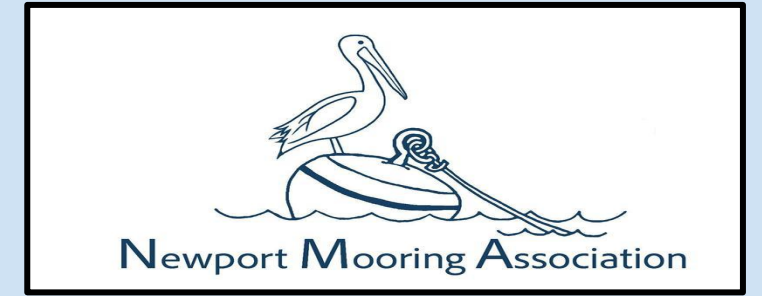


Presentation To Newport Beach Harbor Commission

September 2025



NMA Mission:

Advocate for fair policies that acknowledge mooring permittees as equal tidelands users, with equal rights to public access and protections

Moorings provide an affordable berthing option to boat owners and have a long history of contributing to the success and ambiance of our unique harbor.





2022-2025 Recap:

How did we get here?

Recent Events Impacting Mooring Holders

2022

+1000% rate hike proposed for shore moorings

Mooring “buyback” program was floated by City for \$1,000,000 per year

2023

Mooring Permittees publicly **assured** by Harbor Master and City officials that permits would be transferable in perpetuity

Mooring realignment approved **despite valid safety and access concerns**

2024

January-June community involvement in 300-500% rate increase for offshore moorings

Last-minute proposal over **4th of July weekend** to raise rates AND convert all mooring permits to licenses

2025

Mooring Field Reconfiguration Proposal **voted down 9-1** by CCC

SLC Tidelands Management Review finds potential **violations of public trust**

Brief List of NMA Concerns With City Actions

Broken Promises

Commission and City employees have not followed through on promises or declared intentions.

Disparate Treatment

Discriminatory treatment of Mooring Permittees vs. Pier Permittees, Yacht Clubs, and Associations results in inequitable outcomes for similar or equivalent uses of the tidelands.

Unequal Tidelands Rates + Contributions

Mooring Permittees contribute substantially more to the tidelands funds than residential pier permittees, despite similar numbers of permits. Mooring Permittees face drastically increasing rates compared to Pier Permittees.

Lack of Transparency + Meaningful Community Inclusion:

Public engagement appears to be a practice of political tokenism rather than actual partnership or stakeholder inclusion.

May 2023: The public was assured that existing mooring permits would remain transferable in perpetuity.

Mayor Pro Tem O'Neill thanked the community for participating in the discussion. In response to his questions, Harbormaster Blank indicated that the language regarding transferability in the ordinance pertains to all existing mooring permits and will remain transferrable until revoked or rescinded; however, new mooring permits will not be transferable and remain in the City's name for leasing out with no rights to the lessee upon completion. He also clarified that Mr. Colome has a mooring in perpetuity and is transferrable in perpetuity, and the two mooring fields designated for the Newport Harbor Yacht Club and Balboa Yacht Club are not affected by the pilot program or any extension of it in the future. He stated that the population of existing moorings and their lengths have been assessed in several surveys and provided to the engineers who will guide the City on the best arrangement. He pointed out that Mooring Field C is not a 360 degree field, indicated that mooring permittees do not want clear fairways because through the mooring fields, there is no required vessel orientation. Mooring permittees should retrieve their mooring in the way that the pilot program is for the entire field. City Attorney Harp relayed the question and asked the public to look at the exceptions.

Harbormaster Blank indicated that the established length recommendation by the engineer, vessel lengths are included in the ordinance. The ordinance will be used to create the rows. City Attorney Harp stated that the City will ask Harbormaster to relocate the moorings into the rows based on the recommendation.

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City Council Meeting
May 23, 2023

XX. CURRENT BUSINESS

15. Ordinance No. 2023-8 and Resolution No. 2023-32: Recommendations Resulting from Harbor Commission Objective 2.3 to Improve Navigation Safety, Allow for Additional Moorings Within the Fields and Mooring Size Exchange Requests

Newport Beach City Council Regular Meeting - May 23, 2023

- 1:52:09 number um when it's transferred how does how does that work and does that create a
- 1:52:14 new permit uh good evening and thank you for your question uh mayor Pro tem uh the
- 1:52:21 language in the ordinance is specific to or references all existing Mooring
- 1:52:27 permits in existence prior to the passage of this ordinance in case it does will
- 1:52:32 remain transferable and the harbor Department's process as it is today and whether you pass this or not is a
- 1:52:38 mooring permit is a mooring permit is a mooring permit is a mooring permit in perpetuity until either

English (auto-generated)

Newport Beach City Council Meeting: May 23, 2023



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Politics New

Similar Use, Same Public Waters - Very Different Treatment

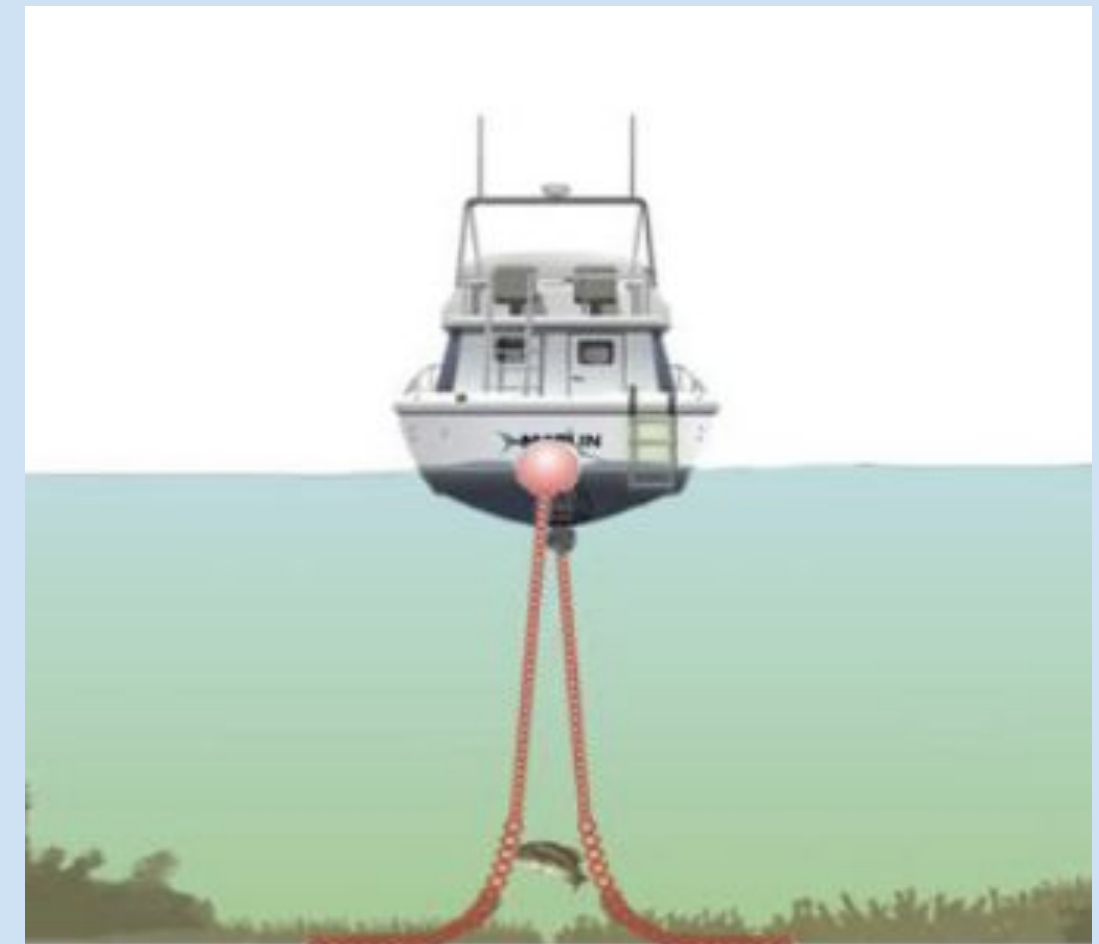
Residential Pier



Similarities

- Provides Coastal Access
- Pays Tidelands fee
- Self-installed
- Self-maintained
- Costs the City nothing
- Transferable

Mooring Permit



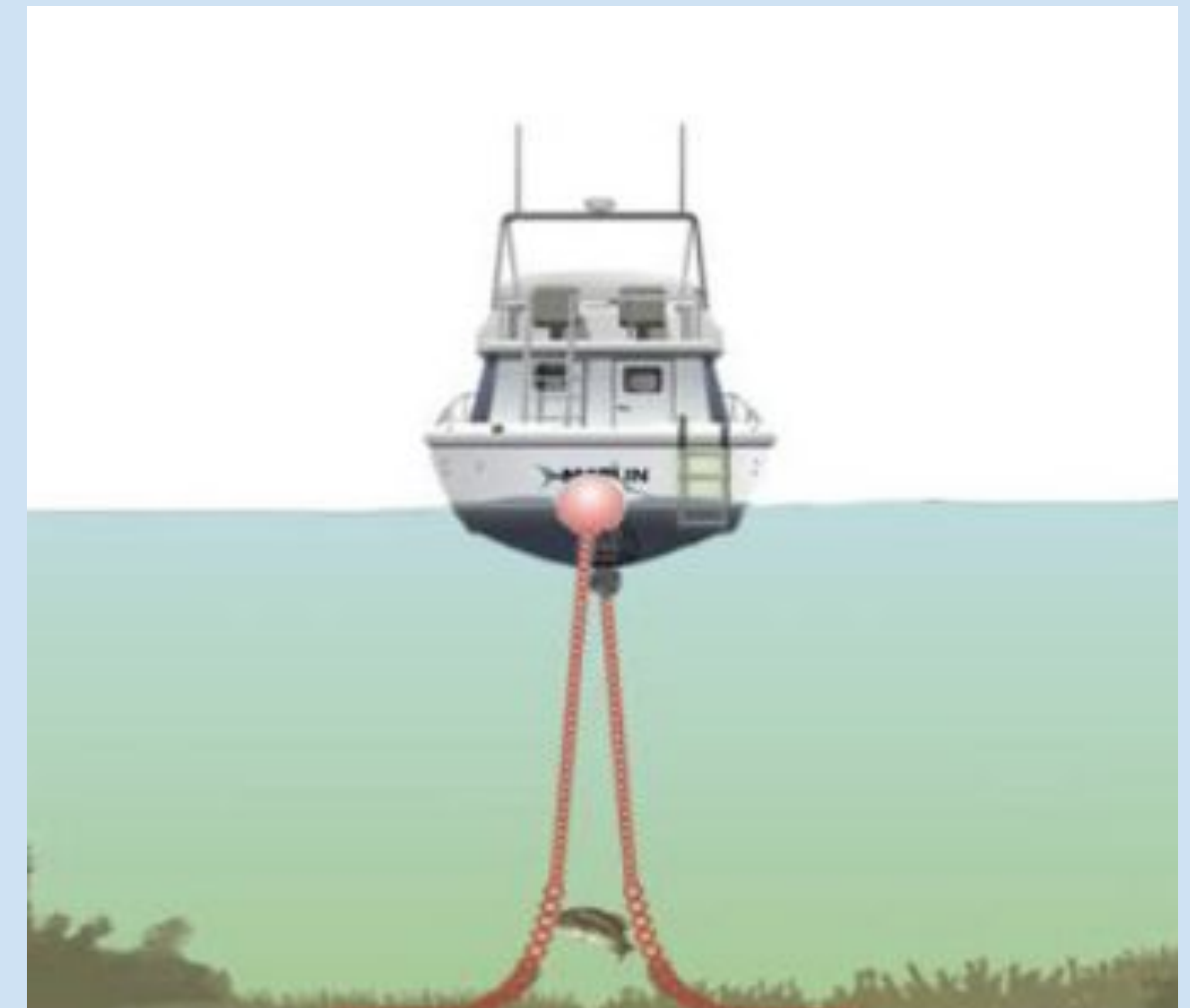
Similar Use, Same Public Waters - Very Different Treatment

Residential Pier



\$58/Month

Mooring Permit



\$136/Month

Similar Use, Same Public Waters - Very Different Treatment

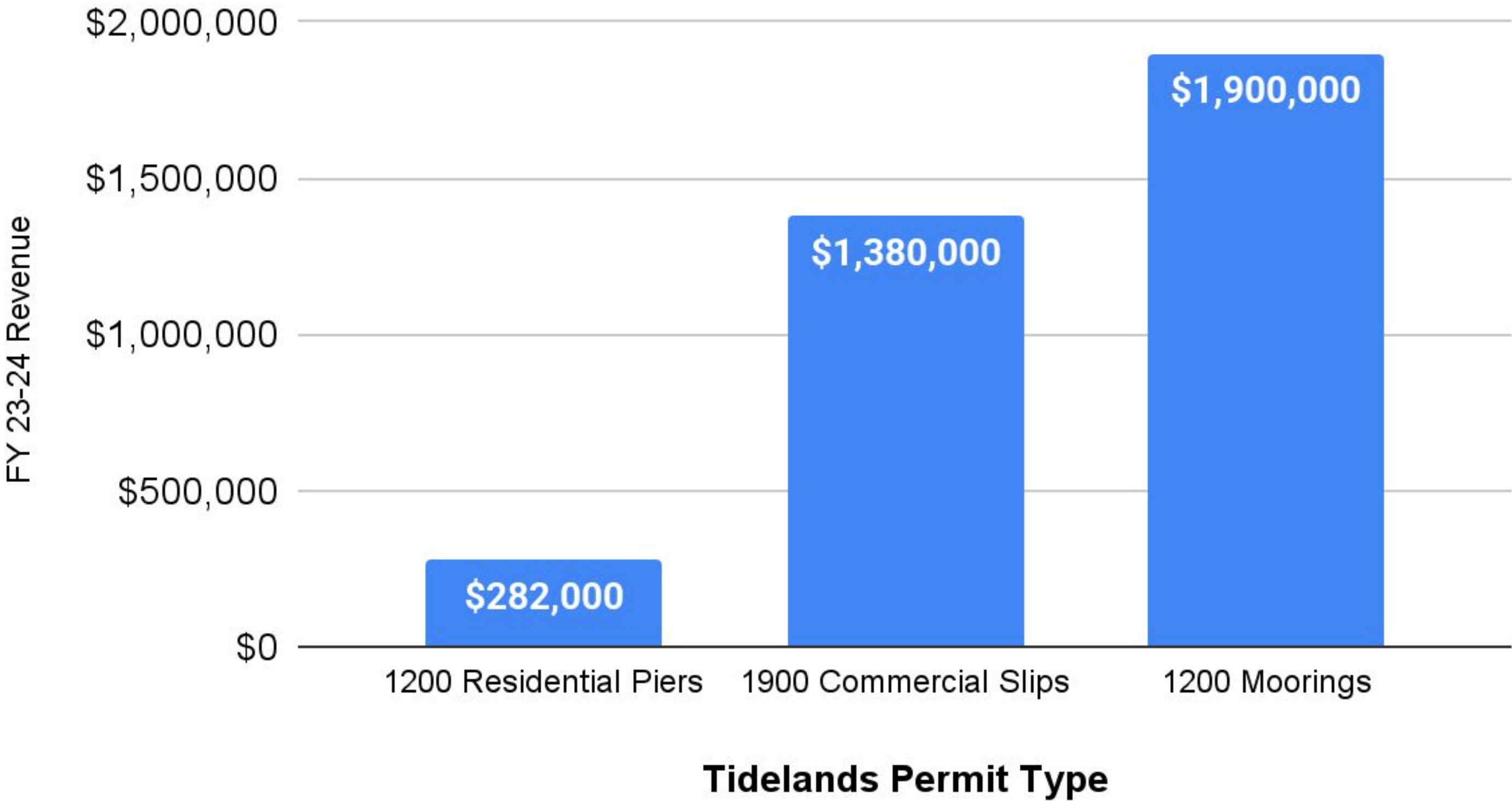
Residential Pier

- Code allows Sublet for personal profit
- Permits limited to real property owners
- No Tidelands Fees assessed for boats
- Insurance and registration NOT required
- Dye tabs NOT required
- Not required to prove “Safe, Seaworthy, Operable”

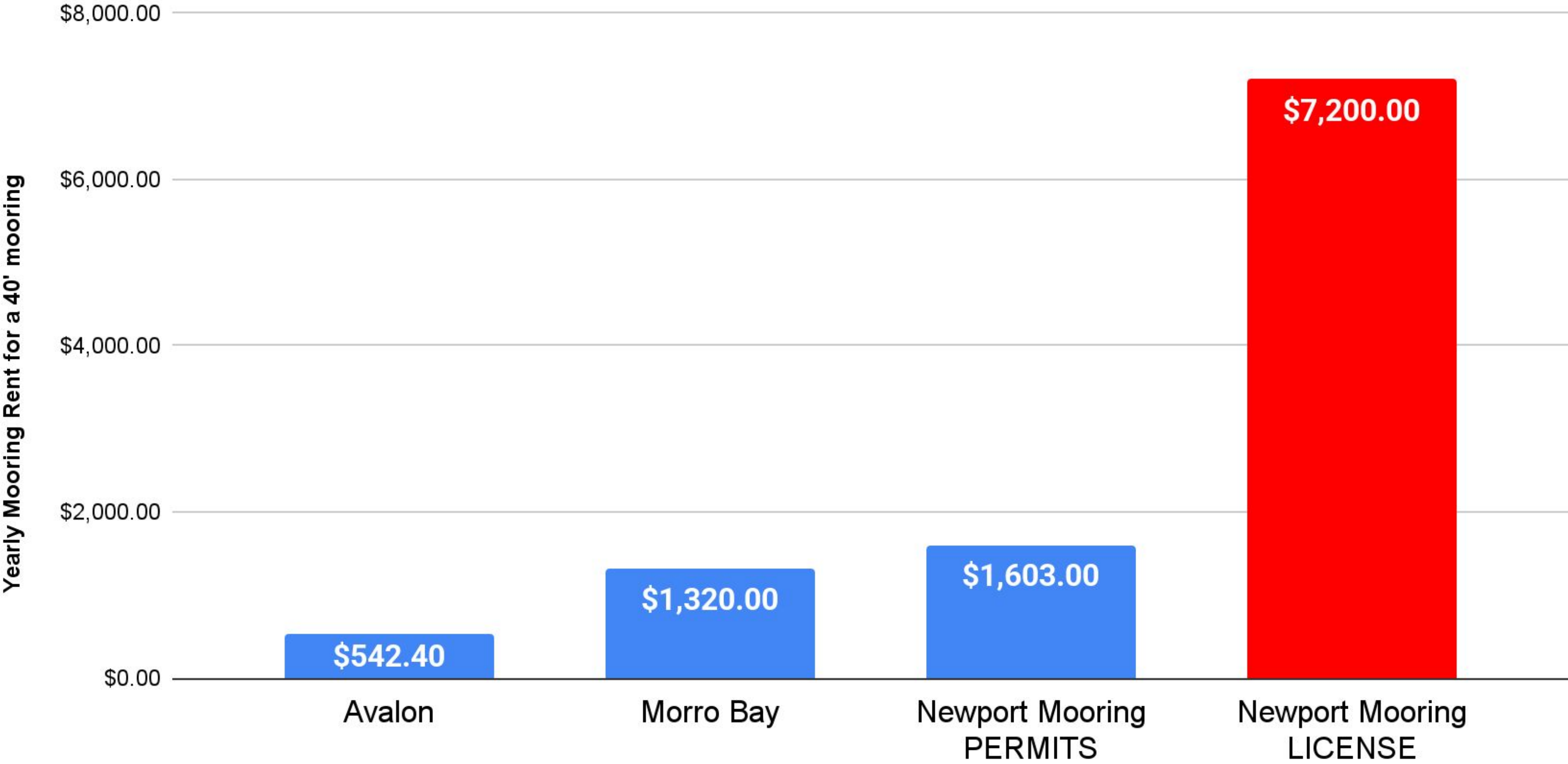
Mooring Permit

- City can sublet to public when vacant, Permittee cannot
- All Sublet Revenues go to Tidelands Fund for public benefit
- VERY High Transfer Fee goes to Tidelands Fund for public benefit
- Permit Available to non-residents and boaters-on-a-budget
- Required to be “Safe, Seaworthy, Operable”,
- Proof of Registration required
- Insurance Required

FY 23-24 Revenue vs. Tidelands Permit



Yearly Rent For a 40' Mooring



A Brief Selection of Mooring License Concerns:

Lack of Procedural Transparency and Due Process

No formal vetting process. 100% Licenses plan revealed to the public last-minute, over a holiday weekend. This lack of formal due process prevented opportunities for public comment or participation before the vote.

Revocability Based on Absence Duration

Licenses may be revoked if the license holder is absent from the mooring site for more than 25 consecutive days (e.g., due to a voyage) or six-month maximum with approved extension. This is inconsistent with recreational activities like cruising or long-term repairs.

Prohibition on Liveaboards

Liveaboard permits will be discontinued under these licenses, eradicating a century-old, established/functional form of recreational + maritime aligned housing.

Short-Term Instability Through Month-to-Month Agreements

Licenses are issued on a month-to-month basis, offering minimal long-term stability or assurance.

Non-Transferability of Licenses = Forfeiture of Permit Holder Deposits

Licenses are not transferable between parties. Permit holders lose their deposits upon conversion, financially devastating permittees.

Moving Forward

- **Parity** with similar permittees.
- **Preservation** of the liveaboard system for current and future boaters.
- **An active seat** at the table for mooring holders when changes are being discussed.
- **A new approach** to constructive dialogue between the Harbor Commission and the NMA.

Our question to you:

How will this Commission and City leaders prove to the mooring community that the City is working to ensure **equitable** treatment on behalf of **ALL** tidelands users?