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NEWPORT BEACH

Harbor Commission Staff Report

July 9, 2025
Agenda Item No. 7.5

TO: HARBOR COMMISSION

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

TITLE: Harbormaster Update – June 2025 Activities

ABSTRACT:

The Harbormaster oversees the City Harbor Department and is responsible for the management of the City's mooring fields and Balboa Yacht Basin marina, support for the Harbor Commission, municipal code enforcement on the harbor, events and marine activities permitting, safety and rescue operations, management of the Marina Park visitor serving marina, marine sanitation pump out equipment and public pier maintenance, water quality monitoring and maintenance, impound and disposition of abandoned and unclaimed vessels and public relations and information dissemination on and about Newport Harbor as well as several special projects.

This report will update the Harbor Commission 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 June.

Clean

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

- There were several instances of enforcement of limitations on fishing at specific public docks. In all cases where contact was made with the anglers, they were educated about other locations within the harbor where fishing is allowed. Fishing is not allowed at the Balboa Marina Public Dock, the 19th Street Public Dock, the Rhine Wharf Public Dock, and the 15th Street Pump-out Dock
- There were also several instances of sea lion deterrent actions throughout the harbor on moored boats and docks. All were addressed without the need for a Notice of Violation (NOV) or citation
- Graffiti on the East jetty was observed. A collaborative effort to abate the graffiti was carried out with our colleagues in Utilities/Municipal Operations Division
- A 42' vessel was found abandoned on the Central Avenue Public Dock in an area limited to vessels of no more than 30'. After a significant investigation, the owner was found. Upon further investigation, it was determined that the owner had recently received the boat for free, had little boating experience, and had run into trouble on his voyage from San Diego to Long Beach. Working with the owner over several days, we were able to get the vessel to a more appropriate location while the new owner effected repairs and eventually got underway to his desired destination
- Early morning patrols netted three potential unpermitted live-aboards in the H and J mooring fields. Investigations on these and other unpermitted live-aboards continue

Safe

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

- Several instances of educating SUP'ers and kayakers on the requirement for Personal Floatation Devices were carried out
- Several instances of excessive speed and/or wake were observed. Contact was made with the vessel operators, who were educated on limits, and the violations were corrected
- A disabled electric vessel was assisted with a tow to the Long Dock at Marina Park. The rental company responsible for the vessel was contacted and came to retrieve their vessel and customers
- A young girl, distraught and stranded on the Ruby Beach swim float, was assisted back to her appreciative mother on the beach
- A vessel that had used all its allowed time in the anchorage for the month was offered an extension rather than ride out some uncomfortable weather (large swells) outside the harbor
- Several after-hours/early morning patrols focused on navigation light and multiple berthing violations, but netted several other concerning potential violations as

well, leading to further investigations. Among the violations observed and documented were:

- Two mid-sized tour vessels, double berthed
 - Four tenders made fast to a vessel in the H mooring field (the limit is two tenders for a live-aboard and one for a non-live-aboard)
 - Rowing programs using amplified sound before 7 a.m.
- “Notice” boards indicating the pending closure and removal of a public dock were vandalized. Staff restored the notice boards and removed vessels that were left attached to the closed dock. The vessels removed were returned to their registered owners without a fine or fee.
- Though the 19th Street dock was clearly closed, posted, and under construction, three vessels attempted to use it and were removed
- Harbor Safety Officers (HSO) assisted a dog and dog owner at the 15th Street public dock that had become separated when the dog fell overboard. The dog’s owner was very grateful, as he was not capable of rescuing the dog on his own
- Emergency Management Training, consisting of patrol boat casualties; man overboard procedures, outboard engine fire, flooding, hard grounding of a vessel, mooring and unmooring training, and emergency anchoring procedures, was carried out with new HBOs
- A particular vessel observed speeding and with a large wake twice in the same day received a citation
- A disabled vessel at the entrance to Beacon Bay was assisted in a collaborative effort by HSOs and the OCSD Harbor Patrol
- A hydro foiling board speeding in the harbor was educated and corrected
- A kayaker who had fallen overboard and was struggling was rescued near the 19th Street public dock
- Traffic control for Apex Diving was provided as they conducted an underwater inspection of a repair they carried out on a submerged waterline running between the Balboa Peninsula and Balboa Island
- HSOs installed lighted floats on the swim line in front of Marina Park. The lights will hopefully reduce the number of night-time wraps, tangles, and cuts of those swim lines
- Without warning or notification (not even a “Sécurité” on VHF), OCSD HP conducted fire training on a vessel moored in the harbor. Several calls of concern, assuming it was a real-life emergency, were fielded
- Eleven navigation light education contacts were made during one evening patrol. An additional six navigation light violations were observed and reported on another night
- A disabled 24’ power boat was assisted onto the safety of the Balboa Marina public dock. We provided tow service phone numbers to the vessel owner
- On a busy Sunday afternoon, a patrol boat stationed at the harbor mouth for three hours corrected more than 10 boats observed speeding and deterred several more merely by its presence
- Seven of the eight East and West anchorage boundary buoys were repositioned to the approved coordinates. Additionally, the correct positions were added as waypoints into the chart plotters on all four patrol vessels

Well-enjoyed

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

- Several instances of suspected unpermitted charters were identified and remain under investigation
- Excessive noise emanating from a potential suspected unpermitted charter vessel was addressed with a citation
- Both the marina at Marina Park as well as the public anchorages were very busy with group activities and visiting mariners
- A permittee identified a drifting dinghy and secured it to a Marina Park mooring. HSOs followed up with the permittee and located the owner and facilitated the reunion. A happy ending for all, and great collaboration between mooring permittees and HSOs
- A stranded private electric vessel was towed from the Coast Guard station to their slip on South Bayfront. The owners/residents were very grateful for our assistance
- We have adopted a new and much preferred technique for marking time zones on the new public dock floats. Previously, we applied paint with metal stencils. The new technique involves rolling on tough, non-skid decals designed for application on streets and sidewalks
- We carried out a Private Party Impound on a vessel left in a private marina without permission at the request of a Property Manager
- A youthful annual visitor to the harbor flagged down an HSO. The youth had received a Harbor Department Code Enforcement pin while visiting last year, but somehow lost it. Accompanied by a guardian, the young visitor inquired about whether the pin could be replaced. The HSO returned quickly with a replacement pin for the young visitor and two new pins for his travelling companions
- A support vessel for one of the visiting mega-yachts was observed speeding in the harbor and subsequently educated about local limits. The operator expressed appreciation for the education
- We received a complaint about a bright underwater light in the Balboa Coves and addressed it with the responsible party
- A complaint of loud generator use in the A mooring field was addressed with the mooring permittee
- We had two different vessels make use of the Large Vessel Anchorage (LVA) with appropriate permits. Three other large vessels anchored for short periods in Corona del Mar Cove. There remains significant interest in using the LVA

Odds and Ends

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

- We received a very nice note from a mooring permittee praising the diligence of HD staff. While working to satisfy documentation requirements for a potential vessel assignment to his mooring, an unknown loan (lien) came to light on a boat the permittee was considering purchasing
- We also received praise from neighbors and tenants of Marina Park, including a couple of great customer reviews
- We provided significant support for the contractor replacing the public dock floats and the frequent users of those docks, who had to be displaced during the project
- The Dunes launch ramp was closed one weekday for a private event. An angry citizen called the Harbor Department. We politely explained that the lease for the launch ramp is administered by the County, and the lease allows closure of the ramp for special events. We suggested a couple of alternatives the caller could use for launching his vessel
- A vessel mentioned above unexpectedly returned to the harbor with further mechanical difficulties and made fast to a private dock without authorization. We provided a jump start and then escorted it out of the harbor. Dealing with this vessel, its unskilled and irresponsible owner came with significant costs to the City
- At the request of a local real estate agent, we documented height markers and clearance at the PCH bridge. The clearance at a 4.2' medium tide is 20'. The clearance at an extreme high tide of 7.1' would be 17'. The clearance at an extreme low of -1.0' would be 25'
- At a recent public meeting during public comments on non-agenda items, a speaker expressed concerns about Harbor Department operations. The following information is intended to provide context around the commenter's statements:
 - We recently changed, with City Council approval, the title for team members in the Harbor Department from Harbor Service Worker to Harbor Safety Officer. The title Harbor Service Worker was made up in the haste of forming the new department in 2017. We can find no other agency in the United States that uses the title Harbor Service Worker to describe members of a Harbor Department. Other agencies use the title Harbor Safety Officer, and it is more reflective of the duties and responsibilities of those who work in the Harbor Department
 - All City of Newport Beach personnel involved in code enforcement activities are required to complete the PC832 training. Personnel in Community Development, Public Works, and Park Patrol Officers are all required to complete the PC832 course based on the work they do. When the Harbor Department was created in 2017, the requirement to complete PC832 was applied to all Harbor Department personnel involved in code enforcement. Nothing about that has changed since the inception of the department. While the title of PC832 is "Laws of Arrest," the bulk of the course is related to preserving the constitutional rights of citizens, including 1st and 4th amendments. The topics covered relevant to the responsibilities of the Harbor Department include:
 - Leadership, Professionalism & Ethics

- Criminal Justice System
- Policing in the Community
- Presentation of Evidence
- Investigative Report Writing
- Cultural Diversity / Discrimination

This education is critical in providing the HSOs and CEOs in the Harbor Department with the foundation on which enforcement duties are carried out in a thoughtful, equitable, and lawful manner

- At the time the Harbor Department was formed, the City had a contract with the OCSD HP to provide mooring management services for \$360K annually. That was the only contract between the City and the Sheriff's Department for harbor-related services, and the City did not pay the Sheriff's Department for any other harbor-related services. When the Harbor Department was formed in 2017, the first, but not the only, service the Department was tasked with was mooring management. Almost immediately, the Department was also made responsible for two other areas previously provided by other City departments (Management of the Balboa Yacht Basin and Support for the Harbor Commission). In addition, the City leadership at the time asked that the Harbor Department take responsibility for and provide several new services for harbor constituents. The then City leadership felt these new services were important to provide and would net a suitable return on the investment needed to provide them. At the top of the list of those new services was Code Enforcement. Specifically, these areas within Code Enforcement were to be addressed for the first time:

- public dock time limits
- unpermitted charter operations
- excessive speed and wake
- the use and presence of Personal Floatation Devices
- unpermitted construction on the harbor

In addition, the newly formed Harbor Department was tasked with Event and Marine Activities Permitting, Safety and Rescue Operations, Marina Park Management, Pump-out and Public Dock Maintenance, Abandoned Vessel Abatement, Education and Provision of Visitor Serving Information, Water Quality Monitoring and Management, and other special projects as assigned

- As an accompanying graph in Attachment A indicates how the budget for the most recent year (2024) of Harbor Department operations is allocated across the services provided. In 2024, the Harbor Department provided the mooring management service at a cost below what the City was paying the OCSD HP to provide it in 2017 (\$316K versus \$360K). It is worth noting that the mooring management services provided are more robust, accurate and complete in 2024 than they were prior to 2017. A comparison of the total operating budget for the Harbor Department in 2024 (\$2.8M) to the cost for contracted mooring management services provided in 2017 (\$360K) is not a fair or accurate comparison
- Red and amber lights, as well as a siren aboard the Harbor Department patrol vessels, are used to capture the attention of mariners operating

unsafely or engaged in activities that are negatively impacting the harbor community. They are also used to identify the HSOs as they conduct operations during which their ability to maneuver may be limited. The red lights and sirens are effective, and they help keep staff and recreational boaters safe by clearly identifying an active Harbor Department operation, investigation, or other patrol activity. We have yet to identify other mechanisms for carrying out our assigned responsibilities that are as effective

- Constructive feedback on how the Harbor Department can better deliver on our mission and conduct our operations is always welcome
- An analysis of Calls for Service responded to by the Harbor Department indicates June 2025 was a very busy month, and year-to-date, we are tracking significantly ahead of last year.

Calls for Service Analysis

| | 2024 | 2025 | % Var |
|------|--------|--------|-------|
| June | 1,924 | 2,302 | 19.6% |
| YTD | 11,650 | 12,408 | 6.5% |

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