able to live aboard a vessel of more than 40 feet for more than one month prior to at least a three-week fishing trip, or more than 20 days after returning.
- Not be able to live aboard a vessel in need of repair for more than 45 days. Requests would be granted only for foreign-ported vessels.

Even though Waikel has been working all day, seven days per week, to finish his repairs, he would not be able to make it under these new terms.

Neither, it seemed, could many other fishermen -- nor would they want to try. After word spread up and down the docks, complaints reached the office of Fishermen's Terminal General Manager **Kenneth Lyles**.

On Monday, Lyles sent out another e-mail.

"To be clear, please understand that the port had never intended to limit the ability of captains/owners to live aboard active commercial fishing vessels," he wrote.

"Because of the lack of time in last Friday's meeting, the document handed out represents some of what staff thought they heard from (the terminal advisory panel), but not all of what we heard. It also contained some old language," Lyles wrote. "The document was meant for discussion, and as agreed, we will be bringing this matter up for discussion again next fall when the fleet returns."

The last time that the port and the advisory committee discussed the matter, the committee asked that the port focus on enforcing rules already on the books to help prevent more drownings as well as tightening its drug and alcohol policy.

"We didn't get this out of the blue, we tried to incorporate the sentiment of the group," Lyles said.

That wasn't apparent to those who read the proposal, which recycled much of the language rejected last year.

"From the tone, he is obviously backtracking on anything that was said at the end of Friday's meeting," said Paul Matson, vice chairman of the advisory committee and the owner of Anita, a purse seiner. "You can see that the port is all over the ballpark with their position, but I wouldn't read anything into it."

Matson recommends that crew members and owners or skippers be subject to different rules because "the only problems we've had have been with crew or people pretending to be crew."

The debate is all part of the delicate dance of preparing Fishermen's Terminal for the tour boats as well as the bigger vessels that are the future of the North Pacific fleet -- the region's largest group of commercial fishing vessels, many of which moor at Fishermen's Terminal.

Keeping commercial fishing a priority will be key to the success of the fishermen at their namesake terminal, which is in the midst of a \$22 million redevelopment to replace Docks 5 through 10 with a combination of fixed and floating concrete docks.

Still, of one thing Matson is sure.

"There is no way that the port is going to institute a policy that would have us of not living aboard our boats," Matson said.

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