



# CITY OF NEWPORT BEACH

## TIDELANDS MANAGEMENT COMMITTEE

### AGENDA

Civic Center Community Room - 100 Civic Center Drive,  
Newport Beach, CA 92660

May 29, 2014 - 3:30 PM

***Tidelands Management Committee - Council Members:***

Mike Henn - Chair      Nancy Gardner      Ed Selich

***Citizens Advisory Panel:***

Linda Beimfohr      Paul Blank      John Corrough  
Jamshed Dastur      Jeff Herdman      John Keating  
Don Lawrenz

***Staff Members:***

Dave Kiff      Michael Torres  
Chris Miller      Shannon Levin

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- (1) **CALL MEETING TO ORDER - Welcome and Introductions**
  - (2) **ROLL CALL**
  - (3) **PUBLIC COMMENTS**

*Public comments are invited on agenda and non-agenda items generally considered to be within the subject matter jurisdiction of the Finance Committee. Speakers must limit comments to 3 minutes. Before speaking, we invite, but do not require, you to state your name for the record. The Finance Committee has the discretion to extend or shorten the speakers' time limit on agenda or 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.*

- (4) **APPROVAL OF MINUTES**  
**April 23, 2014 Meeting Minutes**

- (5) **ON-GOING BUSINESS**

A. None

- (6) **CURRENT BUSINESS**

A. **Draft Seawall Policy - Discussion**

Staff will present information on the Balboa Island seawall project planning process.

- (7) **ROUNDTABLE OR ADDITIONAL PUBLIC COMMENTS**

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

- A. Balboa Island Seawall
- B. Derelict Vessel Update
- C. Mariner's Mile Walkway

D. Eelgrass in Newport Harbor

**(9) DATE AND TIME FOR NEXT MEETING:**

June 18, 2014.

**(10) ADJOURNMENT**

This Tidelands Management Committee is subject to the Ralph M. Brown Act. Among other things, the Brown Act requires that the Tidelands Management Committee's 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 Tidelands Management Committee and items not on the agenda but are within the subject matter jurisdiction of the Tidelands Management Committee. The Tidelands Management Committee may limit public comments to a reasonable amount of time, generally three (3) minutes per person.

It is the intention of the City of Newport Beach 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, the City of Newport Beach will attempt to accommodate you in every reasonable manner. If requested, this agenda will be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. Please contact the City Clerk's Office 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) 644-3005 or [cityclerk@newportbeachca.gov](mailto:cityclerk@newportbeachca.gov).



# NEWPORT BEACH

**ITEM TITLE:** April 23, 2014 Meeting Minutes

**ATTACHMENTS:**

**Description**

[April 23, 2014 Draft Meeting Minutes](#)

1. **The meeting was called to order at 4:00 p.m. by Council Member Henn.**
2. **Roll Call:** Council Members: Chair Mike Henn, Nancy Gardner. Ed Selich absent.  
Citizen Advisory Members: John Corrough, Jamshed Dastur, Jack Keating, Jeff Herdman, Linda Beimfohr and Paul Blank. Don Lawrenz absent.
3. **Public Comments on Non-Agenda Items**  
Jim Mosher commented that the Novus system should have more obvious links to the minutes, and that there should be more consistency between Commissions and Subcommittees on how Novus is utilized and accessible to the public.
4. **Minutes for March 19, 2014.** Jeff Herdman commented that Eelgrass Mitigation should be a future agenda item. Motion by Council Member Gardner, second by Council Member Selich. Approved with changes.
5. **On-Going Business**
  - A. **Tidelands Capital Plan (handout).** Harbor Manager Chris Miller and Public Works Director Dave Webb explained updates to the TCP. Webb mentioned that the document is not an accounting ledger but is a living document that shows expenditures to date. Funds will be rolling over in the next fiscal year for ongoing projects or projects that will commence in the next few months. Henn mentioned that if there is extra money, then other projects should be substituted into the TCP. Mosher asked about the incremental revenues collected from the harbor fees and how that has been spent to date.
6. **Current Business**
  - A. **Lower Castaways (presentation).** Harbor Commissioner Dave Girling presented the Committee with the concepts for Lower Castaways. The concepts include a cycling and hand launching hub creating access to the lot “by water, by land, by bike.” There are some deed restrictions as conditioned by The Irvine Company’s previous ownership. The Marine Protected Area (MPA) may preclude any waterside improvements. Girling and Chris Miller met with Department of Fish and Wildlife (DFW) staff to begin the dialogue for how, or if it’s possible, to change the designation of this area as a MPA. Carla Navarro with the local DFW will be included in future conversations. The waterside conditions could be permitted as a later phase so as to not hold up the rest of the project. The seawall may need repair or replacement if a structure is placed nearby. CAP Member John Corrough added that the Coastal Act provides for access to the water, and that this point should be used when approaching the Coastal Commission when obtaining permits for the dock. Randy Mason with URS stated that there was a marina at Lower Castaways for nearly 40 years. Mosher added that the Coastal Development Permit for Upper Castaways may prohibit the connection of the two parcels by building on the Upper Castaways site. Other thoughts on the project include hours of access to the finished site, inclusion of a gas fire ring, and monitoring the parking for misuse.
  - B. **Draft Seawall Policy – Discussion (presentation).** Staff members Bob Stein and Seimone Jurjis presented information on the Balboa Island seawall project, planning process and flood elevation heights. Potential seawall heights may be 9.0, 9.5, or 10.0 NAVD88. CAP Member Jim Dastur commented that the Committee needs to at least explore the option of a tidal gate to weigh the benefits and costs of each project. He added that FEMA’s height designations may change over time which puts the residents in the same situation as today with insurance and flood areas. He also stated that the City should build to 9.0 because that is what is dictated in the Coastal Commission’s Sea Level Rise Policy Guidance Document. Other comments include low lying areas remaining

at the greatest risk, the peninsula's vulnerability, bayward structures requiring retrofitting after additional height added to the sea walls, and whether the sand serves as structural containment enough to preclude replacing sections of the wall. Bob Stein will present to the BIIA on May 22, 2014.

**7. Roundtable or Additional Public Comments**

None.

**8. Committee Announcements / Future Agenda Items**

Balboa Island Seawall Update - only item for May 2014 meeting.

Eelgrass Mitigation

Derelict Vessels

Mariner's Mile Walkway

**9. Adjournment around 6:00 PM.**

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The agenda for April 23, 2014 Regular Meeting was posted on and Friday April 18, 2014 at 3:50PM on the Civic Center Electronic Bulletin Board and Binder, and Friday April, 182014 at 3:14PM on the City's website.

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Tidelands Management Committee Chair