



CITY OF NEWPORT BEACH HARBOR COMMISSION AGENDA

Council Chambers - 100 Civic Center Drive

Wednesday, February 10, 2016 - 6:30 PM

Harbor Commission Members:

Dave Girling, Chair
Paul Blank, Vice Chair
Joe Stapleton, Secretary
Brad Avery, Commissioner
Bill Kenney, Commissioner
Duncan McIntosh, Commissioner
Doug West, Commissioner

Staff Members:

Chris Miller, Harbor Resources Manager
Shannon Levin, Harbor Resources Supervisor

The Harbor Commission meeting is subject to the Ralph M. Brown Act. Among other things, the Brown Act requires that the Harbor Commission 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 Commission and items not on the agenda but are within the subject matter jurisdiction of the Harbor Commission. 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 Chris Miller, Harbor Resources 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) 644-3034 or cmiller@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 Harbor Resources Division 24 hours prior to the scheduled meeting.

1) **CALL MEETING TO ORDER**

2) **ROLL CALL**

3) **PLEDGE OF ALLEGIANCE**

4) **PUBLIC COMMENTS**

Public comments are invited on agenda items. Speakers must limit comments to three (3) minutes. Before speaking, we invite, but do not require, you to state your name for the record. The Harbor Commission 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.

5) **APPROVAL OF MINUTES**

January 13, 2016 Minutes

[Minutes](#)

6) CURRENT BUSINESS**Channel Road Marina Renovation - Appeal**

The Lido Peninsula Company, LLC is proposing the Channel Road Marina Renovation project located along the southwestern tip of the Lido Peninsula. The applicant is proposing to extend the floats to the same distance as the existing floats on the southerly side, recognizing, however, that this distance is beyond the maximum allowable distance permitted by Council Policy H1. Therefore, the applicant is appealing the Harbor Resources Manager's denial of the project.

1) Approve the applicant's proposed Channel Road Marina Renovation project to extend the floats to the same distance as the existing floats on the southerly side along with the self-imposed overhang restriction of 12 feet.

[Staff Report](#)

[Item #1 - Attachment A](#)

[Item #1 - Attachment B](#)

[Item #1 - Attachment C](#)

[Item #1 - Additional Materials Received](#)

[Item #1 - Channel Road Appeal PPT](#)

Tidelands Capital Plan Review and Harbor Master Plan Ad Hoc Committee Formation

Staff will review the Tidelands Management Committee's Tidelands Capital Plan. In addition, the Harbor Commission will form an ad hoc committee to initiate the development of a Harbor Master Plan as instructed by the City Council.

- 1) Receive and file the Tidelands Capital Plan.
- 2) Form an ad hoc committee to initiate the development of a Harbor Master Plan.

[Staff Report](#)

[Item #2 - Attachment A](#)

Central Avenue Public Pier - Harbor Commission Letter of Support to the Coastal Commission

The Harbor Commission will consider sending a letter of support for the Central Avenue public pier to the California Coastal Commission.

- 1) Approve the Harbor Commission's Central Avenue public pier support letter to the California Coastal Commission.

[Staff Report](#)

[Item #3 - Additional Materials Presented At Meeting](#)

RGP-54 Publicity and Outreach

The Harbor Commission will discuss various ways that the City's new RGP-54 dredging permit should be publicized throughout the community.

- 1) Discuss outreach methods to publicize the City's RGP-54 dredging program.

[Staff Report](#)

West Anchorage Review

The Harbor Commission will review and discuss the anchorage concept in the Turning Basin, and instruct the ad hoc committee to return to the Commission at the March 2016 meeting with a recommended path forward.

1) Discuss the west anchorage concept.

[Staff Report](#)

[Item #5 - Anchorage Discussion PPT](#)

- 7) **SUBCOMMITTEE REPORTS**
- 8) **QUESTIONS AND ANSWERS WITH COUNCIL LIAISON ON HARBOR RELATED ISSUES**
- 9) **QUESTIONS AND ANSWERS WITH HARBOR RESOURCES MANAGER ON HARBOR RELATED ISSUES**
- 10) **PUBLIC COMMENTS ON SUBCOMMITTEE REPORTS OR QUESTIONS AND ANSWERS WITH COUNCIL LIAISON OR HARBOR RESOURCES MANAGER**
- 11) **COMMISSION ANNOUNCEMENTS OR MATTERS WHICH MEMBERS WOULD LIKE PLACED ON A FUTURE AGENDA FOR DISCUSSION, ACTION OR REPORT (NON-DISCUSSION ITEM)**
- 12) **DATE AND TIME FOR NEXT MEETING: Wednesday, March 9, 2016**
- 13) **ADJOURNMENT**

NEWPORT BEACH HARBOR COMMISSION REGULAR MEETING MINUTES
City Council Chambers
Wednesday, January 13, 2016
6:30 PM

1) CALL MEETING TO ORDER

The meeting was called to order at 6:30 p.m.

2) ROLL CALL

Commissioners: Dave Girling, Chair
 Paul Blank, Vice Chair
 Joe Stapleton, Secretary
 Brad Avery
 William Kenney, Jr.
 Duncan McIntosh
 Doug West (Absent)

Staff Members: Chris Miller, Harbor Resources Manager
 Shannon Levin, Harbor Resources Supervisor

City Council Liaison: Duffy Duffield, Council Member

3) PLEDGE OF ALLEGIANCE – Harbor Resources Manager, Chris Miller

Chair Girling reported that a presentation of the Harbor Commissions goals and objectives was made last night, January 12th, to City Council and that they were well received. He thanked Commissioners Blank and West for attending the meeting. The goals and objectives were approved and he added that he received good feedback from Council. Specifically, one (1) of the Council Members suggested that the Harbor Commission increase its involvement in the copper issue within the harbor. Commissioners Blank and Kenney will participate in related discussions. Additionally, the first objective was mentioned and Chair Girling noted that it would be a focal point for discussion by the Commission. City Council also indicated they would like to see more updates from the Commission, and Members will work closely with Council Member Duffield to ensure that occurs.

4) PUBLIC COMMENTS

Chair Girling opened public comments.

Seeing no one wishing to address the Commission, Chair Girling closed public comments.

5) APPROVAL OF MINUTES – November 16, 2015 Minutes

Chair Girling offered clarifications and modifications to the minutes from the Harbor Commission meeting of November 16, 2015.

Chair Girling opened public comments.

Jim Mosher offered corrections to the minutes.

Chair Girling closed public comments.

Motion: Vice Chair Blank made a motion to approve the minutes of the Harbor Commission meeting of November 16, 2015, as corrected. Commissioner McIntosh seconded the motion, which carried with 7 ayes, 0 noes. Approved.

6) **CURRENT BUSINESS**

1. ***Harbor Patrol Update***

Lieutenant Mark Alsobrook, Harbormaster, will update the Commission on the Harbor Patrol's operations.

Recommendation:

- 1) Receive and file.

Lieutenant Mark Alsobrook, Orange County Sheriff's Department, Harbor Patrol, referenced the loss of the vessel "William B" by a fire and the Harbor Patrol's protocol regarding contacting vessel owners during an emergency. He reported speaking with the owner of the "William B," the result of which caused him to rethink the agency's protocol and the benefits in engaging vessel owners. He reported that, moving forward, value will be added to the Sheriff's Department's efforts by reviewing and modifying those protocols. He added that they are launching an effort to identify all large and unique vessels in Newport Harbor and engage those owners prior to an incident.

Lieutenant Alsobrook provided a review of the final quarter of 2015 including the new contract with the City to provide mooring management services. He addressed increased responsiveness to the City's and the public's needs, other contracts and activities in the harbor including providing training for dealing with DUI's. Additionally, he reported that in July, the Harbor Patrol will be hosting the Boating and Water Craft Safety Committee; a three-day conference where representatives from all California Sheriff's Departments get together, focusing on educating the public, defining enforcement criteria standards and establishing and improving partnerships between Federal, State, local and private organizations. He added that Newport Harbor is "on the map" among many agencies, as a training and conference destination.

Lieutenant Alsobrook addressed other incidents occurring in the fourth quarter including one (1) for which he is nominating Sergeant Haldeman, LVN Vicky Molanski and Business Owner Mr. Meek to receive a Medal of Honor for their efforts in providing life-saving CPR to a local resident. Additionally, he listed other notable incidents and noted cooperation between the Newport Beach Police Department and Harbor Patrol.

Lieutenant Alsobrook stated there are many issues in the harbor that require a lot of finesse rather than brute force and recognized the work of Harbor Resources Manager, Chris Miller and City staff, in developing a resolution regarding the vessel "Gemini."

Chair Griling opened public comments.

Seeing no one wishing to address the Commission, Chair Griling closed public comments.

Commissioner Stapleton congratulated Lieutenant Alsobrook and his team for their work at the Christmas Boat Parade.

Discussion followed regarding the proposed Marine Operator's Course for Law Enforcement Personnel. Lieutenant Alsobrook also addressed the marine operator's course required under State law.

In response to Chair Griling's inquiry, Harbor Resources Manager, Miller stated he would look into the possibility of providing a proclamation from the Harbor Commission to Medal of Honor recipients.

Chair Griling announced that Item No. 5 would be heard at this time.

2. ***Status of Shellmaker, Inc.'s Scow, "Gemini"***

Harbor Resource Manager, Chris Miller provided an update as to the status of Shellmaker's sunken scow, "Gemini," currently on mooring J-98.

Recommendation:

- 1) Receive and file.

Commissioner Avery returned to the Chambers and took his place on the dais.

Harbor Resources Manager, Miller provided an update on the status of “Gemini” and reported there was a trade between Shellmaker and Associated Pacific Constructors (APC), where Shellmaker transferred two (2) moorings to APC and in return, they will raise the “Gemini”. He thanked Chair Griling for his participation in the process and commended Shellmaker and APC for generating a solution.

Chair Griling opened public comments.

Seeing no one wishing to address the Commission, Chair Griling closed public comments.

3. *Pumpouts in Newport Harbor – An Overview*

Harbor Resources Manager, Chris Miller provided an overview on pumpouts in Newport Harbor with particular focus on the City’s stations.

Recommendation:

- 1) Receive and file.

Harbor Resources Manager, Miller provided a PowerPoint presentation with an overview of pumpouts in Newport Harbor. He addressed locations, privately owned pump-out stations, recent upgrades, maintenance, the City’s maintenance contractor, inspections, operation and rebuild kits.

Discussion followed regarding pump-out stations operated by the County and the possibility of placing signage indicating that bilge pump-outs are prohibited and setting a fine for violations.

Council Member Duffield stated he had a simple solution, which he would share another time.

Discussion followed regarding the possibility of having shorter hoses, trying out different solutions at a limited number of stations, installing signage indicating that the premises are being monitored by cameras and the possibility of the City enacting an ordinance setting fines for violations.

Harbor Resources Manager, Miller stated he will follow-up with the City Attorney’s office regarding the matter.

Chair Griling opened public comments.

Jim Mosher asked a question regarding the appropriate place to dispose of bilge and suggested that signage explain the proper procedure to do so.

Harbor Resources Manager, Miller explained that the County was looking at installing a bilge station in the past but they did not want to take on the liability. He addressed challenges and issues and stated that the City has not yet found a good location.

Len Bose, Huntington Beach, reported that Dana Point has one of the best systems around and commented on facilities for oil drop-offs at the basin. He opined it would be great to see a bilge station in the city.

Chair Griling closed public comments.

Harbor Resources Manager, Miller noted that bilges typically have oil residue, which is a hazardous waste, and stated there may be something already in the City’s books regarding discharge of hazardous waste.

Council Member Duffield encouraged the Harbor Commission to consider a work dock at Balboa Yacht Basin, as one was approved years ago. Since rates have been changed, he added that it should be an amenity for boat owners.

Commissioner Kenney stated he would like the Harbor Commission to consider the possibility of a bilge pump-out station. He added that the Balboa Yacht Club does not have a facility to manage bilge waste.

4. Central Avenue Public Pier – An Operational Review

Harbor Resources Manager, Chris Miller will provide an overview of the proposed Central Avenue public pier. The Harbor Commission has been asked to provide input as to the operational characteristics of that particular pier.

Recommendation:

- 1) Provide comments as to the operational characteristics of the proposed Central Avenue public pier.

Harbor Resources Manager, Miller provided a report on the Central Avenue Public Pier and addressed City partnerships and the purpose for this review. The latter is to seek operational characteristics from the Commission. He reported that the layout has been designed to maximize the space at Central Avenue and noted that at this time, focus will be on the operational characteristics of the pier, which will affect how it is built. He addressed location, configuration of the pier, possible characteristics, potential vessel sizes, next steps, development of performance specifications, development and issuance of an RFP, the entitlement process, funding sources and a potential timeline. Additionally, he provided examples of pier signs.

Vice Chair Blank commented on the load design for the Rhine Channel dock, having few restrictions and limitations, a depth and maneuverability issue on Central Avenue, pushing the float further out into the channel for improved maneuverability, prohibiting fishing, and noted there is no need for a length limitation. Additionally, he suggested setting a three-hour limit on the entire float.

Commissioner Avery recommended allowing as large a boat as staff would be comfortable with and agreed with having fewer restrictions, to begin with. In response to his inquiry regarding whether DJM is providing any public dock, Harbor Resources Manager, Miller reported they have a lagoon/boat basin and are renting kayaks. They also have a pump-out facility in the boat basin and the rest of the marina will be a traditional marina with bay-size slips.

Commissioner McIntosh agreed with Vice Chair Blank's suggestion of pushing the dock further out into the channel and asked about plans for the anchorage. He liked the idea of getting smaller boats on the inside and agreed with a three-hour time limit. In terms of the length of the dock, he added that "more is better."

Harbor Resources Manager, Miller stated that the intention is to have 14-inch piles.

Commissioner Kenney concurred with Vice Chair Blank's comments and felt that there should be no size limits on vessels at the dock. He agreed with extending the dock into the channel to accommodate dinghies on the bulkhead side and that dinghies be allowed 24 hours.

Chair Girling opened public comments.

Kimberly Stewart commented positively on the project and reported on personal experiences in the basin. She stated there are significant wind issues in the area, at times, and suggested looking at that in terms of maneuverability and boat sizes. Ms. Stewart addressed issues with traffic and reported there is fishing on the other side of the bridge and there could be potential issues with that. She opined that the smaller the boat, the better, and agreed with moving the dock out into the channel to increase opportunities for smaller boats. She wondered how the landscape aspect of the street end could be funded by a grant, if it comes through.

Jim Mosher commented on Central Avenue being where the red cars crossed over the Santa Ana River years ago. He asked about the entitlement process and consideration by the Coastal Commission.

Chair Girling closed public comments.

Harbor Resources Manager, Miller reported there is no waterfront access directly to Lido Marina Village from the bulkhead. He addressed the Coastal Commission application and review process.

Discussion followed regarding other public piers planned for the City and limiting the boat size to 30 feet with 14-inch piles.

5. *Marine Activities Permits and Security Plans for Charter Vessels*

Harbor Resources Manager, Chris Miller provided an overview of the City's Marine Activities Permits (MAP) and the proposed requirements for charter vessels to provide security plans as part of the application process.

Recommendation:

- 1) Provide input to staff as to the proposed requirement for charter vessels to provide security plans as part of the application process.

Commissioner Avery recused himself from hearing this matter, as he owns and operates charter vessels in the harbor, and departed the Chambers.

Harbor Resources Manager, Miller provided an overview of the City's Marine Activities Permits (MAP) and the proposed requirements for charter vessels to provide security plans as part of the application process. He addressed requirements for obtaining an operator's license for restaurants, suggested language for requiring a security plan when an application is made for a MAP, and input and direction being sought from the Harbor Commission. He presented a sample of a security plan for the Commission's consideration.

Discussion followed regarding the overseeing agency and criteria and thresholds for requiring a security plan.

Harbor Resources Manager, Miller reported that if there is an incident on the water, the Harbor Patrol would be the first responders and the Police Department would take charge once the vessel docks. If the incident occurred on land, it would be a Police Department issue.

Commissioner Kenney noted that when the City issues an operating permit, there are certain conditions attached and the City has the right to view the operating permit. He asked for confirmation and asked if the same exists under a MAP.

Harbor Resources Manager, Miller reported that MAPs are good for up to one (1) year and addressed the application and review process. He added that other City departments review new applications as well as applications involving changes in the type of business and that Planning reviews issues involving parking.

A suggestion was made to circulate future applications to the Harbor Patrol and the Police Department as the City does with applications for development permits and obtain feedback before renewing any permits.

Commissioner McIntosh noted that Certified Coast Guard Vessels must have security on their vessels. He added that whatever the City does must be consistent with those requirements.

Chair Girling suggested adding the word "personnel" rather than security "plan" and the possibility of outsourcing personnel.

Commissioner Kenney stated that most of the pertinent information is listed on Page 1 and suggested incorporating same into the MAP.

Chair Girling opened public comments.

Chandler Bell, Hornblower Cruises and Events, reported that the U.S. Coast Guard requires that they have a security program on board on vessels exceeding 150 passengers. He added that Hornblower has its own procedures and policies relative to security and explained same. He questioned whether an operational plan is required for smaller vessels/events and commented on the different sizes of vessels they operate. Mr. Bell reported that in the eleven (11) years that he has worked for Hornblower, there was only one (1) incident where the police were called.

Discussion followed regarding security personnel for parties involving people eighteen (18) years of age and older.

Jim Mosher commented on requirements for Conditional Use Permits (CUPs) for restaurants reviewed by the Planning Commission. He stated there is no requirement for a security plan in CUPs and commented on requirements for an Operator's License for nightclubs and alcohol-serving establishments open beyond 11:00 p.m. The Police Department has the authority to modify requirements related to Operator Licenses. He referenced a recent Planning Commission matter for Nobu Restaurant related to parking.

Chair Girling closed public comments.

Chair Girling noted that the Commission can specify that there are plans already in place and suggested that, rather than providing a standardized plan for each operator, they should prepare their own plans and the Harbor Commission would have an opportunity to review them and provide feedback.

Commissioner Kenney added that cities issue CUPs based on specific circumstances and mostly pertain to alcohol sales and the amount of alcohol sales versus food sales as well as hours of operation. Given the fact that MAPs are for a short period of time and that there have been no incidents, Commissioner Kenney felt that a security plan may not be necessary.

Brief discussion followed regarding whether companies that rent stand-up paddleboards would be required to obtain MAPs.

Harbor Resources Supervisor, Shannon Levin reported they would submit an application for a MAP.

The Harbor Commission heard Item No. 2 and this juncture and continued with the rest of the agenda, as listed.

7) SUBCOMMITTEE REPORTS

Commissioner Stapleton reported meeting with the Chair of the Planning Commission and stated they have agreed to meet on a quarterly basis, to talk about different projects. He reported he would be meeting with other Commissioners and business owners to talk about other harbor-related businesses on the water before the next Harbor Commission meeting. Additionally, he commented briefly on derelict vessels.

Commissioner Avery recused himself from the Charter Vessel Review Subcommittee.

Vice Chair Blank offered to participate in the Charter Vessel Review Subcommittee.

Commissioner Avery commented on the Anchorage Subcommittee and reported they will have a teleconference next week.

Vice Chair Blank reported briefly on the Derelict Vessel Subcommittee.

8) QUESTIONS AND ANSWERS WITH COUNCIL LIAISON ON HARBOR RELATED ISSUES - None

9) QUESTIONS AND ANSWERS WITH HARBOR RESOURCES MANAGER ON HARBOR RELATED ISSUES

Harbor Resources Supervisor, Levin reported she has been working on the derelict vessel issue and that the giant trimaran on A261 was demolished. She added that online reservations will be taken, starting next week, for Marina Park.

Harbor Resources Manager Miller congratulated Harbor Resources Supervisor, Levin for her work on Marina Park. He reported that Harbor Resources is relocating to the Civic Center and that Harbor Resources Supervisor, Levin will be at Marina Park. He provided a brief update on the RGP implementation program.

10) PUBLIC COMMENTS ON SUBCOMMITTEE REPORTS OR QUESTIONS AND ANSWERS WITH COUNCIL LIAISON OR HARBOR RESOURCES MANAGER

Len Bose commented on recent laws relative to DUIs in the harbor. He commented on bicycles on the Fernando Pier and on the possibility of installing bike racks. Additionally, he wondered about the status of sea-level rise and whether it is being monitored.

Harbor Resources Manager, Miller reported staff is working to install accurate meters relative to sea-level rise.

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

Vice Chair Blank requested that the Commission consider derelict vessels on shore moorings and improving mooring rules.

12) DATE AND TIME FOR NEXT MEETING: Wednesday, February 10, 2016

13) ADJOURNMENT

There being no further business to come before the Harbor Commission, the meeting was adjourned at 9:00 a.m. The next meeting of the Harbor Commission will be held on Wednesday, February 10, 2016, at 6:30 p.m.



NEWPORT BEACH

Harbor Commission Staff Report

February 10, 2016
Agenda Item No. 1

TO: HARBOR COMMISSION

FROM: Chris Miller, Harbor Manager - 949-644-3043,
cmiller@newportbeachca.gov

TITLE: Channel Road Marina Renovation - Appeal

ABSTRACT:

The Lido Peninsula Company, LLC is proposing the Channel Road Marina Renovation project located along the southwestern tip of the Lido Peninsula. The applicant is proposing to extend the floats to the same distance as the existing floats on the southerly side, recognizing, however, that this distance is beyond the maximum allowable distance permitted by Council Policy H1. Therefore, the applicant is appealing the Harbor Resources Manager's denial of the project.

RECOMMENDATION:

1. Approve the applicant's proposed Channel Road Marina Renovation project to extend the floats to the same distance as the existing floats on the southerly side along with a self-imposed overhang restriction of 12 feet.

FUNDING REQUIREMENTS:

There is no fiscal impact related to this item.

DISCUSSION:

The Lido Peninsula Company, LLC owns the entire marina around the Lido Peninsula starting from inside the Rhine Channel and wrapping around to Shipyard Way. The applicant is proposing to rebuild a small section of this large marina from approximately the shipyard to the Lido Peninsula beach area (Attachment A). This section of the marina is over 50 years old and has exceeded its intended useful life.

The larger floats on the southwesterly side of the Lido Peninsula (facing the peninsula) are proposed to be built according to the City Standards and are in conformance with Council Policy H1(J) which states:

“U.S. Bulkhead Station No. 122 to No. 125: Piers or boat slips may be permitted to extend 20 feet channelward of the U.S. Pierhead Line.”

See Attachment B which notes the locations of the Bulkhead Station Numbers for reference. The slips on the southwesterly side will be built 20 feet beyond the Pierhead Line which is the same distance as the existing slips.

However, the few slips on the southerly side of the peninsula are proposed to be built to the same extent as the existing slips which are 13 feet beyond the allowable limit as stated in Council Policy H1 (Attachment C). It is unknown how these slips were originally permitted, but it is highly likely they were constructed prior to the establishment of Council Policy H1.

Staff agrees with the proposed configuration at this end of the marina because the floats will extend the same distance as the existing floats. To address any concerns of excessive overhang into the channel, the applicant is proposing to limit the maximum overhang of a vessel beyond the finger floats to just 12 feet regardless of the City’s usual “overhang by the beam” rule. And lastly, the applicant’s analysis of the channel with respect to their proposed marina and the adjacent J mooring field validates sufficient room for vessel traffic.

Staff is recommending the Harbor Commission approve the proposed marina as shown on the attached exhibit.

ENVIRONMENTAL REVIEW:

Staff has found this project exempt from the California Environmental Quality Act (“CEQA”) pursuant to Section 15302 Replacement Reconstruction, Class 2(b) (replacement of a commercial structure with a new structure of substantially the same size, purpose and capacity) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential to have a significant effect on the environment.

NOTICING:

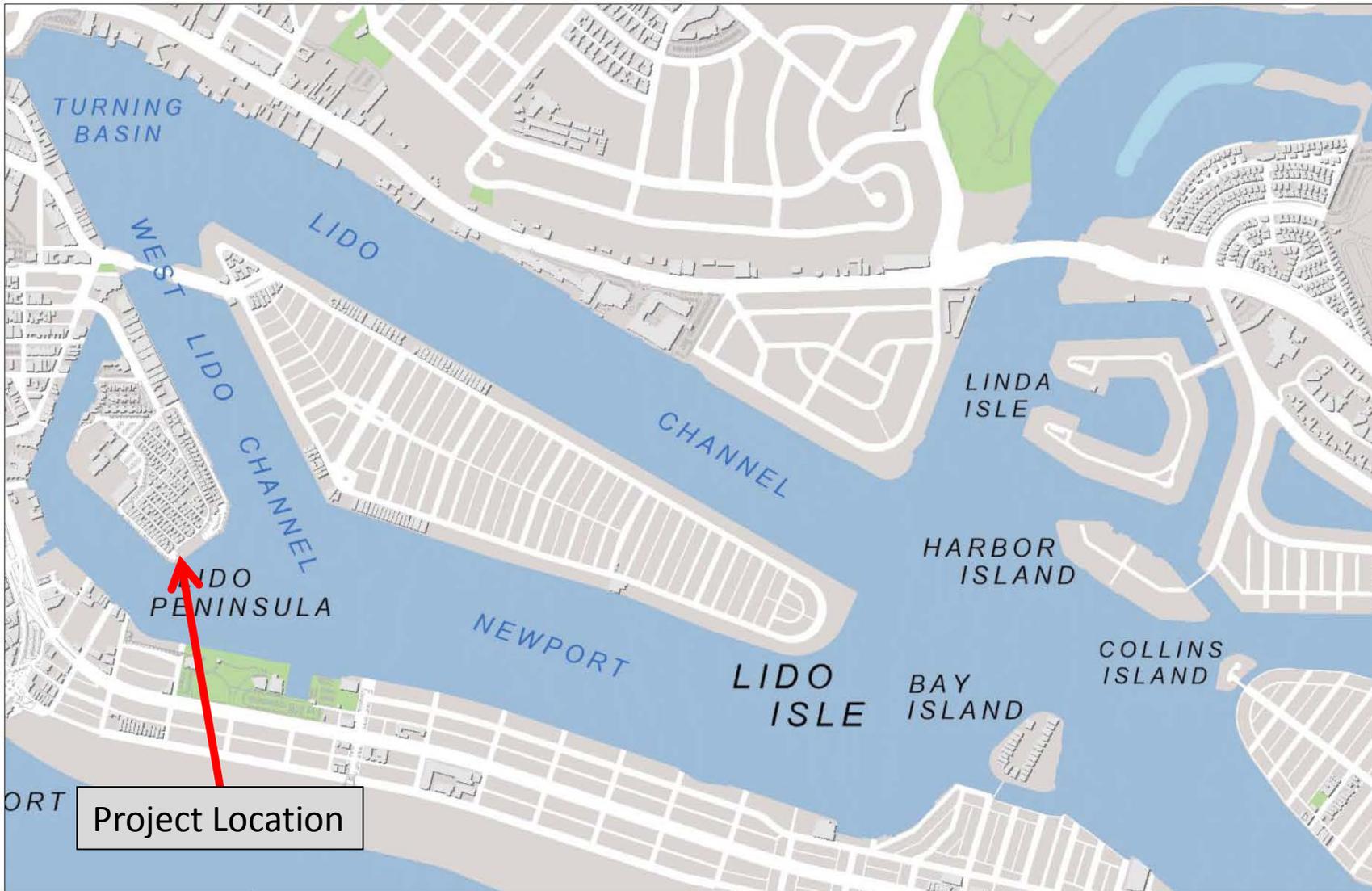
The agenda item has been noticed according to the Brown Act (72 hours in advance of the meeting at which the Harbor Commission considers the item).

ATTACHMENTS:

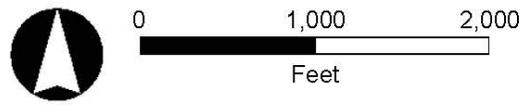
- Attachment A – Vicinity Map
- Attachment B – Pierhead and Bulkhead Lines
- Attachment C – Channel Road Marina Layout

Vicinity Map

Attachment A



Project Location

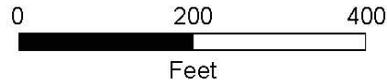


Disclaimer: Every reasonable effort has been made to assure the accuracy of the data provided, however, The City of Newport Beach and its employees and agents disclaim any and all responsibility from or relating to any results obtained in its use.

Imagery: 2009-2013 photos provided by Eagle Imaging www.eagleaerial.com

Bulkhead and Pierhead Lines

Attachment B



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Imagery: 2009-2013 photos provided by Eagle Imaging www.eagleaerial.com

Channel Road Marina - Layout (Aerial)



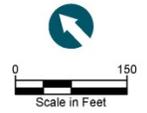
L:\AutoCAD Project Files\07\04\01 - Channel Road\Civil-3D\Design Drawings\04\01-RR-011 - Channel New.dwg Tech Memo Attach A

SOURCE: Basemap prepared from existing topographic survey provided by Tetra Tech, Inc. dated October 2006. Bathymetry provided by Gahagan & Bryant Associates; multi-beam survey dated June 16, 2010 and pole sounding survey dated June 23, 2010. Bulkhead, Pierhead, and Project Lines obtained from City of Newport Beach GIS Department. Vessel lengths are approximate, obtained from the City of Newport Beach GIS Department aerial photograph.

HORIZONTAL DATUM: California State Plane, Zone VI, NAD83.
VERTICAL DATUM: Mean Lower Low Water (MLLW).

LEGEND:

- Bulkhead Line
- Harbor Permit Policy Line (Harbor Permit Line)
- - - Pierhead Line
- Project Line
- - - Tidelands Limit Pay Line
- - - Mooring Field limit line



1/28/2016



Channel Road Marina Renovation – Appeal

Public Comments Received After Harbor Commission Agenda Posted on February 4, 2016

From: Betsey Brian Dougherty [<mailto:betseybriand@gmail.com>]

Sent: Tuesday, February 09, 2016 9:25 PM

To: Miller, Chris

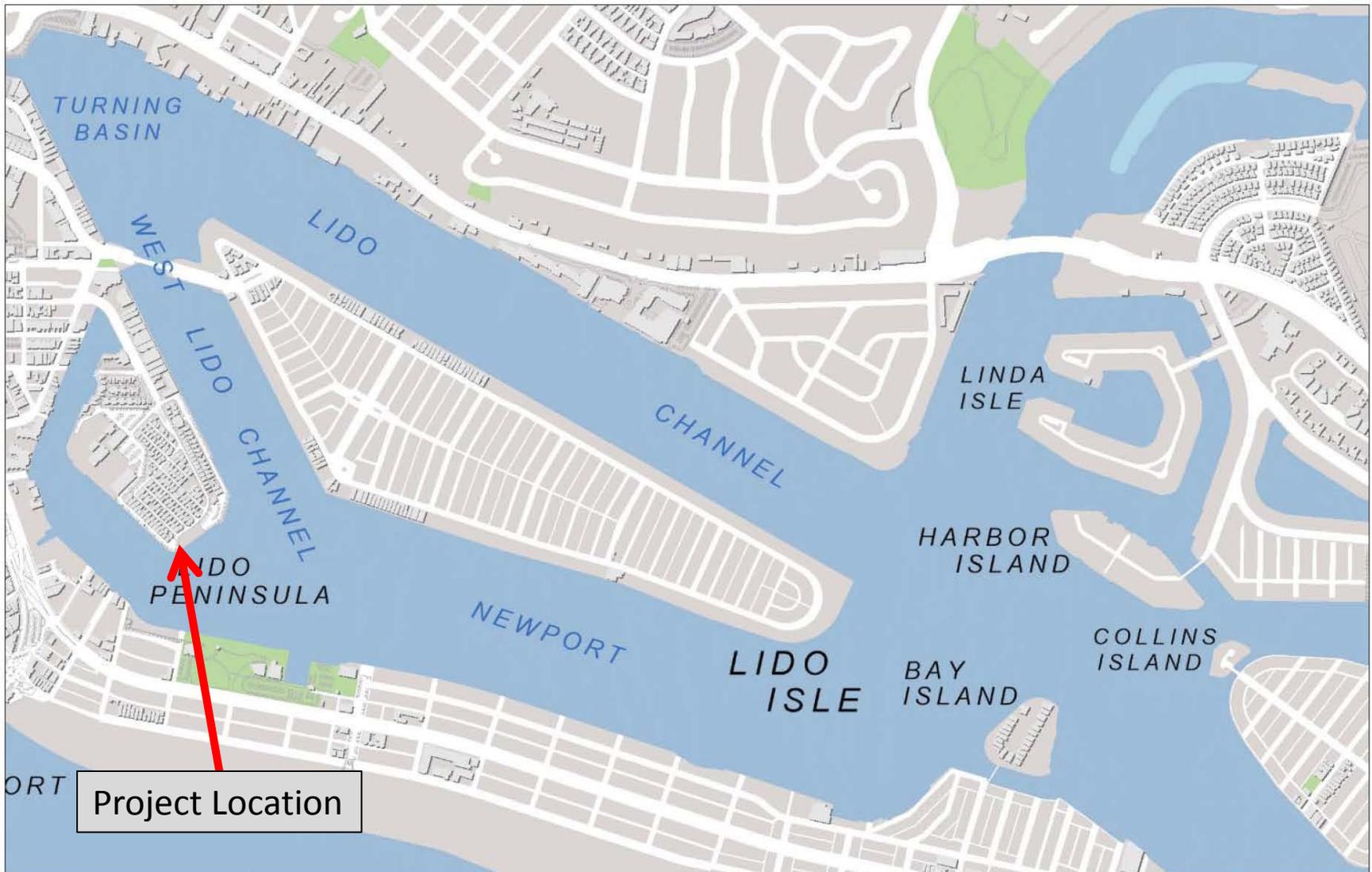
Subject: "Improvements" to Channel Way, Lido Peninsula Marina

Chris:

Please accept this email in opposition to the proposed "improvements" to the southwest side of the Lido Peninsula Marina. This is home to our J-105 racing sailboat, Legacy, and was home to my father's boat for years before us. When looking for a slip, we had only two choices in the Harbor for a boat our size. And now we discover that the 30+ slips presently available will be reduced to 1. How is the harbor to support its own resident small boat fleet if we have no where to house our vessels? This looks like greed to me. Five years ago these slips would have been empty. Environmentally, are we replacing sail and electric vessels with large gasoline engines? I understand the right of a land owner to develop their own land, but this option jeopardizes a valued community resource which is a part of our culture in Newport Beach. If the Harbor Commission supports this appeal, we will pursue the Coastal Commission in questioning the wisdom of this decision.

Thank you for listening,

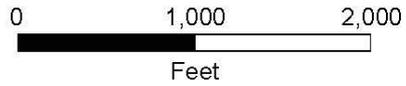
Betsey and Brian Dougherty



Project Location



Newport
Beach
GIS

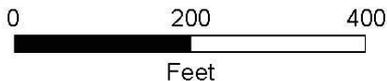


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Newport
Beach
GIS



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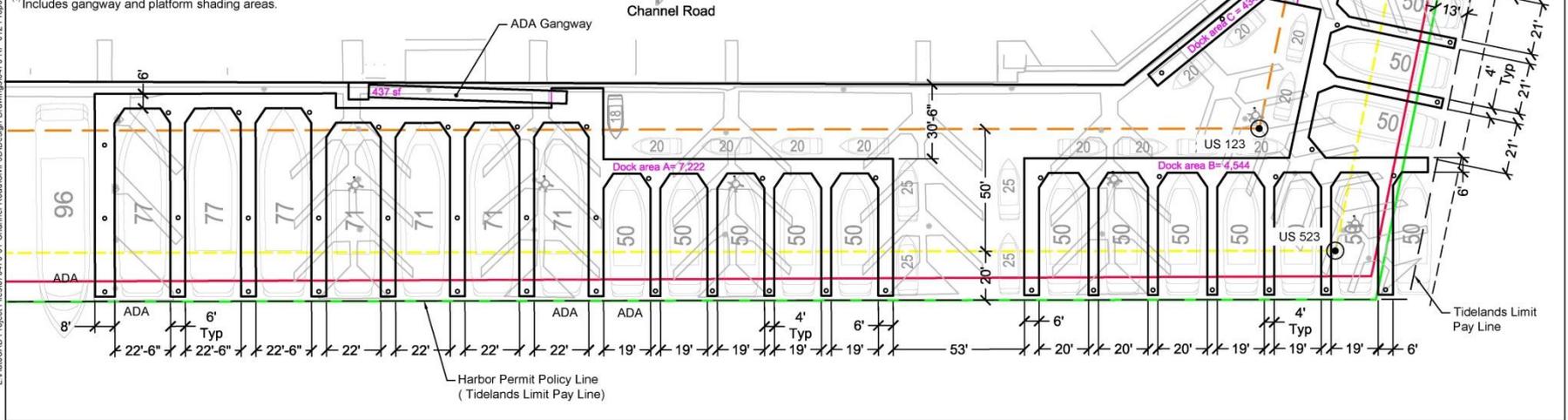
Channel Road Marina - Layout

Attachment C

Slip Length	Existing		Proposed		
	Qty	Net (Ft)	Qty	Net (Ft)	
18	3	54	1	18	
20	3	60	12	240	
22	5	110	0	0	
24	14	336	0	0	
25	0	0	9	225	
28	19	532	0	0	
32	34	1088	1	32	
40	2	80	0	0	
50	0	0	15	750	
71	0	0	4	284	
77	0	0	3	231	
96	1	96	1	96	
Total	81	2356	46	1876	(35) Decrease
Average Length (Ft)	29.1		40.8		
Dock Shading Area (SF)	10,968		12,762	1,794	Increase
Pile Count	30		52	22	Increase
Pile Coverage Area (SF)	32.0		74.2	42.2	Increase

New Dock area A = 7,222 sf
 New Dock area B = 4,544 sf
 New Dock area C = 434 sf
 Gangway/Platform = 562 sf
 New Dock Shading area = 12,762 sf
 Existing Dock Shading area = 10,968 sf
 Shading Net Increase = 1,794± sf : 16.3±%
 Piles 22-18", 11-16", 19-14" = 52

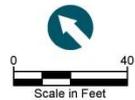
(1) Includes gangway and platform shading areas.



SOURCE: Basemap prepared from existing topographic survey provided by Tetra Tech, Inc. dated October 2006. Bathymetry provided by Gahagan & Bryant Associates; multi-beam survey dated June 16, 2010 and pole sounding survey dated June 23, 2010. Bulkhead, Pierhead, and Project Lines obtained from City of Newport Beach GIS Department.
HORIZONTAL DATUM: California State Plane, Zone VI, NAD83.
VERTICAL DATUM: Mean Lower Low Water (MLLW).

LEGEND:

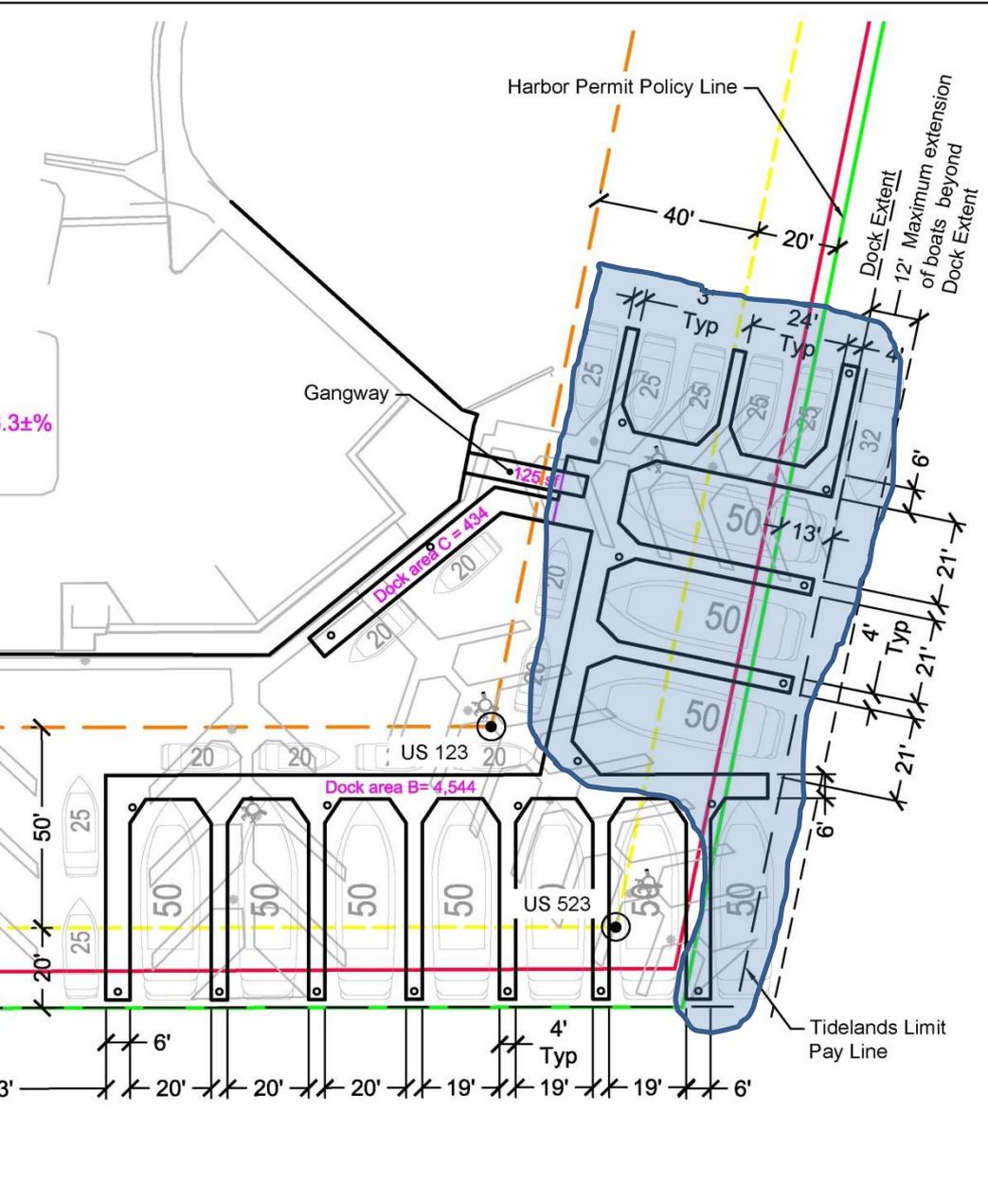
- Bulkhead Line
- Pierhead Line
- Project Line
- Harbor Permit Policy Line (Harbor Permit Line)
- - - Tidelands Limit Pay Line
- Existing Dock Footprint
- ADA Americans with Disabilities Act



1/28/2016

L:\AutoCAD Project Files\070470-01-Channel-Road\Civil-3D\Design-Drawings\070470-01-Proposed Layout.dwg Tech Memo Attach B

Jan 28, 2016 12:32pm mrcrabble



Channel Road Marina - Layout (Aerial)



L:\AutoCAD Project Files\071017-01_Channel_Road\Civil-3D\Design-Drawings\0670-RP-011_Channel Nav.dwg Tech Memo Attach A

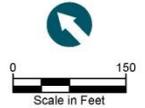
Jan 28, 2016 12:17pm mrcoruble

SOURCE: Basemap prepared from existing topographic survey provided by Tetra Tech, Inc. dated October 2006. Bathymetry provided by Gahagan & Bryant Associates; multi-beam survey dated June 16, 2010 and pole sounding survey dated June 23, 2010. Bulkhead, Pierhead, and Project Lines obtained from City of Newport Beach GIS Department. Vessel lengths are approximate, obtained from the City of Newport Beach GIS Department aerial photograph.

HORIZONTAL DATUM: California State Plane, Zone VI, NAD83.
VERTICAL DATUM: Mean Lower Low Water (MLLW).

LEGEND:

- Bulkhead Line
- Pierhead Line
- Project Line
- Harbor Permit Policy Line (Harbor Permit Line)
- - - Tidelands Limit Pay Line
- - - Mooring Field limit line



1/28/2016





Dock Extent

12' Maximum extension of boats beyond Dock Extent

~110'

13'

200'+
Diameter





Dock Extent

12' Maximum extension of boats beyond Dock Extent

~110'

13'

200+
Diameter





Dock Extent

12' Maximum extension of boats beyond Dock Extent

~110'

13'

200+
Diameter



Dock Extent

12' Maximum extension of boats beyond Dock Extent

~110'

13'

200'+
Diameter



Dock Extent

12' Maximum extension of boats beyond Dock Extent

~110'

13'

200+
Diameter





NEWPORT BEACH

Harbor Commission Staff Report

February 10, 2016
Agenda Item No. 2

TO: HARBOR COMMISSION

FROM: Chris Miller, Harbor Manager - 949-644-3043,
cmiller@newportbeachca.gov

TITLE: Tidelands Capital Plan Review and Harbor Master Plan Ad Hoc
Committee Formation

ABSTRACT:

Staff will review the Tidelands Management Committee's Tidelands Capital Plan. In addition, the Harbor Commission will form an ad hoc committee to initiate the development of a Harbor Master Plan as instructed by the City Council.

RECOMMENDATION:

1. Receive and file the Tidelands Capital Plan.
2. Form an ad hoc committee to initiate the development of a Harbor Master Plan.

FUNDING REQUIREMENTS:

There is no fiscal impact related to this item. The individual items listed in the Tidelands Capital Plan and future Harbor Management Plan will eventually require City Council approval during the normal budget process.

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 – Tidelands Capital Plan

5-YEAR TIDELANDS CAPITAL PLAN

DRAFT Revised 1/21/16

		Funding Source			
Fiscal Year Ending	Project	Tidelands Harbor Capital <i>Incremental Revenue</i> Fund 240	Tidelands Capital <i>Maintenance</i> Fund 230	HAMP Goal	Harbor & Bay Element Goal
	As Approved in Budget Year 2015-16				
2016	American Legion Seawall (design & permit)		\$ 300,000		
2016	Arches Drain Dry Weather Diversion		\$ 270,000		
2016	Balboa Island Bulkhead Replacement (Design)	\$ 650,000		2	1,6,9,13
2016	Bay Beach Sand Management		\$ 94,000		
2016	Eelgrass Survey (shallow & deepwater)		\$ 75,000		
2016	Electronic Tide Gauge System	\$ 50,000			
2016	Grand Canal Dredging - Design & Construction	\$ 500,000			
2016	Public Piers Improvements (gangway & floats)	\$ —	\$ 250,000		
2016	Lower Castaways Development (CEQA/Design)	\$ 200,000			
2016	Newport Pier Building Platform and Piles		\$ 1,100,000		
2016	Ocean Piers Maintenance		\$ 565,400		
2016	RGP-54 Permit	\$ 75,000			
2016	Seawall & Bulkhead Modifications (Harbor Wide)		\$ 97,000		
2016	Semeniuk Slough Dredging Design/Construction		\$ 1,171,700		
2016	Tidegate Retrofit and Upgrades / Storm Drains		\$ 254,900		
	2016 Funding Totals	\$ 1,475,000	\$ 4,178,000		
2017	2017 Tidelands Maintenance Projects		\$ 200,000		
2017	American Legion Seawall Repairs (construction)		\$ 1,000,000		
2017	Central Avenue Public Pier	\$ 300,000			
2017	Balboa Island Bulkhead Replacement (west end construction) \$1M-3M	\$ 2,000,000			
2017	Newport's Share of Surfside/Sunset Coastal Sand Replenishment		\$ 150,000		
2017	Reimbursement to Orange County for Balboa Island Sand		\$ 500,000		
2017	Grand Canal Dredging		\$ 300,000		
2016	Semeniuk Slough Dredging Construction (add to prior funding)		\$ 400,000		
2017	Public Harbor Piers/Wharf Improvements (gangway & floats)	\$ 800,000			
2017	Balboa Island Seawalls Reserve Fund		\$ 3,000,000		
2017	Lower Bay Dredging Fund		\$ 500,000		
	2017 Funding Totals	\$ 3,100,000	\$ 6,050,000		
2018	2018 Tidelands Maintenance Projects		\$ 1,000,000		

		Funding Source			
Fiscal Year Ending	Project	Tidelands Harbor Capital <i>Incremental Revenue</i> Fund 240	Tidelands Capital <i>Maintenance</i> Fund 230	HAMP Goal	Harbor & Bay Element Goal
2018	Harborwide Bulkheads/Seawalls (Newport Island/Peninsula Area)	\$ 1,000,000			
2018	Ocean Piers Maintenance		\$ 500,000		
2018	Balboa Island Seawalls Reserve Fund		\$ 3,000,000		
2018	Lower Bay Dredging Fund		\$ 500,000		
	2018 Funding Totals	\$ 1,000,000	\$ 5,000,000		
2019	2019 Tidelands Maintenance Projects		\$ 1,500,000		
2019	Balboa Island Seawalls Reserve Fund		\$ 3,000,000		
2019	Lower Bay Dredging Fund		\$ 500,000		
	2019 Funding Totals	\$ -	\$ 5,000,000		
2020	2019 Tidelands Maintenance Projects		\$ 1,500,000		
2020	Future Lower Bay Dredging / Ongoing Maintenance	TBD		1,2	8,11,13
2020	Lower Castaways Development	TBD		1	1,2,3,5,6,9
2020	Balboa Island Seawalls Reserve Fund		\$ 300,000		
2020	Lower Bay Dredging Fund		\$ 500,000		
	Five Year Funding Total (2015-19)	\$ 5,575,000	\$ 20,228,000		

TIDELANDS CAPITAL PLAN
List of Future Projects Beyond 5-Year Projection

		Funding Source			
Fiscal Year	Project	Harbor CAP Fund 240 - Estimate	Tidelands MAINT Fund 230 - Estimate	HAMP Goal	Harbor & Bay Element Goal
TBD	Mariner's Mile Walkway	TBD			
TBD	West Newport Channel Dredging	TBD		1,2,3	8,11,13
TBD	BYB Marina Rehabilitation		TBD		

		Funding Source			
Fiscal Year	Project	Harbor CAP Fund 240 - Estimate	Tidelands MAINT Fund 230 - Estimate	HAMP Goal	Harbor & Bay Element Goal
Ongoing	Habitat Restoration	TBD		3	7,8

Funding Source

Fiscal Year Ending	Project	Tidelands Harbor Capital <i>Incremental Revenue</i> Fund 240	Tidelands Capital <i>Maintenance</i> Fund 230	HAMP Goal	Harbor & Bay Element Goal
Ongoing	Water Quality	TBD		3	7,8



NEWPORT BEACH

Harbor Commission Staff Report

February 10, 2016
Agenda Item No. 3

TO: HARBOR COMMISSION

FROM: Chris Miller, Harbor Manager - 949-644-3043,
cmiller@newportbeachca.gov

TITLE: Central Avenue Public Pier – Harbor Commission Letter of Support to the Coastal Commission

ABSTRACT:

The Harbor Commission will consider sending a letter of support for the Central Avenue public pier to the California Coastal Commission.

RECOMMENDATION:

1. Approve the Harbor Commission's Central Avenue public pier support letter to the California Coastal Commission.

DISCUSSION:

The draft letter to the Coastal Commission will be available to the Commission and the public the day of the Harbor Commission meeting.

FUNDING REQUIREMENTS:

There is no fiscal impact related this letter to the California Coastal Commission. This specific project, however, has already been budgeted through the City's normal process.

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).



February 10, 2016

California Coastal Commission
South Coast District
200 Oceangate, #1000
Long Beach, CA 90802

Attention: Zach Rehm

Re: Application for Permit No. 5-15-1459
Newport Harbor Yacht Club (NHYC)

The City of Newport Beach Harbor Commission ("Commission") is aware of the referenced application. The Commission understands there are opportunities associated with the application to improve public access within Newport Harbor. The Commission strongly supports the construction of a new public pier and float at Central Avenue as the most effective way to provide additional public access to Newport Harbor.

In 2012 the Commission adopted two objectives related to public piers:

1. Improve use of existing public piers to facilitate visitor access to harbor area businesses and amenities.
2. Identify opportunities for additional public piers to facilitate visitor access.

Our research, observations and findings led us to formulate recommendations in support of these objectives in October 2013. Our recommendations were prepared considering where we will achieve the highest returns on investments in public piers. Our number one recommendation in support of the second objective, where a new pier should be placed, was at Central Avenue. In particular, our research identified Lido Marina Village as the most underserved area in Newport Harbor, lacking availability of a public pier. In November of 2015 this recommendation was reprised and reconfirmed as part of a new public pier study conducted by the Commission.

The Central Avenue location is ideal for a new public pier for many reasons:

- Available space to make the pier, gangway and float ADA compliant
- Proximity to public parking and public transport
- Proximity to bike and pedestrian paths
- Proximity to marine-serving businesses, services and public amenities

We have reviewed the NHYC prepared conceptual layout of the Central Avenue public pier and believe it to be consistent with our recommendation on the best use of that location.

The development of a new pier at Central Avenue to improve public access to Newport Harbor is in direct support of our most significant and compelling findings and recommendations related to public piers. We urge you to approve the NHYC Coastal Development Permit including this special condition improving public access to Newport Harbor.

Sincerely,

David Girling
Chairman, Harbor Commission

A handwritten signature in green ink, appearing to be 'D. Girling', is located to the right of the typed name.



== CITY OF ==

NEWPORT BEACH

Harbor Commission Staff Report

February 10, 2016
Agenda Item No. 4

TO: HARBOR COMMISSION

FROM: Chris Miller, Harbor Manager - 949-644-3043,
cmiller@newportbeachca.gov

TITLE: RGP-54 Publicity and Outreach

ABSTRACT:

The Harbor Commission will discuss various ways that the City's new RGP-54 dredging permit should be publicized throughout the community.

RECOMMENDATION:

1. Discuss outreach methods to publicize the City's RGP-54 dredging program.

FUNDING REQUIREMENTS:

There is no fiscal impact related this agenda item.

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.

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== CITY OF ==

NEWPORT BEACH

Harbor Commission Staff Report

February 10, 2016
Agenda Item No. 5

TO: HARBOR COMMISSION

FROM: Chris Miller, Harbor Manager - 949-644-3043,
cmiller@newportbeachca.gov

TITLE: West Anchorage Review

ABSTRACT:

The Harbor Commission will review and discuss the anchorage concept in the Turning Basin, and instruct the ad hoc committee to return to the Commission at the March 2016 meeting with a recommended path forward.

RECOMMENDATION:

1. Discuss the west anchorage concept.

FUNDING REQUIREMENTS:

There is no fiscal impact related this agenda item.

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).

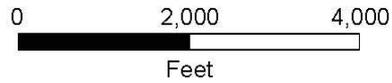
West Anchorage Review

Harbor Commission

February 10, 2016



Newport
Beach
GIS



Disclaimer: Every reasonable effort has been made to assure the accuracy of the data provided, however, The City of Newport Beach and its employees and agents disclaim any and all responsibility from or relating to any results obtained in its use.

Imagery: 2009-2013 photos provided by Eagle Imaging www.eagleaerial.com

2/10/2016

Council Approved Trial Anchorage Location

TURNING
BASIN



- A: 33.6188, -117.9266
- B: 33.6191, -117.9262
- C: 33.6182, -117.9245
- D: 33.6172, -117.9255
- Z Marker, 33.6177, -117.9247
- Final Recommendation



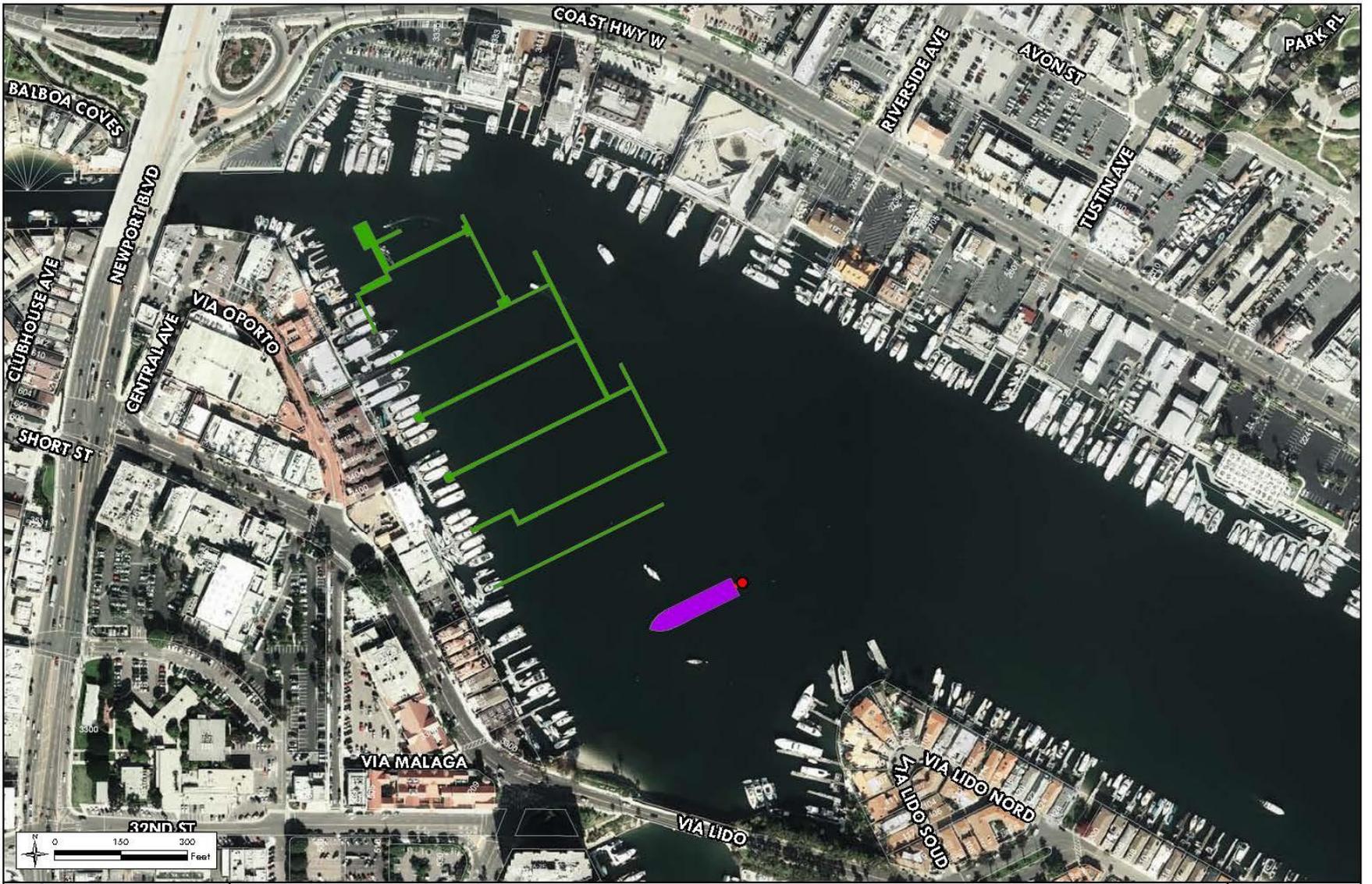
Council Approved Trial Anchorage Location with Boat Show

TURNING
BASIN



- A, 33.6183, -117.9259
- B, 33.6191, -117.9262
- C, 33.6182, -117.9245
- D, 33.6172, -117.9255
- Z Marker, 33.6177, -117.9247
- Anchorage Area





Invictus Mooring Location

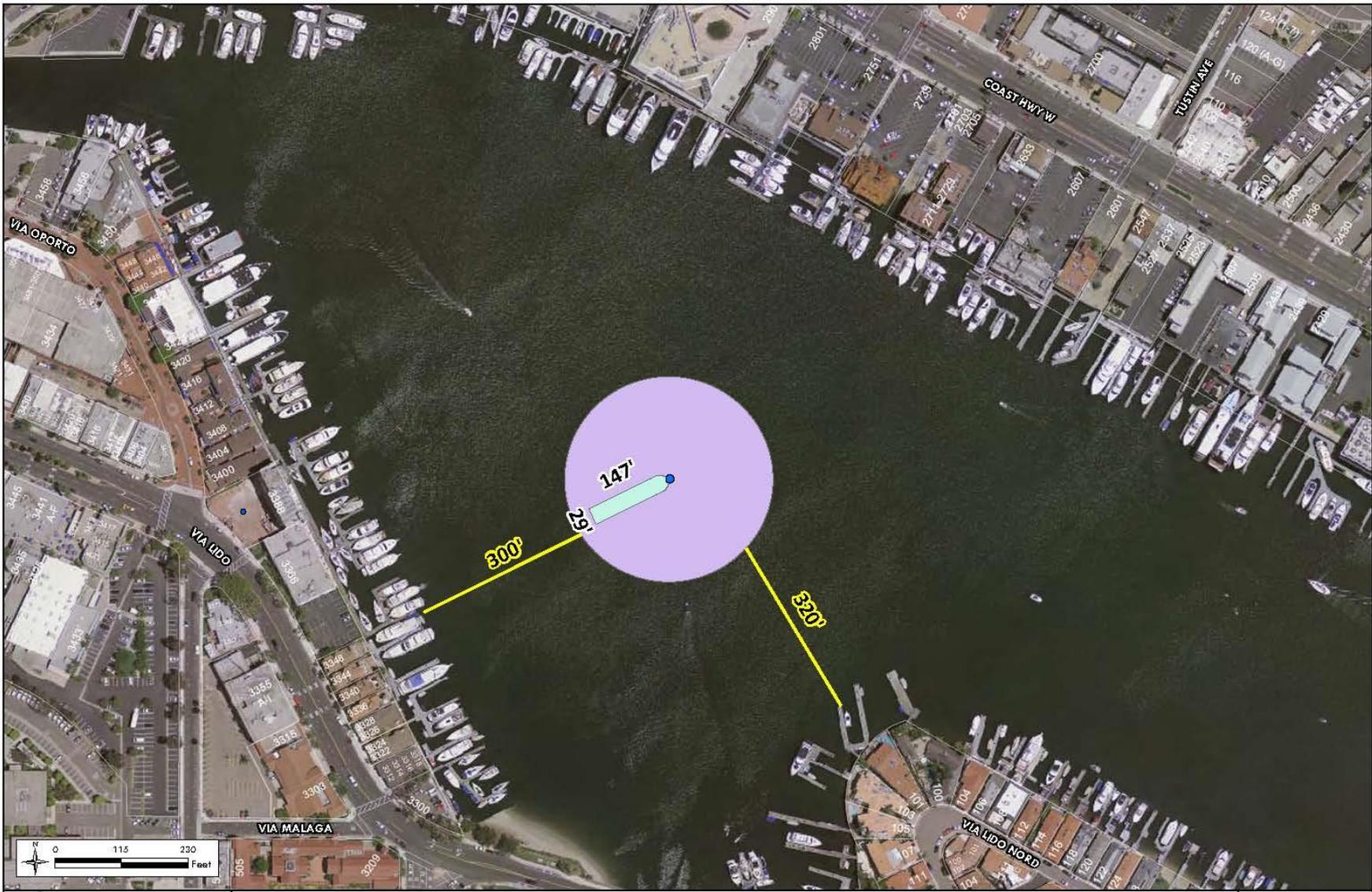
September to October 2013

Legend

- Mooring Buoy (117°55'30.84"W, 33°37'3.48"N)
- Invictus
- Boatshow Temporary Dock



City of Newport Beach
GIS Division
October 31, 2013



The Gran Finale Actual Mooring Location

- Bow Point (33 37.091 N, 117 55.533 W)
- The Gran Finale
- 180' Radius



City of Newport Beach
GIS Division
May 28, 2014

Questions?

Chris Miller

cmiller@newportbeachca.gov

(949) 644-3043