



CITY OF NEWPORT BEACH HARBOR COMMISSION AGENDA

City Council Chambers- 100 Civic Center Dr, Newport Beach CA 92660

Wednesday, March 12, 2025 - 5:00 PM

Harbor Commission Members:

Scott Cunningham, Chair
Ira Beer, Vice Chair
Marie Marston, Secretary
Steve Scully, Commissioner
Rudy Svrcek, Commissioner
Gary Williams, Commissioner
Don Yahn, Commissioner

Staff Members:

Paul Blank, Harbormaster
Cynthia Shintaku, Administrative Coordinator

The Harbor Commission meeting is subject to the Ralph M. Brown Act. Among other things, the Brown Act requires that the Harbor Commission agenda be posted at least seventy-two (72) hours in advance of each regular meeting and that the public be allowed to comment on agenda items before the Commission and items not on the agenda but are within the subject matter jurisdiction of the Harbor Commission. The Chair may limit public comments to a reasonable amount of time, generally three (3) minutes per person.

The City of Newport Beach's goal is to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee or a participant at this meeting, you will need special assistance beyond what is normally provided, we will attempt to accommodate you in every reasonable manner. Please contact Paul Blank, Harbormaster, at least forty-eight (48) hours prior to the meeting to inform us of your particular needs and to determine if accommodation is feasible at (949) 270-8158 or pblank@newportbeachca.gov.

Questions and comments may be submitted in writing for the Harbor Commission's consideration by sending them to harborfeedback@newportbeachca.gov. To give the Harbor Commission adequate time to review your questions and comments, please submit your written comments no later than 5 p.m. the day prior to the Harbor Commission meeting. All correspondence will be made part of the record.

NOTICE REGARDING PRESENTATIONS REQUIRING USE OF CITY EQUIPMENT

Any presentation requiring the use of the City of Newport Beach's equipment must be submitted to the Harbor Department 24 hours prior to the scheduled meeting.

- 1) **CALL MEETING TO ORDER**
- 2) **ROLL CALL**
- 3) **PLEDGE OF ALLEGIANCE**
- 4) **PUBLIC COMMENTS**

Public comments are invited on non-agenda items. Speakers must limit comments to three (3) minutes. Before speaking, we invite, but do not require, you to state your name for the record. The Harbor Commission has the discretion to extend or shorten the speakers' time limit on non-agenda items, provided the time limit adjustment is applied equally to all speakers. As a courtesy, please turn cell phones off or set them in the silent mode.

[Additional Material Received After Meeting Item No. 4 Public Comments 03-12-2025](#)

5) **APPROVAL OF MINUTES**

1. **Draft Minutes of the February 12, 2025 Harbor Commission Regular Meeting**

[02.12.2025 Harbor Commission Regular Meeting Minutes Draft](#)

[02.12.2025 Harbor Commission Regular Meeting Minutes Draft Commissioner Scully](#)

[02.12.2025 Harbor Commission Regular Meeting Minutes Draft Commissioner Svrcek](#)

6) **CURRENT BUSINESS**

1. **Eelgrass and Caulerpa in Newport Harbor - Update**

Staff will provide an update on the status of eelgrass and Caulerpa in Newport Harbor.

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, California Code of Regulations, Title 14, Division 6, Chapter 3, because this action will not result in a physical change to the environment, directly or indirectly; and
2. Receive and file.

[Staff Report](#)

2. **Ad Hoc Committee Updates**

Several ad hoc committees have been established to address short term projects outside of the Harbor Commission objectives. This is the time the ad hoc committees will provide an update on their projects.

RECOMMENDATION:

1. Find this action exempt from 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 physical change to the environment, directly or indirectly; and
2. Receive and file.

[Staff Report](#)

3. Harbor Commission 2024 Objectives

Each ad hoc committee studying their respective Objective within the Commission's 2024 Objectives, will provide a progress update

RECOMMENDATION:

1. Find this action exempt from 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 physical change to the environment, directly or indirectly; and
2. Receive and file

[Staff Report](#)

[Attachment A Harbor Commission Objectives 2024 updated 3.2025](#)

4. Harbormaster Update - February 2025 Activities

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.

[Staff Report](#)

[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](#)

7) **MOTION FOR RECONSIDERATION**

A motion to reconsider any action taken by the Harbor Commission must be made at the same meeting or the subsequent meeting at which the action was taken and may only be made by one of the Harbor Commission members who voted with the prevailing side.

8) **COMMISSIONER ANNOUNCEMENTS (NON-DISCUSSION ITEMS)**

9) **MATTERS WHICH COMMISSIONERS WOULD LIKE PLACED ON A FUTURE AGENDA FOR DISCUSSION, ACTION OR REPORT (NON-DISCUSSION ITEM)**

10) **DATE AND TIME FOR NEXT MEETING: Wednesday, April 9, 2025 at 5 p.m.**

11) **ADJOURNMENT**

Kenneth C. Rinker

707 Bayside Dr. Newport Beach, CA 92658 | 714-381-8558 | kenrinker@hotmail.com

March 10, 2025

SENT VIA USPS MAIL AND EMAIL

scunningham@newportbeachca.gov

City of Newport Beach
Harbor Commission
Attn: Scott Cunningham, Chair
100 Civic Center Dr.
Newport Beach, CA 92660

RE: Proposed dock at Promontory Bay Entry Channel

Dear Harbor Commission:

The proposal to install a new dock at the entry channel for Promontory Bay is like trying to put a square peg through a round hole. It doesn't fit, and I am strongly opposed to it for many reasons:

1. Promontory Bay and its channel was man made to accommodate the houses and their vessels for ingress and egress to the Newport Harbor – this proposed dock denies the homeowners of safe and proper access due to blocking an already narrow passage.
2. There are several homes that allow 80' vessels who would not be able to make safe passage through the channel if another vessel (of 40'- 80') was also passing in the channel because the public dock had vessels tied up blocking the already narrow channel.
3. The turning corner is already a blind spot and a dock would increase the hazards of ingress/egress; especially at night.
4. The channel is already barely passable at low tide with depths of 5' and a new public dock would force boats to navigate on the sides which would cause hazardous grounding of vessels.
5. Public docks are not policed at night and abuse of the boat length requirement would cause bigger boats, with wider beams, to dock there – again, causing hazard and safety issues.
6. The public dock would create a launching point for paddleboarders and kayakers who would encroach on our private beach nearby which is not open to the public – this predictable future action is reverse eminent domain by the City. The HOA would look for recourse from the City of Newport Beach for damages.

I am on the Board of the Promontory Bay HOA and our Board and HOA Members are strongly opposed.

Sincerely,



Kenneth C. Rinker

CITY OF NEWPORT BEACH
Received by J.B.

MAR 13 2025

Office of the City Manager

NEWPORT BEACH HARBOR COMMISSION REGULAR MEETING MINUTES
City Council Chambers – 100 Civic Center Drive, Newport Beach
Wednesday, February 12, 2025
5 p.m.

1. CALL MEETING TO ORDER

The meeting was called to order at 5:00 p.m.

2. ROLL CALL

PRESENT: Scott Cunningham, Chair
Ira Beer, Vice Chair
Steve Scully, Commissioner
Rudy Svrcek, Commissioner
Gary Williams, Commissioner
Don Yahn, Commissioner

ABSENT: Marie Marston, Secretary

Staff Members: Paul Blank, Harbormaster
Jennifer Biddle, Administrative Assistant
Chris Miller, Public Works Administrative Manager
Cynthia Shintaku, Administrative Assistant

3. PLEDGE OF ALLEGIANCE – Led by Commissioner Scully

4. PUBLIC COMMENTS (NON-AGENDA ITEMS)

Chair Cunningham opened public comments.

A procedural question was raised regarding whether public comment on Item 6.1 would be conducted separately. Chair Cunningham confirmed that public comment would be received when Item 6.1 was heard.

Chair Cunningham closed public comments.

5. APPROVAL OF MINUTES

1. Draft Minutes of the November 13, 2024 Harbor Commission Regular Meeting

Chair Cunningham opened public comments. Seeing none, Chair Cunningham closed public comments.

Vice Chair Beer moved to approve the November 13, 2024 Harbor Commission Regular Meeting minutes, as amended. Seconded by Commissioner Yahn. The motion carried by the following roll call vote:

Ayes: Scully, Svrcek, Williams, Yahn, Beer, Cunningham
Nays: None
Abstain: None
Absent: Marston

6. CURRENT BUSINESS

1. Conceptual Public Dock at Promontory Bay

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, California Code of Regulations, Title 14, Division 6, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.
- 2) Receive and File

Commissioner Svrcek reported that the conceptual dock would be located in close proximity to the Bayside Retail Center, which includes three restaurants, the Bayside Restaurant, Sapori, and Java Bakery Café, a Pavilion's Grocery store, and a Rite Aid. He noted that there are numerous services and restaurants nearby, making it a convenient location. He presented a diagram showing five boats docked at the proposed location along with two boats at scale entering Promontory Bay demonstrating ample room for navigation. He advised that the channel width is 90 feet with a turning radius of approximately 110 feet.

Commissioner Svrcek reported that another proposed location is positioned slightly closer to Bayside Drive and has the same layout. He presented a detailed illustration showing the public sidewalk adjacent to the conceptual dock with five boats, along with one of the largest boats entering Promontory Bay, providing a sense of scale. He explained that at a 2.6-foot medium low tide, the height of a Duffy boat remains well below the patio of the adjacent apartments. He noted that at a five-foot tide, the boat remains approximately six feet below the apartment patio deck. Lastly, he advised that even at a seven-foot tide, the dock does not obstruct views from the apartments.

Commissioner Svrcek acknowledged that a letter was received expressing concerns regarding the safety of this location. He explained that in order to address these concerns, a review of similar channel widths and boat sizes was conducted using Google Maps. He noted that comparable locations include the eastern portion of Linda Isle across from Harbor Island Drive, the northern portion of Linda Isle across from the Sol restaurant, the Rhine Channel near the Cannery area, and Evening Star Lane in Dover Shores. He noted that each of these locations accommodates similar-sized boats within comparable channel widths.

Commissioner Scully inquired about the 90-foot channel width, specifically whether that measurement included only navigable water. He recalled that there were rocks along the seawall.

Commissioner Svrcek confirmed that there are rocks along the seawall that extend two to three feet at very low tide.

Commissioner Scully explained that the worst-case scenario must be considered in assessing navigable space. He noted that his observations indicate that boats in the area range in size, with some measuring 60 to 70 feet with beams of 18 to 20 feet. He sought clarification on how much space is truly available in the worst-case scenario, acknowledging concerns expressed by local homeowners.

Commissioner Svrcek referenced the Rhine Channel which provides a relevant comparison, as 100-foot boats frequently navigate through the area during the summer. He explained that the width of that channel suggests sufficient maneuverability.

Commissioner Yahn raised a related concern about the space taken up by the dock and the width of moored boats.

Commissioner Svrcek estimated that a four-foot dock plus a 19- or 20-foot-wide boat would take up about 20 feet of the 90-foot channel.

Commissioner Yahn acknowledged that the dock is intended to enhance public access and provide an amenity for visitors to the Bayside Center. He noted that pedestrians would have two options for access: a public walkway extending past the homes and connecting to Balboa Island and the Newport Beach

Yacht Club or a direct route to Bayside Drive. He reported that concerns were raised about jaywalking, as pedestrians might attempt to cross the street outside designated crosswalks.

Commissioner Svrcek noted that pedestrians going to Bayside Restaurant would use the Promontory Beach crosswalk, which is signalized, providing a safe crossing option.

Commissioner Williams inquired about the intent of the proposed dock, questioning whether the primary goal was to bring additional business to Bayside Shopping Center. He inquired if the dock was intended exclusively for Duffy boats as the renderings only illustrated the height of a Duffy.

Commissioner Svrcek clarified that limitations could be established as necessary. He noted that the illustration included Duffy's as well as two larger boats, a 26-footer, and a 30-footer, but restrictions could be imposed based on the commission's decision.

Commissioner Williams inquired about the origin of the request for the dock and whether it resulted from public outreach.

Commissioner Svrcek explained that the idea stemmed from his effort to identify locations for additional public docks. He noted that a public dock running from the bridge was considered, but after walking the area with staff, the current proposed location was identified as a suitable option.

Chair Cunningham explained that over eight years ago, there had been discussions about a similar public dock proposal. He recalled that Duffy Duffield had advocated for a public dock along the rocks near the jetty. He explained that this occurred before improvements were made to Bayside Drive, including the installation of a crosswalk and traffic light. He acknowledged the need to review prior efforts and determine why the project had not moved forward at that time. He expressed concern about Promontory Bay residents' willingness to accept a public dock in the area along with input from the Irvine Company regarding their perspective on the proposal. He acknowledged that this meeting is the initial step in presenting the idea to the public, inviting discussion on both the advantages and potential challenges.

Chair Cunningham opened public comments.

Adam Leverenz presented a diagram showing an expanded image of the area showing a potential alternative location that would minimize navigational impact. He explained that the updated layout suggested placing six slips in a side-tie configuration within a vacant area, potentially reducing obstruction to navigation while increasing available berthing space. He noted that such adjustments could help mitigate homeowner concerns.

Samantha McDonald, a live-aboard resident, expressed concern that fishing should be permitted on the dock, citing that a recently constructed public dock on Pacific Coast Highway prohibited fishing, despite other public docks allowing it. She emphasized that public docks should provide access to the water, not just access from the water. She noted that launching kayaks from public docks was often difficult due to the lack of nearby public parking or direct access points. She encouraged the commission to consider extending the parking limit beyond three hours, as it currently restricts visitors' ability to fully enjoy the amenities.

Chair Cunningham closed public comments.

Commissioner Yahn commended Commissioner Svrcek's proposal, emphasizing the commission's objective to increase amenities and access to the bay. He noted that opportunities to enhance access are limited and that this proposal presents a valuable opportunity for discussion. While the feasibility of the project remains to be seen, he expressed support for providing access to both Balboa Island and Bayside. He acknowledged that the project requires engineering, review, and public input but stated that good ideas begin by planting the seed and moving forward. He requested historical documentation on

previous attempts to establish a dock in the area, suggesting that reviewing past efforts could provide valuable insights.

Commissioner Williams echoed this sentiment, expressing appreciation for the historical background and indicating support for pursuing a dock in that area. However, he suggested that the secondary proposed location might be more appropriate and expressed interest in how the process unfolds.

Chair Cunningham recalled that the historical suggestion was for a dock along the rocks near the walking path on Bayside Drive, closer to the traffic signal. He expressed support for increasing dock access, noting that more docks and improved access benefit the public. He acknowledged that Promontory Bay residents and the Irvine Company were identified as key stakeholders whose feedback should be sought before formalizing the proposal. He noted that while the Irvine Company does not own Promontory Bay, it does own the businesses across the street, which would likely be affected by the dock's presence.

Commissioner Yahn expressed concern regarding potential parking impacts, noting that visitors might park in the Bayside Shopping Center lot and cross the street to access the dock.

Chair Cunningham acknowledged the existing parking issues in the area and recognized that this could be a concern for businesses. He noted that the shopping center already faces parking challenges due to its proximity to Balboa Island with security guards frequently hired to monitor parking.

Harbormaster Blank recommended that the commission provide further direction should be given to Commissioner Svrcek and supporting staff regarding the viability of the project.

Chair Cunningham suggested that a preliminary engineering be conducted to refine the proposal, though not at significant expense, and that public outreach be pursued.

Chair Svrcek agreed that public outreach was a priority and identified key groups for immediate feedback, including waterfront residents, Promontory Bay homeowners, Basin Marine, and the Irvine Company. He acknowledged that the proposal had not generated overwhelming public demand and acknowledged that additional input could shape the project's development. He anticipated some pushback from the local community.

Commissioner Svrcek inquired about the suggested engineering.

Chair Cunningham suggested that the project be refined to provide more detailed dimensions and layout information. He inquired if formal action was required to give direction to staff.

Harbormaster Blank reported that no formal action was required, only verbal direction.

Commissioner Scully emphasized the importance of considering public comments, past discussions, and historical context. He noted that if large vessels, such as 50- or 60-foot boats, were to dock late at night while the Harbor Department was closed, the commission would need to anticipate potential challenges. He referenced the public dock at the end of the Rhine Channel, where large boats frequently dock overnight. He noted that identifying the optimal location was a priority and that once that determination was made, preliminary engineering and public outreach should follow.

Chair Cunningham agreed that the commission could continue discussing the project and refining it on a monthly basis as it gains traction.

There was no further action taken on this item and it was received and filed unanimously.

3. Ad Hoc Committee Updates

- 1) Find this action exempt from 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 physical change to the environment, directly or indirectly; and
- 2) Receive and file.

Balboa Ferry Ad Hoc – Commissioners Scully, Svrcek and Yahn (05-10-2023)

Commissioner Scully reported that Joe Beek has made significant progress had been made in securing grant funding for the replacement of ferry boats. He noted that two specific grants were identified. He reported that the Carl Moyer Grant has been approved which is designed to decommission old engines and replace vessels. He noted that staff were also pursuing a joint grant from the California Air Resources Board and the South Coast Air Quality Management Grant which could provide approximately \$8 million in funding. He noted that discussions with Mr. Beek indicated strong progress, with verbal assurances that funding would be allocated specifically for the Newport Ferry. He advised that Mr. Beek has engaged a marine architect in San Diego who had previously worked on hybrid and electric ferries in San Francisco with the intent to construct new ferries identical in size and appearance to the current fleet. He acknowledged discussions with the City regarding the placement of power infrastructure for ferry charging and announced an agreement had been reached on the location of meters and larger power supplies. He noted that when the grants are finalized the project would proceed into the architectural and construction phases.

General Plan Harbor & Bay Element Update Ad Hoc – Commissioners Scully, Marston, and Yahn (10-09-2024)

Commissioner Scully reported participation in a Zoom call on November 26, which was primarily focused on planning for a workshop held on December 5 at Marina Park. Commissioner Scully acknowledged Mr. Moser for notifying the ad hoc committee of the workshop dates and for providing supporting documentation.

Commissioner Scully reported he was unable to attend the workshop, he had offered to email the date, time, and location to a wide group of harbor users. He reported that a number of harbor stakeholders attended and participated. He explained that the workshop provided an overview of the general plan elements, including guiding values, ideas to support harbor planning, and land-use considerations for Newport Beach's future. He noted that he would forward a handout summarizing the workshop. He emphasized that the General Plan process had been complex, but the workshop materials offered a clear explanation of the current direction.

Public Dock Utilization Ad Hoc – Commissioners Beer, Svrcek, and Williams (04-10-2024)

No update.

Chair Cunningham opened public comments.

Harbormaster Blank announced that members of the public were misinformed about the time of the Harbor Commission meeting and wished to be heard on Item 6.1

Ken Rinker, a member of the Promontory Bay Homeowners Association (HOA) Board, stated his opposition to the proposed dock. He noted that many neighbors had already voiced strong objections. He emphasized that Promontory Bay accommodates boats up to 80 feet or more due to its side-tie docks, allowing multiple large vessels. He reported that the bay contains 61 homes, and after discussion at the HOA board level, members are unanimously opposed to the dock for several reasons. He noted that a primary concern is the sharp and blind curve in the channel. He reported that he frequently navigates the area at night for fishing trips, explained that the curve requires the use of the entire middle section of the channel for safe passage. He stressed that the channel is too narrow for two large boats to pass simultaneously, and the addition of a dock would exacerbate this issue. He noted the lack of nighttime enforcement would increase safety risks, as boats tied to the dock would further constrict the navigable space. He also raised concerns about the enforcement of vessel size limits. While restrictions might be

imposed, he stated that boats exceeding 14 feet frequently overstay their allowed time at public docks elsewhere in the harbor. He asserted that installing a dock in this location would negatively impact property values for the 61 homes in Promontory Bay, as potential buyers, most of whom own boats, would be deterred by the increased congestion and safety risks. He further mentioned that sheriff department vessels occasionally tie up along the seawall near the condos and apartments so that officers can go ashore for food. He suggested that this practice should not occur and offered to personally fund a monthly meal for officers if they refrained from docking there. He reiterated his strong opposition to the dock.

Chad Hall, President of the Promontory Bay HOA, concurred with Mr. Rinker's concerns, adding that the proposed dock could be misused for large boats docking while patrons visit restaurants or vice versa, parking at the restaurant and boarding a vessel. He stated that parking in the area is not intended for boat launching and that allowing a dock there would pose safety risks, particularly at night when people may be consuming alcohol. He questioned how much use the dock would receive given that the area primarily serves a single restaurant and a grocery store. He also pointed out that there is no designated crosswalk in the vicinity, further complicating pedestrian access.

A resident, who lives at 621 Bayside, stated that he owns a 50-foot boat and has lived in the area for 20 years. He reiterated that navigating the turn in the channel is already difficult, especially when encountering smaller Duffy boats, which are often difficult to maneuver. He expressed concern about the dock's potential depth and size, especially considering the need for ADA-compliant ramps, which could extend the dock by approximately 10 feet. He concluded that this would create a significant obstruction and reiterated his opposition to the project.

Chair Cunningham closed public comments.

There was no further action taken on this item and it was received and filed unanimously.

3. Harbor Commission 2024 Objectives

- a) Find this action exempt from 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 physical change to the environment, directly or indirectly; and
- b) Receive and file.

Commissioner Svrcek reported the recent Water Quality and Coastal Tidelands Committee meeting primarily focused on goals and objections.

Commissioner Scully reported no updates regarding the Safety Committee or review of the Harbor Department's responsibilities.

Commissioner Yahn reported on the annual review of Title 17, stating that ideas and potential updates were being collected for a future meeting. He reported on efforts to identify additional harbor services, including pump-out stations, dock space, shore boat service, and a boat launch ramp. He noted that despite a few unsuccessful attempts to establish a shoreboat service, the initiative remains under consideration.

Vice Chair Beer provided updates on the implementation of the mooring reconfiguration initiative. He reported that the Coastal Commission did not approve the Coastal Development Permit (CDP) the previous week. He advised that the ad hoc committee will reconvene in the next month to determine whether to amend the objective or take further action. He reported that the commission is awaiting a response from the California State Lands Commission regarding an update to the market rent for onshore and offshore moorings.

Commissioner Williams reported no updates.

Chair Cunningham provided updates on dredging efforts under Objective 10. He advised that the original Confined Aquatic Disposal (CAD) plan is no longer in effect, as an alternative disposal site has been identified in Long Beach. He reported that a memorandum of understanding (MOU) has been signed, and the project is expected to go out for bid within the next 30 to 60 days with the dredging anticipated to begin in 2025. He expressed hope that he would still be serving on the commission when dredging equipment arrives in the harbor. He discussed the biennial eelgrass survey, stating that the final results are being finalized and look promising. He noted that eelgrass is a crucial component of the harbor's ecosystem, and an update will be presented at an upcoming meeting. He recommended formally adding Commissioner Svrcek to Objective 5, which focuses on dock space and related matters, and inquired if a formal motion was required.

Harbormaster Blank advised that general concurrence would be sufficient.

Chair Cunningham confirmed that there was consensus among commissioners. Commissioner Svrcek was added to Objective 5.

Chair Cunningham opened to public comments.

Adam Leverenz inquired about outreach regarding Title 17. He directed his question to Commissioner Yahn, who had mentioned collecting ideas for potential updates. He inquired whether there had been any outreach to stakeholders to gather input and, if not, what the best method would be for stakeholders to provide suggestions.

Commissioner Yahn responded that a few years ago, the commission encountered numerous changes to Title 17, which led to the appointment of an individual responsible for logging updates as they arose throughout the year. He explained that the tracking process serves as the basis for ongoing revisions. He encouraged the public to submit ideas or feedback at any time.

Chair Cunningham echoed this statement, clarifying that while there is no formalized venue for public input, members of the public with recommendations or concerns about Title 17 are encouraged to reach out to the Harbor Department. He noted that the department collects these submissions and evaluates them on a case-by-case basis, primarily addressing issues related to harbor operations and enforcement. He noted that there is no comprehensive review plan in place, as a full review had been conducted previously. He explained that the commission is focused on refining specific aspects of Title 17 as needed.

Chair Cunningham closed public comments.

There was no further action taken on this item and it was received and filed unanimously.

7. Harbormaster Update – November and December 2024 and January 2025 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.

Harbormaster Blank provided updates on harbor cleanliness, safety, and operations. He reported that the Harbor Department conducted its first vessel arrest, a detailed process with the vessel remaining in custody pending a court-ordered auction in 45 days. He advised that the department successfully addressed multiple discharge and spill incidents and, in collaboration with the Utilities Department,

installed trash receptacles on all public docks after a 2.5-year approval process. Additionally, he noted that a visiting vessel failed its dye-tab test and was immediately ordered to leave the harbor.

Harbormaster Blank announced that the trash interceptor at San Diego Creek is now fully deployed and successfully captured debris during the season's first major rainstorm, preventing it from entering Newport Bay. He advised that the department also increased patrols and notifications in response to severe weather warnings and received praise from another agency for its notification system. He reported that the Harbor Department conducted a successful towing test with its new all-electric vessel, which towed a much larger boat for 2.5 hours while consuming less electricity than expected. Other maintenance efforts included servicing fire extinguishers, replacing cabinets at Marina Park, and responding to a notable rescue in which a runaway electric vessel was safely stopped after its operator jumped overboard to rescue a dog.

Harbormaster Blank reported that the department resolved various berthing issues, including a management plan at Peninsula Village and a lengthy permittee issue in the A-field. It also supported the annual Christmas Boat Parade, which occurred without major incidents. He advised that the coordination of conflicting harbor events for March highlighted the benefits of the permitting system. Lastly, he reported that three new burgees were installed in the Harbor Department office to create a more welcoming atmosphere.

Harbormaster Blank reported that the department exercised discretion in a case involving a dilapidated vessel. He explained that after determining the owner had passed away and the surviving spouse was unable to maintain it, additional time was granted for its sale, avoiding enforcement action. He noted that the vessel has since been removed from the harbor.

Harbormaster Blank reported that the department completed annual California Air Resource Board (CARB) reporting for its four patrol vessels and reported an average of 189 mooring assists per year. He noted that other updates included the Coastal Commission's rejection of the mooring reconfiguration pilot project and the completion of long-awaited safety videos for rental customers, which will be available online and to concession operators.

Harbormaster Blank reported that operational statistics for 2024 showed approximately 24,000 service calls, averaging 2,000 per month. A record 74 marine activity permits were issued, exceeding the previous year's total. He noted that anchorage activity was high in December but declined in January due to poor weather. He reported that the department's \$2.8 million operating budget remains largely allocated to code enforcement, which was not performed before the department's creation in 2017. He noted that revenue from mooring sub-permits and Marina Park slips slightly decreased to \$1.4 million but still reflects an annual revenue growth rate of 22% since the department's establishment. Lastly, he reported that the 2024 customer service survey results showed consistently high satisfaction, with all categories scoring between 4.5 and 5.0 out of 5.

Commissioner Scully commended Harbormaster Blank for the installation of trash receptacles on public docks, stating that it was a significant improvement. He suggested that rental companies be informed about the new receptacles so they could communicate this update to their customers, as much of the trash originates from rental areas. He inquired who was responsible for emptying the trash cans.

Harbormaster Blank reported that CR&R Environmental Services was contracted to empty the receptacles. He confirmed that the Harbor Department would maintain the exterior of the receptacles, addressing any misuse or dirt accumulation. Commissioner Scully expressed his appreciation for the addition.

Commissioner Yahn praised the communication efforts with rental agencies and the recently developed safety video. He referenced a previously implemented QR code system that provides information about restroom locations throughout the harbor. He asked whether that system remained in use and suggested that a similar feature be added to indicate the locations of trash receptacles.

Vice Chair Beer took a moment to commend Harbormaster Blank for a well-organized and smooth-running Christmas Boat Parade. He inquired about the drop in revenue from mooring sub-permits year-over-year.

Harbormaster Blank attributed the revenue decline to poor weather conditions in January, February, and March of 2024, which negatively impacted harbor activity. He clarified that the provided graph reflected annual revenue trends and reiterated that the early-year weather had significantly affected permit revenue.

Vice Chair Beer inquired about the process for a vessel that fails a dye-tab test and whether there were fines associated with noncompliance.

Harbormaster Blank explained that any vessel failing a dye test is required to leave the harbor for one year. He advised that a citation may be issued, carrying a \$1,000 fine, and the violation may also be referred to other agencies for potential further action. He noted that the specific vessel in question was a frequent visitor to the harbor and had a history of late payments on sub-permits. He advised that instead of issuing an administrative citation, the department required the owner to settle all outstanding balances before leaving. He reported that the vessel owner complied, and the vessel was barred from returning for one year, and before being permitted to return, it would be subject to another dye test.

Commissioner Williams commended Harbormaster Blank on his report and requested clarification regarding the number of service calls for mooring permit holders.

Harbormaster Blank explained that these calls were not limited to permit holders but also included sub-permittees. He clarified that these calls specifically involved assistance with securing a vessel to a mooring. He further explained that mooring assistance requests are logged as a separate line item in the department's statistics. He detailed the process for requesting assistance, which includes contacting the Harbor Department via the front desk or VHF Channel 17 during regular hours. He reported that while email requests are possible, phone or radio communication is preferred for faster response times. He explained that if an immediate response is not possible due to higher-priority tasks, such as emergency rescues, boaters are advised to wait at the free anchorage, a public dock, or Marina Park until assistance becomes available. He estimated that approximately two-thirds of mooring assistance requests come from permit holders, while one-third come from visiting boaters.

Vice Chair Beer inquired if a small number of individuals repeatedly requested assistance. Harbormaster Blank stated that there was no evidence of overuse by any specific permit holder.

Commissioner Svrcek referenced the slide displaying the trash interceptor's effectiveness. He noted that the captured debris appeared significant and inquired whether it had accumulated before any rainfall.

Harbormaster Blank clarified that the image was taken following the first rainfall in early January when the booms were deployed, effectively capturing debris before it could flow into the harbor. He emphasized the success of the interceptor in preventing large amounts of waste from entering the waterways.

Vice Chair Beer expressed concern about the potential for the interceptor to become overwhelmed by heavier rainfall, asking whether it was designed to break away under extreme conditions.

Harbormaster Blank stated that while the booms could be overwhelmed, he suspected that the Utilities Department, which oversees the interceptor's operation, would manually release the booms if necessary to prevent damage. He noted that the effectiveness of the system would be tested with an upcoming storm.

Chair Cunningham thanked Harbormaster Blank for his report and acknowledged the significant progress made in maintaining harbor cleanliness, safety, and public accessibility.

Chair Cunningham opened public comments.

A member of the public inquired about how information regarding assistance with mooring is provided to mooring permittees and harbor visitors, noting that they had never received such information.

Adam Leverenz addressed the commission again and referenced a statement from the Harbormaster's update. He quoted, "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 will know in June whether we can keep four vessels or we will have to sell off the oldest vessel in our fleet." He then recalled the procurement process for the electric boat, which was purchased using approximately \$300,000 in grant money. He noted that it had been presented as a replacement vessel. He cited an article in the Daily Pilot from August 31, 2024, in which the Harbormaster stated, "The Harbor Department has a fleet of work vessels, and we were overdue for the replacement of one of them in particular. So this boat made perfect sense in terms of a replacement." He emphasized that the Harbor Department operates with a significant financial deficit and noted that the Harbormaster's LinkedIn profile references budget reductions, fiscal responsibility, and staff reductions of up to 50%. He expressed concern that while the electric boat was initially presented as a replacement, the recent statement suggested an overall fleet expansion. He requested greater fiscal accountability in public spending.

Samantha McDonald, a live-aboard resident, commented on the mooring assistance program, stating that she appreciates the support provided by the department. However, she noted inconsistencies in the assistance received. She shared an experience in which she and her partner returned from Mexico after a cruising season and requested help securing their mooring lines. She noted that a staff member responded over the radio, instructing them to pull up to the dock and wait approximately 45 minutes for assistance. However, upon calling again, another staff member informed them that such assistance was not provided. Eventually, she noted they did receive help from a staff member who secured their mooring lines, but knots were tied incorrectly, creating an unsafe situation. She emphasized the need for improved staff training and clarity regarding mooring assistance policies. She recalled a previous return from sea, during which her partner encountered difficulties. She explained that after a 15-day upwind sail with a broken engine and autopilot, they were woken early in the morning by staff inquiring about their mooring duration, despite having a permit. She stressed the importance of better tracking moored vessels to avoid unnecessary disturbances.

Michael Spano reported that upon returning to his mooring, he was promptly billed as a mooring sub-permittee the following morning, despite being the official permit holder. He questioned the accuracy of the department's billing system. He expressed appreciation for the QR code system providing restroom locations and suggested expanding the initiative to include all public docks. He noted that many visitors, including fishermen and other harbor users, struggle to find restroom facilities. He recommended that QR codes be placed in additional public spaces to increase accessibility.

Chair Cunningham acknowledged the feedback and noted that restroom access had been a recurring topic of discussion in recent years.

Chair Cunningham closed public comments.

There was no further action taken on this item and it was received and filed unanimously.

7. MOTION FOR RECONSIDERATION

None.

8. COMMISSIONER ANNOUNCEMENTS (NON-DISCUSSION ITEMS)

Commissioner Scully reported that he and Commissioner Svrcek participated in a tour of the Coast Guard vessel Narwhal, an event organized by the Balboa Yacht Club. He noted that the tour provided an opportunity to meet the personnel working on the vessel, who were described as highly professional and welcoming. He advised that the tour was informative, and although the living quarters were not particularly spacious, the experience was valuable. He expressed appreciation for the Coast Guard's presence in the harbor.

Commissioner Scully reported that he attended the California Coastal Commission meeting held on Wednesday, February 5th, regarding the Seafield Optimization Test. He explained that the meeting was the final approval for advancing the mooring optimization test in the sea field, a project that had been under development for several years. He noted that the California Coastal Commission ultimately rejected the proposal by a vote of 8 to 1.

Commissioner Scully expressed gratitude to Chair Cunningham and Vice Chair Beer for their extensive work on this subcommittee, noting that the objective required hundreds of hours of effort across multiple areas. Additionally, Chair Scully acknowledged Harbormaster Blank for his ongoing support and assistance, as well as the Harbor Commission and City Council for their time spent reviewing and working toward improvements in Newport Harbor.

Commissioner Scully remarked that, despite the commission's efforts, the presentation did not resonate with eight of the nine commissioners. He described the outcome as disappointing, given the potential benefits the optimization test could have provided to the more than 7 million individuals who utilize Newport Harbor.

10. MATTERS WHICH COMMISSIONERS WOULD LIKE PLACED ON A FUTURE AGENDA FOR DISCUSSION, ACTION, OR REPORT (NON-DISCUSSION ITEM)

None.

11. DATE AND TIME FOR NEXT MEETING:

The next regular meeting is scheduled for Wednesday, March 12, 2025 at 5:00 p.m.

12. ADJOURNMENT

There being no further business to come before the Harbor Commission, the meeting was adjourned at 6:15 p.m.

NEWPORT BEACH HARBOR COMMISSION REGULAR MEETING MINUTES
City Council Chambers – 100 Civic Center Drive, Newport Beach
Wednesday, February 12, 2025
5 p.m.

1. CALL MEETING TO ORDER

The meeting was called to order at 5:00 p.m.

2. ROLL CALL

PRESENT: Scott Cunningham, Chair
Ira Beer, Vice Chair
Steve Scully, Commissioner
Rudy Svrcek, Commissioner
Gary Williams, Commissioner
Don Yahn, Commissioner

ABSENT: Marie Marston, Secretary

Staff Members: Paul Blank, Harbormaster
Jennifer Biddle, Administrative Assistant
Chris Miller, Public Works Administrative Manager
Cynthia Shintaku, Administrative Assistant

3. PLEDGE OF ALLEGIANCE – Led by Commissioner Scully

4. PUBLIC COMMENTS (NON-AGENDA ITEMS)

Chair Cunningham opened public comments.

A procedural question was raised regarding whether public comment on Item 6.1 would be conducted separately. Chair Cunningham confirmed that public comment would be received when Item 6.1 was heard.

Chair Cunningham closed public comments.

5. APPROVAL OF MINUTES

1. Draft Minutes of the November 13, 2024 Harbor Commission Regular Meeting

Chair Cunningham opened public comments. Seeing none, Chair Cunningham closed public comments.

Vice Chair Beer moved to approve the November 13, 2024 Harbor Commission Regular Meeting minutes, as amended. Seconded by Commissioner Yahn. The motion carried by the following roll call vote:

Ayes: Scully, Svrcek, Williams, Yahn, Beer, Cunningham
Nays: None
Abstain: None
Absent: Marston

6. CURRENT BUSINESS

1. Conceptual Public Dock at Promontory Bay

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, California Code of Regulations, Title 14, Division 6, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.
- 2) Receive and File

Commissioner Svrcek reported that the conceptual dock would be located in close proximity to the Bayside Retail Center, which includes three restaurants, the Bayside Restaurant, Saponi, and Java Bakery Café, a Pavilion's Grocery store, and a Rite Aid. He noted that there are numerous services and restaurants nearby, making it a convenient location. He presented a diagram showing five boats docked at the proposed location along with two boats at scale entering Promontory Bay demonstrating ample room for navigation. He advised that the channel width is 90 feet with a turning radius of approximately 110 feet.

Commissioner Svrcek reported that another proposed location is positioned slightly closer to Bayside Drive and has the same layout. He presented a detailed illustration showing the public sidewalk adjacent to the conceptual dock with five boats, along with one of the largest boats entering Promontory Bay, providing a sense of scale. He explained that at a 2.6-foot medium low tide, the height of a Duffy boat remains well below the patio of the adjacent apartments. He noted that at a five-foot tide, the boat remains approximately six feet below the apartment patio deck. Lastly, he advised that even at a seven-foot tide, the dock does not obstruct views from the apartments.

Commissioner Svrcek acknowledged that a letter was received expressing concerns regarding the safety of this location. He explained that in order to address these concerns, a review of similar channel widths and boat sizes was conducted using Google Maps. He noted that comparable locations include the eastern portion of Linda Isle across from Harbor Island Drive, the northern portion of Linda Isle across from the Sol restaurant, the Rhine Channel near the Cannery area, and Evening Star Lane in Dover Shores. He noted that each of these locations accommodates similar-sized boats within comparable channel widths.

Commissioner Scully inquired about the 90-foot channel width, specifically whether that measurement included only navigable water. He recalled that there were rocks along the seawall.

Commissioner Svrcek confirmed that there are rocks along the seawall that extend two to three feet at very low tide.

Commissioner Scully explained that the worst-case scenario must be considered in assessing navigable space. He noted he has observed other public docks with larger boats utilizing them illegally at night, with some measuring 30 to 40 feet with beams of 15 feet. He sought clarification on how much space is available in the worst-case scenario, acknowledging concerns expressed by local homeowners.

Commissioner Svrcek referenced the Rhine Channel which provides a relevant comparison, as 100-foot boats frequently navigate through the area during the summer. He explained that the width of that channel suggests sufficient maneuverability.

Commissioner Yahn raised a related concern about the space taken up by the dock and the width of moored boats.

Commissioner Svrcek estimated that a four-foot dock plus a 19- or 20-foot-wide boat would take up about 20 feet of the 90-foot channel.

Commissioner Yahn acknowledged that the dock is intended to enhance public access and provide an amenity for visitors to the Bayside Center. He noted that pedestrians would have two options for access: a public walkway extending past the homes and connecting to Balboa Island and the Newport Beach

Yacht Club or a direct route to Bayside Drive. He reported that concerns were raised about jaywalking, as pedestrians might attempt to cross the street outside designated crosswalks.

Commissioner Svrcek noted that pedestrians going to Bayside Restaurant would use the Promontory Beach crosswalk, which is signalized, providing a safe crossing option.

Commissioner Williams inquired about the intent of the proposed dock, questioning whether the primary goal was to bring additional business to Bayside Shopping Center. He inquired if the dock was intended exclusively for Duffy boats as the renderings only illustrated the height of a Duffy.

Commissioner Svrcek clarified that limitations could be established as necessary. He noted that the illustration included Duffy's as well as two larger boats, a 26-footer, and a 30-footer, but restrictions could be imposed based on the commission's decision.

Commissioner Williams inquired about the origin of the request for the dock and whether it resulted from public outreach.

Commissioner Svrcek explained that the idea stemmed from his effort to identify locations for additional public docks. He noted that a public dock running from the bridge was considered, but after walking the area with staff, the current proposed location was identified as a suitable option.

Chair Cunningham explained that over eight years ago, there had been discussions about a similar public dock proposal. He recalled that Duffy Duffield had advocated for a public dock along the rocks near the jetty. He explained that this occurred before improvements were made to Bayside Drive, including the installation of a crosswalk and traffic light. He acknowledged the need to review prior efforts and determine why the project had not moved forward at that time. He expressed concern about Promontory Bay residents' willingness to accept a public dock in the area along with input from the Irvine Company regarding their perspective on the proposal. He acknowledged that this meeting is the initial step in presenting the idea to the public, inviting discussion on both the advantages and potential challenges.

Chair Cunningham opened public comments.

Adam Leverenz presented a diagram showing an expanded image of the area showing a potential alternative location that would minimize navigational impact. He explained that the updated layout suggested placing six slips in a side-tie configuration within a vacant area, potentially reducing obstruction to navigation while increasing available berthing space. He noted that such adjustments could help mitigate homeowner concerns.

Samantha McDonald, a live-aboard resident, expressed concern that fishing should be permitted on the dock, citing that a recently constructed public dock on Pacific Coast Highway prohibited fishing, despite other public docks allowing it. She emphasized that public docks should provide access to the water, not just access from the water. She noted that launching kayaks from public docks was often difficult due to the lack of nearby public parking or direct access points. She encouraged the commission to consider extending the parking limit beyond three hours, as it currently restricts visitors' ability to fully enjoy the amenities.

Chair Cunningham closed public comments.

Commissioner Yahn commended Commissioner Svrcek's proposal, emphasizing the commission's objective to increase amenities and access to the bay. He noted that opportunities to enhance access are limited and that this proposal presents a valuable opportunity for discussion. While the feasibility of the project remains to be seen, he expressed support for providing access to both Balboa Island and Bayside. He acknowledged that the project requires engineering, review, and public input but stated that good ideas begin by planting the seed and moving forward. He requested historical documentation on

previous attempts to establish a dock in the area, suggesting that reviewing past efforts could provide valuable insights.

Commissioner Williams echoed this sentiment, expressing appreciation for the historical background and indicating support for pursuing a dock in that area. However, he suggested that the secondary proposed location might be more appropriate and expressed interest in how the process unfolds.

Chair Cunningham recalled that the historical suggestion was for a dock along the rocks near the walking path on Bayside Drive, closer to the traffic signal. He expressed support for increasing dock access, noting that more docks and improved access benefit the public. He acknowledged that Promontory Bay residents and the Irvine Company were identified as key stakeholders whose feedback should be sought before formalizing the proposal. He noted that while the Irvine Company does not own Promontory Bay, it does own the businesses across the street, which would likely be affected by the dock's presence.

Commissioner Yahn expressed concern regarding potential parking impacts, noting that visitors might park in the Bayside Shopping Center lot and cross the street to access the dock.

Chair Cunningham acknowledged the existing parking issues in the area and recognized that this could be a concern for businesses. He noted that the shopping center already faces parking challenges due to its proximity to Balboa Island with security guards frequently hired to monitor parking.

Harbormaster Blank recommended that the commission provide further direction should be given to Commissioner Svrcek and supporting staff regarding the viability of the project.

Chair Cunningham suggested that a preliminary engineering be conducted to refine the proposal, though not at significant expense, and that public outreach be pursued.

Chair Svrcek agreed that public outreach was a priority and identified key groups for immediate feedback, including waterfront residents, Promontory Bay homeowners, Basin Marine, and the Irvine Company. He acknowledged that the proposal had not generated overwhelming public demand and acknowledged that additional input could shape the project's development. He anticipated some pushback from the local community.

Commissioner Svrcek inquired about the suggested engineering.

Chair Cunningham suggested that the project be refined to provide more detailed dimensions and layout information. He inquired if formal action was required to give direction to staff.

Harbormaster Blank reported that no formal action was required, only verbal direction.

Commissioner Scully emphasized the importance of considering public comments, past discussions, and historical context. He noted that if large vessels, such as 50- or 60-foot boats, were to dock late at night while the Harbor Department was closed, the commission would need to anticipate potential challenges. He referenced the public dock at the end of the Rhine Channel, where large boats frequently dock at night. He noted that identifying the optimal location was a priority and that once that determination was made, preliminary engineering and public outreach should follow.

Chair Cunningham agreed that the commission could continue discussing the project and refining it on a monthly basis as it gains traction.

There was no further action taken on this item and it was received and filed unanimously.

3. Ad Hoc Committee Updates

- 1) Find this action exempt from 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 physical change to the environment, directly or indirectly; and
- 2) Receive and file.

Balboa Ferry Ad Hoc – Commissioners Scully, Svrcek and Yahn (05-10-2023)

Commissioner Scully reported that Joe Beek has made significant progress in securing grant funding for the replacement of ferry boats. He noted that two specific grants were identified. He reported that a Carl Moyer Grant has been approved which is designed to decommission old engines and replace vehicles/vessels. He noted the Balboa Island Ferry Company were also pursuing a joint grant from the California Air Resources Board and the South Coast Air Quality Management Grant which could provide approximately \$8 million in funding. Commissioner Scully noted that discussions with Mr. Beek indicated strong progress, with verbal assurances that funding would be allocated specifically for the Newport Ferry. He advised that Mr. Beek has engaged a marine architect in San Diego who had previously worked on hybrid and electric ferries in San Francisco with the intent to design new ferries identical in size and appearance to the current fleet. He acknowledged positive discussions with the City regarding the placement of power infrastructure for ferry charging and announced an agreement had been reached on the location of meters and the larger power infrastructure. He noted that when the grants are finalized the project would proceed into the architectural and construction phases.

General Plan Harbor & Bay Element Update Ad Hoc – Commissioners Scully, Marston, and Yahn (10-09-2024)

Commissioner Scully reported participation in a Zoom call on November 26, which was primarily focused on planning for a workshop held on December 5 at Marina Park. Commissioner Scully acknowledged Mr. Moser for notifying the ad hoc committee of the workshop dates and for providing supporting documentation.

Commissioner Scully reported he was unable to attend the workshop, he had offered to email the date, time, and location to a wide group of harbor users. He reported that a number of harbor stakeholders attended and participated. He explained that the workshop provided an overview of the general plan elements, including guiding values, ideas to support harbor planning, and land-use considerations for Newport Beach's future. He noted that he would forward a handout summarizing the workshop. He emphasized that the General Plan process had been complex, but the workshop materials offered a clear explanation of the current direction.

Public Dock Utilization Ad Hoc – Commissioners Beer, Svrcek, and Williams (04-10-2024)

No update.

Chair Cunningham opened public comments.

Harbormaster Blank announced that members of the public were misinformed about the time of the Harbor Commission meeting and wished to be heard on Item 6.1

Ken Rinker, a member of the Promontory Bay Homeowners Association (HOA) Board, stated his opposition to the proposed dock. He noted that many neighbors had already voiced strong objections. He emphasized that Promontory Bay accommodates boats up to 80 feet or more due to its side-tie docks, allowing multiple large vessels. He reported that the bay contains 61 homes, and after discussion at the HOA board level, members are unanimously opposed to the dock for several reasons. He noted that a primary concern is the sharp and blind curve in the channel. He reported that he frequently navigates the area at night for fishing trips, explained that the curve requires the use of the entire middle section of the channel for safe passage. He stressed that the channel is too narrow for two large boats to pass simultaneously, and the addition of a dock would exacerbate this issue. He noted the lack of nighttime enforcement would increase safety risks, as boats tied to the dock would further constrict the navigable space. He also raised concerns about the enforcement of vessel size limits. While restrictions might be

imposed, he stated that boats exceeding 14 feet frequently overstay their allowed time at public docks elsewhere in the harbor. He asserted that installing a dock in this location would negatively impact property values for the 61 homes in Promontory Bay, as potential buyers, most of whom own boats, would be deterred by the increased congestion and safety risks. He further mentioned that sheriff department vessels occasionally tie up along the seawall near the condos and apartments so that officers can go ashore for food. He suggested that this practice should not occur and offered to personally fund a monthly meal for officers if they refrained from docking there. He reiterated his strong opposition to the dock.

Chad Hall, President of the Promontory Bay HOA, concurred with Mr. Rinker's concerns, adding that the proposed dock could be misused for large boats docking while patrons visit restaurants or vice versa, parking at the restaurant and boarding a vessel. He stated that parking in the area is not intended for boat launching and that allowing a dock there would pose safety risks, particularly at night when people may be consuming alcohol. He questioned how much use the dock would receive given that the area primarily serves a single restaurant and a grocery store. He also pointed out that there is no designated crosswalk in the vicinity, further complicating pedestrian access.

A resident, who lives at 621 Bayside, stated that he owns a 50-foot boat and has lived in the area for 20 years. He reiterated that navigating the turn in the channel is already difficult, especially when encountering smaller Duffy boats, which are often difficult to maneuver. He expressed concern about the dock's potential depth and size, especially considering the need for ADA-compliant ramps, which could extend the dock by approximately 10 feet. He concluded that this would create a significant obstruction and reiterated his opposition to the project.

Chair Cunningham closed public comments.

There was no further action taken on this item and it was received and filed unanimously.

3. Harbor Commission 2024 Objectives

- a) Find this action exempt from 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 physical change to the environment, directly or indirectly; and
- b) Receive and file.

Commissioner Svrcek reported the recent Water Quality and Coastal Tidelands Committee meeting primarily focused on goals and objections.

Commissioner Scully reported no updates regarding the Safety Committee or review of the Harbor Department's responsibilities.

Commissioner Yahn reported on the annual review of Title 17, stating that ideas and potential updates were being collected for a future meeting. He reported on efforts to identify additional harbor services, including pump-out stations, dock space, shore boat service, and a boat launch ramp. He noted that despite a few unsuccessful attempts to establish a shoreboat service, the initiative remains under consideration.

Vice Chair Beer provided updates on the implementation of the mooring reconfiguration initiative. He reported that the Coastal Commission did not approve the Coastal Development Permit (CDP) the previous week. He advised that the ad hoc committee will reconvene in the next month to determine whether to amend the objective or take further action. He reported that the commission is awaiting a response from the California State Lands Commission regarding an update to the market rent for onshore and offshore moorings.

Commissioner Williams reported no updates.

Chair Cunningham provided updates on dredging efforts under Objective 10. He advised that the original Confined Aquatic Disposal (CAD) plan is no longer in effect, as an alternative disposal site has been identified in Long Beach. He reported that a memorandum of understanding (MOU) has been signed, and the project is expected to go out for bid within the next 30 to 60 days with the dredging anticipated to begin in 2025. He expressed hope that he would still be serving on the commission when dredging equipment arrives in the harbor. He discussed the biennial eelgrass survey, stating that the final results are being finalized and look promising. He noted that eelgrass is a crucial component of the harbor's ecosystem, and an update will be presented at an upcoming meeting. He recommended formally adding Commissioner Svrcek to Objective 5, which focuses on dock space and related matters, and inquired if a formal motion was required.

Harbormaster Blank advised that general concurrence would be sufficient.

Chair Cunningham confirmed that there was consensus among commissioners. Commissioner Svrcek was added to Objective 5.

Chair Cunningham opened to public comments.

Adam Leverenz inquired about outreach regarding Title 17. He directed his question to Commissioner Yahn, who had mentioned collecting ideas for potential updates. He inquired whether there had been any outreach to stakeholders to gather input and, if not, what the best method would be for stakeholders to provide suggestions.

Commissioner Yahn responded that a few years ago, the commission encountered numerous changes to Title 17, which led to the appointment of an individual responsible for logging updates as they arose throughout the year. He explained that the tracking process serves as the basis for ongoing revisions. He encouraged the public to submit ideas or feedback at any time.

Chair Cunningham echoed this statement, clarifying that while there is no formalized venue for public input, members of the public with recommendations or concerns about Title 17 are encouraged to reach out to the Harbor Department. He noted that the department collects these submissions and evaluates them on a case-by-case basis, primarily addressing issues related to harbor operations and enforcement. He noted that there is no comprehensive review plan in place, as a full review had been conducted previously. He explained that the commission is focused on refining specific aspects of Title 17 as needed.

Chair Cunningham closed public comments.

There was no further action taken on this item and it was received and filed unanimously.

7. Harbormaster Update – November and December 2024 and January 2025 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.

Harbormaster Blank provided updates on harbor cleanliness, safety, and operations. He reported that the Harbor Department conducted its first vessel arrest, a detailed process with the vessel remaining in custody pending a court-ordered auction in 45 days. He advised that the department successfully addressed multiple discharge and spill incidents and, in collaboration with the Utilities Department,

installed trash receptacles on all public docks after a 2.5-year approval process. Additionally, he noted that a visiting vessel failed its dye-tab test and was immediately ordered to leave the harbor.

Harbormaster Blank announced that the trash interceptor at San Diego Creek is now fully deployed and successfully captured debris during the season's first major rainstorm, preventing it from entering Newport Bay. He advised that the department also increased patrols and notifications in response to severe weather warnings and received praise from another agency for its notification system. He reported that the Harbor Department conducted a successful towing test with its new all-electric vessel, which towed a much larger boat for 2.5 hours while consuming less electricity than expected. Other maintenance efforts included servicing fire extinguishers, replacing cabinets at Marina Park, and responding to a notable rescue in which a runaway electric vessel was safely stopped after its operator jumped overboard to rescue a dog.

Harbormaster Blank reported that the department resolved various berthing issues, including a management plan at Peninsula Village and a lengthy permittee issue in the A-field. It also supported the annual Christmas Boat Parade, which occurred without major incidents. He advised that the coordination of conflicting harbor events for March highlighted the benefits of the permitting system. Lastly, he reported that three new burgees were installed in the Harbor Department office to create a more welcoming atmosphere.

Harbormaster Blank reported that the department exercised discretion in a case involving a dilapidated vessel. He explained that after determining the owner had passed away and the surviving spouse was unable to maintain it, additional time was granted for its sale, avoiding enforcement action. He noted that the vessel has since been removed from the harbor.

Harbormaster Blank reported that the department completed annual California Air Resource Board (CARB) reporting for its four patrol vessels and reported an average of 189 mooring assists per year. He noted that other updates included the Coastal Commission's rejection of the mooring reconfiguration pilot project and the completion of long-awaited safety videos for rental customers, which will be available online and to concession operators.

Harbormaster Blank reported that operational statistics for 2024 showed approximately 24,000 service calls, averaging 2,000 per month. A record 74 marine activity permits were issued, exceeding the previous year's total. He noted that anchorage activity was high in December but declined in January due to poor weather. He reported that the department's \$2.8 million operating budget remains largely allocated to code enforcement, which was not performed before the department's creation in 2017. He noted that revenue from mooring sub-permits and Marina Park slips slightly decreased to \$1.4 million but still reflects an annual revenue growth rate of 22% since the department's establishment. Lastly, he reported that the 2024 customer service survey results showed consistently high satisfaction, with all categories scoring between 4.5 and 5.0 out of 5.

Commissioner Scully commended Harbormaster Blank for the installation of trash receptacles on public docks, stating that it was a significant improvement. He suggested that rental companies be informed about the new receptacles so they could communicate this update to their customers, as much of the trash originates from rental operations. He inquired who was responsible for emptying the trash cans.

Harbormaster Blank reported that CR&R Environmental Services was contracted to empty the receptacles. He confirmed that the Harbor Department would maintain the exterior of the receptacles, addressing any misuse or dirt accumulation. Commissioner Scully expressed his appreciation for the addition.

Commissioner Yahn praised the communication efforts with rental agencies and the recently developed safety video. He referenced a previously implemented QR code system that provides information about restroom locations throughout the harbor. He asked whether that system remained in use and suggested that a similar feature be added to indicate the locations of trash receptacles.

Vice Chair Beer took a moment to commend Harbormaster Blank for a well-organized and smooth-running Christmas Boat Parade. He inquired about the drop in revenue from mooring sub-permits year-over-year.

Harbormaster Blank attributed the revenue decline to poor weather conditions in January, February, and March of 2024, which negatively impacted harbor activity. He clarified that the provided graph reflected annual revenue trends and reiterated that the early-year weather had significantly affected permit revenue.

Vice Chair Beer inquired about the process for a vessel that fails a dye-tab test and whether there were fines associated with noncompliance.

Harbormaster Blank explained that any vessel failing a dye test is required to leave the harbor for one year. He advised that a citation may be issued, carrying a \$1,000 fine, and the violation may also be referred to other agencies for potential further action. He noted that the specific vessel in question was a frequent visitor to the harbor and had a history of late payments on sub-permits. He advised that instead of issuing an administrative citation, the department required the owner to settle all outstanding balances before leaving. He reported that the vessel owner complied, and the vessel was barred from returning for one year, and before being permitted to return, it would be subject to another dye test.

Commissioner Williams commended Harbormaster Blank on his report and requested clarification regarding the number of service calls for mooring permit holders.

Harbormaster Blank explained that these calls were not limited to permit holders but also included sub-permittees. He clarified that these calls specifically involved assistance with securing a vessel to a mooring. He further explained that mooring assistance requests are logged as a separate line item in the department's statistics. He detailed the process for requesting assistance, which includes contacting the Harbor Department via the front desk or VHF Channel 17 during regular hours. He reported that while email requests are possible, phone or radio communication is preferred for faster response times. He explained that if an immediate response is not possible due to higher-priority tasks, such as emergency rescues, boaters are advised to wait at the free anchorage, a public dock, or Marina Park until assistance becomes available. He estimated that approximately two-thirds of mooring assistance requests come from permit holders, while one-third come from visiting boaters.

Vice Chair Beer inquired if a small number of individuals repeatedly requested assistance. Harbormaster Blank stated that there was no evidence of overuse by any specific permit holder.

Commissioner Svrcek referenced the slide displaying the trash interceptor's effectiveness. He noted that the captured debris appeared significant and inquired whether it had accumulated before any rainfall.

Harbormaster Blank clarified that the image was taken following the first rainfall in early January when the booms were deployed, effectively capturing debris before it could flow into the harbor. He emphasized the success of the interceptor in preventing large amounts of waste from entering the waterways.

Vice Chair Beer expressed concern about the potential for the interceptor to become overwhelmed by heavier rainfall, asking whether it was designed to break away under extreme conditions.

Harbormaster Blank stated that while the booms could be overwhelmed, he suspected that the Utilities Department, which oversees the interceptor's operation, would manually release the booms if necessary to prevent damage. He noted that the effectiveness of the system would be tested with an upcoming storm.

Chair Cunningham thanked Harbormaster Blank for his report and acknowledged the significant progress made in maintaining harbor cleanliness, safety, and public accessibility.

Chair Cunningham opened public comments.

A member of the public inquired about how information regarding assistance with mooring is provided to mooring permittees and harbor visitors, noting that they had never received such information.

Adam Leverenz addressed the commission again and referenced a statement from the Harbormaster's update. He quoted, "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 will know in June whether we can keep four vessels or we will have to sell off the oldest vessel in our fleet." He then recalled the procurement process for the electric boat, which was purchased using approximately \$300,000 in grant money. He noted that it had been presented as a replacement vessel. He cited an article in the Daily Pilot from August 31, 2024, in which the Harbormaster stated, "The Harbor Department has a fleet of work vessels, and we were overdue for the replacement of one of them in particular. So this boat made perfect sense in terms of a replacement." He emphasized that the Harbor Department operates with a significant financial deficit and noted that the Harbormaster's LinkedIn profile references budget reductions, fiscal responsibility, and staff reductions of up to 50%. He expressed concern that while the electric boat was initially presented as a replacement, the recent statement suggested an overall fleet expansion. He requested greater fiscal accountability in public spending.

Samantha McDonald, a live-aboard resident, commented on the mooring assistance program, stating that she appreciates the support provided by the department. However, she noted inconsistencies in the assistance received. She shared an experience in which she and her partner returned from Mexico after a cruising season and requested help securing their mooring lines. She noted that a staff member responded over the radio, instructing them to pull up to the dock and wait approximately 45 minutes for assistance. However, upon calling again, another staff member informed them that such assistance was not provided. Eventually, she noted they did receive help from a staff member who secured their mooring lines, but knots were tied incorrectly, creating an unsafe situation. She emphasized the need for improved staff training and clarity regarding mooring assistance policies. She recalled a previous return from sea, during which her partner encountered difficulties. She explained that after a 15-day upwind sail with a broken engine and autopilot, they were woken early in the morning by staff inquiring about their mooring duration, despite having a permit. She stressed the importance of better tracking moored vessels to avoid unnecessary disturbances.

Michael Spano reported that upon returning to his mooring, he was promptly billed as a mooring sub-permittee the following morning, despite being the official permit holder. He questioned the accuracy of the department's billing system. He expressed appreciation for the QR code system providing restroom locations and suggested expanding the initiative to include all public docks. He noted that many visitors, including fishermen and other harbor users, struggle to find restroom facilities. He recommended that QR codes be placed in additional public spaces to increase accessibility.

Chair Cunningham acknowledged the feedback and noted that restroom access had been a recurring topic of discussion in recent years.

Chair Cunningham closed public comments.

There was no further action taken on this item and it was received and filed unanimously.

7. MOTION FOR RECONSIDERATION

None.

8. COMMISSIONER ANNOUNCEMENTS (NON-DISCUSSION ITEMS)

Commissioner Scully reported that he and Commissioner Svrcek participated in a tour of the Coast Guard vessel Narwhal, an event organized by the Balboa Yacht Club. He noted that the tour provided an opportunity to meet the personnel working on the vessel, who were described as highly professional and welcoming. He advised that the tour was informative, and although the living quarters were not particularly spacious, the experience was valuable. He expressed appreciation for the Coast Guard's presence in the harbor.

Commissioner Scully reported that he attended the California Coastal Commission meeting held on Wednesday, February 5th, regarding the C Field Mooring Optimization Test. He explained that the meeting was the final approval for advancing the mooring optimization test in the C Field project that had been under development for several years. He noted that the California Coastal Commission rejected the Optimization test by a vote of 8 to 1.

Commissioner Scully expressed gratitude to Chair Cunningham and Vice Chair Beer for their extensive work on this subcommittee, noting that the objective required hundreds of hours of effort across multiple areas. Additionally, Chair Scully acknowledged Harbormaster Blank for his ongoing support and assistance, as well as the Harbor Commission and City Council for their time spent reviewing and working toward improvements in Newport Harbor.

Commissioner Scully remarked that, despite the commission's efforts, the presentation did not resonate with eight of the nine commissioners. He described the outcome as disappointing, given the potential benefits the optimization test could have provided to the more than 7 million individuals who utilize Newport Harbor.

10. MATTERS WHICH COMMISSIONERS WOULD LIKE PLACED ON A FUTURE AGENDA FOR DISCUSSION, ACTION, OR REPORT (NON-DISCUSSION ITEM)

None.

11. DATE AND TIME FOR NEXT MEETING:

The next regular meeting is scheduled for Wednesday, March 12, 2025 at 5:00 p.m.

12. ADJOURNMENT

There being no further business to come before the Harbor Commission, the meeting was adjourned at 6:15 p.m.

NEWPORT BEACH HARBOR COMMISSION REGULAR MEETING MINUTES
City Council Chambers – 100 Civic Center Drive, Newport Beach
Wednesday, February 12, 2025
5 p.m.

1. CALL MEETING TO ORDER

The meeting was called to order at 5:00 p.m.

2. ROLL CALL

PRESENT: Scott Cunningham, Chair
 Ira Beer, Vice Chair
 Steve Scully, Commissioner
 Rudy Svrcek, Commissioner
 Gary Williams, Commissioner
 Don Yahn, Commissioner

ABSENT: Marie Marston, Secretary

Staff Members: Paul Blank, Harbormaster
 Jennifer Biddle, Administrative Assistant
 Chris Miller, Public Works Administrative Manager
 Cynthia Shintaku, Administrative Assistant

3. PLEDGE OF ALLEGIANCE – Led by Commissioner Scully

4. PUBLIC COMMENTS (NON-AGENDA ITEMS)

Chair Cunningham opened public comments.

A procedural question was raised regarding whether public comment on Item 6.1 would be conducted separately. Chair Cunningham confirmed that public comment would be received when Item 6.1 was heard.

Chair Cunningham closed public comments.

5. APPROVAL OF MINUTES

1. Draft Minutes of the November 13, 2024 Harbor Commission Regular Meeting

Chair Cunningham opened public comments. Seeing none, Chair Cunningham closed public comments.

Vice Chair Beer moved to approve the November 13, 2024 Harbor Commission Regular Meeting minutes, as amended. Seconded by Commissioner Yahn. The motion carried by the following roll call vote:

Ayes: Scully, Svrcek, Williams, Yahn, Beer, Cunningham
Nays: None
Abstain: None
Absent: Marston

6. CURRENT BUSINESS

1. Conceptual Public Dock at Promontory Bay

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, California Code of Regulations, Title 14, Division 6, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.
- 2) Receive and File

Commissioner Svrcek reported that the conceptual dock would be located in close proximity to the Bayside Retail Center, which includes three restaurants, the Bayside Restaurant, Sapori, and Java Bakery Café, a Pavilion's Grocery store, and a Rite Aid. He noted that there are numerous services and restaurants nearby, making it a convenient location. He presented a diagram showing five boats docked at the proposed location along with two boats at scale entering Promontory Bay demonstrating ample room for navigation. He advised that the channel width is 90 feet with a turning radius of approximately 110 feet.

Commissioner Svrcek reported that another proposed location is positioned slightly closer to Bayside Drive and has the same layout. He presented a detailed illustration showing the public sidewalk adjacent to the conceptual dock with five boats, along with one of the largest boats entering Promontory Bay, providing a sense of scale. He explained that at a 2.6-foot medium low tide, the height of a Duffy boat remains well below the patio of the adjacent apartments. He noted that at a five-foot tide, the boat remains approximately six feet below the apartment patio deck. Lastly, he advised that even at a seven-foot tide, the dock does not obstruct views from the apartments.

Commissioner Svrcek acknowledged that a letter was received expressing concerns regarding the safety of this location. He explained that in order to address these concerns, a review of similar channel widths and boat sizes was conducted using Google Maps. He noted that comparable locations include the eastern portion of Linda Isle across from Harbor Island Drive, the northern portion of Linda Isle across from the Sol restaurant, the Rhine Channel near the Cannery area, and Evening Star Lane in Dover Shores. He noted that each of these locations accommodates similar-sized boats within comparable channel widths.

Commissioner Scully inquired about the 90-foot channel width, specifically whether that measurement included only navigable water. He recalled that there were rocks along the seawall.

Commissioner Svrcek confirmed that there are rocks along the seawall that extend two to three feet at very low tide.

Commissioner Scully explained that the worst-case scenario must be considered in assessing navigable space. He noted that his observations indicate that boats in the area range in size, with some measuring 60 to 70 feet with beams of 18 to 20 feet. He sought clarification on how much space is truly available in the worst-case scenario, acknowledging concerns expressed by local homeowners.

Commissioner Svrcek referenced the Rhine Channel which provides a relevant comparison, as 100-foot boats frequently navigate through the area during the summer. He explained that the width of that channel suggests sufficient maneuverability.

Commissioner Yahn raised a related concern about the space taken up by the dock and the width of moored boats.

Commissioner Svrcek estimated that a ~~four~~ five-foot dock plus a five foot separation from the sea wall and a ten foot beam would take up 19 ~~or 20-foot-wide boat would take up~~ about 20 feet of the 90-foot channel.

Commissioner Yahn acknowledged that the dock is intended to enhance public access and provide an amenity for visitors to the Bayside Center. He noted that pedestrians would have two options for access: a public walkway extending past the homes and connecting to Balboa Island and the Newport Beach Yacht Club or a direct route to Bayside Drive. He reported that concerns were raised about jaywalking, as pedestrians might attempt to cross the street outside designated crosswalks.

Commissioner Svrcek noted that pedestrians going to Bayside Restaurant would use the Promontory Beach crosswalk, which is signalized, providing a safe crossing option.

Commissioner Williams inquired about the intent of the proposed dock, questioning whether the primary goal was to bring additional business to Bayside Shopping Center. He inquired if the dock was intended exclusively for Duffy boats as the renderings only illustrated the height of a Duffy.

Commissioner Svrcek clarified that limitations could be established as necessary. He noted that the illustration included Duffy's as well as two larger boats, a 26-footer, and a 30-footer, but restrictions could be imposed based on the commission's decision.

Commissioner Williams inquired about the origin of the request for the dock and whether it resulted from public outreach.

Commissioner Svrcek explained that the idea stemmed from his effort to identify locations for additional public docks. He noted that a public dock running from the bridge was considered, but after walking the area with staff, the current proposed location was identified as a suitable option.

Chair Cunningham explained that over eight years ago, there had been discussions about a similar public dock proposal. He recalled that Duffy Duffield had advocated for a public dock along the rocks near the jetty. He explained that this occurred before improvements were made to Bayside Drive, including the installation of a crosswalk and traffic light. He acknowledged the need to review prior efforts and determine why the project had not moved forward at that time. He expressed concern about Promontory Bay residents' willingness to accept a public dock in the area along with input from the Irvine Company regarding their perspective on the proposal. He acknowledged that this meeting is the initial step in presenting the idea to the public, inviting discussion on both the advantages and potential challenges.

Chair Cunningham opened public comments.

Adam Leverenz presented a diagram showing an expanded image of the area showing a potential alternative location that would minimize navigational impact. He explained that the updated layout suggested placing six slips in a side-tie configuration within a vacant area, potentially reducing obstruction to navigation while increasing available berthing space. He noted that such adjustments could help mitigate homeowner concerns.

Samantha McDonald, a live-aboard resident, expressed concern that fishing should be permitted on the dock, citing that a recently constructed public dock on Pacific Coast Highway prohibited fishing, despite other public docks allowing it. She emphasized that public docks should provide access to the water, not just access from the water. She noted that launching kayaks from public docks was often difficult due to the lack of nearby public parking or direct access points. She encouraged the commission to consider extending the parking limit beyond three hours, as it currently restricts visitors' ability to fully enjoy the amenities.

Chair Cunningham closed public comments.

Commissioner Yahn commended Commissioner Svrcek's proposal, emphasizing the commission's objective to increase amenities and access to the bay. He noted that opportunities to enhance access are limited and that this proposal presents a valuable opportunity for discussion. While the feasibility of the project remains to be seen, he expressed support for providing access to both Balboa Island and

Bayside. He acknowledged that the project requires engineering, review, and public input but stated that good ideas begin by planting the seed and moving forward. He requested historical documentation on previous attempts to establish a dock in the area, suggesting that reviewing past efforts could provide valuable insights.

Commissioner Williams echoed this sentiment, expressing appreciation for the historical background and indicating support for pursuing a dock in that area. However, he suggested that the secondary proposed location might be more appropriate and expressed interest in how the process unfolds.

Chair Cunningham recalled that the historical suggestion was for a dock along the rocks near the walking path on Bayside Drive, closer to the traffic signal. He expressed support for increasing dock access, noting that more docks and improved access benefit the public. He acknowledged that Promontory Bay residents and the Irvine Company were identified as key stakeholders whose feedback should be sought before formalizing the proposal. He noted that while the Irvine Company does not own Promontory Bay, it does own the businesses across the street, which would likely be affected by the dock's presence.

Commissioner Yahn expressed concern regarding potential parking impacts, noting that visitors might park in the Bayside Shopping Center lot and cross the street to access the dock.

Chair Cunningham acknowledged the existing parking issues in the area and recognized that this could be a concern for businesses. He noted that the shopping center already faces parking challenges due to its proximity to Balboa Island with security guards frequently hired to monitor parking.

Harbormaster Blank recommended that the commission provide further direction should be given to Commissioner Svrcek and supporting staff regarding the viability of the project.

Chair Cunningham suggested that a preliminary engineering be conducted to refine the proposal, though not at significant expense, and that public outreach be pursued.

Chair Svrcek agreed that public outreach was a priority and identified key groups for immediate feedback, including waterfront residents, Promontory Bay homeowners, Basin Marine, and the Irvine Company. He acknowledged that the proposal had not generated overwhelming public demand and acknowledged that additional input could shape the project's development. He anticipated some pushback from the local community.

Commissioner Svrcek inquired about the suggested engineering.

Chair Cunningham suggested that the project be refined to provide more detailed dimensions and layout information. He inquired if formal action was required to give direction to staff.

Harbormaster Blank reported that no formal action was required, only verbal direction.

Commissioner Scully emphasized the importance of considering public comments, past discussions, and historical context. He noted that if large vessels, such as 50- or 60-foot boats, were to dock late at night while the Harbor Department was closed, the commission would need to anticipate potential challenges. He referenced the public dock at the end of the Rhine Channel, where large boats frequently dock overnight. He noted that identifying the optimal location was a priority and that once that determination was made, preliminary engineering and public outreach should follow.

Chair Cunningham agreed that the commission could continue discussing the project and refining it on a monthly basis as it gains traction.

There was no further action taken on this item and it was received and filed unanimously.

3. Ad Hoc Committee Updates

- 1) Find this action exempt from 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 physical change to the environment, directly or indirectly; and
- 2) Receive and file.

Balboa Ferry Ad Hoc – Commissioners Scully, Svrcek and Yahn (05-10-2023)

Commissioner Scully reported that Joe Beek has made significant progress had been made in securing grant funding for the replacement of ferry boats. He noted that two specific grants were identified. He reported that the Carl Moyer Grant has been approved which is designed to decommission old engines and replace vessels. He noted that staff were also pursuing a joint grant from the California Air Resources Board and the South Coast Air Quality Management Grant which could provide approximately \$8 million in funding. He noted that discussions with Mr. Beek indicated strong progress, with verbal assurances that funding would be allocated specifically for the Newport Ferry. He advised that Mr. Beek has engaged a marine architect in San Diego who had previously worked on hybrid and electric ferries in San Francisco with the intent to construct new ferries identical in size and appearance to the current fleet. He acknowledged discussions with the City regarding the placement of power infrastructure for ferry charging and announced an agreement had been reached on the location of meters and larger power supplies. He noted that when the grants are finalized the project would proceed into the architectural and construction phases.

General Plan Harbor & Bay Element Update Ad Hoc – Commissioners Scully, Marston, and Yahn (10-09-2024)

Commissioner Scully reported participation in a Zoom call on November 26, which was primarily focused on planning for a workshop held on December 5 at Marina Park. Commissioner Scully acknowledged Mr. Moser for notifying the ad hoc committee of the workshop dates and for providing supporting documentation.

Commissioner Scully reported he was unable to attend the workshop, he had offered to email the date, time, and location to a wide group of harbor users. He reported that a number of harbor stakeholders attended and participated. He explained that the workshop provided an overview of the general plan elements, including guiding values, ideas to support harbor planning, and land-use considerations for Newport Beach's future. He noted that he would forward a handout summarizing the workshop. He emphasized that the General Plan process had been complex, but the workshop materials offered a clear explanation of the current direction.

Public Dock Utilization Ad Hoc – Commissioners Beer, Svrcek, and Williams (04-10-2024)

No update.

Chair Cunningham opened public comments.

Harbormaster Blank announced that members of the public were misinformed about the time of the Harbor Commission meeting and wished to be heard on Item 6.1

Ken Rinker, a member of the Promontory Bay Homeowners Association (HOA) Board, stated his opposition to the proposed dock. He noted that many neighbors had already voiced strong objections. He emphasized that Promontory Bay accommodates boats up to 80 feet or more due to its side-tie docks, allowing multiple large vessels. He reported that the bay contains 61 homes, and after discussion at the HOA board level, members are unanimously opposed to the dock for several reasons. He noted that a primary concern is the sharp and blind curve in the channel. He reported that he frequently navigates the area at night for fishing trips, explained that the curve requires the use of the entire middle section of the channel for safe passage. He stressed that the channel is too narrow for two large boats to pass simultaneously, and the addition of a dock would exacerbate this issue. He noted the lack of nighttime

enforcement would increase safety risks, as boats tied to the dock would further constrict the navigable space. He also raised concerns about the enforcement of vessel size limits. While restrictions might be imposed, he stated that boats exceeding 14 feet frequently overstay their allowed time at public docks elsewhere in the harbor. He asserted that installing a dock in this location would negatively impact property values for the 61 homes in Promontory Bay, as potential buyers, most of whom own boats, would be deterred by the increased congestion and safety risks. He further mentioned that sheriff department vessels occasionally tie up along the seawall near the condos and apartments so that officers can go ashore for food. He suggested that this practice should not occur and offered to personally fund a monthly meal for officers if they refrained from docking there. He reiterated his strong opposition to the dock.

Chad Hall, President of the Promontory Bay HOA, concurred with Mr. Rinker's concerns, adding that the proposed dock could be misused for large boats docking while patrons visit restaurants or vice versa, parking at the restaurant and boarding a vessel. He stated that parking in the area is not intended for boat launching and that allowing a dock there would pose safety risks, particularly at night when people may be consuming alcohol. He questioned how much use the dock would receive given that the area primarily serves a single restaurant and a grocery store. He also pointed out that there is no designated crosswalk in the vicinity, further complicating pedestrian access.

A resident, who lives at 621 Bayside, stated that he owns a 50-foot boat and has lived in the area for 20 years. He reiterated that navigating the turn in the channel is already difficult, especially when encountering smaller Duffy boats, which are often difficult to maneuver. He expressed concern about the dock's potential depth and size, especially considering the need for ADA-compliant ramps, which could extend the dock by approximately 10 feet. He concluded that this would create a significant obstruction and reiterated his opposition to the project.

Chair Cunningham closed public comments.

There was no further action taken on this item and it was received and filed unanimously.

3. Harbor Commission 2024 Objectives

- a) Find this action exempt from 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 physical change to the environment, directly or indirectly; and
- b) Receive and file.

Commissioner Svrcek reported the recent Water Quality and Coastal Tidelands Committee meeting primarily focused on goals and objections.

Commissioner Scully reported no updates regarding the Safety Committee or review of the Harbor Department's responsibilities.

Commissioner Yahn reported on the annual review of Title 17, stating that ideas and potential updates were being collected for a future meeting. He reported on efforts to identify additional harbor services, including pump-out stations, dock space, shore boat service, and a boat launch ramp. He noted that despite a few unsuccessful attempts to establish a shoreboat service, the initiative remains under consideration.

Vice Chair Beer provided updates on the implementation of the mooring reconfiguration initiative. He reported that the Coastal Commission did not approve the Coastal Development Permit (CDP) the previous week. He advised that the ad hoc committee will reconvene in the next month to determine whether to amend the objective or take further action. He reported that the commission is awaiting a

response from the California State Lands Commission regarding an update to the market rent for onshore and offshore moorings.

Commissioner Williams reported no updates.

Chair Cunningham provided updates on dredging efforts under Objective 10. He advised that the original Confined Aquatic Disposal (CAD) plan is no longer in effect, as an alternative disposal site has been identified in Long Beach. He reported that a memorandum of understanding (MOU) has been signed, and the project is expected to go out for bid within the next 30 to 60 days with the dredging anticipated to begin in 2025. He expressed hope that he would still be serving on the commission when dredging equipment arrives in the harbor. He discussed the biennial eelgrass survey, stating that the final results are being finalized and look promising. He noted that eelgrass is a crucial component of the harbor's ecosystem, and an update will be presented at an upcoming meeting. He recommended formally adding Commissioner Svrcek to Objective 5, which focuses on dock space and related matters, and inquired if a formal motion was required.

Harbormaster Blank advised that general concurrence would be sufficient.

Chair Cunningham confirmed that there was consensus among commissioners. Commissioner Svrcek was added to Objective 5.

Chair Cunningham opened to public comments.

Adam Leverenz inquired about outreach regarding Title 17. He directed his question to Commissioner Yahn, who had mentioned collecting ideas for potential updates. He inquired whether there had been any outreach to stakeholders to gather input and, if not, what the best method would be for stakeholders to provide suggestions.

Commissioner Yahn responded that a few years ago, the commission encountered numerous changes to Title 17, which led to the appointment of an individual responsible for logging updates as they arose throughout the year. He explained that the tracking process serves as the basis for ongoing revisions. He encouraged the public to submit ideas or feedback at any time.

Chair Cunningham echoed this statement, clarifying that while there is no formalized venue for public input, members of the public with recommendations or concerns about Title 17 are encouraged to reach out to the Harbor Department. He noted that the department collects these submissions and evaluates them on a case-by-case basis, primarily addressing issues related to harbor operations and enforcement. He noted that there is no comprehensive review plan in place, as a full review had been conducted previously. He explained that the commission is focused on refining specific aspects of Title 17 as needed.

Chair Cunningham closed public comments.

There was no further action taken on this item and it was received and filed unanimously.

7. Harbormaster Update – November and December 2024 and January 2025 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.

Harbormaster Blank provided updates on harbor cleanliness, safety, and operations. He reported that the Harbor Department conducted its first vessel arrest, a detailed process with the vessel remaining in custody pending a court-ordered auction in 45 days. He advised that the department successfully

addressed multiple discharge and spill incidents and, in collaboration with the Utilities Department, installed trash receptacles on all public docks after a 2.5-year approval process. Additionally, he noted that a visiting vessel failed its dye-tab test and was immediately ordered to leave the harbor.

Harbormaster Blank announced that the trash interceptor at San Diego Creek is now fully deployed and successfully captured debris during the season's first major rainstorm, preventing it from entering Newport Bay. He advised that the department also increased patrols and notifications in response to severe weather warnings and received praise from another agency for its notification system. He reported that the Harbor Department conducted a successful towing test with its new all-electric vessel, which towed a much larger boat for 2.5 hours while consuming less electricity than expected. Other maintenance efforts included servicing fire extinguishers, replacing cabinets at Marina Park, and responding to a notable rescue in which a runaway electric vessel was safely stopped after its operator jumped overboard to rescue a dog.

Harbormaster Blank reported that the department resolved various berthing issues, including a management plan at Peninsula Village and a lengthy permittee issue in the A-field. It also supported the annual Christmas Boat Parade, which occurred without major incidents. He advised that the coordination of conflicting harbor events for March highlighted the benefits of the permitting system. Lastly, he reported that three new burgees were installed in the Harbor Department office to create a more welcoming atmosphere.

Harbormaster Blank reported that the department exercised discretion in a case involving a dilapidated vessel. He explained that after determining the owner had passed away and the surviving spouse was unable to maintain it, additional time was granted for its sale, avoiding enforcement action. He noted that the vessel has since been removed from the harbor.

Harbormaster Blank reported that the department completed annual California Air Resource Board (CARB) reporting for its four patrol vessels and reported an average of 189 mooring assists per year. He noted that other updates included the Coastal Commission's rejection of the mooring reconfiguration pilot project and the completion of long-awaited safety videos for rental customers, which will be available online and to concession operators.

Harbormaster Blank reported that operational statistics for 2024 showed approximately 24,000 service calls, averaging 2,000 per month. A record 74 marine activity permits were issued, exceeding the previous year's total. He noted that anchorage activity was high in December but declined in January due to poor weather. He reported that the department's \$2.8 million operating budget remains largely allocated to code enforcement, which was not performed before the department's creation in 2017. He noted that revenue from mooring sub-permits and Marina Park slips slightly decreased to \$1.4 million but still reflects an annual revenue growth rate of 22% since the department's establishment. Lastly, he reported that the 2024 customer service survey results showed consistently high satisfaction, with all categories scoring between 4.5 and 5.0 out of 5.

Commissioner Scully commended Harbormaster Blank for the installation of trash receptacles on public docks, stating that it was a significant improvement. He suggested that rental companies be informed about the new receptacles so they could communicate this update to their customers, as much of the trash originates from rental areas. He inquired who was responsible for emptying the trash cans.

Harbormaster Blank reported that CR&R Environmental Services was contracted to empty the receptacles. He confirmed that the Harbor Department would maintain the exterior of the receptacles, addressing any misuse or dirt accumulation. Commissioner Scully expressed his appreciation for the addition.

Commissioner Yahn praised the communication efforts with rental agencies and the recently developed safety video. He referenced a previously implemented QR code system that provides information about

restroom locations throughout the harbor. He asked whether that system remained in use and suggested that a similar feature be added to indicate the locations of trash receptacles.

Vice Chair Beer took a moment to commend Harbormaster Blank for a well-organized and smooth-running Christmas Boat Parade. He inquired about the drop in revenue from mooring sub-permits year-over-year.

Harbormaster Blank attributed the revenue decline to poor weather conditions in January, February, and March of 2024, which negatively impacted harbor activity. He clarified that the provided graph reflected annual revenue trends and reiterated that the early-year weather had significantly affected permit revenue.

Vice Chair Beer inquired about the process for a vessel that fails a dye-tab test and whether there were fines associated with noncompliance.

Harbormaster Blank explained that any vessel failing a dye test is required to leave the harbor for one year. He advised that a citation may be issued, carrying a \$1,000 fine, and the violation may also be referred to other agencies for potential further action. He noted that the specific vessel in question was a frequent visitor to the harbor and had a history of late payments on sub-permits. He advised that instead of issuing an administrative citation, the department required the owner to settle all outstanding balances before leaving. He reported that the vessel owner complied, and the vessel was barred from returning for one year, and before being permitted to return, it would be subject to another dye test.

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Vice Chair Beer inquired if a small number of individuals repeatedly requested assistance. Harbormaster Blank stated that there was no evidence of overuse by any specific permit holder.

Commissioner Svrcek referenced the slide displaying the trash interceptor's effectiveness. He noted that the captured debris appeared significant and inquired whether it had accumulated before any rainfall.

Harbormaster Blank clarified that the image was taken following the first rainfall in early January when the booms were deployed, effectively capturing debris before it could flow into the harbor. He emphasized the success of the interceptor in preventing large amounts of waste from entering the waterways.

Vice Chair Beer expressed concern about the potential for the interceptor to become overwhelmed by heavier rainfall, asking whether it was designed to break away under extreme conditions.

Harbormaster Blank stated that while the booms could be overwhelmed, he suspected that the Utilities Department, which oversees the interceptor's operation, would manually release the booms if necessary to prevent damage. He noted that the effectiveness of the system would be tested with an upcoming storm.

Chair Cunningham thanked Harbormaster Blank for his report and acknowledged the significant progress made in maintaining harbor cleanliness, safety, and public accessibility.

Chair Cunningham opened public comments.

A member of the public inquired about how information regarding assistance with mooring is provided to mooring permittees and harbor visitors, noting that they had never received such information.

Adam Leverenz addressed the commission again and referenced a statement from the Harbormaster's update. He quoted, "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 will know in June whether we can keep four vessels or we will have to sell off the oldest vessel in our fleet." He then recalled the procurement process for the electric boat, which was purchased using approximately \$300,000 in grant money. He noted that it had been presented as a replacement vessel. He cited an article in the Daily Pilot from August 31, 2024, in which the Harbormaster stated, "The Harbor Department has a fleet of work vessels, and we were overdue for the replacement of one of them in particular. So this boat made perfect sense in terms of a replacement." He emphasized that the Harbor Department operates with a significant financial deficit and noted that the Harbormaster's LinkedIn profile references budget reductions, fiscal responsibility, and staff reductions of up to 50%. He expressed concern that while the electric boat was initially presented as a replacement, the recent statement suggested an overall fleet expansion. He requested greater fiscal accountability in public spending.

Samantha McDonald, a live-aboard resident, commented on the mooring assistance program, stating that she appreciates the support provided by the department. However, she noted inconsistencies in the assistance received. She shared an experience in which she and her partner returned from Mexico after a cruising season and requested help securing their mooring lines. She noted that a staff member responded over the radio, instructing them to pull up to the dock and wait approximately 45 minutes for assistance. However, upon calling again, another staff member informed them that such assistance was not provided. Eventually, she noted they did receive help from a staff member who secured their mooring lines, but knots were tied incorrectly, creating an unsafe situation. She emphasized the need for improved staff training and clarity regarding mooring assistance policies. She recalled a previous return from sea, during which her partner encountered difficulties. She explained that after a 15-day upwind sail with a broken engine and autopilot, they were woken early in the morning by staff inquiring about their mooring duration, despite having a permit. She stressed the importance of better tracking moored vessels to avoid unnecessary disturbances.

Michael Spano reported that upon returning to his mooring, he was promptly billed as a mooring sub-permittee the following morning, despite being the official permit holder. He questioned the accuracy of the department's billing system. He expressed appreciation for the QR code system providing restroom locations and suggested expanding the initiative to include all public docks. He noted that many visitors, including fishermen and other harbor users, struggle to find restroom facilities. He recommended that QR codes be placed in additional public spaces to increase accessibility.

Chair Cunningham acknowledged the feedback and noted that restroom access had been a recurring topic of discussion in recent years.

Chair Cunningham closed public comments.

There was no further action taken on this item and it was received and filed unanimously.

7. MOTION FOR RECONSIDERATION

None.

8. COMMISSIONER ANNOUNCEMENTS (NON-DISCUSSION ITEMS)

Commissioner Scully reported that he and Commissioner Svrcek participated in a tour of the Coast Guard vessel Narwhal, an event organized by the Balboa Yacht Club. He noted that the tour provided an opportunity to meet the personnel working on the vessel, who were described as highly professional and welcoming. He advised that the tour was informative, and although the living quarters were not particularly spacious, the experience was valuable. He expressed appreciation for the Coast Guard's presence in the harbor.

Commissioner Scully reported that he attended the California Coastal Commission meeting held on Wednesday, February 5th, regarding the Seafield Optimization Test. He explained that the meeting was the final approval for advancing the mooring optimization test in the sea field, a project that had been under development for several years. He noted that the California Coastal Commission ultimately rejected the proposal by a vote of 8 to 1.

Commissioner Scully expressed gratitude to Chair Cunningham and Vice Chair Beer for their extensive work on this subcommittee, noting that the objective required hundreds of hours of effort across multiple areas. Additionally, Chair Scully acknowledged Harbormaster Blank for his ongoing support and assistance, as well as the Harbor Commission and City Council for their time spent reviewing and working toward improvements in Newport Harbor.

Commissioner Scully remarked that, despite the commission's efforts, the presentation did not resonate with eight of the nine commissioners. He described the outcome as disappointing, given the potential benefits the optimization test could have provided to the more than 7 million individuals who utilize Newport Harbor.

10. MATTERS WHICH COMMISSIONERS WOULD LIKE PLACED ON A FUTURE AGENDA FOR DISCUSSION, ACTION, OR REPORT (NON-DISCUSSION ITEM)

None.

11. DATE AND TIME FOR NEXT MEETING:

The next regular meeting is scheduled for Wednesday, March 12, 2025 at 5:00 p.m.

12. ADJOURNMENT

There being no further business to come before the Harbor Commission, the meeting was adjourned at 6:15 p.m.



NEWPORT BEACH

Harbor Commission Staff Report

March 12, 2025
Agenda Item No. 6.1

TO: HARBOR COMMISSION

FROM: Chris Miller, Public Works Administrative Manager, 949-644-3043
cmiller@newportbeachca.gov

TITLE: Eelgrass and Caulerpa in Newport Harbor - Update

ABSTRACT:

Staff will provide an update on the status of eelgrass and Caulerpa in Newport Harbor.

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, California Code of Regulations, Title 14, Division 6, Chapter 3, because this action will not result in a physical change to the environment, directly or indirectly.
2. Receive and file.

DISCUSSION:

Eelgrass is an important resource in shallow coastal environments such as Newport Harbor. Every two years, the City performs an eelgrass survey along the shoreline of Newport Harbor to support the City's October 2015 "Eelgrass Protection and Mitigation Plan for Shallow Waters in Lower Newport Bay: An Ecosystem Based Management Plan" (Plan). This Plan is a critical component to the City's Regional General Permit 54 (RGP-54) which provides a streamlined pathway for residential and commercial maintenance dredging. Consistent, biennial eelgrass surveys accurately document the acreage within the harbor. This tracking is then used to establish and validate long term trends which are then used to quantify the amount of eelgrass we could temporarily impact via dredging. In essence, these eelgrass surveys are at the core of our maintenance dredging program.

Converse to the benefits of eelgrass, the green algae Caulerpa poses a substantial threat to marine ecosystems in California particularly to the extensive eelgrass meadows and other underwater environments as found in Newport Harbor. With the recent discovery of Caulerpa in Newport Harbor in 2021 and later in San Diego Harbor, there has been a heightened awareness of this invasive species as the regulatory and resource agencies collaboratively strive towards ultimate eradication.

Staff will provide an update on the status of both eelgrass and Caulerpa in Newport Harbor so the Commission will have a general understanding of these two biological issues in the harbor.

FISCAL IMPACT:

There is no fiscal impact related to this item because it is not a project at this time.

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, Chapter 3, because it has no potential for resulting in 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).



== CITY OF ==

NEWPORT BEACH

Harbor Commission Staff Report

March 12, 2025
Agenda Item No. 6.2

TO: HARBOR COMMISSION

FROM: Paul Blank, Harbormaster, 949-270-8158
pblank@newportbeachca.gov

TITLE: Ad Hoc Committee Updates

ABSTRACT:

Several ad hoc committees have been established to address short term projects outside of the Harbor Commission objectives. This is the time the ad hoc committees will provide an update on their projects.

RECOMMENDATION:

- 1) Find this action exempt from 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 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 Harbor Commission has two established ad hoc committees at this time to provide further review of issues that have arisen outside the adoption of the Harbor Commission Objectives or at the request of City Council. This is the time the Ad Hoc Committees will update the Harbor Commission on their progress.

The Ad Hoc Committees are:

- Balboa Ferry Ad Hoc – Commissioners Scully, Svrcek and Yahn (05-10-2023)
- General Plan Update to the Harbor and Bay Element Ad Hoc – Commissioners Scully, Marston and Yahn (10-09-2024)
- Public Dock Utilization Ad Hoc (04-10-2024) – Commissioners Beer, Svrcek and Williams.

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 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).



== CITY OF ==
NEWPORT BEACH
Harbor Commission Staff Report

March 12, 2025
Agenda Item No. 6.3

TO: HARBOR COMMISSION

FROM: Paul Blank, Harbormaster, 949-270-8158
pblank@newportbeachca.gov

TITLE: Harbor Commission 2024 Objectives

ABSTRACT:

Each ad hoc committee studying their respective Objective within the Commission's 2024 Objectives, will provide a progress update.

RECOMMENDATION:

- a) Find this action exempt from 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 physical change to the environment, directly or indirectly; and
- b) Receive and file.

FUNDING REQUIREMENTS:

There is no fiscal impact related to this item.

DISCUSSION:

The Harbor Commission periodically prepares objectives and devises workplans to accomplish those objectives. The cycle for objective setting is roughly each calendar year. The Harbor Commission adopted objectives for 2024 at their meeting in October of 2023. They also agreed to assignments of responsibility for the objectives in various functional areas. This is the time when Commissioners will report progress against their objectives.

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 physical change to the environment, directly or indirectly.

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 Commission 2024 Objectives

Newport Harbor Commission Purpose & Charter

Newport Harbor supports numerous recreational and commercial activities, waterfront residential communities and scenic and biological resources. The Harbor Commission's charge under Section 713 of the Newport Beach City Charter is to advise the City Council on the diverse uses of Newport Harbor and its waterfront. The Charter specifies:

There shall be a City Harbor Commission of seven members which shall have the power and duty to:

- (a) Advise the City Council on all matters relating to proposed harbor improvements and the use of Newport Harbor.
- (b) Advise the City Council on all matters pertaining to the use, control, operation, promotion, and regulation of all vessels within Newport Harbor.
- (c) Approve, conditionally approve, or disapprove applications on all permits where the City of Newport Beach Municipal Code assigns the authority for the decision to the Harbor Commission.
- (d) Make recommendations to the City Council for the adoption of regulations and programs necessary for the ongoing implementation of the goals, objectives, and policies of the Harbor and Bay Element of the General Plan.
- (e) Advise the City Council, Planning Commission and City Manager on land use and property development applications referred to the Harbor Commission by the City Council, Planning Commission, or the City Manager.
- (f) Serve as an appellate and reviewing body for decisions on permits and other harbor-related administrative matters where the City of Newport Beach Municipal Code assigns such authority to the Harbor Commission.
- (g) Perform such other duties relating to Newport Harbor as the City Council may require. (As amended effective December 14, 2020)

Harbor Commission – Objectives

The following objectives are intended to support the mission of the Harbor Area Management Plan and the two most essential responsibilities of the Harbor Commission: (1) Ensuring the long-term welfare of Newport Harbor for all residential, recreational, and commercial users; (2) Promoting Newport Harbor as a preferred and welcoming destination for visitors and residents alike.

These updated objectives are subject to the review and approval of the Commission, and final approval by the Newport Beach City Council. Harbor Commission ad hoc committees, as established by the Commission, bear principal responsibility for coordinating the Commission's efforts, along with staff support, in achieving these Objectives.

2024 Newport Beach Harbor Commission Goals and Assignments

1. Conduct annual review of Title 17 and recommend updates to City Council where necessary (Commissioner Yahn).
2. Collaborate with the Water Quality/Coastal Tidelands Committee to partner on areas within the Harbor that both Commission/Committees intersect (Commissioners: Svrcek, Scully)
3. Successful implementation of the mooring reconfiguration initiative, including design, testing, permitting, execution, and monitoring (Commissioner: Beer).
4. ~~Collaborate with Parks, Beaches, and Recreation Commission and Staff to evaluate the best use for Lower Castaway and make a recommendation to City Council~~
(Commissioners: Marston, Svrcek).
5. Work with staff to identify opportunities to add additional Harbor Services (~~Restrooms,~~ additional pump out stations, dock space, Shore Boat Service, Boat Launch Ramp, and ~~development of the mobile app~~) (Commissioners: Marston, Yahn, Svrcek)
6. Continue with the participation of businesses, nonprofits, and the Harbor Department with a Newport Harbor Safety Committee to promote best practices and address safety issues on the water (Commissioner: Scully).
7. Review Harbor Department responsibilities, evaluate the Department's readiness and effectiveness to deliver Harbor services as necessary for normal operations and during emergencies and make recommendations as determined necessary (Commissioner: Scully, Williams).
8. Work with City Staff on an update of the market Rent to be charged for onshore and offshore moorings (Commissioner: Cunningham, Beer).
9. Evaluate establishing day moorings off Big Corona Beach (Commissioner: Williams).
10. Support staff in all efforts related to the dredge completion of the Federal Navigation channels in addition to the upcoming agency renewals of Regional General Permit (RGP54) shallow water dredging permit. (Commissioners: Cunningham, Svrcek)



NEWPORT BEACH

Harbor Commission Staff Report

March 12, 2025
Agenda Item No. 6.4

TO: HARBOR COMMISSION

FROM: Paul Blank, Harbormaster
pblank@newportbeachca.gov
(949) 270-8158

TITLE: Harbormaster Update – February 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 weather in February was not particularly conducive to recreational boating. There was, however, a surprising amount of activity in Newport Harbor and lots for the Harbor Department team to look after. Perhaps most surprising was the need to escort three different vessels out of the harbor for various reasons. In all of 2024, there was only one instance when a vessel required an escort to the harbor entrance to ensure it departed. The need to escort three vessels in a single month to ensure they really did leave the harbor was quite extraordinary.

Clean

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

- Maintenance, cleaning and security for the arrested vessel continued
- A very heavy and bulky free-range concrete float was retrieved from a beach in the Coves. The electric boat was used to pull the float off the beach and tow it to Marina Park for eventual disposal. We were very pleased with the power application and the limited power (battery) consumption for the vessel while performing this task
- A vessel on a permitted mooring was observed pumping oil into the harbor, presumably from the bilge. We contained it with heavy duty oil boom within 20 minutes of identifying the source and contacted the permittee as well as the National Reporting Center. The permittee subsequently identified and staunched the source of discharge
- An alert Harbor Service Worker (HSW) observed and removed a five-gallon bucket of used oil from the harbor near the F Mooring Field. This action prevented a potential hazmat spill
- HSWs removed an old auger-style anchor considered a hazard from the beach at China Cove near the sea wall. The auger was then disposed of. This action came with a nice note from the reporting party who observed our swift and comprehensive response
- The Harbor Department has taken responsibility for inspections and maintenance (with the help of the manufacturer/contractor) of the three City trash skimmers
- A second boat abandoned by the same registered owner was left at the 15th Street public dock. We quickly took responsibility for its disposal
- Harbor Department staff spent a good portion of several days de-watering small boats throughout the harbor. More than three dozen vessels were de-watered in the month
- A submerged hazard was identified and located in the upper bay. A contractor with sufficient equipment to remove it was engaged to remove it in March
- Three large sunken items were also identified in the Balboa Yacht Basin Marina and will be recovered and removed by a contractor with sufficient equipment
- Our trash rover was delivered. There is some commissioning, calibration, and a bit of training to be done before deployment

Safe

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

- HSWs towed a vessel in distress out of the way of the Ferry Crossing
- We were obliged to impound and tow a disabled, unoccupied vessel that had dragged its anchor to a location outside the East Anchorage and was impeding traffic

- Several navigation light patrols were carried out. Education was provided to nine electric rental vessels and three large privately owned vessels
- Annual inspections for all Harbor Department vessels were conducted by the US Coast Guard Auxiliary. All vessels passed and are appropriately marked
- HSWs added absorbent boom, an anchor and a strobe light to a motor vessel that was discharging in the H Mooring field
- A disabled dinghy with two people on board was assisted near the Lido Bridge
- A fully clothed male adult fell in water from a dock on Bay Island. An associate got the attention of a passing Harbor Department patrol boat that rendered aid and pulled the man aboard. The man was fine but cold. No medical attention was needed. Both parties reached out to thank us for our action and capability
- Additional lighting was installed on all the fingers at Marina Park
- HSWs cleaned and organized our storage yard in preparation for fence repair and replacement with a shared adjacent residence
- Training on towing was delivered to the team over the course of several morning briefings. The training presentation was followed up with practical application including drills in the marina. The sessions focused on reversing, landing, and turning maneuvers, providing a valuable opportunity to reinforce best practices

Well-enjoyed

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

- HSWs put out an all-points bulletin for a tender lost by a permittee in the C Field. The tender was quickly located and reunited with its owner/permittee, who was extremely grateful
- Early morning generator noise in the A Field was reported by a nearby resident and addressed that day to the satisfaction of all
- HSWs assisted a sailing vessel onto its mooring in the J Field. This is just one example of a mooring assist requested and then quickly delivered. The permittee indicated they learned the mooring assist service was available through interaction with Harbor Department personnel over the years
- HSWs collected a small boat found adrift by a local citizen. The boat was secured at Marina Park and the owner was contacted. The grateful owner collected the boat the following day
- Three vessels unable to pay their sub-permit or slip fees, misusing the public docks, and/or overstaying their welcome in the anchorages were escorted out of the harbor after significant interactions. It is never a pleasant experience, and we do not like having to do it, but diligence in these matters prevents such situations from deteriorating further. One of the vessel owners had to be intercepted as he tried to access his vessel while it was in impound. These experiences highlight that we do pay attention to what goes on in the harbor and we do enforce the rules judiciously, comprehensively, and consistently. Information about these vessels and our experiences with them were communicated to local OCSD Harbor Patrol and US Coast Guard representatives as well as with the larger Southern California Unified Marine Working Group on Vessels of Concern

- For the second time, we impounded a recreational vessel using the 19th Street public dock, essentially as free dinghy storage
- Much effort was put into preparation for an “all hands” team meeting focused on customer service. The theme for the meeting is “Keeping Newport Harbor clean, safe, and well-enjoyed while anticipating and exceeding expectations of harbor users. The Manager of a local luxury hotel will be the featured presenter
- Reminder: in addition to being reported on in these monthly updates, the services the Harbor Department offers and a great deal of information about Newport Harbor can be found on the Harbor Department website. The address is www.newportharbor.org

Odds and Ends

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

- We submitted an application to the US Army Corps of Engineers (USACE) for two buoys alerting mariners to potential bridge jumpers at the Lido Bridge and the four boundary buoys for the West Anchorage. The USACE permits are required per the US Coast Guard
- One of the motors on a patrol vessel was out of service for more than a week due to an electrical/alternator issue that was covered under warranty. We were grateful to have three operational patrol vessels while the one was down
- Some equipment belonging to a local dredging contractor fell in a sinkhole and was submerged in the Coves. We supported them in bringing in additional equipment to conduct a rescue. In addition, we provided booms in case discharge became evident
- One of the full-time stalwarts of the department, Joey White, has moved to part-time while he pursues his dream of becoming a commercial airline pilot. We're pleased to be supporting him in the pursuit of his professional aspirations and are grateful that he is still on our roster
- Three of the four patrol boats were scheduled for new bottom paint and some cosmetic repairs at a local boat yard
- Reminder: as a result of operational efficiencies and better application of technology, five of 29 fees associated with Harbor Department services were reduced on July 1, 2024. They include:
 - Appeal of Harbormaster Decisions to the Harbor Commission was reduced from \$1,250 to \$622 (50%). This fee is refunded to the appellant if the Harbormaster's decision is overturned
 - Appeal of Harbor Commission Decisions to the City Council was reduced from \$940 to \$498 (36%). This fee is refunded to the appellant if the Harbor Commission's decision is overturned
 - Application for a mooring adjustment was reduced from \$533 to \$515 (3%)
 - Application for a multi-vessel mooring system was reduced from \$533 to \$515 (3%)
 - Application for a variance to a harbor-related permit from reduced from a range of \$2,500 to \$6,000 to \$498 (80% to 92%)

These fees are all determined by an independent study and audit of department functions and procedures. Fees are adjusted annually. On average, an in-depth study of a particular department's fees takes place every three years. Harbor Department fees were the subject of an in-depth study in Fiscal 2023-24. The Harbormaster and Department Administrative Assistant contributed significantly to the in-depth study

- We worked diligently and supportively with an onshore mooring permittee for several weeks on obtaining proper documentation for a vessel the permittee had allowed to occupy the mooring but for which he was not a registered owner. After proffering several excuses but ultimately missing a final deadline for producing the required documentation, HSWs were sent to impound the vessel. Upon arrival, they observed that the vessel had been removed. A short time later, HSWs observed the same vessel secured to a dock at a local shipyard and contacted the yard operator who confirmed the vessel had permission to be there. This is another example of the Harbor Department judiciously, comprehensively and consistently enforcing the rules

Two communications were received that made the “Most Amusing” list in February. Both came in the form of letters from enforcement authorities. The first amusing email of the month came from a California Coastal Commission Enforcement Office in the form of a Notice of Violation indicating we were in violation of the California Coastal Act for the “No Fishing” signs at the Balboa Marina Public Dock. The implication was that the signage was not in compliance with the Coastal Development Permit (CDP) and that no restriction on fishing at the location is allowed. The letter went on to suggest that we dedicate a parking space in the adjacent road vehicle parking lot so people could better make use of the human lift at that facility. We responded with documentation and evidence indicating:

- The signage plan associated with the CDP clearly and distinctly included “NO FISHING” signage and that the plan was approved and stamped by Coastal staff as part of the CDP
- The usage characteristics of the public dock, including the no fishing restriction and restriction on hours of use, were clearly communicated to Coastal Staff and incorporated by them into the CDP
- The upland parking lot is private property and the City has no authority to designate an accessible parking spot on that private property

Coastal Commission Enforcement staff acknowledged our response and the evidence we provided supporting the restrictions and signage at that public dock. They indicated no further action was required at present but they encouraged us to consider revising the restrictions and applying for an amended CDP when we felt the fishing restriction could be lifted. They also went on to recommend that we reach out to the private property owner and encourage them to make an accessible parking spot adjacent to the public dock available to the public.

The second amusing communication of the month came in the form of a letter from an Orange County Deputy District Attorney (OCDA) threatening civil action for an alleged fuel or oil spill that took place in May of last year. The letter was surprising for several reasons, including that it is extremely rare for the OCDA to pursue civil matters. In

addition, the opening paragraph refers to an oil spill in one sentence and a diesel spill in the final sentence. It's unclear which alleged spill is the subject of the investigation and possible action. We are aware of and contributed to the response for a couple of spills on the day in question. There was a coach boat that belongs to Recreation and Senior Services (RSS) that was a target of some investigation that day but ultimately proven not to be a source of oil or gasoline discharge. No vessel belonging to the Harbor Department was suspected of being a source of discharge. The US Coast Guard (USCG) and OC Sheriffs Harbor Patrol (OCSD) were both part of follow-up investigations. The USCG provided documentation that the RSS Vessel was not a source of the spill. The OCSD conducted at least two more follow-up investigations questioning whether it was a vessel belonging to the Harbor Department that was the source. In all those investigations we were able to provide documentation on our response and that none of the Harbor Department vessels were suspected sources of any of the spills investigated that day. It was quite the "fire drill" and significant resources were convened to document our actions and respond to the OCDA's letter. We have an in-person meeting with the OCDA late in March to review all the documentation related to this investigation. Among the evidence we will provide to the OCDA in that meeting is that none of the RSS coach boats or any of the Harbor Department vessels carry diesel. We will also point out that the RSS boat that was investigated as a potential source for an oil spill was proven the following day not to be missing any oil from its reservoir, which was confirmed and documented by the USCG. It is hoped that the investigation will conclude, and the threat of any potential civil action will cease as a result of the planned in-person meeting.

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).

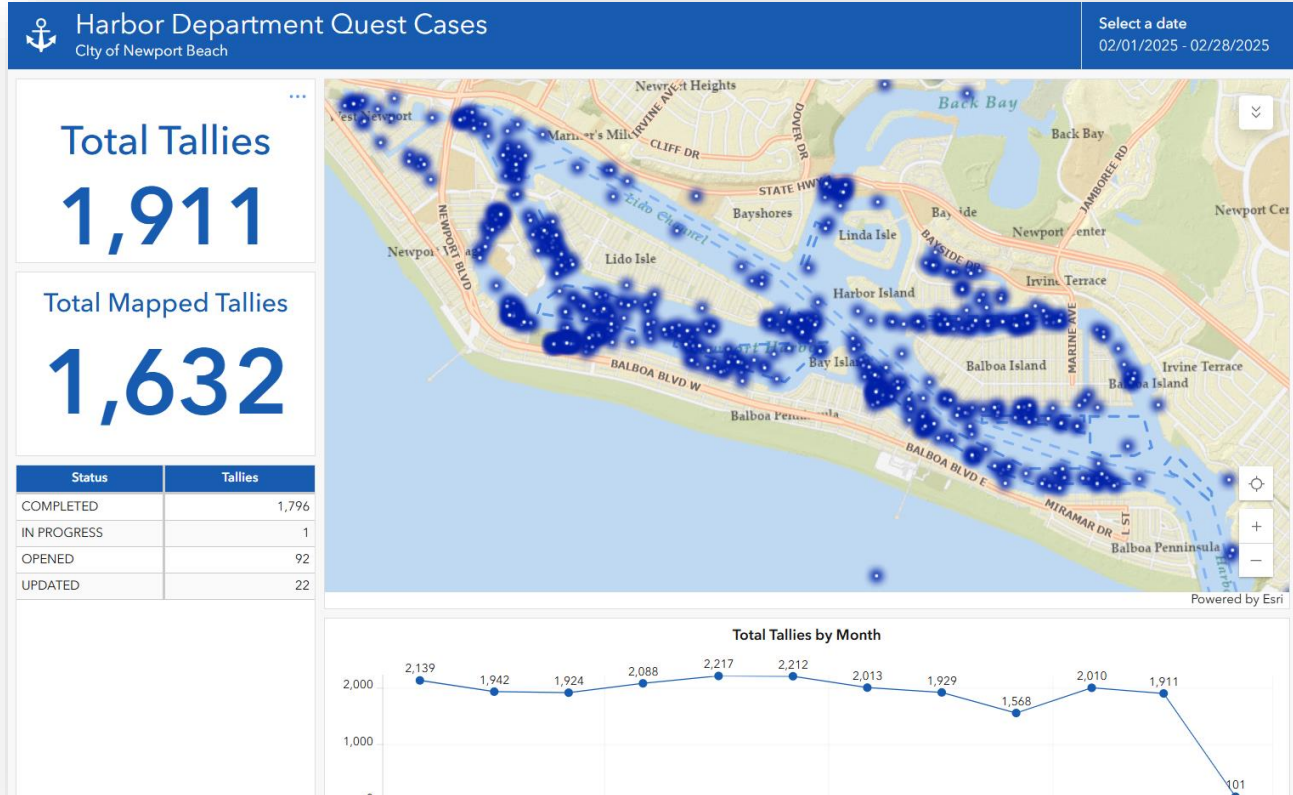
ATTACHMENTS:

- 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

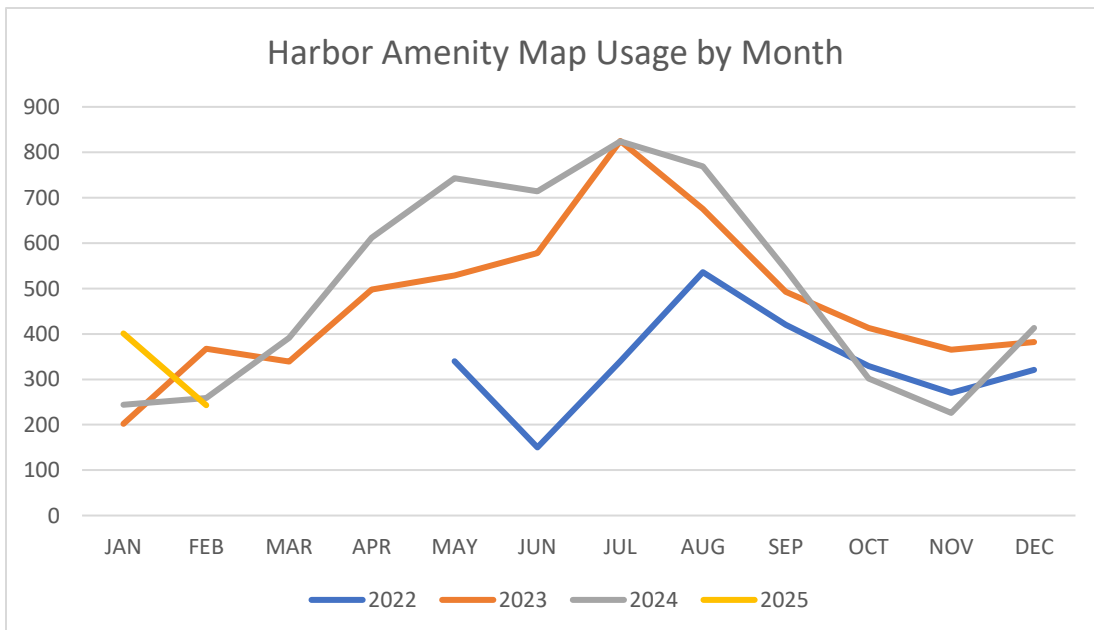
HARBOR DEPARTMENT STATISTICS INFOGRAPHIC

For the complete monthly data set, please refer to Attachments B and C on the Harbormaster Update staff report.

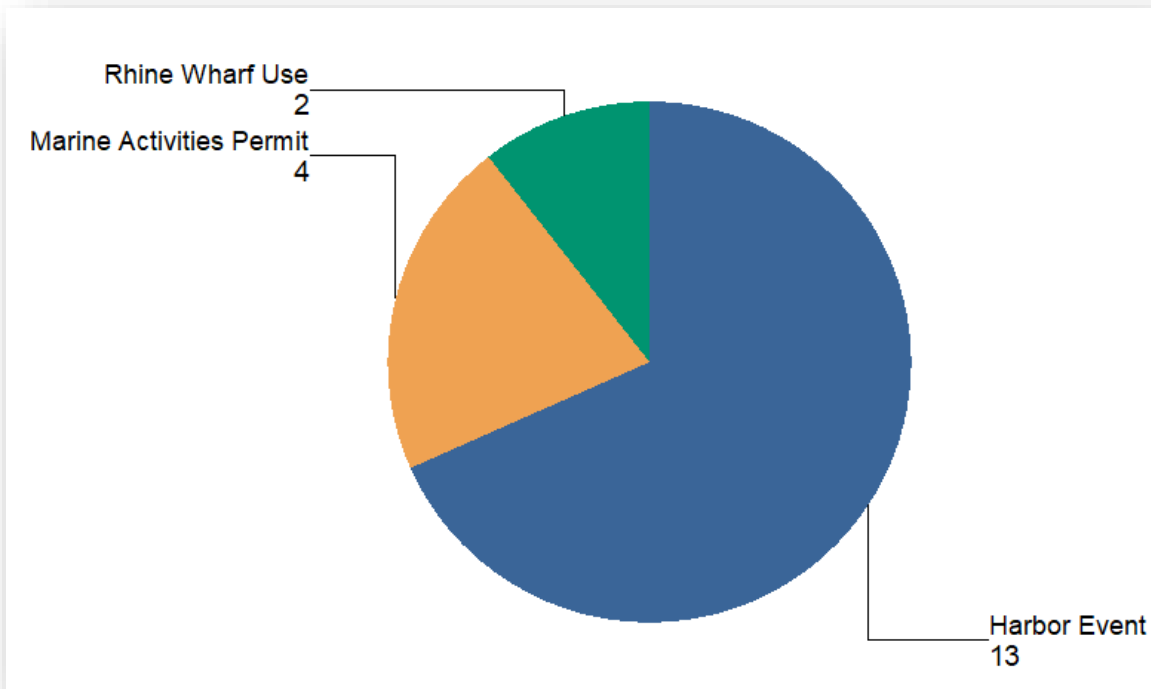
Heatmap of Harbor Service Requests – For the Month



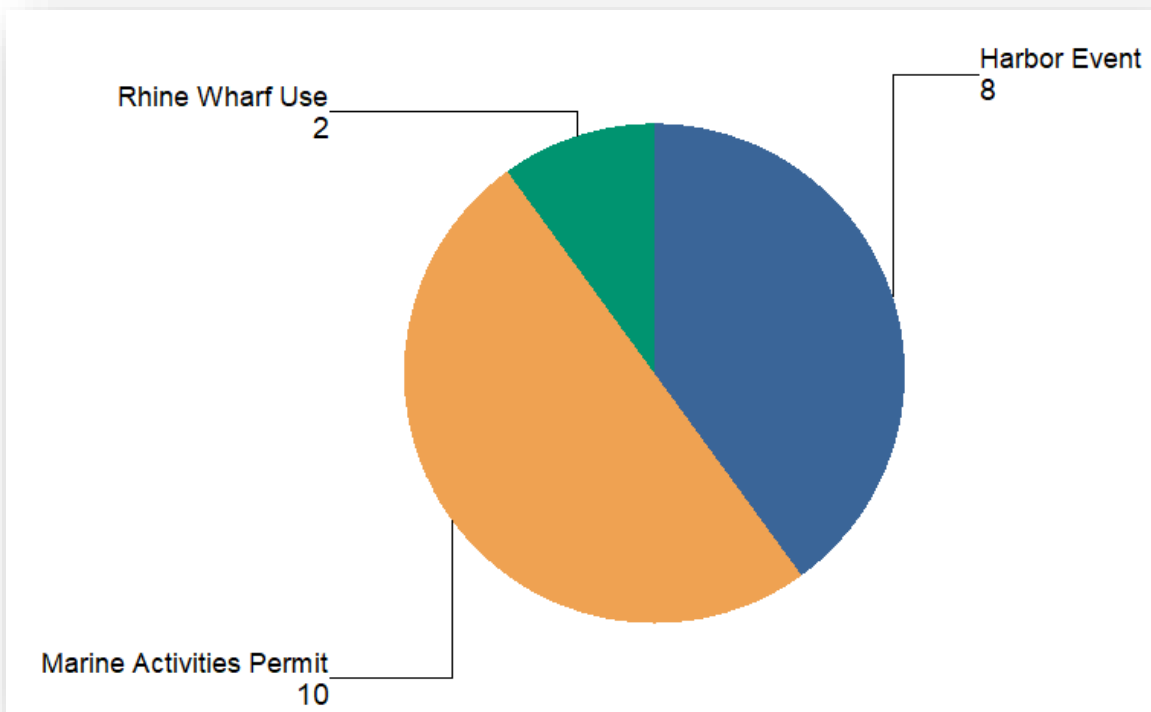
Harbor Adjacent Public Amenity Map Usage



Permit Activity in 2025

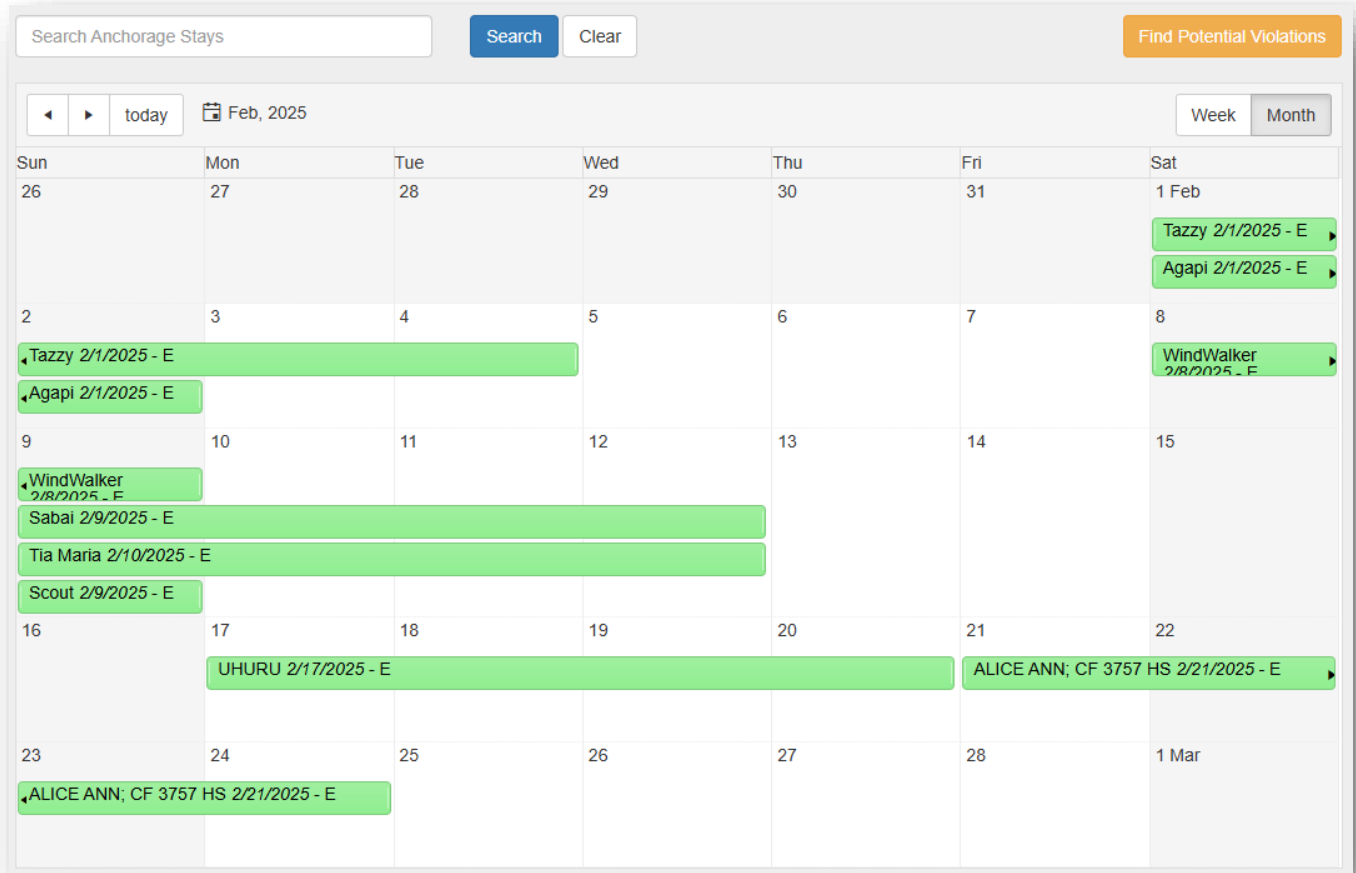


Permit Activity in 2024



Anchorage Usage for the Month

FEBRUARY 2025



Harbor Department Statistics

Fiscal Year 2024-25

	July	August	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	YTD
Anchorage-Daytime Raft-up, No Permit Required	0	0	0	0	0	0	0	0	0
Anchorage -3 Day Limit Violation	1	4	6	1	0	0	0	1	13
Anchorage -Improper Anchoring	30	32	12	0	5	2	4	1	86
Anchorage-Raft-up permit Required	0	0	5	0	0	0	0	0	5
Anchorage Raft-up Violation	0	0	1	0	0	0	0	0	1
Anchorage-Unattended Vessel	0	2	2	0	0	1	0	0	5
Anchorage Dye Tab	30	33	31	26	10	15	12	9	166
Assisting Vessels Over 20'	5	15	13	7	6	4	11	4	65
Assisting Vessels Under 20'	8	8	3	4	8	3	3	6	43
Boat Maintenance	13	19	36	55	42	20	20	22	227
Bridge Jumpers	41	55	23	0	0	0	0	1	120
Code Enforcement	77	78	84	56	60	48	68	64	535
Daily Anchorage Check	90	72	101	88	155	46	43	53	648
Dewatering Vessels	0	2	1	3	4	1	3	34	48
Discharge/Pollution	9	8	7	1	5	8	6	8	52
Fishing Enforcement	0	0	4	6	5	6	12	0	33
Dock/Pier/Bridge Issue	89	134	31	34	65	17	38	13	421
Emergency	1	3	0	0	0	0	1	1	6
General Assist	52	63	39	35	59	40	48	29	365
Hazards/Debris	4	10	21	18	25	10	14	21	123
Human Lift Use Request	0	1	1	2	2	0	0	0	6
Impound	11	16	48	10	16	6	25	22	154
Impound Relocation	10	6	8	42	2	3	1	3	75
Incident	11	8	20	12	3	7	4	0	65
Marina Park Dock Maintenance	23	18	29	22	47	19	32	21	211
Mooring Assist	23	19	24	10	10	6	15	7	114
Mooring Check	52	45	46	35	76	41	178	51	524
Mooring Field Vacancy Check	107	151	155	162	165	175	158	153	1226
Navigational Lighting	21	0	3	3	26	37	20	18	128
Noise	2	18	3	1	0	1	6	0	31
Paddleboard/Kayak	15	28	2	1	2	2	8	9	67
Patrol Check	38	38	21	26	51	49	57	57	337
Proactive Patrol	1	3	15	21	9	18	14	8	89
Public Contact	87	129	107	114	91	102	116	124	870
Public Dock Enforcement	1002	979	1083	1,057	842	764	815	891	7433
Pump Out	6	15	7	7	10	12	7	2	66
Registration & Insurance	58	35	79	69	30	28	64	56	419
Sea Lions	13	58	51	32	7	17	11	9	198
Speeding	28	37	17	16	5	5	9	10	127
Spreader Line	4	4	8	2	2	5	1	2	28
Sub Permit Dye Tab	1	1	4	1	0	0	0	1	8
Swim Line	4	5	3	2	0	9	0	0	23
Training	8	0	2	3	2	5	0	7	27
Trash	111	59	48	23	78	30	183	191	723
Vessel Inspections	2	8	8	8	4	12	4	3	49
Rentals - Marina Park Slips	177	161	140	113	46	89	45	37	808
# of nights	548	543	419	356	232	331	205	114	2748
Rentals - MP Sand Lines	19	9	10	13	5	10	8	4	78
# of nights	62	42	26	49	14	21	29	43	286
Offshore Mooring Sub-permittee	135	112	90	81	69	76	66	43	672
# of nights	846	764	483	638	724	551	568	413	4987
Onshore Mooring Sub-permittee	44	39	39	46	36	29	29	30	292
# of nights	570	527	536	620	491	403	398	432	3977
Code Enforcement									
New Cases	67	81	96	115	61	81	112	84	697
Closed Cases	71	56	92	77	31	68	107	101	603
Verbal Warning	7	7	10	6	5	9	21	6	71
Warning Notices	68	94	118	149	77	95	149	117	867
Admin Cites	0	17	18	17	10	10	8	7	87
MAPS Issued	0	0	0	0	0	0	0	0	0

**Harbor Department Statistics
Comparison Year over Year**

	Jul-23	Jul-24	Aug-23	Aug-24	Sep-23	Sep-24	Oct-23	Oct-24	Nov-23	Nov-24	Dec-23	Dec-24	Jan-24	Jan-25	Feb-24	Feb-25	YTD 23-24	YTD 24-25
Anchorage-Daytime Raft-up, No Permit Required	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Anchorage -3 Day Limit Violation	1	1	0	4	6	6	1	1	5	0	3	0	0	0	2	1	18	13
Anchorage -Improper Anchoring	22	30	10	32	19	12	3	0	1	5	10	2	7	4	9	1	81	86
Anchorage-Raft-up permit Required	0	0	0	0	0	5	0	0	0	0	0	0	1	0	0	0	1	5
Anchorage-Raft-Up Violation	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0
Anchorage-Unattended Vessel	0	0	0	2	0	2	0	0	2	0	1	1	0	0	3	0	6	5
Anchorage Dye Tab	36	30	27	33	25	31	28	26	15	10	11	15	17	12	7	9	166	166
Assisting Vessels Over 20'	19	5	9	15	18	13	2	7	9	6	8	4	4	11	5	4	74	65
Assisting Vessels Under 20'	10	8	18	8	14	3	7	4	8	8	4	3	15	3	12	6	88	43
Boat Maintenance	4	13	13	19	21	36	24	55	16	42	15	20	16	20	18	22	127	227
Bridge Jumpers	42	41	80	55	43	23	10	0	1	0	0	0	0	0	0	0	176	120
Code Enforcement	134	77	62	78	65	84	48	56	68	60	37	48	71	68	74	64	559	535
Daily Anchorage Check	53	90	40	72	68	101	83	88	95	155	17	46	23	43	28	53	407	648
Dewatering Vessel	0	0	0	2	0	1	0	3	0	4	0	1	35	3	85	34	120	48
Discharge/Pollution	4	9	5	8	6	7	3	1	2	5	4	8	11	6	5	8	40	52
Fishing Enforcement	0	0	0	0	0	4	0	6	5	0	6	0	0	12	0	0	0	33
Dock/Pier/Bridge Issue	42	89	18	134	9	31	15	34	0	65	7	17	27	38	19	13	137	421
Emergency	2	1	2	3	0	0	0	0	0	0	1	0	0	1	0	1	5	6
General Assist	47	52	125	63	71	39	72	35	54	59	168	40	32	48	0	29	569	365
Hazards/Debris	11	4	20	10	14	21	10	18	13	25	7	10	28	14	0	21	103	123
Human Lift Use Request	0	0	0	1	2	1	0	2	0	2	1	0	2	0	0	0	5	6
Impound	9	11	15	16	10	48	47	10	23	16	18	6	17	25	13	22	152	154
Impound Relocation	0	10	0	6	0	8	0	42	0	2	0	3	1	1	11	3	12	75
Incident	32	11	25	8	27	20	13	12	18	3	11	7	12	4	16	0	154	65
Marina Park Dock Maintenance	12	23	27	18	9	29	13	22	21	47	21	19	20	32	8	21	131	211
Mooring Assist	22	23	14	19	20	24	12	10	11	10	9	6	1	15	7	7	96	114
Mooring Check	158	52	117	45	97	46	74	35	100	76	288	41	148	178	60	51	1,042	524
Mooring Field Vacancy Check	31	107	28	151	19	155	35	162	36	165	42	175	110	158	101	153	402	1226
Navigational Lighting	0	21	0	0	0	3	0	3	0	26	3	37	7	20	0	18	10	128
Noise	1	2	0	18	1	3	0	1	5	0	3	1	0	6	1	0	11	31
Paddleboard/Kayak	8	15	18	28	4	2	1	1	0	2	0	2	2	8	0	9	33	67
Patrol Check	0	38	0	38	0	21	0	26	0	51	0	49	0	57	0	57	0	337
Proactive Patrol	0	1	0	3	0	15	0	21	0	9	0	18	16	14	0	8	16	89
Public Contact	143	87	104	129	76	107	69	114	74	91	44	102	101	116	137	124	748	870
Public Dock Enforcement	669	1002	706	979	804	1083	1,009	1057	999	842	722	764	773	815	615	891	6,297	7433
Pump Out	19	6	15	15	14	7	7	7	9	10	23	12	8	7	2	2	97	66
Registration & Insurance	16	58	34	35	21	79	61	69	37	30	36	28	230	64	11	56	446	419
Sea Lions	15	13	58	58	106	51	40	32	20	7	8	17	22	11	17	9	286	198
Speeding	37	28	23	37	23	17	6	16	8	5	3	5	9	9	3	10	112	127
Spreader Line	2	4	6	4	6	8	0	2	2	2	3	5	4	1	0	2	23	28
Sub Permit Dye Tab	0	1	7	1	3	4	2	1	0	0	4	0	15	0	1	1	32	8
Swim Line	5	4	4	5	2	3	0	2	0	0	3	9	0	0	0	0	14	23
Training	0	8	0	0	0	2	0	3	0	2	0	5	0	0	0	7	0	27
Trash	7	111	85	59	62	48	59	23	109	78	62	30	37	183	69	191	490	723
Vessel Inspections	0	2	0	8	0	8	1	8	15	4	14	12	5	4	5	3	40	49
																		0
Rentals - Marina Park Slips	170	177	173	161	170	140	109	113	66	46	71	89	45	45	34	37	838	808
# of nights	510	548	495	543	441	419	372	356	231	232	281	331	153	205	102	114	2,585	2748
Rentals - MP Sand Lines	24	19	18	9	19	10	15	13	16	5	11	10	3	8	4	4	110	78
# of nights	82	62	99	42	76	26	71	49	72	14	74	21	34	29	45	43	553	286
Offshore Mooring Sub-permit	116	135	92	112	121	90	106	81	104	69	111	76	127	66	122	43	899	672
# of nights	696	846	876	764	971	483	1,052	638	814	724	984	551	1,033	568	866	413	7,292	4987
Onshore Mooring Sub-permit	61	44	52	39	48	39	53	46	46	36	35	29	31	29	30	30	356	292
# of nights	744	570	755	527	913	536	737	620	470	491	438	403	407	398	417	432	4,881	3,977
Code Enforcement																		
New Cases	102	67	98	81	97	96	80	115	77	61	73	81	174	112	119	84	820	697
Closed Cases	64	71	98	56	63	92	72	77	119	31	141	68	118	107	103	101	778	603
Verbal Warning	13	7	12	7	8	10	3	6	11	5	8	9	17	21	19	6	91	71
Warning Notices	76	68	83	94	83	118	104	149	79	77	67	95	216	149	135	117	843	867
Admin Cites	18	0	19	17	16	18	13	17	9	10	0	10	0	8	0	7	75	87
MAPS Issued	0	0	0	0	3	0	1	0	3	0	2	0	0	0	1	0	10	0

Harbor Department Definitions

Anchorage	Anchorage Check of vessels in anchorage each day
Anchorage Dye Tab	Board vessel and place dye tablets in head (toilet). Ensure marine sanitation system does not leak
Assisting Vessels Over 20'	Assisting or educating Vessels over 20' (Anchorage Boundary Issue, Pump Out sinking vessel)
Assisting Vessels under 20'	Assisting or educating Vessels under 20' (Anchorage Boundary Issue, Pump Out sinking vessel)
Boat Maintenance	Performing routine maintenance on the Department's patrol vessels
Bridge Jumpers	Warning/Educating people not to jump
Daily Anchorage Check	Count of boats in anchorage each day
Dewatering Vessels	Using HD equipment to remove water from vessels in danger of sinking
Discharge/Pollution	Any pollutant being discharged into the water
Emergency	Any emergency sent to 911 and/or assist in such circumstances
General Assist	General Harbor Information, Misc. Catch all for activities not otherwise categorized
Hazards/Debris	Large Debris in water such as log, chair, shopping cart, etc.
Impound	Vessel Impounded in place or at dock
Incident	Progressed Incident but not level of Emergency
Marina Park Dock Maint.	Maintenance, repair and improvements for the visitor-serving marina at Marina Park
Mooring Assist	Helping Permittee or Sub-permittee on or off of the mooring
Mooring Check	Checks on moorings that are necessary outside the daily mooring vacancy checks, Checking lines, etc.
Navigational Lighting	Inspection and advisories on requirements for lighting on vessels after dusk
Noise	Noise complaint
Paddleboard/Kayak	Assisting or educating paddleboarders or kayakers
Patrol Check	Conduct a review of field conditions in a specific area of the harbor
Proactive Patrol	After hours patrols focussed on specific reports or concerns (noise, live-aboards, public dock use, etc.)
Public Contact	Education of rules and regulations in the harbor
Public Dock Enforcement	Boat tagged at public dock
Public Dock/Pier/Bridge	Gangway detached, Maintenance Issues, etc. support for Public Works and Utilities
Pump Out	Pump-Out Dock Issue (Enforcement of time limits or inoperable pump)
Registration & Insurance	Follow up with Permittees on Expired Documents
Sea Lions	Sea Lion Complaint, Abatement Effort
Speeding	Wake Advisement/ educating boaters to slow down
Spreader Line	Inspect, notice and correct conditions with spreader lines on moorings
Subpermit Dye Tab	Administer dye tab test for vessel assigned to a subpermitted mooring
Swim Line	Replace/readjust/broken swim line issues
Trash	Daily trash pick up
Vessel Inspection	Perform standard inspection on vessel before assignment to mooring