

NEWPORT BEACH HARBOR COMMISSION REGULAR MEETING MINUTES
City Council Chambers – 100 Civic Center Drive, Newport Beach
Wednesday, September 10, 2025
5 p.m.

1. CALL MEETING TO ORDER

The meeting was called to order at 5:00 p.m.

2. ROLL CALL

PRESENT: Ira Beer, Chair
 Marie Marston, Vice Chair
 Steve Scully, Secretary
 Bob Miller, Commissioner
 Rudy Svrcek, Commissioner
 Don Yahn, Commissioner
 Gary Williams, Commissioner

Staff Members: Paul Blank, Harbormaster
 Chris Miller, Public Works Administrative Manager
 Cynthia Shintaku, Management Analyst

3. PLEDGE OF ALLEGIANCE – Led by Commissioner Yahn

4. PUBLIC COMMENTS (NON-AGENDA ITEMS)

Chair Beer opened public comments. Hearing none, Chair Beer closed public comments.

5. APPROVAL OF MINUTES

1. Draft Minutes of the August 13, 2025 Harbor Commission Regular Meeting

Chair Beer noted that comments had been submitted by Secretary Scully and himself. Commissioners confirmed they had no additional comments.

Chair Beer opened public comments. Hearing none, Chair Beer closed public comments.

Secretary Scully moved to approve the August 13, 2025 Harbor Commission Regular Meeting minutes, as amended. Seconded by Commissioner Yahn. The motion carried by the following roll call vote:

Ayes: Miller, Williams, Yahn, Scully, Beer
Nays: None
Abstain: Marston, Svrcek
Absent: None

6. CURRENT BUSINESS

6.1 Presentation from the Newport Mooring NMA

RECOMMENDATION:

1. Determine this action is exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) and 15060(c)(3) of the CEQA Guidelines because this action will not result in a physical change to the environment, directly or indirectly; and
2. Receive and file.

Anne Stenton, representing the Newport Mooring NMA (NMA), stated that the NMA appreciated the opportunity to begin rebuilding a constructive dialogue with the Harbor Commission. She explained that the NMA was founded to represent the mooring permittees of Newport Harbor and to ensure their voices are heard in the policymaking process. She emphasized that mooring permit holders had consistently raised concerns over the years, but those concerns had not always been given due consideration by the City or the Commission. She noted that the NMA's objective is not to obstruct or delay, but to advocate for fair and equitable policies. She stressed that mooring permittees are equal users of the tidelands with the same rights to public access as other groups, including residential pier holders, yacht clubs, and commercial operators.

Ms. Stenton highlighted that the NMA had seen a recurring pattern over the past decade in which proposals and changes were introduced without meaningful consultation with mooring permit holders. She characterized this as a breach of trust and said it has created ongoing tension between the City and the permittees. She stated that the NMA was open to solutions and suggested that the City and the NMA consider a mediated dialogue with a neutral third party to help build consensus and repair trust. She stated that in 2022, mooring permittees faced a proposal to significantly increase rates for shore moorings. She recalled that the NMA engaged heavily on this matter, and while the increases did not ultimately proceed, the process left many mooring holders feeling unheard and disregarded. She continued that in 2023, assurances were made publicly that mooring permits would remain transferable in perpetuity. She noted that despite those assurances, the City pursued a mooring realignment plan, which she said raised significant safety concerns for permit holders. She emphasized that these concerns were raised repeatedly by the NMA and by individual mooring holders, but the project still advanced. Lastly, moving to 2024, she explained that after months of public participation on the subject of rate increases, the Harbor Commission introduced a last-minute recommendation that went beyond the noticed topic of rates. She advised that recommendation included not only rate increases but also the conversion of mooring permits into licenses. She said this proposal came without sufficient notice or consultation and represented a dramatic change in the understanding between the City and the mooring community.

Ms. Stenton described this pattern as one of "broken promises." She argued that compared to other tidelands users, such as homeowners with residential piers, private yacht clubs, or commercial operators, mooring permittees had been subject to shifting policies, surprise changes, and disproportionate financial burdens. She emphasized that mooring holders wanted parity and fairness and emphasized the comparison between mooring rates and pier rates. She called for the preservation of the live-aboard program, noting its importance for harbor access and character. She concluded this portion of her remarks by saying that the NMA wanted a new approach based on constructive dialogue. She urged the Commission to recognize mooring holders as equal stakeholders in the harbor.

Chair Beer began by acknowledging the importance of constructive dialogue and the concerns that had been raised. He then addressed references made in slides 2 and 3, which cited "broken promises" and "public assurance of mooring transfer in perpetuity," stating that these characterizations were misleading. He noted that the accompanying video, which excerpted a City Council meeting, may have been taken out of context and did not accurately represent the discussion. He clarified that under both the mooring permit agreement signed by permittees and Title 17 of the Municipal Code, a mooring permit is a temporary right to moor a vessel over public tidelands held in trust by the City of Newport Beach for the State of California. He explained that the City has historically allowed transferability. This process has not changed for mooring permittees who hold a valid mooring permit with the City.

Chair Beer referenced the video and explained that Harbormaster Blank had been addressing whether the new City license program would affect the transferability of existing mooring permits. Harbormaster Blank confirmed that the license program would not alter current mooring permits or their transferability. He emphasized, however, that this was not, a promise that the transferability provision for mooring permits would never change in the future. Lastly, he explained that this is also supported by the recent correspondence from the State Lands Commission letter to the City stating that the transferability of mooring permits may be in violation of the California State Constitution.

Commissioner Miller thanked Ms. Stenton for her research and presentation, noting that he had learned a great deal from it. He highlighted her point about the disparity in treatment between residential pier holders and mooring permit holders. He asked for clarification on whether piers attached to homes are titled as part of the property. He noted that while both piers and moorings are located over public tidelands, pier ownership appears to differ. He explained that when a home is sold, for example, on Lido Island, the dock is included in the property title transfer. He asked Ms. Stenton to elaborate on how she viewed the comparison between residential pier ownership and mooring permits, given her research suggesting unfairness in the current system.

Ms. Stenton noted that fully addressing the issue would take more time than was available at the meeting and that she did not want to provide an incomplete or inaccurate answer. She emphasized that this was another area where mediated dialogue would be valuable to explore the nuances in greater detail.

Vice Chair Marston thanked Ms. Stenton for her presentation and offered comments regarding transparency. She stated that while it was stated that the NMA believes that decisions were being made through "backroom deals," Marston emphasized that was untrue and that all discussions had occurred in publicly noticed meetings and workshops. She expressed concern that, despite the availability of these meetings, NMA members had not consistently attended when mooring-related items were on the agenda. She added that with the recent State Lands Commission determination, many issues are now beyond the Commission's direct control. She noted that the City would need to adjust in response to the State's input and emphasized that the Harbor Commission's responsibility was to act in the best interest of the harbor. She clarified that the Commission was not attempting to take away boating rights or mooring privileges, and that its efforts were intended as improvements, not punitive measures. She further stated that nearly all Harbor Commission initiatives, such as the proposed pilot program for mooring realignment, had been met with negativity from the NMA. She expressed disappointment that opportunities for collaboration had not received positive engagement.

When Ms. Stenton attempted to respond during Vice Chair Marston's comments, Chair Beer interjected, clarifying that it was not a Q&A session and requested that the Vice Chair continue and finish her comments.

Vice Chair Marston continued by emphasizing that while the NMA has called for a more collaborative approach, her experience on the Commission with NMA's participation has not reflected that sentiment. She stated that after several years of hearing mooring-related items with NMA participation, it seems as though the NMA views every Commission initiative negatively. She encouraged the NMA to recognize that not every proposal is harmful or adverse and expressed hope that constructive suggestions, such as those presented, could serve as a starting point for a more productive dialogue. She concluded by noting that building collaboration requires mutual effort.

Commissioner Williams stated that he was struggling with the discussion and wished to speak candidly. He expressed his belief that the leadership of the NMA had done a disservice to its members. He questioned the accuracy of the presentation, particularly regarding claims that individuals were receiving \$30,000–\$50,000 for moorings, and stated that this issue should have been addressed directly. He commented that if the presentation had acknowledged that problem at the outset, he would have had more respect for it. Instead, he felt that much of the presentation avoided the central issue.

Chair Beer further clarified that Ms. Stenton was asked a question and she was able to respond. Ms. Stenton declined to provide further response.

Secretary Scully thanked Ms. Stenton for her presentation and acknowledged the ongoing challenges in communication between the Harbor Commission and NMA. He stated that, during his six years on the Commission, prior meetings with the NMA had been unproductive. He expressed optimism about Ms. Stenton's leadership, noting her ability to clearly articulate the NMA's position. He emphasized that while the Commission and the NMA may have different positions, regarding appraisals, pricing, and tideland

fund management, those differences should not be characterized as “discrimination.” He stated that the term is inappropriate in this context and detracts from constructive discussion.

Secretary Scully stressed the importance of moving forward rather than focusing on past disputes. In response to Ms. Stenton’s suggestion that we utilize a third-party mediator, he stated that mediation has rarely been effective in his experience, and that direct dialogue among intelligent, committed parties is the best path to mutual understanding, even if agreement is not always possible. He encouraged the NMA to learn about the Commission’s stated objectives, noting that prior discussions with the NMA often lacked constructive content and occasionally became personal. He reiterated his desire for productive dialogue moving forward. He concluded by affirming that moorings are a priority for the Harbor Commission. He emphasized the shared goal of ensuring that mooring permittees can enjoy quiet use of their vessels and that Newport Harbor continues to offer affordable access to the harbor. He stated his commitment to finding common ground and working toward solutions that serve both mooring holders and the broader Newport Beach community.

Chair Beer stated that he agreed with Commissioner Scully’s comments and emphasized the importance of maintaining constructive dialogue with the NMA. He noted that the Commission has made consistent efforts to engage with the NMA and expressed surprise that this had not been acknowledged in the presentation. Referring to the video clip shown, Chair Beer explained that the mooring optimization issue it addressed had been the subject of about 20 public meetings, including at least two or three open stakeholder meetings and one or two private meetings with the NMA. He stressed that these efforts demonstrated the Commission’s commitment to transparency and communication. He added that he had personally told Ms. Stenton to call him directly with any questions and reiterated his willingness to engage at any time. He emphasized that disagreement with the NMA’s position did not mean that dialogue had been lacking, and he assured her that any future outreach would be met with a response and an openness to discussion.

Chair Beer opened public comments.

Adam Leverenz clarified that he was not a NMA member but had been working full-time on harbor-related matters for nearly two years. He noted that Chair Beer suggested a video may have been misleading, but the video in question involved discussion of the license program. He explained that at that time, there were 14 City licenses, and the concern raised in May 2023 was how rules for these licenses were drafted in Title 17. He emphasized that both the City Attorney and Mayor O’Neill had previously agreed that a mooring permit is a mooring permit. He argued that the July 9, 2024, conversion of permits to licenses represented a major shift in policy and left many permit holders feeling deceived.

Mr. Leverenz also responded to Commissioner Miller’s inquiry regarding dock versus mooring ownership. He stated that mooring permittees do not own moorings, but only the tackle such as anchor weights, chains, shackles, and lines. He compared this to pier owners, who own the pier structure but not the land beneath it. He added that elsewhere in the state, mooring rates are consistently lower than dock rates. He criticized statements from the Assistant City Manager describing transfers as private land transactions, calling this misleading given Title 17’s clear assertion that mooring permits grant no ownership of property.

Mr. Leverenz further criticized the City’s spending on the Mooring Realignment Plan. He noted that the plan was rejected by the California Coastal Commission on a 9–1 vote, which he said reflected the City’s failure to listen to experienced harbor users. He stated the City had wasted over \$400,000 on a flawed plan. Finally, he addressed the issue of discrimination, citing statutes that prohibit discrimination in rates, fees, or charges. He compared the rates charged for docks versus moorings, stating that mooring holders were being charged 238 percent more for the same tidelands, which he characterized as discriminatory.

Dr. Richard Navarro, a permit holder in mooring field C since 2008, thanked Secretary Scully for inviting the NMA to present and for characterizing the meeting as a dialogue. He explained that many mooring permittees attended in good faith with the expectation of constructive exchange, but instead felt insulted

by inaccurate and disparaging comments from some commissioners. He stated that at his first meeting in January 2023, during a discussion of a rate proposal, the room was filled with permit holders who attempted to ask questions. He noted that at that time, commissioners refused to answer questions, even though the presentation screen displayed the phrase "Questions and Answers." He said the repetition of that approach in the present meeting left him and others feeling dismissed, unheard, and unappreciated despite the effort made to attend.

Chris Bliss, a mooring permit holder, stated that while he appreciated informal conversations with Secretary Scully, he and other permit holders were frustrated with the Commission's format, which allows only limited comments without real dialogue. He recounted his experience with the mooring realignment proposal, explaining that he and other permit holders in Mooring Field C had submitted video and other evidence showing that the plan was unworkable. He noted that despite this, the Commission approved the plan, which was later rejected by the Coastal Commission by a 9–1 vote. He stated that if the Commission had listened to mooring holders earlier, the costly and failed realignment effort could have been avoided. He urged commissioners to listen more openly and engage directly with stakeholders.

Coeli Hylkema, a mooring permit holder and spouse of longtime NMA board member George Hylkema,, stated that the City's regulations and policies have discriminated against mooring permittees for years. She highlighted inequities, including nine pages of harbor code provisions regulating mooring permittees compared to one page regulating pier permittees. She noted that the City was proposing to increase tidelands fees for mooring permittees by 30 to 500 percent while maintaining favorable policies for pier permit holders. She emphasized that moorings were originally intended as a low-cost alternative to slips, but now mooring holders are paying significantly higher rates than pier permit holders. She added that pier owners may rent dock space and profit from tidelands, while mooring permit holders are increasingly restricted. She argued that this violates the Beacon Bay Bill, which prohibits discrimination in tidelands rates and charges. She also discussed mooring transferability, explaining that many permit holders paid tens of thousands of dollars to acquire permits, as the City's waitlist was ineffective. She rejected claims that mooring permit holders were profiteering, noting that mooring prices had not appreciated in 20 years and that maintenance costs had consumed much of the expense. She warned that eliminating transferability would disproportionately harm retirees who rely on recovering part of their costs. She concluded that the City's policy proposals amounted to an intentional effort to drive mooring permit holders out of the harbor.

Bud Coomans, a mooring permit holder, explained that when he began searching for a mooring in 2012, it was already clear that the only way to obtain one was to purchase an existing permit. He and his family waited until 2016 to purchase, and he noted that by 2017, Title 17 eliminated the waitlist entirely. He emphasized that mooring holders never believed they were buying property, only the right to rent from the City. He explained that if transferability is eliminated, he will not be able to recoup his investment, which is particularly concerning given his family's reliance on the ability to sell their boat when entering retirement. He described owning a 35-year-old, 50-foot vessel that would be unsellable if not accompanied by a transferable mooring. He stated that mooring transferability is essential to permit holders' financial security, particularly as they age and consider healthcare and retirement costs.

Jim Palmer, a mooring permit holder, noted that he was not an NMA member but believed better communication was needed between the Commission and permit holders. He explained that most of the information he received came from media or newsletters rather than from the Commission directly. He urged the Commission to communicate with mooring permittees consistently and directly.

Jessie Fleming, a live-aboard, thanked Secretary Scully for efforts to foster dialogue and encouraged the Commission to reset the conversation without finger-pointing. She noted that mooring permittees, particularly live-aboards, are concerned about affordability and displacement. She stated that many live-aboards rely on Social Security income and could lose their homes if fees are raised or transferability eliminated. She urged the Commission to present a clear plan and engage in real dialogue with the NMA and permittees.

Hein Austin thanked the Commission for engaging with the NMA, noting that it was the first voluntary outreach in over a decade. He raised concerns about fee inequities, explaining that large private docks pay only a fraction of the per-square-foot rate charged to mooring permittees. He contrasted examples where docks were charged 11 cents per square foot while moorings were charged over a dollar per square foot, with rates potentially rising to \$7 or \$8. He stated that all boats in the harbor use public tidelands, yet the City has singled out 1,200 mooring holders for disproportionate fees. He argued that this violated statutes requiring equal treatment of users of public trust lands. He acknowledged the Commission's volunteer service but urged them to address what he called discriminatory practices.

Wade Womack welcomed Commissioner Miller and responded to earlier questions about dock ownership, noting that docks are not deeded and that their transfers involve a modest fee of about \$250, similar to mooring permits. He explained that the use of the word "discrimination" referred to price discrimination, not civil rights. He argued that charging different groups different rates for the same use of water constitutes unlawful discrimination. He raised concerns about transparency. He noted the Commission's frequent use of ad hoc committees, some of which last for years, which he argued constitutes a violation of the Brown Act because standing committees must be open to the public. He cited Title 17 work and mooring realignment discussions as examples where ad hoc committee work effectively excluded public participation. He urged the Commission to conduct more of its deliberations in public.

An unidentified speaker addressed the Commission regarding claims that mooring holders profit from transfers. He explained that he had sold his mooring permit at a loss due to inconsistent policies and then was forced to repurchase after the City adopted a grandfathering policy. He rejected claims of profiteering and stated that mooring holders face unfair fee increases compared to pier permit holders.

Patricia Coomans, a mooring permit holder, stated that most mooring holders she knows have only one mooring and have held it for decades. She rejected claims that mooring holders are speculators or profiteers. She noted that many permittees live aboard their vessels and that moorings are their homes. She emphasized that raising fees would displace families, retirees, and long-term community members.

Mike Fleming stated that he supported the slide presented by Ms. Stenton regarding the differing treatment of piers versus moorings and asked for the Commission's thoughts on the issue. He noted that piers appear to be regulated with only one page of rules, compared to nine pages for moorings. He emphasized that mooring holders live in areas frequently accessed by the public, unlike residential piers, which are essentially private spaces. He added that mooring holders are not privatizing or profiting from the tidelands, and that they often serve as "neighborhood watch" for the harbor. He shared that he had personally rescued a drowning man and noted that other liveaboards have done the same. He referenced the helicopter crash near Mooring Field J, where one survivor was saved by a liveaboard who was later removed from the harbor for noncompliance, which he viewed as a mistake. He invited the Commission to visit the mooring community for "game night," held on the first Tuesday of each month.

George Hylkema stated that mooring fields are communities of people, not parking lots for boats. He emphasized that residents look out for one another and for the harbor. He asked the Commission to consider the human impact of policy changes, as many mooring holders have lived on the harbor for decades.

Bill Kenney clarified that the proposal to eliminate transferability of mooring permits originated with the City Council, not the Harbor Commission, and that commissioners themselves were surprised when it was introduced. He encouraged continued dialogue but emphasized that the transferability issue is no longer within the Commission's or the City's authority. The California State Lands Commission has advised the City on their position.

Chair Beer closed public comments.

Commissioner Williams remarked that he was very interested in attending the mooring community's game night, as mentioned during public comment, and would like to join. He then addressed the discussion on liveaboards, noting the need for context in decision-making. He asked for the total number of moorings compared to the number of liveaboards.

Chair Beer clarified that there were approximately 1,180 moorings in total and about 51 liveaboards, about 7% of the offshore mooring holders.

Secretary Scully thanked everyone for their comments and for taking the time to attend the meeting. He expressed appreciation for the input provided and stated that he looks forward to continued discussions.

Commissioner Miller thanked Ms. Stenton for the data she presented and noted that, as this was only his third meeting, he is still learning about many of the issues raised. He stated that the information provided was a valuable starting point for further education and expressed interest in being involved in collaborative efforts moving forward. He emphasized that all parties share a common interest as members of the same community and reiterated his appreciation for the presentation.

Commissioner Yahn thanked Ms. Stenton for preparing a thoughtful presentation, noting that while it may not have covered every aspect of the issue, it was clear that significant effort had gone into it. He acknowledged that the presentation reflected the collective input of the NMA leadership and members. He also thanked the NMA members for their comments, observing that opportunities for these types of discussions are rare outside of stakeholder or Harbor Commission meetings. He further thanked Secretary Scully for helping facilitate the opportunity for constructive dialogue and expressed appreciation to all who participated.

Vice Chair Marston reiterated her thanks to Ms. Stenton for the presentation and to the NMA members for attending and sharing their perspectives.

Chair Beer acknowledged the effort it takes for participants to attend, particularly in the evening. He summarized that much of the evening's discussion centered on rates, transferability, and collaboration. As clarified by Mr. Kenney, that decisions on rates and transferability are within the purview of the Harbor Commission. Regarding the disparity between pier rates and mooring rates, he explained that the Commission's responsibility is to establish fair market rates for moorings over public tidelands as set forth by the State Constitution, not for private piers. He emphasized that pier issues may be addressed elsewhere, the Commission remains committed to collaborating on matters within its scope and looks forward to future opportunities for constructive engagement.

There was no further action taken on this item, and it was received and filed unanimously.

6.2 Discussion of Potential Safety Requirements for Single-Day Small Vessel Rental Customers in Newport Harbor

Recommendation:

1. Determine this action is exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) and 15060(c)(3) of the CEQA Guidelines because this action will not result in a physical change to the environment, directly or indirectly; and
2. Receive and file; or
3. Provide direction to staff or the Newport Harbor Safety Committee on the development of guidelines and requirements related to safety for single-day, small vessel rental customers.

Chair Beer introduced the agenda item by explaining that the Harbor Commission would hold a discussion on potential safety requirements for boat renters in Newport Harbor. He stated that the purpose of the discussion was to evaluate options for improving safety for renters, other harbor users, and the public. He explained that areas for consideration included renter orientation, life jacket use,

operator age and experience, harbor rules, and navigation awareness. He noted that the Commission would review current practices, consider examples from other jurisdictions, and provide input to staff or a subcommittee on possible strategies for enhancing renter safety while ensuring that recreational boating in Newport Harbor remains accessible.

Secretary Scully explained that the item was brought forward due to repeated safety concerns observed in the harbor. He noted reports of speeding, paddleboarders needing rescue, and other safety issues handled by Harbor Safety Officers. He stated that the City currently had no formal renter safety program other than posted rules. He described other jurisdictions where renters must watch a short safety video and take a brief test before renting a boat, which in some cases could be completed online in advance. He suggested Newport Beach consider requiring similar safety briefings or testing, which would be shorter and less burdensome than the California Boater Card, but still emphasize renter safety. He encouraged outreach to marine activity permit holders in the rental business to seek their input.

Chair Beer responded that attachments to the agenda included examples from other harbors, which showed Newport Beach had minimal requirements compared to peer jurisdictions. He stated his personal preference for education over regulation but agreed that renter safety was a priority. He suggested convening a committee to explore potential guidelines and engage the rental community in discussions.

Commissioner Svrcek agreed, noting that other states require renters to complete safety signoffs. He suggested first reviewing current practices of local rental operators and what renters are already asked to sign. He proposed creating a standardized safety sheet or sign-off form, with potential additions such as a brief video. He highlighted common issues such as paddleboard renters failing to go against the current or wind, which often led to rescues.

Commissioner Williams stated that he approaches the issue from the perspective of small business owners operating on the harbor. He cautioned against creating an overly burdensome regulatory framework and instead encouraged exploring practical, educational solutions. He suggested that renter safety training might even benefit operators by lowering insurance costs if they could demonstrate that customers were educated on key safety topics.

Commissioner Miller observed that the discussion had the feel of an “unofficial ad hoc” committee, noting that many boaters in attendance were visibly supportive when rental safety concerns were raised. He expressed surprise that only 128 rental Duffy’s were permitted in the harbor, given how many are seen on weekends, and cited data showing 480 Marine Activity Permits (MAPs), of which about 84 were for captained charters. He stated that requiring renters to view a short safety video prior to departure would be a practical, low-impact solution for businesses and strongly supported the idea.

Commissioner Yahn emphasized that while overregulation should be avoided, rental safety was one of the most frequent concerns he heard from harbor users. He reported that citizens often described unsafe or inexperienced renters causing property damage, striking moored or operating boats, or even disrupting regattas without understanding what they were. He stressed the importance of renter education to prevent injury and protect the harbor community. He also raised the issue of the California Boater Card requirement, noting that although the law now applies to all ages, short-term rental customers are exempt. He described the card as a useful, though complex, tool for ensuring boating knowledge and recommended developing a streamlined version focused on harbor basics. He concluded that convening a stakeholder meeting with rental operators and MAP holders would be a productive next step in shaping renter safety measures.

Vice Chair Marston stated that she agreed with the prior comments from commissioners. She noted that while the State requires boaters to hold a boater card, renters are not subject to that requirement, which she found surprising given the number of rental-related issues. She added that she believed the City may already require some form of safety measures from rental companies and suggested that should be

clarified. She recommended reviewing practices in other harbors, such as San Diego and Long Beach, and expressed support for further study of renter safety requirements.

Harbormaster Blank clarified for Commissioner Miller that there are not 480 marine activity permits in the harbor. He noted that rather, approximately 70 permits account for about 480 vessels within their respective fleets. He suggested the Commission consider a couple of approaches for addressing rental safety. He advised that the simplest option would be to direct the existing ad hoc committee currently developing objectives for the coming year to add this issue as one of its priorities. He explained that the subcommittee could then conduct research into practices used in other jurisdictions. He noted he had brought examples, including a successful Long Beach safety video program, as well as a version Newport created that some, but not all, rental operators currently use.

Harbormaster Blank also addressed Commissioner Marston's and Commissioner Yahn's points, explaining that the exemption for rental operators from the California Boater Card requirement was the result of lobbying by the California Chamber of Commerce. He explained that under current law, anyone operating a rental vessel for 21 days or less is not required to hold a boater card. He concluded by reiterating his recommendation to assign this issue as an objective for the ad hoc committee, adding that Commissioner Williams could take the lead.

Chair Beer opened public comments.

Bill Kenney, representing Newport Harbor Foundation, stated that he chaired a prior committee reviewing stand-up paddleboard safety. He noted that in Long Beach, renters must watch a video and pass a test before renting. He shared a personal anecdote about renting a Duffy in Chicago, where he also had to watch a video and complete paperwork. He expressed strong support for a safety education program in Newport Harbor.

Adam Leverenz stated that he had personally rescued three people from the bay, two of whom nearly drowned trying to keep their cell phones dry. He noted that many renters on paddleboards head downwind, only to find they cannot return. He expressed concern about unequal outreach, stating that the Commission had not consulted with mooring permit holders before raising their fees, yet was immediately proposing outreach to rental operators. He cautioned that this created a perception of discrimination.

Mike Fleming stated that rental boat safety was a serious problem, describing an incident where a Duffy renter collided with a regatta vessel. He noted that when the boater reported the accident to the rental operator, the operator stated they bore no responsibility because renters carried insurance. He noted the operator discouraged discussing the matter in front of customers. He warned that operators had little incentive to ensure renter competence and described the situation as unsafe.

Judy Cole supported requiring renter safety measures. She urged the Commission to include not only rental companies but also residents and boaters as stakeholders in discussions. She noted that renters frequently blast loud music on the bay, causing additional nuisance issues that could be addressed through safety briefings or videos.

Chair Beer closed public comments.

Chair Beer noted consensus to add the item to the Commission's objectives, recognizing that implementation would take time.

Secretary Scully agreed, and the matter was referred to the ad hoc committee on objectives.

The item was received and filed with no action.

6.3 Ad Hoc Committee Updates

Recommendation:

1. Find this action exempt from 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, Division 6, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly; and
2. Receive and file.

Balboa Ferry Ad Hoc – Commissioners Scully, Svrcek and Yahn (05-10-2023)

Commissioner Yahn reported that he had met with Seymour Beek the prior week. He noted that Seymour indicated that they were making great progress with the California Air Resources Board (CARB) in securing grant funding. He noted that the total project budget is expected to be approximately \$10 million, which would cover both vessel refitting or replacement and electrification charging stations on the island side of the ferry route. He advised that Seymour expressed optimism and confirmed that no assistance was needed from the City or the Commission at this time. He advised he would provide another update within 30 to 60 days.

General Plan Harbor & Bay Element Update Ad Hoc – Commissioners Scully, Marston, and Yahn (10-09-2024)

Secretary Scully stated that he did not have further updates beyond the discussion at the prior month's Harbor Commission meeting. He noted that consultant Curt Black had provided a presentation in our August meeting. Secretary Scully advised that he had compiled a list of items that should be considered in the Harbor and Bay Element of the General Plan. He confirmed that the list had been sent to Vice Chair Marston and Commissioner Yahn for feedback. He suggested that the ad hoc committee finalize comments and recommendations, memorialize them, and bring them back to the full Commission to ensure they are submitted for inclusion in the General Plan update.

Harbor Commission Objectives Committee – Commissioners Beer, Scully, and Marston (8-13-2025)

Chair Beer stated that the ad hoc committee has created a template for reviewing objectives. He noted that the committee is committed to returning recommendations to the Commission before the end of the year, ideally at the next meeting or the one immediately thereafter. He confirmed that earlier discussion items would be included in this process.

Vice Chair Marston added comments regarding the objectives. She suggested that the objectives may need to be titled "2025 Objectives," while noting that many Commission objectives extend beyond a single year. She also identified a correction in the minutes from the prior meeting. She noted that specifically, on page 13, the fourth paragraph listed Commissioner Scully twice and omitted Chair Beer as a member of the objectives committee. She requested that this clerical error be corrected in the record, even though the minutes had already been approved.

Chair Beer acknowledged the correction and asked staff to make the adjustment. He then asked for additional commissioner comments.

Chair Beer opened public comments.

Adam Leverenz reiterated his request that the Commission add restrooms back onto its goals and objectives. He noted that City Council recently approved a contract to install automatic metal gates at several public restrooms, including one near Newport Pier. He explained that at a recent Water Quality and Tidelands meeting, he emphasized the concern that when these gates lock, particularly late at night, large numbers of people leaving nearby bars often find no available restrooms. He stressed that this becomes a water quality issue, as those individuals may turn to the harbor when facilities are closed. He urged the Commission to encourage City Council to extend restroom hours or adjust the automatic locking schedule to match pier or business hours. He added that while there has been strong opposition

in the past to floating restrooms, removing the topic entirely from the Commission's goals and objectives was inappropriate. He concluded by emphasizing that no one wants swimmers exposed to human waste, and this is an issue on which everyone should agree.

Chair Beer closed public comments.

There was no further action taken on this item.

6.4 Harbor Commission 2024 Objectives

Recommendation:

1. Find this action exempt from 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, Division 6, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly; and
2. Receive and file.

Conduct annual review of Title 17 and recommend updates to City Council where necessary (Commissioner Yahn)

Commissioner Yahn reported that he, along with Commissioner Williams and Commissioner Miller, recently held a productive meeting with Harbormaster Blank to review issues raised over the years by both staff and citizens. He explained that the committee is working through these items and determined the best next step would be to hold a stakeholder meeting, likely in October. He noted that at that meeting, the committee would present its recommended code changes, including conceptual and draft language, to gather input. He added that the committee intends to return to the Harbor Commission in November with a summary of recommendations and stakeholder feedback, with the goal of forwarding the package to City Council by December.

Chair Beer commended the progress and noted that the last Title 17 review had been an extensive process requiring significant outreach. He praised Harbormaster Blank and former Chair Kenney for establishing a productive framework for stakeholder engagement, encouraging the current committee to follow a similar structure.

Commissioner Yahn agreed, noting that past meetings had provided a positive forum for open discussion, and confirmed the committee would continue in that same vein.

Collaborate with the Water Quality/Coastal Tidelands Committee to partner on areas within the Harbor that both Commission/Committees intersect (Commissioners: Svrcek, Scully)

No update.

Work with staff to identify opportunities to add additional Harbor Services (~~Restrooms, additional pump out stations, dock space, Shore Boat Service, Boat Launch Ramp, and development of the mobile app~~) (Commissioners: Marston, Yahn)

Vice Chair Marston stated that she and Commissioner Yahn met about a month ago to review the CIP materials provided by Chris Miller. She noted that they had comments to discuss with Chris Miller prior to bringing the CIP back to the full Commission.

Continue with the participation of businesses, nonprofits, and the Harbor Department with a Newport Harbor Safety Committee to promote best practices and address safety issues on the water (Commissioner: Scully).

No update.

Review Harbor Department responsibilities, evaluate the Department's readiness and effectiveness to deliver Harbor services as necessary for normal operations and during emergencies and make recommendations as determined necessary (Commissioner: Scully, Williams).

No update.

Work with City Staff on an update of the market Rent to be charged for onshore and offshore moorings (Commissioner: Beer and Scully).

No update.

Support staff in all efforts related to the dredge completion of the Federal Navigation channels in addition to the upcoming agency renewals of Regional General Permit (RGP54) shallow water dredging permit. (Commissioners: Svrcek)

No update.

Chair Beer opened public comments. Seeing none, Chair Beer closed public comments.

There was no further action taken on this item.

6.5. Harbormaster Update – August 2025 Activities

Recommendation:

- 1) Determine this action is exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) and 15060(c)(3) of the CEQA Guidelines because this action will not result in a physical change to the environment, directly or indirectly; and
- 2) Receive and file.

Harbormaster Paul Blank reported that calls for service in August exceeded 3,000, about 50 percent above the monthly average of 2,000. He attributed the increase to extended operating hours and cautioned that this level of service is not sustainable under the current budget. He noted that the rest of his report would follow the Harbor Department's mission of keeping the harbor clean, safe, and well-enjoyed.

Harbormaster Blank reported on clean harbor activities and reported vandalism on newly built public docks, primarily from anglers drilling holes in planks to hold fishing rods. He explained that while violators are cited when observed, damage occurs faster than repairs can be made. He also described a lighter incident in which staff assisted with the recovery of a mobile phone dropped from the Lido Bridge.

On enforcement and safety, Harbormaster Blank stated that staff addressed illegal fishing at West Jetty View Park, where angling is prohibited in a defined 319-foot section. He advised that staff redirected anglers to lawful areas, supported by Animal Control on land and Harbor staff on the water. He also reported dewatering and raising a sunken vessel in Balboa Coves and noted a diesel discharge from a recreational boat. Although the vessel evaded harbor staff, he advised that the Orange County Sheriff's Harbor Patrol successfully intervened.

Public Works Administrative Manager Miller provided a dredging update. He stated that the U.S. Army Corps of Engineers is preparing to begin the Lower Bay federal channel dredging project, with operations expected to start in mid-November. He noted that material will be disposed of at the Port of Long Beach, and the City is actively negotiating the disposal window. He noted he remains in close coordination with the Corps and the Port, with further details expected soon. He reported that dredging activity will significantly increase once projects begin. He advised that federal channel dredging will occur Monday through Saturday during daytime hours, while scows will be permitted to transit the harbor around the clock. He explained that this is standard practice and, if managed properly, should create minimal nighttime noise beyond tugboat traffic.

Public Works Administrative Manager Miller also provided an update on the Balboa Yacht Basin dredging, a City project separate from the federal channel effort because the marina is City-owned and outside

federal jurisdiction. He noted the project is currently out to bid, with submissions due next week. He explained that all dredged material will be sent to the Port of Long Beach, and permits were secured in record time. He stated that dredging at the Balboa Yacht Basin will follow a similar schedule, weekday dredging with 24/7 material transport. He noted that combined, the federal and City projects are expected to keep dredging operations active in the harbor for three to six months.

Public Works Administrative Manager Miller added that a third project will be undertaken by the Linda Isle Community Association, which plans to dredge the inner lagoon and manage approximately four acres of eelgrass. He explained that the community is close to securing both a Regional General Permit (RGP) and an individual permit. He noted that, in addition, 20–25 homeowners plan to dredge under their slips using the City's RGP permit, with all costs privately funded. He emphasized that the Linda Isle project will add a third simultaneous dredging operation in the harbor, likely beginning this fall. He stated that he and the Harbormaster have already begun planning community outreach and will launch a communication campaign to keep residents informed.

Commissioner Svrcek requested clarification on the expected completion timeline for the Lower Bay dredging project, noting his earlier reference to six months.

Public Works Administrative Manager Miller explained that the project has two components. He stated that the most critical phase involves dredging material designated for disposal at the Port of Long Beach, which must be completed within a defined window. He emphasized that meeting this disposal window is the project's primary focus. He continued by explaining that once the Port of Long Beach phase is complete, dredging will shift to "clean" material, meaning sediment that qualifies for disposal at LA-3, an open-ocean site located six miles off the entrance channel. He noted that this second phase will not have the same strict deadline and will consist of production dredging. He reported that engineers have estimated the total project duration at just under one year, with the first five to six months focused on Port of Long Beach disposal and the following four to five months dedicated to offshore disposal at LA-3.

Commissioner Yahn asked about barge safety during nighttime operations. He noted that when dredge barges are anchored in the bay at night, they can present hazards to boaters, particularly when lighting is inadequate. He asked how the barges would be lit to ensure visibility and prevent collisions.

Public Works Administrative Manager Miller responded that dredging operations follow standard maritime procedures, which are heavily regulated. He explained that the U.S. Coast Guard issues rules, including requirements for lighting, that all commercial dredge vessels must follow. He noted that "Notice to Mariners" is published and updated regularly, and that responsible boaters should check it daily to remain aware of navigation hazards. He confirmed that barges are required to light their scows in compliance with regulations. He added that the City requests additional precautions when possible, such as flashing beacons, to increase visibility. He further explained that for the Lower Bay dredging project, dredge barges will rotate among three approved mooring areas. He explained that this rotation is intended to avoid prolonged impacts to any single neighborhood. He emphasized that City staff will monitor operations closely, serving as "eyes and ears on the water" to support safety and compliance.

Commissioner Miller asked whether Stu News was the only channel being used to share dredging updates or if there would be a published schedule showing when scows would be in the harbor. He noted that tugs will be operating 24 hours a day and suggested that more detailed information could be useful to the public.

Public Works Administrative Manager Miller responded that this was not a new process for the harbor, noting that similar dredging operations had taken place in 2004, 2011, 2012, and 2021. He explained that while the City does not provide detailed schedules showing exact times when scows depart, both he and the Harbormaster had been strategizing about outreach. He stated that information would be shared through multiple community groups, regular press updates, and other communication channels as needed or requested. He noted he was happy to speak with any group identified by the Commission, the

City Council, or the public, and concluded with humor, saying he enjoyed talking about dredging and found it exciting.

Chair Beer asked for clarification regarding the three designated staging locations for dredging operations, inquiring whether they were the East and West Anchorages and a third site.

Public Works Administrative Manager Miller responded that one staging area would be off Harbor Island, another off the east end of the H field, and the third in the vicinity of the East Anchorage, with the West Anchorage available if needed. He explained that dredge operations would rotate between these areas approximately every two to three months, as outlined in the project plans and specifications.

Chair Beer expressed enthusiasm, noting that the Federal Channel dredging would significantly increase tidal flushing, adding an estimated 200 million gallons of water per cycle, twice daily. He remarked that the harbor should see a tremendous improvement in water quality in 2027.

Public Works Administrative Manager Miller added that the contractor awarded the bid was the same dredger that completed the 2012 program, noting the advantage of having a firm already familiar with the harbor. He emphasized that while other contractors could have performed the work, having prior experience was beneficial.

Chair Beer asked about the total project cost, recalling that the federal grant had been \$10 million, and inquired about the City's contribution under the contract.

Public Works Administrative Manager Miller stated that the project had long been estimated at \$20 million, with the City committed to a 50/50 split. He reported that the bids came in under the estimate, making it very likely the City would receive a refund for unspent funds, which he described as good news.

Harbormaster Blank resumed his update, thanking Public Works Administrative Manager Miller for his presentation. He noted that he had prepared the slide being shown without coordinating with Public Works Administrative Manager Miller, which explained the inaccurate dates and the order of bullet points differing from the presentation. He stated that the information would be better coordinated in next month's report. He added that all contractors involved in the dredging projects were fully aware of the upcoming Christmas Boat Parade. He confirmed that the parade would not be affected, the route would remain unchanged, and no views would be obstructed.

Harbormaster Blank continued his report, addressing harbor safety. He explained that staff had conducted early morning and late evening patrols in August, with a particular focus on navigation lighting and unpermitted liveaboards. He reported that several rescues occurred during the month, including paddleboarders and kayakers in distress, which were more dramatic than usual. He also noted that multiple disabled electric vessels required rescue and towing to safe locations. He explained that in some cases, vessels were not returned to their point of departure but were instead brought to a safe harbor.

Harbormaster Blank stated that there were several incidents of mooring and swim lines becoming entangled. He reported that staff held a "lunch and learn" with a commercial tow provider to discuss handoffs, since tow companies often assume responsibility after City staff bring a vessel to safety. He also shared a lighter incident in which staff responded to a reported medical emergency at the Coral Street dock, only to find that the individual in question was a sunbather taking a nap and not in distress.

Harbormaster Blank pointed out accompanying images in his presentation. He highlighted that the individuals rescued from a paddleboard and kayak were both wearing personal flotation devices (PFDs), which is the first instruction given when a distress call is received. He also referenced a photo of staff meeting with TowBoatUS personnel during their training session.

Harbormaster Blank reported that staff identified an unpermitted paddleboard rental concession operating at the base of the Lido Bridge. He noted that the operators were directed to cease activity and relocate,

and they have not been observed since. He stated that the day-use mooring program, which is not widely publicized and seldom used, was utilized twice during August. He noted that while participation remains limited, it was encouraging to see the program in use. He explained that unpermitted charter operations remain an ongoing concern. He reported that a joint enforcement effort with the United States Coast Guard was scheduled for later in the month, emphasizing that unpermitted charter operators risk having their vessels confiscated.

Harbormaster Blank described how a vigilant dockmaster at Marina Park identified suspicious activity while monitoring video footage of the 19th Street public dock. He advised that the dockmaster observed a large vessel boarding what appeared to be charter passengers, an activity that is not permitted. He explained that upon investigation, it was confirmed that the vessel was operating as an unpermitted charter. He noted that Harbor Department patrol vessels responded and terminated the operation. He described a community engagement effort during the long holiday weekend. Harbor staff distributed approximately 250 lollipops to boaters and families. He recounted one instance in which Harbor Safety Officers approached a vessel in the West Anchorage where children were swimming off the stern while properly wearing personal flotation devices. He noted that the officers rewarded the children with lollipops for demonstrating safe behavior, and their parents also received lollipops. He reported that the vessel's owner, later identified as former Mayor and Council Member Duffy Duffield, was the children's grandfather. He reported that Mr. Duffield was appreciative and expressed surprise at the positive and welcoming outreach conducted by harbor staff.

Harbormaster Blank presented the 2025 customer survey results, noting that they continue to exceed prior years. He explained that the survey scale ranges from 1 to 5 and that all categories were rated above 4.5. He highlighted that, year-to-date in 2025, the Harbor Department is receiving solid 5.0 scores across more than 100 survey responses. He emphasized that visiting boaters gave perfect ratings both for the condition of facilities, such as Marina Park and mooring sub-permits, and for staff interactions.

Harbormaster Blank reported on ongoing collaboration with the Avalon Harbor Department, describing it as highly productive. He noted that Avalon Harbor would be hosting the Mayor and Fire Chief during their upcoming visit for the Ben Did Go event. He explained that both departments have been exchanging ideas and training materials for onboarding new hires, strengthening the partnership more than in past years.

Harbormaster Blank reported on the department's electric vessel. He explained that the manufacturer's engineer, not a salesperson, recently inspected the vessel and provided it with a clean bill of health. He advised that the manufacturer collected the vessel last Saturday for additional upgrades and maintenance, leaving the City with a loaner vessel in the interim. He noted that the loaner vessel has not performed well, but the manufacturer apologized and committed to returning the City's upgraded vessel by the following Saturday. He expressed satisfaction with the vessel's performance overall and appreciation for the level of attention being provided by the factory.

Harbormaster Blank reported that a significant portion of his time in August was spent responding to questions from a waterfront resident regarding the sub-permit program and its conditions. He noted that commissioners had received a formal request to review the program and stated that he would be providing data on the program's operations and contributions to the harbor. He emphasized that it is ultimately the Commission's decision whether to revise the program and assured that he would enforce whatever rules are adopted.

Harbormaster Blank also shared what he described as the most amusing call of the month. He recounted that a constituent had angrily complained about the Harbor Department's lack of response to a reported fuel spill. Upon investigation, he reported that it was determined that the call had actually been made to a different agency. He advised that once informed, the constituent was directed to the appropriate agency contact, including the name and phone number of a representative who could properly address the matter.

Harbormaster Blank provided statistical highlights of the Harbor Department's permitting and revenue activities. He reported that the department processes approximately 1,600 mooring sub-permit agreements annually, along with about 1,200 Marina Park slip agreements. He advised that other activities occur at much smaller volumes, including roughly 100 mooring permit transfer applications, 55 live-aboard permits, 15 mooring license agreements, 15 dinghy rack rentals at Marina Park and the Balboa Yacht Basin, 50 Balboa Yacht Basin slip agreements (handled by a third party), and about 5 garage rental agreements at the Balboa Yacht Basin (also managed by a third party).

Harbormaster Blank emphasized that mooring sub-permits and Marina Park slip agreements represent the largest share of the department's workload and revenue, together accounting for more than \$300,000 annually. He presented revenue trends from 2018, when the Harbor Department was established, through the current year and next year's budget. He noted that in Fiscal Year 2024, sub-permit revenue exceeded \$400,000, surpassing the \$320,000 budget target. He stated that this increase followed a direct request from two City Council members to identify additional revenue sources, and the department successfully delivered on that request.

Harbormaster Blank noted that the budget for sub-permit revenue was reduced between Fiscal Year 2024 and Fiscal Year 2025, even though actual collections exceeded projections. He explained that the reduction resulted from the transition to the mooring license program. He noted that previously, the City held 17 moorings in the City's name and generated revenue by issuing sub-permits. He explained that under the new system, those moorings are licensed directly, which both shifts the accounting to a different program and generates less revenue overall.

Harbormaster Blank emphasized that despite this change, the Harbor Department remains responsible for issuing sub-permits, primarily to visiting mariners and others seeking temporary moorings in Newport Harbor. He reported that even with the transition, the program generated more than \$360,000 in revenue.

Harbormaster Blank reported that a recent public meeting included comments about the number and use of public piers in the harbor. He explained that the Harbor Commission has previously conducted two comprehensive surveys, the first in 2013, to evaluate this issue. He noted that the survey identified the amenities boaters most wanted access to when coming ashore and compared them with the locations of existing public docks. He explained that the study concluded with recommendations for five new public dock locations. He noted that since then, three of those five recommended docks have been constructed, improving access and aligning with the survey's findings.

Harbormaster Blank continued, noting that several of the docks identified in the 2013 study have since been completed. He explained that the Central Avenue dock and the Balboa Marina public dock have both been constructed. While no progress has been made at Lower Castaways, he noted that a project there may still be possible. He clarified that the dock originally proposed at the base of the Lido Isle Bridge was instead built at 29th Street, serving the same purpose. He explained that the proposed location across Coast Highway near Bay Shores or the Bay Club is no longer considered feasible. He emphasized that while new suggestions for public dock locations are always welcome, the study demonstrated that the existing public docks are already located near the clusters of amenities most valued by visiting boaters.

Harbormaster Blank continued, explaining that placing a new public dock in the mid-Peninsula area, where the waterfront is primarily residential, would likely not make sense. He referenced a second study conducted in 2018, which analyzed the size distribution of vessels able to use the City's public docks. He stated that the study compared three data sets: the blue line representing the availability of vessel size accommodations at existing public docks, the red line representing vessel size distribution in Newport Harbor as determined by a BoatUS study, and the green line representing vessel size distribution from a separate study conducted in Dana Point.

Harbormaster Blank emphasized that the analysis confirmed the City's existing public docks are well aligned with vessel size distribution in the region. He reiterated that significant study and analysis has been completed regarding the placement, maintenance, and capacity of public docks, and that the findings continue to guide decisions about where new docks should be placed.

Harbormaster Blank continued his report, noting that August service calls were 50 percent above the monthly average and were spread across the harbor, with concentrations at the Balboa Marina public dock, 19th Street, 15th Street, Marina Park, the coves, and the harbor entrance. He presented the harbor amenity map, which showed usage by month. He observed that usage was lower than in previous years, partly because QR code signs were out of service at several docks during the public dock rebuild project.

On permitting, Harbormaster Blank reported that the City is having a strong year, with both harbor event permits and marine activity permits issued in 2025 running well ahead of last year. He noted that Rhine Wharf permits were lower, but explained that this was largely due to the timing of the Christmas Boat Parade. He then reviewed public anchorage utilization for August. He explained that most days had more boats than could be displayed on the calendar graphic, with August 27 being the only day without an overnight stay in either anchorage. He added that this provided a needed rest for the facilities.

Harbormaster Blank also presented quarterly pump-out utilization data, reporting that usage was lower in August than in July due to outages during the Fernando and Washington Street rebuild. However, he emphasized that overall availability and reliability remained strong, with pump performance above 99 percent for the month. He acknowledged receiving complaints about the reliability of one other pump station in the harbor not within the City's jurisdiction and noted that concerns about that facility persist.

Chair Beer opened public comments.

Adam Leverenz expressed appreciation for the Harbormaster's detailed and humorous report. He asked about the possibility of constructing a dock at Lower Castaways, noting that he had attended many meetings about the site's future use. He stated that he had been told by both an elected official and City staff that a dock could not be placed there because the area is designated as a marine conservation or protected area. He questioned whether that information was accurate. He also inquired about dredging operations, asking what distinguishes material that must be transported to Long Beach from material that can be disposed of offshore. He wondered whether the determination was based on soil contamination levels or another factor.

Chair Beer closed public comments.

There was no further action taken on this item, and it was received and filed unanimously.

7. MOTION FOR RECONSIDERATION

None.

8. MATTERS WHICH COMMISSIONERS WOULD LIKE PLACED ON A FUTURE AGENDA FOR DISCUSSION, ACTION, OR REPORT (NON-DISCUSSION ITEM)

Commissioner Miller announced that the annual Ben Did Go paddle event would take place on Saturday. He explained that participants would paddle from Catalina to the Newport Pier, supported by chase boats. He noted that this year's event would include hundreds of paddlers and was expected to raise between \$250,000 and \$400,000. He encouraged others to attend in support, explaining that paddlers were expected to arrive between 1:30 and 2:30 p.m. at the south side of the Newport Pier.

Chair Beer noted that Mayor Joe Stapleton would also participate in the event.

Commissioner Miller noted that paddlers would depart Avalon at approximately 6:10 a.m. and emphasized that the event was a worthy cause.

10. DATE AND TIME FOR NEXT MEETING – Wednesday, October 8, 2025 at 5 p.m.

The next regular meeting is scheduled for October 8, 2025 at 5:00 p.m.

11. ADJOURNMENT

There being no further business to come before the Harbor Commission, the meeting was adjourned at 7:20 p.m.

**Newport Beach Harbor Commissioner Steve Sculley,
as transcribed from the Sept. 10, 2025 Harbor Commission Meeting:**

"The moorings in our harbor are a big deal for this harbor commission. We wanna make it better. We wanna do it right. And, we've got to find common ground in order to be able to make changes within the harbor, and still coexist and still have an opportunity to, for mooring permittees to have quiet enjoyment of their mooring, and enjoy Newport Harbor, and have it as the most affordable access to our harbor, and I'm all for that."

**As reflected in the "9.10.2025 Harbor Commission Meeting Minutes Draft"
for the October 8, 2025 Harbor Commission Meeting:**

NEWPORT BEACH HARBOR COMMISSION REGULAR MEETING MINUTES
City Council Chambers – 100 Civic Center Drive, Newport Beach
Wednesday, September 10, 2025
5 p.m.

Harbor Commission Regular Meeting Minutes
September 10, 2025
Page 4

Secretary Scully stressed the importance of moving forward rather than focusing on past disputes. He stated that mediation has rarely been effective in his experience, and that direct dialogue among intelligent, committed parties is the best path to mutual understanding, even if agreement is not always possible. He encouraged the NMA to learn about the Commission's stated objectives, noting that prior discussions with the NMA often lacked constructive content and occasionally became personal. He reiterated his desire for productive dialogue moving forward. He concluded by affirming that moorings are a priority for the Harbor Commission. He emphasized the shared goal of ensuring that mooring permittees can enjoy quiet use of their vessels and that Newport Harbor remains the most affordable access point to the harbor. He stated his commitment to finding common ground and working toward solutions that serve both mooring holders and the broader community.

**As reflected in the "9.10.2025 Harbor Commission Meeting Minutes Draft Secretary
Scully", for the October 8, 2025 Harbor Commission Meeting:**

Additional Materials Received Comments Submitted by Secretary Scully
Draft Minutes of the September 10, 2025 Harbor Commission Regular Meeting
October 8, 2025 Harbor Commission Meeting

Harbor Commission Regular Meeting Minutes
September 10, 2025
Page 4

Secretary Scully stressed the importance of moving forward rather than focusing on past disputes. In response to Ms. Stenton's suggestion that we utilize a third-party mediator, He stated that mediation has rarely been effective in his experience, and that direct dialogue among intelligent, committed parties is the best path to mutual understanding, even if agreement is not always possible. He encouraged the NMA to learn about the Commission's stated objectives, noting that prior discussions with the NMA often lacked constructive content and occasionally became personal. He reiterated his desire for productive dialogue moving forward. He concluded by affirming that moorings are a priority for the Harbor Commission. He emphasized the shared goal of ensuring that mooring permittees can enjoy quiet use of their vessels and that Newport Harbor remains the most continues to offer affordable access point to the harbor. He stated his commitment to finding common ground and working toward solutions that serve both mooring holders and the broader Newport Beach community.