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NEWPORT BEACH

Harbor Commission Staff Report

May 12, 2021
Agenda Item No. 6.4

TO: HARBOR COMMISSION

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

PREPARED BY: Matt Cosylion, Code Enforcement Supervisor,
mcosylion@newportbeachca.gov

PHONE: 949-270-8164

TITLE: Harbormaster Update – April 2021 Activities

ABSTRACT:

The Harbormaster is responsible for the management of the City's mooring fields, the Marina Park Guest Marina and Harbor on-water code enforcement activities. This report will update the Commission on the Harbor Department's activities for April 2021.

RECOMMENDATION:

- 1) Find this action exempt from 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; and
- 2) Receive and file.

FUNDING REQUIREMENTS:

There is no fiscal impact related to this item.

DISCUSSION:

West Lido Channel Temporary Anchorage

On April 23, 2021, the Harbor Department received notice of the Coast Guard's approval authorizing the City to establish a temporary anchorage in the west Lido Channel. This approval is the culmination of a multi-year application process that involved community meetings, surveys of affected stakeholders, and multiple meetings with Coast Guard staff to ensure the temporary

anchorage does not impact navigation in the Lido Channel or limit access to commercial and residential docks that are adjacent to the anchorage.

The Coast Guard approved the temporary anchorage from May 21, 2021 to September 7, 2021. The anchorage will provide a much-needed public destination for local and visiting recreational boaters to temporarily set anchor, during what is expected to be a very busy 2021 boating season, and it will provide an alternative to the Harbor's existing and heavily used anchorage, located to the east of Lido Island.

Vessel Turn-In Program (CA Division of Boating and Waterways Grant)

During April 2021, two (2) vessels were removed from the Harbor and destroyed using funds from the voluntary Vessel Turn-In Program (also known as VTIP). This CA Division of Boating and Waterways (DBW) grant program is a proactive way of removing unwanted recreational vessels from Newport Harbor by allowing boat owners to surrender their boats to the City free of charge.

As a local public agency with available VTIP funds, The City continues to experience significant demand from local boaters and boat owners outside of Newport Harbor to use these grant monies to properly dispose of their unwanted vessels. To continue providing this valuable service, City staff recently submitted a grant application to the DBW requesting additional VTIP funding.

Dye Tab Program

To help improve water quality in Newport Harbor, the Harbor Department implemented a dye tab program in which code enforcement staff inspect the plumbing and holding tank of any vessel staying overnight in the anchorage or on a rented City mooring. Staff ensures that waste from the installed head ("toilet") goes into the holding tank rather than into the Harbor.

Vessel owners are given the opportunity to verify that their plumbing flows into the holding tank prior to staff flushing a dye tab. If the water around the vessel changes color after a dye-tab is flushed, the vessel has failed the dye tab test and must immediately leave the Harbor. The accidental or intentional disposal of waste in Newport Harbor can result in a \$1,000 fine and possible legal action.

Code Enforcement Activity

During April 2021, Code Enforcement staff opened 73 new cases and successfully resolved/closed 56 existing files.

Code Enforcement staff continued their outreach efforts to established "six-pack" and sports fishing charter operators conducting business in Newport Harbor. As of May 1, fourteen such companies have completed their registrations with an additional six businesses in various stages of the registration process.

Code Enforcement staff issued a new Marine Activities Permit to Dirtbusters Harbor Hose, a company that provides boat washing services to vessels in Newport Harbor. Prior to being issued the Marine Activities Permit, the business owner demonstrated a clear understanding of environmental laws related to vessel cleaning and provided proof of insurance and registration for all vessels owned by the business.

Multiple Berthing Inspection Program

With the assistance of staff from Life Safety Services, Harbor Department staff inspected all of the commercial marinas in Newport Harbor to ensure the proper berthing of vessels. Each berth must be arranged such that a boat occupying the berth can be removed in an emergency without the necessity of moving other boats. When a boat impedes the exiting of another boat, it is referred to as multiple berthing. Staff notified those marine operators with multiple berthing violations and compliance inspections will be completed in May 2021.

ENVIRONMENTAL REVIEW:

Staff recommends the Harbor Commission find this action exempt from 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 – Harbor Department Statistics, Fiscal Year through April 2021