



# CITY OF NEWPORT BEACH WATER QUALITY/COASTAL TIDELANDS COMMITTEE AGENDA

3250 Jamboree Road

Thursday, November 7, 2024 - 3:00 PM

## *Water Quality/Coastal Tidelands Committee Members:*

**Council Member Joe Stapleton, Chair**  
**Council Member Brad Avery, Vice Chair**  
**Peter Belden, Member**  
**Curtis Black, Member**  
**Charles Fancher, Member**  
**Craig Hudson, Member**  
**George Robertson, Member**  
**John Wadsworth, Member**  
**Vacant, Member**

## **Staff Members:**

**Jim Houlihan, Deputy Public Works Director/City Engineer**  
**John Kappeler, Senior Engineer**  
**Karen Gallagher, Administrative Assistant**

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The Water Quality/Coastal Tidelands Committee meeting is subject to the Ralph M. Brown Act. Among other things, the Brown Act requires that the Water Quality/Coastal Tidelands Committee 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 Committee and items not on the agenda but are within the subject matter jurisdiction of the Water Quality/Coastal Tidelands Committee. 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 John Kappeler, Water Quality Enforcement Manager, 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) 644-3218 or [jkappeler@newportbeachca.gov](mailto:jkappeler@newportbeachca.gov).

## **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 Public Works Department 24 hours prior to the scheduled meeting.

- 1) **CALL MEETING TO ORDER**
- 2) **ROLL CALL AND INTRODUCTIONS**
- 3) **PUBLIC COMMENTS ON AGENDA ITEMS (10 min)**

*Public comments are invited on agenda items. Speakers must limit comments to five minutes. Before speaking, we invite, but do not require, you to state your name for the record. The Committee has the discretion to extend or shorten the speakers' time limit on 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.*

- 4) **REVIEW AND APPROVAL OF MINUTES (5 min)**

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- 5) **CURRENT BUSINESS (55 min)**

(a) Newport Bay Trash Interceptor Project Site Visit (Bob Stein) (55 min) Site visit to the Newport Bay Trash Interceptor Project.

Recommendation: Committee Discussion

6) **COMMITTEE ANNOUNCEMENTS OR MATTERS WHICH MEMBERS WOULD LIKE PLACED ON A FUTURE AGENDA FOR DISCUSSION, ACTION OR REPORT (NON-DISCUSSION ITEM) (10 min)**

(a) Total Maximum Daily Load for Copper (Cu) (January 2025 - John Kappeler)

(b) Coastal Resiliency (January 2025 - Charles Fancher)

(c) Newport Beach Trash Interceptor Public Outreach Campaign (Winter 2025 - John Pope)

7) **PUBLIC COMMENTS ON NON-AGENDA ITEMS (5 min)**

*Public comments are invited on non-agenda items generally considered to be within the subject matter jurisdiction of the Committee. Speakers must limit comments to three minutes. Before speaking, we invite, but do not require, you to state your name for the record. The Committee 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.*

8) **SET NEXT MEETING DATE (5 min)**

Recommendation: January 2, 2025

9) **ADJOURNMENT**

**Date:** October 3, 2024  
**Time:** 3:00 p.m.  
**Location:** Crystal Cove Conference Room, Newport Beach Civic Center  
**Meeting Minutes prepared by:**

**1. Call meeting to order**

The meeting was called to order at 3:04 p.m.

**2. Roll Call and Introductions**

**Committee Members Present:**

Councilmember/Chair Joe Stapleton  
Committee Member Curtis Black  
Committee Member Craig Hudson  
Committee Member George Robertson  
Committee Member John Wadsworth

**Committee Members Absent:**

Councilmember/Vice Chair Brad Avery  
Committee Member Peter Belden  
Committee Member Charles Fancher

Staff Present: John Kappeler, Senior Engineer  
Karen Gallagher, Administrative Assistant  
Bob Stein, Assistant City Engineer  
Paul Blank, Harbormaster

Guests Present: Dennis Baker, SPON  
Jim Mosher, Resident  
Nancy Gardner, Orange Coast River Park  
Charles Klobe, SPON  
Nancy Scarbrough, SPON, Resident  
Nancy Skinner, SPON  
Virginia Anders-Ellmore, Newport Shores Resident

**3. Public Comment on Agenda Items**

None.

**4. Review and approval of minutes**

**Motion:** A motion was made by Committee Member Robertson to approve the September 5, 2024, minutes, seconded by Committee Member Hudson.

**5. Current Business**

- a. General Plan Advisory Water Quality Sub-Committee Report  
Update on the General Plan Advisory Committee's Water Quality Element  
**Recommendation: Committee Discussion**

Committee Member Black provided an update on the General Plan and explained that the committee is currently in a feedback and outreach cycle, where each committee is asked to review the goals

and policies from the 2006 General Plan. The purpose is to identify gaps or opportunities that fall within each committee's scope and provide feedback for the current General Plan. Committee Member Black mentioned that several members in the room were part of GPAC (General Plan Advisory Committee) and noted that the scope of the Water Quality and Coastal Tidelands Committee covers various elements. The committee spent the previous meeting reviewing these elements, and they formed a subcommittee, consisting of Committee Members Black, Fancher and Robertson, to identify opportunities for the new General Plan. The subcommittee developed a document outlining these opportunities, which the committee reviewed during the meeting. He explained that the committee structured the review by looking at the 2006 goals and policies and developing value statements that reflect the committee's long-term vision, looking ahead 20 years. The value statements were organized to reflect water quality and coastal management issues, with suggestions for more specific goals and policies.

The first value statement emphasized the economic value of Newport Beach's harbor, bay, and beaches. Committee Member Black highlighted a consultant's research, which estimated that these areas contribute \$547 million in direct economic output, \$800 million in indirect output, support 4,400 jobs, and generate \$196 million in total direct earnings. Committee Member Black stressed the importance of understanding this value and investing proportionately in protecting the beach profile and recreational capabilities of the bay and beach. The second value statement focused on continuing the city's investment in water quality to ensure the bay and beaches remain clean and safe for swimming and recreation. The committee recommended maintaining an environment free of trash and harmful chemicals and waste, with programs in place to measure and manage water quality to meet the most up-to-date standards. Committee Member Black also noted the importance of identifying and responding to emerging chemicals of concern, such as polyfluoroalkyl substances (PFAS) and microplastics, and emphasized the need to be proactive in addressing these issues.

Committee Member Robertson added that the City should develop a process to anticipate and respond to potential concerns over the next 20 years. He stressed the need for the City to avoid merely reacting to issues as they arise and instead create a proactive system to address these emerging threats.

The third value statement centered on the City's responsibility to lead on trash management, given Newport Beach's position as a flow endpoint for various water bodies. Committee Member Black noted the importance of finding solutions for trash and runoff management from the Santa Ana River, Delhi Channel, and San Diego Creek. The trash interceptor was highlighted as an innovative engineering solution, and Committee Member Black emphasized that the Santa Ana River presents the biggest opportunity for action. The committee proposed leading regional efforts with the county and addressing both upstream trash management and localized engineering solutions.

Committee and staff discussed the economic value of the beaches for residents, real estate, and tourism, suggesting that the City should invest in staff and resources to protect the beach profile and its associated lifestyle and economic benefits. A joint study to identify current projects, ownership, and management responsibilities for the beach was proposed, along with a Beach Management Plan that provides a long-term vision, similar to the 2006 Harbor Area Management Plan.

The committee highlighted the importance of securing grants to fund projects focused on water quality, with Committee Member Black praising the City's past success in winning grants. He suggested that having staff dedicated to grant management would help unlock additional funding opportunities.

Finally, Committee Member Black addressed the City's exposure to coastal flooding, storm surges, and sea-level rise, noting that an estimated \$10 billion in home value is at risk. He recommended a vulnerability assessment and the development of a comprehensive Coastal Resilience Plan to protect the City's real estate and recreational areas. This plan would ensure a long-term approach to addressing these threats and guide decision-making to avoid unexpected expenses in the future.

Assistant City Engineer Bob Stein questioned whether Public Works should be the lead on these studies, as they typically handle engineering projects. Nancy Gardner suggested that the City may need a coordinator to oversee coastal issues across different departments.

Committee Member Wadsworth emphasized the impact of the Santa Ana River as a major contributor to beach pollution, highlighting a working group that is exploring interceptor technology for the San Gabriel River as a potential solution for the Santa Ana River. Ms. Gardner stressed the importance of regional collaboration with county agencies and neighboring cities to address these issues effectively.

Committee Member Hudson raised concerns about the social impact of some of the proposed policies, particularly when large sums of money are spent to protect coastal properties. He suggested that addressing these concerns early could help avoid conflicts between coastal and inland residents. Committee Member Black agreed, noting that the City must be transparent about the costs and benefits of these projects. Ms. Gardner added that funding for coastal projects has historically come from the General Fund because the entire city benefits from the harbor and beaches, not just coastal residents. Virginia Anders-Ellmore pointed out that protecting beachfront properties also protects homes further inland, as coastal defenses prevent flooding from reaching lower-lying neighborhoods.

Committee and staff discussion concluded with a focus on proactive measures to manage coastal risks and environmental sustainability, with a particular emphasis on reducing single-use plastics to address the global plastic pollution crisis. The committee agreed on the need for leadership and public education around sustainability, as well as potential mandates to reduce single-use plastic consumption.

The committee expressed optimism about the progress being made and the next steps for incorporating these discussions into the General Plan.

There was no further action or discussion on this matter.

b. Newport Bay Trash Interceptor Project  
Presentation and update on the Newport Bay Trash Interceptor Project  
**Recommendation: Committee Discussion**

Assistant City Engineer Bob Stein provided an update on the ongoing project to address trash management in the Upper Bay, which was connected to San Diego Creek in 1969. He highlighted that prior to this connection, the Upper Bay was a dead-end, where people could water ski and the area was much less impacted by watershed runoff. The connection to San Diego Creek brought with it significant changes, leading to the current need for more comprehensive trash management solutions.

The committee reviewed historical images of the area and discussed the evolution of trash collection efforts, including a previous initiative that gathered 500 tons of trash from North Star Beach. The idea for a trash capture device was first proposed by Pat Fuscoe after learning about a similar system in Baltimore. City staff championed this concept, and in 2018, the committee prioritized the installation of a mechanical trash collection device. After some initial setbacks in finding a suitable location, a site was chosen upstream of Jamboree Road, where the creek's depth could accommodate the floating device.

Assistant City Engineer Stein reported that a groundbreaking ceremony for the project was held in 2023, with several council members and supporters in attendance, including Diane Dixon, who helped initiate the funding request. The project received significant backing, with funding from the Orange County Transportation Authority (OCTA) grant, a state grant, and City funds totaling \$5.5 million for planning, design, and construction. Parts for the trash interceptor have begun arriving, and assembly is expected to be completed by early November.

The presentation detailed the installation process, including the construction of a barge to position a critical boom component on the opposite shore. This aspect of the project posed a logistical challenge, as land access was not feasible due to vegetation and steep terrain. The major components, such as the pontoons and the water wheel, were fabricated in Tennessee and have been transported to the site. The water wheel, named "Mr. Trash Wheel," will be fully assembled in the coming weeks.

Assistant City Engineer Stein noted that the system is designed to work with two 28-cubic-yard dumpsters, which will be transported along a rail system. These dumpsters will have weep holes to allow for proper drainage. The pontoons and water wheel are expected to be in place by the end of the week, and the assembly process will continue through November.

Committee and staff discussed the possibility of organizing a site visit for members and the public to observe the installation process. Assistant City Engineer Stein noted that due to space constraints, access to the actual site would be limited, but viewing from a nearby location might be possible. He emphasized the importance of safety measures, including hard hats and vests, for those visiting the site.

The presentation continued covering the revegetation efforts on the north and south banks, where 64 trees, including sycamores, willows, and cottonwoods, were planted to help stabilize the area. These trees were selected for their salt tolerance and are thriving alongside other one-gallon plants.

Committee members raised questions about the possibility of expanding this technology to other areas, such as the Santa Ana River. Assistant City Engineer Stein explained that while it could be feasible, the interceptor technology works best in less tidal areas like the current site. The system is designed to capture floating trash, but the City has implemented full capture systems elsewhere, such as in Santa Ana and Delphi Rivers, to address smaller debris like cigarette butts.

Committee and staff discussed plans to categorize the types of trash collected during the first year, differentiating between trash and debris. In the second year, efforts will focus on identifying the sources of the trash. The committee will also explore partnerships with upstream communities to develop more comprehensive trash management strategies.

The project will be managed by the Municipal Operations Division and have an on-site supervisor with mechanical expertise. CR&R Environmental Services is expected to handle trash collection once a day, with trash accumulating on the booms between pickups.

The committee expressed enthusiasm for the project's progress and the potential for a public outreach campaign to raise awareness about the trash interceptor and its impact on water quality. They also noted that John Pope has been engaged in media outreach to generate interest in the project.

In conclusion, the committee acknowledged the challenges and complexities of the project but remained optimistic about its success. They looked forward to the upcoming site visit and continued updates on the installation and operation of the trash interceptor system.

There was no further action or discussion on this matter.

c. Newport Harbor Underwater Cleanup  
Recap of the 2024 Newport Harbor Underwater Cleanup  
**Recommendation: Committee Discussion**

Senior Engineer John Kappeler provided an update on the 2024 Newport Harbor Underwater Cleanup event, which took place two Saturdays ago at Marina Park. He began by showing a brief video of the event and then provided further details. This was the third underwater cleanup event, with previous cleanups held at the Balboa Bay Club. This year, the location was shifted to Marina Park. He commended the organizers for their extensive planning, noting that the event involved 13

offshore dive sites, 13 dive captains, 16 boat captains, as well as safety teams including the Harbor Master crew, lifeguards, and a dive team from the LA County Sheriff's Office.

The cleanup involved 91 divers and 60 land-based volunteers. Children were also involved, with 60 kids taken on the ferry for a tour around Balboa Island. Despite the challenges of visibility and no crane available for lifting larger debris, the event was considered successful. Approximately 2,000 pounds of trash were collected, which was less than in previous years, but the City plans to revisit tagged locations for larger debris recovery.

In response to a question about the types of items found during the cleanup, it was mentioned that in previous years, large objects such as cars and car parts had been discovered. This year's cleanup mainly found smaller items like batteries and dock materials.

Committee and staff discussion turned to the work of Tim Smith, a local real estate agent, who has funded a private vessel to collect trash in the harbor. Mr. Smith's 24-foot aluminum pontoon boat operates on an irregular schedule and delivers collected debris to the City at Marina Park, where it is weighed and logged into the waste reclamation process. To date, Mr. Smith's efforts have resulted in the collection of between 300 and 400 pounds of trash. Although there has not been as much trash as expected, Mr. Smith and his team continue their efforts, particularly after major events like Labor Day.

Harbormaster Paul Blank provided additional context, stating that for the first time, the department's performance metrics include a debris and trash collection goal. They aim to collect 1,200 pounds of debris between July 1, 2024, and June 30, 2025, a target they have already surpassed.

Senior Engineer Kappeler emphasized that the primary goal of the underwater cleanup is to raise awareness about the importance of protecting the harbor and marine environment. While the divers may not collect vast amounts of trash, the event serves as an educational opportunity for the community, particularly for the children who participate.

The committee concluded by noting the ongoing importance of water quality efforts, including sand replenishment, which is regularly addressed as part of broader environmental initiatives.

## **6. COMMITTEE ANNOUNCEMENTS OR MATTERS WHICH MEMBERS WOULD LIKE PLACED ON A FUTURE AGENDA FOR DISCUSSION, ACTION, OR REPORT (NON-DISCUSSION ITEM)**

- a. Total Maximum Daily Load for Copper (Cu) (November 2024 – John Kappeler)
- b. Coastal Resiliency (November 2024 – Charles Fancher)
- c. Newport Beach Trash Interceptor Public Outreach Campaign (Winter 2024 – John Pope)

The committee discussed scheduling for upcoming meetings and agreed to push the items to a later date.

There was no further action or discussion on this matter.

## **7. PUBLIC COMMENTS ON NON-AGENDA ITEMS**

Jim Mosher noted that his comment may belong under the General Plan. He mentioned that the General Plan consultant had discussed hazards in Newport Beach, particularly aviation-related hazards, during the General Plan Advisory Committee meeting. One of the hazards mentioned was high pollution rates, including air and potential drinking water contamination in the airport area.

Committee and staff discussed this concern, with some members clarifying that any contamination likely referred to groundwater, not the drinking water supply. They noted that historical industrial activities in the area may have caused contamination, but there was no current evidence of contamination affecting the City's groundwater wells. The potential issue of saltwater intrusion migrating towards Fountain Valley was mentioned as a separate concern. The consensus was that

there is no contamination in the City's drinking water system. Ms. Anders-Ellmore expressed concern from a resident in the Back Bay area who noticed black dust from planes flying overhead, asking if this could impact water quality. The committee acknowledged that this was likely related to air particulates rather than drinking water.

**8. SET NEXT MEETING DATE**

**Recommendation: November 7, 2024**

The next meeting was set for November 7, 2024.

**9. ADJOURNMENT**

The meeting was adjourned at 4:10 p.m.

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**Chair / Joe Stapleton**

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