



# CITY OF NEWPORT BEACH WATER QUALITY/COASTAL TIDELANDS COMMITTEE AGENDA

Crystal Cove Conference Room

Thursday, November 2, 2023 - 3:00 PM

## *Water Quality/Coastal Tidelands Committee Members:*

**Council Member Joe Stapleton, Chair**  
**Council Member Brad Avery, Vice Chair**  
**Peter Belden, Member**  
**Curtis Black, Member**  
**Charles Fancher, Member**  
**Craig Hudson, Member**  
**Richard McNeil, Member**  
**George Robertson, Member**  
**John Wadsworth, Member**

## **Staff Members:**

**Jim Houlihan, Deputy Public Works Director/City Engineer**  
**John Kappeler, Senior Engineer**  
**Karen Gallagher, Administrative Assistant**

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The Water Quality/Coastal Tidelands Committee meeting is subject to the Ralph M. Brown Act. Among other things, the Brown Act requires that the Water Quality/Coastal Tidelands Committee agenda be posted at least seventy-two (72) hours in advance of each regular meeting and that the public be allowed to comment on agenda items before the Committee and items not on the agenda but are within the subject matter jurisdiction of the Water Quality/Coastal Tidelands Committee. The Chair may limit public comments to a reasonable amount of time, generally three (3) minutes per person.

The City of Newport Beach's goal is to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee or a participant at this meeting, you will need special assistance beyond what is normally provided, we will attempt to accommodate you in every reasonable manner. Please contact John Kappeler, Water Quality Enforcement Manager, at least forty-eight (48) hours prior to the meeting to inform us of your particular needs and to determine if accommodation is feasible at (949) 644-3218 or [jkappeler@newportbeachca.gov](mailto:jkappeler@newportbeachca.gov).

## **NOTICE REGARDING PRESENTATIONS REQUIRING USE OF CITY EQUIPMENT**

Any presentation requiring the use of the City of Newport Beach's equipment must be submitted to the Public Works Department 24 hours prior to the scheduled meeting.

- 1) **CALL MEETING TO ORDER**
- 2) **ROLL CALL AND INTRODUCTIONS**
- 3) **PUBLIC COMMENTS ON AGENDA ITEMS (10 min)**

*Public comments are invited on agenda items. Speakers must limit comments to five minutes. Before speaking, we invite, but do not require, you to state your name for the record. The Committee has the discretion to extend or shorten the speakers' time limit on agenda items, provided the time limit adjustment is applied equally to all speakers. As a courtesy, please turn cell phones off or set them in the silent mode.*

- 4) **REVIEW AND APPROVAL OF MINUTES (5 min)**

*Recommendation: Approve minutes as presented*

[WQCT Draft Minutes 10052023](#)

- 5) **CURRENT BUSINESS (55 min)**

(a) Beach Replenishment/Beach Erosion Pilot Project (Mark Merrifield) (20 min) Review proposal for a beach monitoring project.

Recommendation: Committee Approval

(b) Santa Ana River Dredging/Sand Replenishment (Mike Sinacori) (20 min) Presentation on the current Santa Ana River Dredging Project.

Recommendation: Committee Discussion

(c) Newport Beach/Bay Water Quality Sampling (Peter Belden) (15 min) Proposed pilot program to perform additional water quality sampling after rain events.

Recommendation: Committee Approval

6) **COMMITTEE ANNOUNCEMENTS OR MATTERS WHICH MEMBERS WOULD LIKE PLACED ON A FUTURE AGENDA FOR DISCUSSION, ACTION OR REPORT (NON-DISCUSSION ITEM) (10 min)**

(a) Balboa Peninsula/Islands Flooding Prevention (January 2024 - Casey Parks)

(b) Oceanside Sand Pump (January 2024 - TBD)

(c) Beach Cleanup Volunteers (January 2024 - Theresa Schweitzer)

(d) Total Maximum Daily Load for Copper (Cu) (Winter 2024 - John Kappeler)

(e) Newport Beach Trash Interceptor Public Outreach Campaign (Winter 2024 - John Pope)

7) **PUBLIC COMMENTS ON NON-AGENDA ITEMS (5 min)**

*Public comments are invited on non-agenda items generally considered to be within the subject matter jurisdiction of the Committee. Speakers must limit comments to three minutes. Before speaking, we invite, but do not require, you to state your name for the record. The Committee has the discretion to extend or shorten the speakers' time limit on non-agenda items, provided the time limit adjustment is applied equally to all speakers. As a courtesy, please turn cell phones off or set them in the silent mode.*

8) **SET NEXT MEETING DATE (5 min)**

*Recommendation: January 4, 2024*

9) **ADJOURNMENT**

**ATTACHMENTS:**

*Bay and Ocean Bacteriological Test Results*

**Date:** October 5, 2023

**Time:** 3:05 p.m.

**Location:** Marina Park Event Conference Room, Newport Beach

**Meeting Minutes prepared by:**

**1. Call meeting to order**

The meeting was called to order at 3:00 p.m.

**2. Roll Call and Introductions**

**Committee Members Present:**

Councilmember/Vice Chair Brad Avery

Committee Member Peter Belden

Committee Member Curtis Black

Committee Member Charles Fancher

Committee Member Craig Hudson

Committee Member John Wadsworth

**Committee Members Absent:**

Councilmember/Chair Joe Stapleton

Committee Member Richard McNeil

Committee Member George Robertson

**Staff Present:** John Kappeler, Senior Engineer  
Karen Gallagher, Administrative Assistant  
Shane Burckle, Watershed/Conservation Specialist/Public Works  
Paul Blank, Harbormaster

**Guests Present:** Jim Mosher, Resident  
Charles Klobe, SPON  
Nancy Scarbrough, SPON, Resident  
Virginia Anders Ellmore, Resident  
Rudy Svrcek, Harbor Commissioner  
Jennifer McDonald  
Steve Scully, Harbor Commissioner

**3. Public Comment on Agenda Items**

Virginia Anders Ellmore expressed concerns regarding insurance and inquired whether the Committee could provide tracking data regarding flooding on Balboa Island. She requested the City undertake a proactive approach regarding coastline preservation by identifying risk criteria.

John Kappeler, Senior Engineer, noted there will be work in the subject area mentioned by the previous speaker and the project could be placed on a future meeting agenda for review.

Jim Mosher commented regarding the quorum of the Committee necessary to approve minutes. He referred to continuation of the minute's approval item from the September meeting, and noted the current agenda packet only included the September minutes, and not the June minutes for approval.

#### 4. Review and approval of minutes

Discussion ensued regarding the approval of minutes and necessary quorum to approve, suggested changes to the content of the June meeting minutes, past presentations regarding beach replenishment projects, and items scheduled for upcoming meetings.

**Motion:** A motion was made by Committee Member Wadsworth to approve the September 7, 2023, and June 1, 2023 minutes, seconded by Committee Member Hudson, as amended.

#### 5. Current Business

- a. Newport Beach Trash Rover and DataPod Demonstration (Michael Arens/Paul Blank)  
Demonstration on the City's new water quality buoys, and a potential (future) trash rover project.  
**Recommendation: Committee Approval**

Michael Arens, representing Clean Earth Rovers provided an informational report. A PowerPoint presentation was displayed. Details presented included information on the DataPod autonomous drone that can manage physical pollutants and some chemical pollutants that might be found on the surface of the water, the City grant submission, the value data points collected, averages of data collected, the Marina Park and East Anchorage areas of concern, and servicing overview.

Committee, staff, presenter, and public discussion ensued including comments regarding the ability to move the subject buoy for purposes of conducting special studies, the ability to more quickly identify anomalies and trigger necessary sampling through the data collection, the equipment's easily accessible data portals and dashboards, the potential to update the dashboard with notifications, the equipment's ability to generate graphical interpretation of data collected, the ability to monitor salinity, the equipment's waterproof rating and depth capabilities, the capabilities projected for future models of the subject equipment, the maintenance required for the equipment, the impacts of "red tide" on the equipment and data collection.

There was no action taken on this item.

- b. City of Newport Beach Harbor Department Accomplishments (Paul Blank)  
Report from the Harbor Master on the Department's recent accomplishments  
**Recommendation: Committee Discussion**

Harbormaster Paul Blank provided a summary report regarding the accomplishments of the Harbor Department over the past twenty-four months. A PowerPoint presentation was displayed. Details presented included establishment of the Department's mission statement, review of the Department's team and organizational structure, specific projects related to keeping the Harbor clean, safe, and well-enjoyed, other miscellaneous accomplishments, reservation revenue for slips and moorings, and service statistics.

Committee and staff discussion ensued including comments on Harbor user access to restaurants, effective utilization of public restrooms and facilities due to the use of the Harbor amenities map, reduction in related code enforcement calls, recent Council discussion regarding City public restroom hours of access, the nexus between the welcoming nature of the Harbor, reduction in certain user rates, and resulting increase in revenue, status of the Reuben E. Lee, expansion of the commercial marina by 13 slips, construction of a public dock by the Irvine Company which is proposed to be donated to the City as a new public amenity, management of the new dock by the Committee, potential consideration of proposals for an outstation on the new docks, previous action by the Committee regarding restroom facilities related to floating restaurants, various warnings issued by the Harbor Department, work conducted with the City Attorney's Office related to nuisance abatements for unsanitary conditions, and acknowledgement of the significant accomplishments by the new Harbor Department team.

There was no further action taken on this item.

**6. COMMITTEE ANNOUNCEMENTS OR MATTERS WHICH MEMBERS WOULD LIKE PLACED ON A FUTURE AGENDA FOR DISCUSSION, ACTION OR REPORT (NON-DISCUSSION ITEM)**

- a. Beach Replenishment/Beach Erosion Pilot Project (November 2023 – Mark Merrifield)
- b. Balboa Peninsula/Islands Flooding Prevention (November 2023 – Mark Vukojevic)
- c. Oceanside Sand Pump (November 2023 – TBD)
- d. Total Maximum Daily Load for Copper (Cu) (Winter 2024 - John Kappeler)
- e. Newport Beach Trash Interceptor Public Outreach Campaign (Winter 2024 - John Pope)

Committee Member Belden requested the addition of an item to the November agenda related to expedited water testing directly after events. Discussion ensued regarding previous approvals and budgeting for this item.

Committee Member Wadsworth requested the addition of an item related to a status update on three ordinances the Committee had considered previously, including impacts of food/plastic ware, balloons, and City facilities on water quality and coastal tidelands. Discussion ensued regarding campaigns and recent legislation regarding the impacts of the aforementioned items on the environment.

Jim Mosher, resident, commented that it was his understanding that the Committee had previously taken action on three of the four item previously mentioned and expressed concern that they were not forwarded to the Council for consideration.

There was no further action taken on this item.

**7. PUBLIC COMMENTS ON NON-AGENDA ITEMS**

None.

**8. SET NEXT MEETING DATE**  
**Recommendation: November 2, 2023**

The next meeting was set for November 2, 2023.

**9. ADJOURNMENT**

The meeting was adjourned at 4:26 p.m.

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Chair / Joe Stapleton