

# Addendum to Eastport Downtown Piers Safety & Maintenance Issues A Photographic Report



Prepared by Robert Godfrey  
Member, Society of Professional Journalists  
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**2023 July 21**

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*Addendum to Eastport Downtown Piers Safety & Maintenance Issues*

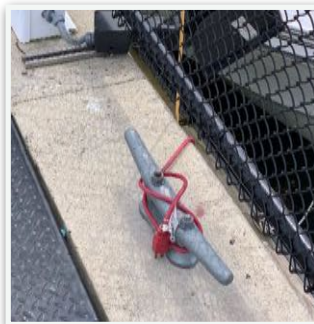
Just prior to the release of the original *Eastport Downtown Piers Safety & Maintenance Issues: A Photographic Report*, additional safety and maintenance issues were observed and reported to the Eastport Harbor Advisory Committee and the chair of

the Eastport City Council. Some concerns have been addressed, while others—and new ones—remain. After the report was released, this writer was twice maliciously verbally assaulted at the Municipal Breakwater by a fisherman **who is also an Eastport Port Authority Board member**, due to his electrical fire and

electrocution safety hazards the Eastport Port Authority had consistently ignored (photo above and at left, 2022 Jul 6). That board member yelled that, due to the report, his boat was evicted from berthing. (The Eastport Police Department has since issued a do-not-harass order to the individual.) Following are recently-addressed, existing, and new problems:



- **The damaged red electrical cord** leading from a shore power outlet on the Municipal Breakwater, was then unplugged from the outlet, and wrapped around a cleat near the outlet (left, 2022 Aug 12), **but with the female plug still submerged in inner basin seawater for months** (right, 2022 Oct 7; report, pg 14).



**In 2023 May, instead of removing the cord, the female end was removed from the water, but then the male end—with broken insulation— was again plugged into the shore power outlet** (left, 2023 May 22). **The tag on the cord states “Always Store Cord INDOORS”, and not for use in wet conditions.**



*Addendum to Eastport Downtown Piers Safety & Maintenance Issues*

After the report was published on 2022 August 4, **an additional red electrical cord's submerged female plug was found** at the north floats near the bottom of the ramp, likely corroding the plug components, **creating a potential electric shock and fire hazard** (right, 2022 Oct 22).

- This writer was informed that volunteers nailed down loose planks on the floating piers in the inner basin and on the north floating piers; however, **hazardous gaps between multiple sections of pier remained** (near right, 2022 Aug 1) In 2023 May many—though not all—of the loose boards had been either replaced or nailed down; **however, a broken deck plank existed** (far right, 2023 May 29).;



- The broken light pole lying on the Fish Pier (pg 5 in report) was removed **after four months**, and the remaining jagged base with exposed wiring (near right, 2022 Jun 25) was taped over; however, shortly after taping, **someone punched a long hole in the tape, again exposing the electrical wiring and conduit to rainwater, snow, and sea spray** (far right, 2022 Aug 21). The hole remains,



- The Fish Pier crane **480-volt circuit box** (report, pg 4) was replaced in early August (near right, 2022 Oct 7). Note the **unused padlock sitting atop the new switch box. The box**

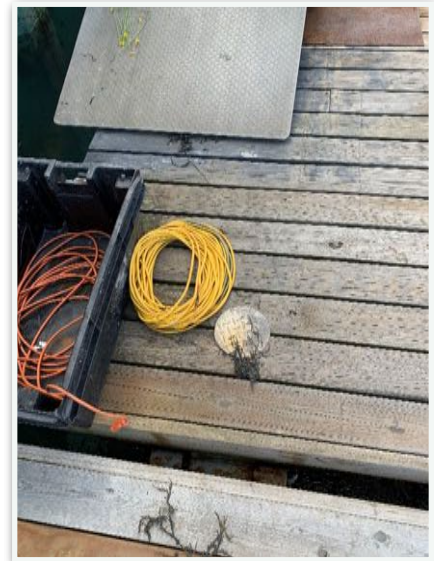


**remains unlocked. as does the south crane box on the Municipal Breakwater** (above, far right, 2022 Jul 5; report, pg 9) as of this writing. **(The boxes display stickers stating "HAZARDOUS VOLTAGE".)**

**Inexplicably, the Port Authority consistently refuses to secure high-voltage (480-volt) boxes with padlocks.**

The Eastport Port Authority instructed NOAA on 2022 Jul 26 that this writer was not to inspect any Port Authority equipment on the Fish Pier (and report findings to the Port Authority) while conducting frequent inspections of the NOAA tide sensing station, threatening to ban this writer from the pier. **Since issuing Eastport Downtown Safety & Maintenance Issues, in 2022 September the Port Director threatened NOAA that if they continued to use this writer's services on the tide station, then the port would evict the NOAA tide station from Eastport Port Authority property. As a result, NOAA submitted to the coercion, and discontinued using this writer's services, replaced by Port Authority personnel.** The general public has been banned from accessing the Fish Pier, even though the public still frequents the pier since they do not notice the sign prohibiting access. Additionally, the Eastport Port Authority has installed "No Trespassing" signs on access points to the Municipal Breakwater's inner basin. Considering the Port Authority correcting problems as a result of this writer's efforts to bring Eastport Port Authority negligence to light, **citizen access to the Fish Pier and inner basin are precisely what is needed to keep the public safe.**

- **Multiple tripping hazards** at end of north floats ramp (right, 2022 Sep 3):
  1. **Box and electrical cord at end of ramp** (right, removed in late 2022)
  2. **Large gap between floating pier sections.** (Some partially fixed.)

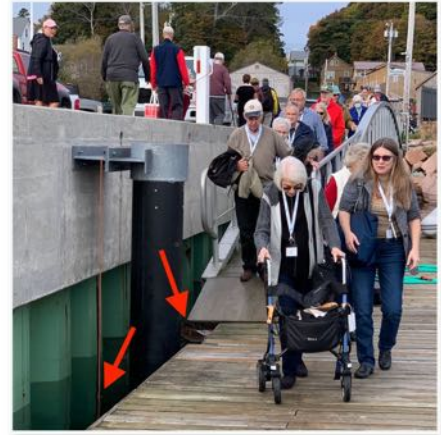


*Addendum to Eastport Downtown Piers Safety & Maintenance Issues*

- **Multiple hazards** as **cruise ship** boat-excursion visitors arrive at north floats (right, 2022 Oct 7):

1. **Red electrical cord female receptacle is submerged in seawater** (right). Cord was unplugged and removed from water sometime prior to 2022 Nov 5.
2. **Slippery ramp from dew, with no railing on the last ramp section. This writer observed one person who—with difficulty, had just exited the ramp—tell her companion, “There’s a lawsuit waiting to happen”;**
3. **Ramp extends partially over water** (fixed with wooden cleat in 2023, below right); **still, there is no railing on the last section of ramp.**

Note: Maine Department of Transportation’s representative on the Eastport Port Authority Board berths his boat at a slip within a few feet of the ramp (above right, 2022 Jul 25); thus, he would have passed the aforementioned hazards when going to and from his boat.



- **The southeastern portion of the north floats lost buoyancy,** causing the east end of the floating pier to dip close to the water’s surface, and lifting the other end of the section out of the water, (2022 Oct 22). It was repaired sometime prior to 2022 Nov 5.



• **Conflicting Messages**



The entrance to the Fish Pier has a sign stating **“ENTER AT OWN RISK”** (left).



There is also an unobtrusive sign on the right-hand gate at about halfway onto the pier indicating **“No Public Admittance ...”** (below).



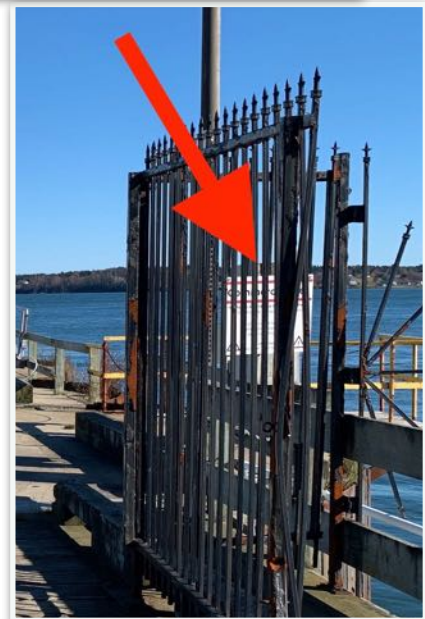
The prohibition is in small type on a sign away from the open entrance.

**The first sign approves entry at one’s own risk, so the public enters, not noticing the obscure “No Public Admittance”.**

Similar commercial activity on the popular Fish Pier also occurs on the popular Breakwater Pier, with similar safety concerns—except the Breakwater has two-times as many commercial cranes and a lot more visiting public.

The 2022 July 8 Quoddy Tides newspaper reported (bold emphasis added):

**“Because of concerns that have been brought to the port authority about possible risks posed by the electrical panel on the fish pier, Gardner proposed closing the pier to the public. Instead of closing the gate at the**



entrance, though, it was decided to post a sign that the pier is only to be accessed by commercial fishermen and harbor users.”<sup>1</sup>

Since the mentioned concerns had to do with the defective circuit box, and since the Eastport Port Authority has since replaced that box, **if the Eastport Port Authority would lock the new box**, there is no valid reason to keep the Fish Pier off limits to the public, just as was the case prior to reporting the defective box—especially since enforcement is selective, intended to keep one person from reporting safety issues.

The public has enjoyed access to the Fish Pier for decades. It is only after the Eastport Port Authority’s ongoing neglect was exposed that the Port Authority Board decided to make the Fish Pier off limits to the public, **reducing the likelihood of the public observing and reporting safety and maintenance issues.**

**The safety cable along the parking spaces drop-off along the approach to the Municipal Breakwater has been in disrepair or missing for years** (photos at right, 2021 Oct 4).



• **Disturbing Paradoxes**

- 1. It is mystifying for the Port Authority to intentionally-ignore multiple electrical safety problems when the Eastport Port Authority Board President is a retired licensed electrician;**
- 2. A Port Authority Board member, and member of the Eastport Harbor Committee, had an electric power cable to his boat, spliced in two places with household metal indoor junction boxes laying on the inner basin pier—presenting electrocution and fire hazards to boaters, the public, the pier, and other boats—until reported in the original**

<sup>1</sup> “Port authority set to face transitions”, <https://quoddytides.com/port-authority-set-to-face-transitions.html>

**Eastport Downtown Piers Safety & Maintenance Issues, after which the vessel was ejected from berthing.**

- 3. Maine Department of Transportation's representative on the Board, an Eastport resident, berths his boat just feet away from the bottom of the north floats ramp that in 2022—as illustrated above—was hanging partially over the water, with no railing at the bottom of the ramp, with coiled electrical cords and a box lying directly in the path at the bottom of the ramp, and had an electrical cord's female receptacle submerged in seawater.**

## Eastport Harbor Ordinance Violations

The following are excerpts from the Eastport Harbor Ordinance, with emphasis added. They cite violated portions of the ordinance.

- 1. All boats** berthing in the Inner Basin or along the Breakwater **must be in compliance with all other Federal, State, and Local laws, regulations, and ordinances.**<sup>[2]</sup>
- 2. ...both municipal piers may be used for the docking of all water crafts which can safely do so without endangering the safety of water craft already docked there** or doing any damage to either pier.<sup>[3]</sup>
- 3. The use of the Municipal Piers** industrially, commercially or **by the public for other community purposes including, but not limited to, accessing the waterfront, common day use** and/or for loading and unloading by watercraft **shall be subject to reasonable oversight and regulation by the Port Authority.**<sup>[4]</sup>
- 4. When available, harbor users in good standing will have access to the harbor-owned cranes located at the facility.** These units **will require a regulated key for access**, said keys to be provided by the Harbor Master.<sup>[5]</sup>
- 5. Vessels will be responsible for there** [sic; **their**] **own electrical hook-up and will keep in good working order.** This to include **utilizing appropriate equipment** as determined by Harbor Master in consultation with Master Electrician.<sup>[6]</sup>

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<sup>2</sup> Harbor Ordinance City of Eastport, 5.5.4–5.5.4.5.  
[https://oldsowpublishing.com/publications/2023/Eastport\\_harbor\\_ordinance.pdf](https://oldsowpublishing.com/publications/2023/Eastport_harbor_ordinance.pdf)

<sup>3</sup> Ibid., 5.5.7.

<sup>4</sup> Ibid., 5.5.10.

<sup>5</sup> Ibid., 5.5.18.

<sup>6</sup> Ibid., 7.3.3.2.

6. Harbor Master Duties: **Performs routine checks of the inner basin and harbor area on a daily basis**....<sup>[7]</sup>

Eastport Port Authority personnel has either not been reporting safety & maintenance problems, or Port Authority management has not been acting on such reports (as has been the experience of this writer).

**Instead of recognizing the value of the public's alerts to safety and maintenance problems, the Eastport Port Authority's response has been *retribution, coercion, and blocking public access*. Eastport Port Authority has *coerced* NOAA to replace its local point-of-contact person with Port Authority personnel *by threatening to evict the NOAA tide sensing station from the Eastport Port Authority's piers*.**

## The Good News

The good news is that—due to the 2022 *Eastport Downtown Piers Safety & Maintenance Issues* report—**several safety and maintenance problems have been corrected.**

## The Bad News

The bad news is **some serious safety problems remain, including multiple violations of NFPA and other industry advice** (see Appendices); plus, **Eastport Port Authority has banned the general public—and any resulting constructive safety criticism—from accessing and enjoying facilities that the public has paid for and previously enjoyed, and has coerced NOAA to replace conscientious citizenship with Port Authority personnel.**

## Potential Solutions

1. **Allow public access** to the piers that previously had public access, **and who provided critical information regarding pier safety and maintenance problems;**
2. Solicit safety and maintenance alerts from the public, **to be reported directly to the Maine Department of Transportation;**
3. **Require Eastport Port Authority to report to the Maine Department of Transportation regarding safety and maintenance corrections.**

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<sup>7</sup> Ibid., Appendix “B”, p18.

## Appendix 1 – Additional Issues

A sign posted along the approach to the Breakwater Pier (right). The Eastport Port Authority does not take seriously its own request for the public to report **“Any Issues.”**

The Eastport Port Authority persistently refuses to lock the three cranes’ 480-volt circuit boxes, providing hazardous access to anyone. One box, replacing the defective one on the Fish Pier (below left) has had an unused padlock sitting atop it since it was installed in 2022. Also, contrary to the City of Eastport Ordinance<sup>8</sup>, the cranes do not require keys to operate, giving access to anyone.

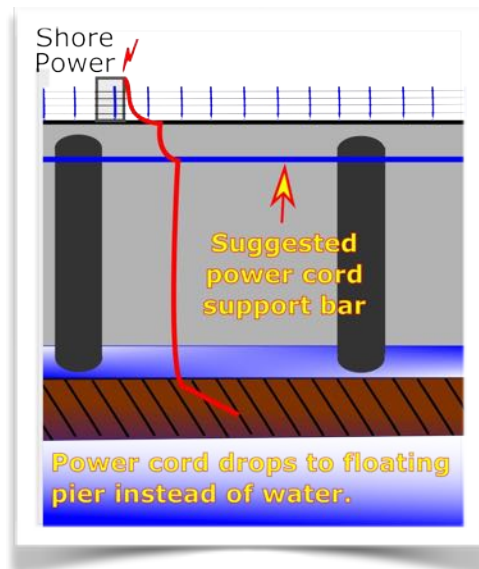


<sup>8</sup> Ibid., 5.5.18.

## Appendix 1 – Additional Issues



Common household electrical cords—not marine-grade—are being used to connect boats to shore power. Location of the shore power outlets, and the gap between floating piers and the breakwater where the shore power resides, results in the **electrical cords trailing in saltwater**. In two cases, the female plugs of the electrical cords have been submerged in saltwater—for months. Such conditions create electrocution and fire hazards, endangering people, the piers, and berthed boats.



**Adding a non-conductive power cord support bar between pilings alongside the Breakwater Pier (above right) would allow power cords to drop down directly onto the floating piers without being partially immersed in seawater.**

## Appendix 1 – Additional Issues

Gaps between floating pier segments present tripping hazards, with potential for sprains, broken bones, or falling into the water. After the *Eastport Piers Safety & Maintenance Issues* report, at least some gaps were reduced (below right).

Just after the north floats were installed for the 2023 season, a broken plank existed, as well as a plank bending downward, with tripping potential (bottom).

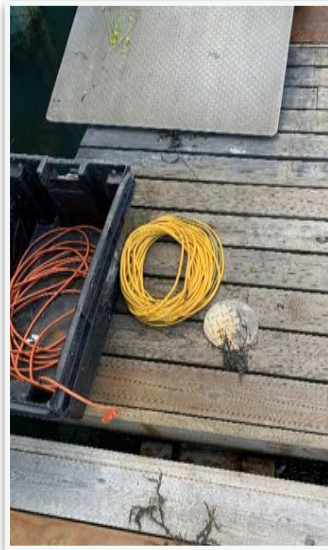
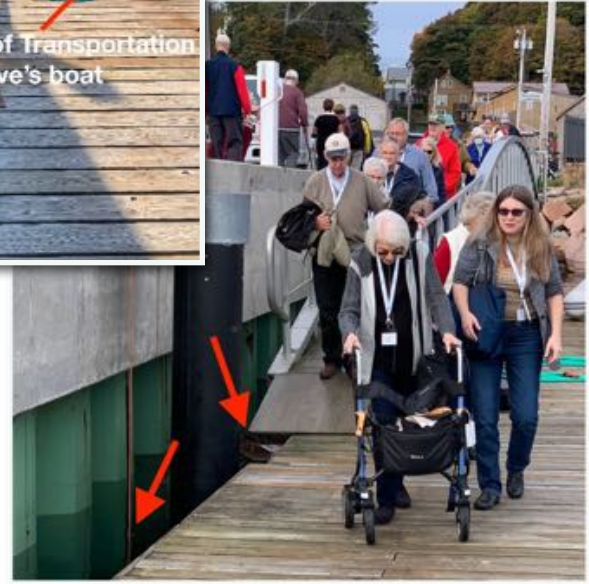


## Appendix 1 – Additional Issues

The north floats' ramp in 2022 hung partially over water, with no railing in the last few feet. After the *Eastport Piers Safety & Maintenance*

*Issues* was published, in 2023 the ramp was properly placed and a cleat was added (below) to prevent sliding over the water.

**But, still no railing at the end of the ramp.**



**Tripping hazards also existed at the end of the ramp:** a tote box and an electrical cord. They were removed sometime near the end of the 2022 season.

**The Maine Department of Transportation member of the Eastport Port Authority Board docks his boat at a slip just feet away from the ramp, and must use the ramp to access his boat, passing by these hazards.**

## Appendix 1 – Additional Issues

The parking guard cable along the dropoff on the approach to the Breakwater Pier has been in deteriorated and missing condition for years.



**A vehicle could roll off, into the inner basin.**

## Appendix 1 – Additional Issues



Multiple bolt and nut corrosion covers are missing from the Breakwater Pier. This writer retrieved one from the inner basin water in 2022, but it has remained on the floating pier since then.



After publishing *Eastport Piers Safety & Maintenance Issues*, **in retribution, the Eastport Port Authority posted no trespassing signs** on the Municipal Pier inner basin floating piers (above, 2023)—**piers that the public had enjoyed access to for decades.**



The "FISH PIER NOTICE" (left) is inappropriately posted on the Breakwater Pier.

## Appendix 1 – Additional Issues



Shore power column with weather cover in place is shown (left). The others shown have been missing weather covers for years, allowing rain, snow, and salt spray to affect the electrical contacts, **presenting electrocution and fire hazards.**



Electrical conduit caps in place are shown at left.



**Sixteen conduits have never had caps installed** (below right), allowing rainwater, salt spray, and guano from gulls perching on adjacent light poles to collect for years in the conduits.



## Appendix 1 – Additional Issues



**Multiple loose planks** were reported on the floating piers in 2022, but after publishing *Eastport Piers Safety & Maintenance Issues*, volunteers repaired most of the loose planks.

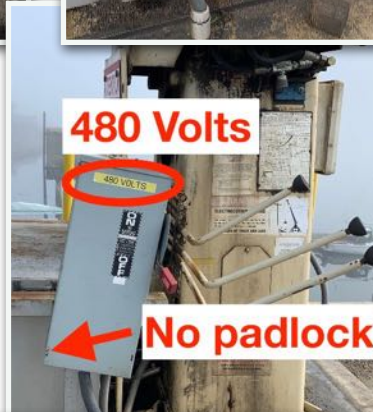


Repairs shown below were made after the 2022 season and after *Eastport Piers Safety & Maintenance Issues* was published.

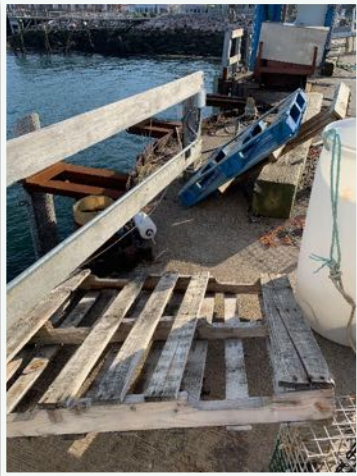


## Appendix 1 – Additional Issues

The Municipal Breakwater north crane had a control box this writer reported in disrepair to the Port Authority in 2022 (near right), and the crane was tagged out of service (far right). The control box was apparently repaired prior to Spring 2023, with the crane placed back in service; however, **the 480-volt circuit box has remained unlocked for years, giving hazardous access to anyone** (lower right, 2023 July 5).



The Fish Pier was repeatedly reported in disarray (below left, 2021 Oct 21 & below right, 2022 Apr 22).



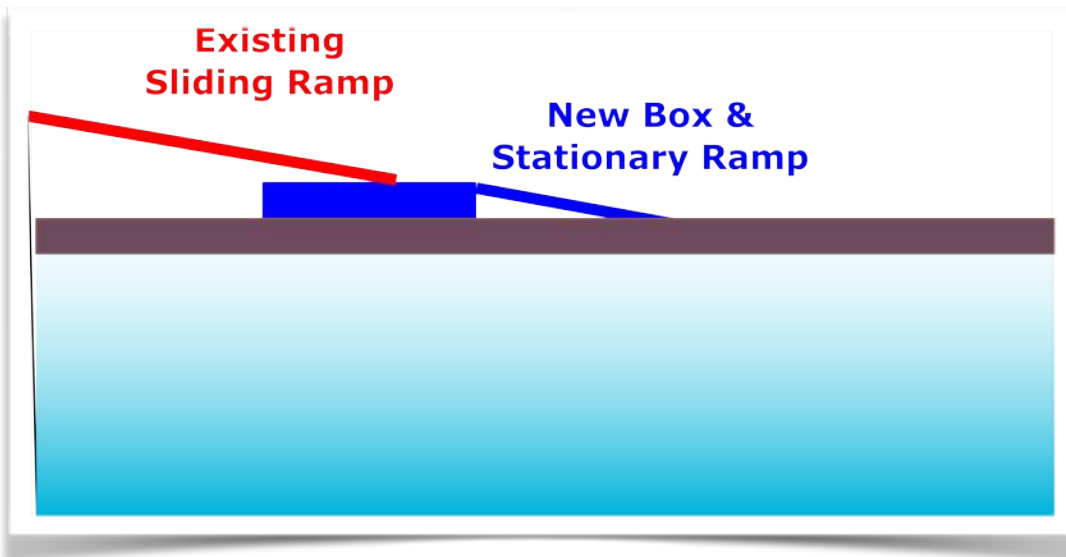
The broken fiberglass light pole was removed four months later, but the rest was not cleaned up until Summer 2023 (below).



## Appendix 1 – Additional Issues



The Breakwater Pier inner basin ramp is perilously steep at low water ( $\sim 33^\circ$ ). When wet from dew or rain, it becomes dangerously slippery to users. This writer has been told that to replace the ramp with one of appropriate length would cost around \$20,000. A potential cheaper solution would be to add a box below the end of the existing sliding ramp, and add a permanent short ramp between the box and the floating pier (below).



## Appendix 2—Industry Advice

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### NFPA (National Fire Protection Association)<sup>9</sup>

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#### Marinas, lakes and ponds

<https://www.nfpa.org/NEC/electrical-news-and-resources/Hot-topics/Electric-Shock-Drowning/Marinas>

[Bold, red, and italic emphasis has been added.]

**“When it comes to marinas, both saltwater and freshwater, corrosive environments can be very tough on electrical equipment.”**

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#### Electrical Wiring and Equipment

##### 5.4.5 Service Equipment.

###### 5.4.5.1

“... **the main switchboard or panel**, shall not be installed in wet locations unless listed for wet locations.”

###### 5.4.5.2

**“The equipment addressed in 5.4.5.1 shall be protected against access by unauthorized persons.”**

##### 5.12 Receptacles.

###### 5.12.1

“Where receptacles intended to supply shore power to boats are installed, **receptacles shall comply with the requirements in 5.12.1.1 through 5.12.1.4.”**

###### 5.12.1.1

**“Receptacles shall meet one of the following:**

- “(1) Housed in marine power outlets listed as marine power outlets
- “(2) Listed for wet locations
- “(3) **Installed in listed enclosures protected from the weather**
- “(4) Housed in listed weatherproof enclosures”

###### 5.20.6

“(4) **Shore power cable sets used by vessels for connection to shore power outlets as follows:**

- “(a) **Shore power cable sets that lie across the surface of pier walkways shall be protected from mechanical abuse and positioned to reduce tripping hazard.**
- “(b) **Shore power cable sets shall be secured so as not to trail into the water.”**

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<sup>9</sup> Quotations comply with Fair Use requirements.

## Appendix 2—Industry Advice

# Marina & Boating Safety

Boats can be a great source of summer fun and leisure. But, boaters, swimmers, and marina staff must be aware of dangers in and around the water. Electrical hazards and carbon monoxide (CO) bring unique risks to the boating world. Learn to protect people and pets from these dangers.

### ELECTRICAL SAFETY

- » Never allow swimming near the boat, marina, or launching ramp. Residual current could flow into the water from the boat or the marina's wiring. This can put anyone at risk of electrical shock drownings (ESD).
- » Be sure your boat is well maintained. Have it inspected each year. Ask a qualified marine electrician to do this job.
- » Ground fault circuit interrupters (GFCIs) and equipment leakage circuit interrupters (ELCIs) should be installed and tested monthly. Run tests to find out if electrical current is leaking from the boat.
- » Only use cords intended for marine use. Never use household cords near water.
- » Know where your main breakers are on both the boat and the shore power source. This will help you respond quickly in an emergency.

### CARBON MONOXIDE SAFETY

- » Poorly tuned engines produce more CO. Keep your engine properly maintained. Follow manufacturer's instructions for service.
- » Proper ventilation for engine and generator exhaust vents must be clear and pipes should be inspected for leaks.
- » Get into fresh air right away and get help if you feel symptoms of CO poisoning. These include headache, fatigue, confusion, dizziness, nausea, or seizures. The symptoms can be similar to seasickness. Assume it is CO exposure until you are sure the boat is safe.
- » Do not swim near the boat's exhaust vents. CO accumulates there.
- » Install CO alarms inside your boat. Test CO alarms before each trip.
- » Choose a CO alarm that is listed by a qualified testing laboratory.
- » If the CO alarm sounds, move to a fresh air location right away.



## KNOW THE RISKS!

Electrical shock drownings can occur when marina electrical systems leak electrical current into the water. Boats can also serve as the source of an electrical leakage. Leakage can cause a shock that can injure, disable, or kill a person.

Carbon Monoxide is a gas you cannot see, taste, or smell. It is often called the "invisible killer." CO is created when fuels such as gasoline, diesel, or propane do not burn fully. CO is also produced when wood or charcoal is burned.

Sources of CO on your boat may include engines, gas generators, and cooking ranges. Space and water heaters can also be sources of CO. CO can collect anywhere in or around a boat. The gas is harmful to both people and to pets.

## FACT

**CO can remain in or around your boat at unsafe levels even if the engine has been turned off.**

Name of Organization Here

Contact Information Here



Your Source for SAFETY Information  
NFPA Public Education Division • 1 Batterymarch Park, Quincy, MA 02169

[www.nfpa.org/education](http://www.nfpa.org/education) ©NFPA 2016

<https://www.nfpa.org/-/media/Files/Public-Education/Resources/Safety-tip-sheets/BoatingSafetyTips.ashx>

## Appendix 2—Industry Advice

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### Safety Foundation

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#### Extension Cord Safety Tips

<https://www.esfi.org/extension-cord-safety-tips>

[Bold and red emphasis has been added.]

“Using extension cords properly is critical to your safety. **With continuous use over time, an extension cord can rapidly deteriorate, creating a potentially dangerous electric shock or fire hazard.** The Electrical Safety Foundation International (ESFI) offers the following tips for staying safe from electric shock and electrical fires:

“**Do not** overload extension cords or **allow them to run through water** or snow on the ground.”

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### Power Boating Magazine

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#### Shore Power Cords Safety Part 2

<https://www.powerboating.com/shore-power-cords-safety-part-2/>

[Bold and red emphasis has been added.]

“With the power available at the dock and with water present **it should go without saying that all cords used for shore power should be rated for marine use. Never use an ordinary extension cord, even one that is rated for outdoor use,** to supply power to any item on your boat - either the boat itself or for a single purpose such as powering a battery charger. Because they are not rated for the severe use on a dock **they can overheat and deteriorate quickly and cause an electrical shock, a short circuit or a fire.**”



(Left) “Boaters should avoid tight coils of shore power cords. They can produce heat. **The mound on the dock is also a potential tripping hazard.**”



