



CITY OF

NEWPORT BEACH

Harbor Commission Staff Report

February 12, 2025
Agenda Item No. 6.4

TO: HARBOR COMMISSION

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TITLE: Harbormaster Update – November and December 2024 and January 2025 Activities

ABSTRACT:

The Harbormaster oversees the City Harbor Department and is responsible for the management of the City's mooring fields and Balboa Yacht Basin marina, support for the Harbor Commission, municipal code enforcement on the harbor, events and marine activities permitting, safety and rescue operations, management of the Marina Park visitor serving marina, marine sanitation pump out equipment and public pier maintenance, water quality monitoring and maintenance, impound and disposition of abandoned and unclaimed vessels and public relations and information dissemination on and about Newport Harbor as well as several special projects.

This report will update the Harbor Commission on the Harbor Department's recent activities.

RECOMMENDATION:

- 1) Determine this action is exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) and 15060(c)(3) of the CEQA Guidelines because this action will not result in a physical change to the environment, directly or indirectly; and
- 2) Receive and file.

FUNDING REQUIREMENTS:

There is no fiscal impact related to this item.

DISCUSSION:

The winter and holiday period found the Harbor Department team providing support for the annual Christmas Boat parade and a host of activities associated with it as well as preparing for and dealing with the aftereffects of several severe weather events.

Clean

Significant efforts were expended to maintain and improve the cleanliness of the harbor. Highlights included:

- In a recent California Parks podcast, it was reported that between 200 and 300 vessels are removed annually statewide. We here in Newport are more than 10% of what's removed statewide. The average cost to remove an abandoned vessel is \$4,000 statewide. The average cost to remove a surrendered vessel statewide is \$2500. We're in line on costs but we've had to deal with some outliers, mostly due to size
- We completed the arrest of a vessel in impound with the help of Federal Marshals. This is the first time since the Harbor Department was formed that a vessel had to be arrested. This vessel required arrest because of significant liens recorded against it. The process to have that vessel auctioned and removed continues
- We remain responsible for the care, cleanliness, safety, and security of the vessel under arrest
- We issued a citation to the party responsible for an electric vessel rental when a passenger was observed (and documented) urinating overboard
- Alert Harbor Service Workers (HSWs) identified an oil leak coming from a moored vessel. A containment boom was deployed, the owner/permittee was contacted and a report was filed with the National Pollution Response Center. Collaborating with the owner/permittee the leak source was identified and staunches. Further absorption and cleanup took place
- Further collaboration with private trash/debris removal service included hauling a 30' log to the municipal yard for disposal
- Evidence of upland construction debris in the water was observed and collected. A Stop Work Order was posted and a Notice of Violation (NOV) was sent to the property owner
- A BBQ was blown into the water during a severe wind event. Tides carried it onto South Bayfront. We collected and brought it to our impound coral. Not having been collected by an owner it was disposed of ten days later
- We collaborated with a permittee in the C-field and a known diver to retrieve a battery that was mistakenly dropped overboard
- Debris resulting from upland tree trimming activities was observed by HSWs. They documented conditions and did the best they could to collect the debris. A citation was issued to the commercial tree-trimming organization
- HSWs observed maintenance workers drilling fiberglass with fallout entering the water. Work was stopped and workers were educated on better techniques. A NOV was issued to the vessel owner
- A new cargo net was used successfully with our crane to remove debris from the harbor
- Annual inspections for all liveaboard permittees were completed. The inspections include every permittee demonstrating the operability of their vessels along with the presence of safety equipment and the integrity of their marine sanitation system(s)

- The sanitary condition of several vessels was addressed including NOVs sent to owners
- A couple of issues with the trash skimmer in the Rhine Channel were addressed with the contractor who provides service for the units. The systems are turned off during jellyfish season and turned back on once they are gone
- After months of working with our colleagues in Municipal Operations trash receptacles were added to all the public dock piers and floats. The receptacles will be serviced five times per week from October through mid-May and seven days per week from mid-May through September
- A vessel in one of the anchorages failed its sanitation system dye tab test. The vessel was directed to leave the harbor and complied. The same vessel had an outstanding balance from a previous stay at Marina Park which has now been settled but the vessel will not be welcomed back to enjoy a slip at Marina Park or a mooring sub permit

Safe

Significant efforts were expended to maintain and improve the safety of the harbor. Highlights included:

- We witnessed further evidence of successful collaboration within the Southern California Unified Marine Working Group on Vessels of Concern. Our colleagues in Two Harbors updated the group on a vessel of concern that had been visiting their location. The US Coast Guard and Division of Boating and Waterways continue to express appreciation for our efforts in this regard
- We collaborated with a commercial tow service on exercises to assess the capabilities and capacity of using our electric patrol boat for towing. HD-EV performed above expectations over two and half hours of towing in various conditions demonstrating effective maneuvering in several configurations and with less than expected consumption of battery power
- The Department engaged in training exercises with the CA National Guard Marine Command in November. All involved found it a valuable experience
- A raised and refloated boat that had been in impound was removed and destroyed
- We observed and responded to several instances of severe wind and tides but no major incidents
- One incident we responded to involved a center console vessel at a private dock taking on water shortly after an extreme low tide. We pumped out the vessel and contacted the owner who took further action to secure the vessel
- The owner of another small vessel on a shore mooring which had swamped was contacted and addressed the situation
- We carried out several instances of dewatering for small vessels around the harbor
- Several dozen Private Aids to Navigation buoy locations were checked and confirmed or corrected. The inventory of such buoys was checked against our permit applications with the US Coast Guard to confirm our authority to manage these aids to navigation. The Coast Guard confirmed we are fully compliant. We

are working with the Army Corp of Engineers on a permit application for the buoys marking the boundary of the west anchorage and “BEWARE OF BRIDGE JUMPERS” at the Lido Bridge

- Several after-dark patrols specifically looking for navigation light compliance resulted in dozens of interactions with vessel operators but no NOVs
- A vessel owner who was issued a citation for speeding went out of his way to thank us for keeping the harbor safe despite receiving the citation
- A multiple berthing occurrence reported anonymously was addressed and resolved
- We provided transport for colleagues in Public Works to the Lido Bridge who were responding to a report of exposed rebar. No such exposed rebar was found
- A certified service provided inspected the seven fire extinguishers on the docks at Marina Park. As a result, one was replaced. A separate effort was conducted to replace the cabinets in which they live
- We worked with the US Coast Guard and the Linda Isle Homeowners Association to negotiate the lighting on their bridge into compliance. All parties are pleased with the outcome
- The skipper of a visiting vessel in one of the anchorages was observed drifting away from his mothership while in his tender. He was retrieved and brought safely back to his mothership
- A propane leak was detected and tracked to a visiting vessel in the west anchorage. The skipper was informed and turned off his top deck propane tank staunching the leak
- We reported two federal Aids to Navigation discrepancies to the US Coast Guard as well as challenges with their new Local Notice to Mariners publication system
- A youth on a paddleboard observed wearing an appropriate personal floatation device was rewarded with a “Slurpee®” coupon and thanked for his commitment to safety
- We engaged in considerable preparation in advance of and then response to severe weather events. A couple of instances of minor damage and as many as ten moorings moved but no serious incidents resulted. All permittees whose moorings moved are required to add 20% to their existing weights. As was reported to the Coastal Commission, had the tackle systems been helical rather than traditional anchors, the dragging incidents would not have occurred. The most significant incidents included:
 - Three incidents in the A-field including towing a large vessel off a mooring which had dragged
 - Four incidents in the C-field required follow-up. One mooring dragged the others all required reinforced lines
- Two severe weather notifications were sent to mooring permittees. A permittee who works for another agency was impressed and reached out for guidance on how he can bring similar notification functionality to his agency
- Two vessels displaced from the G mooring field during severe wind enjoyed extended stays at the Balboa Marina public dock while their moorings were repositioned. One other vessel rented a spot at Marina Park for the same reason

- An inventory of storm drain ends and signage was completed and coordinated with Public Works. Signage improvements are now in progress
- A dramatic rescue was successfully carried out by two Harbor Department team members while on patrol. A basset hound jumped overboard from an electric boat. The operator of the electric boat followed the canine in an attempt to rescue him leaving two other passengers on board neither of whom could operate the vessel. The former vessel operator and canine made it ashore successfully. Meanwhile, harbor team members instructed the passengers left on board how to take the vessel out of gear. Once slowed, the patrol boat took the electric boat in tow to the nearest public dock where passengers and canine were reunited
- A 28' power boat in distress near the east anchorage called for assistance. The vessel was towed by a patrol vessel to the Balboa Marina public dock and secured for safety while it awaited service from a commercial provider
- One of the yacht clubs which provides an electric vessel for its members to use called and asked for assistance locating the club vessel when it was overdue for return. The vessel was located and instructed to return to the club. The operator complied and the voyage ended safely
- The fire extinguisher cabinets at Marina Park were replaced by department staff
- The rooftop VHF antenna at Marina Park was felled during one of the severe wind events. Department staff accessed the roof and affected repairs
- We received a report of a speeding vessel in the upper bay. The vessel operator was contacted and educated
- Additional non-skid material was installed on the Coral and M Public Docks. This action was initiated by thoughtful and observant HSWs and indicates strong pride in our facilities

Well-enjoyed

Significant efforts were expended to maintain and improve the enjoyment of the harbor. Highlights included:

- A homeowner on Linda Isle asked us to follow up on unpermitted lighting affecting the channel between Bayside Drive and Harbor Island. An investigation was carried out. The person responsible for the lighting was contacted and the lighting was deactivated
- Significant efforts were spent on follow-up and resolutions to reported berthing issues at the Peninsula Village. The commercial marina there now has an approved berthing management plan. We will perform periodic inspections to ensure compliance
- Significant efforts were spent to address concerns expressed by a permittee in the A mooring field. The concerns were wide-ranging and included harassment by anglers, improper signaling by commercial vessels, and obstruction of public access to tidelands. The concerns were found to be without merit
- Significant support was put into ensuring a clean, safe, and well-joyed Christmas Boat Parade. By all accounts the efforts were successful and appreciated

- A vessel frequently a challenge for the department related to stays in the anchorage moved to a mooring during the Boat Parade
- An unpermitted charter was identified and addressed
- We lent our bolt cutters to a permittee in the H mooring field resulting in a freed lock and a happy, appreciative permittee
- The benefits of the harbor event permitting and scheduling system became abundantly apparent when a large-scale sailing regatta wanted to use the same location as a visiting raft-up for the same period. Because both organizers applied for (and were granted) permits, we were able to assign them locations that met their needs but eliminated any conflict between the events
- We conducted early morning noise patrols based on a report from a waterfront resident. We observed lots of activity but no amplified noise and no unreasonable noise. Contact was made with several of the rowing program participants and coaches. A communication was sent to the leadership of all the rowing programs reminding them of noise limits in the harbor
- HSWs provided anchorage information for an inquisitive gentleman at a local waterfront restaurant
- We added three new burgees to the display in our office bringing our total to 35. We get lots of positive comments on the display and will be pleased to accept additional contributions
- We refinished the finials at the M Street public dock
- HSWs educated and provided a Newport Beach Boating guide to kayakers enjoying an excursion on the harbor

Odds and Ends

Significant efforts were expended to address harbor-related matters other than cleanliness, safety, and enjoyment. Highlights included:

- An investigation on the operability and sanitary conditions of a vessel assigned to a mooring led to the discovery that the permittee's husband had passed and that she was unprepared to maintain the vessel. Harbor Department staff demonstrated the City's core values including grace and sound decision making by allowing the permittee extra time to find a buyer for the vessel. It is worth noting that Title 17 gives a permittee up to 90 days to repair or remove an inoperable vessel. In this case, the permittee had exceeded the time limit but rather than revoking the permit and/or issuing citations, we gave the permittee time to find a buyer, and the boat is on its way to a renewed recreational purpose
- The required reporting to the California Air Resources Board (CARB) for all four patrol vessels was submitted
- It came to light that the Harbor Department is only allowed to keep and maintain three vessels within the City's master vehicle plan. We submitted a Program Enhancement Request to keep the fourth boat which allows us to maintain 33% more visibility on the water among other benefits. We'll know in June whether we can keep four vessels or we will have to sell off the oldest vessel in our fleet

- HSWs mediated a verbal altercation between a LAZ (parking contractor) employee and an angry parking ticket recipient at Marina Park. The ticket recipient was NOT a customer or visitor to the Harbor Department
- The leader of a commercial tow service called requesting our assistance in towing an 18' tender that lost power on Harbor Island, back to its mooring. The commercial tow service was involved in a long-range tow outside the harbor. We performed the tow without issue and were pleased to demonstrate our skills, collaborate with a commercial service provider, and make a permittee very happy not having to wait for the commercial provider

Perhaps more interesting than amusing, the most surprising call or email in the last three months came from the Coastal Commission Staff. They were interested in our response to requests for mooring assistance including the process by which a mariner makes a request, the quantity of such requests, and how we honor them. Here's the response provided to Coastal Commission staff:

Here's a brief summary of the program we here in the City of Newport Beach Harbor Department have for providing mooring assists to permittees:

- The Harbor Department is available from 8 a.m. to 6 p.m. daily and can be contacted via VHF Channel 17 or via phone at 949.270.8159
- If a mariner would like assistance getting a vessel on or off an assigned mooring, they should (and do) contact the Harbor Department indicating their location and desired support
- Harbor Department resources are dispatched to provide the requested assistance in a prioritized manner
- Short delays in the provision of the assist can result from:
 - Higher priority (emergency) calls for service
 - Proximity of the request to the available resources. It can take up to 30 minutes for an available resource to transit from its current location to the location of the requested service
- I am not aware of a request going unfulfilled for more than 60 minutes
- In the event of a service delay, mariners can make use of a nearby public dock or either of the public anchorages while they wait for a resource to become available
- In the event of a request made after hours, mariners can make use of a nearby public dock, either of the public anchorages or dock space here at our Marina Park facility
 - I know only three such cases in the last three years when a boat requested a mooring assist after hours. In all three cases, the mariner came to the Marina Park facility and received the requested assistance when we opened the next morning
- Each mooring assist is different and depends on
 - the needs and skills of the requesting mariner
 - size and style of the vessel needing the assist
 - prevailing conditions including wind, current, visibility, and proximity to other vessels
- Mooring assists typically involve

- Rigging and transferring mooring lines, spreader lines, and pickup poles to crew on board the vessel
- Towing, pushing, maneuvering, or propelling a vessel into position to accept the mooring lines
- Assisting mariners with tying secure knots
- Any given assist can include a wide range of actions necessary to keep people and property safe

Here are the tallies for Mooring Assists recorded in our service request tracking system since the Department was formed:

**City of Newport Beach
Harbor Department
Mooring Assists by Calendar Year**

2018	2019	2020	2021	2022	2023	2024
101	220	203	399	98	164	139

We typically complete around 2,000 calls for service per month or around 24,000 calls per year.

The mooring assists represent between 1% and 2% of what we do in a year.

ENVIRONMENTAL REVIEW:

Staff recommends the Harbor Commission find this action is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Division 6, Chapter 3, because it has no potential for resulting in a physical change to the environment, directly or indirectly.

NOTICING:

The agenda item has been noticed according to the Brown Act (72 hours in advance of the meeting at which the Harbor Commission considers the item).

ATTACHMENTS:

Attachment A – Harbor Department Statistics Infographic
Attachment B – Harbor Department Statistics by Month, Current Year
Attachment C – Harbor Department Statistics, Year over Year Comparison
Attachment D – Harbor Department Definitions