

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
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Th12d

5-19-1262 (EGGERT AND MCINTIRE)

AUGUST 13, 2020

CORRESPONDENCE

FW: Public Comment on August 2020 Agenda Item Thursday 12d - Application No. 5-19-1202 (Eggert & McIntire, Newport Beach)

SouthCoast@Coastal <SouthCoast@coastal.ca.gov>

Sun 8/9/2020 11:36 AM

To: Sy, Fernie@Coastal <Fernie.Sy@coastal.ca.gov>

Fernie,

You received the following public comment for Th 12d.

Respectfully,

Birma

From: Jim Mosher <jimmosher@yahoo.com>**Date:** Friday, August 7, 2020 at 6:45 PM**To:** "SouthCoast@Coastal" <SouthCoast@coastal.ca.gov>**Subject:** Public Comment on August 2020 Agenda Item Thursday 12d - Application No. 5-19-1202 (Eggert & McIntire, Newport Beach)

Please consider these comments:

1. Regarding the local "Approval-In-Concept dated April 21, 2019" cited on the last page of the staff report, the Commission should be aware that [Section 17.35.060](#) of Newport Beach's municipal code limits changes to residential piers on Balboa Island, and the City Council's [Policy H-1](#) in effect on that date likely required review of the extension of the floats beyond the pierhead line (dotted yellow in photo below) by the City's Harbor Commission. The [current Council Policy H-1](#) would certainly require such a hearing. I don't believe that has happened, although my search of the [Harbor Commission minutes](#) may be imperfect.
2. While I agree that a shared dock is better than two individual docks, I am puzzled by the implication on page 16 that the proposal is intended to accommodate "two boats." The existing design (at left, below), accommodates more than two, and the intended purpose of the redesign is not at all self-evident.



Indeed, the proposed 24-foot wide U centered on the property line is extremely wide for Balboa Island (I think it would be the widest), and it would appear to accommodate a very large boat inside the U as well as one on either side (or smaller boats inside the U as seen at the right, that U being less than 18' wide). Since vessels in Newport Harbor are allowed to protrude bayward of the floats by the width of their beam (NBMC [Sec. 17.25.20.C.2](#)), the proposed configuration would allow a large vessel filling the width of the U (the vessel shown in front of 1710 S Bay Front has only a 16' beam) to extend many feet beyond the project line (solid red in photo above) into the navigation channel -- again, suggesting a need for local Harbor Commission review regarding the impact of that on recreational use of the waters by others.

3. I am also unable to understand the change in fill described on pages 18 to 19, anticipating a reduction in fill because of twelve piles going to eight. Exhibit 2 indeed shows twelve existing piles and Exhibit 3 (the proposal) shows eight (three guiding the float and five supporting the pier). However, the five supporting the pier are shown as large rectangular pylons much larger than the eight piles they replace. If that is what the Exhibit 3 diagram is intended to illustrate, then it appears the fill is proposed to increase, rather than decrease. The ones under the 10 by 14-foot pier platform, in particular, are shown many times larger than the piles they replace.

4. Finally, that platform shown where the pier meets the gangway (again, slightly larger than the existing one) is of the sort that tends to be used as a private gated patio (most of the piers have locked gates where start at the boardwalk) over public lands, rather than as something necessary for boating purposes. It might be wise to condition the approval to prohibit the platform's use as an auxiliary residential patio.

Yours sincerely,

Jim Mosher