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Mr. Fernie Sy
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California Coastal Commission
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(Email: fsy@coastal.ca.gov)

Subject: Comprehensive List of Dana Point Harbor Boating / Ocean Access Requirements

Dear Mr. Sy:

Based on discussions amongst you, your colleagues, and the Dana Point Boaters Association, I am writing you to provide the Commission with a comprehensive list of the boating / ocean access requirements that the Association believes should be reflected within the Dana Point LCPA (1-08, formerly 3-06) which is now before the Commission. We would also like to bring to your attention what we consider unacceptable recreational boating takeaways included within Orange County's current LCPA draft. While the current LCPA draft features both program level landside requirements and some project level details, our goal in this letter is to provide a recreational boating perspective at the program level in the interest of brevity.

Attached starting on page 9 is a table listing significant requirements for recreational boating and ocean access within Dana Point Harbor. We have listed rough priorities for these items from the viewpoint of 4 different classes of recreational boaters: those with vessels in slips, vessels driven to the harbor on trailers, vessels stored on the harbor hardscape (or a storage building) and launched by mechanical means (such as hoists or tractors), and smaller vessels launched by hand intended for day use. To facilitate our discussion, we have grouped the requirements into 6 major categories:

1. Boat services
2. Harbor services
3. Navigation services
4. Environmental Leadership
5. Marina/slip redesign
6. Economic issues

We will next discuss each of these categories to bring to your attention the needs of recreational boaters which should be met to insure a vital, publicly owned harbor, which continues to fulfill the purposes for which it was originally built. Dana Point Harbor is currently used by a diverse mix of boaters from all of 4 classes and each class of boater has a somewhat different set of needs and requirements. We believe services for all boaters should be maintained and enhanced where possible.

1. Boat services

Recreational boating opportunities in the harbor generate the need for specialized services related to those boats. This begins with the need for boat brokerage, sales, and rental facilities. A number of existing businesses currently provide this, and form an important part of the boating infrastructure.

Privately owned boats that are not trailered or carried to the harbor need harbor storage facilities. For the larger vessels, this is provided by slips, and we will discuss this in the section on marina redesign. Many smaller vessels will be stored near the water where they can be conveniently launched. The existing arrangements in Dana Point have allowed a large number of both sail and power boats to be stored "on the hard". The LCPA proposes to significantly lower that number[1], to make room for additional non-maritime development. The proposed boat barn is a partial solution, but the number of boats stored in the harbor, and their mix, should not be allowed to decrease.

The population of Orange County has more than doubled since the harbor was built[2]. It follows that the demand for boating services has increased at least correspondingly, though with the increased popularity of boating the figure is probably much greater. The inland areas along the Saddleback Mountains foothill transportation corridor, relatively near to the harbor and until now largely undeveloped, are scheduled to exponentially increase in population during the next few years. Therefore the demand for Dana Point Harbor boating services will continue to increase well into the future. Since there are no plans to add slips anywhere in Southern California, in fact just the opposite, any decrease in slips available within Dana Point Harbor will be especially problematic. But even were there no slip decreases, the demand for services to launch boats stored on the hard (the only other ocean access alternative) will continue to increase quite dramatically.

Vessel operation generates another set of requirements. The first need is to launch a vessel, and the existing network of launch ramps, hoists, tractors, etc. must be continued. In addition, the growth in day use vessels, now the most common vessel on the water, has created an unmet need for hand-launch facilities beyond the small "Baby Beach" area and shared use of the busy launch ramps.

[1] The number of boat storage spaces on the hard is now approximately 620. These spaces are suitable for both powerboats and mast up sailboats with lift keels. The number proposed following redevelopment is 93.

[2] According to figures published by Southern California Association of Governments (SCAG) the Orange County population was 1,421,233 in 1970 and 2,846,289 in 2000. The SCAG projection is 3,244,600 in 2020. Since the rest of Orange County is largely built out, the latest ~400,000 population increase will occur in the southern portion of the county, near Dana Point Harbor.

Boats require a variety of items that are unique to the marine world, and this is traditionally provided by a chandlery, or retail store(s) carrying inventory ranging from repair parts to life-saving equipment to charts. The placement of marine retail facilities in the harbor, close to the boats in slips and day use vessel (dinghy) docks, can significantly reduce street traffic and improve the boating experience for all boaters. Two other specialized needs for many boats are a fuel dock and a bait facility. These are presently located near the harbor entrance, and must be retained. Additional facilities to provide local competition and boater alternatives should be considered if possible.

Once in the water, boats need the equivalent of parking lots—locations at which a vessel may be temporarily moored. For the larger boats, transient and overnight guest docks provide slips for visiting boats from other harbors, allow boats normally stored on land to remain afloat overnight without remaining underway. Most harbors, including Dana Point, provide anchorage areas, which provide no-cost shelter from weather and seas. Dinghy docks, usually long stretches of unassigned dockage, are needed for a variety of reasons, including providing landing for crews of anchored vessels, and the ability to move around the harbor in small boats, thus relieving car traffic, while encouraging use of local commercial facilities by boaters.

Maintenance of boats is a never-ending activity, and facilities for this are required. A shipyard, with a hoist capable of handling most of the larger vessels is a continuing need. This yard should be operated in an environmentally appropriate manner, and some provision for do-it-yourself capability provided. Other specific maintenance facilities include wash-down areas for boats not in slips, and waste pump-out facilities for boats with marine heads.

2. Harbor services

A viable harbor requires a number of land-based services and facilities that are not unique to the marine environment, but necessary for the public which uses the harbor. Many of these items would be present for any public gathering place.

First, and possibly most difficult to provide, is the ability of boaters (and others) to get to the harbor and park. Traffic within the immediate area of the harbor today is typically intense. But traffic within the harbor itself is still within acceptable limits, except during peak summer recreation periods, holidays and about a dozen annual commercial and tourist events. Any additional commercial and tourist events need to be planned so as to avoid harbor traffic infrastructure overload as this significantly will detract from boater access and park recreational use. Dedicated parking for boaters is a necessity in a unique environment such as Dana Point Harbor, because of the geometry of the harbor, which is restricted on all sides by cliffs, highways, private uses (hotels and gated homeowner communities), the ocean and the separately operated and also very heavily used Doheny State Beach. It is also necessary due to the current and proposed expansion as a nautically themed tourist destination. The ability to park near a vessel's slip or launch point is a requirement because of the need to transport cargo and provisions to and from vessels.

Trailer boats have similar needs for both tow vehicle and trailer. Dock carts and ramps (for cargo, provisions and handicapped access) must be provided.

The original parking formula and design of the parking lots in Dana Point were a reasonable compromise in meeting boater and non-boater parking needs during all but the busiest times. (Independence Day is legendary for its lack of parking, for boaters as well as others.) However, with the expansion of commercial facilities proposed by the County, that balance will be upset even with the planned parking structures. Adequate dedicated boater parking at the points in the harbor where boats are slipped and launched must be provided, and this use is protected by the Coastal Act.

Traffic flow within launch ramp area warrants special concern. The presence of trailer boat traffic with overall lengths of 50-60 feet and more, and with correspondingly large turning radius requirements, adds an additional complexity to the movement of vehicles within the immediate launch ramp area as well as else within the harbor. The proposed realignments of roads and parking facilities does not appear to provide for existing traffic patterns, without consideration of the additional traffic which will be generated by expansion. The Coastal Act limits non-water-dependent land uses that congest access corridors.

Additional services needed by boaters and other recreational users within the harbor include bathrooms as well as showers, changing areas and laundry facilities for boaters. Access to potable water and sanitation in a marine environment is needed by all types of boaters. The ability to dispose of trash, recyclable material, and especially batteries and waste fluids (such as oil) correctly needs to be provided and maintained. Public services, such as vending machines, ice dispensers and wireless internet access are also considered important in a modern harbor.

One sometimes overlooked service of great importance to all boaters (as well as the general public) is law enforcement, both by land and water. Specialized facilities for enforcement and search and rescue at several governmental levels are required. A related need is facilities for marine towing, quarantine and salvage provided by private companies.

Many of the buildings in the harbor provide space for organizations which serve the boating community in significant ways. Non-maritime retail businesses within the harbor are patronized by the boating community, particularly restaurants and convenience stores. The relationship between those enterprises and boating is symbiotic, but scarce resources like parking must limit the size of harbor businesses. Another building use which is an important part of the boating infrastructure includes educational facilities such as the Ocean Institute and the building formerly called the Youth and Group facility. The pressure for commercialization needs to be resisted. One other non-commercial use of harbor buildings is the yacht and sailing clubs, which provide social and charitable opportunities for both boaters and non-boaters.

3. Navigation services

A specific class of services needed by boaters is the maintenance of safely navigable waterways. Over a period of years, Dana Point Harbor loses water depth due to depositional processes involving the local geology. A regular dredging schedule for the main channels and anchorages is needed, and dredging is a lengthy, complex, and expensive process requiring permits from many government agencies. The dredging program of 2008 appears to have been quite successful, but will need to be repeated within a decade, perhaps sooner in certain exposed areas. Dredging of the smaller channels and marinas/slips needs to be planned as part of the marina redesign discussed below. In addition, there are navigable hazards which should be dealt with as part of a major harbor reconstruction, including one known hazard (a large rock at only 1 ¼ fathoms mean depth) directly outside the entrance to the harbor.

A further issue as part of a reconstruction (revitalization) is maintaining the main channel widths within the harbor. The proposed channel narrowing (up to 40') is exacerbated by the proposed lining of the narrower inner channel waterway with pickle fork slips[3] for the largest vessels (lengths as much as 60' and more) who would then be required to back in and out of slips. With documented increases in internal traffic on these channels, particularly by smaller day use vessels which are now the majority of harbor traffic, any proposals to narrow the main channels must be carefully scrutinized for the effect on safe navigation by vessels entitled to use the main channel, which is to say ALL vessels. Narrowing a channel which for almost 40 years has served as a safe access to and from the sea for power and sail boats alike, as well as a haven for small vessels used for recreation within the harbor, puts too much at risk for the sake of accommodating a few larger vessels.

4. Environmental Leadership

As with any large public facility, negative environmental effects from the harbor need to be monitored and must be mitigated. Consciousness about such issues was considerably lower during the original design of the harbor in the 1960's, and current proposals should represent an opportunity to improve air and water quality for the benefit of boaters and the general public.

Part of the planning process should include evaluation of energy and potable water use minimization both on and off the water. This includes the buildings, traffic, and other activities in the harbor. Specific programs to reduce boat-generated energy use and pollution are needed. These could include chemical use and control regulations, grey water reuse methods, and educating about and encouraging best practices in boat maintenance. Designs and services to facilitate use of waterway transport (dinghies, water taxis, etc.) could significantly reduce traffic congestion and air pollution while improving the boater and visitor experiences. The existing waterside layout has limited pump out

[3] Pickle fork slips (aka pitchfork slips) are so named because their fingers are aligned perpendicular to the other slips on each dock, pointing into the main channel like the tines of a fork.

facilities which do not encourage maximum boater use. These facilities need to be more available, accessible and convenient to assure maximum boater participation.

One additional requirement in the future is an environmentally sound method of disposing of vessels no longer viable for recreational use. Some vessels in the harbor date from the early years of fiberglass as a building material, and an increasing number will need to be properly removed from both service and the water.

5. Marina/slip redesign

One of the most contentious areas for the recreational boater community in the County proposal is the redesign of the marinas. The East and West Marinas are currently home to approximately 2,400 recreational vessels with lengths ranging from 20 to over 60 feet. The County has suggested a number of plans to reduce the number of available slips and increase the average size of boats and force as many as 1100 boats from the harbor. While some adjustment is in order, it is important that provision be made within the harbor, and in most cases, on the water, for the vessels currently there. As required by state law, revitalization should produce greater public access to the principal reason that Dana Point Harbor exists: recreational boating.

One specific element to the slip length distribution requires further discussion here. Since their inception, the marinas in Dana Point have allowed boats to be 3 feet longer than the length of the concrete fingers. This is called the "3 foot overhang" rule and it is tightly enforced. The County has proposed eliminating the overhang rule[4], citing California Department of Boating and Waterways guidelines. Elimination would have an enormous impact on the existing population of boats in the harbor, forcing them to leave the harbor, and would greatly decrease the possibility of having a proposal which can achieve consensus. Southern California suffers from a lack of available slip space for larger boats. This proposal would add to the problem. The County has not provided any evidence that overhangs have been a problem or that banning them is required by law.

Another geometric issue on slip design is the slip width distribution. Related to this is single versus double finger slips. In general, sailboats are narrower than power boats. Slips should be designed, at any given length, with this in mind. By assuming some ratio of sail to power, more boats can be accommodated[5]. Limited use of double wide slips (one finger for every two boats) can also lead to slightly higher boat density[6]. Also, adequate interior channel widths (fairways) need to be provided to allow vessels to safely get to the main channel. Note that the existing fairway widths are adequate for the existing 3 foot

[4] If the 3 foot overhand allowance was eliminated, then boats could not be longer than the slip side fingers.

[5] Ever since the harbor was built, the mix of sailboats versus powerboats has been around 50 percent. Given the "greener" future that should be our planning prerequisite, it would seem appropriate therefore that this percentage would be the ratio used for redesign of slip layouts.

[6] Double wide slips (slips with only one finger) are not desirable to most boaters because of boat access limitations. However, a subset of boaters would refer a double wide configuration were it more affordable – offered at a lower monthly rate corresponding to the lower square footage actually being rented.

overage allowance. All of these issues must be considered when examining a new design for the marinas.

There are a number of miscellaneous, but important, requirements that also must be considered in marina design. Slips must have adequate potable water, electric power, fire protection, and telecommunications infrastructure to allow occupancy and use. The licensing (including live-aboard status) and wait list schemes must be fair and transparent. There have been continuing problems with these in Dana Point that are beyond the scope of this letter but which could be examined more closely by public officials in a public harbor. The security systems for dedicated parking lots, bathrooms, and dock gates should be modernized to 21st century standards. Bathrooms and vending services should be renewed and any marina redesign expected to last for at least several decades should take into account the possibility of a sea level rise during the design life.

There is one final item which could help deal with many of the issues related to population growth and the pressure for more access. The original design of Dana Point Harbor considered a possibility of future expansion by construction of an "outer harbor" by building an additional breakwater beyond the existing size. This possibility also should be considered during the redesign, if only to put in place a process for more detailed study in the future.

6. Economic issues

While economics is generally not an area of jurisdiction to the Coastal Commission, it is important to point out that economics does have an impact on the ability of a public harbor to serve both the boating public and the general public. The law clearly restricts harbor revenue to harbor expenses, but boaters need assistance in insuring that recreational boating in a public harbor remains affordable. Boaters have invested thousands of dollars for their vessels in the expectation that they will be able to use them. Low-cost boating resources are specifically protected. It is critically important for a healthy boating environment that government agencies work together to insure that costs remain reasonable. It is essential that recreational activities are not required to subsidize commercial activities, and there is transparency in the financial operations of the harbor.

Conclusions

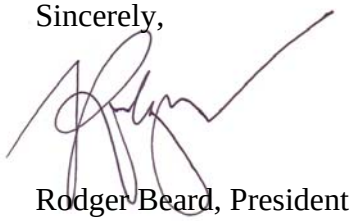
The long list of items described here are necessary elements for a healthy and active publicly owned, recreational boating harbor in Dana Point. There may be others we have overlooked.

As a specialized recreational resource that belongs to the people of California, we think it is important that the harbor is managed to provide boating opportunities to as large and wide a community as possible. We also believe that the harbor user community should include not just boaters and ocean users, but also visitors from throughout the Southern California region and beyond. They benefit from products, services and means of enjoyment which are only incidental to recreational boating and ocean access.

That said, we also believe that harbor resources must be allocated to recreational boating and ocean access as the primary redevelopment priority. Given these needs and requirements have been successfully addressed, all other regional visitor uses can and should be addressed in ways to enhance to overall recreational value of the harbor.

On most issues, there are reasonable positions upon which our community and the other interests in the harbor can agree. We look forward to working with them, with the County, with the City and with the Commission to insure that the public interest is well served.

Sincerely,



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Boater Requirements

	Boater Priorities			
	Slip Vessels	Trailer Vessels	Hoist Vessels	Day Use Vessels
1. Boat services				
• Fuel dock	High	Med	Low	Low
• Ship yard	High	Low	Med	
• Trailer Boat launch facility		High	Med	High
• Hoist facility	Med	Low	High	
• DIY (do it yourself) space	Med	Low	Med	Med
• Boat dry storage space	Low	Med	High	Med
• DUV(day use vessel)storage space	Med			High
• DUV launch facility	High			High
• Pump Outs	Med	Med	Med	
• Bait barge	High	High	Med	Med
• Dinghy docks	High			Med
• Guest docks	High	Med	Low	
• Anchorages	Med	Med	Low	Low
• Retail marine supplies	Med	Med	Low	Med
• Brokerage and sales	Med	Med	Med	Med
• Rentals	Med	Low	Med	High
• Washdown facility		High	High	High

Boater Requirements

	Boater Priorities			
	Slip Vessels	Trailer Vessels	Hoist Vessels	Day Use Vessels
2. Harbor services				
• Transportation				
➢ Car parking(dedicated)	High	Low	High	High
➢ Trailer parking		High	Low	Med
➢ Cargo carts, ramps	High		Med	High
➢ Traffic flow	Med	High	Med	Med
• Storage lockers	Low		Low	Med
• WiFi/Phone/Cable	High	Low	Low	
• Bathrooms	High	High	High	High
• Showers & dressing areas	High	Low	Low	Med
• Trash/recycling	High	Med	Med	Med
• Landside facilities				
➢ Recreational/social	High	Med	High	High
➢ Educational	Med	Med	Med	High
➢ General retail	Med	Low	Med	Med
➢ Law enforcement	High	High	High	High
3. Navigation services				
• Dredging	High	Med	Med	
• Nav Hazard removal	Low			
• Main Channel widths	High	Low	Med	High

Boater Requirements

	Boater Priorities			
	Slip Vessels	Trailer Vessels	Hoist Vessels	Day Use Vessels
4. Environmental leadership				
• Landside energy use	Low	Low	Low	Low
• Boat energy/pollution	Med	Med		
• Dinghy/tender use	Med	Low		Med
• Chemicals use	Med		Med	Low
• Greywater control/reuse	Med	Med	Low	Med
5. Slip Rebuild Design				
• Length distribution	High			Low
• Overhang	High			Low
• Interior channel widths	High			Med
• Width distribution	Med			
• Water/power/telecom	High			
• Licensing/liveaboard	High			
• Sea-level rise	Low			
• Wait list	Med	Low		
• Improved security	High			
• Outer harbor	Med			Low
6. Economic Issues				
• Reasonable costs	High	High	High	High
• No cross-subsidies	High	Med	Med	Low
• Transparency	High	High	High	High