

## THE DANA POINT BOATERS BUZZWORD WIKI

Ever wonder what language those government folks were speaking in those “information” briefings about the Dana Point Revitalization Plan? *(For example, just what in the heck is the difference between an EIR, PEIR, NEIR, DEIR and FEIR anyway?)* We sure have!

In process of working with dozens of different government agencies since 2006, dealing with hundreds of different boater related matters, Dana Point Boaters Association volunteers have compiled an extensive list of acronyms; what we call “buzzwords”. We quickly discovered this list was a hard necessity. A working understanding of many of these buzzwords, sometimes even a very precise definition, was essential to our work on the problems we were trying to solve. Understanding what these buzzwords meant was also essential when wading through government documents and reports. We believe very strongly that effective research is fundamental to staying on top of the issues and opportunities that face us as boaters and stewards of Dana Point Harbor.

Sometimes once we understood a buzzword, we discovered that there was really only an indirect application. Frankly, sometimes after finding what a widely used acronym actually meant, we determined that the term was (intentionally?) confusing and could just be ignored. But in other cases, understanding the buzzword’s complete definition provided a real “Eureka!” moment. To see what we mean here check out the actual definition for a term we hear all the time: [CEQA](#) (on page 4).

But anyway, the point is that the DPBA volunteers would not be able to function effectively without such knowledge. This follows that less involved boaters have the same need and often would benefit from DPBA volunteers preparing a reference list and keeping it updated as we go along.

So then, that’s what this list is and why, as we say, it’s a “living document”. Please let us know if you want definitions clarified and/or have new words to be added. Just drop us an email at: [info@DanaPointBoaters.org](mailto:info@DanaPointBoaters.org).

We hope you find this list of value and benefit. As always, thank you very much for your participation and support.

The Board of Directors  
The Dana Point Boaters Association

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<u>Buzzword</u>	<u>Definition</u>
12 PRIORITIES	<p>The “12 priorities” listed below were developed in 1997, and then finalized in 1998, by a Task Force sponsored by former OC Supervisor Tom Wilson. The task force included merchants, boaters, residents and representatives from the City of Dana Point and the County of Orange.</p> <p>The predecessor<sup>1</sup> to DPBA (disbanded on/about the year 2000) also actively participated and was quite effective, as evidenced by several of the key priorities included below. In theory, this list then drove the development of the original Dana Point Harbor Revitalization Plan that boaters, including we founders of the embryonic DPBA first saw in 2006.</p> <p>In fact though, boaters were conspicuously absent from the “public” process from 2001-2006. It was immediately clear to us in 2006 that the price of not having effective boater representation was very high. So we became actively involved and went to work forming DPBA. The impact of this involvement, and especially the forming of DPBA, has been enormous. Three quick examples: 1140 boaters are <i>not</i> leaving the harbor. A huge, on-the-water resort/convention center is <i>not</i> going to be built. A West Marine store is <i>not</i> going to be built in the Embarcadero dry boat storage area.</p> <p>Anyway, back on point. Here those original 12 priorities:</p> <ol style="list-style-type: none"><li>1. Keep the Harbor’s character &amp; family atmosphere</li><li>2. Harbor structures need a facelift / renovation</li><li>3. Maintain a full service Harbor</li><li>4. Do not commercialize the Island</li><li>5. Ensure future of Yacht Clubs</li><li>6. Improve water quality</li><li>7. Better utilization of existing parking</li><li>8. Address overall mix of land uses</li><li>9. Need more parking in commercial area</li><li>10. Keep existing park land, beach &amp; landscape</li><li>11. Balance of revenue &amp; non-revenue land uses</li><li>12. Need restrooms/ showers near docks</li></ol>
ACE	<p>Army Corps of Engineers</p> <p>A US Government agency. Based on enabling federal legislation and partial funding, built Dana Point Harbor in the late 60’s. Official completion was 1971. Additional (50%) funding was provided by The County of Orange. ACE has jurisdiction over the main channels and breakwaters and must approve any action with potential impact, including dredging.</p>

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<sup>1</sup> Sorry, we don’t know the official name. If you do know then please let us know.

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<u>Buzzword</u>	<u>Definition</u>
ADA	Americans with Disabilities Act Federal legislation which dictates various design constraints for all new construction as well as significant alternations to existing construction.
BMP	Best Management Practice(s)
BOATERS4DPH	Boaters For Dana Point Harbor Bruce Heyman's activist initiative on behalf of Southern California recreational boating. There is no affiliation with DPBA.
BOS	Orange County Board of Supervisors (see OC BOS)
BSL	Boat Slip License A rental agreement which is the legal contract between OC DPH and an individual boater. The BSL is NOT subject to laws governing California tenant / landlord relationships.
CARB	California Air Resources Board
CCC	California Coastal Commission Created in 1972 by Proposition 20, the California Coastal Initiative. Expanded in 1976 by legislation known as the California Coastal Act, which also extended jurisdiction indefinitely. CCC presides directly over all development activities and directly approves CDP submissions for all proposed water based development within the 75 coastal California Counties. There are six CCC districts. Dana Point Harbor is in the South Coast District, which includes Los Angeles and Orange Counties. The CCC office serving Dana Point Harbor is located in Long Beach. CCC delegates consideration of CDP submissions for land based development to some 128 different local and regional agencies with CCC approved Local Coastal Programs (LCP). There are two Local Coastal Programs entrusted to the City of Dana Point. One LCP is specific to Dana Point Harbor.
CCZMA	California Coastal Zone Management Act
CDFG	California Department of Fish and Game
CDP	Coastal Development Permit

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CEQA	<p>California Environmental Quality Act</p> <p>Created in 1970, this is the statute that requires state and local agencies to identify the significant environmental impacts of their actions and to avoid or mitigate those impacts, if feasible.</p> <p>CEQA is a “self-executing” statute. Public agencies are entrusted with compliance with CEQA and its provisions are enforced, as necessary, by the general public through litigation and the threat thereof.</p> <p><i>In other words, OC DPH, the City of Dana Point and the County of Orange are charged with the adoption of CEQA Guidelines, and it is each agency's duty to determine what is and is not subject to CEQA. <u>It is the general public's and their representatives' duty to step forward and challenge whenever these public agencies' interpretations are inappropriate.</u><sup>2</sup></i></p> <p><u>No challenge? Then all is apparently well!</u></p>
COSE	Conservation Open Space Element
CSLC	California State Lands Commission (See SLC)
CSRA	California State Resources Agency Manage the state's natural, historical and cultural resources. Comprised of many, many different departments including CDFG, MLPA and various others relevant to boaters.
CWA	Clean Water Act
DBW	California Department of Boating and Waterways A state agency also known as Cal Boating, and sometimes pronounced “DEE-BAW”. Donates money (occasionally) and loans money (when made available through the state budgeting process) for worthy boating and waterways capital projects (harbors too). Publishes guidelines, which are treated with the effect of law, for the design of recreational harbors and marinas. Provided a small grant and loan for the remodeling of the Dana Point Harbor Launch Ramp. Loaned OC DPH 15 million dollars for planning related expenses associated with the waterside portion of the Revitalization Plan. Approved funding for loans totaling an additional 45 million dollars (60 million dollars total), with funding stipulations including time frame constraints. Some of that money is no longer available due to missed timeframe milestones.
DEIR	Draft Environmental Impact Report (see EIR)
DPBA	Dana Point Boaters Association 😊 A nonprofit California corporation with over 500 members, representing the interests of the recreational boaters of Dana Point Harbor.

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<sup>2</sup> To understand this key point, the means that California state statute provides for protecting our environment, including the Tidelands Trust which is Dana Point Harbor, is to understand why boaters should join and actively support the Dana Point Boaters Association.

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DPCC	Dana Point City Council
DPHA	Dana Point Harbor Association A small marketing organization which pools advertising dollars and promotes various harbor events. Funded partially by Harbor merchants and partially by the County of Orange.
DPHAB	Dana Point Harbor Advisory Board The Dana Point Harbor Advisory Board is established to advise the County of Orange Board of Supervisors, City of Dana Point, County agencies and harbor management on public policy and successful operation of OC Dana Point Harbor.
DPHD	Dana Point Harbor Department This name is now obsolete; this County department is now known as "OC DPH".
DPHP	Dana Point Harbor Patrol There are three harbors in Orange County, Dana Point, Newport Beach and Huntington Harbor. Each harbor has a Harbor Patrol office, reporting to OCSD. These three locations are responsible for public safety and law enforcement on 42 miles of coastline and 126 square miles of ocean.
DPHMA	Dana Point Harbor Merchants Association A trade association comprised of local Dana Point Harbor merchants
DPHN	Dana Point Harbor Now!, a pro harbor revitalization political action organization apparently sponsored by DPH tenants and others anxious that the land side of the Commercial Core be developed fully and as rapidly as possible.
DPMC	Dana Point Marina Company Holds the contract with the County of Orange for management operations in the East Basin of Dana Point Harbor.
DPYC	Dana Point Yacht Club Located at the end of Dana Drive, across the water from the Ocean Institute
DSEIR	Draft Subsequent Environmental Impact Report (see EIR)
DUV	Day Use Vessel (broad category including most all vessels under 20 feet length)
DWM	Dana West Marina (company) / Beauchamp Realty Group Holds the contract with the County of Orange for management operations in the West Basin of Dana Point Harbor.
DWYC	Dana West Yacht Club Located on the island, to the right, on the corner of Island way and Dana Drive.
DWR	Department of Water Resources

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<u>Buzzword</u>	<u>Definition</u>
EIA	<p>Environmental Impact Assessment</p> <p>A written appraisal of the possible impacts—positive and negative—that a proposed project may have on the environment, together consisting of all natural, social and economic aspects. While this term is in general use for commercial projects nationwide, this term is not typically used in conjunction with California coastal projects. The equivalent term “EIR” is widely used instead.</p>
EIR	<p>Environmental Impact Report</p> <p>There are draft (DEIR), preliminary (PEIR, same as draft), draft subsequent (DSEIR) subsequent (SEIR), Program EIR (no acronym) and Final (FEIR) stage reports. A negative declaration (something approved but not being done) is a NEIR report. All reports follow the same general document structure and are intended for the same audiences. While their purposes vary somewhat, all EIR reports serve the objective: To declare and describe the various potential environment impacts (air and water pollution, traffic, public access, etc.) of the proposed development project and to document proposed mitigation when appropriate.</p>
ESA	<p>Endangered Species Act</p>
FEIR	<p>Final Environmental Impact Report (see EIR)</p>
HBP	<p>An Orange County department once known as Harbors, Beaches and Parks. This department was responsible of Harbor oversight from 1974 until OC DPH (then known as DPHD) was created in 2005. HBP has since been renamed OC Parks.</p>
HCP	<p>Habitat Conservation Plan</p>
HPW	<p>Human Powered Watercraft</p>
IP	<p>Implementation Plan (see LIP)</p>
IS	<p>Initial Study</p> <p>A report of findings resulting from a government study of a development proposal or environmental issue.</p>
LA	<p>Lead Agency</p> <p>The government agency designated with “lead” responsibility for a particular project involving more than one government agency. This is not the agency necessarily performing the work of the project or drafting resulting reports. Those efforts can and often is delegated to one or more other agencies, which may in turn outsource to private industry. In the case of Dana Point Harbor, The City of Dana Point is designated LA, and The County of Orange is the official applicant. OC DPH was created specifically to shoulder implementation responsibility in The County’s behalf. OC DPH has in turn outsourced project management, marketing communications, engineering design and conducting of many studies to various private firms with specific subject matter expertise. An exception to the general, “trickle down” delegation, The City of Dana Point has retained a lobbyist to lobby the CCC , SLC and State legislature as well as to advise The City and County on political matters.</p>

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LCP	<p>Local Coastal Program</p> <p>An ongoing oversight process administered by the local government agency designated by the CCC with this responsibility. The primary role of the LCP agency is the review of CDP submissions for projects which are land based. CDP submissions for water based projects go directly to the CCC, as would any land based CDP decision by the LCP agency which is appealed. The designated government agency in the case of the Dana Point Harbor is the City of Dana Point. Dana Point's City Planning Department is the delegated department responsible for Dana Point Harbor Revitalization.</p>
LCP	<p>Local Coastal Plan</p> <p>A master plan for coastal land development, conceptual, focused on evaluation of impact of the plan for development. Must follow strict CCC rules for format and content, and purposefully lacks engineering specificity which is to be addressed with the CDP submission(s) prepared in a process which starts following LCP approval. (See LCPA, LUP and IP.)</p>
LIP	<p>Local Implementation Plan</p> <p>In OC, the local implementation plan is typically referred to by the acronym "IP" but in other Counties, such as LA, the term "LIP" is used instead. Sometimes also defined as "implementation policy" or "implementation procedures". The LIP or IP is in essence a set of policies to be used in reviewing of CDP submission(s) to come. The sources typically are a combination of existing policies already in place plus new policies written for the specific new developmental requirements authorized by the LCP LUP.</p>
LOS	<p>Level of Service</p>
LCPA	<p>Local Coastal Program Amendment</p> <p>Depending on scope and potential environmental impact, a land use and development related proposal which may either be submitted as a <i>supplement</i> to an existing LCP or complete <i>replacement</i> of an existing LCP. In the case of Dana Point Harbor Revitalization, the initial County strategy was to portray the impact of proposed land development as less than significant. So The County had a partial LCPA report drafted that was intended as a supplement to the existing LCP. However, CCC determined the potential impact was in fact not less than significant, and so stipulated that additional content be prepared to make it a complete LCP replacement proposal before they would review it. Drafting the additional LCPA report content, together with increased contention for CCC Staff attention following budget cutback (which reduced staff headcount and created "furlough days") caused a one year delay prior in CCC Commissioner consideration.</p>
LUD	<p>Land Use Designation</p> <p>A section within an LUE or LUP describing a particular piece of land and the specific plan for a change in its use.</p>
LUE	<p>Land Use (Plan) Element</p> <p>A component of an LUP describing a particular land use.</p>

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LUP	<p>Land Use Plan</p> <p>A conceptual framework for proposed land development and a major component of an LCPA proposal. Also see LIP (aka IP) which is developed based on the finalized LUP.</p>
MHCOSP	Multiple Habitat Conservation and Open Space Program
MHCP	Multiple Habitat Conservation Program
MHPA	Multiple Habitat Planning Area
MND	<p>Mitigated Negative Declaration (see NEIR)</p> <p>A draft MND declares that a project, as modified with changes and conditions which may be attached to the associated IS, will not have a significant effect on the environment.</p>
MOA	<p>Memorandum (memo) of Agreement</p> <p>In its customary use, a legal document describing a committed plan of action shared by one, but usually two or more government agencies. An MOA may also be used to document as an agreement between a government agency and an outside party. To be binding it must be signed by authorized party or parties, as specified by statute. When each agency lawfully signs the same physical agreement (typical form) the MOA is sometimes also known as an <i>interlocking</i> MOA. The participating agencies may be within the same government unit (for example, two or more County of Orange operating departments) or within entirely separate government units (for example in the case of the building of DPH, where the MOA was amongst ACE, SLC, The County of Orange and The City of Dana Point).</p>
MOU	<p>Memorandum (memo) of Understanding</p> <p>The conceptual framework for a plan, a project or an event which demonstrates a common interest amongst at least one, but usually two or more government agencies. An MOU may also be used to document as an understanding between a government agency and an outside party. It is a written statement of intent to cooperate, to achieve a specified result, in ways spelled out within the document. Each agency may start with an independent version of the document in draft describing the understanding. These in turn may serve as the means to negotiate terms and conditions. To be binding, the final version must be signed by the authorized party or parties specified as by statute. When each agency lawfully signs the same physical agreement (typical) the MOU is also known as an <i>interlocking</i> MOU.</p>
MPLA	<p>Marine Life Protection Act</p> <p>According to CDFG, who is responsibility for execution of the MPLA initiative, "MPLA directs the state to reevaluate and redesign California's system of marine protected areas (MPAs) to: increase coherence and effectiveness in protecting the state's marine life and habitats, marine ecosystems, and marine natural heritage, as well as to improve recreational, educational and study opportunities provided by marine ecosystems subject to minimal human disturbance".</p>

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MSL/Msl	Mean Sea Level
NCCP	Natural Community Conservation Plan
ND	Negative (Declaration) Environmental Impact Report (see EIR)
NEIR	Negative (Declaration) Environmental Impact Report (see EIR)
NMFS	National Marine Fisheries Service
NOID	Notice of Impending Development When approved by the full Coastal Commission, serves as formal notification to other government agencies and the general public that a previously reviewed project has been approved for all development related actions, including the start of the actual construction.
NOP	Notice of Preparation A formal notification to other government agencies and the general public that a report “of importance” is being prepared.
OC BOS	Orange County Board of Supervisors There are five supervisors. Pat Bates is the supervisor currently representing Dana Point Harbor as well as much of Southern Orange County.
OC CEO	Orange County Chief Executive Officer
OC CFO	Orange County Chief Financial Officer
OC DPH	Dana Point Harbor Department Created in 2005 in a spinoff of HBP functions and staff, this department reports to the OC CEO department. Chartered to gain approval and implement the Dana Point Harbor Revitalization Plan.
OC HP	Orange County Harbor Patrol (a department within OC SD)
OC PARKS	Orange County Department of Harbors, Beaches and Parks
OC SD	Orange County Sherriff Department (also known sometimes as “OCSD”)
OC TA	Orange County Tax Assessor
OC TTC	Orange County Treasurer and Tax Collector
OPR	Office of Planning and Research A department of the California State Resources Agency. OPR receives and files all notices of completion, determination, and exemption. OPR maintains a database for the collection, storage, retrieval, and dissemination of notices of exemption, notices of preparation, notices of determination, and notices of completion.

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P3	Public-Private-Partnership The proposed P3 partnership as envisioned would be in the form of a master ground lease between the County and a developer, whereby the developer would develop, construct and operate certain improvements within the Harbor. The Board of Supervisors would have to approve the Request for Proposals and award to the prevailing bidder.
PEIR	Preliminary EIR (see EIR)
PFAC	Public Finance Advisory Committee Established after Orange County went bankrupt due to lack of proper capital spending and investment oversight, PFAC is comprised of five voting members from the general public (senior financial executives from private industry appointed individually by each of the five County Supervisors ) as well as three non-voting ex-officio County government members (the County Executive Officer (OC CEO), Treasurer-Tax Collector (OC TTC), and Auditor-Controller (OC CFO). This group reviews, approves, modifies or denies all County debt financing proposals. No proposal will be considered by the Board of Supervisors (OC BOS) until a written recommendation is provided by the PFAC.
PBMP	Potential Best Management Practice(s)
Pphm	Parts Per Hundred Million
Ppm	Parts Per Million
PRC	Public Resources Code
Program EIR	Program Environmental Impact Report (See EIR) Also sometimes called “program level EIR”.
PWC	Personal Watercraft A term usually typically used within the industry for vessels like jet-skis.
RBOC	Recreational Boaters of California A nonprofit corporation based in Sacramento whose mission is to lobby regarding legislation impacting recreational boating in the State of California.
RCP	Regional Comprehensive Plan
RCRA	Resource Conservation and Recovery Act
RGF	Regional Growth Forecast

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SCWD	South Coast Water District A regional government agency established by merger of several smaller districts a few years ago, SCWD provides potable water, recycled water and sewer services to a significant area in South Orange County, including Dana Point Harbor (excluding recycled water at this time). SCWD also owns property along the San Juan Creek water channel that is being developed to provide 889 trailer boat storage spaces, as well as various marine products and services including "boating by appointment" boat delivery and pickup at Dana Point Harbor. This facility is scheduled to open approximately mid-year 2011.
SDWA	Safe Drinking Water Act
SEIR	Subsequent Environmental Impact Report (see EIR)
SLC	(California) State Lands Commission, sometimes also known as CSLC Government agency responsible for stewardship (i.e., benign oversight) of all land areas owned by the State of California. Has one advisory (non-voting) seat on CCC. In theory, SLC is responsible for assuring that the terms of the Dana Point Tidelands Trust, an agreement which allows the County of Orange to manage the Tidelands (Dana Point Harbor) on behalf of the citizens of the State, are honored per the terms of the agreement. In execution at ground level, the role has been assumed by the CCC.
SONGS	San Onofre Nuclear Generating Station
SUP	Stand Up Paddleboard
SWP	State Water Project
SWRCB	State Water Resources Control Board
TACs	Toxic Air Contaminants
TDS	Total Dissolved Solids
UDE	Urban Design Element Textbook definition: Provides guidance on appropriate urban design that is context sensitive and sustainable while creating a greater sense of place.
USC	United States Code
USCG	United States Coast Guard
USCG AUX	United States Coast Guard Auxiliary An all-volunteer, non-profit corporation which was created by act of Congress in 1939 to assist the U.S. Coast Guard and serve as "Executive Agent" for the Coast Guard's Recreational Boating Safety programs.
U.S. DOT	U.S. Department of Transportation

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<u>Buzzword</u>	<u>Definition</u>
U.S. EPA	U.S. Environmental Protection Agency
USFWS	U.S. Fish and Wildlife Service
USGS	U.S. Geologic Survey
UWMP	Urban Water Management Plan

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### Buzzword      Definition

#### VMP      Vintage Marina Partners

VMP is doing business under the terms of two legal agreements with the County. Boaters think of VMP as the operator of the Embarcadero Marina, but VMP is also the property manager for Dana Wharf and portions of Mariner Village. Here is an overview of these two legal agreements, followed some clarifications as to day-to-day implications to Dana Point boaters:

#### Master Tenant Agreement

In this role VMP is the intermediary for most all but not all of the tenants of commercial rental properties within Dana Point Harbor's Commercial Core<sup>3</sup>. In other words, VMP is the "*master tenant*", the possessor of the master property lease with the County. The commercial business operators are County of Orange approved VMP "*sub-leasers*".

#### Facilities Operator Agreement

For many years, VMP also operated under master tenant agreement applicable to the Embarcadero boating operations, until this arrangement was replaced in favor of a "*facility operator*" agreement a few years ago. In the facility operator arrangement, there is no lease and there are no sub-leasers. Instead, there is an operating agreement and facilities and services "*licensees*". Note that this same master tenant arrangement was in place with the other two marina companies (the companies responsible for slip rentals in the East and West basins) prior to the expiration of their master leases a few years ago. These slip management arrangements were also converted to facility operator agreements.

#### Sub-leasers vs. Licensees

As just mentioned, the customers of all three marinas, we boaters, are no longer sub-leasers. We now have licenses with specifically defined, limited rights to access our assigned slips and storage locations. Our licenses also give us narrower and more limited rights to the use of other marina facilities. For example, we have right of access to gated parking areas. However we do not have the right to an assured parking space. We understand that the new licensee arrangement was enacted to avoid legal issues which would otherwise apply under State of California laws applicable to leases.

#### Permanent vs. Temporary Agreements

Some slip and storage licenses are permanent agreements. However, most all of those licenses signed after the Revitalization Attrition Policy went into effect in June 15, 2007 are temporary agreements that may be terminated by OC DPH when waterside reconstruction needs dictate. You may read the June 4, 2007 OC DPH New Marina Slip Assignment Guideline / Letter by clicking the link below: [http://danapointboaters.org/documents/ocdph/oc\\_dph\\_guideline\\_letter\\_6\\_4\\_07.pdf](http://danapointboaters.org/documents/ocdph/oc_dph_guideline_letter_6_4_07.pdf).

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<sup>3</sup> Four of the largest restaurants are also master tenants.