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# **NEWPORT BEACH**

## **Harbor Commission Staff Report**

January 12, 2022  
Agenda Item No. 7.6

**TO:** HARBOR COMMISSION

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

**TITLE:** Harbormaster Update – December 2021 Activities

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### **ABSTRACT:**

The Harbormaster oversees the City Harbor Department and is responsible for the management of the City's mooring fields, 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:**

#### **Department Development and Training**

Harbor Department personnel engaged in more training early in the month anticipating a busy harbor during the Newport Beach Christmas Boat Parade as well as an influx of holiday visitors combined with some expected severe weather.

Harbor Services Workers practiced techniques to help novice or short-handed mariners get safely onto a mooring here in the harbor. They practiced handing off mooring lines from from a patrol vessel to other team members acting as a mariner aboard a typical visiting sailboat. The training was very successful with all team members improving their understanding of what it is like to come into an unfamiliar mooring situation and how best the Harbor Department can provide assistance. We expected and experienced a full harbor with residents and visitors enjoying the biggest parade in recent memory (100+ registered participants).

## **Boat Parade Support**

Harbor Services Lead Joey White served as Parade Marshal Echo all five nights of the parade and was joined by other department team members each evening.

There were no significant incidents during the parade. Notable but not significant Incidents included:

- a 40' spectator boat ran aground on the beach at Marina Park Wednesday evening. Harbor Department personnel on land alerted one of the commercial tow services who quickly came to assist
- a man overboard from one of the parade participants Saturday evening. The parade participant was able to retrieve their crew fairly quickly and all proceed on safely
- an unoccupied vessel, in a commercial marina not associated with the parade sank in its slip late afternoon Saturday. While being towed by a commercial provider to a shipyard for dewatering, the partially raised vessel capsized and caused a hazardous material spill. Department personnel aided in the containment, cleanup, disposal and reporting of the spill
- two minor collisions were reported among spectator boats on Saturday evening
- a complaint from a Duffy operator who was stopped, aggressively so in his opinion, for one of the Ferry breaks during the parade. We believe the Duffy operator mistakenly identified Parade Marshal X-ray, responsible for performing the Ferry breaks as one of our Department patrol vessels. Subsequent discussions with the Duffy operator and further investigation of the situation proved inconclusive

Parade leadership has expressed their appreciation to the department for the support. They have also indicated it was the best execution of the parade in many years. All are pleased!

## **Debris Removal and Dewatering Efforts After Recent, Significant Storms**

Severe weather including significant rain was experienced in December. Harbor department team members including the Harbormaster performed significant debris removal following storm propelled flows.

Twenty-one vessels were dewatered on December 30<sup>th</sup> alone and more than 30 vessels were dewatered during the month. Gratitude for this effort from some of the vessel owners and community bystanders who witnessed it was expressed and appreciated.

## **Removal of Significant Abandoned Vessel in Advance of Significant Storms**

The vessel "Bella Fortuna" was removed from the harbor on December 10. This vessel was impounded by the Harbor Department nearly three years ago and had been on a mooring in the C field for longer than anyone wanted. It proved very challenging to clear the title before destruction could be authorized. While working through the process of clearing title, the already dilapidated vessel further deteriorated despite significant effort and resources deployed by the Harbor Department. There was significant concern, and substantial evidence supporting those concerns that the vessel would not have survived the severe weather conditions expected shortly after removal. In the end, this proved to be the most expensive removal to date due to the challenges and condition of vessel including the risk of contamination.

## Improved Statistics Reporting

With some inspiration from a colleague in the Lifeguard Division, Harbor Department Assistant Cynthia Shintaku has prepared some improved depictions of the data collected on our operations. Further refinement and improvement to the data analysis and depiction will take place going forward. It's intended that the depictions will better represent the salient department efforts and prompt thoughtful revision to operations and practices where appropriate.

In Attachment A, the first pie chart depicts department effort related to making transient mooring and slip reservations. The second pie chart depicts the revenue derived from those efforts. Somewhat surprisingly, the revenue derived in each category is commensurate with the effort expended. One might have expected that the revenue associated with reservations for a slip at Marina Park might outweigh that from reservations on either onshore or offshore moorings simply due to the rate differential. Deeper analysis indicates the longer-term nature of stays on moorings, both onshore and offshore make up for the difference in rates. Further, the introduction of onshore mooring rentals (sub-permits) this year has proven to be very well received by mariners with smaller vessels who desired a short-term, convenient way to store and enjoy those vessels. One may conclude that department efforts spent on each of these activities earns a suitable return and that no revision to operations or practices in this regard is needed at this time.

The Code Enforcement Bar Chart indicates the team has been busy closing out cases this year. They have also been a bit more aggressive at issuing citations this year over last.

For the greater Harbor Services team, the bar graph indicates efforts, based on observed need, have turned away from speed limit enforcement to enforcement of time limits and other conditions on the Public Docks. As well, the sealion population has proven to be larger and more challenging to deal with this year over last. Also noted is the initiation of the Dye Tab Testing program which had not yet been authorized at this time last year.

## Odds and Ends

The Harbormaster had an unfortunate encounter with a large Charter vessel on December 4 while sailing a small boat on the harbor. The charter vessel has a Marine Activities Permit and was well known to the Harbormaster. A citation for operating unsafely on the harbor was subsequently issued. A few days later, a meeting with the Captain of the vessel, leadership of the charter organization and the Harbormaster took place during which the unsafe and less-than-well-enjoyed experience was discussed. The Captain and organization leadership proposed improvements to their operations including maintaining a lookout at all times. The Harbormaster concluded the meeting satisfied the unfortunate incident will not recur. The Harbormaster did not however rescind the citation as requested.

In two different incidents, three vessels from a small vessel rental business did some free-range roaming on the harbor. The most significant of the wanderings concluded when the vessel was beached, high and dry for more than half a day in the Balboa Coves. The Harbor Department secured that vessel with one of our anchors and went back to follow up on the situation when the tide had risen sufficiently. Eventually, team members retrieved and returned all three vessels to the rental company and did a bit of education on properly securing them with company

representatives. The suggestion that it may have been vandalism is being investigated but there is no evidence of that at this time.

**ENVIRONMENTAL REVIEW:**

Staff recommends the City Council 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, Chapter 3, because it has no potential for resulting in 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 City Council 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