



## **MINUTES**

### **HARBOR COMMISSION**

**Thursday, September 26, 2019  
Room B7, Lower Level  
2000 Main Street  
Huntington Beach, CA 92648**

WILLIAM LARKIN, Chair  
MICHAEL VAN VOORHIS, Vice Chair  
ALFRED BALITZER, Board Member  
RENEE HUNTER, Board Member  
KIMBERLEY MILLIGAN, Board Member  
JOHN OCHS, Board Member  
CRAIG SCHAUPPNER, Board Member

### **STAFF**

ERIK PETERSON, Councilmember Liaison  
LYN SEMETA Councilmember Liaison  
MARIE KNIGHT, Community Services Director  
CHRIS SLAMA, Community Services Manager  
CODI TENNESSEN, Recreation Specialist

**MEETING ASSISTANCE NOTICE:** In accordance with the Americans with Disabilities Act, services are available to members of our community who require special assistance to participate in public meetings. If you require special assistance, 48-hour prior notification will enable the City to make reasonable arrangements for an assisted listening device (ALD) for the hearing impaired, American Sign Language interpreters, a reader during the meeting and/or large print agendas. Please contact the City Clerk's Office at (714) 536-5227 for more information, or request assistance from the staff or Sergeant-at-Arms at the meeting.

**PUBLIC COMMENTS:** To address the legislative body on items of interest not scheduled for public hearing, *Request to Speak* forms will be made available at the meeting and are collected by the staff or Sergeant at Arms. Some legislative bodies may provide different *Request to Speak* forms for public hearing items.

**AUDIO/VIDEO ACCESS TO BROADCASTED MEETINGS:** City Council and Planning Commission meetings are televised live on HBTB-3 Channel 3, and can be viewed via live or archived website at <https://huntingtonbeach.legistar.com>.

**CALLED TO ORDER** – Vice-Chair Van Voorhis called the meeting to order 5:00 PM.

**PLEDGE OF ALLEGIANCE** – Led by Hunter

**ROLL CALL**

Present: Balitzer, Hunter, Ochs, Schauppner, Van Voorhis

Absent: Larkin, Milligan

Staff Liaisons: None

Staff Present: Knight, Slama, Tennessen, Hoang, Baumgartner, Debow

**PUBLIC COMMENTS**

Chris Nielsen inquired about safety at four harbor beaches.

**CONSENT ITEMS**

**A) Approval of Minutes – July 25, 2019**

**MOTION:** A motion was made by Balitzer, seconded by Schauppner, to approve the meeting minutes dated July 25, 2019.

The motion carried by the following vote:

AYES: Hunter, Ochs, and Van Voorhis

NOES: None

ABSTAIN: None

**B) Approval of Minutes – August 22, 2019**

**MOTION:** A motion was made by Balitzer, seconded by Schauppner, to approve the meeting minutes dated August 22, 2019.

The motion carried by the following vote:

AYES: Hunter, Ochs, and Van Voorhis

NOES: None

ABSTAIN: None

**INFORMATIONAL ITEMS:**

**A) Naval Weapons Station Seal Beach (NWSSB) presentation on planned infrastructure improvements – Gregg Smith**

Gregg Smith presented the planned infrastructure improvements of the Naval Weapons Station Seal Beach. (Presentation is attached)

**B) Municipal Code 13.36.160 Abandoned and Inoperable Vessel – Jimmy Hoang, Code Enforcement**  
Hoang presented the Commission with a proposed update to the Municipal Code to allow Code Enforcement to be able to regulate poorly maintained and inoperable vessels. Commission provided input asking for more clarifying language as to what conditions should exist related to a vessel that would deem it abandoned and inoperable and asked for updated verbiage at next meeting.

**C) Prioritizing Ad Hoc Committees – Marie Knight**

Knight reviewed the Council's priorities for the first year of the Commission; safety related to kayaks and stand-up paddleboards in the harbor and their use, citations issued by Code Enforcement regarding businesses operating on City beaches, City Council's direction to finding potential solutions to bridge jumping and code changes addressing safety and water quality. Knight

asked for a "Tiger Team" to address commercial use of the public dock located by the Huntington Harbor Yacht Club. Interested volunteers were Hunter, and Balitzer. And other Commissioners suggested Milligan.

Knight reviewed how agenda items are presented for future meeting consideration. Knight mentioned that bringing up items for future consideration should be announced at the Commission meeting, so staff has time to evaluate the request to ensure it is within the Commissions purview, and Council priorities.

## **COMMITTEE REPORTS**

### **A) Waterway Safety – Hunter, Milligan & Van Voorhis**

Hunter mentioned that the sub-committee met on Tuesday, September 24, and that the sub-committee decided that they were going to hold off on the meeting regarding lifeguards in the water. She spoke about bridge jumping and provided an option of installing yellow plastic spikes and affix them to the rails on bridges to deter bridge jumping. Hunter provided two pieces of the plastic spikes and passed them around. Hunter mentioned that the OC Sheriffs would provide an update to buoy lighting later in the meeting. Hunter mentioned a meeting concerning bridge jumping with City staff has been scheduled for Monday, September 30, on the fifth floor of City Hall at 3:00 PM.

### **B) General Infrastructure – Schauppner & Ochs**

Schauppner mentioned that he reached out to Brian Bugsch at California State Lands to see how much money the State Lands collects in rent to see if getting for leasing docks (residential and commercial) in the harbor. The number reported was \$414,650 a year. Schauppner also mentioned that he met two staffers from the Assemblymen's Office who offered to meet with the subcommittee to discuss the legislation process.

### **C) Water Quality – Larkin & Balitzer**

Balitzer spoke on his concerns about people dumping their tanks in the harbor.

## **FUTURE AGENDA ITEMS**

Ochs proposed that the Commission discusses the maps of the basin (provided by Debbie Debow, City Engineer, in meeting).

Ochs proposed that the Commission discuss the protocol for the responsibility of neighboring cities upstream and whose responsibility it is to speak to these contamination spills and who should be taking responsibility for them.

On behalf of Larkin, Van Voorhis wanted to know if the State Lands Commission was denying applications for modifying the balconies that overhang the seawall.

## **STAFF COMMENTS**

OC Sheriff spoke on the boat that sank in the harbor about a month prior to the meeting. Process on removal is held up on the decision of who will be paying the bill before next steps can be taken. Also spoke on the buoy lighting project, and said that the County would identify the navigational buoys that will be lit, and work with the Coast Guard to getting the permits for the buoys updated before making changes. OC Sheriff said they will bring a plan for which buoys would be lit to the Commission at the next meeting.

Debow said that the City's pump-out station is now up and running. Debow then spoke on the watershed area and provided copies of the map to the Commission. When the topic is put onto the agenda, Commissioners can send in questions so that the appropriate people can be invited to answer

questions.

**COMMISSIONER'S COMMENTS**

Van Voorhis mentioned that he has contacted Chris Cole, Special Events Supervisor, about the water concert event proposed for summer 2020. Knight mentioned that this would not be under the purview of the Commission and special events like this would need to be addressed through the City's process as private citizens.

**ADJOURNMENT**

Vice-Chair Van Voorhis called for adjournment at 6:45 pm with Balitzer seconding the motion. The next regularly scheduled meeting of the Harbor Commission is on Thursday, October 24, 2019, at 5:00 PM in meeting room B-7, lower level of the Civic Center, Huntington Beach, California.

# NAVAL WEAPONS STATION SEAL BEACH & NAVY MUNITIONS COMMAND PACIFIC, CONUS WEST DIVISION



Huntington Beach Harbor Commission  
September 26, 2019



## *THE BIG PICTURE - WHERE DO WE FIT?*

### *The Navy Mission*

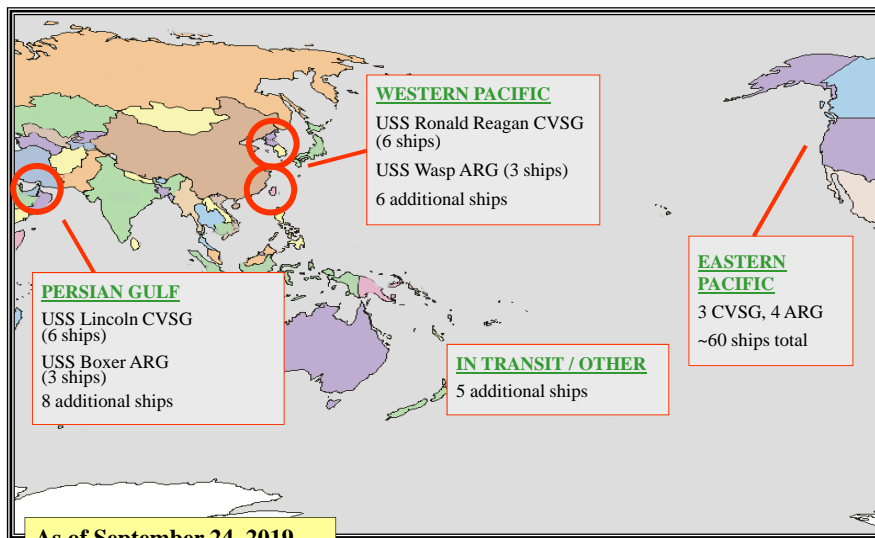
**The United States Navy provides combat-ready naval forces capable of winning wars, deterring aggression, preserving freedom of the seas, and promoting peace and security.**





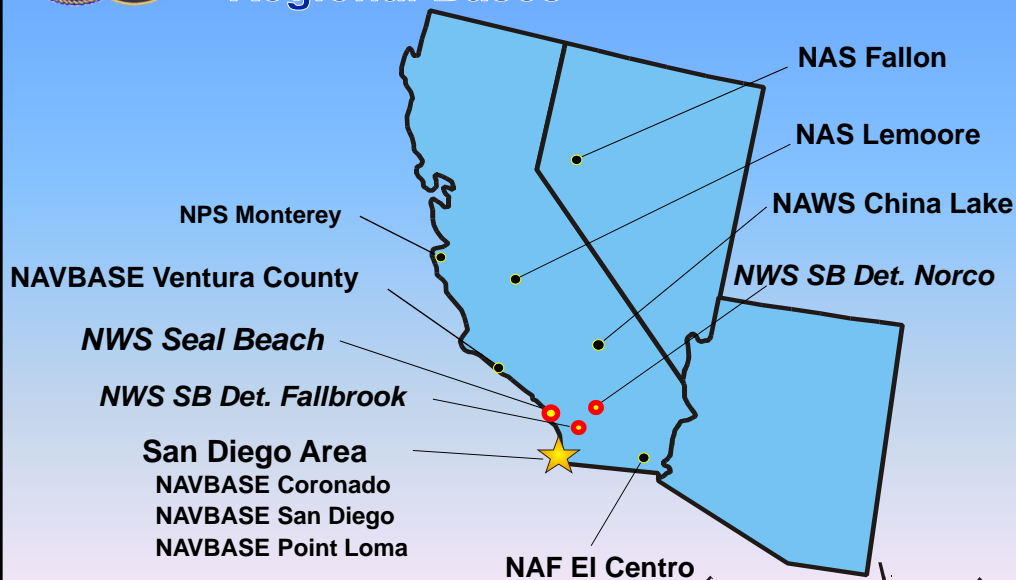
## THE BIG PICTURE - WHERE DO WE FIT?

### Pacific Fleet Area of Responsibility



## NAVY REGION SOUTHWEST (NRSW)

### Regional Bases







## NAVAL WEAPONS STATION SEAL BEACH

### Installation Statistics

- We serve a majority of the U.S. Pacific Fleet
- The only major weapons station port within 1,000 miles of the fleet concentration in San Diego

Land (acres)	5,256
Magazines	98
Ordnance Storage (sq. feet)	589,000
Railroad Track (miles)*	>50
Roads (miles)	80
Local Economic Impact	\$168 Million/year (FY 17)
Personnel (civilian/military)	520/205 (+ 800 reserve)

\* Railroad system being dismantled



## NAVY MUNITIONS COMMAND PACIFIC, CWD

### Unit Seal Beach Mission

Navy Munitions Command Pacific, CONUS West Division, Unit Seal Beach provides ordnance services to Pacific Fleet operating forces. These services include:

- Storage of Navy and USMC ordnance
- Wharf-side munitions loading and unloading of Navy surface ships and medium-sized amphibious assault ships
- Maintenance on some Navy weapons systems





## NAVY MUNITIONS COMMAND PACIFIC, CWD

### Unit Seal Beach Mission Details

#### SHIPS VISIT US:

- Before and after deployment
- When entering / leaving shipyard

#### WE MAINTAIN:

- Air Defense and Cruise Missiles
- Lightweight Torpedoes
- Exercise Mines

#### WE LOAD:

- Missiles
- Torpedoes
- Countermeasures
- Gun ammo (from 9mm To 5-inch)

Average Value of Weapons Stored: \$1.8 Billion

Average Number of Ships Serviced Per Year: 40



## NAVAL WEAPONS STATION SEAL BEACH

### Environmental Stewardship

Our mission enhances natural resource conservation.  
We protect:

- The only National Wildlife Refuge in the LA Basin
- An important coastal migratory stopover point for raptors, waterfowl, and shorebirds
- A breeding stronghold for federal and state endangered species (Light-footed Ridgway's Rail, California Least Tern, and Belding's Savannah Sparrow)
- Our agricultural out-lease program supports some of the last large-scale urban farming operations in Orange County





## NAVAL WEAPONS STATION SEAL BEACH

### *Support To The Community*

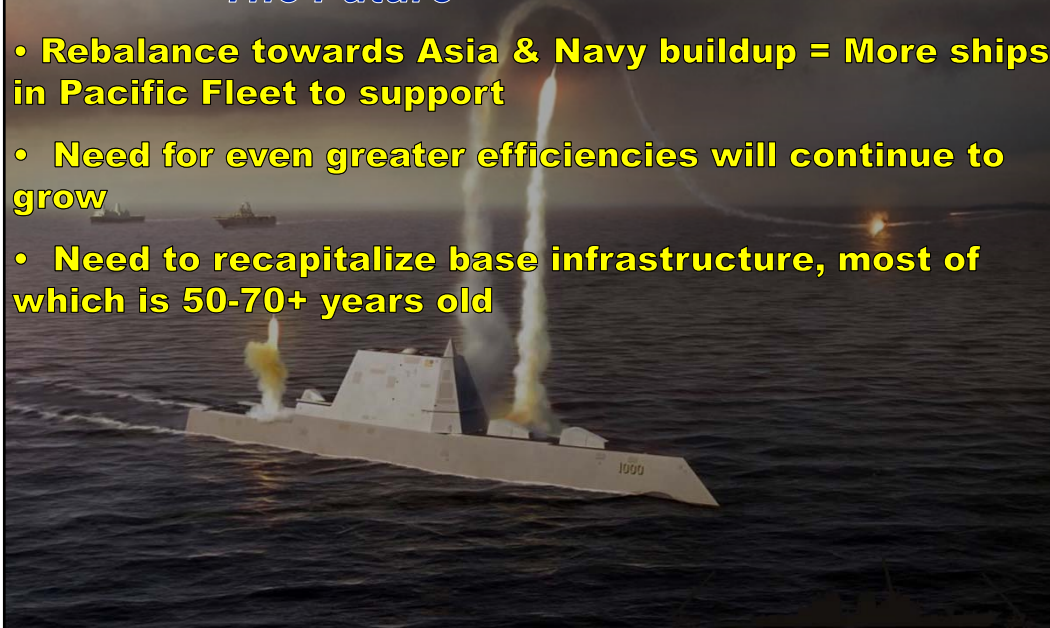
- 2nd Largest Employer in the City
- Federal Fire Department Mutual Aid Agreement
- Sailors, Marines Provide 1000s of Volunteer Hours
- Support for Community Events
- Ship Open Houses and Refuge Tours



## NAVAL WEAPONS STATION SEAL BEACH

### *The Future*

- Rebalance towards Asia & Navy buildup = More ships in Pacific Fleet to support
- Need for even greater efficiencies will continue to grow
- Need to recapitalize base infrastructure, most of which is 50-70+ years old





## NAVY MUNITIONS COMMAND PACIFIC, CWD

### Future Projects

- **Resilient Energy Project Being Planned**
  - Combination of solar power and battery backup, near SE corner of base.
- **Additional Missile Storage Magazines Under Design & Construction.**
  - On north side of base, 1<sup>ST</sup> three construction complete by end of year. More to follow.
- **Demolition of older, unused structures underway, to complete in October.**
- **Wharf Replacement Project to begin soon.**



## NAVAL WEAPONS STATION SEAL BEACH

### Ammunition Wharf – Current Status

The current base ammunition wharf is past it's design life, unable to support current and future fleet requirements and has other deficiencies.

- Built in 1953, before the advent of modern earthquake codes
- Too small to support larger Navy ships such as helicopter carriers (LHAs and LHDs)
- Too small to support the loading of two medium-sized ships at the same time
- Security and safety concerns due to adjacent civilian small craft channel.





## NAVAL WEAPONS STATION SEAL BEACH

### ***Proposed Replacement Ammunition Pier and Turning Basin***

- A replacement ammunition pier (approximately 1,100-foot by 125-foot)
- Associated waterfront facilities
- Dredging for a larger turning basin
- A new and separate small boat access channel for civilian traffic to and from Huntington Harbour



## NAVAL WEAPONS STATION SEAL BEACH

### ***Ammunition Pier and Turning Basin***

#### Near-term Project Timeline

- July 2019 - Contract Award
- Summer and Fall 2019 – Permitting
- Fall 2019 – Contractor Staging
- November 2019 – Earliest Start of Dredging

#### General Project Flow (subject to change)

- Dredging (2020-2021)
- Construction of Small Craft Channel (2020-2021)
- Maintenance on Current Wharf (some pile driving) (2020)
- Construction of Causeway (2020-2022)
- Construction of New Pier and Support Buildings (2023-2025)





## NAVAL WEAPONS STATION SEAL BEACH

### *Rules of the Road Reminder*

- At sea or in port, stay at least 100 yards away from any Navy warship, and as far as possible from high-value units (carriers, submarines)
  - Naval Vessel Protection Zone info - 33 CFR 165.2030
- Always monitor Channel 16 in the presence of Navy vessels
- Immediately acknowledge and obey instructions from Navy units of any type
- When in Anaheim Bay, stay within marked small craft channel at all times



**QUESTIONS?**





## Backup Slides



### NAVAL WEAPONS STATION SEAL BEACH

#### Base Map





## NAVAL WEAPONS STATION SEAL BEACH

### Proposed Alternatives



## NAVAL WEAPONS STATION SEAL BEACH

### Final EA Findings – Construction

No significant environmental impact, with best management practices, conservation, and mitigation measures employed when necessary:

#### Biological Resources

- Wildlife monitors would be in place and would stop construction if marine mammals or sea turtles enter project area.
- Eelgrass mitigation and dune habitat restoration areas would be created.

#### Noise

- Pile driving would be the primary noise source. At distance to nearest homes, noise would be at or near background levels.
- Dredging would take place 24/7, but a nighttime buffer zone would be established within 1,000 feet of nearest residences to limit noise.

#### Boat Traffic

- Construction would be phased so that small craft navigation channel to Huntington Harbour remains available.



## **NAVAL WEAPONS STATION SEAL BEACH**

### ***Final EA Findings – Operations***

**No significant environmental impact, with best management practices, conservation, and mitigation measures employed when necessary:**

#### **Ocean Circulation**

- Flushing times for Huntington Harbour and the Seal Beach National Wildlife Refuge would slightly improve. Slight reduction in 100-year flood height.

#### **View**

- Some views from some homes would be temporarily blocked when larger ships are in port. Other homes would have better views due to barge relocation.

#### **Beach Erosion**

- The project would not impact beach erosion.

#### **Air Emissions**

- Air emissions would increase due to additional and larger ships visiting, but would remain within the area's AQMD emissions budget.

**CITY OF HUNTINGTON BEACH  
HARBOR COMMISSION**

**REQUEST FOR ACTION**

**MEETING DATE:** SEPTEMBER 26, 2019

**SUBMITTED TO:** HARBOR COMMISSION

**SUBMITTED BY:** MARIE KNIGHT, COMMUNITY SERVICES DIRECTOR

**PREPARED BY:** JIMMY HOANG, CODE ENFORCEMENT SUPERVISOR

**SUBJECT:** ABANDONED AND INOPERABLE VESSEL MUNICIPAL CODE  
13.36.160

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**Statement of Issue:**

There is a need for the Harbor Commission to review the current Huntington Beach Municipal Code Sections *13.36.160 Abandoned Vessel – Removal* relating to the abatement of inoperable vessels from Huntington Harbor.

**Funding Source:**

Not applicable.

**Recommended Action(s):**

Make a recommendation to City Council to amend Huntington Beach Municipal Code Section 13.36.160 Abandoned Vessel – Removal.

**Analysis:**

The Community Development Department, Code Enforcement Division staff discovered a non-operable vessel creating a public nuisance during the investigation of alleged violations of several Huntington Beach Municipal Code Sections on a subject property adjoining Huntington Harbor.. After reviewing Huntington Beach's existing regulations in this regard, it was determined that staff lacked the enforcement tools to address this situation and have the non-operable vessel removed. A review of other local jurisdictions revealed processes that would be advantageous to the City to assist the ability of Code Enforcement to address in the current issue Huntington Beach. Therefore, staff is seeking a recommendation from the Harbor Commission to the City Council for the amendment of our existing Municipal Code, thereby enhancing our enforcement abilities.

After adoption of this proposed amendment, the staff of the Code Enforcement Division will be able to cause the abatement by removal of inoperable vessels from Huntington Harbor, thereby enhancing the City's enforcement actions.

**Project Notification:**

Not applicable.



**Environmental Status:**

Find the proposed project exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061 (b) (3) of the CEQA Guidelines because it has no potential to have a significant effect on the environment.

**Attachment(s):**

1. Huntington Beach Municipal Code Section 13.36.160 Legislative Draft
2. Harbor and Navigation Code Article 1. Wrecks and Wrecked Property (522)

# HUNTINGTON BEACH MUNICIPAL CODE 13.36.160 Abandoned Vessel – Removal

## LEGISLATIVE DRAFT

### CURRENT CODE

#### **HBMC 13.36.160 Abandoned Vessel—Removal**

The Police Chief, or his or her authorized agent, may remove, or cause to be removed, sell, destroy or otherwise dispose of any hulk, derelict, wreck or parts of any ship, vessel or other watercraft deemed “abandoned,” as defined in Section 522 of the California Harbors and Navigation Code, from any inland waters owned, operated and/or controlled by this City, including any public or private docks or slips therein in accordance with the procedure set forth in said Section 522. (2374-7/79)

### PROPOSED CHANGES

#### **HBMC 13.36.160 Abandoned *and Inoperable* Vessel—Removal**

*It is unlawful and a public nuisance for any person owning, leasing, occupying or having charge or possession of any vessel in the City to maintain, permit, cause or allow to exist on such vessel any of the following conditions:*

- a) accumulation or storage of rubbish, trash, debris, rubble, containers, and boxes that is visible aboard the vessel or stored inside the vessel in such a way to make the vessel inoperable for its intended use;*
- b) contribution to hazards to public safety and health, such as, but not limited to: propagation of vermin, rats, insects, unsanitary conditions from the accumulation of fecal materials;*
- c) maintenance in such nonseaworthy condition that it is unsafe, unsightly or poorly maintained, including, but not limited to: broken windows, unsecured doors and hatches, excessive marine growth attached to the vessel, the vessel is inoperable for its intended use, partially destroyed or partially repaired for more than three continuous months, provides access to marine mammals, is actively seeping hazardous or toxic material into the surrounding waters, and would present a physical danger to public safety personnel during emergency access.*

The Police Chief, *Community Development Director or Director of Community Services*, or his or her authorized agent, may remove, or cause to be removed, sell, destroy or otherwise dispose of any hulk, derelict, wreck or parts of any ship, vessel or other watercraft deemed “abandoned” or “*inoperable*” as defined in this section and Section 522 of the California Harbors and Navigation Code, from any inland waters owned, operated and/or controlled by this City, including any public or private docks, or slips therein in accordance with the procedure set forth in said Section 522. (2374-7/79)

## HARBORS AND NAVIGATION CODE – HNC

### **DIVISION 3. VESSELS (399 – 786)** *(Division 3 enacted by Stats. 1937, Ch. 368.)*

### **CHAPTER 3. Wrecks and Salvage (510 – 571)** *(Chapter 3 enacted by Stats. 1937, Ch. 368.)*

### **ARTICLE 1. Wrecks and Wrecked Property (510 – 527)** *(Article 1 enacted by Stats. 1937, Ch. 368.)*

#### **522**

(a) Any hulk, derelict, wreck, or parts of any ship, vessel, or other watercraft sunk, beached, or allowed to remain in an unseaworthy or dilapidated condition upon publicly owned submerged lands, salt marsh, or tidelands within the corporate limits of any municipal corporation or other public corporation or entity having jurisdiction or control over those lands, without its consent expressed by resolution of its legislative body, for a period longer than 30 days without a watchman or other person being maintained upon or near and in charge of the property, is abandoned property.

Thereafter, that municipal corporation or other public corporation or entity may, notwithstanding any other provision of law, take title to the abandoned property for purposes of abatement without satisfying any property tax lien on that property, and also may cause the property to be sold, destroyed, or otherwise disposed of in any manner it determines is expedient or convenient. Any property tax lien on the abandoned property shall be satisfied within 30 days following the sale of the abandoned property by a municipal corporation or public entity. Any sale in accordance with this section shall vest complete title in the purchaser who shall forthwith take steps to remove the property. Any proceeds derived from the sale shall be transmitted to the Treasurer for deposit in the General Fund.

(b) However, if the owner of the property securely affixes to the property a notice in plain view setting forth the owner's name and address and claim of ownership, together with the name and address of an agent or representative whom the owner may designate to act within the State of California if the owner does not reside in the state, and files a copy of the notice with the secretary of the municipal corporation or other public corporation or entity having jurisdiction or control over the lands at least 10 days prior to the removal, the municipal corporation or other public corporation or entity may not sell, destroy, or otherwise dispose of the property until the corporation or entity has first given the owner or the owner's agent, at the address specified in the claim of ownership, 15 days' notice to remove or cause the property to be removed, and then only if the property is not removed by the owner or the owner's agent within that time or reasonable extensions of time as the corporation or entity may grant by resolution. If a registration number appears on the watercraft, the municipal corporation or other public corporation or entity shall send the notice to the last registered owner and the disposition shall be handled as a lien sale under Section 504.

(c) Any municipal corporation or other public corporation may charge a fee to any person who is determined by that municipal or other public corporation to have caused property of a type described in subdivision (a) to become abandoned as described in that subdivision within its corporate limits, in an amount not to exceed the amount of that municipal or other public corporation's actual and reasonable costs incurred pursuant to this section with respect to the abandoned property.

*(Amended by Stats. 1997, Ch. 930, Sec. 4. Effective January 1, 1998.)*