CITY OF NEWPORT BEACH
TIDELANDS MANAGEMENT COMMITTEE AGENDA

Civic Center, 100 Civic Center Drive
Community Room (across from the Council Chambers)
Wednesday, February 18, 2015, 4:00 PM to 6:00 PM

Tidelands Management Committee – Council Members:

Ed Selich – Chair	**Diane Dixon**	**Tony Petros**

Citizens Advisory Panel:

Linda Beimfohr	**Paul Blank**	**John Corrough**
Jamshed Dastur	**John Keating**	**Dan Mariscal**
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 Committee. 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 *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 – October 29, 2014**

5) **ON-GOING BUSINESS**

A. ***Recap of Harbor Commission Agenda Action Items During the Previous Four Months***
Receive and file attached report. Provide comment as needed.

B. ***Tidelands Capital Plan***
Receive and file Plan. Provide comments as needed.

This Committee is subject to the Ralph M. Brown Act. Among other things, the Brown Act requires that the 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 Committee and items not on the agenda but are within the subject matter jurisdiction of the Committee. The 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.

6) **CURRENT BUSINESS**

A. Balboa Island Seawall Update
Staff will update the Committee on the status of the Balboa Island seawall project.

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)**

1. Balboa Island Bulkheads – Update

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

Wednesday, April 15, 2015 unless otherwise changed by the Committee

10) **ADJOURNMENT**

Tidelands Management Committee

Committee Action Minutes – DRAFT UNTIL APPROVED

Meeting October 29, 2014 – 4:00 p.m., Civic Center Community Room

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1. **The meeting was called to order at 4:00 p.m. by Council Member Henn.**
2. **Roll Call:** Council Members: Nancy Gardner, Ed Selich, Mike Henn
   Citizen Advisory Panel (CAP) Members: John Corrough, Jamshed Dastur, Jack Keating, Dan Mariscal, Linda Beimfohr, and Paul Blank
3. **Public Comments on Non-Agenda Items.** None.
4. **Minutes for September 17, 2014:** Approved with corrections
5. **On-Going Business**

   A. Tidelands Capital Plan

   Council Member Gardner commented that habitat restoration and water quality projects should be added back the list.
6. **Current Business**

   A. Eelgrass – Update of the City's Proposed Eelgrass Management Plan

   Harbor Manager Chris Miller introduced the topic, and Don Schmitz of Schmitz and Associates (City consultant assisting with the Coastal Commission (CCC) entitlement process) discussed the CCC application submission procedures including the response by CCC indicating a second "incomplete application." It is typical for CCC to classify applications as incomplete with unusual or out of the ordinary matters. Schmitz has spoken with Deputy Director Sherilyn Sarb to arrange for a hearing, and he has also spoken to Commissioner Chair Steve Kinsey who is amenable to moving jurisdictional issues such as the RGP-54 and specific eelgrass plans to the local agencies. Schmitz added that the CCC biologists are feeling a bit of trepidation toward allowing any impacts to eelgrass, as the Newport Specific Plan may proscribe. The City's eelgrass plan is expected to be heard on a spring 2015 CCC Agenda. Comments from the public ensued regarding the difference between shallow water and deep-water eelgrass, timeline for permitting after CCC approval, and specific location effects such as the Grand Canal.

   B. Balboa Island Seawall Update

   Assistant City Engineer Bob Stein and Randy Mason, with Anchor QEA, provided an update on the two proposed elevations for the Balboa Island Seawall project. First, a member of the public, Paul Meyer, presented a report on seawalls that he had commissioned. The full report is available online, www.newportbeachca.gov/seawalls. Stein and Mason continued with design and height alternatives, estimated costs, and longevity of the improvements. Options include:

   i. New Seawalls $22 million 100 years
   ii. Vertical Struts & Beam Segments $21 million 25 years
   iii. H-Pile Supports & Beam Segments $10 million 25 years
   iv. Sand Replenishment along select seawalls (option brought up in meeting)

   A short discussion ensued regarding the securing of oceanfront beaches and property by means of beach replenishment using Santa Ana River sand.
7. **Public Comments.** None.
8. **Date and Time for Next Meeting:** January 21, 2015

The agenda for the October 29, 2014 Regular Meeting was posted on 10/23/14 at 3:41PM at 3:25PM on the Civic Center Electronic Bulletin Board and Binder, and at 3:20PM on the City's website.

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Tidelands Management Committee Chair

CITY OF NEWPORT BEACH

Public Works Department

Harbor Resources Division

MEMORANDUM

TO: Tidelands Management Committee

FROM: Chris Miller, Harbor Resources Manager CM

DATE: February 18, 2015

RE: Quarterly Review of Harbor Commission Action Items

The Harbor Commission took action on the following agenda items during the previous five months. Detailed meeting Minutes are available here: http://www.newportbeachca.gov/index.aspx?page=462

October 2014

1. ***Water Propelled Vessels: Ad Hoc Committee Recommendation***
   The Water Propelled Vessel Ad Hoc Committee presented their recommended course of action on this issue to the Harbor Commission.

   Action: The Harbor Commission approved the Water Propelled Vessel Ad Hoc Committee's recommendation and will forward to the City Council.

2. ***Harbor Commission Goals: Review Proposed 2014-15 Goals***
   The Harbor Commission Goals Ad Hoc Committee reviewed the proposed Commission Goals for 2014-15 and recommended approval.

   Action: The Commission discussed the Goals and suggested improvements. The item was continued until the next meeting.

3. ***Dock project***
   The applicant proposed to reconfigure the existing dock and pier at 1322-1324 East Balboa Blvd. The subject pier is a shared residential pier.

   Action: The Commission approved the dock project and allowed variance to the 5 foot setback required for residential piers.

November 2014

1. ***Promoting Newport Harbor – A Harbor Commission Narrated Public Tour Around the Harbor***
   The Harbor Commission provided a detailed narration of the many projects within the harbor via a ferry boat tour.

Action: Receive and file.

2. ***Cheyenne Mooring Yearly Review***
   The Harbor Commission conducted an annual review of the temporary mooring permit for the catamaran Cheyenne.

   Action: The Commission approved the permit for Cheyenne until July 31, 2015. Mr. Welsh shall provide 30-day updates going forward, and the Commission will conduct a mid-term, formal review at the March meeting. If there is no significant progress, then the permit is subject to cancellation.

3. ***Harbor Commission Goals: Review and Approved Proposed 2014-15 Goals***
   The Harbor Commission Goals Ad Hoc Committee reviewed the proposed Commission Goals for 2014-15 and recommended approval.

   Action: The Commission approved the 2014-15 Goals, and recommended they be forwarded to the City Council for approval.

January 2015

1. ***Balboa Island Seawalls – A Brief Project Summary, and Report by the Balboa Island Improvement Association Seawall Subcommittee***
   Staff presented a brief summary of the Balboa Island Seawall project currently under review. In addition, the Balboa Island Improvement Association's Seawall Subcommittee presented their report to the Commission.

   Action: Receive and file.

2. ***Mooring/Anchorage Fees for Visiting Vessels Assigned to Special Anchorage Areas in the Harbor***
   The Harbor Commission discussed appropriate fees the City might charge to visiting vessels who desire to anchor/moor in special anchorage areas outside of the harbor's regular mooring system.

   Action: The Commission assigned the matter to the Anchorage Ad Hoc Committee for evaluation.

3. ***Cheyenne 30-Day Update (December and January)***
   The Commission reviewed the 30-day update for the vessel Cheyenne as submitted by Mr. Chris Welsh.

   Action: Receive and file.

February 2015

1. ***Mooring Review – Ad Hoc Committee Formation***
   At the January 27, 2015 City Council Study Session, staff presented a recap of the recent changes to the City's administration of the moorings, as well as the residential and commercial piers in the harbor. As a result, the City Council directed the Harbor

Commission to study the moorings, and to return to the City Council with a recommended path forward.

Action: The Commission established a Mooring Ad Hoc Committee to evaluate the City's current administration of the moorings, and to make recommendations to the Harbor Commission who would then forward those recommendations to the Council for consideration.

2. ***Harbor Commission Pairings with the City Council and Other Commissions, Boards and Committees***

Each year, the Harbor Commission typically assigns individual Commissioners to pair with individual Council Members in an effort to promote awareness of the various issues that might affect both bodies, particularly harbor related items. In addition, the Harbor Commission may also consider assigning individual Commissioners as liaisons to other Commissions, Boards and Committees within the City.

Action: The Commission approved the following pairings with the City Council:

Paul Blank	-	Scott Peotter
Dave Girling	-	Mayor Ed Selich
Doug West	-	Kevin Muldoon
Bill Kenney	-	Keith Curry
Joe Stapleton	-	Diane Dixon
Duncan McIntosh	-	Duffy Duffield
Chair Brad Avery	-	Tony Petros

In addition, the Commission assigned the following Commissioners to either attend or stay informed of the actions of the following Commissions and Committees:

Dave Girling	-	Parks, Beaches and Recreation Commission
Joe Stapleton	-	Planning Commission
Bill Kenney	-	General Plan/Local Coastal Program Implementation Committee
Paul Blank	-	Water Quality / Coastal Tidelands Committee

3. ***Cheyenne 30-Day Update (February)***

Per the Harbor Commission's direction at the November 2014 meeting, the Commission reviewed the 30-day update for the vessel Cheyenne as submitted by Mr. Chris Welsh.

Action: Receive and file.

5 YEAR TIDELANDS CAPITAL PLAN

Updated February 12, 2015

Fiscal Year Ending	Project	Funding Source: Harbor CAP Fund 240 - Estimate	Harbor CAP Fund 240 - Actual	Tidelands MAINT Fund 230 - Estimate		Tidelands MAINT Fund 230 - Actual	HAMP GOAL	Harbor & Bay Element GOAL
2014	Harbor Bulkhead Maintenance			446,900	1	181,750	2	1,6,9,13
2014	Balboa Marina - New Public Dock	125,000			1	77,000		
2014	Bay Beach Sand Management			364,600	1	216,500		
2014	BYB Mooring Support Service Improvements			(25,000)	1,2	-		
2014	Dory Fleet Facility Rehabilitation			50,000		50,000		
2014	Eelgrass Management			1,500	1	1,500		
2014	Eelgrass Survey - Deepwater Channel			(23,400)	1,3	-		
2014	Harbor Piers Maintenance			400,000		220,000		
2014	Mooring Field Realignment			(100,000)	1,4	-		
2014	Ocean Piers Maintenance			600,000		100,000		
2014	RGP-54 Permit			494,200	1	466,020	1	1,2,6,9,13
2014	Tidegate Retrofit and Upgrades			(640,000)	1,5	13,000		
2014	Vessel Waste Pumpout Station Replacement			5,000	1	-		
Notes:	***1. Includes carryovers and unspent encumbrances from prior fiscal year.***							
	2. Dinghy racks and establishing a guest slip - costs insignificant.							
	3. Deepwater eelgrass survey not required this year for Newport Plan.							
	4. Mooring field alignment largely completed during Lower Bay Dredging							
	5. Rolled over to 2015							
	2014 Funding Totals	**$ 125,000**	**$ -**	**$ 1,573,800**		**$ 1,325,770**		
2015	Bay Beach Sand Management							
2015	Grand Canal Dredging - Design		$ 25,000					
2015	Semeniuk Slough Dredging (15K-20K CY)			1,500,000			3	2,8
2015	Newport Pier Concession Bldg (Replacement) + Pier Piles & Pier Decking			1,500,000				
2015	Balboa Island Bulkhead Replacement (Design)	650,000					2	1,6,9,13
2015	Central Avenue Public Pier	400,000						
2015	2015 Tidelands Maintenance Projects			-				
2015	Tidegate Retrofit and Upgrades			640,000	1			
2015	*Water Quality Grant Match (TBD - Placeholder)*							
Notes:	***1. Rolled over from 2014.***							
	2015 Funding Totals	**$ 1,050,000**	**$ 25,000**	**$ 3,640,000**		**$ -**		
2016	Eelgrass Survey (shallow & deepwater)			75,000				
2016	American Legion Seawall (design & permit)			300,000				
2016	In-Channel Dredging							
2016	Public Pier Improvements (gangway & floats)		$ 800,000		1			
2016	Balboa Island Bulkhead Replacement (Constr.)	20,000,000						
2016	Ocean Piers Maintenance			500,000				
2016	2016 Tidelands Maintenance Projects			-				
2016	Grand Canal Dredging	500,000					1,2	1,2,5,6,9,13
Notes:	***1. Replace/reconfigure floats & gangways for remaining 5 public piers***							
	2016 Funding Totals	**$ 20,000,000**	**$ 800,000**	**$ 875,000**		**$ -**		

Fiscal Year Ending	Project	Funding Source: Harbor CAP Fund 240 - Estimate	Harbor CAP Fund 240 - Actual	Tidelands MAINT Fund 230 - Estimate	Tidelands MAINT Fund 230 - Actual	HAMP GOAL	Harbor & Bay Element GOAL
2017	2017 Tidelands Maintenance Projects			1,500,000			
2017	American Legion Seawall Repairs (construction)			1,000,000			
2017	Public Pier Improvements (gangway & floats)		800,000		1		
2017	Grand Canal Dredging		500,000			1,2	1,2,5,6,9,13
2017	Balboa Island Bulkhead Replacement (Constr.)	20,000,000					
Notes:	***1. Replace/reconfigure floats & gangways for remaining 5 public piers***						
	2017 Funding Totals	**$ -**	**$ -**	**$ 1,500,000**	**$ -**		
2018	Ocean Piers Maintenance			500,000			
2018	Lower Castaways Development CEQA / Design			800,000		1,2	1,2,5,6,9,13
2018	2018 Tidelands Maintenance Projects			700,000			
Notes:							
	2018 Funding Totals	**$ -**	**$ -**	**$ 2,000,000**	**$ -**		
2019	2019 Tidelands Maintenance Projects			1,500,000			
Notes:							
	2019 Funding Totals	**$ -**	**$ -**	**$ 1,500,000**	**$ -**		
	FIVE YEAR FUNDING TOTAL (2015-19)	**$ 21,050,000**	**$ 825,000**	**$ 9,515,000**	**$ -**		

Tidelands Capital Plan

List of Future Projects Not Included in 5 Year Plan

TIDELANDS PROJECTS AFTER 5 YEARS		Funding Source					
Est. Project Start FY	Project	Harbor CAP Fund		Tidelands MAINT Fund	Tidelands MAINT Fund	HAMP GOAL	Harbor & Bay Element GOAL
2017	Balboa Island Seawall Replacement	TBD				1,2	1,6,9,13
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
2021	West Newport Channel Dredging	TBD				1,2,3	8,11,13
2021	Mariner's Mile Walkway	TBD					
2030	Future Upper Bay Dredging	TBD				2,3	7,8
TIDELANDS PROGRAMS		**Funding Source**					
Est. Project Start FY	Project	Harbor CAP Fund		Tidelands MAINT Fund	Tidelands MAINT Fund	HAMP GOAL	Harbor & Bay Element GOAL
Ongoing	Water Quality	TBD				3	7,8
Ongoing	Habitat Restoration	TBD				3	7,8