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NEWPORT BEACH

Harbor Commission Staff Report

November 13, 2019
Agenda Item No. 6.4

TO: HARBOR COMMISSION

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TITLE: Proposed City Council Policy – Offshore Mooring Extensions

ABSTRACT:

At the Harbor Commission meeting of June 12, 2019, the Harbor Commission reviewed proposed amendments regarding offshore mooring extensions in conjunction with their 2018 Goals and Objectives to “Establish policies for modifications to mooring sizes”. The Commission reviewed and approved a Harbor Department Policy based on this recommendation. After further review, it is recommended that the Harbor Commission recommend a new City Council Policy establishing how and when moorings may be extended.

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;
- 2) Approve the proposed City Council Policy on mooring extensions and request staff to present to City Council for consideration (Attachment A).

FUNDING REQUIREMENTS:

There is no fiscal impact related to this item.

DISCUSSION:

On July 1, 2017, the City took over the management of the City’s offshore and onshore mooring fields. The City manages over 1,200 moorings located within the Harbor and approximately 800 of those are offshore moorings in eight mooring fields (Attachment B). Over the past several years, the Harbor Department has received a number of requests

for mooring extensions and determined that the City's Municipal Code nor the Harbor Department had a process or method to grant a mooring extension request.

On October 10, 2018, a subcommittee of the Harbor Commission (Beer and Drayton) was appointed to review the offshore mooring extension process. The subcommittee worked with the City's Harbor Department and Information Technology staff to determine the existing mooring configurations within each row and field. As the subcommittee soon discovered, there is no best practice for establishing maximum lengths and vessel mixes within mooring fields. In addition, mooring fields are often odd shaped and conditions in each mooring field differ.

The subcommittee's goals in establishing the maximum lengths is threefold: 1) to ensure the fields are safe and have adequate maneuverability; 2) to maximize the space within the mooring fields in the most effective manner possible and 3) provide staff and the community with guidance for mooring field extension requests providing a fair and equitable process.

The subcommittee developed a general methodology to establish the maximum size vessels within each row of each mooring field. The maximum lengths were calculated allowing for approximately three boat lengths for maneuverability. Once those distances were determined, the subcommittee then reviewed those lengths with conditions in the fields and revised the three boat length methodology to suit field conditions.

The subcommittee drafted a Harbor Policy to implement the mooring extensions, which is presented here as a draft City Council Policy (Attachment A). The attachment to the Council Policy identifies the maximum length of a mooring for each mooring location. The draft policy will require the Harbormaster to review each request to make a determination if the vessel length extension is appropriate for each specific mooring. There are several locations in the mooring fields in which the fairway within the field is very narrow, is irregular or the row is adjacent to a public beach or restricted navigational area and the Harbormaster must use judgement to ensure the boat will not infringe on the other mooring permittees, those field observations have been taken into consideration in the policy.

New language has been proposed in the Title 17 update and is in Section 17.60.040(N), Mooring Permits.

ENVIRONMENTAL REVIEW:

Staff recommends the City Council find this action is not subject to 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, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

NOTICING:

The agenda item has been noticed according to the Brown Act (72 hours in advance of the meeting at which the City Council considers the item).

ATTACHMENTS:

Attachment A – Proposed City Council Policy – Mooring Extensions (including Attachment A to the policy)
Attachment B – Aerial photos of the mooring fields