

NEWPORT BEACH HARBOR COMMISSION REGULAR MEETING MINUTES  
City Council Chambers – 100 Civic Center Drive, Newport Beach  
Wednesday, February 11, 2026  
5 p.m.

**1. CALL MEETING TO ORDER**

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

**2. ROLL CALL**

PRESENT: Ira Beer, Chair  
Marie Marston, Vice Chair  
Bob Miller, Commissioner  
Rudy Svrcek, Commissioner  
Don Yahn, Commissioner  
Gary Williams, Commissioner

ABSENT: Steve Scully, Secretary

Staff Members: Paul Blank, Harbormaster  
Matt Cosylion, Deputy Harbormaster  
Cynthia Shintaku, Management Analyst

**3. PLEDGE OF ALLEGIANCE** – Led by Vice Chair Marston

**4. PUBLIC COMMENTS (NON-AGENDA ITEMS)**

Chair Beer opened public comments.

Adam Leverenz offered public comment and apologized in advance for the frequency of his remarks during the meeting. He reported that, at the previous City Council meeting, the Council voted to form an ad hoc committee to address the State Lands report on tidelands management in Newport Beach. He noted the committee consists of two council members, including a former Harbor Commissioner, and stated that several individuals expressed concern during the Council meeting. He emphasized the importance of early stakeholder engagement, suggesting that involving stakeholders sooner could reduce conflict, costs, and potential litigation.

Coeli Hylkema, identifying herself as a mooring permit holder, addressed the Commission regarding proposed changes to the City's mooring permit system. She described the personal financial sacrifices many permit holders made in order to purchase boats and acquire mooring permits, noting that for decades permits had been obtained through purchase and transfer from existing permit holders under procedures regulated by the City. She stated that many individuals paid significant sums for permits with the understanding that transferability would allow them to later recoup those costs.

Ms. Hylkema expressed concern that the City now intends to revoke general public mooring permits and replace them with higher-cost, City-owned mooring licenses, which she characterized as unaffordable for many current permit holders. She also responded to public statements suggesting that permit transfers involve improper profit or the sale of public tidelands, noting that permit holders acknowledge they do not own the underlying tidelands as reflected in Title 17. She referenced recent findings by the State Lands Commission regarding the City's historical regulation of permit transfers and concluded by stating that permit holders did not anticipate facing the current situation when pursuing boat ownership and harbor access.

Chair Beer closed public comments.

## 5. APPROVAL OF MINUTES

### 1. Draft Minutes of the January 14, 2026 Harbor Commission Regular Meeting

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

Commissioner Svrcek moved to approve the January 14, 2025 Harbor Commission Regular Meeting minutes, as amended. Seconded by Commissioner William. The motion carried by the following roll call vote:

**Ayes:** Miller, Svrcek, William, Yahn

**Nays:** None

**Abstain:** Martson, Beer

**Absent:** Scully

## 6. CURRENT BUSINESS

### 6.1 Restoring Oysters in Newport Harbor and Commensurate Benefits

#### 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.

Chair Beer reported that the Newport Beach Harbor Department has partnered with community organizations to advance ecological health within Newport Harbor, including research into the restoration of native Olympia oysters to improve water quality, expand habitat diversity, and strengthen shoreline resilience. He noted that Mr. James Ulcickas of Bluewater Grill has been a longtime supporter of sustainable aquaculture and that his contributions have been significant to regional sustainability programs.

Ms. Kaysha Kenney, Marine Restoration Director for Orange County Coastkeeper, presented an overview of Coastkeeper's Living Shorelines Program and its regional oyster restoration initiatives. She described Coastkeeper's mission to maintain waters that are swimmable, drinkable, and fishable, and explained that the Living Shorelines Program began in Upper Newport Bay around 2015 through partnerships with California State University, Fullerton, and California State University, Long Beach.

Ms. Kenney stated that the Olympia oyster, the only oyster native to the West Coast, is significantly smaller than the non-native Pacific oyster and serves as an ecological "bioengineer" by filtering water, creating habitat for marine species, and stabilizing shorelines. She explained that restored oyster beds support crabs, octopus, seahorses, and other species, and reduce erosion by acting as natural breakwaters. She reported that four restoration sites established in 2017, along Pacific Coast Highway, Westcliff, the De Anza Peninsula, and Shellmaker near the Back Bay Science Center, were built using biodegradable coconut coir structures filled with recycled oyster shells. She explained that these structures encourage natural Olympia oyster recruitment. She noted that sites have since experienced degradation due to increased human activity, and Coastkeeper is evaluating adaptive management strategies, including adding shell material and exploring subtidal bed construction, subject to permitting by the California Department of Fish and Wildlife.

Ms. Kenney described Coastkeeper's Shell String program, which engages harbor residents who have private docks to care for juvenile Olympia oysters grown on wire "oyster condos" filled with clean recycled shells. She explained that participants deploy the shell strings from spring through fall, periodically monitor them, and return them to Coastkeeper for counting and placement onto restoration beds. She

noted that the program has been successful in Alamos Bay and Huntington Harbor and will launch in Newport Harbor for the first time in 2026.

Ms. Kenney summarized the Shells for Shorelines restaurant partnership, which collects oyster shells for reuse in restoration. She reported that Bluewater Grill has contributed over 3,500 pounds of shell, The Cannery approximately 1,500 pounds, and Newport Harbor Yacht Club recently joined the program. She reported that countywide, more than 18,000 pounds of shells have been recycled since June 2024.

Commissioner Miller commended Coastkeeper's work, noting that he had been unaware of the program until reviewing the agenda. He highlighted a shell stringing event on February 21st. He asked how the Commission could best assist, including whether outreach efforts could involve local schools, Scouts, or cleanup programs. He also inquired about challenges in recruiting restaurants.

Ms. Kenney responded that recruiting additional restaurants remains a primary need and that Commissioner support in promoting the shell string program within the permitted West Lido Channel area would be particularly valuable. She thanked Harbormaster Paul Blank for his assistance in participant recruitment. She emphasized the program's labor-intensive nature but noted that efforts are made to minimize the restaurant's burden.

Commissioner Miller asked about the relative difficulty of obtaining restaurant participation versus securing dock locations for shell strings, and requested clarification on who determines where the strings may be placed.

Ms. Kenney explained that placement is regulated by the California Department of Fish and Wildlife due to the marine protected area designation in Upper Newport Bay, and that Coastkeeper's strong working relationship with the agency enabled approval for piloting the program in Newport Harbor. She added that restaurant recruitment is currently the program's biggest hurdle.

Vice Chair Marston expressed appreciation for the informative presentation.

Commissioner Williams praised Ms. Kenney's evident passion for the project and asked to be kept informed of future opportunities to support the program.

Commissioner Svrcek asked about the difference between native Olympia oysters and the larger oysters observed on bulkheads.

Ms. Kenney explained that the larger Pacific oysters are non-native but not considered invasive, while they offer ecological benefits, Coastkeeper focuses on restoring the native species to preserve ecological balance. She noted that restoring the Olympia oyster is their focus.

Chair Beer inquired if the Olympia oysters are a protected species.

Ms. Kenney confirmed that Olympia oysters are not a protected species but advised against harvesting them from harbor waters due to the risks of contamination.

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

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

## **6.2 Abandoned Vessel Abatement Program - Final update on vessels New Beginnings and Haven**

### **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 Approve the 2026 Harbor and Beaches Master Plan and recommend staff forward to the Finance Committee for consideration.

2. Receive and file.

Deputy Harbormaster Matt Cosylion introduced the presentation and explained that the Harbor Department is responsible for identifying, preventing, and removing derelict or abandoned vessels from Newport Harbor. He noted that while discussions of code enforcement are typically presented at a broad, programmatic level, the Department elected to provide a detailed account of two recent vessel abatements due to significant public interest in code-enforcement activities on the harbor.

Deputy Harbormaster Cosylion explained that the term “abandoned vessel” encompasses both traditional circumstances, vessels left without any known owner, as well as situations in which an identified boat owner voluntarily surrenders the vessel to the City. He noted that in Newport Harbor, the latter scenario is more common. He explained that many such vessels belong to former mooring permittees or individuals who frequently use public anchorage areas but lack the financial means to maintain their vessels. He reported that in 2025, three vessels fell into this “owner-surrendered” category. He reported that the total estimated destruction cost for the three vessels recently impounded, including New Beginnings and Haven, plus an additional vessel soon to be removed, is approximately \$53,000 to \$54,000, excluding staff time and interim maintenance expenses. He further explained that, given that the City received only \$100,000 in Surrendered and Abandoned Vessel Exchange (SAVE) grant funding for the current cycle, these abatements represent a significant draw on available resources.

Deputy Harbormaster Cosylion then provided a detailed chronology of the first vessel, New Beginnings, a 58-foot Hatteras formerly owned by a mooring permittee and liveaboard who faced ongoing financial challenges. He reported that after relinquishing his mooring, the owner frequently used City marinas, public docks, and anchorage areas, often arriving from and returning to other harbors. He explained that the vessel’s final voyage began on October 10, when it sought refuge in the East Anchorage during inclement weather and a small craft advisory. He reported that the vessel was inoperable, taking on water, and at immediate risk of sinking.

Deputy Harbormaster Cosylion reported that on October 13, New Beginnings was towed to the Harbor Department marina under emergency conditions. He noted that from October 14 through 16, Harbor Department staff, the Orange County Sheriff’s Department, the United States Coast Guard, the Department of Fish and Game, and TowboatUS collaborated to dewater the vessel and contain oil discharging from the bilge. Lastly, a City-hired diver patched hull breaches to slow water intrusion, requiring continued daily inspections and dewatering by staff.

Deputy Harbormaster Cosylion explained that the Harbor Department allowed the owner additional time to sell the vessel to avoid impoundment. He further explained that when no buyer emerged, the City impounded the vessel on October 23. He reported that on October 24, the Coast Guard assisted with hazardous-material removal, including approximately 350 gallons of diesel fuel, over 1,000 pounds of marine batteries, and multiple containers of hazardous waste. Lastly, he reported that demolition occurred between January 16 and 22, after which the vessel was fully removed from the harbor.

Deputy Harbormaster Cosylion next summarized the abatement of the second vessel, Haven, a 38-foot Owens Flagship owned by an individual residing in Europe. He explained that the owner had purchased the vessel with the intention of transporting it overseas, but was unable to identify a viable and cost-effective shipping method. He further explained that the vessel was kept at a local shipyard until the owner ceased communication, prompting the shipyard to request a private-party impound. He reported that the Harbor Department impounded the vessel on June 8. He emphasized that between June and December, staff made repeated attempts to contact the owner, who ultimately agreed on December 10 to pay the impound fee and surrender the vessel. Lastly, he advised that the vessel was removed and destroyed on January 22.

Deputy Harbormaster Cosyion outlined several challenges commonly associated with abandoned-vessel cases. He noted that vessel owners in these circumstances typically have limited financial means and lack local support networks, leading to deferred maintenance and eventual vessel deterioration. He explained that these individuals frequently delay responding to City communications, increasing the risk and cost associated with impoundment. He then discussed lessons learned, including the importance of thoroughly inspecting vessels upon impoundment; promptly removing hazardous materials; coordinating earlier with state and federal partners, particularly the Coast Guard; improving documentation to support potential cost recovery; expanding the pool of City-approved salvage contractors to reduce expenses; and standardizing policies to avoid prolonged compliance extensions that can increase City costs.

Commissioner Svrcek asked how many abandoned vessels the City removes annually.

Deputy Harbormaster Cosyion responded that, excluding small items such as kayaks or tenders, the City averages two to three large-vessel abatements per year.

Commissioner Svrcek commended the Department's handling of the substantial hazardous material found aboard the vessels.

Commissioner Yahn asked about a recent vessel that had grounded in Laguna Beach before being brought into Newport Harbor.

Deputy Harbormaster Cosyion confirmed that the vessel was transferred to Basin Marine Shipyard and subsequently moved out of the harbor. He added that the tow duration from Laguna Beach necessitated a temporary stop in Newport before it continued on to Long Beach.

Vice Chair Marston asked whether the City could take more proactive steps to identify problem vessels in advance.

Deputy Harbormaster Cosyion responded that staff communicate with other Southern California harbors to track vessels of concern and conduct seaworthiness inspections when vessels seek to rent moorings. He noted that, however, public anchorage use presents challenges, particularly when boaters face financial hardship.

Chair Beer inquired about the City's ability to track staff time and other costs associated with prolonged abatement efforts.

Deputy Harbormaster Cosyion stated that staff time could be calculated, although in the New Beginnings case, such costs were not recoverable due to the circumstances of the impound.

Chair Beer opened public comments.

Ms. Hylkema commented on the financial challenges faced by vessel owners and questioned whether proposed mooring fee increases would lead to additional abandoned vessels.

Chair Beer closed public comments.

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

### **6.3 Action on Recommended Revisions to NBMC**

#### **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. Consider a proposal from subcommittee responsible for the current Harbor Commission Objective 1 on potential revisions to the Newport Beach Municipal Code (NBMC) related to the harbor; and
3. If agreed to, direct staff to return at a future Harbor Commission meeting with a resolution to forward the recommended revisions to the City Council for their consideration and adoption.

Chair Beer introduced the item and explained that the Harbor Commission is evaluating proposed harbor-related revisions to the Municipal Code. He stated that the proposed changes originated from multiple sources, including public comments received at Harbor Commission and City Council meetings, written submissions to staff, stakeholder discussions, and a prior subcommittee review of municipal code provisions relating to harbor use and operation. He noted that these recommendations were produced by the subcommittee assigned to Objective One: to conduct a review of Title 17 and other harbor-related code sections and to recommend updates.

Commissioner Yahn, chair of the subcommittee, presented a detailed summary of the committee's work. He expressed appreciation for the contributions of Harbormaster Blank and Deputy Harbormaster Cosylyon as well as fellow subcommittee members Commissioner Miller and Commissioner Williams. He explained that Title 17 is considered a living document. He further explained that since the Harbor Department was formed more than ten years ago, the City has continued to refine Title 17 to better reflect operational realities. He noted that past efforts focused on removing antiquated provisions and modernizing regulations, and the present review continues that work.

Commissioner Yahn outlined the proposed revisions, summarizing the purpose and intent of each. He reported that the revisions addressed matters including the authority for review of mooring specifications; the process for suspending and reinstating marine activities permits; prohibitions relating to fish-cleaning waste on public docks; updated definitions of commercial activity; clarification of restrictions on renting, leasing, or loaning moorings; the inclusion of Newport Harbor within existing municipal-code prohibitions related to human waste; refinements to mooring-permit conditions; updates to public-hearing notification requirements to prevent unnecessary noticing across harbor waters; clarification regarding vessel cleaning and the removal of human and animal excreta; requirements ensuring alignment between mooring-permit holders and vessel ownership; and additional regulations concerning marine sanitation devices and overnight occupancy. He concluded by noting that the subcommittee had thoroughly examined each issue, incorporating input from staff and the public.

Chair Beer commended Commissioner Yahn and the subcommittee for its extensive effort required to consolidate and evaluate the proposed revisions.

Harbormaster Blank offered a clarification regarding Revision No. 2. He noted that a previous version referenced a seven-day period for requesting an appeal hearing following a suspension of more than three days. He explained that, at the most recent subcommittee meeting, the committee directed staff to revise this period to thirty days.

Commissioner Miller also thanked the public for attending the stakeholder meeting, stating that community input was valuable, with some suggestions incorporated and others considered but not implemented.

Commissioner Williams expressed pride in the committee's work and emphasized that each topic had been debated extensively. He commended the collaborative process.

Commissioner Svrcek stated that he had no additional comments and complimented the completed work.

Vice Chair Marston expressed appreciation for the extensive work completed and inquired about the next steps in the process.

Chair Beer explained that, following Commission action, a resolution would be drafted and returned to the Commission for approval before being forwarded to the City Council.

Chair Beer noted that regarding the prohibition on renting, leasing, or loaning moorings, he asked whether the term "occupied" should be included to provide broader coverage.

Commissioner Williams responded that the committee had considered the term but determined that "occupied," unlike "rented" or "loaned," could apply to temporary or emergency use and might introduce ambiguity.

Chair Beer then asked whether the Municipal Code already includes language requiring that any vessel occupying a mooring must be registered to the mooring permittee.

Harbormaster Blank displayed the applicable code-definition slide and confirmed that the code clearly defines "assigned vessel," requires alignment between the vessel and mooring assignment, and that staff monitors mooring fields daily for compliance.

Chair Beer opened public comments.

Joe Ferrigno, a resident of Grand Canal, expressed concern about receiving a notice requiring him to remove either his dock or his moorings, which he stated had existed for decades. He argued that many neighboring properties have both docks and moorings and that enforcing removal would constitute a loss of property value.

Chair Beer thanked him for his comments and noted that the matter did not fall directly under the scope of the current agenda item.

Adam Leverenz commented on several proposed revisions. Regarding Revision No. 1, he suggested clarifying that mooring specifications approved by the Harbor Master must be "in compliance with" standards established by the Harbor Commission rather than merely "referencing" them. He also sought clarification on whether residential pier subletting falls under commercial activity. On Revision No. 5, he cautioned that enforcement regarding alleged mooring loaning must account for the City's free day-use mooring policy to avoid mistakenly accusing permittees of violations. He also raised concerns about language implying widespread suspicion of subletting without evidence, and he questioned how the code would address vessel ownership when multiple parties jointly own a vessel, but only two names may appear on a mooring permit. He further expressed concern that the wording on sanitation devices could inadvertently prohibit the use of portable marine sanitation devices.

Jim Mosher offered several recommendations. He suggested using broader terminology, such as "waterway" rather than "Newport Harbor" in the section addressing human waste, in order to align with the other general references within Title 10. He also recommended reconsidering the noticing-radius language, observing that excluding intervening waterways may inadvertently reduce notice coverage. He further suggested that the City, rather than applicants, generate notice lists to ensure consistency and reliability. Finally, he recommended clarifying that the prohibition on improvised waste-containment methods applies specifically to human or domestic-animal waste, since many types of incidental waste on vessels may reasonably require improvised containment. He referenced that the provision immediately below the referenced section addresses the prohibition on loaning a mooring. He indicated that the

language is confusing because it appears to allow certain activities with the written permission of the Harbormaster, but does not specify the conditions under which such permission would be granted. He further observed that the following page seems to indicate that only yacht club permittees may engage in renting or similar activities, which raises questions about how the two provisions align.

Bill Kenney, representing the Newport Harbor Foundation, expressed support for the proposed revisions and commended the Commission and subcommittee for their extensive work. He asked the Commission to adopt the recommendations and forward them to the City Council.

Chair Beer closed public comments.

Harbormaster Blank informed the Commission that staff were familiar with Mr. Ferrigno's situation and that his concerns would be documented for future review during subsequent Municipal Code update cycles.

Commissioner Williams expressed interest in incorporating Mr. Mosher's proposed clarification regarding human waste.

Commissioner Yahn stated support for including the improved language, noting that it reflected the committee's intent.

Chair Beer observed that, in practice, City staff routinely prepares noticing maps and lists. He suggested retaining the verbiage that noticing is the applicant's responsibility. The applicant can use City provided services if requested, but this will be at the applicant's expense.

Commissioner Yahn moved to adopt the recommended revisions to Title 17, including the verbal amendments regarding human or domestic animal waste. Seconded by Commissioner Williams. The motion carried by the following roll call vote:

|          |                                              |
|----------|----------------------------------------------|
| Ayes:    | Miller, Svrcek, William, Yahn, Marston, Beer |
| Nays:    | None                                         |
| Abstain: | None                                         |
| Absent:  | Scully                                       |

Chair Beer directed staff to return at a future Harbor Commission meeting with a resolution incorporating the approved revisions for final Commission consideration prior to transmission to the City Council.

#### **6.4 Ad Hoc Committee Updates**

##### **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.

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

Commissioner Yahn provided an update on the Balboa Ferry Ad Hoc Committee. He reported that the ferry-operating family is actively pursuing grant funding to support ongoing improvement efforts. He stated that the family has secured approximately \$8 million in combined grant commitments from the California Air Resources Board (CARB) and the South Coast Air Quality Management District (SCAQMD). He noted

that both state agencies have confirmed their grant participation, characterizing the progress as significant and ongoing.

Harbor Commission Objectives Ad Hoc- Commissioners Beer, Scully and Miller (8-13-2025)

Chair Beer stated that the revised objectives will be discussed in the next meeting.

Chair Beer opened public comments. Hearing none, Chair Beer closed public comments.

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

**6.5 Harbor Commission 2024 Objectives**

**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.

Conduct annual review of Title 17 and recommend updates to City Council where necessary (Commissioner Yahn)

No update.

Collaborate with the Water Quality/Coastal Tidelands Committee to partner on areas within the Harbor that both Commission/Committees intersect (Commissioners: Svrcek, Scully)

No update.

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).

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).

No update.

Work with City Staff on an update of the market Rent to be charged for onshore and offshore moorings (Commissioner: Williams, Beer).

Chair Beer reported that the matter has been referred to a newly formed City Council ad hoc committee, which will review the recent written recommendations from the State Lands Commission and provide recommendations to the City Council. He recommended that, in light of this action, the item should be considered closed with respect to the Harbor Commission's objectives unless it is reopened at the request of the City Council. The dais agreed unanimously.

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)

Chair Beer reported that dredging efforts throughout Newport Harbor are progressing very well.

Commissioner Miller remarked that constituents have observed noticeable improvements in water clarity following dredging operations, particularly around Balboa Island.

Chair Beer opened public comment.

Adam Leverenz addressed the Commission and stated that, based on the previously discussed revisions to Title 17, it is clear that both the Commission and the public share a concern for preventing human waste from entering the harbor. He urged the Commission to restore restrooms as a formal objective in future goalsetting. He stated that additional restroom facilities are needed, noting the potential for development at Lower Castaways and referencing an existing public dock that he characterized as “beautiful” but unusable due to the absence of restrooms. He concluded by stating that he intends to continue raising the issue at Commission meetings until restroom facilities are reinstated as an objective.

Ms. Coeli Hylkema commented on the same topic, explaining that she resides near the Fun Zone and within a short distance of the local public library. She noted that, over the years, they had allowed numerous individuals, often parents with young children, into their home due to the lack of nearby restrooms. She echoed the need for additional public restroom facilities.

Mr. Mosher addressed the Commission and noted that there had been no Harbor Commission representative at the most recent meeting of the Water Quality/Coastal Tidelands Committee. He reported that several retirements had occurred within the Public Works Department and that Public Works Administrative Manager Miller now serves as the staff liaison to that committee. He reported that at that meeting Public Works Administrative Manager Miller provided presentations regarding the dredging project and the City’s eelgrass efforts.

Chair Beer closed public comment.

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

## **6.6 Harbormaster Update – January 2026 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 presented the monthly update and provided an overview of Harbor Department activities for January 2026. He reported significant effort devoted to maintaining water quality and responding to pollution concerns. He stated that containment operations associated with the discharge incident at Marcus Avenue have concluded and confirmed that the two vessels are now fully removed. He noted that staff also conducted an extended investigation into a reported unpermitted liveaboard; the investigation determined that the report was unfounded. In addition, he reported that Harbor Safety Officers prevented the potential sinking of a permitted vessel in the J Field when they located and corrected a failed hose clamp on a raw-water intake that was rapidly flooding the engine room. He reviewed several images included in the staff report, noting the documentation of a sheen tracked to the Lido Peninsula, hazardous materials deposited at the Municipal Yard for compliant disposal, the vessel associated with the false liveaboard report, and the vessel saved from sinking through prompt dewatering by Harbor Safety Officers.

Harbormaster Blank provided a comprehensive update on dredging operations. He reported that the Lower Bay Project has moved from Mariner’s Mile into the East Anchorage, which is now closed and identified on the Local Notice to Mariners. He explained that the dredging equipment was redeployed to the east end of Lido Isle to begin cutting a trough that will allow access toward Marina Park to remove

unsuitable material scheduled for transport to the Port of Long Beach. He noted that this work must be completed by May, and discussions are underway regarding the possible addition of a second dredge. He advised that as dredging progresses, certain moorings in the F Field and two moorings near Newport Harbor Yacht Club will require temporary relocation.

Harbormaster Blank reported that dredging at the Balboa Yacht Basin has been completed and that the equipment is being demobilized and prepared for redeployment to a private dredging project for the Lido Isle Community Association. He stated that the overall Lower Bay dredging project is anticipated to be completed later this year or early next year, subject to weather and operational conditions. He further reported that the updated project cost is approximately \$16 million, significantly below the original estimate of \$22 million.

Turning to harbor safety efforts, Harbormaster Blank noted continued enforcement of navigation-light requirements during both nighttime and low-visibility conditions. He described a joint training exercise with the Newport Beach Fire Department to test standpipe functionality at Marina Park, which included simulating a vessel fire. He also reported that Harbor Safety Officers assisted an exhausted paddleboarder who required help returning to the 19th Street dock. He noted that additional safety efforts included repairs to private aids-to-navigation lighting and department-wide stability-training exercises developed by a new staff member.

Harbormaster Blank then discussed activities related to harbor enjoyment and stewardship. He reported that the department responded to a notable increase in unauthorized use of moorings, with more such incidents in January than during all of 2025. He addressed a complaint regarding a Grand Canal property found to have a pier platform and three moorings, which is not permitted in that area. He reported that a survey revealed other properties in similar noncompliance, and future code modifications may be necessary to align regulations with current conditions. He noted that Harbor Safety Officers recovered a set of keys from the harbor bottom, which were successfully returned to their owner through coordinated identification efforts with Dana Point Harbor. He also reported the installation of updated dock-signage packages, including time-zone signage and serialized cleat-number plates, and ongoing refinishing of dock finials removed during punch-list work on recently rebuilt public docks.

Harbormaster Blank highlighted additional operational matters, including Council-level discussions regarding the management of the Balboa Yacht Basin. He reported that the Harbor Department's analysis indicates it can manage the facility at a significantly lower cost than external bidders, leading to approximately \$150,000 in annual savings and nearly \$1 million over a five-year term. He also described two notable contacts received during the month: a request that he personally resolve an out-of-service playground slide at Marina Park, and an inquiry from the Alcoholic Beverage Control (ABC) involving a vessel seeking an ABC license without a Marine Activities Permit, which enabled staff to identify a potential unpermitted charter operation.

Harbormaster Blank reviewed monthly operational statistics, noting 2,427 calls for service, with 2,200 of those mapped. He provided data on harbor amenity usage, permitting activity, anchorage occupancy, and pump-out utilization. He stated that January anchorage activity remained strong despite weather conditions and noted the inclusion of new permit categories, small harbor operator registrations, and mooring-permit transfers in the department's tracking system. He emphasized that the accomplishments outlined in the report are attributable to the Harbor Department's dedicated staff, noting that he wished to give them full credit for their work.

Commissioner Svrcek praised the department's consistent recovery of hazardous materials and debris and requested an annual report quantifying debris collection, which Harbormaster Blank agreed to provide.

Commissioner Williams expressed appreciation for the staff's ongoing efforts and, out of curiosity, referenced a widely circulated social media video depicting a billfish swimming in the harbor. He noted that several members of the public suggested the sighting was attributable to improved water quality and

dredging activities, and he requested the Harbormaster's perspective on whether the appearance was coincidental or potentially supported by scientific factors. He added that the sighting generated significant public attention.

Harbormaster Blank acknowledged that the sighting received considerable attention and described the experience as thrilling. He noted that the fish appeared to be an adolescent rather than a fully mature adult. He stated that he is not a water quality scientist, angler, or marine biologist, and therefore could not provide a definitive explanation. He indicated that while it is possible the fish was introduced from a private aquarium, he preferred to believe it entered the harbor naturally, similar to dolphins, potentially attracted by clean water and calmer conditions. He stated that staff would remain attentive to any further sightings and report additional information as available.

Commissioner Yahn asked about the cost reductions in the dredging project and whether the Confined Aquatic Disposal (CAD) element contributed to the decreased estimate. He also inquired whether all participating entities had reduced their participation amounts, noting that the City's contribution is reflected at \$5 million. He also asked what the original funding intent had been and whether any participating agencies would realize a surplus or windfall as a result of the reduced overall budget.

Harbormaster Blank explained that the savings resulted from contractor pricing and timing, not from any decision regarding the CAD component. He also clarified that the City's financial contribution was primarily associated with early design costs and did not change following the updated project estimate.

Vice Chair Marston commended staff on the recovery of the lost keys and inquired about the number of vessels requiring dewatering.

Harbormaster Blank attributed the higher number to heavy rainfall in January.

Chair Beer opened public comments.

Mr. Mosher asked why dredging equipment could not go directly to Marina Park to remove unsuitable material.

Harbormaster Blank explained that while scows can reach the area when empty, they cannot safely exit when loaded; therefore, a dredged trough is necessary.

Jessie, a liveaboard boater, commented that rain often causes vessels to take on water and suggested that boat owners should keep pumps onboard to address emergencies immediately.

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

Commissioner Miller reported attending the Wake Up Newport breakfast featuring Police Chief Dave Minor. He noted that the City's drone program, operated jointly by the Police Department, Fire Department, and Brink, the City's contracted provider, offers significant potential benefits for harbor management. He stated that numerous applications could be developed for harbor operations, including observational capabilities, safety deployment, spill detection, and harbor mapping. He recommended that the matter return to the Commission as a future agenda item.

**10. DATE AND TIME FOR NEXT MEETING – Wednesday, March 11, 2026 at 5 p.m.**

The next regular meeting is scheduled for March 11, 2026 at 5:00 p.m.

**11. ADJOURNMENT**

There being no further business coming before the Harbor Commission, the meeting was adjourned at 6:54 p.m.

DRAFT