

1. **The meeting was called to order at 4:00 p.m. by Council Member Gardner.**
2. **Roll Call:**      **Council Members:** Nancy Gardner, Ed Selich  
                          **Citizen Advisory Members:** John Corrough, Jamshed Dastur, Jack Keating, Linda Beimfohr, Don Lawrenz and Paul Blank

3. **Public Comments on Non-Agenda Items**

Jeff Herdman commented on the recent sand replenishment project on Balboa Island, and he thanked Shannon Levin for her project management. He also commented on Bay View Park regarding a possible overwatering issue.

4. **Minutes for May 29, 2014: Approved**

5. **On-Going Business**

**Announcement:** Vacancy of Citizens Advisory Panel position due to the appointment of Jeff Herdman to another City Committee. The application period to apply for the vacant seat will be open until July 24.

A. **Re-Cap of Harbor Commission Agenda Action Items during Previous Three Months**

Harbor Manager Chris Miller provided a recap of the Harbor Commission's recent actions.

B. **Tidelands Capital Plan**

Council Member Gardner inquired about the Eelgrass and RGP timelines for regulatory agency approval. Chris Miller replied that they should be on the Coastal Commission agenda in either October or December 2014. Don Lawrenz inquired about the mooring support service improvements at the Balboa Yacht Basin.

6. **Current Business**

A. **California Coastal Commission Draft Sea Level Rise Policy Guidance – Staff Update**

Assistant City Attorney Leonie Mulvihill reviewed the concepts behind the Coastal Commission's document, and how it may affect Newport in the future. She discussed the letter that the City sent which describes how the proposed policy will affect areas in Newport that are already built out, such as in Newport Harbor. She also reviewed the letter sent from the California League of Cities which suggested the policy should be regarded as a guidance document instead of a regulatory document. Leonie also commented that property rights may possibly be affected, and noted that the City is closely monitoring the proposal as it works its way through the Coastal Commission.

B. **Mariner's Mile Walkway – Review of Conceptual Plans from 2004**

Chris Miller reviewed the PowerPoint that was presented to the City Council in 2004. This plan presented an overview of the concept of constructing a public pedestrian boardwalk along most of the frontage of Mariner's Mile from the Newport Blvd. bridge to the Balboa Bay Resort. The study examined the constraints in front of each commercial building, and addressed these with a conceptual, out-of-the box approach. The purpose of this study was to determine the feasibility from a broad perspective, and it was determined that it was feasible. The Council did not provide further direction in 2004.

Discussion followed. Jim Dastur inquired about fixed elevation of structures. Council Member Selich added that a walkway should be incorporated in the planning documents related to Mariner's Mile.

**C. General Discussion of Derelict Vessels, Moorings and Related Topics**

Harbor Analyst Shannon Levin gave a brief report on moorings and related topics. Specifically, she discussed mooring management via the Harbor Patrol, general mooring rules and fees, servicing moorings, wait list, impounds, auctions, live-aboards and revocations. She also discussed the upcoming state grants that the City was applying for (and subsequently received) to assist with disposing vessels that were abandoned or derelict.

**D. Public Pier Improvements**

Chris Miller described the upcoming public pier improvement project which includes re-decking, new hand rails and new benches at 10 of the City's piers. This project only focuses on maintenance and refurbishment on the piers, and does not include work on the gangways and floats.

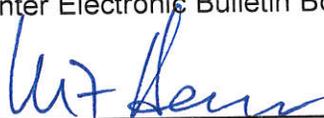
7. **Public Comments.** None.

8. **Date and Time for Next Meeting:** September 17, 2014 4:00 pm.

**9. Adjournment**

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The agenda for the July 17, 2014 Regular Meeting was posted on 7/11/14 at 10:56AM on the Civic Center Electronic Bulletin Board and Binder, and 7/11/14 at 10:35AM on the City's website.



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Tidelands Management Committee Chair



# CITY OF NEWPORT BEACH TIDELANDS MANAGEMENT COMMITTEE AGENDA

Civic Center, 100 Civic Center Drive  
Community Room (across from the Council Chambers)  
Thursday, July 17, 2014, 4:00 PM to 6:00 PM

***Tidelands Management Committee – Council Members:***

Mike Henn – Chair      Nancy Gardner      Ed Selich

***Citizens Advisory Panel:***

Linda Beimfohr      Paul Blank      John Corrough  
Jamshed Dastur      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 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** – May 29, 2014
- 5) **ANNOUNCEMENT** – Vacancy of Citizens Advisory Panel position. Application period open until July 24.
- 6) **ON-GOING BUSINESS**
  - A. ***Re-Cap of Harbor Commission Agenda Action Items during Previous Three 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](mailto:cityclerk@newportbeachca.gov).

7) **CURRENT BUSINESS**

A. ***California Coastal Commission Draft Sea Level Rise Policy Guidance – Staff Update***

Staff will update the Committee on the status of the Coastal Commission's report.

B. ***Mariner's Mile Walkway – Review of Conceptual Plans from 2004***

Staff will review the conceptual plan developed in 2004 concerning the pedestrian walkway along the waterfront in the Mariner's Mile area.

C. ***General Discussion of Derelict Vessels, Moorings and Related Topics***

Staff will present an overview of the moorings in Newport Harbor including derelict vessels, mooring management, live-aboards and more.

D. ***Public Pier Improvements***

Staff will review the improvements currently underway for most of the public piers.

8) **ROUNDTABLE OR ADDITIONAL PUBLIC COMMENTS**

9) **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

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

To be determined

11) **ADJOURNMENT**

## 5 YEAR TIDELANDS CAPITAL PLAN

| Fiscal Year Ending | Project                                      | Funding Source                 |                              |                                     |                                   | HAMP GOAL | Harbor & Bay Element GOAL |
|--------------------|--|--------------------------------|------------------------------|-------------------------------------|-----------------------------------|-----------|---------------------------|
|                    |  | Harbor CAP Fund 240 - Estimate | Harbor CAP Fund 240 - Actual | Tidelands MAINT Fund 230 - Estimate | Tidelands MAINT Fund 230 - Actual |           |                           |
| 2014               | Harbor Bulkhead Maintenance                  |                                |                              |                                     |                                   |           |                           |
| 2014               | Balboa Marina - New Public Dock ✓            | 125,000                        |                              | 446,900                             | 181,750                           | 2         | 1,6,9,13                  |
| 2014               | Bay Beach Sand Management ✓                  |                                |                              | 364,600                             | 77,000                            |           |                           |
| 2014               | BYB Mooring Support Service Improvements     |                                |                              | 25,000                              | 25,000                            |           |                           |
| 2014               | Dory Fleet Facility Rehabilitation           |                                |                              | 50,000                              | 50,000                            |           |                           |
| 2014               | Elgrass Management                           |                                |                              | 1,500                               | 1,500                             |           |                           |
| 2014               | Elgrass Survey - Lower Harbor Shoreline      |                                |                              | 23,400                              | 23,400                            |           |                           |
| 2014               | Harbor Piers Maintenance ✓                   |                                |                              | 400,000                             | 10,600                            |           |                           |
| 2014               | Mooring Field Realignment                    |                                |                              | 100,000                             | 0                                 |           |                           |
| 2014               | Ocean Piers Maintenance ✓                    |                                |                              | 600,000                             | 100,000                           |           |                           |
| 2014               | RGF-54 Permit                                |                                |                              | 494,200                             | 466,020                           | 1         | 1,2,6,9,13                |
| 2014               | Tidegate Retrofit and Upgrades               |                                |                              | 640,000                             | 13,000                            |           |                           |
| 2014               | Vessel Waste Pumpout Station Replacement ✓   |                                |                              | 5,000                               | 0                                 |           |                           |
|                    | <b>2014 Funding Totals</b>                   | <b>\$ 125,000</b>              | <b>\$ -</b>                  | <b>\$ 3,150,600</b>                 | <b>\$ 1,164,770</b>               |           |                           |
| 2015               | Semeniuk Slough Dredging (15K-20K CY)        |                                |                              | 2,000,000                           |                                   | 3         | 2.8                       |
| 2015               | Newport Pier Concession Bldg (Replacement)   |                                |                              | 1,200,000                           |                                   |           |                           |
| 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          |                                |                              | 2,156,830                           |                                   |           |                           |
|                    | <b>2015 Funding Totals</b>                   | <b>\$ 1,050,000</b>            | <b>\$ -</b>                  | <b>\$ 5,356,830</b>                 | <b>\$ -</b>                       |           |                           |
| 2016               | Balboa Island Bulkhead Replacement (Constr.) |                                | 20,000,000                   |                                     |                                   |           |                           |
| 2016               | Ocean Piers Maintenance                      |                                |                              | 500,000                             |                                   |           |                           |
| 2016               | 2016 Tidelands Maintenance Projects          |                                |                              | 1,000,000                           |                                   |           |                           |
|                    | <b>2016 Funding Totals</b>                   | <b>\$ 20,000,000</b>           | <b>\$ -</b>                  | <b>\$ 1,500,000</b>                 | <b>\$ -</b>                       |           |                           |
| 2017               | Grand Canal Dredging                         |                                | 500,000                      |                                     |                                   |           |                           |
| 2017               | 2017 Tidelands Maintenance Projects          |                                |                              | 1,500,000                           |                                   | 1,2       | 1,2,5,6,9,13              |
|                    | <b>2017 Funding Totals</b>                   | <b>\$ 500,000</b>              | <b>\$ -</b>                  | <b>\$ 1,500,000</b>                 | <b>\$ -</b>                       |           |                           |
| 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                             |                                   |           |                           |
|                    | <b>2018 Funding Totals</b>                   | <b>\$ -</b>                    | <b>\$ -</b>                  | <b>\$ 2,000,000</b>                 | <b>\$ -</b>                       |           |                           |
|                    | <b>FIVE YEAR FUNDING TOTAL</b>               | <b>\$ 21,675,000</b>           | <b>\$ -</b>                  | <b>\$ 13,507,430</b>                | <b>\$ 1,164,770</b>               |           |                           |

Notes: 3. Includes carryovers and unspent encumbrances from prior fiscal year.

### Tidelands Capital Plan

7/17/14

**5 YEAR TIDELANDS CAPITAL PLAN**

Updated July 2, 2014

| Fiscal Year | Project   | Funding Source                 |                              |                                     |                                   | HAMP GOAL | Harbor & Bay Element GOAL |
|-------------|---|--------------------------------|------------------------------|-------------------------------------|-----------------------------------|-----------|---------------------------|
|             |   | Harbor CAP Fund 240 - Estimate | Harbor CAP Fund 240 - Actual | Tidelands MAINT Fund 230 - Estimate | Tidelands MAINT Fund 230 - Actual |           |                           |
| 2012        | Rhine Channel Dredging                          | 4,235,829                      | 4,069,102                    |                                     |                                   | 3         | 8,11,13                   |
| 2012        | Lower Bay Dredging Phase I                      | 2,500,000                      | 2,779,649                    |                                     |                                   | 1,2,3     | 8,11,13                   |
| 2012        | Linda Isle City/County Dredging                 | -                              | 30,730                       |                                     |                                   |           |                           |
| 2012        | Harbor Dredging                                 | -                              | 222                          |                                     |                                   |           |                           |
| 2012        | 19th Street Tide Valve Replacement              |                                |                              |                                     | 7,538                             | 1         |                           |
| 2012        | Balboa Island Bulkhead Assessment               |                                |                              |                                     | 188,798                           |           |                           |
| 2012        | Balboa Marina - New Public Dock                 |                                |                              |                                     | 31                                |           |                           |
| 2012        | BYB Mooring Support Service Improvements        |                                |                              |                                     | 3,243                             |           |                           |
| 2012        | Balboa Yacht Basin (BYB) Facility Improvements  |                                |                              |                                     | 10,417                            |           |                           |
| 2012        | China Cove / Balboa Island Sand Management      |                                |                              |                                     | 19,450                            |           |                           |
| 2012        | Fel Grass Management                            |                                |                              |                                     | 6,404                             |           |                           |
| 2012        | Ocean Pier Maintenance                          |                                |                              |                                     | 101,075                           |           |                           |
| 2012        | Pearl Avenue South Bay Front Tidal Structures   |                                |                              |                                     | 9,230                             |           |                           |
| 2012        | RGP-54 Permit                                   |                                |                              |                                     | 76,135                            |           |                           |
| 2012        | Sediment Clean Up - Rhine Channel/Private Docks |                                |                              |                                     | 56,676                            | 1         |                           |
|             | <b>2012 Funding Totals</b>                      | <b>\$ 6,735,829</b>            | <b>\$ 6,879,703</b>          |                                     | <b>\$ 478,996</b>                 |           |                           |
| 2013        | Lower Bay Dredging Phase II                     | 2,300,000                      | 2,419,576                    |                                     |                                   | 1,2,3     | 8,11,13                   |
| 2013        | Rhine Channel Dredging                          | -                              | 124,531                      |                                     |                                   |           |                           |
| 2013        | Balboa Island Bulkhead Assessment               |                                |                              | 500,000                             |                                   | 2         | 1,6,9,13                  |
| 2013        | Balboa Marina - New Public Dock                 |                                |                              | 125,000                             |                                   | 1,2       | 1,2,5,6                   |
| 2013        | Balboa Yacht Basin (BYB) Facility Improvements  |                                |                              | 74,585                              |                                   | 1,2       | 1,2,3,4,6                 |
| 2013        | Bay Beach Sand Management                       |                                |                              | 300,000                             |                                   | 1,3       | 1,5,6,9                   |
| 2013        | BYB Mooring Support Service Improvements        |                                |                              | 25,000                              |                                   | 1,2       | 1,5,6                     |
| 2013        | Eelgrass Survey - Lower Harbor Shoreline        |                                |                              | 50,000                              |                                   | 2,3       | 1,2,5,8,9                 |
| 2013        | Eelgrass Management                             |                                |                              | -                                   |                                   |           |                           |
| 2013        | Mooring Field Realignment                       |                                |                              | 25,000                              |                                   | 1,2       | 1,2,5,6                   |
| 2013        | Tidegate Retrofit and Upgrades                  |                                |                              | 700,000                             |                                   | 2         | 8                         |
| 2013        | 19th Street Tide Valve Replacement              |                                |                              | -                                   |                                   | 1         |                           |
| 2013        | Vessel Waste Pumpout Station Replacement        |                                |                              | 20,000                              |                                   | 1,2,3     | 1,2,6,8                   |
| 2013        | RGP-54 Permit                                   |                                |                              | -                                   |                                   | 1         | 1,2,6,9,13                |
|             | <b>2013 Funding Totals</b>                      | <b>\$ 2,300,000</b>            | <b>\$ 2,544,107</b>          | <b>\$ 1,819,585</b>                 | <b>\$ 591,805</b>                 |           |                           |
|             | <b>Funding Totals</b>                           | <b>\$ 9,035,829</b>            | <b>\$ 9,423,810</b>          | <b>\$ 1,819,585</b>                 | <b>\$ 1,070,801</b>               |           |                           |

Notes:

1. Project funding from multiple sources. This amount represents Tidelands funding only.
2. Does not include \$1.5 million in expenditures for County of Orange portion of dredging work.

List of Future Projects Not Included in 5 Year Plan

| TIDELANDS PROJECTS<br>AFTER 5 YEARS |   |                 |                      | Funding Source       |  |  |       | HAMP GOAL   | Harbor & Bay Element GOAL |
|-------------------------------------|---|-----------------|----------------------|----------------------|--|--|-------|-------------|---------------------------|
| Est. Project Start FY               | Project   | Harbor CAP Fund | Tidelands MAINT Fund | Tidelands MAINT Fund |  |  |       |             |                           |
| 2017                                | Balboa Island Seawall Replacement               | TBD             |                      |                      |  |  | 1,2   | 1,5,9,13    |                           |
| 2017                                | Potential American Legion Seawall Repairs (TBD) | TBD             |                      |                      |  |  |       |             |                           |
| 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    |                     |                 |                      |                      |           |                           |  |  |  |
|-----------------------|---------------------|-----------------|----------------------|----------------------|-----------|---------------------------|--|--|--|
| 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                       |  |  |  |

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