

**NEWPORT BEACH HARBOR COMMISSION MINUTES**  
**City Council Chambers**  
**August 11, 2010**

**CALL TO ORDER**                    6:00 P.M.

**CLOSED SESSION**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**                    Commissioners Marshall Duffield, Ralph Rodheim, Vincent Valdes, Doug West, Karen Rhine and Duncan McIntosh were present. Commissioner Don Lawrenz was absent.

Staff: Manager Chris Miller  
Staff: Supervisor Shannon Levin

**MINUTES**                    The minutes from July 14, 2010 were approved with all ayes.

**PUBLIC COMMENTS ON NON-AGENDA ITEMS**

Donald McCalla, 105 Linda Isle, commented that the noise issues at Bayside Marina are from public use, and that he did not know public docks were to be installed at the Balboa Marina. Access should be reconsidered by the Harbor Commission and the Planning Commission.

David Benvenuti of Linda Isle commented that the public creates noise at Bayside Marina.

Leanne Benvenuti said the noise is unbearable and that the public is a liability because they are intoxicated while operating vessels and have caused, and can potentially cause, collisions.

Sandi McCalla said that the visiting boaters using rental boats aren't familiar with the area and with the noise and drinking they may hit other boats.

Frank Battle, representing the McCallas and Benvenutis, wants the public access closed after 9:00 PM. He stated that noise carries on the water, and that the General Plan recognizes that businesses in close proximity to residences need to keep things under control.

Marshall Steele, representing Larson's Shipyard, stated that Larson's Shipyard has been overhauled and cleaned up and is now open for business under new ownership. There is no erosion under the ways, and they are now functional.

**ACTION & APPEAL ITEMS**

**ITEM #1**

**Subject:**                    *Presentation on Copper Bottom Paints and Studies in San Diego*  
**Issue:**                    The Harbor Commission will hear a presentation on copper bottom paints and regulatory impacts in San Diego Harbor.  
**Discussion:**                n/a  
**Public Comments:**      Ray Heimstra, Associate Director of OC CoastKeeper, stated that OCCK is working on the Copper Reduction Program and he encouraged the Commission to study these issues related to copper.

Randy Seton, 110 Topaz, stated that science is flawed and taxpayer money is not well spent. He asked how we should deal with legacy copper?

**Action:** Receive and file.

**ITEM #2**

**Subject:** ***Appeal for Dock Reconfiguration at 411 Edgewater Place***

**Issue:** Should the Harbor Commission allow the applicant to relocate an existing float and extend it beyond the Pierhead Line at 411 Edgewater Place?

**Discussion:** Commissioner West asked what is the standard that the Commission can vary the rule where there is an exception?

**Public Comments:** Brady Helm of Swift Slip noted that the other docks previously mentioned and which are a few parcels down, were re-decked via a maintenance permit a few years ago. They were not rebuilt.

Commissioner Rhine noted that there are problems with docks extending into the Federal Waterways.

**Action:** Commissioner Rodheim made a motion to advise the Harbor Resources Manager to approve the proposed configuration but that no vessel may extend past the Project Line. Commissioner McIntosh seconded the motion. All ayes; motion carries.

**ITEM #3**

**Subject:** ***Anchoring of 110 foot Tall Ship in Newport Harbor and Med-Tie Fifteen vessels at the American Legion Marina, 9/30-10/3-2010***

**Issue:** Should the Harbor Commission recommend approving the short term anchoring and med-tie of vessels for the American Legion's second annual Wooden Boat Festival?

**Discussion:** Commissioner Rodheim noted that the proposed location of the tall ship is not where it should be, but in fact should be near the American Legion. If the harbor were dredged, then this issue would never come up.

**Public Comments:**

**Action:** Commissioner West made a motion to approve the short term vessel locations for the Wooden Boat Festival. Commissioner McIntosh seconded the motion. Motion carries with 5 ayes (Commissioner Rodheim abstained).

**SUB-COMMITTEE REPORTS:**

Commissioner Rhine attended the previous City Council meeting where the docks at 3388 were mentioned. She asked if this dock project had been before the Harbor Commission as stated at the meeting? Staff replied that it had not. She also stated that the Zoning Task Force letter was still in progress and that she hoped to have it complete by the next meeting.

Council Member Gardner said that she has reviewed the mooring transferability document and has some clarifying questions for staff.

**HARBOR RESOURCES UPDATE** – Chris gave a PowerPoint presentation on harbor updates. ***The update is posted at <http://www.newportbeachca.gov/index.aspx?page=462> (under Harbor Resources Updates).***

**RECOMMENDED TOPICS FOR FUTURE AGENDAS:**

- Bulkhead and Pierhead Lines – subcommittee report

**PUBLIC COMMENTS**

**DATE OF NEXT MEETING:** September 8, 2010

**ADJOURNMENT**