



**CITY OF**

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# **NEWPORT BEACH**

## **Harbor Commission Staff Report**

August 13, 2025  
Agenda Item No. 7.6

**TO:** HARBOR COMMISSION

**FROM:** Paul Blank, Harbormaster  
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**TITLE:** Harbormaster Update – July 2025 Activities

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### **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 and the public 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 Harbor Department continued delivering on its mission to keep Newport Harbor clean, safe, and well-enjoyed during the very busy month of July.

## Clean

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

- There was a tremendous amount of trash accumulation on several of the public docks. The designated trash cans (new additions to those docks) were full, and bagged trash was left alongside. We're investigating whether there was a gap in the service that collects from those receptacles or whether there was just an overwhelming amount of trash left at the public docks. Still, it was better to have all that trash collected on the docks near the waste receptacles than in the water
- A vessel in the A mooring field was observed to be sitting low in the water. Upon investigation, the vessel was found to have approximately 3' of water in the bilge. Two patrol vessels deployed de-watering pumps. We attempted to notify the vessel owner by utilizing all listed phone numbers and email. A professional tow service was summoned by Harbor Safety Officers (HSOs) for assistance and completed the dewatering process. When finally in contact, the permittee/owner, who was out of town, was very grateful for our observations, diligence, and swift action
- Several instances of the "No Fishing" restriction at the Balboa Marina Public Dock were addressed
- We assisted a marine service provider who mistakenly introduced diesel into a gasoline engine
- Several instances of sea lions hauled out on residential docks and vessels were addressed with Notices of Violation (NOVs)
- A large effort was carried out to clean out and organize the "Sail Bay" (our storage area) at Marina Park. Tools and equipment are now easily located, as are other supplies
- Two abandoned stand-up paddleboards were picked up and returned to the rental operation, which was clearly identified on the boards
- An unattended and apparently abandoned vessel with significant waste accumulation in the west anchorage was addressed
- Early morning patrols netted several suspected unpermitted live-aboards. The most telling indication of such unpermitted live-aboards was the number of tenders made fast to the permitted, assigned vessel
- With an assist from our upland colleagues in Animal Control, an anonymous call regarding unpermitted fishing at West Jetty View Park was addressed
- A vessel operator reported a sea lion tangled in deterrents on a moored vessel. HSOs responded and carefully freed the marine mammal, which did not have any visible injuries

## Safe

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

- Several instances of excessive speed and/or wake were observed and addressed, with compliance achieved
- HSOs assisted five kayakers back to their point of embarkation when they found themselves without enough energy to paddle back upwind
- City of Newport Harbor Department-branded life rings were installed on the patrol boats
- A coach boat associated with one of the rowing programs was observed and documented exceeding the speed limit with no rowing vessels in sight. An NOV issued
- Over the long 4<sup>th</sup> of July weekend, we collected the following tallies associated with various efforts:
  - Out of anchorage corrections – 37
  - Speeding corrections – 10
  - Assisting disabled vessels of all sorts – 5
- Several instances of swimmers in navigational channels and jumpers from various public structures were observed and corrected
- Several instances of juveniles boating without wearing proper Personal Floatation Devices (PFDs) were addressed and corrected
- A large vessel transiting the harbor was advised to shorten the tow line to its tender
- A large gathering of juveniles preparing to jump off the Lido Bridge was addressed with an assist from the Police Department after a call to the non-emergency line
- An anonymous tip on a suspected unpermitted charter carrying passengers well in excess of the vessel's expired Certificate of Inspection prompted a collaborative enforcement effort with the US Coast Guard. While ultimately, we could not prove there was a charter agreement, the vessel owner and crew are now keenly aware that their operations in Newport Harbor are under scrutiny. The vessel is not otherwise berthed in Newport Harbor
- HSOs assisted a dinghy with engine issues and towed it back to its mooring
- The fourth patrol boat made a big difference in our ability to respond to calls for service while maintaining safe use of the anchorages during the very busy 4<sup>th</sup> of July weekend. We were able to cover three harbor "zones" and have a roving vessel, meaning the anchorages got the attention necessary to keep vessels within the boundaries and out of the navigational channels
- Additional early morning patrols were conducted with a focus on multiple berthing violations and noise
- A permitted charter vessel was found disabled with passengers aboard. HSOs towed the vessel to their charter operation location. Further investigation led to several safety concerns with the vessel, all of which have subsequently been addressed
- A significant number of mooring assists were conducted throughout the month. Sub-permit guests over the 4<sup>th</sup> of July weekend were advised to request assistance early and be prepared to stand by while HSOs addressed more pressing matters. All were appreciative of our clear communication and were patient when necessary

- HSOs educated multiple paddleboarders who were not carrying the required PFDs
- Several disabled electric vessels were assisted
- In conjunction with the public dock replacement project, updated/new signage was posted at several locations
- Side tow training was carried out over several days for all HSOs using all four patrol vessels
- An alert HSO addressed a bonfire on the beach at Marina Park. The fire was quickly extinguished, and the beachgoer was educated about where fires on the beach are allowed
- Based on a request from nearby businesses and residents, we added frequent patrol checks of a seawall and a tree that have become popular structures from which to jump into the harbor for adults and kids

### **Well-enjoyed**

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

- The new format of adhesive time limit markings was installed on the remaining public docks that were replaced. They seem to be holding up well, but we look forward to receiving the more durable, starboard plaques soon
- It was challenging to keep the Large Vessel Anchorage location clear for the vessel permitted to use it through the long holiday weekend. After leaving the temporary mooring for harbor cruises on two evenings during the holiday weekend, the crews were dismayed to learn that the Harbor Department did not have resources available to assist them into their spot at 2100 hours on Saturday night. An HSO was completing a different vessel assist near the Balboa Coves at that time and had direct observation of the West Anchorage and adjacent water space. Per the report and photographs from the HSO, the entire space was wide open for the large vessel to secure to the buoy and anchor. Further communication with the large vessel clarified realistic expectations and consideration for all of our harbor residents, visitors and HD staff
- A tender found adrift was returned to its rightful owner, a permittee in the H mooring field, who was very appreciative
- A Mayor for the Day and her family received a tour of the harbor from HSOs. We were all impressed with the young lady. She and her family were all smiles during and after their tour
- The Harbormaster was asked to be filmed for a 90-second promotional ad for the 2025 Christmas Boat Parade. Santa Claus was also featured in the video and made an appearance at Marina Park
- We received a gratifying email and inquiry from the USCG Chief of Investigations on our Marine Activities Permit program. He mentioned, "This is the best regulation I have seen Nationwide". We were happy to share details of the program. Our reply to the Commander included that we encourage "knowledge reuse" and that a consistent experience from one agency to the next is of benefit to all

- The large vessel anchorage and temporary mooring were enjoyed by three different vessels throughout the month, resulting in approximately \$6,300 of unbudgeted revenue
- Unpermitted kayak rentals from the beach adjacent to the Lido Bridge were observed and curtailed
- HSOs educated some youth who were fishing with their father about the applicable rules. They received Code Enforcement Officer pins. Their father was very appreciative of the experience and remarked about the “ambassadorship” of our approach
- The 89<sup>th</sup> annual Flight of Newport was sailed in great conditions with good participation in both fleets (30 Harbor 20s and 20 ILCA/Lasers) and no incidents or conflicts with other harbor users

## Odds and Ends

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

- Three separate claims were recently made against the City Harbor Department, all of which required research and response from us in a timely manner.
  - In one instance, surveillance video footage from the cameras at Marina Park was used to prove that the incident did not take place as described in the claim
  - In a second instance, the incident was proven to have taken place at another, non-City facility, and it involved non-City staff based on the claimant’s own account/documentation of the event. We still provided video footage proving that no incident like what was described in the claim took place at Marina Park within four hours before or after the alleged incident. The video capture and review process is time-consuming and resource-intensive, but it does save the City thousands (even hundreds of thousands) of dollars
  - The third claim sought relief from a recent fee increase for live-aboard permittees. The claim asserts a violation of the California Tenant Protection Act, which limits the annual percentage rent increases landlords can make. The City is confident that it has not established any Landlord/Tenant relationship with live-aboard permittees based on the language used in the permits and agreed to by the permittees

An investigator spent several hours with the Harbormaster learning about our operations, policies, and procedures in preparing to defend the City against the claims

- In comments made during an open meeting, a member of the public recently acknowledged the marketing and public relations skills of the Harbormaster. All should be aware that neither of those skills is considered in the Harbormaster's performance evaluation. The Harbormaster is evaluated annually on leadership, fiscal responsibility, skills as a mariner and waterman, specific public administration technical skills, attitude, productivity, and effective communications with staff and City leadership

- We were notified that the State budget for the SAVE Grant program was reduced from \$2.5M to \$1M for the next two-year cycle and that no applicant will receive more than 10% of the budgeted amount. While we asked for an increase from \$175K to \$250K in the next two-year cycle, we hope we will still get the maximum \$100K allowed based on our past performance and the inventory of boats we have on our interest list
- We reached out to our colleagues in Animal Control to assist in the search for a small black dog missing from the Balboa Coves area of the harbor reported directly to an HSO
- The termination of a mooring license was executed for non-payment

The most amusing call of the month came from a mooring permittee calling our attention to a particular word used on a banner flying on a nearby, moored boat. The reporting party's concern was about the appropriateness of the word, which some might consider profane or foul. The banner in question is of a political nature. We felt that language used in political advertising is protected speech under the First Amendment of the US Constitution, and therefore, the banner did not constitute any violation. We made a point of confirming our position with the City Attorney's office before responding to the reporting party. The City Attorney's Office has indicated that the banner is protected by the First Amendment. However, they are still reviewing recent, relevant case law that may guide us in a different direction. Because the harbor is a public waterway, not private property, there may be limits on what language is permissible. The experience has been a good exercise in collaboration and an interesting research and learning opportunity for all involved.

### **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