



NEWPORT BEACH

Harbor Commission Staff Report

May 8, 2024
Agenda Item No. 6.3

TO: HARBOR COMMISSION

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

TITLE: Harbormaster Update – April 2024 Activities

ABSTRACT:

The Harbormaster oversees the City Harbor Department and is responsible for the management of the City's mooring fields, enforcement of the municipal code, events permitting, safety and rescue operations, the Marina Park Guest Marina, marine sanitation pump out equipment and public pier maintenance, impound and disposition of abandoned and unclaimed vessels and public relations and information dissemination on and about Newport Harbor.

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

RECOMMENDATION:

- a) 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
- b) Receive and file.

FUNDING REQUIREMENTS:

There is no fiscal impact related to this item.

DISCUSSION:

Improvements in the weather were noted in April. That was somewhat responsible for an increase in activities in the harbor. The Newport Beach International Boat Show and the Newport to Ensenada Yacht Race were large events that also drew crowds to the harbor. Except for the one alleged human trafficking-related instance noted below, the large events and regular activities were all carried out within the desired paradigm of keeping the harbor clean, safe, and well-enjoyed. Efforts in direct support of the Department's mission are listed below in summary.

Clean

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

- Statistics on live aboard pump-outs, inspections and discharge violations for the most recent three years were provided based on a request from the Water Quality Control Board
- Graffiti on public dock signs was removed
- Citations were issued to the customer of an electric boat rental company for illegal discharge (urination into the harbor). We greatly appreciated the assistance and collaboration of the rental operator in identifying the responsible parties
- Alert Harbor Services Workers (HSWs) observed two people fishing on the new Bayside Marina public dock. Education was provided to the anglers on where such activity is permitted in the harbor. In a related matter, we collaborated with the Real Property Administrator and folks from Community Development on a response to a letter from Coastal Commission Staff asking about the origins and authority for the posted “No Fishing” signs at that location. The restriction on fishing was clearly part of the approved permit
- An unusual vein of trash was found near the east anchorage and cleaned up. The aggregation of the debris was likely the result of tidal and runoff currents converging. This was just one of many instances of trash and debris collection in the month
- A guest in a slip at Marina Park flushed oil out of their bilge into the harbor. Alert Dockmasters handled the situation by containing the inappropriate discharge and educating the owner onboard about how to deal with oil in the bilge
- Significant resources were expended in encouraging a visiting sailboat along on their voyage after overstaying their welcome, drifting outside the anchorage with insufficient ground tackle, abandoning a tender on one of the public docks, and being unable to demonstrate the operability of their vessel. Two adults, two children, and several pets were aboard. Social Support services were offered across a variety of dimensions but were refused. The vessel was last seen heading WSW in a good breeze after two previous attempts to leave the harbor. Information about our experiences with this vessel was shared with the working group on vessels of concern. Members of that working group expressed gratitude for the information sharing and were prepared when the boat arrived at its next port of call
- HSWs identified a submerged hazard which turned out to be a concrete canoe. It was likely a decorative item. The hazard was removed from the harbor and disposed of properly after a significant retrieval operation

Safe

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

- Provided a tow assist for a disabled vessel to the Sapphire public dock, the closest safe harbor where they awaited further assistance
- Accepted a vessel turn-in from an occupant with a long history of criminal activity elsewhere. We also worked with Animal Control to tend to a cat left on board by the previous owner
- Identified concrete debris that had come loose from a Lido Isle Bridge abutment. We then provided transport and inspection assistance to the Civil Engineer assessing the damage and planning the repair
- A vessel lost power in the middle of the F mooring field. We were able to provide an assist by side-tying to it and then safely maneuvering it out of the field without incident. We delivered the vessel back to its point of embarkation
- HWSs observed a vessel speeding near the A mooring field. Unable to apprehend the vessel, Code Enforcement followed up with a Notice of Violation to the registered owner of the vessel. This incident led to a very effective discussion over the course of a couple of our morning briefings on best practices related to education and enforcement of speed and wake limits in the harbor
- Performed a typical inspection for a vessel newly assigned to a mooring in the A field. The vessel passed with no issues or concerns
- Patrol vessels assisted with traffic control for the APEX dive team while they surveyed the damage to an underwater pipe between Balboa Island and the Peninsula. The hole was located and marked so that the team could come back another time to further assess/repair the damage
- A patrol vessel assisted Apex with another dive operation near the PCH Bridge
- An alert code enforcement officer identified a suspicious vessel and notified the OCSD Harbor Patrol and Customs and Border Patrol. For our successful reporting the Department was subsequently admitted to a Homeland Security Group and asked to participate as a force multiplier. We had previously been excluded from participating in this group
- HSWs observed two youths jump off a moving electric vessel and swim ashore. Occupants onboard were advised by HSWs of safety concerns and asked not to do such things again
- The Balboa Ferry requested some support with traffic control and education of nearby vessels which we were able to provide
- The gangway at the Park Ave, public dock lost a wheel and was causing damage to the landing on the float. Enterprising HSWs devised a quick, interim fix while we wait for materials and a contractor to provide a permanent solution
- Provided assistance and transport for a Spectrum Communications contractor crew while they repaired some damage to a conduit on the seawall at Central Ave public dock
- Another vessel belonging to a mooring permittee lost power while underway to a shipyard. HSWs took the boat in tow to the long dock at Marina Park. A professional tow contractor was contacted and took the vessel the rest of the way to the shipyard
- HSWs educated snorkelers near the harbor entrance about the dangers of being in that area and vessel traffic
- An exhausted kayaker was returned to their rental location

Well-enjoyed

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

- The Newport Beach International Boat Show made use of fewer piles this year for their temporary docks, using the helical anchor system in several instances. The system had a lower impact on the sea floor. The show itself was a success from all accounts. We received no reports of concerns or complaints
- HSWs had a nice talk with some youth on good fishing holes and where the best public docks that allow fishing are located
- Additional follow-up was conducted with a waterfront property owner on closing the gaps in sea lion deterrents on his residential dock
- We dewatered a tender at the Fernando St. public dock and helped the permittee get his tender out at low tide
- A 50' vessel was berthed within the 30' limit section at the Central Ave. public dock. The skipper was educated and he quickly moved the vessel
- A rental electric vessel got caught on shore mooring. HSWs assisted the stuck vessel and then followed up with the rental company to ensure they took responsibility for shore mooring repair
- Dredging at the landward ends of the Fernando Street and 15th Street public docks took place. Dredging around the 19th Street public dock is scheduled soon

Odds and Ends

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

- The technology we use was further improved with the implementation of an anchorage use calendar. We now track vessels using the anchorages in the same app as we track slip tenants, mooring permits, sub-permits and licenses. The visual representation greatly improves tracking lengths of stays and status of dye tab tests for visiting mariners
- A live aboard permittee who has embarked on a significant voyage (Tahiti) expressed great appreciation and gratitude to all members of the Harbor Department for all the hard work we do
- Collected data on slip rates in commercial marinas throughout the harbor for the annual adjustments to rates at the Balboa Yacht Basin
- Significant time was spent with a MAP holder who wants to sell her business. Despite the very clear language in NBMC 17.10.100, via one phone call and several emails, she sought guidance on how to get around the "non-transferable" status of her MAP
- City Council reviewed and approved all but two of the proposed harbor-related fees for the next fiscal year after an extensive fee study. The two fees that were not approved were related to no-shows and late cancellations on reservations for the human lift at Marina Park and the Balboa Marina public dock. Notable among the approved fees are six that were reduced because of efficiencies gained with better

technology and processes in the department. Nine fees were added allowing us to cover costs associated with some new services we provide

- An eelgrass survey specific to the C mooring field was completed. That survey with a cover letter will be submitted to the Coastal Commission in May hopefully completing the last outstanding item of our application on the C-field optimization
- In preparation for improvements to the Harbor Department office, some staff moved to a classroom elsewhere at the facility while the Dockmasters have temporarily relocated to the Sail Bay on the first floor. Improvements to the office are being made to dampen the often significant noise generated and attenuated throughout the office
- An injured pelican who rode to Marina Park upon a visiting vessel was skillfully captured by the Dockmaster. Animal Control was contacted and collected the bird for rehabilitation

The most amusing email of the month came via an elected official from a mariner who enjoys cruising on the harbor. She was concerned about the anglers not giving way to mariners wanting to use the public docks and didn't know to whom she could reach out. She did a good thing when she reached out to the elected official who forwarded the message to us. We were able to respond with information on the services provided by the Harbor Department and the various ways to reach us. We provided a list of the public docks where fishing is allowed and where it is not allowed and gave a very clear explanation of how the docks are meant to be shared by all. We also pledged to include some extra patrol presence and gentle education for the anglers using the public docks. Harbor Department patrol staff performed several approaches to various public docks at which fishing is allowed. The reports were all consistent. At M Street, Park Ave., Washington Street, and 15th St Public Docks, all received compliance from the anglers present. All fishing lines were reeled in while our patrol boats were docking. Admittedly, compliance may come easier for boats marked as part of the Harbor Department, but the interactions and experience were encouraging. The mariner expressed appreciation for our response, the education, and our follow-up on her concern.

While not of the typical variety of “amusing call of the month”, this interaction was worthy of reporting because of opportunities for education on many fronts and formats (concerned constituent, elected official, public dock users, methods of communication, etc.) and the successful delivery of the “well-enjoyed” part of our mission.

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