



CITY OF

NEWPORT BEACH

Harbor Commission Staff Report

August 10, 2022
Agenda Item No. 6.4

TO: HARBOR COMMISSION

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TITLE: Harbormaster Update – July 2022 Activities

ABSTRACT:

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

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

RECOMMENDATION:

- 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:

Clean

The Harbor Department's efforts to keep the harbor clean came in a wide variety in July. A large vessel that has been a chronic challenge in terms of code compliance and financial responsibility was found in a private marina without authorization. After several conversations with the marina operator, the actual slip tenant, and the owner of the vessel, arrangements were made for the vessel to leave the harbor once it regained operability. Though it required significant effort, this particular situation had a successful

result and without all the challenges encountered when we found ourselves in a similar situation with a notable vessel a few years ago.

The code enforcement team was out in force in July and notably resolved several other challenging situations including

- Unauthorized usage of several moorings
- A bird-infested boat in the J field
- Several vessels dragging out of the anchorage boundaries
- Multiple vessels on a shore mooring

In an effort to support the City's (and state-wide) efforts to conserve water, we began testing a flow restrictor on the hose bib we use for our patrol boat washdowns. The initial results are very encouraging. There appears to be no degradation of pressure and the amount of water used over equivalent periods is cut by 20 to 25%. The team members doing the washdowns didn't even realize the unit had been installed. We are sharing our experience with colleagues in the Utilities and Public Works/Water Quality Departments. Hopefully, we can find an economical pathway for installing the devices across the 40 hose bibs at Marina Park and the 175+ at Balboa Yacht Basin.

Observant Harbor Services Workers identified illegal discharge into the harbor from an upland construction site. A quick handoff to Code Enforcement resulted in the issuance of citations followed by a meeting later that same day at the Harbor Department offices with the construction superintendent. Significant changes to their practices were also implemented later that same day.

A vessel on a shore mooring was removed and secured elsewhere in Harbor Department custody while we process it through the VTIP, vessel removal program.

For at least a year now we have had no actual failures at our pump-out stations. There have been plugged hoses, vacuum leaks, and now two main power failures. We briefly considered a project to add solar backup (or primary) power for the stations, but the economics are not there yet. The stations have performed well. The team performing the inspections and repairs has performed well. It's not the most pleasant feature of our plan to keep the harbor clean and healthy but it is an effective and reliable element. The introduction of the particle separators has caused a quantum leap in the reliability of the stations and lowered the cost of repairs significantly.

Lastly, at the Harbor Commission meeting in June, several suggestions were made on how to better publicize the existence of public restrooms adjacent to the harbor. Several of those suggestions have now been implemented including updating the interactive harbor layer within GIS and the MyNB app. The updated harbor layer now includes restrooms at the Balboa Island fire station, the new Balboa Peninsula fire station, Lido Marina Village, OCSD Harbor Patrol, and the Dunes/Launch ramp. That interactive map is now available independently of the MyNB app via url or QR code. New cards with the updated QR code are in the works for distribution to the rental concession operators who prefer to give out the cards rather than affix stickers to their vessels.

Safe

Harbor Services Workers were on scene to provide support and guidance to a variety of vessels that found themselves in peril in July including:

- A borrowed vessel from San Diego with inexperienced mariners aboard fouled a prop on a mooring spreader line and ran out of fuel. The operators abandoned the vessel and swam ashore looking for fuel and assistance. While fouled the vessel swung into an adjacent moored vessel and did damage
- An electric boat with rundown batteries called in for an assist late in a shift. The vessel was privately owned and the owner did not have insurance that included tow service. Due to the timing, sunset, no lights, and dropping temperatures, HSWs provided exemplary service and towed the boat and occupants safely to the Back Bay
- Late in a shift, a call for service came in from a Bayshores marina tenant reporting a large vessel “ping-ponging” off several berthed boats. Information on the seeming source vessel was taken as well on the handful of vessels with which it had contact. Ultimately OCSD took responsibility for the scene. When contacted by the USCG the next day on the incident we provided the information we collected
- Late in yet another shift, we saw OCSD speeding down the channel in front of Marina Park towards the Rhine. Two Harbor Department patrol boats followed (at 5 knots). The sheriffs were responding to a large in-operable catamaran and quickly took action to tow the cat into its slip in the Rhine. Harbor Department patrol boats assisted by directing traffic away from the towed vessel. The sheriffs were very appreciative
- Based on a call about a missing paddleboarder who got separated from his group, with a description and last known location, HSWs were dispatched to search for the missing party member who was quickly located. After coming onboard a patrol boat the wayward paddler was reunited with his group
- Assistance was provided to operators of a rental vessel who had somehow gotten the outboard motor on their vessel stuck/locked in the up position. The lack of engine and the vessel drifting towards docks near PCH bridge caused the renters to panic but our patrol boat arrived quickly and took the vessel under tow and returned them to their dock of origin

Our collaboration with the OCSD took several forms in the last month including providing Marina Park as a rendezvous location for OCSD vessels with NBFD personnel who collaborated on a response to a medical emergency on one of our visitor serving, Marina Park moorings. The response was successful but got us thinking about how it could be improved. NBFD, NB Lifeguards, and the Harbor Department have agreed to a protocol including communications and logistics so resources responding to an emergency will have a better understanding of what they'll find (and how best they can be found) when they arrive. Coordinating and adjusting the protocol with input from OCSD Harbor Patrol will take place in August.

Once again, alert, quick thinking and capable HSWs observed and intercepted a foil board speeding in the harbor. The HSWs did not obtain compliance with the foil-boarder directly but were able to capture the registration information and follow the encounter up with a Notice of Violation via their colleagues in Code Enforcement.

Multiple repairs at 15th and 19th Street public docks were carried out with a combination of in-house and contractor-provided solutions. We're fortunate to have some excellent, skilled craftspeople in the Harbor Department who can affect some repairs and improvements to the heavily used public docks. When the job gets too big or requires special tools, we are fortunate we can call out to responsive service providers.

Well-enjoyed

There were several ways to enjoy Newport Harbor in July, but none were bigger or more obvious than the 86th "Flight of Newport" regatta. Thirty-five Lasers (now "ILCA"), forty Harbor 20s, and eleven Open Skiffs took a great tour of the bay. There were some concerns expressed by a vessel in one of the anchorages. That vessel got a polite visit from a couple of the Harbor Services Workers who explained the event, gave some history and context, and indicated the event was permitted and those participating all did so safely.

Odds and Ends

An interesting proposal came into the Harbor Department this month via email. The email indicated the authors were from Ukraine and were interested in establishing a new business on Newport Harbor. They sought guidance from us on what permits and requirements there might be. The premise of the business was to offer an experience in a floating sauna. We were somewhat skeptical of the authenticity of the message, but it led to a healthy discussion about the opportunity. Ultimately, we crafted a polite but firm response indicating the rigorous requirements for operating such an endeavor on Newport Harbor. To our surprise, the authors of the email inquiry showed up in the Harbor Department office the next day to further inquire about the opportunity and confirm the rigorous requirements. We feel it unlikely the inquiring entrepreneurs will pursue the idea further here.

Several calls and emails were fielded now that tenants at the Balboa Yacht Basin (BYB) have received their first billings at the new rate. Among the complaints received were a perceived lack of notification and concerns over the methodology used to determine the rates. For those who claimed not to have received the notices that went out on May 17 via USPS, it was determined that they had not updated their billing addresses with the City after having moved. As to the methodology, it is prescribed in a 2010 Council Resolution on rate determination at BYB. To change it would require further Council action. Several tenants and some other interested parties spoke on the matter at the July 28 Council meeting. There were no comments from the dais and there appeared to be no appetite to address it further.

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