



CITY OF NEWPORT BEACH TIDELANDS MANAGEMENT COMMITTEE AGENDA

Civic Center Community Room - 100 Civic Center Drive

Wednesday, January 20, 2016 - 4:00 PM

Tidelands Management Committee Members:

Council Members:

Ed Selich – Chair Tony Petros Duffy Duffield

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

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

The City of Newport Beach's goal is to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee or a participant at this meeting, you will need special assistance beyond what is normally provided, we will attempt to accommodate you in every reasonable manner. Please contact Shirley Oborny, Executive Assistant to the City 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) 644-3001 or soborny@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 City Manager's Office 24 hours prior to the scheduled meeting.

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

No meeting in July or October

February 18, 2015 Draft Minutes

[Draft Minutes](#)

April 15, 2015 Draft Minutes

[Draft Minutes](#)

5) **ONGOING BUSINESS**

A. Tidelands Capital Plan

Staff will provide comments on the Plan as well as providing updates on the various projects within the Plan.

1. Receive and file the attached report.

[Tidelands Capital Plan](#)

B. Recap of Harbor Commission Agenda Action Items During the Previous Quarter

1. Receive and file the attached report.

[Memo to TMC - Quarterly Review of Harbor Commission Action Items](#)

6) **CURRENT BUSINESS**

A. Public Piers in Newport Harbor - An Overview

Staff will present a report outlining the operational characteristics and condition of Newport Harbor's public piers.

B. Disposal Scow for Newport Harbor

Staff will present a report outlining the option for the City to purchase its own disposal scow to be used for smaller scale, low volume, residential and commercial dredging projects in the harbor.

[Scow for Newport - Additional Materials Presented At Meeting](#)

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)**

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

Wednesday, April 20, 2016 unless otherwise changed by the Committee

10) **ADJOURNMENT**

Tidelands Management Committee
Committee Action Minutes – DRAFT UNTIL APPROVED
Meeting February 18, 2015 – 4:00 p.m., Civic Center Community Room

1. The meeting was called to order at 4:00 p.m. by Mayor Selich.
2. Roll Call: Council Members: Ed Selich, Diane Dixon and Tony Petros
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 October 29, 2014: Approved with Councilmember Petros abstaining.
5. On-Going Business

A. Recap of Harbor Commission Agenda Action Items

Chris Miller briefly summarized the Harbor Commission's recent actions. Mayor Selich inquired about the timeline for catamaran Cheyenne and the submarine expedition. Petros commented on the success of the public outreach on the ferry in November 2014. A similar update will be given at Speak Up Newport on March 11, 2015 immediately preceding the March Harbor Commission meeting. Jim Mosher offered a comment regarding possible Brown Act violations when Commissioners pair up with Councilmembers.

B. Tidelands Capital Plan

A brief introduction was given on the TCP. The document is a planning tool and not an itemized budget. Projects are forecasted to anticipate funding and prioritization, and are ultimately approved as CIP's by the City Council. Petros asked for RGP costs to be better defined for fiscal years 14, 15, and 16. Balboa Island seawall costs will depend on the option chosen. Selich questioned timing for Grand Canal dredging. The Park Avenue bridge will be replaced in the near future and proximal seawalls will be replaced as well. Dixon asked for the funding sources to also be explained, and commented that Tidelands are supplemented by the General Fund due to large expenditures such as the Lower Bay Dredging Project. Additional comments included the State Lands Commission regular audit of Tidelands funds and the reconciliation of Ocean Tidelands and Harbor Tidelands Capital projects.

6. Current Business

A. Balboa Island Seawall

Assistant City Engineer Bob Stein provided an update on the proposed Balboa Island Seawall project. A straw vote was conducted to move the item to a Study Session.

7. Date and Time for Next Meeting: April 15, 2015
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The agenda for the February 18, 2015 Regular Meeting was posted on 2/13/15 at 2:38PM on the Civic Center Electronic Bulletin Board and at 10:17AM in the Binder, and at 1:44PM on the City's website.

Tidelands Management Committee Chair

1. The meeting was called to order at 4:00 p.m. by Mayor Selich.
 2. Roll Call: Council Members: Ed Selich, Diane Dixon
Citizen Advisory Panel (CAP) Members:
John Corrough, Jamshed Dastur, Dan Mariscal, and Paul Blank
 3. Public Comments on Non-Agenda Items. None.
 4. Minutes for February 18, 2015: Postponed to next meeting with Mr. Petros absent and Mayor Selich abstaining due to early departure from the February meeting.
 5. On-Going Business
 - A. **Tidelands Capital Plan**

Copies of the February and April Tidelands Capital Plan (“TCP”) were distributed. Public Works Director Dave Webb opened the topic explaining the history of the Plan, and that the document is used as a planning tool and not a budget document. Past members of the TMC had staff create the TCP to gain an understanding of ongoing, upcoming, and future projects. Tidelands projects are expensive and need forecasting. As projects are completed they are removed from the list. Oftentimes, projects are multi-year and will rollover into the following fiscal year. Detailed discussion occurred on most projects within the Plan.

A short discussion ensued regarding the funding of projects between the incremental revenues from Tidelands rents and the Tidelands Fund. Finance Director Dan Matusiewicz explained that large projects such as Marina Park (around \$6M) and the Lower Bay Dredging (around \$9M) are on loan from the General Fund. The schedule for repayment is fifteen years. Mayor Pro Tem Dixon commented that big-ticket items like dredging need to be better identified so the City can prepare funding mechanisms.
 6. Date and Time for Next Meeting: July 15, 2015. Meeting adjourned at approximately 5:35 PM.
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The agenda for the April 15, 2015 meeting was posted on 4/10/15 at 11:23am on the Civic Center Electronic Bulletin Board and at 11:30AM in the Binder, and at 11:19am on the City’s website.

Tidelands Management Committee Chair

5-YEAR TIDELANDS CAPITAL PLAN

DRAFT Revised 1/15/16

		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)		\$ 300,000.00		
2016	Arches Drain Dry Weather Diversion		\$ 270,000.00		
2016	Balboa Island Bulkhead Replacement (Design)	\$ 650,000.00		2	1,6,9,13
2016	Bay Beach Sand Management		\$ 94,000.00		
2016	Eelgrass Survey (shallow & deepwater)		\$ 75,000.00		
2016	Electronic Tide Gauge System	\$ 50,000.00			
2016	Grand Canal Dredging - Design & Construction	\$ 500,000.00			
2016	Public Piers Improvements (gangway & floats)	\$ ————	\$ 250,000.00		
2016	Lower Castaways Development (CEQA/Design)	\$ 200,000.00			
2016	Newport Pier Building Platform and Piles		\$ 1,100,000.00		
2016	Ocean Piers Maintenance		\$ 565,400.00		
2016	RGP-54 Permit	\$ 75,000.00			
2016	Seawall & Bulkhead Modifications (Harbor Wide)		\$ 97,000.00		
2016	Semeniuk Slough Dredging Design/Construction		\$ 1,171,700.00		
2016	Tidegate Retrofit and Upgrades / Storm Drains		\$ 254,900.00		
	2016 Funding Totals	\$ 1,475,000.00	\$ 4,178,000.00		
2017	2017 Tidelands Maintenance Projects		\$ 200,000.00		
2017	American Legion Seawall Repairs (construction)		\$ 1,000,000.00		
2017	Central Avenue Public Pier	\$ 350,000.00			
2017	Balboa Island Bulkhead Replacement (west end construction) \$1M-3M	\$ 2,000,000.00			
2017	Newport's Share of Surside/Sunset Coastal Sand Replenishment		\$ 150,000.00		
2017	Reimbursement to Orange County for Balboa Island Sand		\$ 500,000.00		
2017	Grand Canal Dredging		\$ 300,000.00		
2016	Semeniuk Slough Dredging Construction (add to prior funding)		\$ 400,000.00		
2017	Public Harbor Piers/Wharf Improvements (gangway & floats)	\$ 800,000.00			
2017	Balboa Island Seawalls Reserve Fund		\$ 3,000,000.00		
2017	Lower Bay Dredging Fund		\$ 500,000.00		
	2017 Funding Totals	\$ 3,150,000.00	\$ 6,050,000.00		
2018	2018 Tidelands Maintenance Projects		\$ 1,000,000.00		

		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)	\$ 1,000,000.00			
2018	Ocean Piers Maintenance		\$ 500,000.00		
2018	Balboa Island Seawalls Reserve Fund		\$ 3,000,000.00		
2018	Lower Bay Dredging Fund		\$ 500,000.00		
2018 Funding Totals		\$ 1,000,000.00	\$ 5,000,000.00		
2019	2019 Tidelands Maintenance Projects		\$ 1,500,000.00		
2019	Balboa Island Seawalls Reserve Fund		\$ 3,000,000.00		
2019	Lower Bay Dredging Fund		\$ 500,000.00		
2019 Funding Totals		\$ -	\$ 5,000,000.00		
2020	2019 Tidelands Maintenance Projects		\$ 1,500,000.00		
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		\$ 300,000.00		
2020	Lower Bay Dredging Fund		\$ 500,000.00		
Five Year Funding Total (2015-19)		\$ 5,625,000.00	\$ 20,228,000.00		

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

DRAFT Revised 1/15/16

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



CITY OF NEWPORT BEACH

Public Works Department

Harbor Resources Division

MEMORANDUM

TO: Tidelands Management Committee
FROM: Chris Miller, Harbor Resources Manager
DATE: January 20, 2016
RE: Quarterly Review of Harbor Commission Action Items

The Harbor Commission took action on the following agenda items during the previous quarter. Detailed meeting Minutes are available here: <https://newportbeach.legistar.com/Calendar.aspx>

October 2015

1. Mooring Revocations

Mooring permits may be revoked due to failure to pay annual rental fees. The Harbor Commission conducted a hearing prior to revoking the permits.

Action: The Harbor Commission revoked those moorings that were past due with their fees.

2. Harbor Commission 2016 Objectives: Review

The Harbor Commission reviewed their Objectives for the upcoming calendar year.

Action: The Commission reviewed the proposed 2016 Objectives.

3. Harbor Patrol Update

Lieutenant Mark Alsobrook, harbormaster, updated the Commission the Harbor Patrol's operations.

Action: Receive and file.

4. Copper in Newport Harbor – An Overview

Staff presented an overview of the copper Total Maximum Daily Load for Newport Harbor as requested by the Water Board.

Action: Receive and file.

5. Public Piers Report – Time Limits, Usage Characteristics

Commissioner Blank presented the ad hoc committee's findings and proposals for time limits and usages at the City's public piers.

Action: The Harbor Commission reviewed various usage and time proposals for the public piers.

November 2015

1. Harbor Commission 2016 Objectives: Review and Approve

The Harbor Commission reviewed their Objectives for the upcoming year.

Action: The Commission reviewed and approved their 2016 Objectives, and recommended they be considered by the City Council for approval.

2. West Anchorage Review

The Harbor Commission evaluated the recent trial west anchorage project which was located in the Turning Basin from August to October 2015.

Action: The Commission reviewed the pilot project, and directed the ad hoc committee to further study the project and return with a recommendation in the coming months.

3. Public Piers Report – Time Limits, Usage Characteristics

Commissioner Blank presented the ad hoc committee's findings and recommendations for the time limits and usages for the City's public piers.

Action: The Commission endorsed the recommended changes, and recommended to the Harbor Resources Manager that they be implemented.

4. Standup Paddleboard Ad Hoc Committee Formation

Due to the growing popularity of standup paddleboarding, Chair Girling requested the ad hoc committee be reestablished to build upon the previous committee's research from 2012-13.

Action: The standup paddleboarding committee was reestablished.

5. William B Vessel Fire and Sinking – Update

Lieutenant Mark Alsobrook, harbormaster, updated the Commission on the response efforts to the William B vessel fire and sinking on October 31, 2015.

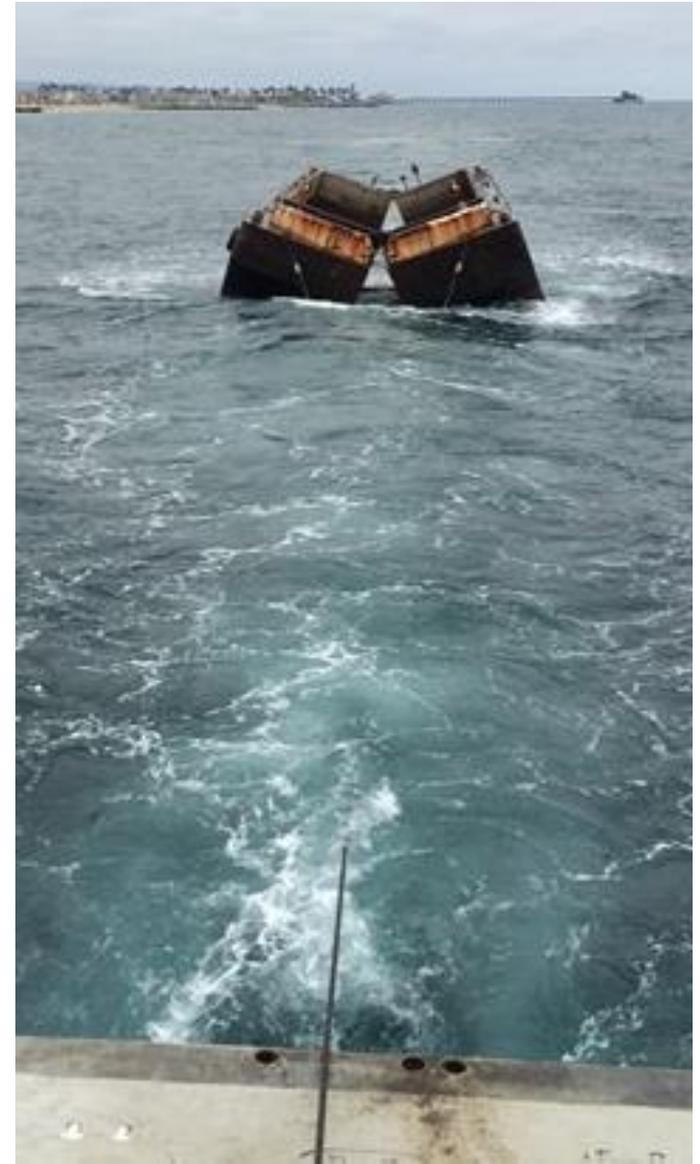
Action: Receive and file.

December 2015 – No Meeting

City of Newport Beach Dredge Material Dump Scow Ownership Feasibility Study

Prepared by Moffatt & Nichol
January 20, 2016

Ocean-Going Split-Hull, Bottom-Dump Scow



Photos from Diversified Marine, Inc. website

Example Scow

(from Glostén website)

Project:
340 yd³ Split-Hull Hopper Barges

Owner/Client:
American Marine Corporation

Builder:
Diversified Marine, Inc.

Scope: Glostén developed complete contract design drawings and specifications for construction of three barges.



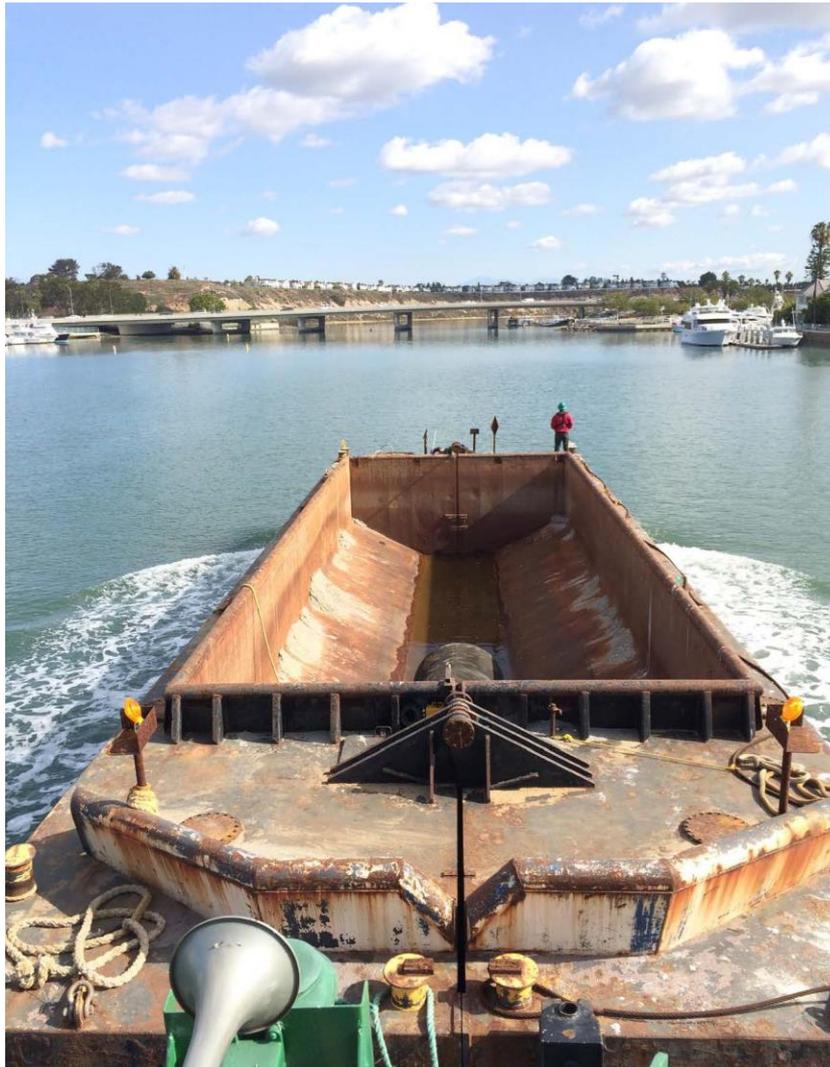
The Scow 1 ready for delivery in Portland, Oregon

Project Description:

The three 340 yd³ split hull hopper barges were purpose built for dredging the Ala Wai Canal in Honolulu. Beam was constrained by the distance between the piers of the McCully Street Bridge, and the light air draft was limited by the clearance under the Kalakaua Avenue Bridge.

Three built,
delivered in 2002 to
American Marine
Corporation

23 Years Later...



Goals/Benefits of Scow Purchase

- Offset high mobilization costs and schedule delays of private companies bringing in scow for small projects
- Better understanding of dredge costs, versus competitive bid situation driven by privately-owned equipment availability

Considerations

- Initial capital investment
- Re-occurring costs
- Forecasted future dredging demands (for calculating capital investment offset)
- Legal liability (e.g. marine pollution and specialized worker injury under Longshoreman & Harbor workers Act and Jones Act)
- U.S. Coast Guard regulations
- Other regulatory requirements
- Dredge downtime if only one dump scow in service (assuming 2 scows)
- Rental rate to contractors. Keep within So. Cal.
- Service life: ~20 years (?)

Considerations - Purchase Cost

- Purchase New:
 - ~\$850K to build new~300 cy capacity scow (Diversified Marine)
 - 2009 M&N County dredge ownership feasibility study estimated a 500 cy dump scow to cost \$1,050,000 (based on CIRIA “Cost Standards for Dredging Equipment”)
 - Design should be checked/reviewed by marine engineer to American Bureau of Shipping (ABS) or similar standards.
- Purchase Used:
 - Existing 3 scows not available for sale(built in 2002)
 - Retrofit of existing tank barge (as per current Curtin Maritime scows): cost unknown
 - If from east coast, haul costs typically \$200K to \$300K

For Sale

300 Yard Dump Scows

300 Yard Dump Scows

Must be sold as pair

Location: Rogers City, MI

Dump Scows (250 cyd.) level 130' x 32' x 8'

When loaded they have 1' of freeboard or draw 7' of water Motors are electric over hydraulic 30 amp 220 single phase RC1 – o/n 1045190 130' x

32' x 7'

RCII – o/n 1045191 130' x 32' x 7'

Zac Morrish, Project Manager/Estimator Ryba Marine Construction Co.
520 N. Main Street, Suite 301 Cheboygan MI. 49721

DUMP SCOW BARGE (Ref#864)



Built 2007, 140' x 40' x 12', steel 1/2" hull, 5/8" hopper, 850 cubic yard capacity, single lever ABS door, John Deere 5030 (70 hours since new), with fuel and oil tank integral with house, remote control, start, dump, close, and shut down., with cruise feature and a range of 1,500', (2) 600,000 lb capacity stainless steel pistons, deployable 2500 lb. Navy anchor on forward port bow, ABS loadline Certificate Current, located Northeast US Price: ~~\$1,425,000~~ OFF MARKET

http://www.sunmachinery.com/barges_for_sale.html

Considerations: Re-Occurring Costs

- Maintenance: e.g. painting/anti-corrosion measures (~\$15K to \$20K (?) per year)
 - 3rd Party maintains all aspects of scow
- Insurance: hull, liability, marine pollution (assume workers comp insurance covered by private dredge operator)
- Mooring (free - use City mooring)
- Depreciation and interest on capital (purchase) cost
- USCG National Vessel Documentation Center registration: annual fee <\$100

Considerations - USCG and Other Regulatory Requirements

- U.S. Coast Guard regulations
 - For commercial vessels >150 gross tons (domestic) and >24m (79 ft.) (international) operating offshore:
 - Load line certification required
 - Annual inspections required to maintain certification
 - For <150 gross tons, no load line certification or inspections required

Considerations - USCG and Other Regulatory Requirements

- Other regulatory requirements
 - Must be U.S. built & U.S. flagged per “Jones Act”
 - EPA/USACE ocean disposal requirements:
 - No leaking or overflow during transit
 - Electronic sensor tracking (movement, draft etc...)
 - Real time tracking via third-party. Monitored by regulatory agencies.

Considerations - USCG and Other Regulatory Requirements

- EPA NPDES vessel discharge permitting:
 - commercial vessels <79 ft. do not require coverage under NPDES (except for ballast discharges);
 - >79 ft. - requires submittal of notice of intent for coverage

- In-hull below barge dewatering discharge - Assume dredge permits allow this

County of Orange Dredge Ownership Feasibility Study - 2009

- Concluded County purchase of small hydraulic dredge and ocean disposal scows (~1,500 cy) would be less expensive and better serve the needs of the County
 - Complications that would need to be resolved:
 - Aligning/pooling funding sources
 - Insurance
 - Labor
 - Conservative estimate that County-owned dredge would result in 10% savings.
 - Based on assumed dredge demand of 100,000 to 275,000 cy per year (included Newport Harbor).

County of Orange Dredge Ownership Feasibility Study - 2009 (cont.)

- Other public agencies who operate their own dredges:
 - Santa Cruz Port District
 - Port of Portland
 - Barnstable County Massachusetts
 - Suffolk County New York
 - City of Virginia Beach
 - State of Delaware

References

Individuals contacted:

- Marine vessel sales/manufacturing companies (Gunderson Marine, Diversified Marine, Bay Ship & Yacht)
- Marine Contractors (Curtin Maritime, Connolly Pacific)
- U.S. Coast Guard
- Moffatt & Nichol engineers

Websites:

- uscg.mil/hq/cg5/cg5212/loadlines.asp
- epa.gov/npdes/vessels-incidentals-discharge-permitting-2
- marcon.com (vessels and barges for sale or charter worldwide)
- workboatsales.com (commercial vessel sale or charter)
- www.amarinecorp.com (marine construction, original purchaser of small dump scows)
- graybarge.com/barges-sale (barges for sale - Louisiana company)
- weeksmarine.com/node/236 (marine construction, floating equipment for sale)

Documents:

- *Orange County Dredge Ownership Feasibility Study*, prepared for OC Parks, prepared by Moffatt & Nichol, June 2009.

Questions?

Chris Miller

Harbor Manager

cmiller@newportbeachca.gov

(949) 644-3043