

Shintaku, Cynthia

Subject: FW: Mooring-related public comment HC meeting 2/11/26

From: Coeli Hylkema <wownotwhy@yahoo.com>

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To: Beer, Ira <lbeer@newportbeachca.gov>; Marston, Marie <Mmarston@newportbeachca.gov>; Scully, Steve <sscully@newportbeachca.gov>; rmiller@newprotbeachca.gov; Svrcek, Rudy <Rsvrcek@newportbeachca.gov>; Williams, Gary <Gwilliams@newportbeachca.gov>; Yahn, Don <DYahn@newportbeachca.gov>; Blank, Paul <PBlank@newportbeachca.gov>; Blank, Paul <PBlank@newportbeachca.gov>

Cc: Stapleton, Joe <jstapleton@newportbeachca.gov>; Barto, Michelle <MBarto@newportbeachca.gov>; Weigand, Erik <eweigand@newportbeachca.gov>; Grant, Robyn <rgrant@newportbeachca.gov>; Blom, Noah <NBlom@newportbeachca.gov>; Kleiman, Lauren <lkleiman@newportbeachca.gov>; Weber, Sara <SWeber@newportbeachca.gov>

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HC Chair Beer and Commissioners,

Last night at the Harbor Commission meeting I spoke during the public comment session, but my allotted time ran out before I finished making my point. I respectfully request that this letter, which includes what I intended to say during those 3 minutes, be put into the record.

With appreciation,

Coeli Hylkema

My name is Coeli Hylkema and I'm a mooring permit holder.

When some of us who dreamed of owning a boat and having adventures at sea tried to figure out how we could make that happen, we thought about working overtime and taking on side jobs, doing without unnecessary things, and even opting to not buy a house so the dream could stay alive. Many of us scrimped and saved, until we had enough to get closer to that dream.

We knew we'd need a place to store our boats, and when we did our due diligence to find out how we could acquire mooring permits so we could moor our boats in Newport Harbor we were told, by staff of the Orange County Sheriff's Harbor

Department or the City of Newport Beach, that we needed to purchase one from a permit holder who had one for sale. We learned that there was no standardized permit fee, that the “wait list” was ineffective, as people who had been on it for decades still hadn't gotten a mooring, and that buying and transferring mooring permits had been done for decades.

The City has regulated the procedures that mooring permit holders are compelled to follow, and it fully legitimized the process when it sold moorings to the highest bidders. Many of us paid tens of thousands of dollars for our permits. Understandably, we assumed that our permit deposits could be recouped when our mooring permits were transferred to new permit holders.

Now, the City of Newport Beach intends to revoke all general public mooring permits and, instead, it will offer a pricey City-owned mooring license product. I don't know a single mooring permit holder who will be able to afford this 300-500% fee increase.

This Harbor Commission has mistakenly claimed that mooring permit holders make huge profits when we transfer our moorings, though Commissioners are well aware that we paid huge amounts to get a permit. Recently, Newport Beach City Manager, Seimone Jurjis, commented publicly, "People can't be buying and selling state tidelands. It's the public's lands, the state's lands. Transferability is going to have to come to an end at some point". The most generous response I can give him is that before a mooring permit can be obtained one must, “...agree that the mooring permit does not provide any ownership interest in the underlying tidelands, which are held in trust by the City and owned by the people of the State of California” (see Newport Beach Harbor Code 17.60.040 Mooring Permits B. Issuance of Permit—Conditions 2. Permit Requirements i.).

The State Lands Commission, which has had oversight of the City's management of the tidelands all along, now finds that the City-regulated system of buying and selling of mooring permits “appears to violate the city’s grant statutes, fiduciary obligations to the state and the Public Trust Doctrine” (from SLC Staff Report 105).

Yet, here in Newport Harbor, those with yacht club moorings and residential piers also hold permits to use the public tidelands for private boat storage, and there are

many other kinds of permits purchased by people seeking a legal right to use California's public tidelands, for private use. All of those permits can be sold and transferred when they're no longer needed, so we're wondering why the City has singled us out and why the State Lands Commission has apparently overlooked its oversight responsibility and its commitments to the principles of equity and the promotion of public access.

If the private sale and transfer of permits truly violates the City's grant statutes, fiduciary obligations to the state and the Public Trust Doctrine, the City would be legally compelled to end the transferability of all like use permits. If it does not do so, it will be yet another blatant example of the financial and regulatory discrimination the City of Newport Beach has perpetrated against mooring permit holders.

Those of us who dreamed of owning a boat and having adventures at sea, never imagined we'd be having this nightmare.