

From: Eric Young <ericyoung@lemonlawprotector.com>
Sent: November 02, 2022 11:02 AM
To: Harbor Commission; Dept - City Council; Blank, Paul; Harbor Feedback
Cc: mail@yournewportmooringassociation.org; Eric Young
Subject: Objection to Proposed Mooring Changes (C-62 Mooring Permittee)

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Hello,

I am a resident of Newport Beach, business owner in Newport Beach, and permittee for Mooring C-62. I write to express sincere objection the proposed changes to the Newport Harbor mooring system. The proposed changes will drastically interfere with safe navigation, shore access to moorings, and quiet enjoyment of vessels while moored. There is simply no need for any of the proposed changes.

I began navigating Newport Harbor in 1994 and I have regularly navigated the harbor ever since. The mooring fields have remained the same the entire time and have not substantially changed over the years (except when the Newport Harbor Yacht Club has temporarily moved its swing moorings for special events). Indeed, I can navigate the harbor in fog and at night knowing exactly where the mooring fields are located.

I have navigated various vessels throughout Newport Harbor since 1994 (previously docked in the 1300 block of W. Bay Ave.) and I purchased the permit for mooring C-62 in June 2017. I have also navigated vessels in San Diego Harbor (including America's Cup Harbor and Cabrillo Isle Marina), Huntington Harbor, Alamitos Bay, and Dana Point Harbor. The tide and wind in Newport Harbor is much stronger than any other harbor in southern California. The proposed changes are not safe or desirable.

Since 2017, I have witnessed other mooring permittees in the C-field navigate in the tide and wind. The constantly changing conditions require different approach angles to safely moor a vessel in the C-field. Once moored, the tides and winds routinely shift vessels very close to one another. (Chuck South has confirmed that there is a unique swirling tide in the C-field caused by Bay Island). The moorings should be left "as-is" to allow safe navigation and to prevent vessels from colliding while moored. Additionally, permittees and live-aboards should not be forced into closer proximity while enjoying the quiet use of their vessels.

(Location, Location, Location) After saving up enough money, I spent my life savings on the permit for mooring C-62 based on its location relative to shore access. I had back surgery in 2005 and I cannot row a boat for any significant distance, nor can I carry an outboard motor to affix to a rowboat to reach a more distant mooring. I am sincerely concerned that the proposed changes may end my 28 years of boating in Newport Harbor.

I concur with the strong opposition asserted by the Newport Mooring Association.

- The new system will make it more difficult to get on and off your mooring and 50% of mooring permittees will have to access their mooring in a downwind and less safe fashion.
- The only example the City has provided where a bow-to-bow mooring system is utilized is America's Cup Harbor which is tucked in behind Shelter Island in San Diego Harbor. America's Cup Harbor is perhaps the most protected marina in Southern California as it is almost fully encircled by land and lies within protected San Diego Harbor. It is a very protected "harbor within a harbor". It is obvious to an experienced mariner that the conditions in America's Cup Harbor do not compare to the prevailing wind and currents we experience in Newport Harbor rendering it a useless comparison.
- There should be no changes to Harbor Code/Title 17.

I have discussed the proposed changes with residents of Newport Beach and other mooring permittees. There is a consensus of strong opposition to the proposed changes.

Respectfully submitted.

Best regards,

G. Eric Young, Esq.

YOUNG & YOUNG APC

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From: vandeveer@cox.net
Sent: November 02, 2022 6:44 AM
To: Harbor Feedback
Cc: Blank, Paul
Subject: Proposed revisions to Harbor Code Title 17 and Mooring relocation

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I strongly oppose the proposed Mooring plan and Harbor code revisions.

As a Mooring J-099 holder for 34 years, and a resident of Newport Beach, I have paid the city on my lease and followed the NB City requirements. I have a 37' Sailing sloop.

I, as well as my mooring neighbors and friends in the harbor do not believe the restructuring of the mooring fields is feasible or fair and cannot be equitable for mooring holders.

Because of the wind conditions, I will enter my mooring from either direction depending on wind direction. I am on my boat several times a week and do a lot of solo sailing.

My mooring is front row in J-mooring section giving me plenty of room to approach the mooring from either direction. This allows me to moor my boat by myself if I do not have crew aboard. My mooring is valuable to me because of its location.

The proposed Double Row Design does not appear feasible considering the variable wind conditions in Newport Harbor. The proposed revisions to Harbor code (Title 17)

Wich will give "Harbor Master Unilateral Authority" to relocate my boat and mooring location is, not fair or reasonable. How can the Harbor commission make the changes

To mooring locations fair and equitable? I chose my mooring for the specific location which gives me access to street parking, and a location which affords a reasonable distance to use a rowing dingy to get to my mooring.

During the presentation by the Harbor Commission, a substantial emphasis was placed on the Moorings as a revenue generator for the City of Newport by adding 100 moorings.

The re-alignment of the moorings would be on the burden of existing mooring lease holders. Nothing was mentioned about the single moorings that the Yacht clubs provide for their members. These moorings take up a substantial amount of the available mooring space.

As far as safe boating is concerned, I have not witnessed or heard of mooring boats having collisions.

The boat and paddle board business could enhance boat safety by giving Renters a better Safety record by giving them better instructions on the rules of the road for harbor navigation.

Regards,

Ken Vandeveer
15 Edgewood Dr.
Newport Beach, CA.

From: steve barrett <stevetag444444@gmail.com>
Sent: November 01, 2022 9:41 PM
To: Harbor Commission
Subject: Fwd:

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----- Forwarded message -----

From: **steve barrett** <stevetag444444@gmail.com>
Date: Tue, Nov 1, 2022, 9:37 PM
Subject:
To: <CityCouncil@newportbeachca.gov>

I don't know if you have boats and have tried to get on and off a mooring in the wind. But it is very hard and there is NO way that a nose to nose shared mooring system will work. I can only get on and off my mooring safely in a west wind.

Another very bad part of their plan is changing the rule about the size of the boat. My boat is 39' 8" on paper. That is why I bought a 40' mooring so I can live on my boat as a retirement plan. I am a live aboard and have been restoring my boat for almost 20 years. And if you allow them to do this, my boat won't fit on a 40' mooring any longer. That's like someone telling you that you have to tear down your house on the lot you had it on for a long time, and build a smaller house. Please tell me you see a major problem with that. Good morning Fields have been like this for decades, and the boats can get by just fine on both sides of the mooring field.

In closing please do not let them do this. Is very unfair, ridiculous and not to mention that you will have a mud line that you'll have to pull up and get your boat completely filthy every time you leave the pump out dock and clean your boat.

If you have ANY questions please write back.

Thank you
Stephen Tagliareni

From: isthisrandall@aol.com
Sent: November 01, 2022 7:36 PM
To: Harbor Commission
Subject: Your Proposal Changes

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To whom it may concern.

My name is Randall Leroy. I am a United States Coast Guard licensed 100 ton captain. Mariner number 3673116. I live in Newport Beach. I am currently running a 75' sailboat out of Newport Harbor. We are parked on a slip, but I was asked to email you to respectfully list some concerns about the proposed changes to the mooring configuration and title 17.

I am also involved with a small sailboat that resides on a mooring in Newport Harbor. I am steadfastly against any changes to the current configuration for the following reasons:

-It will be unsafe for mariners to park downwind in an area where space is constricted by nearby boats. A shared bow mooring system will not allow for adequate room to maneuver boats on and off their respective moorings. Personal injury and property damage will result. Bad things happen when you start trying to park boats downwind. This is basic Chapman's seamanship 101.

-Newport Harbor with its brisk afternoon westerly winds that funnel through its reaches and the large estuary of the Back Bay that ebbs and flows into it causing significant tidal flow is very different than the small highly protected America's cup harbor. America's cup harbor is a small harbor WITHIN the San Diego Bay. Highly protected from almost every angle and especially the west. The effects of tidal flow on the boats in that mooring area are minimal. Apples and oranges guys. And by the way, boats in America's cup harbor are parked bow to stern, NOT bow to bow.

-you propose adding additional moorings to make boating more accessible in Newport Beach. But no mention of any additional parking spots for cars, bathrooms or dinghy docks. Parking on the peninsula is horrific in the summertime and injecting more boats into the harbor will make everything less accessible for everyone. As for the bathrooms, we've all seen the highly popular videos on social media of people using Newport harbor itself as their restroom. Pollution of the bay will increase. I understand that people love boating and want access, but what is the limit? Ever been in a parking lot where the lines are painted to close together?

-Sand lines in Newport harbor just will not work. Due to our substantial tidal flow and mass of silt and debris that flow out of back bay, sand lines become horribly fouled with mud and barnacles in a matter of days. This has been observed by the harbor master recently when they added sand line moorings in front of Marina park. Those moorings have since been removed. Bringing a barnacle laden mud covered "sand" line on board is a nightmare. This leads to unhappy and potentially injured people, muddy boats and further polluted muddy water.

-Claiming that squeezing the boats together will be more aesthetically pleasing is a matter of opinion. It may make for a "better" view for one homeowner but what about the neighbor who's view lines up with the row? Now we're talking about affecting home prices in Newport Beach?

-The moorings as they are now are over 100 years old. Does that not count for anything? They are a part of Newport Beach history.

-all changes to title 17 proposed are completely unnecessary and should never be implemented. None of these are an improvement and would only further the need for future discussions. Leaving the moorings and title 17 alone will save a great deal of time.

Your service as volunteers truly is greatly appreciated. I think that the NMA and mooring owners in general would do well to remember that you are in fact volunteering. I don't think anyone is against straightening the mooring rows up a bit. Maybe some public education on spreader line use. Maybe some bouys to more clearly mark the fairways. But not this drastic change. Newport Harbor is a special place and we need to protect rather than exploit it.

Thanks

Randall Leroy
Mmc#3673116

[Sent from the all new AOL app for Android](#)

From: Dr Tony <drt@etchiropractic.com>
Sent: November 01, 2022 7:00 PM
To: Harbor Commission
Subject: mooring reorganization and relocation

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Good evening,

I have concerns in regards to the proposed new mooring layout/relocation being considered by the harbor commission.

My first one is getting on and off the mooring if I end up stern to the wind. My boat has a lot of windage and I currently approach bow into the wind and while on the mooring I take the wind across the bow. If I were turned around I would have great difficulty getting on and off the mooring and I would shift considerably while moored. I purchased that mooring permit with that in mind.

Mooring B-51

My second concern would be losing my current end tie position. Again, my boat is hard to handle in the wind and it would most certainly eliminate my ability to single man it safely on and off the mooring.

Privacy is my third and maybe even first concern. Our reason for choosing a mooring over a slip was a greater sense of separation and privacy. Sharing a mooring would change how we enjoy the harbor and our time on board.

Fourth would be a sand line. Forget how dirty the boat will get. I don't have the muscle to pull it over in windy situations and I have a solid structure that doesn't allow me to walk it back by myself and even with help I would need to remove side windows to pass it back. Having a decent length above water spreader line and long hook gives my speed an advantage to retrieve them pulling a line up from under the boat and around my screws is concerning.

Thank you for all the work and thought into improving our harbor. When it comes to this matter I am in opposition, if it passes I may end up having to sell my boat.

Thank you,
Tony Fedoryk
Daytripper
Mooring B-51

Dr. Tony Fedoryk
ET Chiropractic

20341 Irvine Ave. Unit D1
Newport Beach CA, 92660
Phone (949)398-6353
Fax (949)398-6354

Sent from my iPhone

From: Jim Carmack <Jim@carmackinsurance.com>
Sent: November 01, 2022 6:57 PM
To: Harbor Commission
Subject: Proposed Mooring condition changes

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

My family and my business are residents of Newport Beach and I am a mooring holder.
I oppose any changes to the current mooring plan.
Jim Carmack

From: Admin <mail@newportmooringassociation.org>
Sent: November 01, 2022 5:34 PM
To: Beer, Ira
Cc: Harbor Commission; Blank, Paul; NMA Email Board
Subject: RE: Revised documents?

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Commissioner Beer,

1. Maps of proposed changes to all mooring fields.

With all due respect, please send the map of the "draft" new locations for the moorings in all fields, which should also include which homes may have expanded water view and which home may have more obstructed view. This should be sent even if the maps are tentative.

In the past, you have suggested that the NMA has had access to all earlier drafts, if only the NMA had asked. While we disagree that you have been transparent with your plans, you now say you will not provide drafts of your "tentative" map/plan for the A, B, D, and other fields. At the same time, you continue to refuse to allow advanced stakeholder meetings for open discussions of changes to Title 17 which would be needed to implement these plans. This refusal to allow all stakeholders to see final proposed language to title 17 changes and drafts of new mooring locations does not appear to be reasonable, or responsible, and appears to be the opposite of transparency.

2. Final Draft of Proposed Changes to Title 17 and need for Separate Stakeholder Meetings well in advance of any Vote.

Regarding our request for the most recent draft of the "redline changes" to Title 17, you say that we have these. We assume you are referring to what you sent to us a week ago, on Monday, October 24. This was the redlined draft that you requested our proposed changes to, and comments, on within 2 days. With a great deal of effort, we managed to meet your deadline, and on October 26, we provided you with our comments on, and proposed changes to, your Title 17 draft.

Are you now saying that none of our proposed changes will be part of the draft Title 17 changes that you will be submitting to the Harbor Commission on November 9, or are you saying that you will not be sharing with us what, if any, of our proposed changes will be included until a few days before the meeting?

In either case, given our extensive comments and suggested changes, please provide us with your personal assurance that:

A. You will ask that any vote on your proposed changes to Title 17 will be postponed until after the November 9 meeting.

B. You will personally support postponing any vote on the final language (whatever it may be) until all stakeholders see the final language and hear from stakeholders in separate stakeholder meetings to be set well in advance of any proposed vote.

If you cannot provide these assurances, we invite calls from other commissioners to express their personal views on this.

Sincerely

The Board of Directors

Newport Mooring Association

From: Beer, Ira <IBeer@newportbeachca.gov>

Sent: Monday, October 31, 2022 9:59 AM

To: Admin <mail@newportmooringassociation.org>

Cc: Harbor Commission <HarborCommission@newportbeachca.gov>; Blank, Paul <PBlank@newportbeachca.gov>; NMA Email Board <nmaboard@indigoharbor.com>

Subject: Re: Revised documents?

Hello Megan,

I am not certain what Scott and Jerry believed they noticed on my laptop; however, you have the drawings for the C, J & H fields and those are all that was looked at and are in the presentation deck previously sent to you. Drafts of other fields are preliminary in nature and would not be appropriate to distribute at this time.

To the best of my knowledge, you have all the current information of the proposed plan, including the redlined version of Title 17 changes which was sent to you about one week ago.

As for a list of permittees asking for extensions, I am not sure the Harbor Dept is able to share that information. Many of those permittees may not be members of the NMA and have not consented to sharing of that information.

Please let me know if you require any additional information.

Best regards,



From: Admin <mail@newportmooringassociation.org>

Date: Monday, October 31, 2022 at 9:40 AM

To: "Beer, Ira" <IBeer@newportbeachca.gov>

Cc: Harbor Commission <HarborCommission@newportbeachca.gov>, "Blank, Paul" <PBlank@newportbeachca.gov>, NMA Email Board <nmaboard@indigoharbor.com>

Subject: Revised documents?

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Good morning, Ira –

When you met with Scott Karlin and Jerry LaPointe and showed them the reconfigured portion of H field, they noticed that you had all the revised mooring fields plotted out as files on your laptop. Would you share those revised mooring fields to us? They would allow us to better assess the feasibility of your proposal.

Also, in the spirit of cooperation, will you allow us to review the latest versions of your comprehensive plan, including your updated proposal, the latest redlined changes to Title 1, and the list of mooring permittees that are still on the list for mooring extensions? It would be helpful to us.

Thanks for your help!

Megar

Megan Delaney
Newport Mooring Association
<https://newportmooringassociation.org>

From: tomiovenitti@gmail.com
Sent: November 01, 2022 2:28 PM
To: Harbor Feedback
Cc: 'Tom Iovenitti'; Harbor Master
Subject: Mooring Fields

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Ira good afternoon,

In the best interest of the mooring permittees, and in the best interest of the City of Newport Beach and of Newport Beach Harbor Department, I am writing this letter to give a perspective of pro's and con's to the proposed reconfiguration presently under consideration to improve the mooring fields subject to Shelter Island Americas Cup Marina. The City of Newport Beach and its Harbormaster have already received my ideas both in writing and email regarding Title 17 on other issues over the years so I am not new to the harbors improvements and concerns. I hope what I have to offer is useful in the upcoming discussion and decisions.

I am presently a permitted owner of H210. My boat overall is 54 feet bow to stern and 16 feet wide. The mooring maximum is 60 feet with an option to extend to 70 feet given the present configuration. The approach for my boat is West with starboard side tie up of both bow and transom mooring lines on a 4 point adjusted position. In as much as I am a professional boat handler and skipper, and my 52 years of experience and many hours of precision boat handling are present on my boat, the bay current, wind and tidal issues could provide those with less experience a more difficult approach and tie up.

With my power boat, twin screw capabilities, the wind normally onshore or south west blow can be tricky and add the fact tidal currents and size of boat, the difficulty becomes critical and concerning for most boat handling. There is no stopping point when heading into these situations and one wrong move could create a domino affect of collisions if not handled exactly as required. In addition, the weight of my boat is 56,000 lbs., and wind and current create unstable situations leaving the helm to tie up. Today, there is plenty of room to negotiate these weather affects and maintain a safe distance from the adjoining or adjacent moorings and boats. In an emergency situation there is presently room for negotiations and avoiding collisions.

In Catalina, we were owners of a 60 foot mooring in Avalon. The distance between boats is enough to allow side ties and visitors for a fee. On windy days or difficult weather situations, the Harbor Patrol would assist those in need with difficult mooring placements and stern swings from drift. Should there be no resolve in the reconfiguration at minimum there should be a Harbor patrol boat assistance on call 24/7 for such difficult events and request at no charge to the boat handler.

Should there be a reasonable solution? I think so. It is apparent that there are many in the harbor who unlike me, do not use their boats or ever step aboard their boats. Some sit for years deteriorating and unpleasant looking as they are, take up a lot of room. But what is the correct solution given the weather circumstances not apparent in the America Cups Marina where calm waters and weather protection is much better than our open marina? I think a much better review and challenge is suggested to look at all the issues affecting those in these proposed changes. I will admit that being able to moor in the mornings is far easier than after 10 AM on any day in Newport Harbor when the currents are calm and wind at minimum.

I liked the dual mooring with a central dock solution where a neighboring permittee would share a central dock buoyed by both mooring balls giving a boat the ability to actually step off and tie to a barrier which does several things. 1) it reduces the size of the harbor footprint, 2) it allows boat handling to have an easier tie up in weather conditions and 3) it organizes the field in size, its throughway and cleanliness.

I am willing to meet when needed to assist and discuss these ideas. But, please do not approve this change "bow to bow" without a more intense review of the issues confronting the permittees. The idea seems simple in concept and meets the Ad-Hocs goals but it doesn't speak for the experience of those affected.

Sincerely,

Tom Iovenitti

Thomas (Tom) Iovenitti

H210, Bada Bing !

949-887-0128

1425 W Bay Ave.

Newport Beach, CA 92661

From: Jennifer Krestan <jenniferkrestan@yahoo.com>
Sent: October 31, 2022 10:19 PM
To: Harbor Feedback; Beer, Ira; Cunningham, Scott; Yahn, Don; Williams, Gary; Harbor Commission; Marston, Marie; Scully, Steve; Svrcek, Rudy; Blank, Paul
Cc: Newport Mooring Association;
mail@yournewportmooringassociation.orgHar
Subject: Mooring reconfiguration plan questions and comments

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With boats moored bow-to-bow on one mooring can, how does Chuck South access the mooring cans in order to perform maintenance without relocating the boats?

In the current mooring configuration mooring maintenance is performed without moving the moored boats. Why should the mooring holder pay to have his boat moved for maintenance?

On shared moorings, are the costs shared between the two mooring-holders or, if the moorings belong to the City of Newport Beach, does the City pay? Without raising fees?

Racing sailboats almost always have folding props and never have thrusters. This makes for extremely poor control when in reverse and will greatly affect a sailboat's ability to connect to a mooring can when the can is downwind.

A powerboat of the same size as a sailboat generally has much more windage. Should a powerboat be moored to windward of a sailboat, the distance between the two would be greatly reduced as the powerboat is blown toward the sailboat.

The J&H mooring fields suffer almost no current compared to fields near Balboa Island or Balboa Peninsula. This makes these mooring fields a poor choice for a test as they will experience significantly less current and less movement as a result.

I spend considerable funds to keep my boat in good condition. I do not want to bounce a weighted sand line against my topsides or on my deck. Therefore, I must retain the current two-buoy and spreader line with foam floats configuration, not a potentially-damaging weighted sand line.

Ray Booth

From: Harbor Master
Sent: October 31, 2022 12:40 PM
To: Harbor Feedback
Cc: 'Brian Benson'
Subject: FW: Mooring Field Improved Initialization Report

Hello,
Please see Mr. Benson's comments below.

Best,

Joseph White

Dockmaster - Harbor Department

City of Newport Beach

1600 West Balboa Blvd., Newport Beach, CA 92663

P: 949-270-8159

Marina Park Slips and Mooring rentals dockmaster@newportbeachca.gov

From: Brian Benson <bbenson@cpa.com>
Sent: October 31, 2022 12:08 PM
To: Harbor Master <harbormaster@newportbeachca.gov>
Subject: Mooring Field Improved Initialization Report

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Harbormaster:

Thank you for providing me with the a full copy of the Mooring Field - Improved Utilization Report. As an experienced boater, long-time Newport Beach resident and mooring permittee, let me start by saying that I applaud all efforts to clean up the mooring fields. I am pleased to see the big improvement in recent years that the Harbor Department has made in terms of removing derelict boats, providing wash down facilities, etc. That said, I would like to comment on a few items in the report.

My first observation is that the sand line recommendation is not user friendly to boaters. In general, sand lines are much harder to use than a floating spreader line. Walking the sand line to the back of the boat in windy conditions, while shorthanded, can be a nightmare. Moorings with the traditional floating

spreader lines are hard enough to handle when there is a stiff breeze. To add the extra effort of pulling the line off the bottom will make mooring retrieval even more difficult.

The report describes sand lines as being like the moorings on Catalina. This is not a selling point. Picking up a mooring on Catalina can be extremely difficult. The Avalon and Two Harbors Harbormasters frequently offer to help boaters secure their stern line by pulling the boat into position. I am sure Newport Harbor is not willing to offer this assistance. But my point is that it not easy to handle a sand line.

Even the best boaters sometimes have trouble grabbing a Catalina mooring. You only need to watch boats picking up an Isthmus mooring on a windy afternoon to realize how difficult it can be. I have seen several boats become disabled picking up, or even dropping, the sand line as it fouls the propeller or catches on the keel or rudder. Not to mention that in Newport Harbor that sand line is going to be covered with mud every time you pull it on board, further making it difficult to keep a mooring boat clean. I see the value of sand lines for the new guest moorings at the end of the H Field, but anywhere else it should be strictly voluntary.

My second point is regarding the proposed mooring spacing. The report makes it sound like the new spacing is always going to be a big benefit to the boater. However, the report does not address the potential downside to the new configuration. I see a downside for some boaters as they lose the benefit of having a fairway on each end of their mooring. The report does not consider that boaters generally enter their mooring heading into the wind, and thus may need to cut between other boats to approach their mooring.

For example, consider a boat returning to its mooring on a typical summer afternoon. The boater will want to approach the mooring from the east, heading into the prevailing west wind. If the mooring is on the east side of a double mooring, then the larger fairway is great. However, if they are on the west side of the double mooring, they will likely need to use the same fairway as the first boat, then have to cut between two boats to reach their mooring. In this case they may have less space to maneuver than under their old configuration because they will lack their own fairway and need to grab the mooring that is only a few feet in front of their double mooring partner. They will need to cut between two sets of boats, where under the old schema they would use their own fairway and just need to fit between the boat next to them.

Now maybe the fairways are currently so screwed up that most people will benefit, even if they need to use a fairway requiring them to cut between two boats. I will let you be the judge of that. But surely there will be some boaters that are not going to be happy with the change; and I feel the report should have addressed this issue, rather than making it sound like its as easy as pulling a car into a parking spot.

In closing, I would like to remind the City that these moorings represent a substantial investment for many of us. A lot of people I know paid a premium to get a mooring in a specific location that suits them best. This premium may be because of its location in relation to the shore and/or its ease of access. I would hope that the City will do what it can to protect individual's investments and access to their mooring especially if their boat is actively used and not just a mooring sitter that hasn't been sailed in years.

Thank you,
Brian

Brian R. Benson
Newport Beach Resident
Mooring Permittee
949.675.4257
bbenson@CPA.com

From: Pat and Bud C <patandbud@hotmail.com>
Sent: October 31, 2022 10:13 AM
To: Harbor Commission
Subject: The reconfiguration of the mooring fields

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To Whom it May Concern,

As live aboard offshore mooring permittees we'd like to offer some thoughts and concerns on the reconfiguration of the mooring fields.

To start, I feel confident in my handling of my boat, a 46 ft., twin engine power boat in most wind conditions with the current mooring set up. I have, however, gotten in that rare circumstance as the wind argued with my method of returning to my mooring that having a boat any closer than a fairway between us would have added a lack of safety rather than more safety. I watched and aided experienced captains battle the winds, especially from the south (abeam) as they lose control and need room to reposition or abort and start a fresh. On that, having the 50 ft. between the boats certainly is a plus, but having a boat either at the bow or stern is not. And bow to bow? The prevailing winds are from the west/southwest. To approach into the wind makes sense. The forward momentum gets stopped while tying off the bow then pushes you back to pick up the stern lines. We'll all manage, as we do now when winds differ, but it is much nicer to start out working with prevailing winds. The other concerns of the 2 boat rows is the windage on the sharing of the one anchor. I have clocked a 70 mph. wind gust from the south that caused some boats to drag anchor which has me skeptical that the windage against the beam of 2 boats will not be a problem. We have 30 knots a number of times each winter and I question if America's cup harbor, being more sheltered has the same windage. It's not been mentioned how this single anchor would be maintained. It doesn't seem like it can just be lifted, washed, inspected and redropped.

As far as safely navigating through the mooring fields, I feel there needs to be a balance between having enough room for boaters to safely get on and off their moorings but not to encourage the novice rental fleets or overconfident sailors under sail to weeve through the fields unnecessarily. Sailing through the moorings between the boats rather than up and down the fairways is an unnecessary problem now but making the length of the moorings more than double increases the risk of these sailboats hitting a moored boat significantly greater.

If the concern is aesthetics, the moorings can be re-aligned within 2 years since all have to be maintained within that period. Aesthetically, I cannot imagine that the landowners want to exchange the "chaotic" rows for increased boat population, especially when the rows can be neatened without the increase.

Adding additional moorings also adds to the issue of lack of dinghy dock space, already a problem. Also, with no specific parking spaces for the mooring permittees, there would be added stress to the summer season parking issues.

There is also the impact on the bay with water quality. As a live aboard, we have to document our waste Pump-out. We have no problem with that as we would Pump-out with or without the requirement. There is no such requirement for other recreational boaters. I see very little usage of the Pump-out dock and question where most boats are disposing of their black water. Adding any number of boats in the bay with no way of enforcing this discharge could affect the water quality of the bay.

What should concern everyone in Newport Beach is the financials. Not knowing the expected costs to the city to do a full reconfiguration and the expected rental return compared to simply reorganizing the rows as they are at the permittee's expense seems a major question.

We have questions on some of the numbers used in the presentation. For instance, right now there are 14 boats in row h-7 and h-8. With the new configuration it's shown to add 2 boats to these rows to make a total of 12 (other rows may have similar math). That implies moving 4 boats, the owners of which probably will not want to move, so 2 new permittees can be accommodated. It seems like, aside from moving 2 boats to end up with 12, the existing permittees should have the preference of staying or moving. It looks as though all the 30 and 35 ft. moorings will and there will be more 40 ft. moorings but not as many as the existing 40 ft. plus the 30 - 35 ft. moorings that exist now combined. It's been said that all considerations will be given to the existing permittees but, if no one wants to be relocated some will not be happy.

To sum up our concerns, we cannot see how the costs to the city will be returned. Whereas we do see that straightening the fairways and enforcing spreader lines will look neater and make it safer for permittees leaving and returning to their moorings the proposed reconfiguration would make that aspect less safe and, by encouraging other boaters to needlessly come through the fields, would also be a safety concern. The addition of more boats to the bay would affect water quality and a more crowded bay aesthetically. It's difficult to back the new plan without the numbers making sense, both the number of moorings in the rows and where they'll be and the economics to the city. It seems all the costs of the proposed solution far exceeds what seems to be a relatively small problem.

We hope you will continue to listen and respect the thoughts of both the boating community and the shoreline landowners of Newport Beach. Thank you for your consideration. Herman (Bud) & Patricia Coomans

From: Baisinger, Scott L <SBaisinger@henselphelps.com>
Sent: October 31, 2022 9:42 AM
To: Harbor Feedback
Subject: Proposed Mooring Changes - Feedback

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Hello,

I received the email regarding the proposed mooring changes.

I am currently co-owner of an offshore mooring in Newport.

I've reviewed the email. I'm assuming there will be another email sent out showing what you are proposing, because I could not tell from that email.

There were two images sent out; one showing the moorings in J field, and another showing moorings in San Diego Harbor. I would assume that before anything is voted on, you would present a map showing exactly which mooring would be moved to where?

There were no images provided for A-field, which is where my mooring is located. Are you proposing to move the moorings in more fields than just J?

I would recommend using a google earth map to show the current configuration of the moorings, along with a google earth map showing where you are proposing to move the moorings to. Without this, it will be very difficult to provide meaningful comments.

Here are some general comments I'm able to provide without seeing what you're actually proposing;

- 1) Will the number of boats per row remain the same?
- 2) Will the number of rows remain the same?
- 3) Will the overall mooring field areas be reduced, or will additional moorings be created to fill in the "extra space" that the proposal mentions?
- 4) Will boats that currently have end moorings still have end moorings? (I purposely obtained an end mooring on the bay side of A-field as it makes parking my boat substantially easier since there are adjacent boats only on one side, and the prevailing wind works to my advantage.
- 5) What is the estimated cost of the proposed changes and who will pay for them?

Thanks,

Scott Baisinger – CHST, CM-Lean

Project Superintendent

541.908.3567 (M)

SBaisinger@henselphelps.com



HENSEL PHELPS
Plan. Build. Manage.

OUR VALUES

OWNERSHIP | INTEGRITY | BUILDER | DIVERSITY | COMMUNITY

From: Paul Ludgate <kiwipaulludgate@gmail.com>
Sent: October 29, 2022 9:07 AM
To: Blank, Paul
Subject: Re: Sent on behalf of Commissioner Ira Beer: Important Information Concerning Your Mooring

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Re your proposal to radically alter the mooring fields in Newport
To compare Newport harbor to San Diego is comparing apples to avacados... the only similarity is that they are mooring fields
Comparing the Marina requirements to mooring field requirements is irrelevant
They are two completely different entities and each present a unique set of circumstances
Many people have spent years searching and changing the location of the moorings they own to get to the mooring they are currently on. To allow the city to just shift boats to where ever they want is truly offensive
There are a number of items in this proposal that make me extreme uncomfortable and the primary objective seems (in my opinion) to add additional moorings so the city can make more money and further restrict mooring owners rights while giving the city cart blanch your shift boats wherever they like
I am strongly opposed to this proposal
Sincerely
Paul

Sent from my iPhone

On Oct 26, 2022, at 3:10 PM, Blank, Paul <PBlank@newportbeachca.gov> wrote:

Re: Important Information Concerning Your Mooring

Dear LUDGATE, PAUL,

As you may be aware, the real history of Newport Beach Harbor began in the late 1800's when the first commercial vessel steamed into the harbor declaring a *new port* between San Diego and Los Angeles. However, it was not until 1936 when the Harbor was thoroughly dredged. This opened the pathway for recreational boating in Newport Harbor and led to what is arguably one of the greatest developments and destinations in California and in America today.

The mooring fields in the harbor were initially designed with well-defined rows that left much open water space between boats in the same row and allowing for fairways to be adequate in size for safe navigation by all mariners.

Over the past 20 to 30 years the original design of the mooring fields has been lost with so many boats of different sizes in different rows. This has resulted in the mooring field footprints to be far from where they used to be and in need of organization to improve safety and efficiency.

In 2017, the City of Newport Beach ended its contract with the OCSD Harbor Patrol for mooring administration and code enforcement. This resulted in the formation of a new Harbor Department run by the City of Newport Beach. One of the primary objectives adopted and unanimously approved by the Newport Beach City Council at that time was:

“Evaluate the current mooring fields and provide a recommendation for new guidelines that better define rows and fairways to improve navigation, safety, and optimization of space within the mooring fields.”

Over the past 3 years, the Ad-hoc Committee assigned to meet the above objective (which has since become an integral part of the Harbor Commission’s Open Water Initiative), with the help of City staff along with many experienced Newport boaters, commercial harbor maintenance experts, and engineers hired by the City of Newport Beach, have designed an improved mooring configuration that we are happy to present to you for your comments, feedback and input.

The first image below shows the J & H mooring fields in Newport Harbor with about 200 boats in a congested space that takes up about 30 acres of prime water space. The second image below shows America’s Cup Harbor in San Diego with about 180 boats and open fairways with more space between boats in the same row, yet only covering about 15 acres. The more efficient design of double rows allows for 90% of the boats in 50% the space with more room between boats and in fairways.

[Current View of Newport Harbor J & H Fields](#)



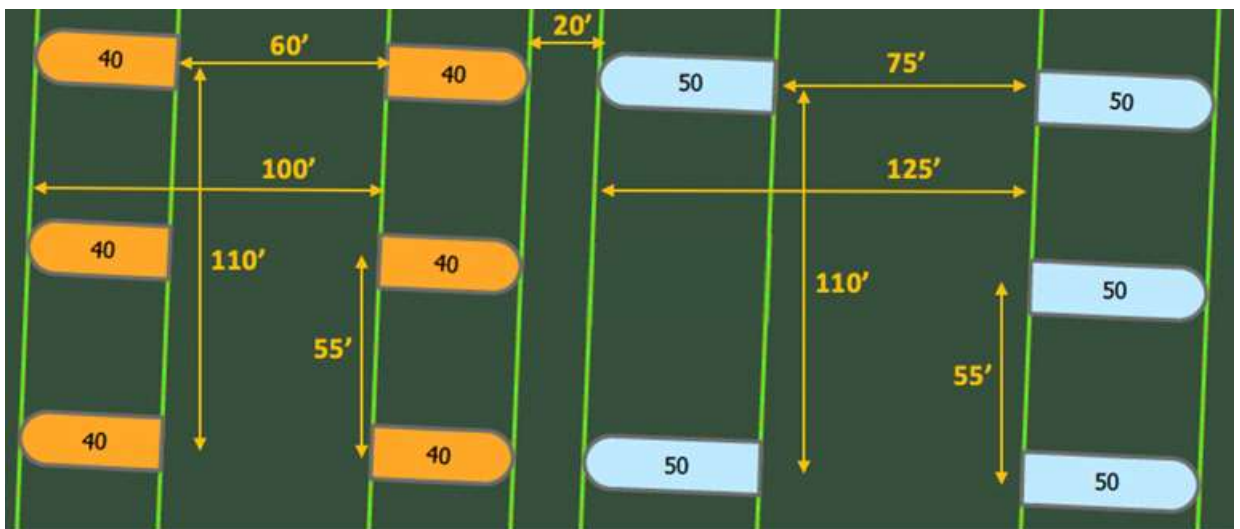
Current View of San Diego's America's Cup Harbor
 90% of the Moorings in 50% Space
 Improved Navigation and Open Water Space



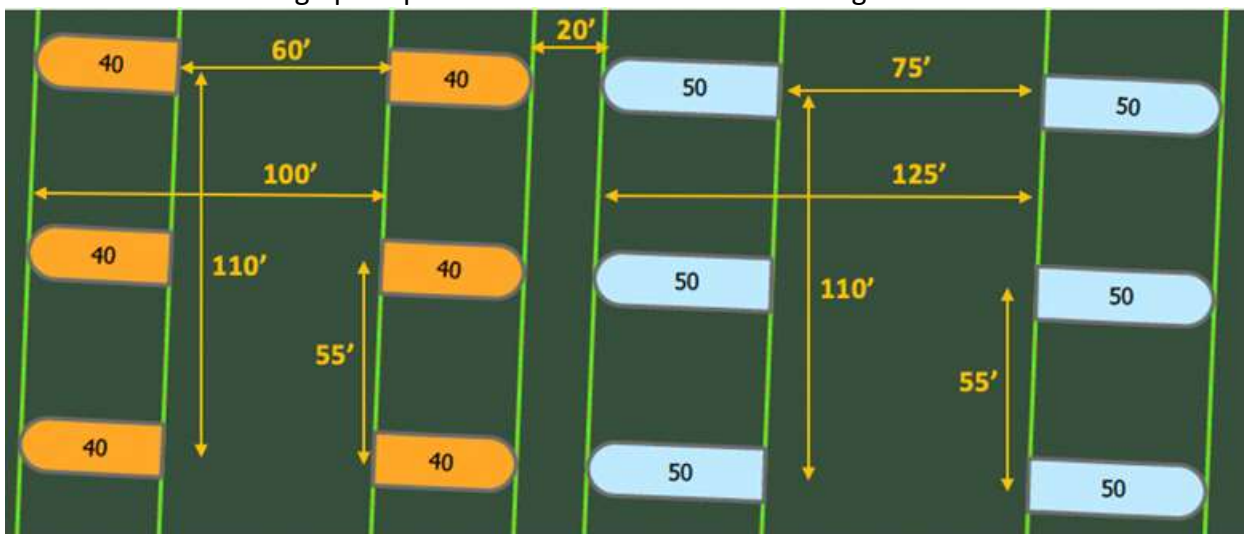
The two images below illustrate some of the benefits of the proposed new design. The first image shows the open water space that will be available to a 50' boat when approaching their mooring. The second image shows the boat

after moored. Currently, on average a boater has a fairway width of less than the LOA of the boat, which does not meet the Newport Beach Harbor Design Standards for marinas, and the distance of the boats moored port and starboard are 20' – 30' apart and in many cases no more than a beam's width between boats. As you can see below, the new configuration provides about double the space between boats in the same row than exists today (55' on center) and increases the average fairway widths for safer navigation. The opposing boats in the double row configuration will be about 20' apart at the shared mooring anchor (or row) location as shown, but there is about double the space to maneuver in every other direction.

New Double Row Mooring Design
Showing open space approaching a 50' mooring



Showing open space after secured to a 50' mooring



This new design is expected to greatly improve safety and navigation and provide existing mooring permittees with an improved experience when securing lines to and from their mooring. Additionally, due to the efficiency of the new design it will open up greatly needed water space for all mariners in the harbor and allow for the addition of some new moorings as well. Lastly, by cleaning up and organizing the rows, the new design will add to the aesthetics of the harbor, which is long overdue.

Some of the benefits to you as a mooring permittee are as follows:

1. **No upfront cost to existing mooring permittees. If approved as is, the City of Newport Beach will pay all costs for the improvements.**
2. **This current proposed initiative will have no change to current mooring permittee transferability of permits as per Title 17 of the Civil Code.**
3. **Moorings will still be substantially the same configuration with either 2 mooring buoys and a spreader line will be required to prevent mooring buoys from drifting into the fairways, or alternatively, mooring permittees may request to have their mooring equipped with a single mooring buoy and a sand line to retrieve the opposing anchor line (like what is used in Catalina).**
4. **Mooring Permittees will experience the same or lower maintenance costs as today.**
5. **There will be greater average distances in rows between boats for safer mooring.**
6. **There will be substantially wider fairways on average than exist today for safer navigation.**
7. **Relocation of moorings will only be to a location within the same mooring field, and every consideration will be made to accommodate like-for-like locations and special requests, where practicable.**
8. **Improved public access and increased open water space through the mooring fields for both human-powered and motor-powered craft.**
9. **Improved aesthetics for shoreline properties of residents, commercial establishments, visitors, and all harbor users.**

This initiative has been agendized as a topic discussed by the Harbor Commission and open for public comment at approximately 8 prior Harbor Commission meetings. Additionally, updates have been provided at most meetings each month for more than the past 2 years. On November 9, 2022, the Harbor Commission will review the proposed recommendations for consideration and possible vote for approval. You are encouraged to attend the meeting or send in your comments, input, and suggestions to Harborfeedback@newportbeachca.gov or to the undersigned below, or to the Harbor Commissioners. All comments received before November 4, 2020, will be reviewed, and become part of public record for the upcoming meeting.

If at such time this initiative is approved by the Harbor Commission, the item would then need to be placed on an agenda for a future City Council meeting where the initiative will again be discussed by the city councilmembers and opened for public comments. If approved by City Council, the initial Phase I plan would consist of one mooring field to be selected for the new design. Within that field would be one row that would be first reconfigured to the new design and tested for suitability and conformance to the engineering specifications. After Phase I has been proven successful, a plan would be prepared to implement the new design to all mooring fields in Newport Harbor. As much as we would all like to see these enhancements occur soon, it will not happen overnight. Your patience is appreciated.

Thank you for your support in maintaining Newport Harbor as a modern and most spectacular venue for residents and visitors to enjoy year-round. Your voice counts, so please let us know what you think.

Best regards,

Ira Beer
Harbor Commissioner and Vice Chairman
ibeer@newportbeachca.gov



From: NJM <norm@mcstelecom.net>
Sent: October 28, 2022 12:12 PM
To: Harbor Feedback
Cc: NJM
Subject: Letter of opposition to proposed Mooring initiative

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Harbor Commission,

I am in opposition to the proposed mooring initiative as described in email from Ira Beer dated 10/26/22.

Having been mooring holder for nearly 2 decades, I see no need to spend time and resources in reconfiguring the existing mooring fields in Newport Harbor and find this proposal as unnecessary.

I recommend a focus on public dock upgrades to accommodate mooring holders, such as a dinghy storage rack to alleviate overcrowding of dinghy tie ups.

Thank you for accepting my opposition to the consideration of mooring field reconfiguration.

Norm MacLeod
C-83

From: Scott Rimland <scottr@cardinaldevelopment.com>
Sent: October 27, 2022 5:29 PM
To: Beer, Ira
Cc: Blank, Paul
Subject: Mooring Plan

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Hi Ira,

I plan to be at the November 9th meeting to speak in support of the mooring plan you have thoughtfully put together. However, given that is my wife's birthday, and I don't want to get mugged (ha ha), I might bug out a little early!

I made it to the last meeting but only heard about it last minute from someone from the Mooring Association who seemed to have a lot of misinformation about the plan that was sent out to permittees to get them to the meeting. While I appreciate change is often unwelcome, from what I gather from Harbor Master Blanks email and from attending the last meeting, your plan is well thought out, looks great on paper and is certainly worth a try and the community support you have requested. I do think there were a couple of valid concerns that should be considered. First is the sand line or what might be the mud line, that might not work well laying on the bottom of the bay. I have a spreader line and after just a week in the water it has growth on it. A line sitting on the bottom of the bay would be ugly. Not impossible but not great. Second was the comparison between America's Cup Marina and much of Newport Harbor. Looking at it on Google, it seems like there is a lot more wind and current to contend with in Newport than what I would expect in the relatively protected ACM. Lastly if the stated LOA is being used for the plan, I think the actual distances apart will be less than stated once boats get into place. Still better but maybe less than planned. I did read that Adjusted LOA will be used but I think there will be a lot of 48' boats that need 60' moorings. Hopefully, everyone can be accommodated with the new layout as intended. I know you have studied this long a hard, so you probably realize all of this, but if you read this far, thanks for your consideration!

Thank you both for your efforts and I look forward to the successful implementation of your plan! Please let me know if I can do anything to help.

Sincerely,

Scott Rimland
President
Cardinal Development Company
375 Bristol Street, Suite 50
Costa Mesa, CA 92626
P. 714.557.1934
Scottr@cardinaldevelopment.com

From: steve barrett <stevetag444444@gmail.com>
Sent: October 27, 2022 5:15 PM
To: Blank, Paul
Subject: Re: Sent on behalf of Commissioner Ira Beer: Important Information Concerning Your Mooring
Attachments: image005.emz; image003.png

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

I bought my mooring when I like it and the fact you want to not go by the measurement on my paperwork means my boat won't fit on a 40 ft morning. I've been restoring my boat for 15 years my boat has been on 40 ft morning for over 15 years and it would screw me and mess my retirement plan up. I don't see any reason why my boat would not fit on a 40 ft morning where it has for almost 20 years

On Wed, Oct 26, 2022, 3:22 PM Blank, Paul <PBlank@newportbeachca.gov> wrote:

Re: Important Information Concerning Your Mooring

Dear TAGLIARENI, STEPHEN B.,

As you may be aware, the real history of Newport Beach Harbor began in the late 1800's when the first commercial vessel steamed into the harbor declaring a *new port* between San Diego and Los Angeles. However, it was not until 1936 when the Harbor was thoroughly dredged. This opened the pathway for recreational boating in Newport Harbor and led to what is arguably one of the greatest developments and destinations in California and in America today.

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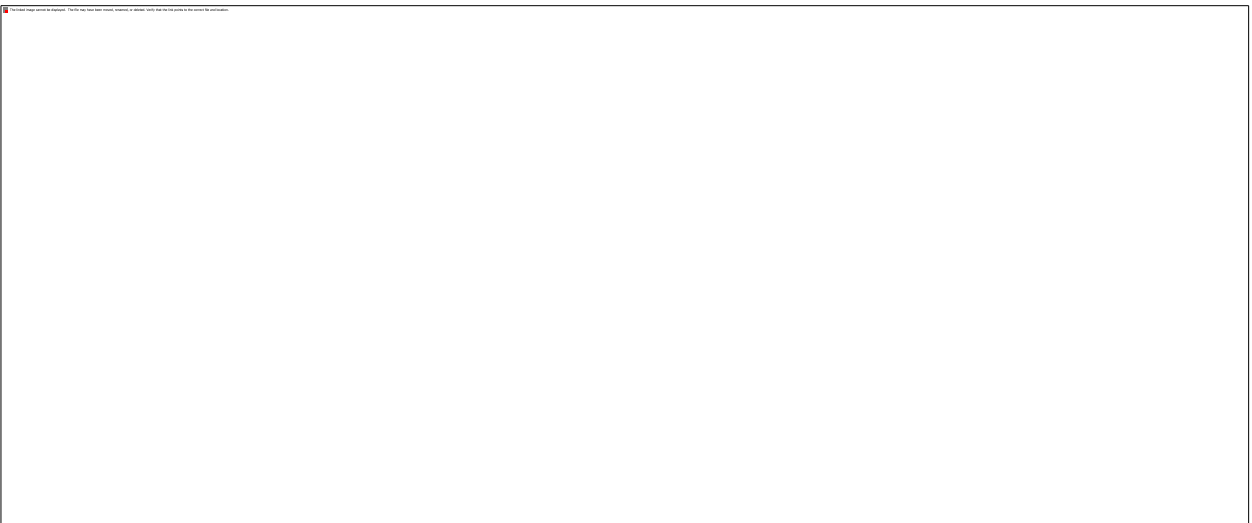
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[Current View of Newport Harbor J & H Fields](#)



Current View of San Diego's America's Cup Harbor

90% of the Moorings in 50% Space

Improved Navigation and Open Water Space



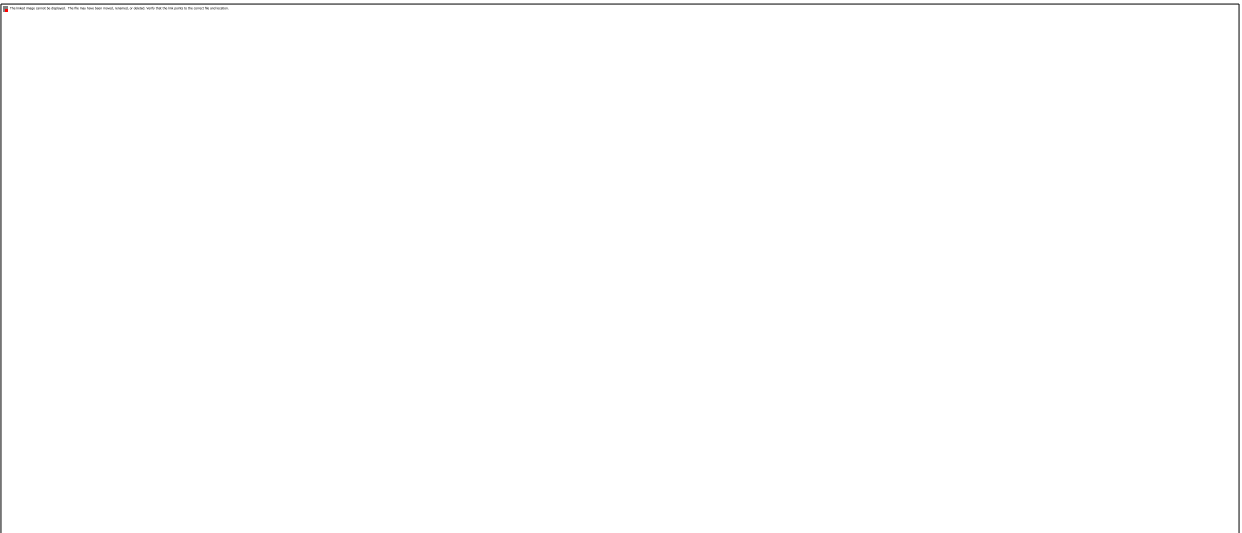
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Showing open space approaching a 50' mooring



Showing open space after secured to a 50' mooring



This new design is expected to greatly improve safety and navigation and provide existing mooring permittees with an improved experience when securing lines to and from their mooring. Additionally, due to the efficiency of the new design it will open up greatly needed water space for all mariners in the harbor and allow for the addition of some new moorings as well. Lastly, by cleaning up and organizing the rows, the new design will add to the aesthetics of the harbor, which is long overdue.

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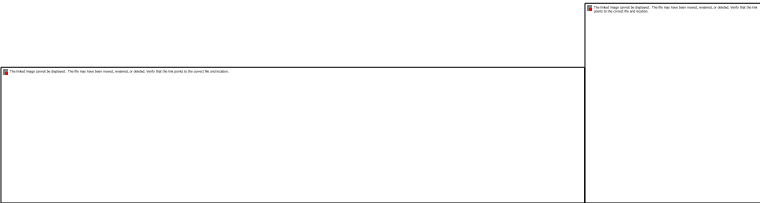
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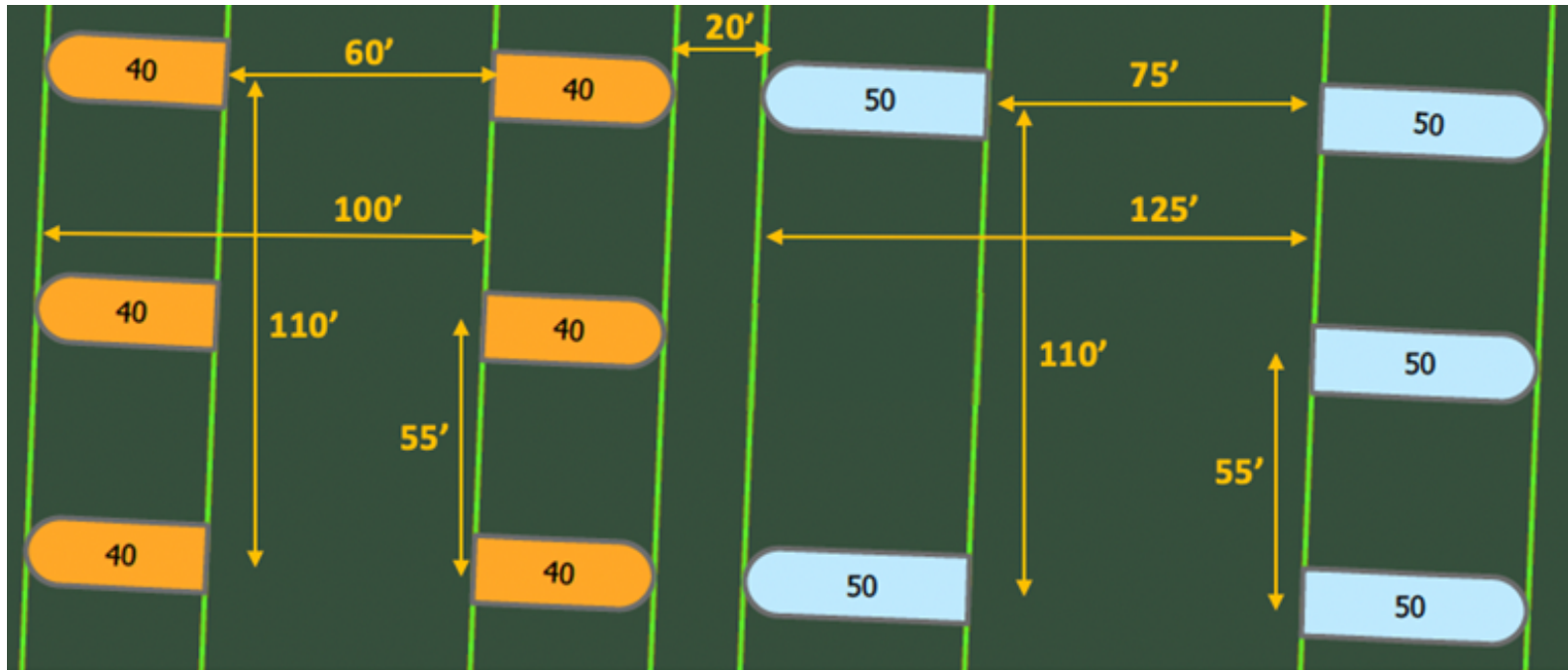
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Best regards,





From: Tim Villalobos <dazwinecaptain@gmail.com>
Sent: October 27, 2022 4:45 PM
To: Blank, Paul
Subject: Re: Sent on behalf of Commissioner Ira Beer: Important Information Concerning Your Mooring

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

I don't want to move. That why I purchased my spot on F-5.. location location. See you at the meeting..

Sincerely

Tim Villalobos F-5

Sent from my iPhone

On Oct 26, 2022, at 3:01 PM, Blank, Paul <PBlank@newportbeachca.gov> wrote:

Re: Important Information Concerning Your Mooring

Dear VILLALOBOS, TIM JOSEPH,

As you may be aware, the real history of Newport Beach Harbor began in the late 1800's when the first commercial vessel steamed into the harbor declaring a *new port* between San Diego and Los Angeles. However, it was not until 1936 when the Harbor was thoroughly dredged. This opened the pathway for recreational boating in Newport Harbor and led to what is arguably one of the greatest developments and destinations in California and in America today.

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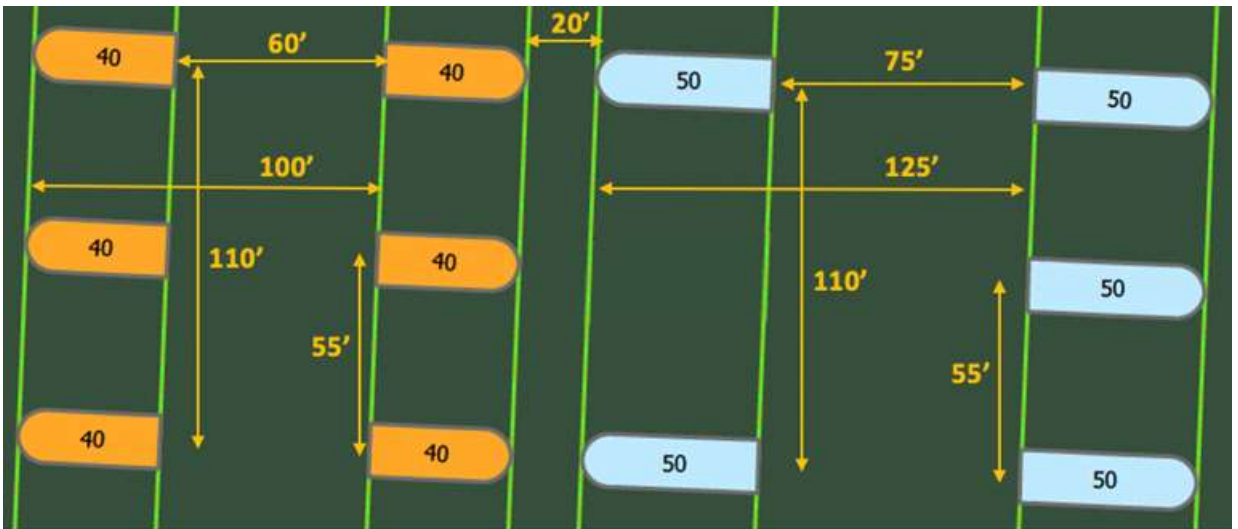


[Current View of San Diego’s America’s Cup Harbor](#)
[90% of the Moorings in 50% Space](#)
[Improved Navigation and Open Water Space](#)

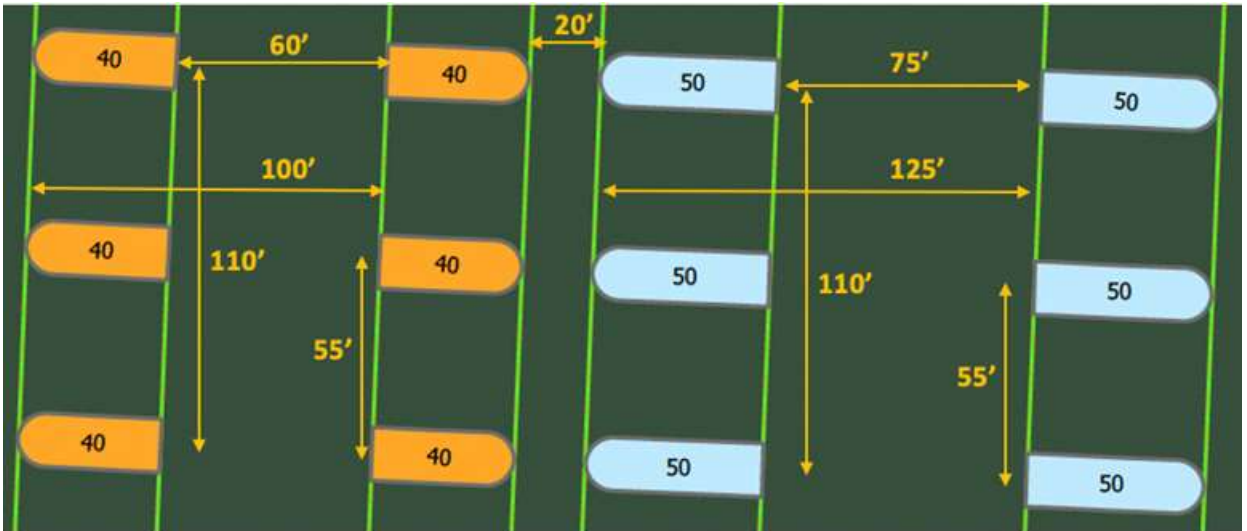


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3. **Moorings will still be substantially the same configuration with either 2 mooring buoys and a spreader line will be required to prevent mooring buoys from drifting into the fairways, or alternatively, mooring permittees may request to have their mooring equipped with a single mooring buoy and a sand line to retrieve the opposing anchor line (like what is used in Catalina).**
4. **Mooring Permittees will experience the same or lower maintenance costs as today.**
5. **There will be greater average distances in rows between boats for safer mooring.**
6. **There will be substantially wider fairways on average than exist today for safer navigation.**
7. **Relocation of moorings will only be to a location within the same mooring field, and every consideration will be made to accommodate like-for-like locations and special requests, where practicable.**
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Thank you for your support in maintaining Newport Harbor as a modern and most spectacular venue for residents and visitors to enjoy year-round. Your voice counts, so please let us know what you think.

Best regards,

Ira Beer

Harbor Commissioner and Vice Chairman

ibeer@newportbeachca.gov



From: Chris Bliss <chrisbliss@cox.net>
Sent: October 27, 2022 10:53 AM
To: Blank, Paul
Subject: Re: Sent on behalf of Commissioner Ira Beer: Important Information Concerning Your Mooring

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

As a 30 year mooring owner in Newport Harbor, I can tell you with assurance that this arrangement will not work. I am an avid sailor and go on and off my mooring about once a week, year-round, on average. In the C section the tide frequently runs at 4 to 5 knots. I have to take extreme care when approaching my mooring, and must go into the current to approach and secure my 38 foot sailboat to the mooring. This means that I must approach the mooring in different directions depending on which way the tide is going. It is impossible and hazardous to get on the mooring by going with the current, it must be done against the current. The same is true during high wind conditions. The idea of boats being close together, bow to bow, is an impossible arrangement and will cause chaos and mayhem, with boats crashing into one another during fast moving tides and windy conditions.

In all my years of boating in Newport Harbor, I have never been aware of any safety concerns created by the current mooring system. Occasionally a mooring ball which is not attached to a catch line drifts into the fairway, but this is a problem which is easily addressed, and can hardly be considered a safety problem.

Please abandon this unproductive concept.

Thank you,
Chris Bliss (C75)

Christopher Bliss
Bliss Photography
949-887-9737
www.NewYorkPictures.com

Sent from my iPad

On Oct 26, 2022, at 3:00 PM, Blank, Paul <PBlank@newportbeachca.gov> wrote:

Re: Important Information Concerning Your Mooring

Dear BLISS, CHRISTOPHER,

As you may be aware, the real history of Newport Beach Harbor began in the late 1800's when the first commercial vessel steamed into the harbor declaring a *new port* between San Diego and Los Angeles. However, it was not until 1936 when the Harbor was thoroughly dredged. This opened the pathway for recreational boating in Newport Harbor and led to what is arguably one of the greatest developments and destinations in California and in America today.

The mooring fields in the harbor were initially designed with well-defined rows that left much open water space between boats in the same row and allowing for fairways to be adequate in size for safe navigation by all mariners.

Over the past 20 to 30 years the original design of the mooring fields has been lost with so many boats of different sizes in different rows. This has resulted in the mooring field footprints to be far from where they used to be and in need of organization to improve safety and efficiency.

In 2017, the City of Newport Beach ended its contract with the OCSD Harbor Patrol for mooring administration and code enforcement. This resulted in the formation of a new Harbor Department run by the City of Newport Beach. One of the primary objectives adopted and unanimously approved by the Newport Beach City Council at that time was:

“Evaluate the current mooring fields and provide a recommendation for new guidelines that better define rows and fairways to improve navigation, safety, and optimization of space within the mooring fields.”

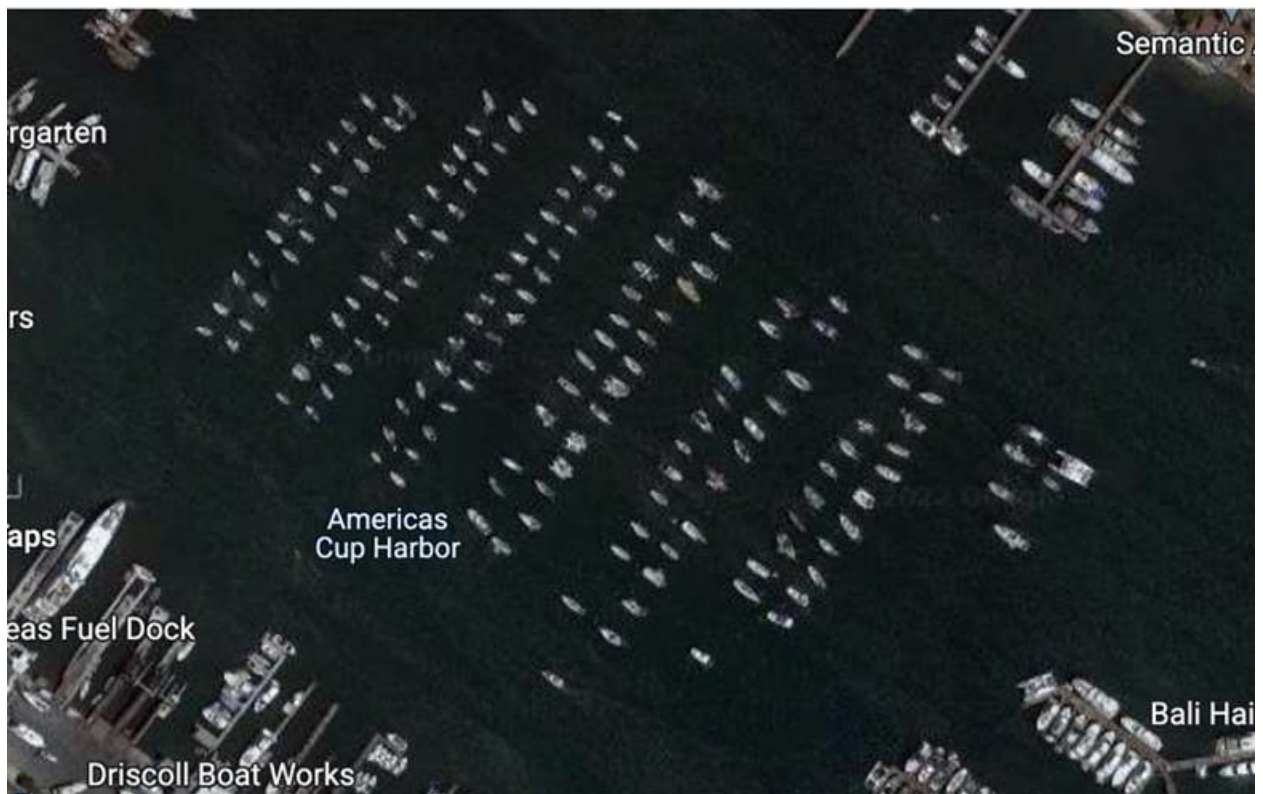
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Current View of Newport Harbor J & H Fields

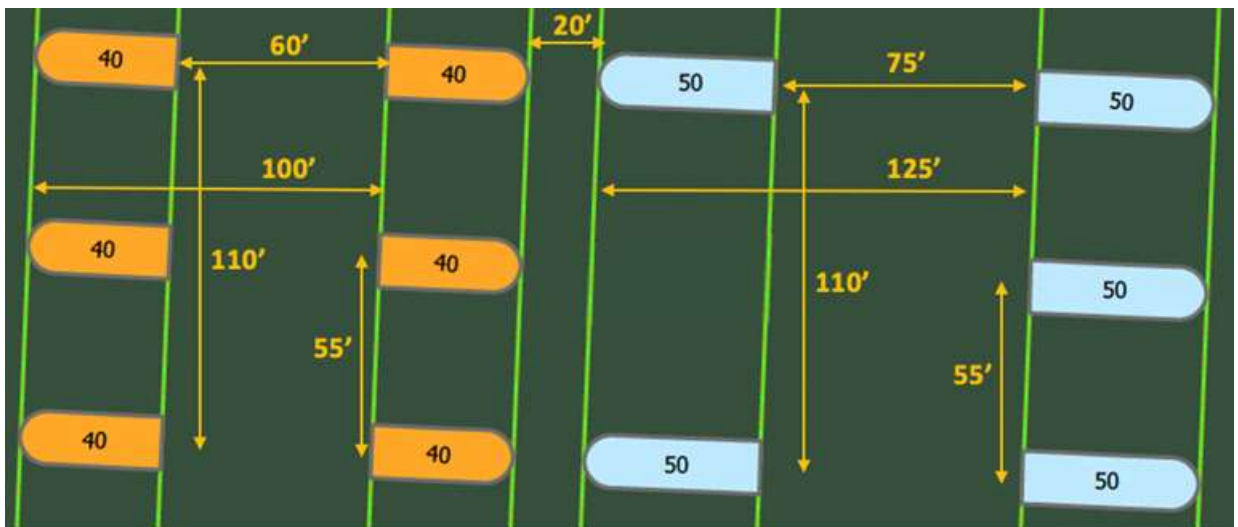


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90% of the Moorings in 50% Space
Improved Navigation and Open Water Space

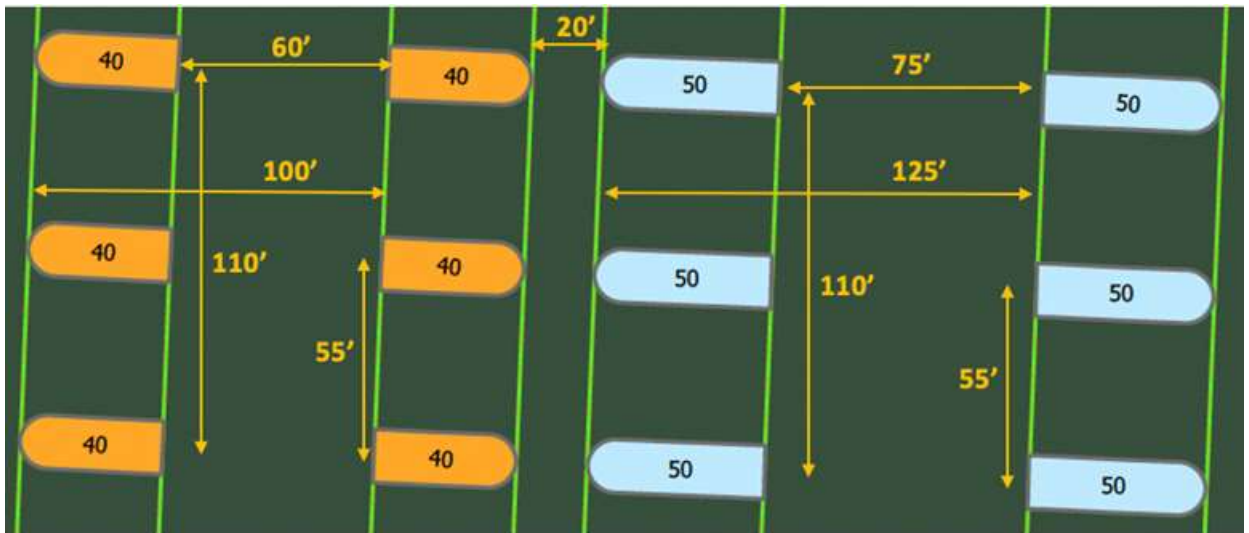


The two images below illustrate some of the benefits of the proposed new design. The first image shows the open water space that will be available to a 50' boat when approaching their mooring. The second image shows the boat after moored. Currently, on average a boater has a fairway width of less than the LOA of the boat, which does not meet the Newport Beach Harbor Design Standards for marinas, and the distance of the boats moored port and starboard are 20' – 30' apart and in many cases no more than a beam's width between boats. As you can see below, the new configuration provides about double the space between boats in the same row than exists today (55' on center) and increases the average fairway widths for safer navigation. The opposing boats in the double row configuration will be about 20' apart at the shared mooring anchor (or row) location as shown, but there is about double the space to maneuver in every other direction.

New Double Row Mooring Design
Showing open space approaching a 50' mooring



Showing open space after secured to a 50' mooring



This new design is expected to greatly improve safety and navigation and provide existing mooring permittees with an improved experience when securing lines to and from their mooring. Additionally, due to the efficiency of the new design it will open up greatly needed water space for all mariners in the harbor and allow for the addition of some new moorings as well. Lastly, by cleaning up and organizing the rows, the new design will add to the aesthetics of the harbor, which is long overdue.

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Best regards,

Ira Beer
Harbor Commissioner and Vice Chairman
ibeer@newportbeachca.gov



From: Beer, Ira
Sent: October 27, 2022 10:53 AM
To: covebound2@aol.com
Cc: Harbor Feedback
Subject: Re: Feedback on Proposed Redesigned Mooring Fields

Hello Ms. Franke,

Thank you proving your feedback and input. Your concerns are taken very seriously. Technically, every boat will need to move somewhat to get proper spacing and alignment between rows, boats and fairways. Every attempt will be made to keep the new location of vessels as close to the current location (including end-ties where practicable). However, there is no assurance of that outcome due to sizing differences of rows. In your case, I believe there to be a high probability your new location may result in an end-tie close your current location.

Please do not hesitate to let me know if you have any additional comments. Thank you.

Best regards,



Ira Beer
Harbor Commissioner
ibeer@newportbeachca.gov
(949) 702-6900

From: Harbor Feedback <Harborfeedback@newportbeachca.gov>
Date: Thursday, October 27, 2022 at 9:38 AM
To: "Beer, Ira" <IBeer@newportbeachca.gov>
Subject: FW: Feedback on Proposed Redesigned Mooring Fields

A handwritten signature in blue ink, appearing to read 'Paul Blank'.



Paul Blank
Harbormaster
pblank@newportbeachca.gov
949-270-8158

From: SARA FRANKE <covebound2@aol.com>
Sent: October 27, 2022 9:30 AM
To: Harbor Feedback <Harborfeedback@newportbeachca.gov>
Cc: mail@newportmooringassociation.org
Subject: Feedback on Proposed Redesigned Mooring Fields

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Hi, thank you for sharing the proposed redesign of the mooring fields. As the holder of mooring D-047, I request and urge decision makers to assure the following:

1. Current mooring lengths (mine is 40 feet) will NOT be reduced but may be increased by the new design.
2. Holders of OUTSIDE/END moorings (mine is an outside/end mooring) will continue to have OUTSIDE/END moorings after the redesign is completed, in as close the same location as currently situated.

I paid a premium for my mooring being an outside/end mooring. I also paid a premium for the location (close to the guest dock and parking). I also incurred a large cost to make my mooring 40 feet in length.

THANK YOU for accommodating these requests. I appreciate the opportunity to provide input.

Sara Franke - D-047

From: rican franco <joerican9@hotmail.com>
Sent: October 27, 2022 10:47 AM
To: Blank, Paul
Subject: Re: Sent on behalf of Commissioner Ira Beer: Important Information Concerning Your Mooring

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Hello Paul!

This is the problem I have with this project.

1st Presently all boats are facing the wind, in the proposed plan this is not the case. Could you image the stern of your boat facing the wind? Instead of enjoying the day with family and friends, we will NOT be sheltered from the wind, therefore why should I be on my boat. It just doesn't make any sense.

2nd Most boaters are up in age and this new plan will NOT allow us to single-handedly moor our boats...."It's just way too close" The wind will be a real problem. I'm 65 years old and I think I'm in pretty good shape.

On many occasions I had to climb up the side of my boat in order to access the bow thrusters in order not to collide into my neighbor's boat. This will be a big problem and the Lawsuits will be coming.

3rd I'm on my boat every Friday, Saturday and Sunday and I've seen it all. I've been boating since I've been 18 years old and the thought of adding additional mooring is troubling. On the weekends I'm not able to pull up to a restaurant to have dinner with friends and family. It's just way too many boats. These electric rental boats crashed into my boat twice. They have NO experience on the water and they are not familiar with boating rules. Over the Christmas Holiday last year, it was a parking lot of boats out on the marina. It was a HUGE problem.

4th PARKING PARKING PARKING..... **This is a HUGE problem.**

- Where are these additional boaters going to park?
- The Balboa Yacht Club has a waiting list.
- How are new boaters going to get to their boats?
- How about their guest?
- Where is their guest going to park?
- The shoreline homes will be boxed in with cars from all sided.
- Where are boaters going to store their dingey?
- Are new boaters going to bring trailers with their dinghy's? Where are they going to park?

These are some of the problems I faced before I purchased my mooring and after. Purchasing the mooring was the easy part.

Paul, please give this careful consideration. Americas Cup moorings are surrounded on 3 ½ sides, much different situation. Our Newport beach Boaters need to be carefully considered in this new plan. We love Newport Beach and we need to keep it safe for all ages. Not all changes are good.

Thanks Paul, your staff is very respectful, I appreciate them.

Thank you for reaching out to me.

•

From: Blank, Paul <PBlank@newportbeachca.gov>

Sent: Wednesday, October 26, 2022 10:08 PM

To: 'JOERICAN9@HOTMAIL.COM' <JOERICAN9@HOTMAIL.COM>

Subject: Sent on behalf of Commissioner Ira Beer: Important Information Concerning Your Mooring

Re: Important Information Concerning Your Mooring

Dear FRANCO, JOSEPH,

As you may be aware, the real history of Newport Beach Harbor began in the late 1800's when the first commercial vessel steamed into the harbor declaring a *new port* between San Diego and Los Angeles. However, it was not until 1936 when the Harbor was thoroughly dredged. This opened the pathway for recreational boating in Newport Harbor and led to what is arguably one of the greatest developments and destinations in California and in America today.

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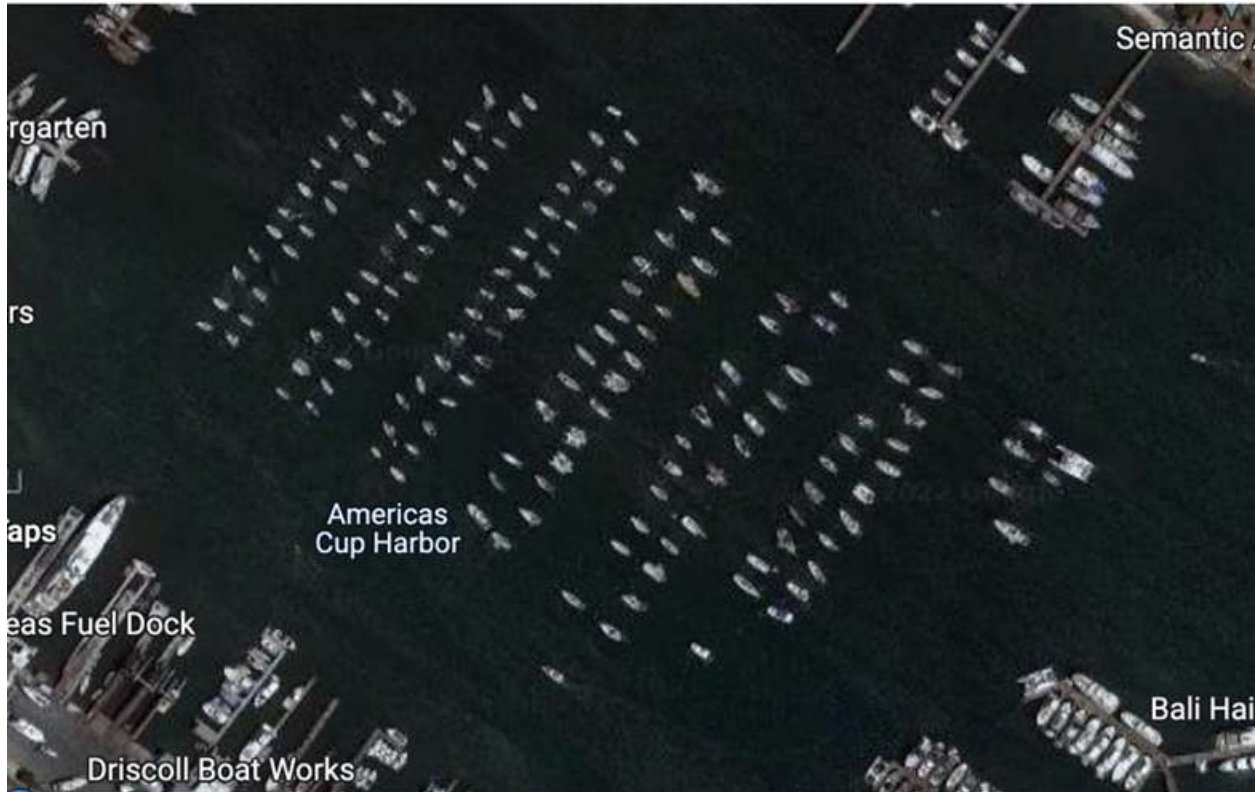
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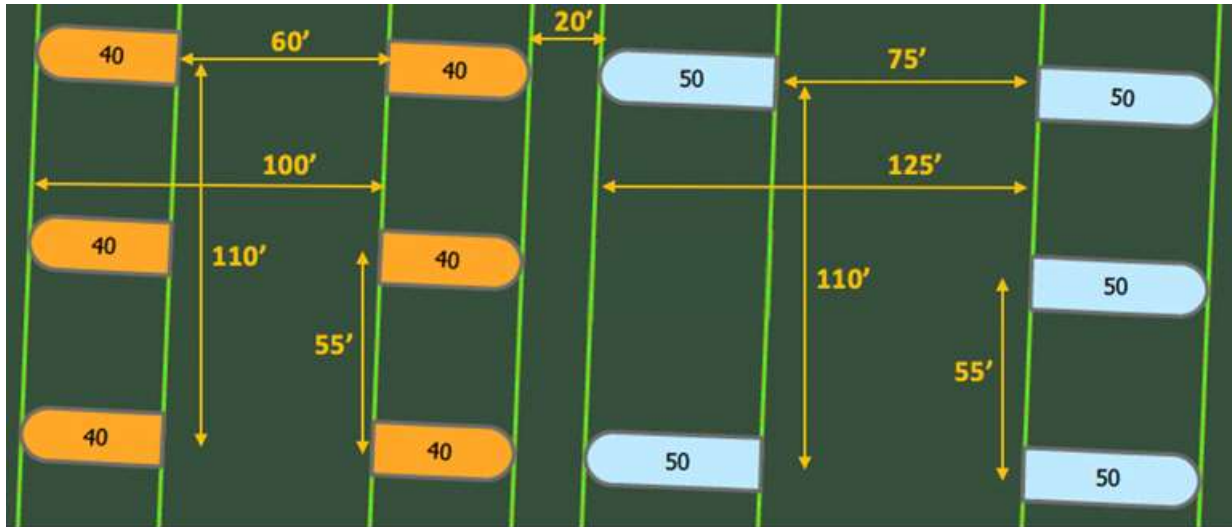


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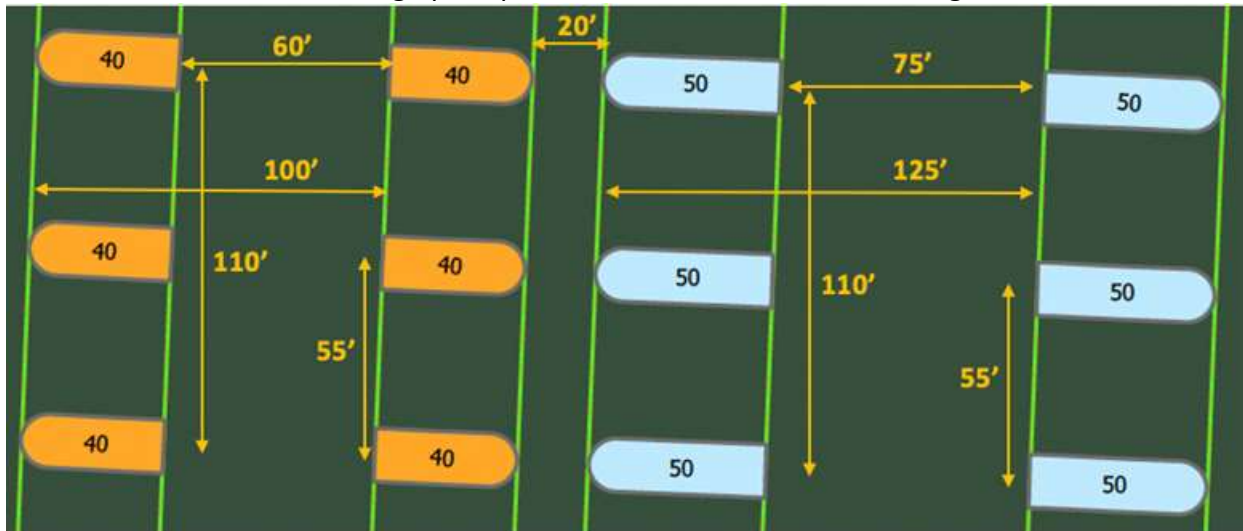


The two images below illustrate some of the benefits of the proposed new design. The first image shows the open water space that will be available to a 50' boat when approaching their mooring. The second image shows the boat after moored. Currently, on average a boater has a fairway width of less than the LOA of the boat, which does not meet the Newport Beach Harbor Design Standards for marinas, and the distance of the boats moored port and starboard are 20' – 30' apart and in many cases no more than a beam's width between boats. As you can see below, the new configuration provides about double the space between boats in the same row than exists today (55' on center) and increases the average fairway widths for safer navigation. The opposing boats in the double row configuration will be about 20' apart at the shared mooring anchor (or row) location as shown, but there is about double the space to maneuver in every other direction.

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Best regards,

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ibeer@newportbeachca.gov



From: SARA FRANKE <covebound2@aol.com>
Sent: October 27, 2022 9:30 AM
To: Harbor Feedback
Cc: mail@newportmooringassociation.org
Subject: Feedback on Proposed Redesigned Mooring Fields

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THANK YOU for accommodating these requests. I appreciate the opportunity to provide input.

Sara Franke - D-047

From: M Woods <mwoods928@gmail.com>
Sent: October 26, 2022 9:35 PM
To: Blank, Paul; Harbor Feedback
Subject: Re: Sent on behalf of Commissioner Ira Beer: Important Information Concerning Your Mooring

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Mr. Blank

I have read your letter and i have some concerns:

1. I own this mooring, since this is my property. Do you have the legal right to move or alter my mooring? If so, how? I do not believe that you have the authority to move my mooring to accommodate others.
2. Your email states that the adjustments will allow you to add some additional moorings. I was informed that the plan is to add 100 or more additional moorings.
3. With that said I already have a difficult time finding parking to get to my mooring, especially on the weekends. The city has not provided sufficient parking as it is. How will the addition of 100 or more moorings affect the already horrible parking situation? I already have a difficult time when I choose to go to a restaurant or for dinner or the market, because if I move my car. I know that there is a very good chance I will not be able to secure parking when I come back. There are times I have driven back and forth looking for a parking space. There are times I have had to park blocks away to get to my boat. My guests have had an awful time finding parking when I have had them visit my yacht. Again how is this new configuration going to improve this already horrific parking nightmare. Those who are handicap and have difficulty walking long distances have no support in the area. It is obvious that the city has not provided adequate parking for the boaters handicapped or not.
4. On the weekend especially a holiday weekend the harbor is almost in grid lock like the 405 freeway. How will another 100 boats make that any better?
5. The addition of 100 or more moorings will also diminish the value of my mooring. Because you have increased the number of moorings it has increased the supply which lowers the value of my property. Simple economics, will I be reimbursed for the drop in value of my mooring?
6. The diagram you have above with the 50 foot vessels looks like you are now looking to place 3 boats in the space of 2. This would therefore decrease my privacy on my boat.
7. The harbor is pretty windy as you know. Now my boat is facing into the wind. If the design calls for boats facing each other therefore the rear of my boat could be into the wind. This would make sitting on the aft of my boat unbearable.

I do not believe that this is good for the harbor or for my personal use of my mooring. I am not in agreement of this expansion of the harbor mooring configuration.

On Wed, Oct 26, 2022 at 3:14 PM Blank, Paul <PBlank@newportbeachca.gov> wrote:

Re: Important Information Concerning Your Mooring

Dear WOODS, MICHAEL,

As you may be aware, the real history of Newport Beach Harbor began in the late 1800's when the first commercial vessel steamed into the harbor declaring a *new port* between San Diego and Los Angeles. However, it was not until 1936 when the Harbor was thoroughly dredged. This opened the pathway for recreational boating in Newport Harbor and led to what is arguably one of the greatest developments and destinations in California and in America today.

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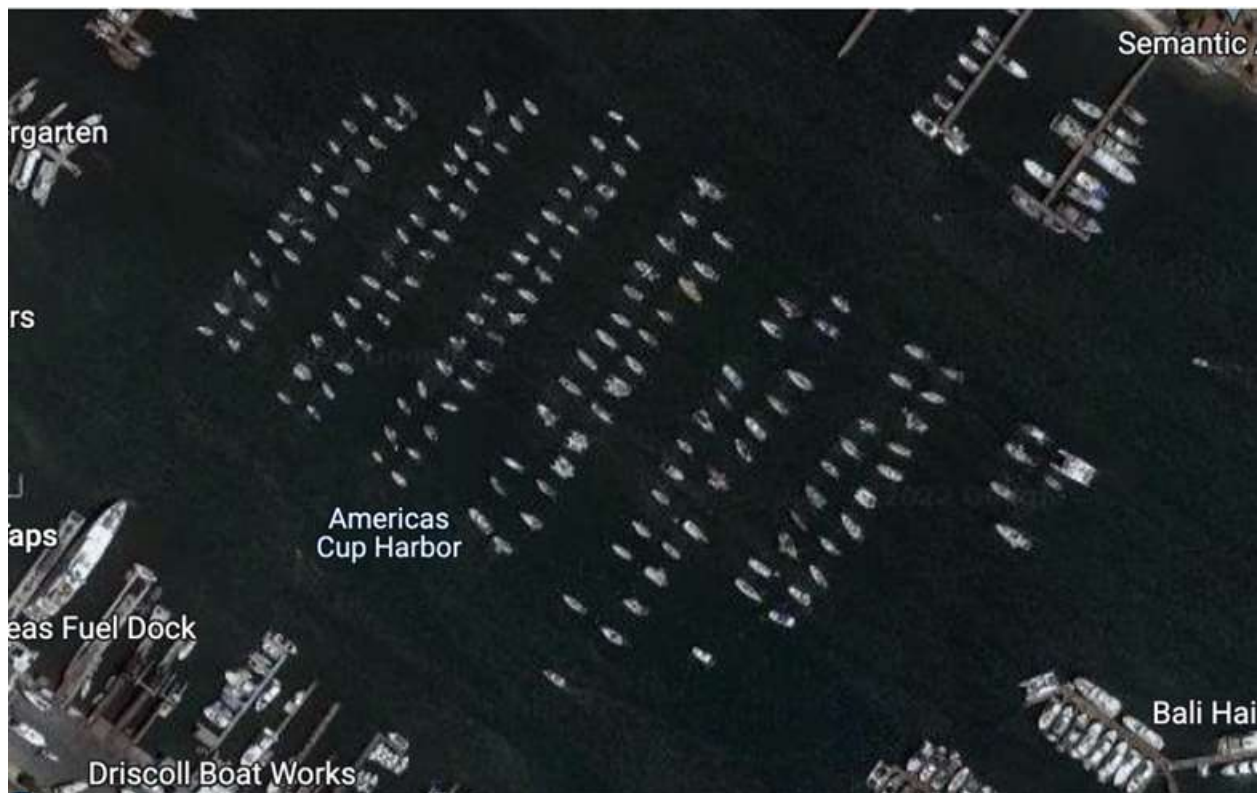
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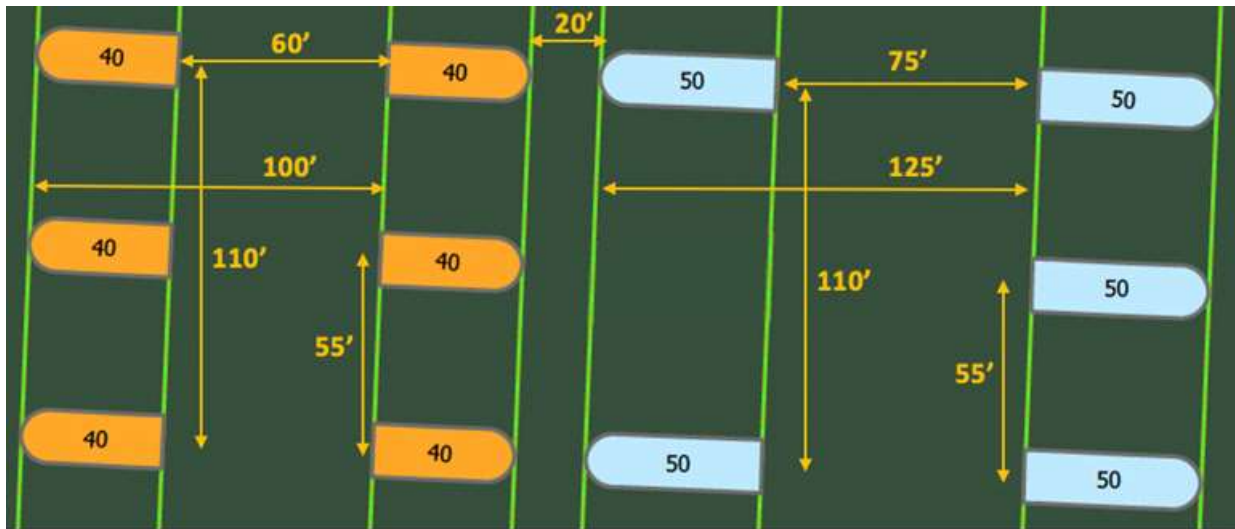


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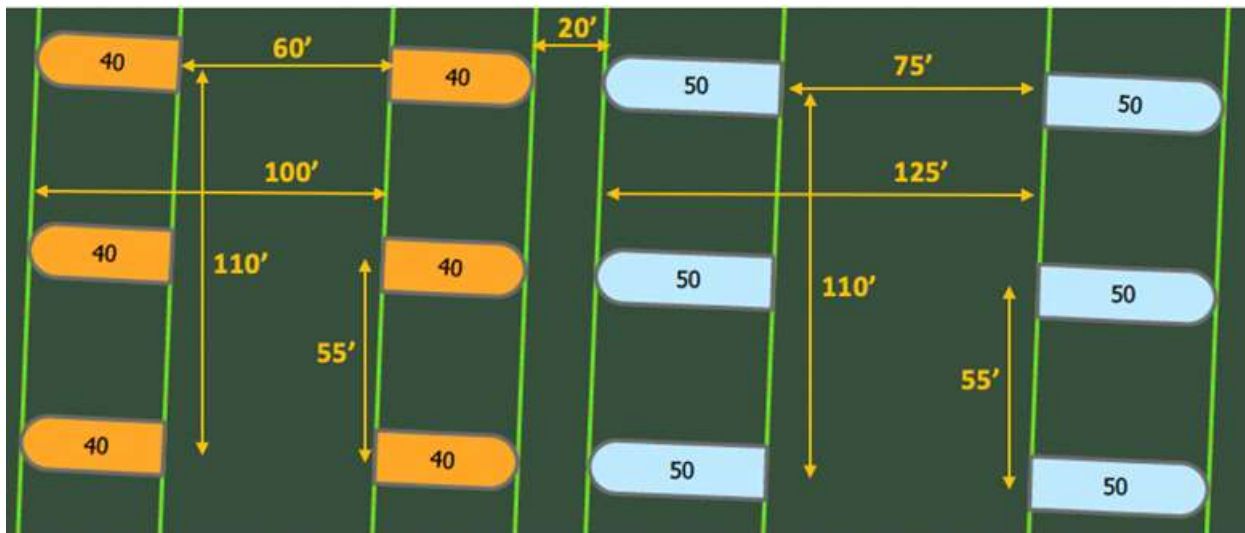
than the LOA of the boat, which does not meet the Newport Beach Harbor Design Standards for marinas, and the distance of the boats moored port and starboard are 20' – 30' apart and in many cases no more than a beam's width between boats. As you can see below, the new configuration provides about double the space between boats in the same row than exists today (55' on center) and increases the average fairway widths for safer navigation. The opposing boats in the double row configuration will be about 20' apart at the shared mooring anchor (or row) location as shown, but there is about double the space to maneuver in every other direction.

New Double Row Mooring Design

Showing open space approaching a 50' mooring



Showing open space after secured to a 50' mooring



This new design is expected to greatly improve safety and navigation and provide existing mooring permittees with an improved experience when securing lines to and from their mooring. Additionally,

due to the efficiency of the new design it will open up greatly needed water space for all mariners in the harbor and allow for the addition of some new moorings as well. Lastly, by cleaning up and organizing the rows, the new design will add to the aesthetics of the harbor, which is long overdue.

Some of the benefits to you as a mooring permittee are as follows:

- **No upfront cost to existing mooring permittees. If approved as is, the City of Newport Beach will pay all costs for the improvements.**
- **This current proposed initiative will have no change to current mooring permittee transferability of permits as per Title 17 of the Civil Code.**
- **Moorings will still be substantially the same configuration with either 2 mooring buoys and a spreader line will be required to prevent mooring buoys from drifting into the fairways, or alternatively, mooring permittees may request to have their mooring equipped with a single mooring buoy and a sand line to retrieve the opposing anchor line (like what is used in Catalina).**
- **Mooring Permittees will experience the same or lower maintenance costs as today.**
- **There will be greater average distances in rows between boats for safer mooring.**
- **There will be substantially wider fairways on average than exist today for safer navigation.**
- **Relocation of moorings will only be to a location within the same mooring field, and every consideration will be made to accommodate like-for-like locations and special requests, where practicable.**
- **Improved public access and increased open water space through the mooring fields for both human-powered and motor-powered craft.**
- **Improved aesthetics for shoreline properties of residents, commercial establishments, visitors, and all harbor users.**

This initiative has been agendaized as a topic discussed by the Harbor Commission and open for public comment at approximately 8 prior Harbor Commission meetings. Additionally, updates have been provided at most meetings each month for more than the past 2 years. On November 9, 2022, the Harbor Commission will review the proposed recommendations for consideration and possible vote for approval. You are encouraged to attend the meeting or send in your comments, input, and suggestions to Harborfeedback@newportbeachca.gov or to the undersigned below, or to the Harbor Commissioners. All comments received before November 4, 2020, will be reviewed, and become part of public record for the upcoming meeting.

If at such time this initiative is approved by the Harbor Commission, the item would then need to be placed on an agenda for a future City Council meeting where the initiative will again be discussed by the city councilmembers and opened for public comments. If approved by City Council, the initial Phase I plan would consist of one mooring field to be selected for the new design. Within that field would be

one row that would be first reconfigured to the new design and tested for suitability and conformance to the engineering specifications. After Phase I has been proven successful, a plan would be prepared to implement the new design to all mooring fields in Newport Harbor. As much as we would all like to see these enhancements occur soon, it will not happen overnight. Your patience is appreciated.

Thank you for your support in maintaining Newport Harbor as a modern and most spectacular venue for residents and visitors to enjoy year-round. Your voice counts, so please let us know what you think.

Best regards,

Ira Beer
Harbor Commissioner and Vice Chairman
ibeer@newportbeachca.gov



From: Robin Chacko <robinjc@icloud.com>
Sent: October 26, 2022 9:29 PM
To: Harbor Feedback
Cc: Blank, Paul
Subject: Fwd: Sent on behalf of Commissioner Ira Beer: Important Information Concerning Your Mooring

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Paul,

Thank you and Ira for providing much needed clarification. This sounds nothing like I imagined, and the value to the harbor is clear.

Can you confirm there is no cost to implementation and no additional cost to the current fee structure for the owners? Will new kinds of fees be tacked on?

Good work,
Robin.

Begin forwarded message:

From: "Blank, Paul" <PBlank@newportbeachca.gov>
Date: October 26, 2022 at 15:18:09 PDT
To: robinjc@icloud.com
Subject: Sent on behalf of Commissioner Ira Beer: Important Information Concerning Your Mooring

Re: Important Information Concerning Your Mooring

Dear CHACKO, ROBIN JACOB,

As you may be aware, the real history of Newport Beach Harbor began in the late 1800's when the first commercial vessel steamed into the harbor declaring a *new port* between San Diego and Los Angeles. However, it was not until 1936 when the Harbor was thoroughly dredged. This opened the pathway for recreational boating in Newport Harbor and led to what is arguably one of the greatest developments and destinations in California and in America today.

The mooring fields in the harbor were initially designed with well-defined rows that left much open water space between boats in the same row and allowing for fairways to be adequate in size for safe navigation by all mariners.

Over the past 20 to 30 years the original design of the mooring fields has been lost with so many boats of different sizes in different rows. This has resulted in the mooring field footprints to be far from where they used to be and in need of organization to improve safety and efficiency.

In 2017, the City of Newport Beach ended its contract with the OCSD Harbor Patrol for mooring administration and code enforcement. This resulted in the formation of a new Harbor Department run by the City of Newport Beach. One of the primary objectives adopted and unanimously approved by the Newport Beach City Council at that time was:

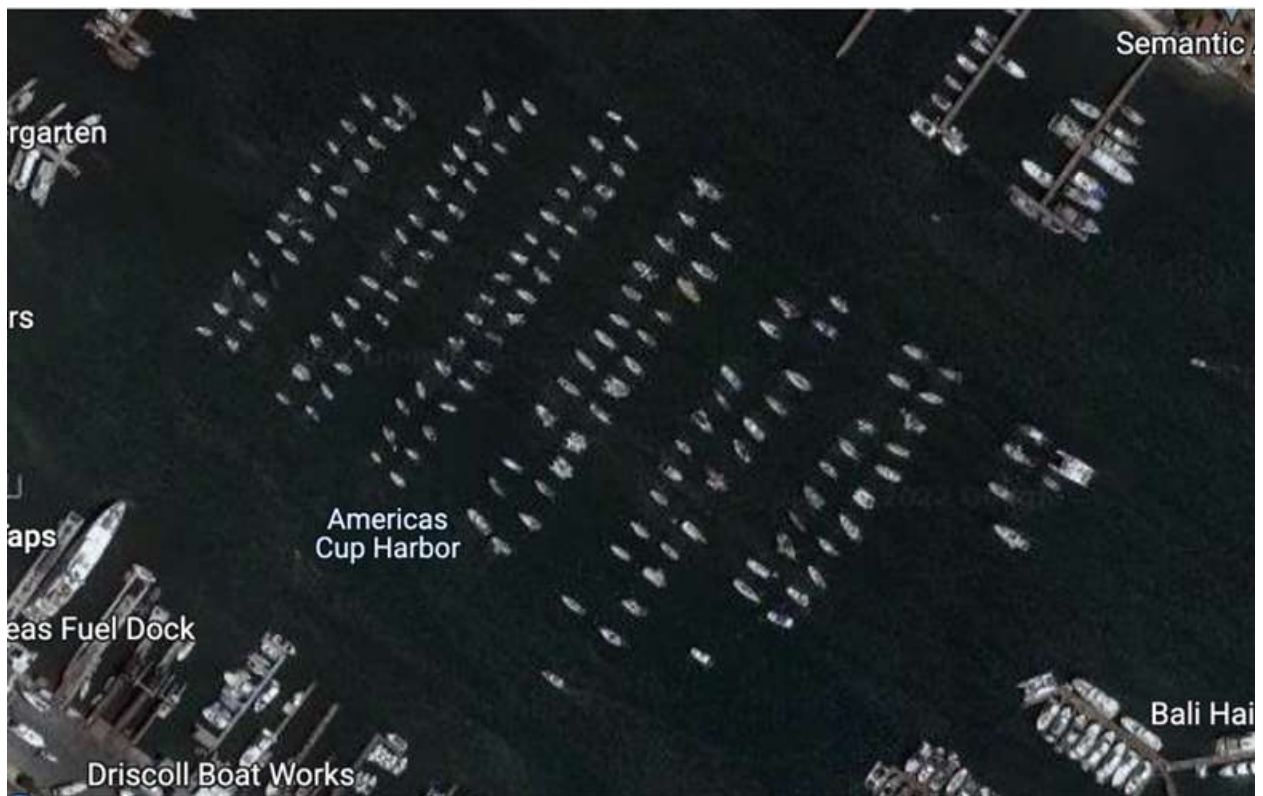
“Evaluate the current mooring fields and provide a recommendation for new guidelines that better define rows and fairways to improve navigation, safety, and optimization of space within the mooring fields.”

Over the past 3 years, the Ad-hoc Committee assigned to meet the above objective (which has since become an integral part of the Harbor Commission’s Open Water Initiative), with the help of City staff along with many experienced Newport boaters, commercial harbor maintenance experts, and engineers hired by the City of Newport Beach, have designed an improved mooring configuration that we are happy to present to you for your comments, feedback and input. The first image below shows the J & H mooring fields in Newport Harbor with about 200 boats in a congested space that takes up about 30 acres of prime water space. The second image below shows America’s Cup Harbor in San Diego with about 180 boats and open fairways with more space between boats in the same row, yet only covering about 15 acres. The more efficient design of double rows allows for 90% of the boats in 50% the space with more room between boats and in fairways.

Current View of Newport Harbor J & H Fields

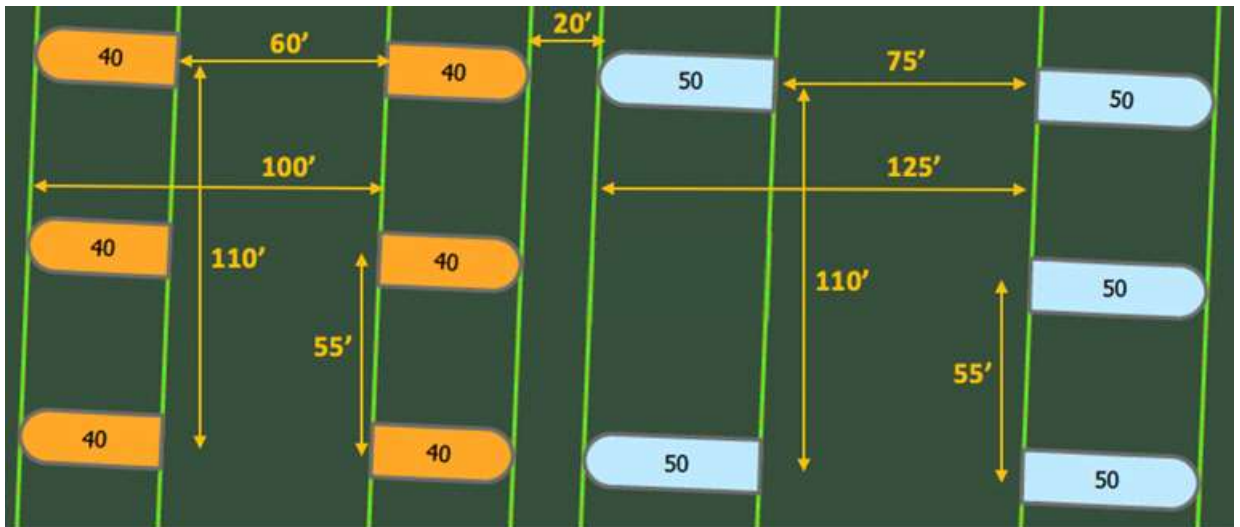


Current View of San Diego’s America’s Cup Harbor
90% of the Moorings in 50% Space
Improved Navigation and Open Water Space

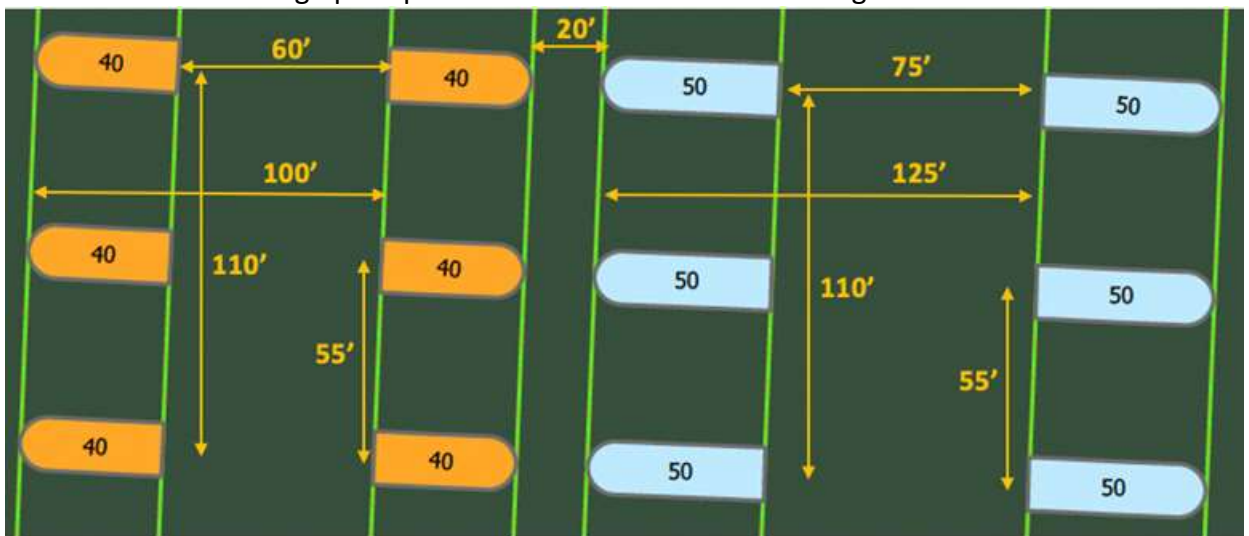


The two images below illustrate some of the benefits of the proposed new design. The first image shows the open water space that will be available to a 50' boat when approaching their mooring. The second image shows the boat after moored. Currently, on average a boater has a fairway width of less than the LOA of the boat, which does not meet the Newport Beach Harbor Design Standards for marinas, and the distance of the boats moored port and starboard are 20' – 30' apart and in many cases no more than a beam's width between boats. As you can see below, the new configuration provides about double the space between boats in the same row than exists today (55' on center) and increases the average fairway widths for safer navigation. The opposing boats in the double row configuration will be about 20' apart at the shared mooring anchor (or row) location as shown, but there is about double the space to maneuver in every other direction.

New Double Row Mooring Design
Showing open space approaching a 50' mooring



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This new design is expected to greatly improve safety and navigation and provide existing mooring permittees with an improved experience when securing lines to and from their mooring. Additionally, due to the efficiency of the new design it will open up greatly needed water space for all mariners in the harbor and allow for the addition of some new moorings as well. Lastly, by cleaning up and organizing the rows, the new design will add to the aesthetics of the harbor, which is long overdue.

Some of the benefits to you as a mooring permittee are as follows:

1. **No upfront cost to existing mooring permittees. If approved as is, the City of Newport Beach will pay all costs for the improvements.**
2. **This current proposed initiative will have no change to current mooring permittee transferability of permits as per Title 17 of the Civil Code.**
3. **Moorings will still be substantially the same configuration with either 2 mooring buoys and a spreader line will be required to prevent mooring buoys from drifting into the fairways, or alternatively, mooring permittees may request to have their mooring equipped with a single**

mooring buoy and a sand line to retrieve the opposing anchor line (like what is used in Catalina).

- 4. Mooring Permittees will experience the same or lower maintenance costs as today.**
- 5. There will be greater average distances in rows between boats for safer mooring.**
- 6. There will be substantially wider fairways on average than exist today for safer navigation.**
- 7. Relocation of moorings will only be to a location within the same mooring field, and every consideration will be made to accommodate like-for-like locations and special requests, where practicable.**
- 8. Improved public access and increased open water space through the mooring fields for both human-powered and motor-powered craft.**
- 9. Improved aesthetics for shoreline properties of residents, commercial establishments, visitors, and all harbor users.**

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Harborfeedback@newportbeachca.gov or to the undersigned below, or to the Harbor Commissioners. All comments received before November 4, 2020, will be reviewed, and become part of public record for the upcoming meeting.

If at such time this initiative is approved by the Harbor Commission, the item would then need to be placed on an agenda for a future City Council meeting where the initiative will again be discussed by the city councilmembers and opened for public comments. If approved by City Council, the initial Phase I plan would consist of one mooring field to be selected for the new design. Within that field would be one row that would be first reconfigured to the new design and tested for suitability and conformance to the engineering specifications. After Phase I has been proven successful, a plan would be prepared to implement the new design to all mooring fields in Newport Harbor. As much as we would all like to see these enhancements occur soon, it will not happen overnight. Your patience is appreciated.

Thank you for your support in maintaining Newport Harbor as a modern and most spectacular venue for residents and visitors to enjoy year-round. Your voice counts, so please let us know what you think.

Best regards,

Ira Beer

Harbor Commissioner and Vice Chairman

ibeer@newportbeachca.gov



From: Tony <drt@etchiropractic.com>
Sent: October 26, 2022 8:09 PM
To: Harbor Feedback
Cc: Tony Fedoryk
Subject: Mooring organization

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Good evening,

In regards to the proposed new mooring layout I have a few concerns.

My first one is getting on and off the mooring if I end up stern to the wind. My boat has a lot of windage (if that is a word) and I currently approach bow into the wind and while on the mooring I take the wind across the bow. If I were turned around I would have great difficulty getting on and off the mooring and I would shift considerably while moored. I purchased that mooring permit with that in mind. Mooring B-51

My second concern would be losing my current end tie position. Again, my boat is hard to handle in the wind and it would most certainly eliminate my ability to single man it safely on and off the mooring.

Privacy is my third and maybe even first concern. Our reason for choosing a mooring over a slip was a greater sense of separation and privacy. Sharing a can would change how we enjoy our time on board.

Fourth would be a sand line. Forget how dirty the boat will get. I don't have the muscle to pull it over in windy situations and I have a solid structure that doesn't allow me to walk it back by myself and even with help I would need to remove side windows to pass it back. Having a decent length above water spreader line and long hook gives my speed an advantage to retrieve them pulling a line up from under the boat and around my screws is concerning. Thank you for all the work and thought into improving our harbor. When it comes to this matter I am in opposition, if it passes I may end up having to sell my boat.

You may receive two copies of this email. I am going to send it from my hotmail account as well as my emails frequently get blocked.

Thanks again,

Tony Fedoryk

Daytripper

Mooring B-51

Dr. Tony Fedoryk

ET Chiropractic

20341 Irvine Ave. Unit D1

Newport Beach CA, 92660

Phone (949)398-6353

Fax (949)398-6354

From: Feral Cat <waynetpowell@gmail.com>
Sent: October 26, 2022 6:54 PM
To: Harbor Feedback
Subject: Moorings

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Hello and thank you for your dedication to making Newport Beach a desired destination.

I attended the last Harbor Commission meeting. I listened intently to presentations.

Commissioner Beer gave a lengthy and detailed report. He introduced a new to this harbor, stainless steel screw anchors as a new way of anchoring moorings. I was in the crowd and could audibly hear many reasons why his proposal wouldn't work, here in Newport Beach specifically.

I noticed that the pictures of current conditions of the moorings, the front rows here ARE NOT STRAIGHT! Actually, not many of the FRONT (of majority of boats) are straight.

SUGGESTION...

Start with setting your new anchors at the ends of the front rows, connected by a cable or chain on the bottom that your two (2) moorings service providers can use as a guide when placing the individual weights of moorings in service. This new line will be straight and maintenance is between the City and only the two providers. This can be done sequentially as desired through the entire harbor and get the rows straight and managed.

Now, the city can manage whole rows together for placement and conformity in boat sizes. For the folks who need to extend their moorings, if the line doesn't have room... The City has other locations that can handle the new Boat size as close as possible to original location. This will allow a system to keep lines straighter and minimize the moving parts.

Very difficult to type words on a cellphone and make reader see actual plan. If anyone sees potential merit in something like this, I can be available to discuss further.

Wayne Powell
204 Main Street - Unit 755
Newport Beach, Can.

waynetpowell@gmail.com

Confidential, Mobile Device Communication

From: Dan <dn50963@gmail.com>
Sent: October 26, 2022 5:26 PM
To: Harbor Feedback
Subject: Mooring

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Harbor Department,
Thank you for sending out the ail regarding the changes to be voted in November.

My highest concern is the transferability of the moorings. I just paid \$60k to transfer the mooring into my name a little more than a year ago. I am not sure what stated in Title 17 Civil Code but if I no longer able to transfer the mooring to any interested party (not just relatives) then my investment is down the drain. This is not fair for most of current permit holders as we all spent the money expecting to get it back when we no longer needed it. I think of it as a deposit. Please keep transferability the way it is.

If you really have to take away this option, I would hope that you consider the option to buy back the transferability from all current mooring tenant at the current rate of \$1,000/ft. If I get my money back, I will just rent the mooring just as any new tenants.

If either of the above option is offered, I will totally support the other changes proposed.

Regards,
Dan Nguyen

From: Costel Falcusan <costel@3dmachineco.com>
Sent: October 25, 2022 12:18 PM
To: Harbor Feedback
Subject: Mooring Field Improved Utilization Report

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Hello,

My mooring is J-113 and I have been very happy with it since I bought it.

I would absolutely welcome some cleaning up of the field into neat rows, however I have a couple of serious concerns about the single can/sand line combo:

1. I have a catamaran and I am currently on an end mooring, with no problems getting on or off. Will I be able to keep an end mooring position?
2. It is considerably more difficult to tie up using a sand (mud) line, as compared to the current 2-can system.
3. The boat gets very dirty from the mud and you are going to have to use your precious fresh water to rinse the mud off every time you come in.
4. You are a lot more likely to get the line stuck in your propeller while pulling on the mud line. That is dangerous!
5. If you happen to be one of the 50% 'unlucky' owners that have to tie up with the prevailing wind on their stern, I can foresee a lot of collisions while tying up.
6. The little critters in the mud that like to hang on to lines. I am not sure what they are but they look like small shelled spiders with a vicious sting. I am currently set up with a floating line, but when I first got my mooring I used to let the lines rest on the bottom of the bay when my boat was out. Big mistake! I got my fingers bit a couple of times and within 15 minutes my hand got numb, with the numbness going up towards my elbow. Not a pleasant experience!
7. Sharing an anchor between two cans—it's just too close to be 10 feet to the bow of the other one when tying up, especially with wind on your stern.
8. As far as saving money by not having to pay the maintenance for the second can, I would gladly spend it in exchange for not having to deal with the mess of the mud line. It's money well spent!

In conclusion, I agree that having equal length rows would look better and allow for more boats to be moored, however that can be done without the inconvenience and danger of the single can/sand line system.

Please keep the two can system!

Thank you and please let me know if you have any questions!!!

Costel Falcusan
GM/VP
3D Machine Company, Inc.
costel@3dmachineco.com
www.3dmachineco.com
714-777-8985 x302
714-394-7227 cell

This email is confidential and intended solely for the use of the individual(s) to whom it is addressed. The information contained in this message is privileged and confidential and protected from disclosure. If you are not the author's intended recipient, be advised that you have received this email in error and that any use, dissemination, forwarding, printing, or copying of this email is strictly prohibited. If you have received this email in error please delete all copies, both electronic and printed, and contact the author immediately.

From: Beer, Ira
Sent: October 21, 2022 5:12 PM
To: kathryn777
Cc: Blank, Paul
Subject: Re: Moorings

Hello Ms. O'Neal,

Great advice. Thank you for your input and I assure you it will be considered in our final recommendation. It would be great if you could attend the next Harbor Commission meeting on November 9, 2022 at 5pm where this will all be discussed in detail. I hope to see you there.

Have a nice weekend.

Best regards,



Ira Beer
Harbor Commissioner
ibeer@newportbeachca.gov
(949) 702-6900

From: kathryn777 <kathryn777@aol.com>
Date: Friday, October 21, 2022 at 3:47 PM
To: "Beer, Ira" <IBeer@newportbeachca.gov>
Subject: Re: Moorings

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Mr Beer,

Thank you very much for your timely response. I must admit the information I have received "on the water" has been contrary to your proposal. I appreciate your thorough explanation.

Please permit me one piece of advice: if this proposal goes forward a significant amount of time should be allowed between notification and implementation. The reason is there will be a mass exodus from the harbor (not me) for two reasons. First, some people just don't like change and, secondly, many boat owners are getting older and dealing with the new configurations would not be worth it. In my row alone, all but one boat owner is in the mid to late seventies and boat ownership has become physically challenging. I think giving the make-up of the harbor time to settle a bit would be wise.

Again, thank you for your response and concern.

Ms O'Neal

----- Original message -----

From: "Beer, Ira" <IBeer@newportbeachca.gov>
Date: 10/21/22 10:47 AM (GMT-08:00)
To: kathryn777 <kathryn777@aol.com>
Cc: "Blank, Paul" <PBlank@newportbeachca.gov>
Subject: Re: Moorings

Hello Ms. O'Neal,

Thank you for reaching out with your question. I am providing two images (below) that show the proposed re-design layout in a location in the C field. The first image shows the open water space that will be available to a 50' boat when approaching their mooring. The second image shows the boat after moored. Currently, on average a boater has a fairway width of less than the LOA of the boat, which does not meet the Newport Beach Harbor Design Standards (even for slips in a marina), and the distance of the boats moored port and starboard are 20' – 30' apart and in many cases no more than a beam's width between boats. As you can see below, the new configuration provides about double the space between boats in the same row than exists today (55' on center), and increases the fairway widths for navigation by no less than 50% and in many cases the fairway width is almost double the current size. The opposing boats in the double row configuration will be about 20' apart at the shared mooring anchor (or row) location as shown, but there is about double the space to maneuver in every other direction.

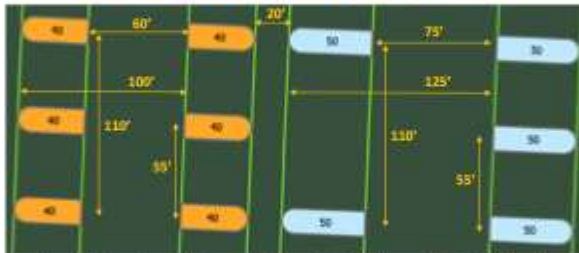
This design is expected to greatly improve safety and navigation and provide existing mooring permittees with an improved experience when tying to and from their mooring. Additionally, due to the efficiency of the new design it will open up greatly needed water space for all mariners in the harbor and allow for the addition of some new moorings as well. Lastly, by cleaning up and organizing the rows, the new design will add to the aesthetics of the harbor, which is long overdue.

Please do not hesitate to let me know if you have additional comments, feedback or questions.



Safety and Improved Navigation With Double Row – Two Point Moorings

New Double Row Mooring Design – C Field

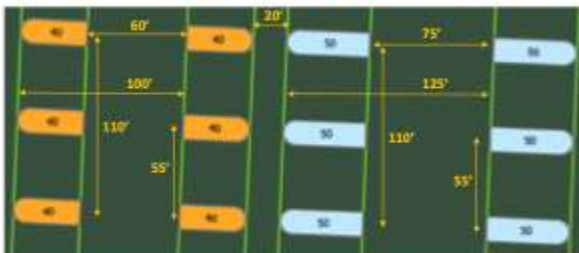


- When approaching a 50' mooring, a boater will have a 75' wide fairway (1.5 x its LOA) and open space of approximately 100' x 125' to grab the mooring line and secure the vessel.
- A boater can safely move left or right a distance up to 50' when abandoning an attempt to retrieve the mooring line. A boat tied to a mooring should not be able to encounter adjacent boats in the same row.
- Even with all this extra room, boaters must know how to properly operate their vessel and are responsible to match their ability with present conditions in an open and active mooring field.



Safety and Improved Navigation With Double Row – Two Point Moorings

New Double Row Mooring Configuration – C Field



- When approaching a 50' mooring, a boater will have open space of approximately 100' x 125' to grab the mooring line and secure the vessel.
- A boater can safely move left or right a distance up to 50' when abandoning an attempt to retrieve the mooring line.
- Even with all this extra room, boaters must know how to properly operate their vessel and are responsible to match their ability with present conditions.

Best regards,



Ira Beer
Harbor Commissioner
ibeer@newportbeachca.gov
(949) 702-6900

From: kathryn777 <kathryn777@aol.com>
Date: Friday, October 21, 2022 at 10:16 AM
To: "Beer, Ira" <lBeer@newportbeachca.gov>
Subject: Moorings

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Mr. Beer,

Apparently there are changes afoot with mooring configurations. I have a simple question that I can't find the answer to. Please tell me how close boats are together. Thanking you in advance for your time.

Ms. O'Neal

Sent from my Verizon, Samsung Galaxy smartphone

From: Beer, Ira
Sent: October 21, 2022 12:22 PM
To: cwtillman@cox.net
Subject: Re: Comments on Harbor Commission Consideration of Recommendations Resulting from Commission Objective 2.3 to Improve Navigation Safety, Allow for Additional Moorings Within the Fields and Mooring Size Exchanges Requests

Hello Mr. Tillman,

Thank you for your comments and input. I assure you all your concerns are being considered very seriously. We are looking at options to address these (and other) concerns. Any new design will be expected to improve safety and navigation and provide existing mooring permittees with an improved experience when tying to and from their mooring. Additionally, due to the efficiency with the new design it will open up greatly needed water space for all mariners in the harbor and allow for the addition of some new moorings as well. This will allow a small subset of people who cannot afford the high entry fee for a mooring permit to get on a waiting list and perhaps be able to enjoy boating on Newport Harbor when they otherwise could not.

This item has been placed on the agenda for review, discussion, public comment and possible recommendation at the next Harbor Commission meeting scheduled for November 9, 2022. I encourage your comments and hope you will be able to attend.

Best regards,



From: "cwtillman@cox.net" <cwtillman@cox.net>
Date: Friday, October 21, 2022 at 10:53 AM
To: Harbor Commission <HarborCommission@newportbeachca.gov>
Subject: Comments on Harbor Commission Consideration of Recommendations Resulting from Commission Objective 2.3 to Improve Navigation Safety, Allow for Additional Moorings Within the Fields and Mooring Size Exchanges Requests

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Harbor Commissioners,

Please accept that attached comments regarding the proposed mooring plan, as discussed at the last public meeting.

Best regards,

Craig Tillman
(949) 388-5700

From: cwtillman@cox.net
Sent: October 21, 2022 10:54 AM
To: Harbor Commission
Subject: Comments on Harbor Commission Consideration of Recommendations Resulting from Commission Objective 2.3 to Improve Navigation Safety, Allow for Additional Moorings Within the Fields and Mooring Size Exchanges Requests
Attachments: Comments for Harbor Commission Re Mooring Proposal.pdf

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

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Best regards,
Craig Tillman
(949) 388-5700

October 21, 2022

Newport Harbor Commission
Newport Beach, California
VIA EMAIL

RE: Harbor Commission Consideration of Recommendations Resulting from Commission Objective 2.3 to Improve Navigation Safety, Allow for Additional Moorings Within the Fields and Mooring Size Exchanges Requests

Dear Harbor Commissioners,

Please consider the following comments and suggestions, respectively submitted, regarding the above referenced discussion item, presented during your October 12, 2022 meeting.

- (1) Most active mooring permittees are using a spreader line to safely accomplish egress and ingress to their mooring location. As pointed out during the meeting, many permittees anticipate significant problems in using their moorings, especially during adverse periods of tide or wind, given the revised proximity to other boats and necessity for a sand line as suggested in the present proposal.
- (2) Yes, the concept of moving to a “conservation mooring” in which a helix anchor along with a chain float used in lieu of a weight block to keep the mooring chain off the bottom to effect better preservation of the bay bottom and promote eel grass growth is a great idea. Indeed, an overwhelming majority of mooring permittees are good stewards of the tidelands and would embrace this solution. It should be noted that “bunching boats” and increasing density of the mooring fields will obscure sunlight and have the net effect of inhibiting overall eelgrass populations. Compared to fixed docks and the vessels tied to them, the current two-point mooring system allows for freer movement thus making it a more positive solution for the eel grass health and the environment overall. It should be noted that mooring maintenance of a helix set-up will be more costly relative to the current mooring set-up, as divers will be required to inspect and replace chain. Has the commission considered this extra burden to mooring permittees? Nonetheless, we would be in favor of two-point conservation moorings, assuming the engineering and testing can qualify them, to replace the existing two-point weighted moorings. Overall mooring field organization would likely be better preserved as that alternative would eliminate the problem of dragged weights during high wind or current events. In addition, the conservation mooring would help keep existing fairways clearer when a mooring is not occupied (and not employing spreader lines) by reducing tendency of the mooring ball to wander with tide currents.
- (3) The Board’s focus and interest in increasing free navigation space seems to focus solely on vessels that are not human powered. Indeed, the current configuration of the mooring fields provide a natural buffer for the operation of human powered vessels like paddleboards, kayaks as well as small sailing vessels. The current mooring fields provide physical protection from wayward engine-powered vessel operators and their wakes. The same can be said for marine

life, like dolphins which are often spotted inside mooring fields as they seek refuge from busy boat traffic corridors.

- (4) As this proposal seeks to increase mooring capacity by an additional 100 vessels, but does not consider how this intensification of harbor usage will increase demands in other harbor facilities. Specifically, accessing moorings will become more problematic as public docks, dingy storage areas and private marinas have no additional capacity to accommodate additional permittees that wish access to their vessel – this is already the case for the existing mooring population. Where will all those additional users park their cars? Will this not have a negative effect on homeowners in the harbor area? Homes closest to the water have limited parking as it is. As you may know this is a non-trivial expense for mooring users now and should be accounted for in any plan or proposal. It's like building a new high-density housing subdivision without making provisions for parking or better roads for access.
- (5) The current mooring configuration promotes the ability to sail up to a mooring, without use of power, thereby encouraging greener activities in the harbor. The proposal would largely eliminate this opportunity for greener vessel operations.
- (6) The proposal as presented during the meeting talked a great deal about the aesthetics of the current mooring fields, comparing them to that of the America's Cup Harbor in San Diego. It may be a matter of personal taste, but the aesthetics in San Diego's harbor can be likened to that of a big parking lot, highly compact and decidedly ugly. In Newport Beach, the current aesthetic is more random, allowing for more space between boats and thus providing a pleasing random backdrop for harbor users. We understand that from an ariel view, neat rows of boats may seem appealing, but from the water, we think it would essentially create an industrial look.
- (7) As a frequent user of both harbors, it's clear that Newport Beach Harbor and America's Cup harbor are not comparable from a wind and tide current standpoint. This underlines the incompatibility of the proposal for sand line moorings with a shared mooring ball in Newport Beach harbor.
- (8) It also seems that closer arrangement of vessels will amplify problems of seals hauling out on boats, essentially allowing these marine mammals more opportunity to congregate closer to each other. Mooring permittees already have significant responsibility for dealing with seal haul outs – please don't increase the difficulty of discouraging this activity.

It was unfortunate and unproductive that the Harbor Commission spent so much time lecturing the public attendees on reasons they disliked the NMA at the last meeting. In our view, this was not the appropriate forum for that. Most of the public attendees were present to hear for the first time the actual proposal that was being made and judge its merits for themselves. Yet they were subject to a long and condescending preamble.

Every mooring permittee is required to provide the Harbormaster with detailed contact information, including email contacts and mailing addresses. It should be possible for the Commission, when considering a proposal that affects the usability and overall value of mooring permits, to directly notify every mooring permittee of (1) upcoming meetings where this such proposals are on the agenda, and (2) provide details of the proposal as a pre-read for upcoming discussions. A simple email would do. Such action would signal the Commission's willingness to truly have a collaborative and constructive conversation with all interested and affected parties.

Best regards,

Craig Tillman

(949) 388-5700

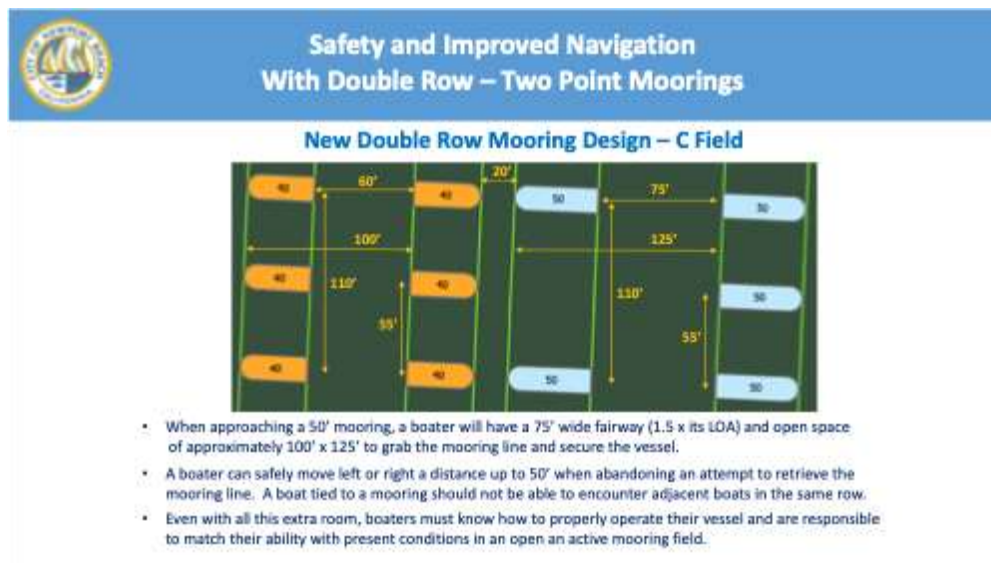
From: Beer, Ira
Sent: October 21, 2022 10:47 AM
To: kathryn777
Cc: Blank, Paul
Subject: Re: Moorings

Hello Ms. O'Neal,

Thank you for reaching out with your question. I am providing two images (below) that show the proposed re-design layout in a location in the C field. The first image shows the open water space that will be available to a 50' boat when approaching their mooring. The second image shows the boat after moored. Currently, on average a boater has a fairway width of less than the LOA of the boat, which does not meet the Newport Beach Harbor Design Standards (even for slips in a marina), and the distance of the boats moored port and starboard are 20' – 30' apart and in many cases no more than a beam's width between boats. As you can see below, the new configuration provides about double the space between boats in the same row than exists today (55' on center), and increases the fairway widths for navigation by no less than 50% and in many cases the fairway width is almost double the current size. The opposing boats in the double row configuration will be about 20' apart at the shared mooring anchor (or row) location as shown, but there is about double the space to maneuver in every other direction.

This design is expected to greatly improve safety and navigation and provide existing mooring permittees with an improved experience when tying to and from their mooring. Additionally, due to the efficiency of the new design it will open up greatly needed water space for all mariners in the harbor and allow for the addition of some new moorings as well. Lastly, by cleaning up and organizing the rows, the new design will add to the aesthetics of the harbor, which is long overdue.

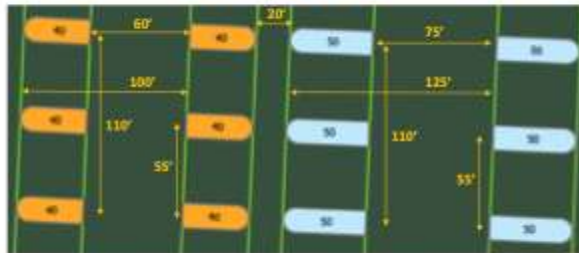
Please do not hesitate to let me know if you have additional comments, feedback or questions.





Safety and Improved Navigation With Double Row – Two Point Moorings

New Double Row Mooring Configuration – C Field



- When approaching a 50' mooring, a boater will have open space of approximately 100' x 125' to grab the mooring line and secure the vessel.
- A boater can safely move left or right a distance up to 50' when abandoning an attempt to retrieve the mooring line
- Even with all this extra room, boaters must know how to properly operate their vessel and are responsible to match their ability with present conditions.

Best regards,



Ira Beer
Harbor Commissioner
ibeer@newportbeachca.gov
(949) 702-6900

From: kathryn777 <kathryn777@aol.com>
Date: Friday, October 21, 2022 at 10:16 AM
To: "Beer, Ira" <IBeer@newportbeachca.gov>
Subject: Moorings

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Mr. Beer,
Apparently there are changes afoot with mooring configurations. I have a simple question that I can't find the answer to. Please tell me how close boats are together. Thanking you in advance for your time.
Ms. O'Neal

Sent from my Verizon, Samsung Galaxy smartphone

From: Beer, Ira
Sent: October 19, 2022 7:06 PM
To: gerald saba
Cc: Blank, Paul
Subject: Re: Mooring reconfiguration

Hello Mr. Saba,

Thank you again for your comments and input. As mentioned we are looking at options to alleviate your (and others) concerns. You appear to be a very experienced boater.

At the present time there is no intent to change or modify provisions of Title 17 that would terminate the transferability for existing permittees or the transfer recipient of an existing permittee. Only the *new* moorings that may be added to the existing mooring fields will not be subject to transferability under the proposed changes. These *new* moorings may be offered to the public without the need to make a large investment into acquiring a mooring permit. This will allow others who may not be able to afford such a large investment to enjoy boating on Newport Harbor. That said, the market for moorings, supply and demand can all change in the future as you must be aware. Any of those factors, and many others, including any future legislation or changes to Title 17, could adversely affect the value and transferability for your mooring and for other existing mooring permittees. As you made reference to your retirement assets, I have no input for you, but will quote Bernard Baruch, an acclaimed financier and former FDR presidential advisor who once said, "You can't go broke by taking a profit".

Please do not hesitate to let me know if you have additional questions, concerns or comments. Your input is appreciated.

Best regards,



From: gerald saba <gwsaba@yahoo.com>
Date: Monday, October 17, 2022 at 5:38 PM
To: "Beer, Ira" <IBeer@newportbeachca.gov>
Subject: Re: Mooring reconfiguration

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Oct. 17, 2022

Dear Commissioner Beer,

To answer your question, yes I do use a spreader line on my mooring in H field. I have always used it to pick up the stern line after securing the bow. However, as I have gotten older and weaker, I intend to

make the spreader line heavier so that I can utilize it to secure the stern if it starts to get away from me in the wind/current.

A second concern of mine, and my family's, is transferability. Per the discussion at the last meeting, it is our understanding that we will not lose our existing transferability even if we get reassigned to another can or another field. As retired teachers, we are counting on that asset. Are we correct in this understanding about retaining our transfer rights?

Thank you for your efforts to make Newport Harbor a safer boating experience.

Sincerely,

Jerry Saba

On Sunday, October 16, 2022 at 05:29:20 PM PDT, Beer, Ira <ibeer@newportbeachca.gov> wrote:

Hello Mr. Saba,

Thank you for your feedback and input. I really appreciate it.

I believe many boaters in Newport Harbor share your feelings about the sand line moorings at Catalina being the favorite for many reasons. I do share your concerns and believe we have some solutions that I look forward to sharing with you after they have been properly tested.

I love the Viking line and is what I owned most of boating life. Do you use the spreader line on your mooring in the A Field, or are you able to grab the line at the mooring ball? I am just curious.

The Harbor Commission will be meeting on this subject again at the November 9, 2022 meeting. I hope you will be able to attend.

Best regards,



From: gerald saba <gwsaba@yahoo.com>
Date: Saturday, October 15, 2022 at 5:47 PM
To: "Beer, Ira" <IBeer@newportbeachca.gov>
Subject: Mooring reconfiguration

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

October 15, 2021

Dear Commissioner Beer,

My name is Jerry Saba and I have a 40 ft. Viking on Mooring H-810 and an inflatable dingy on P-089. My wife and I attended the Harbor Commission Meeting on October 12. Besides being long-term boaters, using this offshore can for over 40 years, I also worked at Balboa Boat Yard for 10 plus years. During that time, I often had to pick up boats from all the mooring fields. In so doing, I feel that the J and H fields were the most congested and dangerous. On several occasions I complained to the Sheriff's Harbor Department about my concerns of the dangerous conditions in these fields. Therefore, I am extremely happy to hear that you have taken on the challenge to make these mooring fields safer and easier to navigate.

I, however, do have concerns about the proposed plan for a new mooring system. Firstly, as someone mentioned at the meeting, the muddy bottom in Newport Harbor is a concern in sand line usage. A friend of mine, who was a long-time liveaboard in Avalon Harbor and an experienced sand-line user, set up a similar system when he moved his boat to Newport Harbor. He tried using it in the J-field, and quickly realized that the muddy bottom made the sand line too slippery and impractical. He no longer uses that system.

Secondly, in my 150 or more trips to Catalina, almost exclusively, I recall the wind to be on the bow in front of the mooring ball. In the last 2 months in Newport, we have experienced the wind to be out of the west, the southwest, the south, and the east, sometimes hitting us abeam or from astern. From my understanding of the new mooring system being proposed, I have serious concerns about how difficult it will be to pick up the mooring in some of these wind conditions. If the proposed system is still deemed to be a viable option, I would suggest testing it at the beginning of the H field, or in the F field, where there is more space between moorings. As the Catalina sand-line system is my favorite, I wish it could work in Newport, but I have my doubts.

We appreciate your dedication to this issue, and the time and effort you obviously have invested in making Newport Harbor a better boating venue, and your willingness to hear our opinions. Feel free to contact me if you so desire.

Sincerely,

Jerry Saba

From: Beer, Ira
Sent: October 19, 2022 6:37 PM
To: nigelb@att.net
Cc: Blank, Paul
Subject: Re: catching a mooring in the wind

Hello Mr. Baily,

Sorry for my delayed reply. I appreciate your comments and sharing the common orientation of most boats in the J & H Fields. As mentioned previously, we are looking at different options to alleviate your (and others) concerns. Stay tuned...

Thank you again and please feel free to reach out anytime with comments or if you want an update. The Harbor Commission will meet on this issue again next month at the Nov 9th meeting. Hope to see you there.

Best regards,



Ira Beer
Harbor Commissioner
ibeer@newportbeachca.gov
(949) 702-6900

From: "nigelb@att.net" <nigelb@att.net>
Date: Monday, October 17, 2022 at 5:55 PM
To: "Beer, Ira" <IBeer@newportbeachca.gov>
Subject: RE: catching a mooring in the wind

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Thank you for responding and quickly. I'm sure you have many messages to respond to. It is much less challenging with the 2 mooring ball system to approach into the wind, put it in neutral when I'm close enough to the wand attached to the spreader line that I can nab it with a hook if necessary and once I have the spreader line on board and the wind is starting to carry the boat astern I can drop the loop over the forward cleat and walk the spreader line back to secure the stern. I just don't know how it would work with the new system. My other concern is if my particular mooring location puts the wind on my stern it seems I'm going to have figure out how to grab a mooring line on the bow with the wind pushing me towards the boat ahead of me and try to walk the messenger line back to the stern cleat. I've recently experienced high winds that have made mooring the boat by the old system problematic, with the new system nearly impossible. Much of my problem is with my circumstances since my wife who used to be my first mate and a very able helmsman has Alzheimer's and is no longer able to be more than a passenger, so I am essentially single handing. Further one of her few joys in life is being on the water, so boating is an important part of our lives together. I have always been a team player and willing to adjust to new ideas but I see so many concerns with the new mooring system, primarily if I am no longer bow to the wind. You will note with almost no exceptions that all the boats in J and H are moored bow to the wind. I'm over 80, and physically fit, but sprinting forward or sternward needs to be

done with caution as I'm not as nimble as I once was. If a video was available showing a boat owner approaching a mooring set up as in San Diego, to see mechanically how it is done. It would be easy to see from such a video how mooring a vessel with wind either on the bow or stern would be affected. Thanks again for your speedy response. Nigel Bailey

From: Beer, Ira <IBeer@newportbeachca.gov>
Sent: Sunday, October 16, 2022 5:49 PM
To: nigelb@att.net
Subject: Re: catching a mooring in the wind

Hello Mr. Bailey,

Thank you for your detailed feedback and input. I really appreciate it.

Your concerns are taken very seriously. It seems to me the primary concern is not being able to grab the messenger (or spreader) line as you do now. I can see how it may be more challenging to retrieve the line at the mooring ball vs a spreader line. Currently with the 2 mooring balls and a messenger line, once you grab the spreader line you are in a good position and if there were a boat 20 to 30 feet off your bow mooring it should not be of concern as you would be held in place by the messenger line. Do you agree?

I like the idea of a step-by-step process no matter the solution decided upon.

Best regards,



From: "nigelb@att.net" <nigelb@att.net>
Date: Friday, October 14, 2022 at 11:43 AM
To: "Beer, Ira" <IBeer@newportbeachca.gov>
Subject: catching a mooring in the wind

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

My name is Nigel Bailey, I spoke at the meeting. As a mooring holder for many years (H310 currently and a mooring in the J field before that) and through ownership and use of 5 boats, 3 from 27 to 30 feet and 2 at 45 feet, one power, the rest sail, I can attest to the difficulty of catching a mooring single handedly, in a heavy (32000 pounds) underpowered (70 hp) vessel. I need to approach it, slowly, when close enough, bring the boat as close as possible to a stand-still, put it in neutral, engine running, sprint forward with a hook and grab the wand, attached to the line between moorings, pull it in, hook it to the bow cleat, then walk the line between moorings back to the stern with the objective of dropping the loop in the stern line over the stern cleat. Sometimes if there is a cross wind it takes all my strength to pull the stern towards the loop in the stern line. I have no concern that the vessel will move forward

since I'm always headed into the wind as all other moored boats around me are and if anything will drift sternward, that drift halted when the bow line becomes taut. In a high wind it is very difficult to accomplish the objective of securing the vessel to the mooring with the current arrangement. With the proposed mooring arrangement with vessels using a common bow mooring with another vessel bow to bow, If I have the bad fortune of facing the opposite direction with stern to the wind with the risk of drifting forward into the boat sharing the mooring, I would assume I would need to secure the bow, then with the engine at an idle in reverse, walk the messenger line back to the stern where I can find the stern line to drop it over the stern cleat. If I have the bad luck to have sufficient wind on my stern and have to rev the engine to stay away from the vessel sharing the mooring I take the risk of prop walking away from the stern tie up. Also allowing the prop to be turning while in close proximity to lines under water amps up the risk of a wrap, now I'm drifting with an unresponsive engine and no control as to direction. Every sailor's nightmare. I am unfamiliar with San Diego Harbor and the mooring field is that you use as a model but I suspect they are in a sufficiently protected area where they aren't subject to the winds we often experience. If they are, I guess I need training on the process of securing the vessel to the mooring with a 20 to 40 knot wind on my stern, and another stationary vessel 30 feet off my bow and in my direct line of drift.

It would help all of those affected by the proposal to know the step by step process of securing a vessel to the proposed mooring system, especially with a wind on the stern, If it is as I described, it seems problematical at best. Finally with plans of a catamaran being our next vessel it is important to me that we stay on an end mooring, as I understand Catamarans can only be moored on an end. I paid a premium for my location and am hoping not to end up on the inside.

From: Beer, Ira
Sent: October 17, 2022 11:55 AM
To: Avery, Brad; Blom, Noah; Brenner, Joy; Dixon, Diane; Duffield, Duffy; Muldoon, Kevin; O'Neill, William
Cc: Finnigan, Tara; Harp, Aaron; Leung, Grace; Oborny, Shirley; Rieff, Kim; Miller, Chris; Jung, Jeremy; Blank, Paul; Biddle, Jennifer
Subject: Recent item discussed at the Oct 12, 2022 Harbor Commission meeting

Dear Honorable Mayor and City Councilmembers,

To diffuse the misinformation delivered to the good citizens, mooring permittees and users of Newport Harbor, at last week's Harbor Commission meeting I provided a detailed response to a letter that went out by the NMA to many residents, stakeholders and City officials, which you may have received. For your perusal, my summarized presentation notes used for the delivery of my response to that letter during the October 12, 2022 Harbor Commission meeting are posted below at the end of this email.

The reconfiguration of the mooring fields is critical for safety, aesthetics, and improved navigation. The new configuration will also result in greatly improved public access through and adjacent to the mooring fields, while also providing an opportunity to add additional *new* moorings intended to be city owned, non-transferrable, and not require an average \$50,000 investment paid by a private party directly to existing mooring permittees for a 50' mooring (as example). The public can simply apply for these *new* mooring permits by lottery followed with a waiting list as is similarly done at Catalina and just about everywhere else along the California coast. This will provide for a fair and more affordable boating experience for many of those who could not otherwise enjoy boating on our Harbor with their families and friends.

The following Presentation Summary has only been provided to those of you on this email. Please feel to reach out to me with any comments or questions. I would also like to express my sincere gratitude for all the heartfelt dedication and support to our beautiful harbor you each provide individually and collectively.

HC Meeting Oct 12, 2022 – Presentation Notes

Good evening, ladies and gentlemen and thank you for attending this Oct 12, 2022 HC meeting. Some you here tonight may have written letters related to this agenda item. I have read every letter and carefully considered what was written. I also read a rather disturbing letter dated Oct 10, 2022, and sent by the NMA Board to its members, mooring permittees, the HC, the Mayor of NB and City Council members. As some of you may wish to make a public comment this evening as it pertains to the proposed mooring reconfiguration that will be discussed shortly, I would like to share facts related to the allegations set forth in the NMA letter to which the basis of your public comments of record may be based.

Address concerns from letters

1. NMA Letter states:

- **The HC is proposing to move your boat across the harbor.** Further stated “**this is a proposal to radically change Title 17** of the City Code allowing the HC without your approval to move any boat...to some other location in the harbor.

I believe this statement to be false and misleading. There is nothing in what was agendized or that will be presented tonight that proposes to move any boats across the harbor. Furthermore, the City of NB has always maintained the right to move any permittee’s vessel temporarily or permanently. See Title 17 section 17.60.040 paragraph j., which states: the Permittee does...”Authorize the City, or its designee, to move the vessel on the mooring to another location when deemed necessary by the Public Works Director and/or the Harbormaster... Title 17 need not be changed to provide the City with the right move boats, that right already exists.

2. NMA Letter states:

- **This is a Proposal to Terminate Transferability.**

I believe this statement to be false and misleading. There is nothing in what was agendized or that will be presented tonight suggesting to terminate transferability of any existing mooring permits.

3. NMA Letter states:

- **The proposed changes to Title 17 have been pushed forward under a guise of a potentially dangerous new mooring system** as if they were slips and not in open water...**obvious danger to life and limb and does not seem to be understood by the HC....** (For the record, *a guise*, quoted from the NMA letter is defined by Google as providing an appearance, or manner of presentation, typically concealing the true nature of something.

I believe these statements to be false and misleading and the allegations are without basis of fact and have no merit; and frankly is disrespectful and insulting to this body of commissioners that have all been carefully selected and approved by vote of the City’s honorable Mayor and City Councilmembers.

Fact: The proposed mooring reconfiguration is used in other harbors including San Diego Harbor successfully for more than 40 years. According to the current administrator in charge of the large 2-point mooring field in San Diego’s America’s Cup Harbor, to his knowledge there have been no incidents or danger to life and limb during his 25 years associated with administrating this particular mooring field including the time he was the administrator of the Port of San Diego. He further commented that the America’s Cup Mooring Field is subject to exposure from large wakes and swells from the harbor entrance. Additionally, during the tsunami of

recent years, the surge and fetch was substantial and there was no incident. Newport Harbor is one of the most protected harbors along the coast and mariners are fortunate to be provided with such protection from storm surges, rough seas and wakes from large ocean-going vessels. This efficient mooring design has been engineered and designed to withstand the natural elements that may exist in our harbor and is not “an obvious danger to life and limb” and provides substantially more room between vessels in the same row and 50% to more than 100% more width in every fairway than currently exists, which you will soon see in the presentation I will be presenting.

4. NMA Letter further states:

- **“The HC has not met with the NMA on any of this”** (repeat) and could possibly be voted on after only providing a few days’ notice which almost no one ever sees...

Perhaps the NMA board member who wrote this should refresh their memory, read the agenda or come to HC meetings so they would see and know what was going on. If I was an NMA member I would expect that of my board members.

In fact; The HC has met with the NMA and has actively engaged in dialogue over the past 4 years that I am aware of. Specifically, this matter has been agendized for public comment at approximately 8 HC meetings, 2x in 2018; 3x in 2019, 1x in 2021 and 2 x over the past 6 months. There was also 1 Zoom meeting in 2020 during Covid. During each of the last 30 HC meetings over the past 2-1/2 years status updates to this very important initiative defined under HC Objective Functional Area 2.3 has been provided and were open for public comment and remain on record for public access. The Objectives are defined in writing, adopted by City Council and are also posted on the City website. Most recently, 4 months ago at the June 8th HC meeting this item was properly noticed and agendized and a full presentation (very similar to what you will see tonight) was provided. Members of the NMA Board and NMA permittees were present. The formal PowerPoint presentation shown at the meeting was provided to the NMA the next day via email.

Later in June the NMA requested information about the meeting that related to project economics and proposed mooring rate increases. An email was sent to the NMA by me with a copy to the HC and the NB City Council on June 28, 2022 stating: – *“ The purpose of the mooring initiative discussed (at the June 8th HC meeting) and defined in item 2.3 of the Harbor Commission Objectives is to evaluate the current mooring fields and provide a recommendation for new guidelines that better define rows and fairways to improve navigation, safety, and optimization of space within the mooring fields. Economics of the proposal and mooring rate increases were not a part of the discussion or the primary subject matter of the Objective.*

I would be happy to meet with you and the NMA board in person or via Zoom to discuss what was presented and the items related thereto. Please let me know. Otherwise, I hope you will watch for when

this topic is agendaized at future Harbor Commission meetings as I and the Harbor Commission value your comments and any input you feel compelled to share. Thank you."

No response from the NMA to meet and discuss the presentation was ever received.

September 26, 2022 – I took the liberty to send another email, I quote: *"Attached herewith please find a copy of the initial engineering study for the mooring field reconfiguration. Should you have any questions, comments, or feedback, please do not hesitate to respond back to me."* I further quote...***"Should you wish to discuss any of the information provided, or any other aspects of the project, please do not hesitate to let me know as I am happy to meet with you and/or the NMA board prior to the next scheduled Harbor Commission meeting where this item will likely be agendaized for public comment."***

As you know, this project is a part of the Harbor Commission's Open Water Initiative intended to improve safety, navigation, create more moorings for public use and increase the usable space for mariners in Newport Harbor. I look forward for the opportunity to share any of the details with you, your board, and its members."

No response from the NMA to meet and discuss the City Engineering outlining the mooring initiative was ever received.

September 30, 2020 – Yet another is sent *"Please find attached herewith the most recent updated version of the Mooring Anchor Calculations Report. The edits were very minor and were primarily editorial in nature. Please only reference this current report in any future correspondence or discussion. Please let me know if you have any questions."*

No response from the NMA to meet and discuss the updated City Engineering Report outlining the mooring initiative was ever received.

There has been no response and no request for information or request to meet and discuss this initiative despite an ongoing open invitation to do so.

The NMA statement in their letter dated 2 days ago that states **"The HC has not met with the NMA on any of this"**. Clearly this statement is false and I ask the NMA members and recipients of the letter to take strong exception to its contents and allegations.

I find the statements contained in the NMA letter to be totally unconscionable. Taking up valuable time at a public meeting to respond to false statements is frankly not productive time spent and does not benefit the boating community or the Harbor Commission's open water initiative for improvements to the mooring fields and navigation within the harbor, which all NMA members and mooring permittees may benefit from.

In my opinion, the NMA board members should be held accountable and held responsible for any misinformation that has been disseminated on their behalf to mooring permittees of Newport Harbor, the HC, the Mayor and City Council members of the City of Newport Beach, many of whom have taken their valuable time to be here tonight. Accordingly, I was compelled

to provide a detailed account of the truth so the public can base their individual opinions on **actual facts** and perhaps the NMA members will take a more proactive approach in finding leadership that will resemble honesty, integrity and the willingness to work and participate with this Commission toward achieving great progress for all stakeholders of our beautiful harbor.

I encourage all those present that intend to offer a public comment on this matter to carefully consider the facts just presented and the information that will be discussed in the following presentation.

Start Presentation...

Finish Presentation with Summary:

Outline for Proposed Reconfiguration – adjustments to certain items in the Agenda Packet based on public comment received to date

1. Clarifies regardless of a helical anchor or a standard weighted anchor solution, existing weights, chains and hardware will be reused where possible
2. Clarification of City's responsibility
3. Clarification that future requests for relocation will only be considered within the same field and only if the proposed new space is occupied by a permittee who was relocated to a larger mooring as a result of the proposed reconfiguration. Example: When rows are reassigned some boats will result in rows larger than currently permitted for.
4. Clarify the 10 prior extension requests have been included in the new design and the Harbormaster has discretion to approve or reject such temporary extension based on safety, navigational or other hazards.
5. Clarify there is no intended change for transferability of moorings to existing permittees or their transferees to what is currently set forth in Title 17.

Invite the HC comments at this time.

Followed by public comments.

Best regards,



Ira Beer
Harbor Commissioner
ibeer@newportbeachca.gov
(949) 702-6900

From: Michael Gauthier <doghouse53@gmail.com>
Sent: October 14, 2022 3:51 PM
To: Harbor Commission
Subject: J-22 Newport Harbor

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Regarding the redesign of mooring fields; I would like to start by saying I was impressed with your presentation at the meeting the other evening. I like the concept of tidying up the mooring rows and understand how that could result in more moorings. I went home with that in mind, and surveyed my own situation. After careful consideration I have decided this system would not work for me at all. Depending on which direction the wind is coming, dictates my approach to my mooring. I have been in the harbor for 12 years and really love my situation. I think that trying to have to come in the other direction would definitely raise my Insurance premium. I personally think the current system is excellent. It just needs to have some realignment. If we had a sandy bottom like Catalina this system might work. But as for pulling up, what I would consider mud lines, would be a real drag. I sincerely hope you would consider abandoning this new plan. And simply just tidying up the current design. Thank you for your consideration. Michael Gauthier
Sent from my iPhone

From: John Fradkin <john.fradkin@gmail.com>
Sent: October 13, 2022 5:34 PM
To: Harbor Commission
Cc: Dept - City Council; Miller, Chris; Blank, Paul
Subject: Biggest problems with Ira Beer's Mooring Reconfiguration Plan

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Commissioner Beer,

The following reflects my own personal opinion of the biggest problems with your Mooring Reconfiguration Plan. It does not reflect the opinion of the entire Board of the Newport Mooring Association at this time, however there is no reason to think that opinion would be materially different from mine. In the interests of timeliness, I am giving you my opinion now. I know that you mean well and have spent a lot of time on this project. However I don't think your fellow Harbor Commissioners or the City Council should feel compelled to support your proposal just because you spent a lot of time on it.

Your proposal compromises on safety and future costs in order to achieve better aesthetics and to achieve bigger fairways and add some new moorings. Is that a good tradeoff? I don't think it is. As I have stated before, I believe that your proposal will result in more boats coming in contact with one another than is the case now, and that there will be more finger crush injuries at the very least. I am sure of this.

The most basic problem is that your design creates upwind and downwind moorings with the bows of the two boats sharing an anchor in very close proximity. The downwind moorings are going to be very unpopular as they will be very hard to use. This was immediately apparent to myself and some of the more experienced boat drivers such as the professional tugboat operator who spoke quite eloquently about it. Attempting to moor at a downwind mooring in a strong westerly breeze in combination with a strong ebbing tide is going to be very challenging and skippers are going to get themselves in trouble.

Based on your comments last night, I don't think you fully grasp the impacts of wind and tide, the importance of spreader lines, and the subtle intricacies involved in safely putting a vessel onto a mooring in a crowded field of double moorings in Newport Harbor. The most basic thing that all mooring permittees are used to doing when they attempt to moor their vessel is that they steer their boat directly into the wind at slow speed. The second thing that all mooring permittees on the double moorings are used to doing is grabbing the center of their spreader line and quickly attaching it to a midships cleat as soon as their vessel is in position to do so. Once the center is hooked up, then they quickly attempt to get the bow and stern hooked up. Time is of the essence when they are doing this. If not done quickly, the boat will often get sideways due to wind or current and a new approach may be needed before contact is made with the adjacent moored vessel. With the single row system in place now, they can extricate themselves from a compromised twisted situation by going either forward or backwards. With your new mooring configuration proposal, there are multiple problems. Half of the permittees will no longer be able to head into the wind on their approach. This is probably the single biggest problem with your configuration as you've taken away their ability to do the familiar upwind approach. There's now no spreader line so they are going to have to hook up the bow first and then try

to muscle a slimy sand line onto their stern cleat. This will prove to be difficult in many instances. While they are struggling with this, wind and tide may have gotten their boat sideways. The stern is getting very close to an adjacent vessel. . .can't go forward, can't go backwards. . .Boom, contact.

You asked for solutions. Well here is my stab along with a brainstorming idea for you to ponder on.

1. Abandon the double row configuration. Stick with the single row setup so that you give all skippers the ability to do their normal and familiar upwind approach.
2. Abandon the idea of using helical anchors. I don't doubt that they would work from an engineering standpoint, but having the city hire divers to make those connects and disconnects is going to be ridiculously expensive in the long run. The current system of being able to lift the weight and the entire mooring system onto the deck of a barge and the ability to inspect it carefully in broad daylight is just such a great simple system that it doesn't need fixing.
3. H & J fields are admittedly somewhat unsightly and could look a lot better. Move moorings and make the rows much better aligned. Perhaps try to have two obvious fairways in the center of those fields.
4. Abandon the idea of creating new moorings. There is no shortage. That is just in your mind. We could debate this forever, but mooring permits were the same price in the open market 20 years ago. If there was a shortage, they would have gone up in value. 20% of them are currently vacant. If the City made the costs and rules less restrictive on sub-permitting, many of those moorings would have boats on them. That's how you get new boaters onto moorings without them having to buy a permit and you don't piss off all the permittees that bought their permits.
5. Here's the brainstorming idea that would demand a bit of study -- try to make all moorings single point moorings which are so superior to the double point moorings in every way. They are easier to use, easier on the vessels due to less loads, easier to service, etc., etc. Everyone loves the single point moorings. I think with some minor movements of both moorings and perhaps mooring field boundaries, many fields could become single point fields. It hasn't been studied. I think the waterfront homeowners would like this change as their view would be changing all the time. The view from a vessel on a single point mooring changes all the time too, and this is another very cool and underappreciated benefit to them. H & J fields would work but they are currently so dense that there would have to be far less moorings there. Perhaps moorings could be pulled out of there and relocated to another underutilized part of the bay ?? I think the G field could be extended substantially.

Regards,

John Fradkin
Mooring Permittee

From: Rich Luttrell <richluttrell@cox.net>
Sent: October 13, 2022 4:27 PM
To: Beer, Ira
Cc: Blank, Paul
Subject: Newport Harbor mooring project

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Commissioner Beer,

Thank you for the information last night and assuring the existing permit holders that transferability will be kept as it is today. Since you did not mention the A mooring field last night I assume that will be one of the last mooring fields to be updated?

I had an idea that might help the permit holders get over their concerns of the new system. Maybe you could have some captains from America's Cup harbor in San Diego have a person onboard take a video of the captain pulling into their mooring with running commentary from the captain on the conditions and the steps they perform to secure their vessel. It would be even better if there could be multiple videos from various size sailboats or powerboats in various conditions (i.e. headwind, downwind, side wind and outgoing or incoming tides). Since everyone has a video with their iPhones it should be a pretty easy ask for captains down in San Diego to send some content.

My main concern with the new mooring plan has always been the combination of wind and tide. It's almost always manageable for me to secure my boat alone on my mooring, but when wind and tide combined on certain occasions it can be excessive and make things difficult in the A mooring field. Lastly, it'd be nice to know how the sand line would work with our muddy bottoms and how we can minimize the mud getting on the boat or our hands/clothes, etc. I am well acquainted with using the sand lines at Whites Cove with polypropylene lines, but I would like to understand better how it will work with chains in the Newport Harbor.

Thanks for your support and I hope it is a successful project for all.

Regards,

Rich Luttrell
Balboa Yacht Club member

From: Blank, Paul
Sent: October 12, 2022 12:01 PM
To: nicky102andrews@gmail.com
Subject: Fwd: Moore reconfiguration

Mr. Andrews:

Thank you for your thoughtful input on this important matter.
Your feedback will be included in what the Harbor Commissioners review when this matter is heard.

Best,



Paul Blank
Harbormaster
pblank@newportbeachca.gov
949-270-8158

From: Nicky102 <nicky102andrews@gmail.com>
Date: October 12, 2022 at 11:13:24 AM PDT
To: Dept - City Council <CityCouncil@newportbeachca.gov>
Subject: Moore reconfiguration

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

I have been a live aboard in Newport Harbor for over 6 years. I bought my Mooring in the specific location that suited my needs. I now live in a wonderful community of live boards. We are like extended family that look out for each other and our boats. I want you to imagine what it would be like if your city decided to move your house. I'm sure you can imagine how unsettling it would be to have your life uprooted without any control. I love where I live and the people around me that make me feel safe and secure. I hope you will take into consideration the devastating effects that this will have on those of us that call this Harbor home. Aside from that the repositioning that you are suggesting is going to make a moving a boat very dangerous. It's difficult to get on the mooring when the conditions are good and you have the room, but

rarely are the conditions conducive to an easy on and off situation. What you are suggesting is going to cause great difficulty and the likelihood of damage. I don't think you have taken into consideration the extreme winds that we experience out there and the effect that it has on the boats. I have seen in every season, in every year, boats coming loose from their moorings and colliding with neighboring boats. You're also talking about adding more moorings and impacting an already overburdened situation at the public docks and the parking! More boats, more people, more activity on the bay and on the streets of the already crowded peninsula. Thank you in advance for your consideration and attention to my concerns.

Dick Andrews J 210

From: Wade Womack <wade@orangecoastla.com>
Sent: October 11, 2022 4:45 PM
To: Harbor Feedback; Harbor Commission
Cc: Blank, Paul
Subject: Comments on Agenda item #3 for 10/11/22
Attachments: June 8.png

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Harbor Commission,

It is concerning that staff or a Commissioner is recommending significant revisions to Title 17 based on a proposed mooring plan that has not been presented properly to the public for a thorough review and public input. To the best of my knowledge the mooring plan was posted online **after** the June 8th Harbor Commission meeting "Update on Objectives". Therefore, the public did not receive the benefit of the normal 5 days to review prior to the Harbor Commission meeting. Nor was the proposed new mooring system posted as an agenda item for full Harbor Commission Discussion. The public deserves an opportunity to thoroughly review this significant change to our harbor that will likely cost the city tax payer hundreds of thousands of dollars and impact us all in so many ways.

This is a "cart before the horse" situation whereby the Harbor Commission will be considering revisions to Title 17 prior to the City Council approving significant funding for this proposed mooring system change. Not to mention, the proposed mooring system change will require Coastal Commission approval and other environmental reviews such as an EIR. This new mooring plan is simply an idea that has not been vetted. Why are changes to the Harbor Code being suggested on a plan that may not gain city council approval.

The Harbor Commission should postpone this agenda item and schedule a stand alone agenda item for the mooring system change only. This would allow the public to provide thoughtful input for Harbor Commission consideration before considering these changes to Title 17.

Thank you,
Wade Womack

P.S. Please show my attached slide during my comments at the October 12th Harbor Commission meeting. Thank you

[05-11-2022 Harbor Commission Regular Meeting Draft Minutes](#)

[05-11-2022 Harbor Commission Draft Minutes Secretary Scully Comments](#)

[05-11-2022 Harbor Commission Draft Minutes Chair Kenney Comments](#)

[05-11-2022 Harbor Commission Draft Minutes Commissioner Marston Comments](#)

6) **PRESENTATIONS**

1) **Recognition of Harbor Department Staff for the Que Vida Fuel Spill**

2) **Recognition of Chair Kenney for his Service to the Harbor Commission**

7) **CURRENT BUSINESS**

1. **Update on Objective 2.3 Summarizing the Configuration Guidelines to Improve Navigation Safety and Allow for Additional Moorings Within the Fields**

At the Harbor Commission meeting of June 12, 2019, the Harbor Commission reviewed proposed amendments regarding offshore mooring extensions in conjunction with their 2018 Goals and Objectives to "Establish policies for modifications to mooring sizes". At that meeting, Commissioner Beer took responsibility for analyzing the mooring field layouts and drafting policies for review and consideration by the Harbor Commission. Commissioner Beer has conducted significant research with the aid of City staff and documented his findings. He continues to put significant effort into a proposal which will include optimizing the mooring field layouts, perhaps allowing for additional moorings as well as providing a pathway and policies for those offshore mooring permittees who wish to adjust the length of the mooring for which they are currently permitted.

This report and presentation will update the Harbor Commission on Commissioner Beer's efforts, process and research. Commissioner Beer seeks input from the full Commission and public to further refine his recommendations.

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) Provide direction to Commissioner Beer on further development of recommendations.

[Staff Report](#)

[Additional Material Presented at Meeting Vice Chair Beer Presentation_06-08-2022](#)

2. **Update on Objective 4.3.2 Commercial and Nonprofit Harbor Census**

Among the Harbor Commissions Objectives for 2022 is further research and enumeration of visitors to and users of Newport Harbor. The Commission subcommittee responsible for Objective 4.3.2 has conducted research and documented their findings.

This report and presentation will update the Harbor Commission on subcommittee's process and research. The subcommittee seeks input from the full Commission and public to further refine their research methods and recommendations.

From: Jerry LaPointe <jerrytlapointe@gmail.com>
Sent: October 11, 2022 4:29 PM
To: Harbor Commission
Subject: Title 17 Redline Changes

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

I am writing as a Newport Beach Resident and Mooring Permittee. I have had the opportunity to read the staff's redline of Title 17. The takeaway is that the Harbor Commission is using the yet unproven/unapproved mooring realignment that Commissioner Bear is proposing, as an opportunity to make changes to the Title 17 to impede or **stop mooring transfers** in the future. The changes reference "new mooring permits" but does not define it. The language is broad and a risk to my ability and others to transfer in the future as has been done since the mooring were added to the harbor a 100 years ago.

I request that the Harbor Commission take this off of the Agenda until stakeholders have an opportunity to understand and provide input of any proposes changes.

Jerry LaPointe
949-697-0685

Sent from my iPad

From: John Fradkin <john.fradkin@gmail.com>
Sent: October 11, 2022 2:25 PM
To: Harbor Commission; Dept - City Council
Subject: Comments on Proposed Reconfiguration of Moorings in Newport Harbor

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

RE: PROPOSED CHANGES TO MOORINGS IN NEWPORT HARBOR

Email Harbor Commissioners: HarborCommission@newportbeachca.gov

Email City Council Members: CityCouncil@newportbeachca.gov

Dear Harbor Commissioners:

I respectfully request a postponement for agenda item #3 on Wednesday October 12th. This is a major radical change that will at a minimum require extensive study and input from the stakeholders. Adding it to the agenda as an item that could possibly be voted on with virtually no input is most concerning. I see major problems with this new plan.

I would characterize my knowledge of the offshore moorings in Newport Beach to be extensive. I am 63 years old, I grew up in Newport Beach, and I've been playing on the harbor since I was 7. For over 20 years I kept a large sailboat on a single point mooring in the Harbor, I have watched and helped others moor boats on double point offshore moorings many times, and I have raced small dinghies and keelboats around and through the mooring fields hundreds of times and so I am very familiar with the challenges of navigating through them. I have also been on the board of the Newport Mooring Association since 2009. In short, I am somewhat of an expert on how the offshore moorings in Newport Beach are safely used and my opinion should matter. My opinion is that I do not like this new proposal as it compromises on safety and adds unnecessary complexity to a proven system that has worked very well over many years.

I am not opposed to some changes to the offshore double mooring fields. I think that the rows could be better aligned visually and I think that it does indeed make sense to have all moorings in a row be basically the same size. Those are good achievable goals that I am fully supportive of. I also like the idea of the small submerged conservation buoys that help some of the mooring gear to not be on the bottom.

However changing the layout to the proposed double row system will be very problematic in Newport Harbor. Because of our harbor's shape, long and skinny with one inlet/outlet, our harbor is subject to strong tidal flows. Mr. Beer has mentioned that his proposed layout is patterned after the America's Cup Harbor in San Diego where

they do have a double row system in place that apparently works well and is pretty. However the shape of America's Cup Harbor in San Diego is such that there is almost no tidal current. With a double row layout as proposed, the bows of moored boats are very close to one another and in fact share a common anchor point. In a single row layout moored boats are further apart at their closest point. We should stay with a single row layout in Newport Harbor because the conditions are much more challenging than in America's Cup Harbor in San Diego. Boats are essentially often mooring in a flowing river, sometimes with a crosswind, and this can prove to be challenging. Let's not make it harder.

The following paragraph details the most significant obvious shortcoming from a safety and useability standpoint of the proposed new plan:

Often boats are moved on and off moorings by a single person, or by a knowledgeable person and a guest. When returning to a mooring, if alone or without experienced crew, the skipper will steer the boat to the mooring and pick up the spreader line midships staying close to the steering station. This is an important subtlety that allows the offshore double mooring fields to work well – the ability to pick up a spreader line midship and the ability to quickly secure the spreader line at a midship positioned cleat. Depending on wind and tidal current conditions, a skipper may often need to take quick action to avoid a mishap and it is common for even the most experienced skippers to need two or three tries to moor safely. When a vessel gets sideways due to wind and current, and the skipper determines that a new fresh attempt is the right decision, in the current mooring configuration the skipper can choose to either go forward or go in reverse to extricate himself and his vessel so that he can safely start a new mooring approach. It is usually very obvious which way to go because one end of his vessel will be pointing directly at an adjacent moored vessel and will be quite close to that vessel. Having both the forward and backward option is VERY important to safety. In the newly proposed system, with the double row configuration, a skipper caught in this situation will only be able to go in reverse because there is no forward option due to the proximity of the vessel moored close ahead (and sharing an anchor). If the skipper's stern is now close to an adjacent vessel, he is in a very compromised situation and his vessel is likely to contact either the vessel next to him or the vessel ahead of him. The newly proposed system, with an underwater sandline instead of a floating spreader line, will force a significant and much less safe change to his normal mooring approach maneuver. The skipper will now have to leave the steering station far behind and attempt to secure the mooring lines at the bow placing himself or herself within 20 feet of a boat directly in front of him. In a crosswind or an adverse current condition, he or she will have just seconds to pick up the mooring pennant line, grip the sandline, and muscle this slimy line onto a stern cleat. It will not be easy and will at times be impossible for a singlehander to accomplish this safely. It is suggested that at Catalina the system seems to work, but at Catalina there are single rows so the boat in front is a full 50 feet or more away similar to the current system in Newport Harbor and the boat is most likely not being singlehanded. On the single point moorings in Newport Harbor, this mooring approach technique is not problematic because all the boats are aligned in the same direction.

If I were designing the mooring fields from scratch, I would not want any double mooring fields as the single point mooring fields are so much better in every way. They are easier to use and easier on the vessel. The double point offshore mooring fields are by their very nature a compromise to increase density and now Mr Beer wants to further increase density in those fields ?

The idea of using helical screw in anchors to replace weights is a VERY BAD IDEA. I don't know why this is even being considered. The current system of using weights that can be lifted up onto a barge where the ENTIRE mooring system can be easily inspected is a beautiful and simple system and should be retained. When it comes to most things related to the marine environment, simple is good. If helical screw anchors were to be used, divers would be required to make the attachments and disconnects. Divers are expensive at \$350/hour and OSHA requirements require that you have two of them at all times for safety. I have some experience diving at the bottom of Newport Harbor and I can tell you that visibility is close to zero at the very bottom. This will make adequate inspection of the attachment point of the helical screw anchor that stays in the bottom impossible. If you are required to inspect all of the rest of the gear every two years, it should be required to inspect the helical anchor too and that cannot be done adequately my opinion or to the same degree that you would be inspecting the rest of the mooring system. Helical anchors are for more specialized situations where weights would be too big to use. Why would the City of Newport Beach want to be responsible for the maintenance of helical screw anchors at the bottom of the bay ? There will be potential liability if things go awry. This whole idea of using the helical anchors and making the City responsible for them is just an excuse to make the moorings a revenue source for the City. I am very opposed to this.

It appears that the Harbor Commission wants to give itself more power by granting itself the ability to adopt changes without getting City Council Approval: "Specifications for mooring equipment will be determined and adopted by the Harbor Commission instead of City Council as is currently required". This is a hugely bad idea. We are blessed to have two very knowledgeable City Councilmen who have more knowledge about all things pertaining to the Harbor than anyone on the Harbor Commission and now the Harbor Commission is proposing to make decisions without even involving them.

One of the things driving this new plan is that Mr Beer thinks that there is a shortage of moorings and that new ones need to be created and then given away by lottery. I do not believe there is a shortage of moorings. According to data sourced from the Harbor Department recently, there are 564 offshore moorings and on an average day 128 of them are vacant. Of those 128 vacant moorings, 97 of them have been vacant for 30 days or more and are therefore eligible to be sublet by the Harbor Department on a subpermit basis. That does not sound like there is a shortage to me. Anyone who wants to moor a boat in Newport Harbor could do so at any time on a subpermit basis. Maybe the 15 day subpermit limit should be changed to allow longer subpermitting without resubmitting paperwork and maybe the fees should be lowered on the subpermitting. That would get more boats onto moorings if that is really the goal

which I don't think it should be. We don't need any new moorings and it should not be a goal.

I also find the idea of creating new moorings and then giving them away by lottery to be very offensive to those of us who have played by the rules and purchased mooring permits in the open market. We did not invent those rules. We just followed them. Why should we be penalized ? The City has sold mooring permits in the past. Why weren't those given away for free if you are going to give these new ones away.

Another goal of Mr. Beer is to "ensure safe navigation for all users of the harbor in and around the mooring fields, not just the mooring permittees". I would argue that already exists. Collisions and safety concerns are almost nonexistent within the current mooring field layout. Check the statistics. Spreader lines can cause a few problems to neophyte Duffy drivers and others, but people learn quickly from their mistakes and the spreader lines are unfortunately a necessary component to the already dense offshore double mooring fields. Mr. Beer thinks it is necessary to widen the fairways in the mooring fields. Why ?

The Proposed Title 17 Changes Now Permanently Eliminates All Mooring Extensions. This is true even if a mooring that is 30 ft in length is currently in a row where all the other moorings are 50 feet in length. For over three years now some mooring holders have been waiting to replace their boats with a slightly larger boat. They have been told for three years to be patient and that the Harbor Commission is working on it. The current code which had been extensively revised after years of study provided for extensions up to 5 feet by the Harbormaster, but despite the code this has not occurred. The new idea is to find some type of newly created mooring somewhere in the harbor and possibly move the person's mooring to some other location. This is completely different than what the public was being told was occurring, and depends entirely on placing boats dangerously closer together, as noted above to "possibly" create a few additional moorings which might "possibly" be of the size that might match the person needs who would like a slightly larger boat on his or her mooring. At a minimum, questions should be raised as to why a person with a 30 foot mooring in a row of 50 foot moorings cannot put a 35 foot boat on his or her mooring and why there has been a 3 year delay in addressing that person's needs. The excuse has been that we are waiting for Mr. Beer's grandiose new mooring layout plan to take care of all mooring extension requests. Well now we've seen it. It's not very good and it certainly needs to be discussed and modified or thrown out altogether. In the mean time let's go ahead and approve those mooring extensions that make obvious sense. Let's give the Harbormaster back the power to make simple decisions that Title 17 already grants him. The Harbormaster should be the Captain of the Harbor. Let's let him do some of those things that the job title speaks to.

Proposals Create Uncertainty Regarding Transferability of Moorings. As recently as a month ago, the NMA and mooring holders have been repeatedly assured that transferability of moorings is not an issue and is not under reconsideration. This

followed an almost 10 year struggle that everyone thought was finally put to rest in 2017. The new proposals to change Title 17 do not distinguish adequately the rights of a person acquiring a mooring permit from an existing permittee from a new permittee acquiring one of the “possible” newly created moorings resulting from the implementation of the new proposed and dangerous Double Row Mooring Configuration Plan. If the Harbor Commission and the City are true to their word, the proposal needs to expressly state that the restrictions on transferability are related only to “moorings which did not physically exist prior to the date of the code change” which are referred to as “Newly Created Moorings” and to eliminate all ambiguity to state that persons who are transferees of existing moorings (i.e. moorings which are not Newly Created Moorings) have all of the same rights as did the transferor. The current proposed language is somewhat ambiguous as there should be better clarity on defining what is a new permit.

In conclusion and again, the public needs an opportunity to provide informed and thoughtful input for Harbor Commission consideration on this radical new mooring field layout proposal. I think I have given you some quality feedback and I am sure that many others will too. I respectfully request the commission postpone this item and place the new mooring system proposal on a future agenda as a standalone agenda item prior to proposing any revisions to Title 17. This would be a more logical sequence of events that will provide greater public input.

Thank you,

John Fradkin
Mooring Permittee

From: Terry Trombatore <terry.trombatore@gmail.com>
Sent: October 11, 2022 2:07 PM
To: Harbor Commission; Blank, Paul
Cc: Mail@yournewportmooringassociation.org
Subject: Proposals for Oct. 12, 2022 Meeting

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

It has been brought to my attention by the Newport Mooring Associate that the Newport Beach Harbor Commission is planning the the possible changes to the mooring fields, and I would like to express my concerns and objections to the proposals.

A proposal to move my boat within a few feet of the boat in front of me and eliminate the fairway, and put my boat right next to the boat in front of mine.

I don't know if any of the Harbor Commission or City Council members have a boat on a mooring in Newport Harbor and have had the experience of trying to moor a boat. I have a double mooring in the A field, which is more difficult to leave or approach than a single mooring. I have been on the mooring for over twenty five years have had several encounters while attempting to leave or moor my 40 foot sailboat that I have either made or nearly contacted the boats immediately adjacent to my boat. This is due to the current and wind conditions and the already close proximity of the boats to my left and right and in front and back as well. When I am successful in leaving my mooring, I need the fairway in front of my boat to make a sharp left or right turn to safely exit the mooring field into the main channel. Reducing the distance between the boat immediately in front of me and on both sides, would have a **major** impact on the ability to safely exit the mooring field. There would not be a safe way to exit the mooring field if this proposal is approved, and would increase the possibility of collisions when leaving or returning to the mooring. I invite Commissioner Beer and any others to come with me some day to take my boat off the mooring and return it, to fully understand the issues of safety and seamanship under the current conditions before proposing closing up the moorings with this proposal.

A proposal change to title 17 of the City Code to allow the Harbor Commission, without my approval, to move any boat you have on your mooring to some other location in the harbor, and for any length of time, be it a week or 5 years.

So what is the purpose of this proposal; maintenance, dredging, etc. This would cause chaos. I say work with the mooring permittees if there is a need to move a vessel for an extended period of time to make sure that they are comfortable with a move, and that the type of vessel is appropriate to be on a specific temporary mooring. Let's use some common sense here.

A proposal to possibly terminate transferability since the proposals to change title 17 do not distinguish the rights of a person acquiring a mooring permit, from the rights of a person who would acquire a "newly created" mooring.

Whether a person has an existing mooring or "newly created" mooring, at some point in time a permit transfer will be required. So why would transferability be terminated?

Terry W. Trombatore

A-53

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949 463-7333

Terry Trombatore

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From: Marlene Webster <marlene1024@gmail.com>
Sent: October 11, 2022 2:03 PM
To: Harbor Commission
Subject: Mooring proposals

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

I have been a live aboard in Newport Harbor for over 10 years. I bought my Mooring in the specific location that suited my needs. I now live in a wonderful community of live boards. We are like extended family that look out for each other and our boats. I want you to imagine what it would be like if your city decided to move your house. I'm sure you can imagine how unsettling it would be to have your life uprooted without any control. I love where I live and the people around me that make me feel safe and secure. I hope you will take into consideration the devastating effects that this will have on those of us that call this Harbor home. Aside from that the repositioning that you are suggesting is going to make a moving a boat very dangerous. It's difficult to get on the mooring when the conditions are good and you have the room, but rarely are the conditions conducive to an easy on and off situation. What you are suggesting is going to cause great difficulty and the likelihood of damage. I don't think you have taken into consideration the extreme winds that we experience out there and the effect that it has on the boats. I have seen in every season, in every year, boats coming loose from their moorings and colliding with neighboring boats. You're also talking about adding more moorings and impacting an already overburdened situation at the public docks and the parking! More boats, more people, more activity on the bay and on the streets of the already crowded peninsula.

Thank you in advance for your consideration and attention to my concerns. I am not able to be at the meeting as I am out of town this week. Please remember this Harbor is our home and your proposals will have devastating effects on all of our lives.

Thank you
Marlene Webster
J27

Sent from my iPhone

Protect Your Mooring Location and Mooring Value!

Please show up to the Harbor Commission Meeting at 5pm on Wednesday November 9th at the City of NB Council Chambers: 100 Civic Center Dr Newport Beach

The Harbor Commission will be voting on a controversial and **INVOLUNTARY** mooring relocation plan **WITHOUT HOSTING ONE SINGLE PUBLIC STAKEHOLDER MEETING**. The plan involves moving mooring rows closer together (within 20 feet of the boat in front or behind your boat) and implementing a bow-to-bow/shared anchor system. The new system will make it more difficult to get on and off your mooring and 50% of mooring permittees will be forced to access their mooring in a downwind and unsafe fashion.

The only example the City has provided where a bow-to-bow mooring system is utilized is America's Cup Harbor which is tucked in behind Shelter Island in San Diego Harbor. America's Cup Harbor is perhaps the most protected marina in Southern California as it is almost fully encircled by land and lies within protected San Diego Harbor. It is a very protected "harbor within a harbor". It is obvious to an experienced mariner that the conditions in America's Cup Harbor do not compare to the prevailing wind and currents we experience in Newport Harbor rendering it a useless comparison.

Even more concerning, are the **PROPOSED REVISIONS TO THE HARBOR CODE (Title 17)** which will be voted on as well. The proposed revisions presented on October 12th will give the harbormaster unilateral authority to relocate your boat permanently without your consent and **AGAINST YOUR WILL and AT YOUR EXPENSE**. Below, in red, is just one of the problematic revisions to the harbor code that was presented on October 12th.

j. Authorize the City, or its designee, to move the vessel on the mooring to another location when deemed necessary by the Public Works Director and/or Harbormaster, including but not limited to increasing and improving the utilization and organization of the mooring fields, and agree that such relocation shall be at the permittee's expense;
and

There are more equally concerning proposed revisions to the harbor code that broaden Harbor Commission authority, change how allowable boat lengths are determined and eliminate the possibility of mooring extensions. As they say: **THE DEVIL IS IN THE DETAILS! and READ THE FINE PRINT!**

The Newport Mooring Association **STRONGLY OPPOSES** the proposed mooring plan and harbor code revisions as presented on October 12th and makes the following requests:

1. **Public Engagement/Stakeholder Meetings:** Prior to making changes to the harbor code and mooring alignment, best practices call for the City to host a series of public stakeholder meetings in order for stakeholders to better understand where their boats will be **involuntarily** relocated and how it impacts their existing shoreline accessibility and safety. Brief updates at sparsely attended Commission meetings simply don't cut it.
2. **VOLUNTARY not INVOLUNTARY:** A pilot test of a new mooring system should be on a voluntary basis. We have a several NMA members that are willing to allow the city to test the new mooring plan with their boats on a voluntary basis. There is no need for the city to force a pilot test on permittees.
3. **NO CHANGES TO HARBOR CODE at this time:** By testing a new mooring system on a voluntary basis, there is no need to make unnecessary changes to the Harbor Code/Title 17 at this time.

Many of us are NB residents and local voters. Numbers Count! Spread the word to attend on November 9th and email your concerns directly to our elected City Council.