

Shore Mooring Appraisal Problems

The Newport Mooring Association (NMA) as well as speakers in attendance at the Commission meeting have noted that in addition to the appraisal following the wrong methodology for setting mooring fees, the appraisal itself contained many defects and mistakes. To name just a few:

- (a) Using the price of expensive land and comparing land to water (tidelands). Put simply, you can build a house on land, but not on water, and the values simply can't be compared.
- (b) Using the wrong size of a mooring. The mooring takes up the water the boat sits on. It has no side fingers for access to the boat, and the area surrounding the shore mooring is available to swimmers and the public. An 18 foot boat, with a 7 foot beam, only takes up 126 square feet, plus 4 square feet for the buoy.
- (c) The reference to the Lido leases, is very limited and does not take into consideration the walkway available to the mooring, the upkeep of the sandy beaches compared to the mud bottom and difficulty of access of shore mooring located elsewhere.
- (d) Comparing a shore mooring to a slip without proper evaluation and proper offset for lack of walk-on access, lack of electric, cost of dead batteries needed to start an engine, lack of water, restrooms, parking, trash removal, dealing with installing and maintaining the buoy system, installing and maintaining the lines to the shore, installing and maintaining the the post on the beach, and monthly cost of cleaning the lines what get full of marine life, having to often step into the water to launch to boat and times when the boat cannot be launched, and the failure to look at mooring in other parts of the country where tens of thousands of shore mooring are used.

The NMA noted that some of the Commissioners were familiar with appraising themselves and they noted some of these defects.

In addition to the above problems with the details of the appraisal, the NMA has pointed out that the methods and assumptions are inappropriate, in particular,

- (e) The Beacon Bay Bill, when read correctly, allows lower valuation approaches for determining much more affordable mooring fees, one of those methods is shown in a recent assessment of moorings fees by the State in another harbor. The State's method is shown in a report called the Tomales Bay report written only one year ago.
- (f) The NMA notes that any City Ordinance calling for higher fees based in any part on a misreading of the Beacon Bay should not be used, and any suggestion that other state laws require higher rates is contradicted by the State's Tomales Bay report. Therefore, the City is free to fulfill its stated goal of providing affordable boating in our beautiful harbor for the benefit of generations to come.
- (g) The NMA also notes that State Law and the Beacon Bay Bill prohibits the City from using different methods and coming with different rates for different recreational uses of the tidelands, resulting in higher discriminatory rates per square foot of the actual area used by a boat on a mooring compared to the rates for the actual square feet of tidelands charged to other users of the tidelands.

Thank you for your attention,

Newport Mooring Association