

Minutes
Bar Harbor Cruise Ship Committee
By Video Conference
Thursday, March 4, 2021 @ 3:00 PM

Attendance:

Chair Eben Salvatore and committee members Martha Searchfield, Eben Salvatore, Matt Hochman, Sandy McFarland, Jeremy Dougherty, Jennifer Cough, Ken Smith, Lawrence Sweet, Greg Gordon, John Kelly, Charlie Phippen, Sarah Flink, Skip Strong, Amy Powers and Liz Graves.

Jim Willis was excused; Police Captain David Kerns attended to represent the department.

Jim Willis, Greg Gordon, Charlie Phippen, Sarah Flink, Skip Strong and Amy Powers are non-voting members. Liz Graves did not vote. The voting membership for the meeting was 10.

- I. CALL TO ORDER— 3:01 p.m.**
- II. PUBLIC COMMENT PERIOD (UP TO 15 MINUTES)—None.**
- III. APPROVAL OF MEETING MINUTES (Feb. 11, 2021)**
All present indicated by a straw poll vote that the minutes were acceptable. Then Mr. Smith, with second by Mr. Hochman, moved to approve the Feb. 11, 2021 Regular Meeting minutes as presented. Roll Call Vote:

<u>Salvatore</u>	<u>Y</u>
<u>Hochman</u>	<u>Y</u>
<u>Dougherty</u>	<u>Y</u>
<u>Cough</u>	<u>Y</u>
<u>Smith</u>	<u>Y</u>
<u>Sweet</u>	<u>Y</u>
<u>Kelly</u>	<u>Y</u>

Motion passed 7-0. (Ms. Searchfield and Dr. Disney had not yet joined the meeting; Mr. McFarland's video and audio were off.)

- IV. STAFF REPORTS**
Mr. Phippen gave an update on reservation counts. More cancellations have been received for 2021. There are now only 108 ship visits on the schedule, but we do not expect anywhere near that many. There have been new reservations for further in the future: For 2022 so far,

145 ships are scheduled. For 2023, 87 are scheduled. For 2024, 41 are scheduled. For 2025, 25 ships. For 2026, 25 ships.

He said the Port Call software is working well and he has updated the Word document version of the 2022 schedule. He offered to pass those schedules on, as updated as he can make them, before he retires in May.

V. REGULAR BUSINESS

a. 2021 season update

Ms. Flink provided an update on CruiseMaine activities, which continue to focus on being ready for safe operations in the event that the Maine CDC and port communities give the okay for cruise activities to happen. A task force that includes Mr. Salvatore and Mr. Phippen met recently, and CruiseMaine is facilitating one-on-one meetings with a consultant from Greece.

CruiseMaine is working on a comprehensive statewide prevention and response plan for the Maine CDC to look at and give approval to. Maine CDC is also going to review American Cruise Lines' updated plans. CDC review of those two separate plans is expected mid-April, and then there will be time for every affected town or city to have a chance to weigh in. This is really going to be a collaborative process, she said, nobody's sneaking up on us. ACL is likely to be first, because they are American-flagged, so our CDC and our governor's office and our communities have the final say.

Ms. Flink said that in the Mediterranean market, bigger ships may resume sailing in May. Ms. Powers added that audits of those operations will be happening, and those audits will have a lot of useful information.

Mr. Dougherty asked, if the border with Canada were to be reopened, is there a chance of a fall season for some of the larger ships here? Ms. Flink said that there are two hurdles with Canada. One is the border closure and the other is a no-sail order from the Canadian Minister of Transport for cruise ships bigger than 100 passengers in effect through February 2022. In order for ships to sail here, the no-sail order would have to be changed, the cruise line would have to get a waiver, or the U.S. law requiring ships to stop at a foreign port would have to be changed. Of those, the best odds are of Canadian officials changing their mind, but nobody has any idea how likely that is. The Congressional delegation from Alaska has been pushing for a change to the U.S. Passenger Vessel Services Act foreign port requirement, but that would be hard to accomplish before peak cruise season there, which is May-July.

Ms. Powers said the U.S. CDC also has prohibited any cruises longer than 7 days. She said there has also been a push for cruise lines to be able to do what are called technical calls in Canada—stops where no passengers are discharged—but that's also an uphill push.

b. Anchorage B Update

Mr. Salvatore said the Town Council unanimously approved the committee's request that the Council send a letter to the Coast Guard requesting that the anchorage be moved. Issues raised during that discussion were an existing limited purpose aquaculture lease held by College of the Atlantic and the location of the anchorage in proximity to the ferry. The college is exploring moving their lease; their current location was based on consultation with local fishermen to make sure they weren't in the way, and they want to do that again. Mr. Strong said he has been in touch with Bay Ferries and they do not anticipate the anchorage move being an issue.

c. Breakwater Update

Mr. Strong gave an update from the dredge team meeting he attended with the Army Corps of Engineers and the Maine Department of Transportation. At the meeting, Mark Habel and Craig Martin of the Army Corps affirmed that work on the breakwater would be a maintenance project, rather than an improvement project, which is good news because an improvement project would require the town to provide a significant portion of the funding. The maintenance would include building the breakwater back to what it was plus sea level rise, though there's debate within the Corps what that sea level rise is going to be in the next 25-50 years. Structural improvements might have to be made.

There is no timeline and no funding for the work yet, though, Mr. Strong continued. They have to do more of a study to figure out what has to be done and what structural improvements might have to be made. The request is going to have to come from the town. It will likely help if we get our federal Congressional delegation involved. All the members of the delegation have staff members attending these dredge team meetings.

Ms. Powers said there's a huge push right now in the state government about climate change with the governor's Climate Council. There's a priority for projects that address sea level rise. That may be an interesting angle. Actually finishing the breakwater, since it was never finished to begin with, would be a benefit for the community.

Mr. Hochman suggested a request from the committee to the Council to contact legislators or to take the next steps. Mr. Salvatore said it would be good to memorialize in writing the Army Corps' determination that the project is classified as maintenance. Ms. Powers suggested also seeking the backing of the Harbor Committee and property owners in the area.

Mr. Smith asked how long the project could take. Mr. Strong said all the steps, starting with figuring out what has to be done and securing funding, could take 10 years.

Ms. Flink noted that two members of Maine’s Congressional delegation are members of their respective Appropriations committees and that there’s likely to be a big federal infrastructure bill sometime soon.

Mr. Phippen suggested sending a recommendation from the Cruise Ship Committee, similar to what we did for moving Anchorage B. We should lay out the benefits of having the project be a maintenance project and how it will help the inner harbor, especially considering the rise of inundation of property that’s never been inundated before. So I think it’s something we ought to do and get the ball rolling.

Mr. Smith, with second by Ms. Cough, moved to ask Council to make an official request that the breakwater project move ahead. A straw poll show of hands indicated support. Roll Call Vote:

<u>Salvatore</u>	<u>Y</u>
<u>Hochman</u>	<u>Y</u>
<u>Disney</u>	<u>Y</u>
<u>McFarland</u>	<u>Y</u>
<u>Dougherty</u>	<u>Y</u>
<u>Cough</u>	<u>Y</u>
<u>Smith</u>	<u>Y</u>
<u>Sweet</u>	<u>Y</u>
<u>Kelly</u>	<u>Y</u>

Motion passed 9-0.

Mr. Strong offered to send Craig Martin’s contact information to Cornell Knight and to Mr. Salvatore as the point of contact to determine next steps. Mr. Salvatore offered to draft the letter to be sent to council.

d. Review Community Survey/Annual Cap

Mr. Hochman said the Council had had discussions about whether the questions were too specific or not specific enough. He worried that including a list of potential town projects that cruise ship revenue could be interpreted as a promise to do all those projects, when that questions is intended to be more conceptual. He said reconfiguring traffic in Agamont Park has already been done, we just haven’t had a chance to see the fruits of that labor yet. The survey company is going to come back with a fourth draft at the next meeting; he hopes to see it early next week.

Mr Salvatore said the purpose of the survey wasn’t necessarily to fix things that are broken, it was to find out what is broken.

Mr. Strong asked if there had been discussion of the limits on what cruise ship fee revenue can legally be used for. Mr. Hochman said he thinks most of the projects listed would be allowed uses. Mr. Salvatore said the list of proposed projects that could be funded with cruise revenue was pulled from the recent report commissioned by CLIA about what would make operations better.

Mr. Smith said he's not sure why we need to know what people's income is. Mr. Hochman replied that it's standard to ask demographic information for use in the statistical breakdown.

Mr. Gordon said the current draft has no real mention of the current passenger caps in place. Would it be helpful for people to know what Bar Harbor is currently operating inside of as they evaluate these questions? Mr. Kelly said it might be complicated trying to explain the caps, since we know it's not the actual number of people who get off of ships.

Mr. Phippen said he has prepared a document showing, using 2019 data, the number of days in the season with no ships, one ships, two ships and three ships. There were six 3-ship days and we were under the cap on most days even when we have three ships.

Ms. Flink said the introduction to the survey talks about the purpose being to create a management plan. There already is a management plan; the town is trying to decide if it should be modified. She suggested adding language about where to find information about current visitation levels and numbers so people don't feel like they're in the dark. Mr. Salvatore agreed that "creating a management plan" is not what the survey is meant to do. He said the whole purpose is articulating, "What would you change?" You'd have to see from the results of this survey what you want to go fix, and then you actually make a management plan. Mr. Kelly suggested keeping it very general about what the value and use of the survey is. You're going to be looking at a lot of other information too, not just the survey.

Mr. Dougherty asked about the number of passengers "per day" vs. "per cruise ship day." Mr. Hochman said average number of passengers per day or per cruise ship day might be a misleadingly low number, but the overall total number of passengers for the season might be misleading in the other direction.

Mr. Phippen offered to come up with the average passengers on single-ship days, double-ship days, etc. Mr. Smith said that data would be useful. Mr. Phippen said we have everything we need to inform the public in a very open and fruitful way. We could even create a page for the town website.

Ms. Powers noted that using numbers from 2019 would be referencing back to the all-time busiest season pre-pandemic. It is going to be a very different industry when it does return.

She said no one can predict how the return will progress, but she cautioned against basing decisions on something that is gone, it's in the past.

Ms. Powers asked whether the survey is intended to create policy. Mr. Hochman said it's intended to guide the Council in creating policy. He said moving the vote to November will give a little more time to digest the information and hopefully come up with good policy.

Dr. Disney said she wasn't sure why Question 5 in the draft survey was relevant, since the survey is on cruise ship tourism and people's experience with that. In asking the last-based question, are we trying to get at whether people are supportive of any tourism? She suggested adding "In order to help us understand..." at the beginning of the question to explain why a cruise ship survey is asking about non-cruise ship tourism. Mr. Hochman said he thought that question would help with analyzing the survey data. Mr. Salvatore said it may help to get at the perception issues we've talked about, that people see busy streets and blame cruise ships. If way more people are upset about cruise ships than land-based then you know you're dialed into that problem.

Ms. Flink said she got a chance to talk to Pan Atlantic about that question. This question is asking about whether people think that car congestion is because of cruise tourism. Almost nobody getting off a cruise ship is in a car, but if you get a response that a big part of the community thinks it is, that tells you that you have an education issue.

Mr. Sweet asked whether there's any data on the number of folks in town that didn't come by cruise ship on cruise ship days. We don't have a firm grasp on how many people are in town in general. Mr. Salvatore mentioned the sidewalk count study done by Professor Gabe from UMaine.

Mr. Dougherty suggested adding a numerical scale on several questions, or at least using "positive/negative" instead of "good/bad." Mr. Gordon agreed. Mr. Kelly said a good survey is going to ask questions in different ways; they're going to use different tools to get to different questions.

Mr. Salvatore suggested adding "making a living" to the list of options in Question 3. He said the council just passed a budget where taxes went up because there was no cruise ship revenue. So we have to ask the question, "Do you favor eliminating or reducing cruise ships in exchange for your taxes will go up?" To him, that's a baseline question for people that aren't pro-cruise ship or anti-cruise ship but are just people that live in Bar Harbor.

Mr. Kelly said we've got to lighten up on the importance of this survey; we're presenting it to the community as the end-all. Mr. Hochman said the conversation will certainly not end in November or next June or whenever the ballot issue happens. All of these issues (land-based

tourism, cruise tourism, etc.) will come out in the new Comprehensive Plan. That will be a multi-years-long project. Ms. Powers suggested the towns and nonprofits and other groups could collaborate on an overall vision and long-term sustainable management program for all of MDI.

Ms. Powers said she hopes to work towards some collaborative discussions with the industry. She said adding more information to the town website would be helpful and offered to send information about stewardship of destinations, sustainability, and environmental programs. Federal and international regulatory compliance is not taken lightly. The industry is extremely regulated; there's a perception out there that the cruise lines don't comply with the regulations, but they do.

Ms. Flink asked whether it would be helpful to have a vote on these recommendations. Mr. Hochman said he's not sure the Council is interested in any more suggestions. Dr. Disney asked, if the Council doesn't want to hear from us, why are we here? She said it would help to have more clarity about what the Council would like the committee to be doing.

Mr. Kelly said he's not sure about the question about taxes going up. Dr. Disney said what she heard from the town manager in a previous meeting was that it's going to be hard to tell how not having had ships last year is going to affect taxes over time. Somebody would have to break that out for people and show what proportion of the tax increase was due to lack of cruise ship revenue. Mr. Kelly said we would need the balance to that: What costs are going to go down because we don't have cruise ships? Cruise ship fees are meant to support cruise ship activities and operations and infrastructure; if we don't have those, will our taxes also go down? He said it's not a clear black and white question, that if we don't have cruise ships our taxes go up. Mr. Salvatore said the budget the Council just passed was pretty black and white; taxes went up because cruise ship fees were zero. We get the budget every year, it's about half expenses and half capital improvements. Mr. Kelly said we don't need those capital improvements, necessarily, if we don't have the operations supporting the cruise ships. He said he thought the list of suggestions should all be included in the motion, even though he doesn't agree with this one.

Mr. Smith, with second by Ms. Cough, moved to recommend the following changes to the draft survey to Council: (1) Adjust the line in the opening statement about "create a plan for management of cruise ship tourism" to better reflect the goal of the survey; (2) In Question 3, add "make a living" to the list of options; (3) Add a numerical scale to questions that ask respondents to choose "good" or "bad," especially #18; (4) Add the question, "Would you favor eliminating or reducing cruise ships if your taxes will go up?" and (5) Add parallel questions about land-based tourism throughout as appropriate. A straw poll show of hands indicated support. Roll Call Vote:

<u>Searchfield</u>	<u>Y</u>
<u>Salvatore</u>	<u>Y</u>
<u>Hochman</u>	<u>Y</u>
<u>Disney</u>	<u>Y</u>
<u>McFarland</u>	<u>Y</u>
<u>Dougherty</u>	<u>Y</u>
<u>Cough</u>	<u>Y</u>
<u>Smith</u>	<u>Y</u>
<u>Sweet</u>	<u>Y</u>
<u>Kelly</u>	<u>Y</u>
<u>Motion passed 10-0.</u>	

Mr. Smith asked, what is the process going forward? Are there going to be more drafts? Mr. Hochman said there will definitely be another draft coming. He said he will bring all of this up at Council; these are good suggestions and some councilors will be interested in hearing them out, but his guess is that they are not going to have an appetite for a fifth draft because they want to get it finalized as soon as possible.

Dr. Disney said all the committees in Bar Harbor served at the pleasure of the Council. If the Council doesn't think we have a role in the survey, why take it up at a meeting? The committee includes a mix of people who are putting in some time and it would be good to get clarity on what it is they think we ought to be doing. Mr. Hochman said he will continue to seek clarity on that question.

VI. PUBLIC COMMENT PERIOD (UP TO 15 MINUTES)

Duncan Holley asked about Canada's no-sail order through 2022. He said he noticed the Minister of Transport has the ability to rescind it at any time. With the rapid pace of the vaccine rollout in the U.S., how open is the minister to rescinding the order if they can get ahold of some vaccine in Canada? If we were able to get the September-October season it would be a massive impact for us. Ms. Powers said CLIA feels is that it's going to be an uphill battle to get an exemption for even a small fraction of the Alaska market; they're being very conservative in their planning. Ms. Flink added that her colleagues in Canada were surprised at the long time frame of the no-sail order.

VII. COMMITTEE COMMENTS AND REQUESTS FOR FUTURE AGENDA ITEMS

Mr. Salvatore said he likes the suggestion about making more information available to the public, whether it's on the town website or elsewhere. We've done a lot over the years of things

such as touring the water treatment plants on board the ships. Dr. Disney has put a lot of time into testing the water in Bar Harbor.

Ms. Powers suggested putting together an inventory of environmentally friendly practices that the stakeholders in Bar Harbor are engaged in and see how they align with the work of the town's climate task force and A Climate to Thrive, etc. There are so many ways we can collaborate on already existing programs, we just have to connect the dots. What are the sustainability programs that Mr. Gordon's company and the motor coach companies are working on? Who is using alternative fuels or providing excursions that are not relying on fuel (e.g. kayak tours and bike tours)? She offered to put a call out to shore excursion providers to see what activities they're participating in to reduce their own footprint, and see if they have goals they're working towards. Also, we still have to create a list of projects that we had earmarked such as water bottle filling stations and solar panels for charging cell phones.

Mr. Hochman thanked the committee for all the hard work and said other councilors appreciate it as well.

Mr. Strong said he has calls coming up with the Coast Guard and will mention the anchorage move proposal. Mr. Phippen said he will check with Cornell Knight on the status of the letter to the Coast Guard; it will be signed from the Town Council to the sector commander in South Portland.

The next meeting was set for Thursday, April 1 at 3 p.m. Agenda items: 2021 season update, Anchorage B update, breakwater update, sustainability projects and best practices.

VIII. ADJOURNMENT— 4:45 p.m.



Liz Graves, Deputy Clerk