



DANA POINT BOATERS ASSOCIATION | PO BOX 461, DANA POINT, CA 92629-0461
PHONE: 949-485-5656 | WEBSITE: <https://danapointboaters.org>

April 29, 2024

The Honorable Katrina Foley
5th District Supervisor
County Administration
North 400 W Civic Center Drive, 6th Floor
Santa Ana, CA 92701

Re: Dana Point Marina Five-Year Plan for Slip Rates

Dear Supervisor Foley,

We appreciate you and your team attempting to provide transparency and oversight regarding the Dana Point Harbor Revitalization. We understand this task cannot be easy.

We have some comments regarding the [DPHP Five-Year Plan](#) presented to the County and hope you will **not approve the plan as submitted**.

Below are our comments:

The Dana Point marina section of your April 26th newsletter started with a sentence which read: "When the County operated the Harbor, it did not perform minor or routine slip rate increases, maintaining rates at an artificially low rate for many years." That is not correct. The County had a very clear slip rate increase policy it used for market rate pricing in all County owned Marinas dictated by a March 6, 2001, OC Board of Supervisors Minute Order. See the attached copy of the [Minute Order with highlights](#). We have attached a letter sent to slip holders regarding the last [county slip increase in July 2018](#). A survey of all Southern California marinas from Santa Barbara to San Diego in 2021 would have shown the prices before the 2021 increase were well within the average of all the marinas and in most cases exceeded the average for publicly owned and operated marinas. After the increase, the prices significantly exceeded the average in all categories, and still do.

Staff Report 39 (copy attached) from the CA State Lands Commission is the 2022 Benchmark report for sovereign land in Ventura, LA, Orange, and SD counties. Since Dana Point Harbor is under a Tidelands Grant, it is subject to the regulations of the Public Trust Doctrine, Public Resources Code, and the CA Constitution. Quotes from the Master Lease between OC and DPHP: "Said prices will be "market rate" pricing as reasonably determined by Lessee; provided, however, that in all events such **prices shall be consistent with the limitations on pricing as mandated by the Tidelands Grant**." One could ascertain the reason why the OC Board of Supervisors had the slip rate policy they did for well over twenty years was to follow how the State Lands Commission calculated benchmark rates.

It is unfortunate the County did not adequately define "market" in the Master Lease between the County and DPHP. And then, when the County had a chance to establish a clear definition of what "market" was when they supported the DPHP request for financing from the bank in the Fall, they did



DANA POINT BOATERS ASSOCIATION | PO BOX 461, DANA POINT, CA 92629-0461
PHONE: 949-485-5656 | WEBSITE: <https://danapointboaters.org>

not do so. Instead, slip rate increases are once again the fall back to support DPHP inadequate funding and equity in the project.

In the [DPPH Five-Year PowerPoint Presentation](#), the Partners justify surveying only OC marinas because that is where most tenants are from. The actual test of whether Dana Point slips are overpriced is not reviewing where the current tenants reside but is rather reviewing if any tenants in Oceanside, San Diego, and Long Beach marinas reside in Orange County. For instance, if it could be shown that some percentage of Oceanside tenants live in South Orange County, that would be evidence that rates are too high in Dana Point, resulting in economic displacement of local boaters. The fact that no one is traveling from Oceanside or Long Beach to have their boat in Dana Point is evidence that rates are high, not that rates are low. The exodus of over 400 boaters from Dana Point also supports this point.

How can a five-year slip rate plan be formulated without taking into effect the whole financial picture of the harbor? It would be analogous to pricing a product without knowing your costs. Slip rates should be carefully considered as *part* of the revenue and expenses of the whole harbor, not just a piece sliced out of it. Has the County studied the Five-Year projections of the whole harbor project? Could you publish that information, please?

The DPPH Five-Year Plan shows the same percentage increase year over year. This is not a carefully considered plan. Anyone could put this plan on paper in less than 30 minutes. It is also inequitable to have different percentage increases for the larger boats versus the smaller boats. Linear foot pricing for larger slips is higher than smaller ones, so using higher percentage increases for larger boats is not equitable. Slip increases should be the same percentage across the board.

The DPPH Five Year Plan shows slip sizes up to 111'. The CA Coastal Commission approved slip mix only shows approved slips sized up to 65'. See below for the approved slip mix compared to what is in the Five-Year Plan.



DANA POINT BOATERS ASSOCIATION | PO BOX 461, DANA POINT, CA 92629-0461
 PHONE: 949-485-5656 | WEBSITE: <https://danapointboaters.org>

CCC Approved Slip Mix:

DANA POINT MARINA - PROPOSED SLIP MIX CHART										
TYPE	LENGTH	Min Slip Width	COVE WEST	ISLAND WEST	COVE EAST	ISLAND EAST	TOTAL	LF BERTHING	%	
P	15	FT	7 ft	0	0	37	0	37	555	1.64%
P	20	FT	9 ft	7	2	0	0	9	180	0.40%
P	21	FT	9.5 ft	17	8	0	22	47	997	2.09%
P	24	FT	11 ft	10	0	0	5	15	360	0.67%
P	25	FT	11.5 ft	247	90	0	215	552	13800	24.49%
S	25	FT	10.25 ft	20	16	0	111	147	3675	6.52%
P	26	FT	12 ft	22	9	0	20	51	1326	2.26%
P	28	FT	12.5 ft	95	0	0	51	146	4088	6.48%
P	30	FT	13.5 ft	171	77	1	166	415	12450	18.41%
S	30	FT	11.5 ft	23	14	0	24	61	1830	2.71%
P	31	FT	13.75 ft	0	6	0	13	18	558	0.80%
P	32	FT	14 ft	0	0	0	8	8	256	0.35%
P	33	FT	14.25 ft	0	1	0	1	2	66	0.09%
P	34	FT	14.5 ft	0	0	0	2	2	68	0.09%
P	35	FT	14.75 ft	0	90	32	105	227	7945	10.07%
S	35	FT	12.75 ft	0	19	2	0	21	735	0.93%
P	36	FT	15 ft	0	0	4	0	4	144	0.18%
P	38	FT	15.5 ft	0	0	1	0	1	38	0.04%
P	40	FT	16 ft	0	0	137	0	137	5480	6.08%
S	40	FT	13.5 ft	0	0	1	0	1	40	0.04%
P	41	FT	16 ft	0	1	2	0	3	123	0.13%
P	42	FT	16 ft	0	0	27	0	27	1134	1.20%
P	44	FT	16.5 ft	0	0	1	8	9	396	0.40%
P	45	FT	16.5 ft	0	18	107	16	141	6345	6.26%
P	48	FT	17 ft	0	0	25	0	25	1200	1.11%
P	50	FT	17 ft	0	45	0	0	45	2250	2.00%
S	50	FT	15 ft	0	0	0	0	0	0	0.00%
P	55	FT	17.75 ft	0	0	0	0	0	0	0.00%
P	56	FT	18 ft	0	21	0	0	21	1176	0.93%
P	58	FT	18 ft	0	0	51	0	51	2858	2.26%
P	60	FT	18.5 ft	0	0	0	8	8	480	0.35%
P	65	FT	19 ft	0	0	23	0	23	1495	1.02%
TOTALS =				612	416	451	775	2254	72138	100.00%
									OVERALL AVERAGE LENGTH =	32 ft



DANA POINT BOATERS ASSOCIATION | PO BOX 461, DANA POINT, CA 92629-0461
 PHONE: 949-485-5656 | WEBSITE: <https://danapointboaters.org>

Slip Mix used in the Five-Year Plan:

The Five-Year Plan slip mix eliminates the 15', 31', 32', 33', 34', 36', 38', 41', 42', 44', 48', and 56' slips and it adds 22', 52', 61', 64', 66', 93' and 111' slips.

	Rate Per Foot		Rate Per Month		\$ Increase	% Increase
	2023	2024	2023	2024		
20 FT	\$ 13.50	\$ 14.15	\$ 270	\$ 283	\$ 13	4.81%
21 FT	\$ 17.15	\$ 18.15	\$ 360	\$ 381	\$ 21	5.83%
22 FT	\$ 18.15	\$ 19.20	\$ 399	\$ 422	\$ 23	5.79%
24 FT	\$ 18.70	\$ 19.80	\$ 449	\$ 475	\$ 26	5.88%
25 FT	\$ 18.75	\$ 19.95	\$ 469	\$ 499	\$ 30	6.40%
26 FT	\$ 19.35	\$ 20.60	\$ 503	\$ 536	\$ 33	6.46%
28 FT	\$ 21.35	\$ 22.78	\$ 598	\$ 638	\$ 40	6.70%
30 FT	\$ 24.60	\$ 26.27	\$ 738	\$ 788	\$ 50	6.79%
35 FT	\$ 26.00	\$ 28.57	\$ 910	\$ 1,000	\$ 90	9.88%
40 FT	\$ 33.45	\$ 37.20	\$ 1,338	\$ 1,488	\$ 150	11.21%
45 FT	\$ 34.10	\$ 38.10	\$ 1,535	\$ 1,715	\$ 180	11.73%
50 FT	\$ 35.35	\$ 39.45	\$ 1,768	\$ 1,973	\$ 205	11.60%
52 FT	\$ 35.35	\$ 40.00	\$ 1,838	\$ 2,080	\$ 242	13.15%
55 FT	\$ 39.90	\$ 45.35	\$ 2,195	\$ 2,494	\$ 300	13.66%
58 FT	\$ 43.15	\$ 49.70	\$ 2,503	\$ 2,883	\$ 380	15.18%
60 FT	\$ 43.15	\$ 49.82	\$ 2,589	\$ 2,989	\$ 400	15.46%
61 FT	\$ 43.15	\$ 49.82	\$ 2,632	\$ 3,039	\$ 407	15.46%
64 FT	\$ 43.15	\$ 49.82	\$ 2,762	\$ 3,188	\$ 427	15.46%
66 FT	\$ 43.15	\$ 49.82	\$ 2,848	\$ 3,288	\$ 440	15.46%
93 FT	\$ 43.15	\$ 49.82	\$ 4,013	\$ 4,633	\$ 620	15.46%
111 FT	\$ 43.15	\$ 49.82	\$ 4,790	\$ 5,530	\$ 740	15.46%



DANA POINT BOATERS ASSOCIATION | PO BOX 461, DANA POINT, CA 92629-0461
 PHONE: 949-485-5656 | WEBSITE: <https://danapointboaters.org>

The below chart shows the slip mix posted on the Supervisor's DPH website, and it is supposedly approved. By whom??

DANA POINT MARINA - PROPOSED SLIP MIX CHART										
LENGTH	Min Slip Width	WEST COVE	WEST ISLAND	EAST COVE	EAST ISLAND	CHARTER DOCK	ADA SLIPS	TOTAL	LF BERTHING	%
15 FT	7 ft	0	0	37	0	0	0	37	555	1.83%
20 FT	9 ft	7	2	0	0	0	0	9	180	0.40%
21 FT	9.5 ft	17	8	0	22	0	0	47	987	2.07%
24 FT	11 ft	10	0	0	5	0	0	15	360	0.69%
25 FT	11.5 ft	287	106	0	326	0	0	699	17475	30.81%
26 FT	12 ft	22	9	0	20	0	0	51	1326	2.25%
28 FT	12.5 ft	95	0	0	51	0	0	146	4068	6.43%
30 FT	13.5 ft	194	91	1	190	0	0	476	14280	20.98%
31 FT	13.75 ft	0	5	0	13	0	0	18	558	0.79%
32 FT	14 ft	0	0	0	8	0	0	8	258	0.35%
33 FT	14.25 ft	0	1	0	1	0	0	2	66	0.09%
34 FT	14.5 ft	0	0	0	2	0	0	2	68	0.09%
35 FT	14.75 ft	0	109	54	105	0	8	248	8880	10.93%
36 FT	15 ft	0	0	4	0	0	0	4	144	0.18%
38 FT	15.5 ft	0	0	1	0	0	0	1	38	0.04%
40 FT	16 ft	0	0	138	0	0	10	138	5520	6.00%
41 FT	16 ft	0	1	2	0	0	0	3	123	0.13%
42 FT	16 ft	0	0	27	0	0	0	27	1134	1.19%
44 FT	16.5 ft	0	0	1	0	0	0	1	396	0.40%
45 FT	16.5 ft	0	18	107	16	0	10	141	6345	6.21%
48 FT	17 ft	0	0	25	0	0	0	25	1200	1.10%
50 FT	17 ft	0	45	0	0	5	6	50	2500	2.20%
55 FT	17.75 ft	0	0	0	0	0	0	0	0	0.00%
56 FT	18 ft	0	21	0	0	0	3	21	1176	0.80%
58 FT	18 ft	0	0	51	0	0	4	51	2958	2.25%
60 FT	18.5 ft	0	0	0	8	0	0	8	480	0.35%
65 FT	19 ft	0	0	23	0	0	0	23	1495	1.01%
100 FT	25 ft	0	0	0	0	10	10	10	1000	0.44%
TOTALS =		612	416	451	775	15	51	2269	73388	100.00%
OVERALL AVERAGE LENGTH =									32	ft
NOTE: MINIMUM NUMBER OF ADA SLIPS PER TABLE 11B-235.2 IS 25										

Regarding the chart in the Five-Year plan regarding Tenant location, the total number of tenants on the chart shows 2038. When you add the numbers, the actual total is 1690. Is this a mistake or are there 348 other tenants, possibly outside of OC, not accounted for in the chart?

Regarding the chart which shows the Waitlist location breakdown, the total number of people on the waitlist on the chart shows 2360 but the numbers on the chart total 1968. Which is correct? It also does not indicate the size of the boats on the waitlist as virtually all marinas have waitlists for the largest boats, and many are likely on multiple waitlists.



DANA POINT BOATERS ASSOCIATION | PO BOX 461, DANA POINT, CA 92629-0461

PHONE: 949-485-5656 | WEBSITE: <https://danapointboaters.org>

On the Market Amenity Survey in the plan, it doesn't delineate which marinas charge for water, electricity, and Wi-Fi, it just shows if they are offered. Shouldn't the services have an effect on pricing? It also doesn't survey the marinas for dock boxes. The comparison for onsite food and beverage is also skewed. Technically, DP Marina doesn't have any onsite food and beverage facilities.

DPBA put together a plan for continuous fair and reasonable market pricing based upon how the State Lands Commission does its benchmark pricing, and what was used in DP for many years. Our plan assists boaters in planning their budgets for slip rate increases or decreases based on the economy of Southern CA. See attached for our plan. We have also included a **copy of the referenced index**.

We ask that all our issues and questions be addressed at the DPHOAC and that the DPHP Five-Year Plan not be approved.

Sincerely,

A handwritten signature in black ink that reads "Anne Eubanks".

Anne Eubanks
DPBA President