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NEWPORT BEACH

Harbor Commission Staff Report

July 10, 2019
Agenda Item No. 6.2

TO: HARBOR COMMISSION

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TITLE: Council Policy H-1 – Harbor Commission Review

ABSTRACT:

At the June 25, 2019 meeting, the City Council revised Council Policy H-1 to clarify the Policy's intent and process in order to assist staff and the Harbor Commission when considering future applications. The City Council also directed the Harbor Commission to review the recent changes and to make recommendations to the City Council regarding any proposed revisions thereto.

RECOMMENDATION:

- 1) Determine that the project is exempt from the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) and 15060(c)(3) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it will not result in a physical change to the environment, directly or indirectly.
- 2) Assign the review of Council Policy H-1 to the Harbor Commission subcommittee for functional area four dealing with harbor policies within the Harbor Commission Objectives, and return to the Commission with recommendations.

FUNDING REQUIREMENTS:

There is no fiscal impact related to this item.

DISCUSSION:

Council Policy H-1 (Attachment A) provides criteria for staff and the Harbor Commission when making decisions regarding piers and floats within Newport Harbor, specifically the distance they extend channelward throughout the harbor. The City Council recently updated Council Policy H-1 to provide clarity and direction during this interim period while the Harbor Commission studies the issue. The City Council has directed the Harbor Commission to review Council Policy H-1 and to return with recommendations if needed.

ENVIRONMENTAL REVIEW:

Staff recommends the Harbor Commission find this action is not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3)

(the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

NOTICING:

The agenda item has been noticed according to the Brown Act (72 hours in advance of the meeting at which the Harbor Commission considers the item).

ATTACHMENTS:

Attachment A - Council Policy H-1