

**The following Emails were received regarding Blackball**

From: Finn Burke  
Sent: Wednesday, January 29, 2014 7:00 PM  
To: PB&R Commission  
Subject: Black Ball

My name is Finn. A long time body surfer at the Wedge in Newport Beach. I am sending this email with concerns about changes in the black ball regulations at Wedge. I have tried to bodysurf many other locations throughout the years and this is the only spot I can surf without being outnumbered by boards and fearing for my safety. Taking away black ball any more than it already is enforced will cause numerous problems. Not just for me but for countless other bodysurfers who have found the wedge as a haven for their passion of surfing without boards. The only location where we can safely surf without worrying about boards injuring us. I know the main motivation for the people who want black ball changed is for publicity and monetary gain. This will bring more people to the Wedge than usual and will in turn create much unease with the residents as well. Ever since I was in Newport Jr Gaurds over twenty years ago black ball has been the way it is now. I learned way back then how valuable it is for safety and for the preservation of the Wedge. With all of this said, I beg of you to not consider a change of something that has worked so well for so many years.

Sincerely,  
Finn

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**From:** Ron Romanosky  
**Sent:** Thursday, January 30, 2014 12:08 PM  
**To:** PB&R Commission  
**Subject:** proposed Wedge Blackball revisions (?)

To the PBR Commission – the following email is in support of the current Wedge Blackball (no revisions) as related yesterday to the Newport Beach City Council, Nancy Gardner and Lifeguard Supervisor Rob Williams. I sincerely hope the Commission members read the entire letter.

Thank you.

Ron Romanosky  
ph 949 466 3522

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**From:** [Ron Romanosky](#)  
**Sent:** Wednesday, January 29, 2014 5:11 PM  
**To:** [citycouncil@newportbeachca.gov](mailto:citycouncil@newportbeachca.gov)  
**Cc:** [Blackball@newportbeachca.gov](mailto:Blackball@newportbeachca.gov) ; [Nancy Gardner](#) ; [Rob Williams](#)  
**Subject:** proposed Wedge Blackball revisions (?)

Dear Council Members, Nancy Gardner and Rob Williams,

I recently heard that the Newport Beach Lifeguard Department has proposed both cutting and limiting bodysurfing hours at Wedge to only the summer months along with opening up adjacent Cylinders to all day board riding. I sincerely hope this is a rumor. If it is not, shouldn't Newport Beach perhaps weigh-in on what many see as its responsibility to maintaining some of its history? Wedge bodysurfing is a unique

part of that history. Wedge is the one break synonymous the world-over with bodysurfing. Preserving time here for bodysurfing is vital not only for its continuation but for its ongoing evolvement and refinement.

Board riders have the choice of many spots on the California coast to ride on any given day, *spring through winter*. Wedge bodysurfers do not have such a choice – they and the Wedge need the south swells of spring through fall. When bodysurfers, no matter how good they may be, do swim out at other spots the result is the same: they cannot compete with board riders of any ability, as board riders catch waves before any bodysurfer can. It should be noted that the waves of many of these spots are not suited for bodysurfing, as they don't have the "push" or shape that is required for the bodysurfer to make the wave. The one place which does have the "push" and shape necessary for bodysurfing is the Wedge.

Presently the state of California, for the reasons stated in the preceding paragraph, has one break designated *bodysurfing only* ('Boomers' in La Jolla) and it really isn't that choice a wave until the winter swells hit. Shouldn't Newport Beach take notice of La Jolla's example and, at the very minimum, maintain the current Wedge Blackball ordinance? For a fact, board riders have the Wedge for 9 straight months. NBLG Department records will show that the Wedge lifeguard tower is manned - and the Blackball enforced, from approximately June 15 through perhaps September 10. Rarely is this observed before or after those dates.

Regarding Cylinders: many long-time Wedge people believe that removing Wedge's adjacent break from the Blackball will result in many injuries, as many board riders who would have gone elsewhere after 10 (or 11 am) will be tempted to stay. They will injure themselves taking brutally-mutant, shallow-breaking waves better left alone.

In closing bodysurfers ask of Newport Beach only what they see as fair and reasonable, and perhaps for a nod of acknowledgement for their pioneering and tenure at what had been their place, before the No Blackball consortium "discovered" Wedge and began their moneyed and social media campaigns to push bodysurfers out.

Thank you for your consideration.

Ron Romanosky  
(949) 466 3522

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**From:** Murphy, Kevin  
**Sent:** Thursday, January 30, 2014 2:07 PM  
**To:** PB&R Commission  
**Cc:** Brent Ranek; Mel Thoman; Paul Cassidy; Tim Burnham; Henn, Michael; Petros, Tony; Hill, Rush; Daigle, Leslie; Selich, Edward; Gardner, Nancy; curry@pfm.com; Halphide, Mike; Williams, Rob  
**Subject:** Fw: blackball

I'm hoping everyone in your commission will review the graph I've made clearly showing the outrageous discrepancy of hours surfers control the water compared to everyone other swimmer.

I'm a 40 year Newport Beach resident who both surfs and bodysurfs. It's been brought to my attention you want to allocate even more time and the best spots for the surfers. How can anyone suggest this knowing these waters are already dominated by the surfers? This issue is about safety, revenue income to Newport Beach, and equality for ALL swimmers. This is already NOT happening and you want to make it even worse.

#1 safety; giving more time to surfers is just going to create a war between the surfers and boogie boarders, body surfers, swimmers and weekly rentals who already see a major injustice to swimmers time in the water. I will be forwarding pictures of a friends son who got his head bashed in by a surfboard.

#2 revenue to Newport Beach; why would renters pay \$3000/\$5000 a week to sit on the shore as they and their families can't go in the water ANYTIME of the day for fear of getting their heads smashed in by a surfboard. These same people also put lot's of money into our local stores and restaurants. What about me, my property taxes are over \$20,000 a year. The surfer pumps what into our economy, \$2/3 for parking.

#3 Equality for all swimmers. The chart speaks for itself and now you want to make in even worse. Let me ask you one simple question, where can I the swimmer go out at 7,8,9,10 in the morning and swim and not have to worry about getting run over by surfers? The answer is a stunning NO-WHERE!! WHY?

I'm all about compromise and finding a win/win for everyone. Giving surfers 48th-56th and Orange St to the River Jetty is not a compromise. You just gave surfers the prime waves in West Newport ALL day.

Reducing 40th to 44th by 50% or three months is not a compromise. You just gave the surfers 3 more months.

Reducing the Wedge by 50% or three months is not a compromise. You just gave surfers 3 more months of what is a WORLD class body surfing area. I started body surfing the wedge in the late 60's.

So in summery of the PB&R recommendation, you have given the Surf Commission EVERYTHING they've asked for.

You've taken AWAY from the boogie boarders (40-44th st) and taken away from the body surfers (Wedge). I do not see this as anything but a one-sided victory for the surfers. I've negotiated business deals all over this world. I've lived in Europe, Australia, and Japan. I don't think I could find one business person who thinks this PB&R proposal is a win/win. It clearly only addresses one faction of the water community.

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**From:** Scott Matthews  
**Sent:** Thursday, January 30, 2014 2:18 PM  
**To:** PB&R Commission  
**Subject:** Blackball at The Wedge

All Newport Beach Affiliates,

My name is Scott Matthews and I am a frequent bodysurfer of the Wedge and a born and raised citizen of Newport Beach. This email is being sent in response to some of the proposed changes to blackball in the "Wedge" area. There is nothing wrong with the blackball regulations as they currently stand, limiting the use of flotation devices from May 1 - October 31 from the hours of 10am-5pm. The Wedge is a special place in both the location and historical value. Wedge is one of three main beaches in the US that allow bodysurfing only during parts of the year. In Newport beach alone, there are currently designated areas specifically for skim boarders and bodyboarders, the primary demographic voting against blackball at the wedge. During the summer hours both the bodysurfers and board surfers receive equal and fair hours in the water at Wedge, with the better conditions going to the bodyboarders and surfers who receive those early morning and late afternoon slots. Bodysurfers cannot surf many of the waves around the world due to the fact we get overrun by anyone on a board. By limiting our access to bodysurf even farther, you are taking a small step in the direction of pushing the sport out of existence.

The biggest issue with this is safety, not only do bodysurfers get overrun by hard boards, they also create great danger to all those in the water, which is why even though bodysurfers are allowed to ride during non blackball hours, we do not.

The best solution would be to keep Wedge the same or to EXTEND the blackball regulations there allowing each of the respective riders their own sanctuary to ride.

Skim - Balboa pier  
Bodyboard - 44th street,  
Surf - 48th-56th (hopefully)  
Bodysurf- Wedge

This will create true EQUALITY amongst us.

Bodysurfing is growing sport and the Ocean is a big place for board surfers with limited areas for bodysurfers. Please do not take a step in the wrong direction.

Thank you,

Scott Matthews

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From: Paul Cassidy  
Sent: Thursday, January 30, 2014 2:40 PM  
To: 'Murphy, Kevin'; PB&R Commission  
Cc: Brent Ranek; Mel Thoman; Tim Burnham; Henn, Michael; Petros, Tony; Hill, Rush; Daigle, Leslie; Selich, Edward; Gardner, Nancy; curry@pfm.com; Halphide, Mike; Williams, Rob  
Subject: RE: blackball

I am also a long term Newport resident. I am also outraged at this serious injustice that appears to have been decided on. Kevin, Brent, and myself took time out of our day to meet with the lifeguards and discuss the blackball issue. During that meeting we were given the impression that it was a fact finding mission, and all parties would be fairly heard. I even got a little indignant at some comments that were made. I was quickly told not to jump to conclusions. Well

based on what I am hearing, I feel we were railroaded and there was never any intention to take our concerns seriously. I had suggested to all of our swimming friends in the past, that the only way we can get attention to this SERIOUS suggestion of giving the surfers more water time, was to grab all of us and hit the water, show our strength, and commitment, endanger ourselves, and get in the surfers way on every single wave!!!! I was told to settle down, that is not the appropriate way to draw attention and be heard. WELL GUESS WHAT!!! THIS IS WHAT IT IS GIONG TO TAKE to be heard!!, and I will be the first one to take action. When I get hurt I will have my lawyers on board to send notice to the city of Newport beach that they have serious liability. You might want to think long and hard about this kind of future liability you are putting on the city of Newport beach!!!! Respectively submitted

Sincerely,  
Paul Cassidy  
Owner

Oranco Development, Inc.  
pcassidy@oranco.com

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From: mel  
Sent: Thursday, January 30, 2014 4:34 PM  
To: 'Murphy, Kevin'; Paul Cassidy; PB&R Commission  
Cc: Halphide, Mike; Henn, Michael; Williams, Rob; Brent Ranek; Petros, Tony; curry@pfm.com; Hill, Rush; Gardner, Nancy; Daigle, Leslie; Tim Burnham; Selich, Edward  
Subject: RE: blackball

I'm one of the Wedge bodysurfers who helped organize the 1993 Wedge Preservation Society in the fight to help keep The Wedge a safe haven and World reknown bodysurfing mecca. The main reason for our efforts was due to the invasion of boards, all of them capable of seriously injuring a swimmer/bodysurfer. A bodyboard aka "boogie board" is not "soft" as some people have a tendency to refer to them. I strongly disagree with the recommendations the committee has put forth. Not only at The Wedge but the upper West Newport and River Jetties as well. You are basically creating more problems, not solving them. Especially in a very limited area and private residential place such as The Wedge. There are more bodysurfers using these areas than I've ever seen before after 40 years of riding and after being assured that there would be no voting on a resolution until after the Summer of 2014. I'm highly suspect of the intentions and direction this is taking. I think this whole deal needs a lot more serious consideration and discussion with regard to public safety and the intentions of the Blackball Committee. Thanks for your time.  
Sincerely, Kevin "Mel" Thoman  
Founder of The Wedge Preservation Society

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**From:** Noe Medeiros Batista  
**Sent:** Friday, January 31, 2014 1:44 PM  
**To:** PB&R Commission  
**Subject:** SOS BLACKBALL

I'm from de the Brazilian Bodysurfing Community. Please, keep the Blackball season as it is now. The importance of this preservation goes far beyond the shore on the end of the Peninsula. It

matters for all bodysurfers, wherever we are. Thanks for the sensibility,

Noé Medeiros Batista  
military firefighter

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**From:** Christian Costa  
**Sent:** Friday, January 31, 2014 2:37 PM  
**To:** PB&R Commission  
**Subject:** Blackball

I'm from de the Brazilian Bodysurfing Community. Please, keep the Blackball season as it is now. The importance of this preservation goes far beyond the shore on the end of the Peninsula. It matters for all bodysurfers, wherever we are. Thanks for the sensibility,  
Christian Costa

**Christian Costa**  
fotografia, filmes e edição  
21 91013480  
22 97764454  
22 25423224

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**From:** Todd Petersen  
**Sent:** Friday, January 31, 2014 2:37 PM  
**To:** PB&R Commission  
**Subject:** Blackball at Wedge

To whom it may concern,

Thank you for taking the time to read this email, I will attempt to keep it brief. For what it's worth my name is Todd Petersen, I reside at 6308 W Oceanfront Newport Beach. My father is a member of the Wedge hall of fame and rode the wave for over 30 years. He died last May from complications related to injuries he sustained at the Wedge one year earlier. The Wedge is a wave unlike any other on our coast and those who ride it, be it bodysurfer, boardsurfer, bodyboarder, etc., love it for the same reason, it is a true proving ground. The ultimate problem lies in a bodysurfer's inability to compete with board riders. Surfers are looking for more access up and down Newport. They brought up 40th st and blackies specifically at the city meeting. They also spoke about just how great the waves get in the west jettys during the south swell season. You won't hear a bodysurfer asking for more access because they simply can't compete with any board rider. If a blackball is no surfing for instance, like at 40th st, the bodysurfer is for all intents and purposes "black balled" as well, because bodyboarders are at a distinct advantage. To be more clear, there is no where for a bodysurfer to go other than the Wedge. Meanwhile a surfer can enjoy the early morning hours at the Wedge and if they still want to surf more they can go ride the jetty's to the west; they are a suitable alternative. Bodysurfers have no such suitable alternative.

The history of the Wedge is rich in bodysurfing, it is their mecca. The city of Newport houses a true gem of our surf culture, and with that comes some responsibility. Unfortunately that responsibility may not be entirely popular. In essence the bodysurfers are like an endangered species. They need some form of protection or they will cease to exist. This may be an unfair burden on the board when deciding the Wedge's fate, but it's true that bodysurfers cannot coexist with other board riders. The history of the Wedge is the history of bodysurfing, I'd hate to see the beginning of the end because board riders can't get up early and take advantage of the time they are afforded at the Wedge (the best time of the day no less). Please consider leaving the blackball regulations unchanged. Thank you very much for your time.

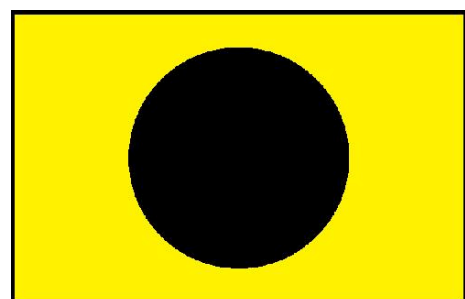
Sincerely,

Todd Petersen

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**From:** beto praia  
**Sent:** Friday, January 31, 2014 2:50 PM  
**To:** PB&R Commission  
**Subject:** BODYSURF

**BETO PRAIA**  
**RIO DE JANEIRO - BRASIL - PRAIA DO LEME**



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**From:** Rodrigo Bruno  
**Sent:** Friday, January 31, 2014 4:07 PM  
**To:** PB&R Commission  
**Subject:** Blackball

Dear Sir / Madam,

I'm bodysurfer from Brazil. Please, keep the Blackball as it is now. The importance of this preservation goes far beyond the shore on the end of the Peninsula. It helps the maintenance of this ancestral (and fragile) way of surf, and culturally matters for all bodysurfers, wherever are.

Thanks for your sensibility,

Rodrigo Bruno

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**From:** Niels Gudme  
**Sent:** Friday, January 31, 2014 4:57 PM  
**To:** PB&R Commission  
**Subject:** Blackball

Dear Sir / Madam,

I'm bodysurfer from Brazil. Please, keep the Blackball as it is now.

The importance of this preservation goes far beyond the shore on the end of the Peninsula.

It helps the maintenance of this ancestral (and fragile) way of surf, and culturally matters for all bodysurfers, wherever we are.

Thanks for your sensibility,

Niels Gudme

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**From:** Roberto Martins  
**Sent:** Friday, January 31, 2014 6:08 PM  
**To:** PB&R Commission  
**Subject:** SOS BLACKBALL

I'm from de the Brazilian Bodysurfing Community. Please, keep the Blackball season as it is now. The importance of this preservation goes far beyond the shore on the end of the Peninsula. It matters for all bodysurfers, wherever we are. Thanks for the sensibility,  
Roberto de Lima Martins

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**From:** Chris Robinson  
**Sent:** Saturday, February 01, 2014 2:03 AM  
**To:** PB&R Commission  
**Subject:** wedge black ball established rules

Aloha from haleiwa

The well established black ball rules practiced at Wedge for the last decade is keeping alive the art of bodysurfing.

When I get to visit Newport Beach and bodysurf this wave I grew up riding, i don't know how to put to words what it means to me to be able to ride unhindered by boards. Thank you.

Christopher Robinson ak Tustin

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**From:** Steve Short  
**Sent:** Saturday, February 01, 2014 2:49 AM  
**To:** PB&R Commission  
**Subject:** Wedge Blackball rules

Mr. Commissioner,

The blackball rules that are currently in place at the Wedge are fair and they should NOT be changed. This is a world famous bodysurfing spot and without the blackball, bodysurfing at the Wedge is dangerous and would create fights.

Each year the World Bodysurfing Contest is held at Oceanside in August and a number of competitors from around the world also visit the Wedge. We seem to have more serious bodysurfers in Southern California than anywhere else and many bodysurf the Wedge often.

Please do not change the Wedge blackball rules!

Thanks, Steve Short  
"Too Tall /\_\"

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**From:** Ron Romanosky  
**Sent:** Sunday, February 02, 2014 2:04 PM  
**To:** PB&R Commission  
**Subject:** Wedge blackball issue - please maintain the current Blackball

To Newport Beach's PBR Commission regarding the Wedge Blackball ordinance: the email below was sent several weeks ago to Newport Beach's City Council, its mayor and its Lifeguard Dept:



Dear Mayor, Council Members and Life Guard Department,

My email regards, and is in opposition to, the latest attempt by anti-Wedge bodysurfing individuals and one facebook group known as Wedge4All who are efforting to overturn the current blackball ordinance, claiming that body surfers are given more hours than fair or warranted.

Following are the facts and my observations over my many years at this iconic, only-of-its-kind spot:

- 1) Wedge is historically and traditionally bodysurfing's premiere spot - known world-wide as such for over 60 years. *The Wedge wave is as close to perfect for bodysurfing as it gets* – a big reason big wave bodysurfing has evolved as it has, *and is still evolving*.
- 2) The present ordinance, enacted in 1993 to address both safety and fairness, gave equal portions of the daylight hours to bodysurfers and board riders.
- 3) Body surfers see enforcement of this ordinance only by the presence of a Newport lifeguard. Only June, July and August witness a guard posted daily in the W tower.
- 4) Before June 10 or 15 and after Sept. 10 to 15 the tower goes un-manned only with rare exceptions - *when a big south swell occurs on a weekend or during warm weather and public safety is a genuine concern*. In reality board riders should admit that they have almost 9 (nine) full months in which they have Wedge to themselves.
- 5) Though the ordinance reads '*Bodysurfing only from 10 am to 5 pm from May 1 through Oct. 31, from the west jetty to P tower*' boogie boarders, skimboarders and board surfers routinely ride waves at Cylinders (50 yds from the Wedge peak) to beyond P tower during blackballed hours, meaning the ordinance is not fully enforced in the summer. Furthermore, when the blackball flag goes up at 10 am during a good swell board riders are usually reluctant to leave the water. It's often 11 am before the last boarder leaves the lineup.
- 6) On the subject of hours and best surfing conditions: from dawn to 10 is 5 hours, and 6 hours when boarders stay out to 11 am. As we all know, bodysurfers are allocated 7 hours. For the boards 5 pm until dark works out to 3.5 hours or more, so, in doing the math it's evident the boarders get more time. Conditions-wise the waves are almost always a lot better in the early morning hours, before the winds increase and adversely affect wave shape. Here again the boarders come out on top.
- 7) As for catching waves bodysurfers will always come out second to virtually anyone on a boogie or surfboard, as even novice board riders can catch a wave well before accomplished bodysurfers can. That being established, 5 or 6 good board riders can dominate Wedge and catch every select wave if they choose.
- 8) The subject of permits may be something the City of Newport Beach should look into, since locally based, surf-related businesses are backing the anti-Wedge

Blackball petitioners. As far as I know the city has not addressed the great possibility – and likely, the reality, that Wedge serves – and has served - as a fee-free promotional venue for many companies.

In closing I must emphasize that #7 is the rule at every surf spot in our state – observers just will not see bodysurfers attempting to catch waves among throngs of board riders, for it is futile. It is my hope the individuals reading this letter will acknowledge the need and importance of maintaining the current Wedge Blackball. This will ensure the future and advancement of bodysurfing. And Newport Beach will continue to be known as a champion for this unique sport.

Thank you for your consideration.

Ron Romanosky  
P.O. Box 4045  
Balboa, Ca. 92661  
(949) 466 3522

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**From:** Jack Bassham  
**Sent:** Sunday, February 02, 2014 4:03 PM  
**To:** PB&R Commission  
**Subject:** Wedge Blackball

The blackball restrictions currently in place at the Wedge are fair for all and should not be changed.

Thank You,  
Jack Bassham

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From: Jane Atencio  
Sent: Sunday, February 02, 2014 7:24 PM  
To: PB&R Commission  
Subject: Preserving safe bodysurfing at the wedge

To the Commissioners of B,P, and R,

Please do not adjust the Blackball time at the Wedge to allow more time for activities other than bodysurfing. The Wedge is a unique break and conducive to safe bodysurfing only. It is only found there, whereas board surfers can find far better breaks for their surfing, boogie boarders risk a dangerous ride into the rocks, and skim boarders are skimming on a tremendous slant. None of which is safe for the individual or for the City's liability. Bodysurfing is far more controllable by the individual surfer and the waves there are formed only to facilitate safe bodysurfing.

There is absolutely no reason to adjust the use time to allow other activities' entrance into the water. They have miles of other beach, within the city where waves and shoreline meet their needs far better than the Wedge.

Nothing is broken. Do not try to fix an already good thing.

Jane Atencio

Resident and Property owner in Newport Beach for the last 40+ years.

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From: McPherson

Sent: Sunday, February 02, 2014 9:06 PM

To: PB&R Commission

Subject: Protect bodysurfing at the Wedge

Please look at the legislation done at Point Panic, in Honolulu, as a blue print for Legislation , to protect the purist form of Man's interaction with the waves of the Ocean. A bodysurfer, brings into the ocean, nothing but himself, and leaves nothing but footprints. There are very few places left for him to practice this time honored sport. Since he has no board, he has no protection from those that do, and often finds himself in danger from incompetent surfers and body boarders that lose their boards, and , are not able to basically swim, without their boards. Bodysurfers are the last true Spirits, connected to the water with skill, ability, and a Watermans' swimming ability. Most have been swimmers at high levels, water polo athletes, and by being such highly skilled watermen, have joined in countless rescues of the other non-skilled board set, and swimmers alike. To restrict their use of the Wedge, is like closing the Indianapolis Race Way, for use by Driver's Ed. Please re-consider any actions until you have a FULL forum of watermen, all of the facts, and do not Legislate something this crucial without their input.

Many thanks for the time to review this letter and viewpoint. Mahalo, Clark McPherson, Hawaii born, bodysurfer and waterman for over 65 years.

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**From:** Rob Harwood

**Sent:** Monday, February 03, 2014 6:15 AM

**To:** PB&R Commission

**Subject:** Bodysurfing at Wedge

Dear Commissioners,

I just thought I'd drop you a line to ask you to consider giving bodysurfers a fair go at Wedge. Even as far away as here in Australia we recognise Wedge as one of the few big-wave bodysurfing spots on the planet. As one of the first big-wave spots to be consistently documented by photographers, Wedge occupies an almost unique place in surfing's history. It's a shame to see bodysurfers, who were the first to take on Wedge, (and who are, after all, the purest human exponents of the art of riding waves), lose one of their few remaining havens to boardriders of various sorts who already dominate surf spots worldwide, almost to the total exclusion of all other wave riders.

Bodysurfing is surfing's past and may well be it's future as well. In the face of hordes of vocal supporters offering online support and corporate interests pushing more orthodox and fashionable forms of surfing, bodysurfers all around the world will thank you for seeing reason, being culturally responsible and not placing further restrictions on bodysurfers' access to their ancestral home.

Thank you,

Rob Harwood

Gold Coast, Queensland, Australia

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**From:** Nicolas Torregrosa  
**Sent:** Saturday, February 01, 2014 9:20 PM  
**To:** Recreation  
**Subject:** Blackball Draft Resolution support

I support the proposed changes to Blackball policies as stated in Draft Resolution No. 2014-xxx.

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**From:** Richard Schoenbaum, DDS  
**Sent:** Monday, February 03, 2014 8:10 AM  
**To:** PB&R Commission  
**Cc:** Romanosky, Ron  
**Subject:** Wedge for Body Surfing - Black Ball

The history of the Wedge is Bodysurfing PERIOD!!! Keep it that way. Surfboards dominate the surfing scene everywhere else. It is time to set aside one spot as has been done before in Newport and La Jolla for historic preservation and the enjoyment of bodysurfers and spectators alike.

Maintain the Black Ball status of the Wedge....Or better yet, expand it.

Richard P. Schoenbaum, D.D.S  
Culver City, CA

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**From:** reidadams11@gmail.com  
**Sent:** Monday, February 03, 2014 8:46 AM  
**To:** PB&R Commission  
**Subject:** Blackball at The Wedge

To whom it may concern,  
Hello, my name is Reid Adams and I am an 18 year old resident of Newport Coast. Throughout my life I have enjoyed all types of wave riding/ocean activities, but ever since I was able to start riding at the wedge, all of my passion has gone into the sport of bodysurfing. There are countless beaches where I am able to surf, bodyboard or skimboard, but not a single beach designated for bodysurfers. I don't see how is fair to cut down the already equal hours for bodysurfers to the times where it is windy and blown out, not to mention that blackball at wedge is rarely enforced except for in peak months. The way that blackball works now, boardriders already have the best times of the day for cleanliness and form of waves, early morning and late afternoon. It is well known that bodysurfers are unable to compete with boards for waves, not to mention how dangerous it is for the bodysurfers. I have seen people hit and injured by boards countless times. Please keep the blackball regulations at the wedge how they are now. This is the most equal distribution and has worked well in the past.  
Thank you for your time and consideration.

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**From:** Ronnie  
**Sent:** Monday, February 03, 2014 8:47 AM  
**To:** 'Ronnie'  
**Subject:** wedge safety

Hello :

Thank you in advance for reading this email-

I am a lifetime resident and high performance body surfer as well as 3 time amateur world champion skimboarder. I won these titles once in my 20s once in my 30s and again at 40 –

I only give you my water background to let you know , I have experience in two water disciplines , and it just so happens that these two methods of waves riding as you know, are facing off with access to waves in Newport and specific to the wedge.

If you change the blackball policy that has been in force for over 20 years , this will be a great danger to individuals in the water that bodysurf. This I can assure you as I have almost been killed by renegade skimboarders who ride with NO LEASH and the boards are impossible to control. The skimboards are VERY THIN and SHARP FIBERGLASS I have been hit in the head by one at the wedge and almost died. This will happen again many times over if the policy is changed.

I urge you strongly for the good of public safety to keep blackball as it stands in place.

Signed

Ronnie Pringle

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**From:** Charlie McAuliffe  
**Sent:** Monday, February 03, 2014 9:05 AM  
**To:** PB&R Commission  
**Subject:** Wedge blackball

Dear Mayor and City Council Members,  
My name is Charles McAuliffe. I am a 23 year old, life-long resident of this wonderful city of Newport Beach. The purpose of this letter is to voice my concerns regarding the possible change of black ball policy at the world's most famous body surfing break, our Wedge. There are many reasons why the blackball at Wedge should remain as it is. It was enacted to further address the concerns of swimmer safety and fair play

(equal time to body surfers and board riders). Safety and fair play are as important and relevant at Wedge today as they were 20 years ago, if not more so. However, not once in the municipal code is the term *body surfing* ever used, even though body surfers are the primary beneficiaries of the ordinance. What the city council has to ask itself is, "Has this code fulfilled its primary purpose of promoting and maintaining swimmer safety?" For all intents and purposes it has, so I ask, "Why fix what isn't broken?"

Where wipeouts involving surfboards at Wedge are concerned, a rider-less one is a virtual and un-controlled missile with the speed and force having the potential to severely injure. Even the most experienced surfers can lose control of their boards. Injury to others in the water in such cases is not uncommon.

Separating the two groups of Wedge riders eliminates this danger. It offers a safer environment for body surfers as well as recreational swimmers. The way the Blackball is currently set up is fair to both groups of Wedge riders. During the 3 summer months board riders are able to ride Wedge from dawn until 10 am. That is 5 hours. Then throw in the fact that many board riders stay in the water long after the Blackball goes up and then it's closer to 6 hours. At 5 pm to dark the boards have it again. I want to point out that the hours the boards have Wedge are far and away the best ones to surf, when conditions are the cleanest. Everything considered, the boards have by far the better slice of the pie. But now they've made it clear they want even more. Isn't that greed? Perhaps there are commercial interests pushing this agenda. If so, should not they secure some sort of use permits?

I hope that the City Council takes into account the unique history of Wedge and its huge contribution to big wave body surfing. Without the protection the current ordinance affords this 50 year-old sport would be at risk of being eradicated.

Body surfers simply cannot compete with boards when it comes

to catching waves. Boards are able to take off long before body surfers due to the increased speed which is inherent in any form of board riding. Surfers, body boarders, and skim boarders have the entire coast – and the entire world - to ride whenever they want. Body surfers have two breaks on the entire planet that are set aside exclusively for body surfing – Point Panics on Oahu and Boomers in La Jolla. The number can't be three because Wedge is a shared break in the summer. And since there is little if any blackball enforcement before and after summer the board riders consequently have Wedge 9 months to themselves.

In closing I want to emphasize that the city's recognition and protection of Wedge as the world's premiere bodysurfing spot is very important to bodysurfers everywhere. The current Blackball is more than fair and we hope it's continued. Without that Blackball Newport Beach could inevitably see the end of surfing's purest form of wave riding, one that is completely unique to our city.

Thank you for your time and consideration.

Cordially yours,  
Charles McAuliffe

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**From:** Eric Joyce

**Sent:** Monday, February 03, 2014 9:07 AM

**To:** PB&R Commission; Henn, Michael; Petros, Tony; curry@pfm.com; Hill, Rush; Gardner, Nancy; Daigle, Leslie; Selich, Edward

**Subject:** The Wedge Blackball

Hi,

My name is Eric Joyce and I am a dedicated waterman. The southern California coastline is a national treasure and I consider it one of my personal goals to work hard to protect and enjoy it for the rest of my life. I have been made aware through friends and family that the current regulations at the wave known as the Wedge may be changed. I would like to offer my voice to the community to ask if you would please NOT change any of the current blackball regulations. What has been built at this spot is so special that it pulls watermen and women from all over the globe to bodysurf.

Board surfers do not require designated beaches because if a bodysurfer drops in on them they are not the one at risk. A change in policy at this point would put dedicated bodysurfers at risk of

injury and would begin to diminish something so special built by the city of Newport. Surfers/bodyboarders already enjoy the PRIME hours of each day, even during blackball season. This new resolution seems driven by \$ and greed to push us out of one of our final remaining havens.

Stand up for bodysurfers... Stand up for us riders who swim out with no intention of getting sponsored or no thought of being featured in a big money surf film or no gold medals at the X-Games. Stand up for us who ride because we love to do it. Stand up with us to protect the relationship between a city and a group of riders the surf industry has no time for. Thank you for your time and public service.

Sincerely,  
Eric Joyce

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**From:** Jason Guthrie

**Sent:** Monday, February 03, 2014 11:35 AM

**To:** PB&R Commission; Henn, Michael; Petros, Tony; curry@pfm.com; Hill, Rush; Gardner, Nancy; Daigle, Leslie; Selich, Edward

**Subject:** Blackball at Wedge

Hello, my name is Jason Guthrie I am a Costa Mesa native and I have been bodysurfing at Wedge since 1983. I am writing in regards to the proposed blackball changes at Wedge. I feel that any changes to the current blackball regulations at Wedge that reduce or eliminate blackball hours would not only be detrimental to the sport of bodysurfing, it would also create safety hazards for all bodysurfers.

The current regulations at Wedge offer bodyboards, skimboards, and surfboards the best hours of the day for wave riding (before the wind picks up creating choppy conditions). It also gives them the end of the day (for those that don't like to get up early), often the late afternoons in summer offer great conditions as well after the wind dies down. The current split of time is equal, contrary to what many of the anti-blackball supporters would lead you to believe. Approximately 7 hours with no blackball, and 7 hours with blackball. Their argument is that even while there is no blackball in the water, bodysurfers are still able to bodysurf. While the statement itself is true, it's not actually factual. There are very few people that attempt to bodysurf prior to blackball going up, it is near impossible to compete for waves with boards of any kind without cutting them off and risking being hit in the head by their board as the boards are able to sit back and take off deeper in the wave. Bodysurfers are completely immersed in the water with only their head exposed and have to propel themselves through the water rather than on top of the water and hence are much slower leaving their heads exposed for contact. The inability to compete in the water with these other forms of wave riding will essentially cause the demise of the art of bodysurfing and/or create unnecessary safety hazards when bodysurfers do the only thing they can to catch waves by taking off in front of someone on a board.

When I began bodysurfing at Wedge, the blackball regulations were not in place. While there were fewer people riding bodyboards and skimboards at that time in comparison to now, I had been hit by them on several occasions and have been knocked unconscious in the water on one occasion by a bodyboard, had it not been for other bodysurfers in the water that came to my assistance, I might have drowned (can you imagine how dangerous it would be with the mass amounts of bodyboards/skimboards in the water nowadays?). While there is very little blackball enforcement from May to late June/early July and early September – end of October, the bodysurfers have been able to manage it ourselves because the regulation was in place (regardless of it being enforced). There were still times, however, that boards (skimboards, surfboards, and bodyboards) would still enter the water and not want to exit when informed of the blackball. During these times, I have been hit by skimboards on three occasions and had near misses several times as they take off from the sand not seeing my



exposed head while I am paddling for a wave. Not to mention the loose boards flying through the crashing waves after their rider bails or is knocked off the wave.

There are plenty of places in Newport and up and down the Orange County coast for the board riders to ride when the blackball goes up. Places in Newport like Balboa Pier for the skimboards, 40-44<sup>th</sup> street (and the rest of Newport), even Cylinders for the bodyboards, upper jetty's for the surfboards. If you eliminate blackball or reduce the hours, where are WE as bodysurfers to go? Please take these things into consideration when deciding what to do in regards to the blackball regulations at Wedge.

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**From:** Chuck Olson  
**Sent:** Monday, February 03, 2014 12:08 PM  
**To:** PB&R Commission  
**Subject:** Regarding Black Ball.....

To Walt Howald and the Parks Beach and Recreation Commission...

My name is Chuck Olson. I grew in Newport Beach and attended CDM Elementary, Lincoln and CDM High School where I was a swimmer and water polo player. I served as a Newport Beach Lifeguard for a few summers before focusing on the actual training of lifeguards and first aid providers. I tell you these things so you may realize that I come from an oceanic background and consider matters of safety to be of major importance.

I have been a part of the Wedge Crew since 1978. I first rode the Wedge in 1970 after swimming across the channel from Big Corona. I still ride the biggest waves the Wedge has to offer today. The Wedge is a major reason why my wife and I chose to move back to OC after 20 years living in Hawaii and Las Vegas. Many of our vacations back to Newport Beach revolved around the incoming swells at the Wedge. I tell you these things so you may realize that I do love The Wedge and all that it brings to the city of Newport Beach.

I am disappointed after reading the Black Ball Committee's recommendation to be made to you the Parks, Beaches and Recreation Commission and further the City Council. I am distressed to see that a culturally unique aspect of Newport Beach and more importantly the very act of body surfing is being threatened. I would direct you to this month's Surfer Magazine that features an article on the alleged to be dying sport of body boarding and the transition of wave riders returning to the basic roots of surf riding (March 2014 pages. 44-46). A timeline can be established that when I was in high school, and the Boogie Board came out, a generation fell away from traditional stand up surfing as well as body surfing. I was within that generation. While I never gave up board surfing I prefer to remain prone and keep on body surfing. I witness today due to my business that supports both board surfers (along with skim boarders) and body surfers, that the ever increasing number of active body surfing groups is larger than at any other time I have seen! I am a member of several Facebook body surfing groups that are from a world wide base.

Leading up to the Black Ball Community input session, the local body surfing community was repeatedly told by Marine Department officials that the meeting was purely to receive input from the community for future consideration. The local body surfing community chose not to enflame the masses prior to the meeting as did the other interest groups. Maybe we should have. We considered this to be a matter of cultural significance that would not be swayed by greed and selfishness. One speaker representing the "eliminate Black Ball at the Wedge" contingency even had the audacity to state that "he needed to be able to make money" and that Black Ball threatened that ability. Additionally, the lack of fairness argument regarding access to Wedge by skim boarders and board riders is baffling. As it stands today, board riders can surf from 5:30 a.m. -10:00 a.m. and then from 5:00 p.m.- 8:00 p.m. This adds up to seven and a half hours of access. Bodysurfers? Seven hours, from 10:00 - 5:00 p.m. On any given day, 10-5:00 p.m. are the worst hours due to wind and crowd.

The members of the P,B & R Commission are in place to assure a fun and safe environment for all. I further believe that the PBR Commission has a moral obligation to maintain the history and culture of its'

assests. The Wedge is one of those assests. Hawaii has an established body surfing only beach, Point Panic. San Diego has Boomer in La Jolla. From purely a surfers mindset, the Wedge is an ideal body surfing break due to the steep faces with a very small area to actually perform surf-type maneuvers upon. Body boarders and board surfers goal at Wedge is to make it down the face, bottom turn and launch over the back of the wave. These mediums are to fast for this type of wave. Why do they ride the Wedge then? Aside from the machismo, it is usually to get photographed or create photographic opportunities for the surf industry as stated clearly by the individual during the community input sessions.

The body surfing only policies at Boomer and Point Panic work for the simple reason that it is consistently enforced and the fact that there are miles upon miles of beaches to board surf. There are few if any "in water" issues or fights at these breaks due to the acceptance of these facts. Without an area for body surfing only (40th - 44th street is an area appropriate for bathers, not surfers), tensions along with the inevitable fighting will create chaos down at the Wedge. A new level of safety concerns are on the verge of becoming reality if a reduction of Black Ball hours occur. Knowing and allowing these conditions to exist may even put the city in a position of liability. I believe that a complete Black Ball of floatation devices at the Wedge makes more sense. The body surfing community has yet to pursue this type of action due to the fact that most of us are also board surfers and have empathy for the other modems of surfing in general. The lack of empathy for body surfers was evident amongst the board surfers, photographers and Surf Industry representatives at the Black Ball discussion meeting. Their greed and selfishness permeated the room! Lastly, for the record, I fully support the idea of 24 hour a day board surfing in the upper west Newport area! Please consider a complete ban on floatation devices at the Wedge for the reasons of safety, culture and heritage! There is few places like Wedge...you are the caretakers...this issue may become your legacy.

Thank you for your time and consideration! I will make time for any commission member who has any questions regarding this letter.

Chuck Olson

1584 Redlands Place

Costa Mesa 92627

808 344 1874



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**From:** Michael Rupp  
**Sent:** Monday, February 03, 2014 12:12 PM  
**To:** PB&R Commission  
**Subject:** Don't Lift the Blackball on the Wedge

Please leave the Wedge out of the Blackball changes & keep the Wedge for bodysurfer's.

Thanks,  
Michael Rupp

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**From:** Clay Carr  
**Sent:** Monday, February 03, 2014 12:16 PM  
**To:** PB&R Commission  
**Subject:** Wedge blackball regulations

Hi

My name is Clay and I am a bodysurfer at the wedge. I am 18 years old and will turn 19 this summer. I go to Newport harbor highschool and have lived in Newport my whole life. The wedge is really special to me. I work super hard in school all year (luckily there's not much swell in the school year) so that my parents let me bodysurf everyday in the summer. The best part of my whole year every year is to be able to bodysurf at the wedge without the danger of board surfers from 10-5 every day. It's a special wave to the bodysurfers and one that shouldn't even be ridden by board surfers in the first place. We each get 7 hours of sunlight to ride the wedge and often times the conditions are better when the board surfers get the wave anyways. I am asking that the blackball not be changed so that us bodysurfers can have a place to ride safely without the danger of the boards from 10-5. Thank you for reading.

Clay

Sent from my iPhone

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**From:** Ash Lomont

**Sent:** Monday, February 03, 2014 12:35 PM

**To:** PB&R Commission

**Subject:** Bodysurfing regulations

To Whom it may concern,

I just wanted to say that i love body surfing the wedge and i think it would be terrible if you change the blackball regulations.

Regards,

Ash Lomont

Newport Beach Resident

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**From:** Mike Kennedy

**Sent:** Monday, February 03, 2014 12:40 PM

**To:** PB&R Commission; Henn, Michael; Petros, Tony; curry@pfm.com; Hill, Rush; Gardner, Nancy; Daigle, Leslie; Selich, Edward

**Subject:** Blackball at the Wedge

Greetings-

My name is Mike Kennedy. For 27 years I have enjoyed body surfing at the Wedge. My wife and I now have three children that have all participated in the Junior Guards Program. In fact my wife Kirsta Krumins Kennedy was lucky enough to be a member of the Newport JG program the first year in was offered. So I guess we consider ourselves active members of the community and we know how lucky we are to call Newport Beach our home.

Now our kids are starting to join me at the Wedge and it is my obligation to teach them how to safely learn how to body surf the most dynamic waves for body surfing in world. If the current Blackball were to be adjusted it would severely limit the opportunity to body surf with my kids due to my work and the kid's school schedule.

I hope you will consider my request.

Thank you,

Mike Kennedy

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**From:** Kevin Finnegan  
**Sent:** Monday, February 03, 2014 12:43 PM  
**To:** PB&R Commission  
**Subject:** Maintaining the Wedge blackball

Dear Commission,

I am writing to voice my opinion of keeping the wedge blackball dates and times as they have been since it's inception. The wedge is the mecca of bodysurfing and it should remain that way. Thank you.

Sincerely,

Kevin Finnegan  
University of San Diego '14  
Finance and Real Estate

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From: Mel Thompson

Dear PBR Commission,  
I'm an original architect of the Blackball Ordinance implemented in 1993.  
This needs to stay in place for the good of the City of Newport Beach...the residence of the Balboa Peninsula and the safety of bodysurfers Worldwide who come to ride at Greatest Bodysurfing Beach on Earth.  
There are many great surfing,skimming and bodyboarding breaks up and down the California coast but there is only 1 area,The Wedge,where bodysurfers can go and ride a high performance wave so well suited for the sport.  
In all honesty,the City should simply create a full-time bodysurfing sanctuary and be done with worries about litigation from injuries that boards will cause from injuries to bodies.  
The Blackball has worked well at The Wedge for over 20 years now and I see no valid reasons to change it now...or ever.  
Unless that change is for a year round permanent Blackball at The Wedge.  
Thanks for your time.

Sincerely,Kevin"Mel"Thoman  
The Wedge Preservation Society



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**From:** miguel Ferreira  
**Sent:** Monday, February 03, 2014 1:08 PM  
**To:** PB&R Commission  
**Subject:** Blackball

Dear Sir / Madam,

I'm bodysurfer from Brazil. Please, keep the Blackball as it is now. The importance of this preservation goes far beyond the shore on the end of the Peninsula.  
It helps the maintenance of this ancestral (and fragile) way of surf, and culturally matters for all bodysurfers, wherever we are.

Thanks for your sensibility,  
FULANO DE TAL >>>>>(substitua pelo seu nome)

Traduzindo:

Eu bodysurfer do Brasil. Peço Por favor, mantenha a blackball como ela é hoje. A importância dessa preservação vai muito além da praia no final da península. Ela ajuda a manutenção de uma maneira de surfar ancestral e frágil Ele importa para todos bodysurfers, onde quer que estejamos.  
Obrigado pela sua sensibilidade,



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**From:** taylor  
**Sent:** Monday, February 03, 2014 1:24 PM  
**To:** PB&R Commission  
**Subject:** wedge

Dear Newport,

Please keep the current regulations in place at the wedge!

Thanks,  
Taylor

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**From:** Benjamin van Aken  
**Sent:** Monday, February 03, 2014 1:40 PM  
**To:** PB&R Commission  
**Subject:** Wedge Blackball

Please keep the blackball the wave it is. Don't change it!!!!

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**From:** Barbara Melum  
**Sent:** Monday, February 03, 2014 2:31 PM  
**To:** PB&R Commission  
**Subject:** Please keep the blackball in place at the wedge

SAFETY!!! That should be the first concern of the City of Newport Beach toward this issue of keeping the blackball in place. The blackball policy was put in place to keep the lifeguards from becoming policemen. As a longtime resident of the city, I well remember what it used to be like. So with this one issue in mind, please DO NOT change the blackball rules.

Sincerely  
Barbara Melum

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**From:** Andy Olson

**Sent:** Monday, February 03, 2014 2:35 PM

**To:** Petros, Tony; curry@pfm.com; Hill, Rush; Gardner, Nancy; PB&R Commission

**Subject:** Blackball hours

My name is Andy Olson. I am writing you in regards to the possibility that blackball hours are being reduced significantly. I am 42 yrs old and I lived in Newport Beach till I was 22 and I have lived in Huntington Beach for the majority of my years since. I bodysurf the Wedge regularly and find it extremely disheartening that you accepted a petition from a group called "wedge4all", a social media page on facebook. If one looked at that page and its creator, they would see a person whose only motive is that he likes to take pictures there. On that petition, there are people who signed it who have never been to Newport Beach, or more specifically, have never been to the Wedge. If one read any of the comments on the first post after the creation of that page, one would see that many who signed it have no idea what the Wedge represents to all in the bodysurfing community. Safety being the first and foremost concern. Board riders and bodysurfers can not exist together in the water at the same time. I have seen many bodysurfers who get injured by board riders because they are harder to spot on a wave. To cut the hours for bodysurfers because of a petition started by a photographer is simply not looking into the facts. To take this petition into account, as if it represents the board riding community as a whole is just misinformed. The hours of blackball as they are now, should stay the same. Please!

Andy Olson

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**From:** Hill, Rush

**Sent:** Monday, February 03, 2014 2:37 PM

**To:** Andy Olson; Petros, Tony; curry@pfm.com; Gardner, Nancy; PB&R Commission

**Subject:** Re: Blackball hours

Hi Andy,

Thank you for your e-mail. The blackball review is certainly is an issue that brings out passions in people.

I appreciate the time you took to share those thoughts with me and will look forward to considering the item at the point it makes it to the City Council. Any changes to what we do today will have to go through the Parks, Beaches, and Recreation Commission first. **The issue is scheduled for this Commission on February 4, 2014.**

You can follow that process here - <http://www.newportbeachca.gov/index.aspx?page=2302>. You can also e-mail [blackball@newportbeachca.gov](mailto:blackball@newportbeachca.gov) to be kept notified of meetings and reports.

Thank you again for contacting me.

Best wishes,

Rush

Rush N. Hill, II  
Mayor  
City of Newport Beach  
100 Civic Center Drive  
Newport Beach, CA 92660  
949.644.3004

[RHill@NewportBeachCA.gov](mailto:RHill@NewportBeachCA.gov)

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**From:** Phil Castillo

**Sent:** Monday, February 03, 2014 2:54 PM

**To:** PB&R Commission; Henn, Michael; Petros, Tony; curry@pfm.com; Hill, Rush; Gardner, Nancy; Daigle, Leslie; Selich, Edward; Blackball

**Subject:** Changing the wedge blackball ordinance risk and critical considerations from a peninsula resident.

City Officials ,

I currently live at 318 Lindo on the peninsula and presented to this council at the original hearing years ago where the current surfing and flotation device ordinances pertaining to the Wedge were created. At the time that council wanted to preserve the history and reputation of the location known worldwide as one of the most dynamic body surfing waves in the world. That council wanted to protect the minority/body surfers from a growing body-boarding trend and preserve something very unique and a draw for the City. Nothing has changed but the increased popularity and commercialization of body-boarding and other board sports. This has become a big business and that is coming to bear on this council's decisions in the form of petitions, and email campaigns driven by commercial interests who stand to gain from an increase in commercialization of the wedge.

If the committee responsible for looking at this law measures the responses to this and weighs them as an influencer it is important to look at the picture more competently. The numbers I saw at one point showed that the responses wanting the removal of black ball at the wedge were well over 200% more than the respondents wanting things to remain as is. It would be common sense and my experience that the increase in crowds, photographers, riders would increase in similar ratios to the respondents.

The committee is tasked with looking at fiscal impact and did not foresee any as well as the "CEQA" considerations environmental impact. The committee in their report state that a change to the blackball at the wedge would be exempt from submission to CEQA , "because it has no potential for resulting in physical change to the environment, directly or indirectly" I don't believe the committee takes into account the increase of 100 to 200% in traffic and crowds converging on the Wedge and Peninsula Point area with a change to the law. There are no facilities in that area and that alone with a moderate increase in traffic has a direct and at a minimum indirect impact on the environment. I also believe with an increase in riders there would be an in kind need to fund an increase in emergency response to the wedge.

I would ask that the council and committee not bow to commercial lobbyist to push through a change to the Wedge ordinance and cut corners by not taking full inventory of the fiscal and environmental impact to the immediate area and residents. What does the City have to gain by making this change? How is the city preserving the quality of life and reputation by changing the Wedge blackball to allow a surge in crowds and thrill seeking media?

Please leave the ordinance as is until the full environmental and fiscal issues are dealt with in a holistic manner and not simply dismissed. If this committee does not do the appropriate EIR and a complete study I see risk for the city similar to what transpired in CEQA related case: *Ross v. California Coastal Commission* (2011) 198 Cal.App.4th 1573 , where an EIR was not completed and the Commission was liable. In the section labeled § 21001. ADDITIONAL LEGISLATIVE INTENT in the CEQA guidelines for 2012 I read the following and believe the committee and city council needs to take into consideration:

The Legislature further finds and declares that it is the policy of the state to:

1. (a) Develop and maintain a high-quality environment now and in the future, and take all action necessary to protect, rehabilitate, and enhance the environmental quality of the state.
2. (b) Take all action necessary to provide the people of this state with clean air and water, enjoyment of aesthetic, natural, scenic, and historic environmental qualities, and freedom from excessive noise.
3. (c) Prevent the elimination of fish or wildlife species due to man's activities, insure that fish and wildlife populations do not drop below self-perpetuating levels, and preserve for future generations representations of all plant and animal communities and examples of the major periods of California history.

4. (d) Ensure that the long-term protection of the environment, consistent with the provision of a decent home and suitable living environment for every Californian, shall be the guiding criterion in public decisions.
5. (e) Create and maintain conditions under which man and nature can exist in productive harmony to fulfill the social and economic requirements of present and future generations.
6. (f) Require governmental agencies at all levels to develop standards and procedures necessary to protect environmental quality.
7. (g) Require governmental agencies at all levels to consider qualitative factors as well as economic and technical factors and long-term benefits and costs, in addition to short-term benefits and costs and to consider alternatives to proposed actions affecting the environment.

The current law as it stands is no risk to the city and promotes a great city tradition. A change opens the door to potential increased litigation, traffic, crowds, cost that need to be fully understood before action.

Phillip Castillo

P.S. I copied Nancy Gardner based on receiving a "Hero" award from her and the council after saving a couple young men in 2012, I hope your well Nancy and was honored by your recognition. I also copied the blackball email address given, i had sent emails previously but they bounced back as undeliverable for some reason.

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**From:** Hill, Rush

**Sent:** Monday, February 03, 2014 3:24 PM

**To:** Phil Castillo; PB&R Commission; Henn, Michael; Petros, Tony; curry@pfm.com; Gardner, Nancy; Daigle, Leslie; Selich, Edward; Blackball

**Subject:** Re: Changing the wedge blackball ordinance risk and critical considerations from a peninsula resident.

Hi Phil,

Thank you for your e-mail. The blackball review is certainly is an issue that brings out passions in people.

I appreciate the time you took to share those thoughts with me and will look forward to considering the item at the point it makes it to the City Council. Any changes to what we do today will have to go through the Parks, Beaches, and Recreation Commission first. **The issue is scheduled for this Commission on February 4, 2014.**

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Thank you again for contacting me.

Best wishes,

Rush

Rush N. Hill, II  
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[RHill@NewportBeachCA.gov](mailto:RHill@NewportBeachCA.gov)

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**From:** Eric J.

**Sent:** Monday, February 03, 2014 3:33 PM

**To:** PB&R Commission; Petros, Tony; curry@pfm.com; Hill, Rush; Gardner, Nancy; Daigle, Leslie; Selich, Edward

**Subject:** Blackball Regulations

Hi,

I have heard that the Newport City Council is planning on changing the rules for blackball. I am firmly against this because it is such a unique feature of the city of Newport. Bodysurfers have so few "real" waves as it is. If you take this away from us, we will have no safe place to go after big waves. Please take this into consideration as you move forward.

Thank you,  
Shane

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**From:** Hill, Rush

**Sent:** Monday, February 03, 2014 3:34 PM

**To:** Eric J.; PB&R Commission; Petros, Tony; curry@pfm.com; Gardner, Nancy; Daigle, Leslie; Selich, Edward

**Subject:** Re: Blackball Regulations

Hi Eric,

Thank you for your e-mail. The blackball review is certainly is an issue that brings out passions in people.

I appreciate the time you took to share those thoughts with me and will look forward to considering the item at the point it makes it to the City Council. Any changes to what we do today will have to go through the Parks, Beaches, and Recreation Commission first. **The issue is scheduled for this Commission on February 4, 2014.**

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Thank you again for contacting me.

Best wishes,

Rush

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[RHill@NewportBeachCA.gov](mailto:RHill@NewportBeachCA.gov)

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**From:** Bruno Almeida  
**Sent:** Monday, February 03, 2014 4:04 PM  
**To:** PB&R Commission  
**Subject:** Blackball

Dear Sir / Madam,

I'm bodysurfer from Brazil. Please, keep the Blackball as it is now. The importance of this preservation goes far beyond the shore on the end of the Peninsula.

It helps the maintenance of this ancestral (and fragile) way of surf, and culturally matters for all bodysurfers, wherever we are.

Thanks for your sensibility,

Bruno Almeida

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**From:** jose ricardo simoes marques  
**Sent:** Monday, February 03, 2014 4:44 PM  
**To:** PB&R Commission  
**Subject:** Blackball

Dear Sir / Madam,

I'm bodysurfer from Brazil. Please, keep the Blackball as it is now. The importance of this preservation goes far beyond the shore on the end of the Peninsula.

It helps the maintenance of this ancestral (and fragile) way of surf, and culturally matters for all bodysurfers, wherever we are.

Thanks for your sensibility,

Jose Ricardo Simoes Marques

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**From:** Hal Handley  
**Sent:** Monday, February 03, 2014 5:08 PM  
**To:** PB&R Commission; Dept - City Council; Blackball; kevin thoman  
**Subject:** Wedge Use Restrictions

Dear Council/commission members,

Confidence.

This single most valuable human characteristic correlates directly with success. Bodysurfing the Wedge taught me confidence, commitment, fortitude, the value of practice, training and perseverance. So? Is this important?

**Absolutely!** For myself, these were life's lessons. Maintain the Blackball hours at wedge. Your benefits may be subtle but great, for example...

In 1969, the Wedge forged in me these characteristics to my core and for the rest of my life. After many years of practice, I succeeded in bodysurfing large waves at the Wedge. Back then, the Wedge was a "Mecca" for bodysurfers. Even today, it remains as the ultimate symbol for "the best of the best". The fame of the Wedge originated with bodysurfers, the style by which it was ridden was defined by bodysurfers, the reverence for the wave initiated by bodysurfers. The wedge is world-renowned not just for forging waves but for forging men

The lessons I learned in those years, provided me with a strength of character that produced even greater successes later in my life. After leaving the Wedge, I began

to study the causes of cancer and autoimmune diseases, first as a student, then as a doctor in San Diego. The same confidence, training, practice, and perseverance learned at Wedge, lead me to numerous successes in the development of novel biotechnology (human monoclonal antibodies), diagnostics, patents and eventually senior management positions in medical device companies. Our greatest success is one which has already saved the lives of tens of thousands of humans suffering from breast cancer and alleviated the pain and suffering of thousands more who endure the difficulties of arthritis, psoriasis and other autoimmune diseases. As a **founding** scientist for this small company which grew to the huge biotechnology success known as Biogen-Idec (BIIB); these successes today are called Herceptin, Enbrel, Humira, Tysabri, et al. Your Hoag Cancer Center Director, Dr. Robert Dillman, was a colleague of mine in these endeavors.

Today's regular bodysurfers at the wedge are all lifesavers as well. Any substantially dangerous day at the wedge (too often) requires swimmers in the water as first responders. I have had several occasions at Wedge in which my intervention with a panicked swimmer preceded or even negated a lifeguard rescue. I am a small member of what Newport should consider its numerous "back-up" lifeguards within the bodysurfing community. It is a bodysurfing routine to watch for the safety of those around you and although not unique to bodysurfers alone, bodysurfers are the quickest and most able to respond in emergencies. However, bodysurfers cannot enjoy bodysurfing with inexperienced swimmers or other persons using any flotation devices. These obstacles are far more dangerous to bodysurfers than is the wave!!!

I am now retired and still bodysurfing, although only occasionally at the Wedge. At 64 years old, my better years are behind me, but it pains me to think that Newport Beach would restrict its bodysurfers their access to use of their most important training ground in life.

Please do not diminish the use of the no flotation devices Blackball.

Thank you,

Harold H. Handley, Jr. Ph.D

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**From:** Hill, Rush

**Sent:** Monday, February 03, 2014 9:34 PM

**To:** Hal Handley; PB&R Commission; Dept - City Council; Blackball; kevin thoman

**Subject:** Re: Wedge Use Restrictions

Dear Hal,

Thank you for your e-mail. The blackball review is certainly is an issue that brings out passions in people.

I appreciate the time you took to share those thoughts with me and will look forward to considering the item at the point it makes it to the City Council. Any changes to what we do today will have to go through the Parks, Beaches, and Recreation Commission first. **The issue is scheduled for this Commission on February 4, 2014.**

You can follow that process here - <http://www.newportbeachca.gov/index.aspx?page=2302>. You can also e-mail [blackball@newportbeachca.gov](mailto:blackball@newportbeachca.gov) to be kept notified of meetings and reports.

Thank you again for contacting me.

Best wishes,

Rush

Rush N. Hill, II  
Mayor  
City of Newport Beach  
100 Civic Center Drive  
Newport Beach, CA 92660  
949.644.3004

[RHill@NewportBeachCA.gov](mailto:RHill@NewportBeachCA.gov)

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**From:** Sebastian Louda

**Sent:** Monday, February 03, 2014 5:30 PM

**To:** Selich, Edward; Daigle, Leslie; Gardner, Nancy; Hill, Rush; [curry@pfm.com](mailto:curry@pfm.com); Petros, Tony; Henn, Michael; Dept - City Council; Blackball; PB&R Commission

**Subject:** Blackball at The Wedge

Dear Newport Beach City Council Members & Parks, Beaches and Recreation Commission Members,

Hello, my name is Sebastian Louda, I am a Huntington Beach resident, a California State Lifeguard at Huntington State Beach and I have been bodysurfing at Wedge since 2010. I am writing in regards to the proposed blackball changes at Wedge. I feel that any changes to the current blackball regulations at Wedge that reduce or eliminate blackball hours would not only be detrimental to the sport of bodysurfing, it would also create safety hazards for all individuals in the water.

The current regulations at Wedge offer bodyboards, skimboards, and surfboards the best hours of the day for wave riding (before the wind picks up creating choppy conditions). It also gives them the end of the day, often the late afternoons in summer offer great conditions as well after the wind dies down. The current split of time is equal, contrary to what many of the anti-blackball supporters would lead you to believe. Approximately 7 hours with no blackball, and 7 hours with blackball. Their argument is that, even while there is no blackball in the water, bodysurfers are still able to bodysurf. While the statement itself is true, it is not practical. There are very few people that attempt to bodysurf prior to blackball going up, as it is near impossible to compete for waves with boards of any kind without cutting them off and risking being hit in the head by their board as board surfers take off from a deeper (further down) section of the wave. Bodysurfers are completely immersed in the water with only their head exposed and have to propel themselves through the water, rather than on top of the water and are, therefore, much slower leaving their heads exposed for contact. The inability to compete in the water with these other forms of wave riding will essentially cause the demise of the art of bodysurfing and/or

create unnecessary safety hazards when bodysurfers do the only thing they can to catch waves; taking off in front of someone on a board.

Furthermore, there is very little blackball enforcement from May to late June and early September through the end of October since the Newport Lifeguards generally do not staff the Wedge tower during this time of the year. This enforcement gap results in bodysurfers sharing the majority of the, technically blackballed, water time with board surfers who enter the water regardless of blackball. Generally bodysurfers have been able to manage occasions like this ourselves because the regulation was in place (regardless of it being enforced). Unfortunately, there are still times during which boards (skimboards, surfboards, and bodyboards) will enter the water and not want to respect the blackball. During these times, I have been hit by skimboards, as well as surfboards and bodyboards, countless times, twice resulting in minor head injuries. As a lifeguard myself, I have personally witnessed the horrific injuries that runaway boards can inflict on bodysurfers. Without blackball the number of serious injuries at The Wedge will increase, putting unnecessary strain and stress on the Newport Beach Lifeguards working The Wedge.

There are plenty of places in Newport and up and down the Orange County coast for the board riders to ride when the blackball goes up. Locations in Newport like Balboa Pier for the skimboards, 40-44th Street (and the rest of Newport), even Cylinders, for the bodyboarders and Upper Jetty's for the surfboards. If you eliminate blackball or reduce the hours, where are WE as bodysurfers to go? Please take these points into consideration when deciding what to do in regards to the blackball regulations at Wedge.

Thank you and best regards,  
-Sebastian Louda

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**From:** Brian Sullivan  
**Sent:** Monday, February 03, 2014 7:34 PM  
**To:** PB&R Commission  
**Subject:** DO NOT CHANGE WEDGE

Hi there,

Bodysurfers are the soulful artists of the sea. Wedge is our Valhalla, our Mount Olympus. It is the pinnacle of what is achievable in our sport. Giving it to the surfers as you propose is a bad idea. Think about it, surfers have EVERY MILE of conceivable coast to surf. We are at the bottom of the wave riding totem pole, which is pathetic. We have no other havens like Wedge. PLEASE, sincerely, genuinely, please do not change the wave riding schedule at Wedge. I beseech you.

Thank you for your time.

A Marine Poet.

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**From:** Marvin de la Vega  
**Sent:** Monday, February 03, 2014 7:59 PM  
**To:** PB&R Commission; Dept - City Council; Blackball  
**Subject:** Newport Wedge Blackball hours

To whom it may concern:

Please accept this letter requesting consideration to leave current blackball hours as they are for the following reasons:

1. Safety. Due to the limited space of incoming waves, sharing of waves with any fast moving flotation device (body board or surfboard) poses a great hazard to bodysurfers. Collisions will definitely result in injury, most likely to the bodysurfer that is not as capable of maneuvering as easily as a surfer on a board. Should a board surfer be separated from their board after ending their ride by choice (or not, at the hands of an already dangerous wave), the loose board is a missile hazard even if properly tethered to its owner by a leash.
2. Liability. Injuries due to collision or altercation between opposing surfers will potentially come at great cost in this litigious society we live in. I believe it is not necessary to expound on this point. Avoidance of injury and lawsuits is the best solution here. Exposing more hours to a potential clash of wave riding equipment and their owners with bodysurfers increases the odds of bad situations; surfers will do what surfers do.
3. Additional neighborhood traffic. The residents of the Peninsula might possibly be tolerant of having a world famous beach break in their back yard except during times of a large ocean swell emanating from the southern hemisphere, predominately occurring in the summer months. The summer is already a draw in itself to the area. With several hundred onlookers (if not thousands), news media and dozens of surfers alike crowding the neighborhood infrastructure, traffic, trash and unwanted noise will result in affecting a resident's right to quiet enjoyment of their property whether owned or leased.
4. Blackball hours do not put board surfers at a disadvantage when it comes to wave time at the Wedge. Surf-able swells do arrive at this spot before May and after October; surfing year round is quite possible. In between the dates of enforced blackball, there are many hours of time before 10 AM and after 5 PM for board surfers to surf, especially during the longer days of summer where daylight is available at 5:30 AM and as late as 8:30 PM. One would only need to consult with meteorological charts for sunrise/sunset hours to confirm this.
5. While there is only one Wedge there are a dozen (if not more) world class breaks on the shores of Newport Beach alone. Ask any surfer and they will name all of these spots for you. There are more spots in neighboring Huntington Beach, Seal Beach and even more in south Orange County. None of those spots has the history and heritage as a well known wave best suited for bodysurfing as the Wedge.

I have frequented this spot since 1985 as a body surfer. I am also an avid and competent stand up board surfer. My board surfing is always at spots other than the Wedge for reasons based on safety and enjoyment, mine as well as others'. Please consider keeping the established hours of Blackball enforcement as they are.

Respectfully,

Marvin J. de la Vega

Marvin de la Vega, USN Retired  
Broker Associate - Trident Realty Group  
CA BRE License #01389520  
(619) 892-1874 mobile  
(619) 721-3321 office  
(619) 789-4546 fax

[Marvin's blog](#)

["About Marvin"](#)

[Trident Realty Group](#)

"At your service..."

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**From:** Hill, Rush

**Sent:** Monday, February 03, 2014 9:38 PM

**To:** Marvin de la Vega; PB&R Commission; Dept - City Council; Blackball

**Subject:** Re: Newport Wedge Blackball hours

Dear Marvin,

Thank you for your e-mail. The blackball review is certainly is an issue that brings out passions in people.

I appreciate the time you took to share those thoughts with me and will look forward to considering the item at the point it makes it to the City Council. Any changes to what we do today will have to go through the Parks, Beaches, and Recreation Commission first. **The issue is scheduled for this Commission on February 4, 2014.**

You can follow that process here - <http://www.newportbeachca.gov/index.aspx?page=2302>. You can also e-mail [blackball@newportbeachca.gov](mailto:blackball@newportbeachca.gov) to be kept notified of meetings and reports.

Thank you again for contacting me.

Best wishes,  
Rush

Rush N. Hill, II  
Mayor  
City of Newport Beach  
100 Civic Center Drive  
Newport Beach, CA 92660  
949.644.3004

[RHill@NewportBeachCA.gov](mailto:RHill@NewportBeachCA.gov)

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**From:** Mike Arens

**Sent:** Monday, February 03, 2014 10:29 PM

**Subject:** Blackball Ordinance - The Wedge

Dear Distinguished Council Members et al.

The blackball ordinance currently in place at the Wedge and surrounding beach should stay in place as it has for more than 20 years. It is the

greatest bodysurfing wave on the West Coast and should be protected as such. I encourage you to reject any recommendation which minimizes the current regulation.

Your Truly,

Mike Arens  
312 1/2 33rd St  
Newport Beach, CA 92663  
949-500-8824

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**From:** Vincent ROUSSEAU  
**Sent:** Tuesday, February 04, 2014 5:00 AM  
**To:** PB&R Commission; Henn, Michael; Petros, Tony; curry@pfm.com; Hill, Rush; Gardner, Nancy; Daigle, Leslie; Selich, Edward  
**Subject:** BlackBall preservation

Dear Council Members,

I am a French bodysurfer and I do not want the ordonnance the Blackball introduced in 1993 should be deleted.

The BlackBall must remain in place for bodysurfing can still be practiced safely. This famous wave known around the world as one of the best for the practice of bodysurfing is known to all. We want to save the Blackball rules!

Sporting and sincerely.

Vincent "CrustaCé" ROUSSEAU from France

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**From:** Hill, Rush  
**Sent:** Tuesday, February 04, 2014 7:00 AM  
**To:** Vincent ROUSSEAU; PB&R Commission; Henn, Michael; Petros, Tony; curry@pfm.com; Gardner, Nancy; Daigle, Leslie; Selich, Edward  
**Subject:** Re: BlackBall preservation

Hi Vincent,

Thank you for your e-mail. The blackball review is certainly is an issue that brings out passions in people. Even in France!

I appreciate the time you took to share those thoughts with me and will look forward to considering the item at the point it makes it to the City Council. Any changes to what we do today will have to go through the Parks, Beaches, and Recreation Commission first. **The issue is scheduled for this Commission on February 4, 2014. That's today!**

You can follow that process here - <http://www.newportbeachca.gov/index.aspx?page=2302>. You can also e-mail [blackball@newportbeachca.gov](mailto:blackball@newportbeachca.gov) to be kept notified of meetings and reports.

Thank you again for contacting me.

Best wishes,

Rush



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[RHill@NewportBeachCA.gov](mailto:RHill@NewportBeachCA.gov)

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**The following emails were received to the PB&R commission on 2/4/14 after 7:01am**

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**From:** Jacob Schwenk  
**Sent:** Tuesday, February 04, 2014 8:42 AM  
**To:** newpocitycouncil@newportbeachca.gov  
**Cc:** Blackball; PB&R Commission; Gardner, Nancy; Hill, Rush; curry@pfm.com; Petros, Tony; Henn, Michael; Selich, Edward; Daigle, Leslie  
**Subject:** Wedge Blackball policy

Dear Newport Beach City Council Members & Parks, Beaches and Recreation Commission Members,

My name is Jacob Schwenk, I am a Huntington Beach resident, a lifeguard at Newport Beach and I have been bodysurfing at Wedge since 2009. I am writing in regards to the proposed blackball changes at Wedge. I feel that any changes to the current blackball regulations at Wedge that reduce or eliminate blackball hours would not only be detrimental to the sport of bodysurfing, it would also create safety hazards for all individuals in the water.

The current regulations at Wedge offer bodyboards, skimboards, and surfboards the best hours of the day for wave riding (before the wind picks up creating choppy conditions). It also gives them the end of the day, often the late afternoons in summer offer great conditions as well after the wind dies down. The current split of time is equal, contrary to what many of the anti-blackball supporters would lead you to believe. Approximately 7 hours with no blackball, and 7 hours with blackball. Their argument is that, even while there is no blackball in the water, bodysurfers are still able to bodysurf. While the statement itself is true, it is not practical. There are very few people that attempt to bodysurf prior to blackball going up, as it is near impossible to compete for waves with boards of any kind without cutting them off and risking being hit in the head by their board as board surfers take off from a deeper (further down) section of the wave. Bodysurfers are completely immersed in the water with only their head exposed and have to propel themselves through the water, rather than on top of the water and are, therefore, much slower leaving their heads exposed for contact. The inability to compete in the water with these other forms of wave riding will essentially cause the demise of the art of bodysurfing and/or create unnecessary safety hazards when bodysurfers do the only thing they can to catch waves; taking off in front of someone on a board.

Furthermore, there is very little blackball enforcement from May to late June and early September through the end of October since the Newport Lifeguards generally do not staff the Wedge tower during this time of the year. This enforcement gap results in bodysurfers sharing the majority of the, technically blackballed, water time with board surfers who enter the water regardless of blackball. Generally bodysurfers have been able to manage occasions like this ourselves because the regulation was in place (regardless of it being enforced). Unfortunately, there are still times during which boards (skimboards, surfboards, and bodyboards) will enter the water and not want to respect the blackball. During these times, I have been hit by skimboards, as well as surfboards and bodyboards, countless times, twice resulting in minor lacerations. As a

lifeguard myself, I have personally witnessed the horrific injuries that runaway boards can inflict on bodysurfers. Without blackball the number of serious injuries at The Wedge will increase, putting unnecessary strain and stress on my fellow Newport Beach Lifeguards and myself while working The Wedge.

There are plenty of places in Newport and up and down the Orange County coast for the board riders to ride when the blackball goes up. Locations in Newport like Balboa Pier for the skimboards, 40-44th Street (and the rest of Newport), even Cylinders, for the bodyboarders and Upper Jetty's for the surfboards. If you eliminate blackball or reduce the hours, where are WE as bodysurfers to go? Please take these points into consideration when deciding what to do in regards to the blackball regulations at Wedge.

Thank you and best regards,  
-Jacob Schwenk

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**From:** Hill, Rush

**Sent:** Tuesday, February 04, 2014 9:04 AM

**To:** Jacob Schwenk

**Cc:** Blackball; PB&R Commission; Gardner, Nancy; curry@pfm.com; Petros, Tony; Henn, Michael; Selich, Edward; Daigle, Leslie

**Subject:** Re: Wedge Blackball policy

Hi Jacob,

Thank you for your e-mail. The blackball review is certainly is an issue that brings out passions in people.

I appreciate the time you took to share those thoughts with me and will look forward to considering the item at the point it makes it to the City Council. Any changes to what we do today will have to go through the Parks, Beaches, and Recreation Commission first. **The issue is scheduled for this Commission on February 4, 2014.**

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Thank you again for contacting me.

Best wishes,

Rush

Rush N. Hill, II  
Mayor  
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100 Civic Center Drive  
Newport Beach, CA 92660  
949.644.3004

[RHill@NewportBeachCA.gov](mailto:RHill@NewportBeachCA.gov)

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**From:** Jason Balfany  
**Sent:** Tuesday, February 04, 2014 9:31 AM  
**To:** PB&R Commission  
**Subject:** Wedge bodysurfing hours

Please do not reduce the bodysurfing hours at the wedge.

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**From:** Franck Gonzales  
**Sent:** Tuesday, February 04, 2014 9:48 AM  
**To:** PB&R Commission; Henn, Michael; Petros, Tony; curry@pfm.com; Hill, Rush; Gardner, Nancy; Daigle, Leslie; Selich, Edward  
**Subject:** the wedge

"Dear Council Members,

I am a French bodysurfer and I do not want the ordonnance the Blackball introduced in 1993 should be deleted.

The BackBall must remain in place for bodysurfing can still be practiced safely. This famous wave known around the world as one of the best for the practice of bodysurfing is known to all. We want to save the Blackball rules!

Sporting and sincerely.

Franck GONZALES from France

I am a French / Moroccan / Brazilian bodysurfer and I do not want the ordonnance the Blackball introduced in 1993 should be deleted.

The BackBall must remain in place for bodysurfing can still be practiced safely. This famous wave known around the world as one of the best for the practice of bodysurfing is known to all. We want to save the Blackball rules!

Sporting and sincerely.

X from France / Morocco / Brasil""Dear Council Members,

I am a French / Moroccan / Brazilian bodysurfer and I do not want the ordonnance the Blackball introduced in 1993 should be deleted.

The BackBall must remain in place for bodysurfing can still be practiced safely. This famous wave known around the world as one of the best for the practice of bodysurfing is known to all. We want to save the Blackball rules!

Sporting and sincerely.

X from France / Morocco / Brasil"

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**From:** Melissa Petersen [mailto:petersen.melissa@gmail.com]  
**Sent:** Tuesday, February 04, 2014 11:24 AM  
**To:** PB&R Commission; Blackball  
**Subject:** Please do not change the Blackball restrictions

I know you've received a number of emails so I will keep this brief. I grew up going to the wedge with my Dad. He taught me to bodysurf there. It is the most special place to him and i both along

with the rest of our family. The wedge and its epic waves ideal for bodysurfing brought him there every single day. He loved it more than anything. The wedge, ultimately, was responsible for his untimely death just a few months ago. His injuries were so severe that the associated illnesses that occurred took his life. He suffered for a year after the original accident, working diligently to get back in the water. After his corrective surgery, the first thing he said....was that he could not wait to get back out at the wedge. It was the love of his life, it is the love of many of our lives. It will not be the same if you change the regulations. We will not be able to enjoy this sacred bodysurfing spot. 11am is too late to get the desired waves we need based on conditions. Please keep the blackball restrictions the same. Thank you.

Melissa Petersen  
PCA Realty  
562.795.0273 office  
562.795.0234 fax  
[pcarealty@gmail.com](mailto:pcarealty@gmail.com)

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**From:** Alan Buchanan  
**Sent:** Tuesday, February 04, 2014 11:55 AM  
**To:** Recreation  
**Subject:** FW: Blackball at the Wedge

To the Parks, Beaches and Recreation Commission,

please take a minute or two to read the two attached letters regarding blackball rules at the Wedge. The first letter was sent to both the the City Council and Blackball Working Group a few months ago and the other was sent to the BWG this morning.

Thank you and I look forward to your response,

Alan Buchanan

Alan Buchanan  
Cembrus Realty  
949.422.4063  
13 Corporate Plaza, Suite 100  
Newport Beach, CA 92660  
[www.cembrusrealty.com](http://www.cembrusrealty.com)  
DRE License No: 01372672

**From:** Alan Buchanan  
**Sent:** Tuesday, February 04, 2014 11:26 AM  
**To:** [blackball@newportbeachca.gov](mailto:blackball@newportbeachca.gov)  
**Subject:** FW: Blackball at the Wedge

Blackball Working Group,

I just read the article in the Daily Pilot regarding your recommendation to further limit Wedge bodysurfing hours. At this point, you've most likely heard quite a bit of input from both sides, but as a follow up to the letter (attached below. ) I sent to you a few months ago I'd like to add a few other comments.

It simply appears you are caving to pressure from the bodyboarding industry. Your new proposal aims to eliminate over two months of blackball time for bodysurfers and basically give the entire morning to the board riders during the prime south swell season! How fair is that? Clearly, someone on the BWG has NOT listened to anything from the bodysurfing community.

Should I expect to hear from the BWG that the justification for such drastic changes to the existing rule is that bodysurfers are allowed to join the boards during non-blackball hours while boards are not allowed in the water during blackball hours? If this is the case, then, once again, someone on the BWG has not listened to anything from the bodysurfing community.

As the existing rule applies, the daytime hours are split "evenly" if you simply add up the hours of the day. However, the existing rule still clearly gives the bulk of the prime morning hours and potentially glassy evening hours to the boards. Your new proposal would give the ENTIRE morning to them! It would be 11:30, on days with surf, before the water would be cleared of all boards. Your new rule would eliminate bodysurfers from having a fair shot at catching waves in the prime am hours! Bodysurfing would be delegated to the prime west wind/blown out portion of the day. How fair is that?

You then propose to shave off another hour in the later afternoon, before the boards get more of the often prime afternoon/evening potential "glass-off" time? How fair is that?

I recently spent time at Pipeline on the North Shore where there is NO blackball and bodysurfers are welcome to swim out at any time and catch what they can. So how does a bodysurfer catch waves out there? Well, you wait for either a random wave to slip by unridden, which rarely happens, or you wait for someone surfing or bodyboarding to either eat it or kick out early and then you take off and grab what's left of the wave. During a 2 hours session a bodysurfer is lucky to catch 5-6 decent waves. A bodysurfer simply can not compete with the speed of a board and their ability to get up and riding earlier on the wave. This is what NON-blackball hours at Wedge would be/is like!

Look, the Wedge is already ridiculously crowded before/during and after blackball. On an average day of surf DURING blackball most people struggle to catch waves with all of the bodies in the water. If you somehow expect that same crowd to happily mesh with the board riders (who have their own crowd issues to deal with between themselves) then you possibly are not understanding how things work out there. The existing rule was put together by people who knew what they were doing and it works to this day! The board riders are simply pushing for MORE FOR THEM.

See you there tonight,

Alan Buchanan

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**From:** jonathan despergers  
**Sent:** Tuesday, February 04, 2014 12:13 PM  
**To:** PB&R Commission; Henn, Michael; Petros, Tony; curry@pfm.com; Hill, Rush; Gardner, Nancy; Daigle, Leslie; Selich, Edward  
**Subject:** Black ball

Dear Council Members,

I am a French bodysurfer and I do not want the ordonnance the Blackball introduced in 1993 should be deleted. The BackBall must remain in place for bodysurfing can still be practiced safely. This famous wave known around the world as one of the best for the practice of bodysurfing is known to all. We want to save the Blackball rules!

Sporting and sincerely.

John from France

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**From:** Alan Buchanan  
**Sent:** Tuesday, February 04, 2014 12:16 PM  
**To:** Recreation  
**Subject:** FW: Blackball at the Wedge

Parks, Beaches and Recreation Department,

This letter regarding blackball at the Wedge was sent to City Council back in October.

Please read at your convenience,

Alan Buchanan

---

**From:** Alan Buchanan

**Sent:** Thursday, October 17, 2013 12:38 PM

**To:** Alan Buchanan; [mhenn@newportbeachca.gov](mailto:mhenn@newportbeachca.gov); [tpetros@newportbeachca.gov](mailto:tpetros@newportbeachca.gov); [rhill@newportbeachca.gov](mailto:rhill@newportbeachca.gov); [leslieidaigle@aol.com](mailto:leslieidaigle@aol.com); [edselich@roadrunner.com](mailto:edselich@roadrunner.com); [ngardner@newportbeachca.gov](mailto:ngardner@newportbeachca.gov); [curryk@pfm.com](mailto:curryk@pfm.com)

**Subject:** Blackball at the Wedge

Dear Newport Beach City Council members,

I'm writing to you in reference to the petition recently organized by Laguna based Aaron Peluso to eliminate the existing Blackball regulations at the Wedge. First of all, I am not part of the "Wedge Crew," but I have spent a considerable amount of time there since my dad first took me down to watch the mayhem in the early '70's. I am a Newport Beach native, avid life long Balboa Peninsula body surfer, board surfer and former City of Newport Beach Lifeguard. I've spent my life in, on, under and around the beaches of Newport. During the late '80's - early '90's I worked as a seasonal lifeguard, and for or a number of seasons I worked primarily at the Wedge either on one of the towers ("W" or "P") or driving/riding shotgun in a unit. I was awarded separate accommodations for exceptional service from then State Senator Marian Bergeson and then Governor Pete Wilson for one particular rescue at the Wedge during an exceptionally large south swell. I've witnessed, first hand, all variations of crowd and swell conditions as a spectator, participant and professional since the early '70's.

From my perspective the existing Blackball regulations are essential for maintaining the safest possible scenario throughout the busy days of the peak south swell season. The current regulations allow board riders the prime wave conditions before 10am and after 5pm. Body surfers are then allowed to avoid collision and conflicts with board riders from 10am - 5pm. From a safety perspective, it's a no brainer! As you probably know, the actual riding "arena" at the Wedge is a very small area - unlike West Newport or the Jetty Field. If board riders are mixed with body surfers it would be an absolute nightmare for those in charge of safety as well as those in the water trying to compete for waves. I have no doubt that there would be a need for additional lifeguards and police officers to properly monitor the area throughout the entire day.

With all due respect to the gentleman from Laguna, it would appear his efforts have less to do with supporting "fair use" and more to do with promoting his skimboard company and related team riders. Clearly, the

more time they are in the water and in front of the cameras and the crowds the more exposure his team/company can get. Body surfers do not make money and they are not marketable. His efforts have nothing to do with safety or "fair use."

Aside from the safety aspect, body surfing along the Balboa Peninsula, from 18th Street to the Wedge is a sub-culture unique to Newport Beach - and it's history. There's really nothing like it anywhere else in the world - and I've checked from Hawaii to Indonesia to the South Pacific to Micronesia and to Europe! It's a right of passage for many kids from this part of Orange County and beyond. It's part of our city's beach culture and the Wedge is the absolute focal point. By removing Blackball regulations at the Wedge you would be destroying a showplace for a huge part of this City's beach culture and history.

Sincerely,

Alan Buchanan

Newport Beach resident, Newport Harbor High grad, former Newport Beach Lifeguard.

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**From:** Mickael OLIVAN  
**Sent:** Tuesday, February 04, 2014 12:40 PM  
**To:** PB&R Commission; Henn, Michael; Petros, Tony  
**Subject:** Blackball Ordonnance

Dear Council Members,  
I am a French bodysurfer and I do not want the ordonnance the Blackball introduced in 1993 should be deleted.  
One of my dream is to bodysurf the legendary Wedge wave at least one time in my life.  
I hope it will still be possible to do so safely, for a few hours, thanks to the Backball.  
Please, save the Blackball rules !  
Sincerely,  
Mickaël Olivan, from France

*Mickaël OLIVAN*

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**From:** clementec@numericable.fr  
**Sent:** Tuesday, February 04, 2014 1:15 PM  
**To:** PB&R Commission; Petros, Tony  
**Subject:** bodysurf  
**Importance:** High

"Chers Membres du Conseil,  
Je suis un bodysurfeur français/marocain/brésilien et je ne voudrais pas que l'ordonnance du BlackBall instaurée en 1993 soit supprimée.  
Le BackBall doit rester en place pour que le bodysurf puisse encore y être pratiquer en toute sécurité. Cette célèbre vague réputée tout autour du monde pour être une des meilleurs pour la pratique du bodysurf est connue de tous. Nous voulons sauvegarder les



règles du BlackBall!  
Sportivement et sincèrement.  
X from France/

"Dear Council Members,  
I am a French / Moroccan / Brazilian bodysurfer and I do not want the ordonnance the Blackball introduced in 1993 should be deleted.  
The BackBall must remain in place for bodysurfing can still be practiced safely. This famous wave known around the world as one of the best for the practice of bodysurfing is known to all. We want to save the Blackball rules!  
Sporting and sincerely.  
X from France

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**From:** Chase Corum  
**Sent:** Tuesday, February 04, 2014 2:09 PM  
**To:** Blackball  
**Subject:** Wedge Blackball

I have resided at 1552 E. Ocean Blvd (between G and I St.) on the Balboa Peninsula Point since 1981. I am also a longtime and avid bodysurfer of all the breaks in Balboa and Corona Del Mar.

My family and I support the current Blackball regulation (10 - 5, May - Oct) at Wedge.

We do so for the following reasons:

- Provides fair use and fair separation of time for all wave riders.
- Protects the historically significant sport of bodysurfing at the Wedge.
- Insures safety in the water (protects bodysurfers from being hit by boards).
- Reduces conflict between all parties in and out of the water.
- Reduces traffic, parking issues and safety issues on the Balboa Peninsula and Peninsula Point.
- Provides lifeguards the codified ability to enforce regulations.

I have discussed these issues with my neighbors as well. All feel strongly that the current blackball regulations should be kept in place. A reduction in blackball hours would significantly impact our neighborhood due to increased traffic (consistently violating the speed limits on our streets), parking problems, trash, public safety, etc.

The longtime residents of the Point all vividly remember the tragedy of Debbie Killelea, who was killed by a driver who was leaving the Wedge. Although we understand that we live in a desirable tourist location and will inevitably be exposed to visitors due to the attractive nature of our neighborhood, we desire our neighborhood to remain as safe and quiet as possible.

Thank you for your time and consideration on this issue.

Best,

Chase E. Corum, Esq.

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From: Skye Walker  
Sent: Tuesday, February 04, 2014 3:16 PM  
To: PB&R Commission; Henn, Michael; Petros, Tony; curry@pfm.com; Hill, Rush; Gardner, Nancy; Daigle, Leslie; Selich, Edward  
Subject: Wedge Blackball Support

To whom it may concern,

I'm writing in support of the black ball at the Wedge. Please help keep this in effect. I'm a body surfer and surfer, and this is such a sacred spot in the history of body surfing. To take the black ball away would be a crying shame not only for all the body surfers who love the wedge but also for future generations to come.

Please keep the blackball in effect! I can't make the meeting today, but I'm sending my support in this email.

Thank you for your consideration on this important matter and please stop this attack on the black ball at Wedge!

Skye Walker

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**From:** Jason Harney

**Sent:** Tuesday, February 04, 2014 3:21 PM

**To:** Blackball; [www.citycouncil@newportbeachca.gov](mailto:www.citycouncil@newportbeachca.gov); Petros, Tony; [curry@pfm.com](mailto:curry@pfm.com); Hill, Rush; Daigle, Leslie; Selich, Edward; PB&R Commission

**Cc:** Jason Harney

**Subject:** Against the Proposed Changes to Black Ball at Wedge

Greetings,

My name is Jason Harney, and I am a life long resident of Orange County, having grown up in Fountain Valley, and now residing in Mission Viejo. I have been bodysurfing at Wedge since 1984. I am writing in regards to the proposed blackball changes at Wedge. I feel that any changes to the current blackball regulations at Wedge that reduce or eliminate blackball hours would not only be detrimental to the sport of bodysurfing, it would also create safety hazards for all bodysurfers.

When I began bodysurfing at Wedge, the blackball regulations were not in place. While there were fewer people riding bodyboards and skimboards at that time in comparison to now, I had been hit by various types of boards on several occasions. While there is very little blackball enforcement from May to late June/early July and early September – end of October, the bodysurfers have been able to manage it ourselves because the regulation was in place (regardless of it being enforced). There were still times, however, that boards (skimboards, surfboards, and bodyboards) would still enter the water and not want to exit when informed of the blackball. Skim boards pose a particularly extreme danger, as they take off directly toward the swimmers in the water. There is also the issue of loose boards flying through the crashing waves after their rider bails or is knocked off the wave.

The current regulations at Wedge offer bodyboards, skimboards, and surfboards the best hours of the day for wave riding (before the wind picks up creating choppy conditions). It also gives them the end of the day (for those that don't like to get up early), often the late afternoons in summer offer great conditions as well after the wind dies down. The current split of time is equal, contrary to what many of the anti-blackball supporters would lead you to believe. Approximately 7 hours with no blackball, and 7 hours with blackball. Their argument is that even while there is no blackball in the water, bodysurfers are still able to bodysurf. While the statement itself is true, it's not actually factual. There are very few people that attempt to bodysurf prior to blackball going up, it is near impossible to compete for waves with boards of any kind without cutting them off and risking being hit in the head by their board as the boards are able to sit back and take off deeper in the wave. Bodysurfers are completely immersed in the water with only their head exposed and have to propel themselves through the water rather than on top of the water and hence are much slower leaving their heads exposed for contact. The inability to compete in the water with these other forms of wave riding will essentially cause the demise of the art of bodysurfing and/or create unnecessary safety hazards when bodysurfers do the only thing they can to catch waves by taking off in front of someone on a board.

There are plenty of places in Newport and up and down the Orange County coast for the board riders to ride when the blackball goes up. Places in Newport like Balboa Pier for the skimboards, 40-44th street (and the rest of Newport), even Cylinders for the bodyboards, upper jetty's for the surfboards. If you eliminate blackball or reduce the hours, where are WE as bodysurfers to go? Please take these things into consideration when deciding what to do in regards to the blackball regulations at Wedge.

Sincerely,  
Jason Harney

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**From:** Jason Harney  
**Sent:** Tuesday, February 04, 2014 3:35 PM  
**To:** Blackball; [www.citycouncil@newportbeachca.gov](mailto:www.citycouncil@newportbeachca.gov); Petros, Tony; [curry@pfm.com](mailto:curry@pfm.com); Hill, Rush; Daigle, Leslie; Selich, Edward; PB&R Commission  
**Cc:** Jason Harney  
**Subject:** Black ball = bike lanes and skate parks

Greetings,

I am writing in opposition to the proposed changes in the black ball regulations at the Wedge.

I have heard some chatter on the internet about bodysurfing being a 'dying sport'. However, my observations over the past 28 years of riding the Wedge are the opposite! I see more young bodysurfers than I have seen in years. A new generation of riders have discovered the sport/art of bodysurfing, and they have come to mecca: the tip of the Balboa Peninsula.

When running became a huge industry in the 70s and 80s, what did we tell runners? Did we say, "You're too slow, you can't compete. Get a bike."? No, the cities of OC have built running trails to serve the needs of the running community.

When cycling became a huge industry, what did we say to cyclists? Did we say, "You're too slow, you can't compete. Get a car."? No, we build bike lanes and trails to serve the needs of the cycling community.

The list goes on: skate parks to give skaters a place to practice their sport, 'hard board only' black ball areas for surfers, 'no swimmer' areas for skimmers (as in Crescent Bay, Laguna Beach), snow-board-only runs at ski areas, etc.

**Bodysurfing deserves this same consideration.** It is a worthy recipient of specific time and locations for its safe and protected practice. This is particularly important at the Wedge, due to the history and heritage of the sport at this unique location. The current black ball regulations preserve this heritage, allow for the sport to grow and develop, AND gives 50% of the best surfing time of the year over to board riders as well.

Therefore, I respectfully suggest that you do nothing to alter the current black ball regulations.

Sincerely,  
Jason Harney  
Lifelong OC Resident and Bodysurfer

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**From:** Chris Karjala  
**Sent:** Tuesday, February 04, 2014 3:57 PM  
**To:** Recreation  
**Subject:** Blackball changes are very good!

Thank you from the bottom of my heart for listening to the community and considering the changes to the Blackball policy. This is a large step in the right direction towards freedom to enjoy the ocean for everyone.

I only have one additional item to add:

Please consider removing the 40-44th street Bodyboarding restriction and simply having this section comply with the rest of the blackball regulations.

It is unfair to the waveriding community to give preferential treatment specifically to bodyboarders.

Thank you for your time and efforts.

Sincerely,  
Chris Karjala  
[ckarjala@gmail.com](mailto:ckarjala@gmail.com)

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**From:** tieneke pavesic  
**Sent:** Tuesday, February 04, 2014 7:52 PM  
**To:** PB&R Commission  
**Subject:** wedge

Keep the current regulations in place. It makes the place more special and brings more people to the area.

I would have never gone had it not been for the famous body surfers.

Tieneke

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**From:** Nicole Hayford  
**Sent:** Tuesday, February 04, 2014 9:51 PM  
**To:** Dept - City Council; Blackball; PB&R Commission  
**Subject:** Blackball

Dear Newport Beach City Council Members & Parks, Beaches and Recreation Commission Members,

My name is Nicole Hayford and I am a Huntington Beach resident. I am writing in regards to the proposed blackball changes at Wedge. I feel that any changes to the current blackball regulations at Wedge that reduce or eliminate blackball hours would not only be detrimental to the sport of bodysurfing, it would also create safety hazards for all individuals in the water.

The current regulations at Wedge offer bodyboards, skimboards, and surfboards the best hours

of the day for wave riding (before the wind picks up creating choppy conditions). It also gives them the end of the day, often the late afternoons in summer offer great conditions as well after the wind dies down. The current split of time is equal, contrary to what many of the anti-blackball supporters would lead you to believe. Approximately 7 hours with no blackball, and 7 hours with blackball. Their argument is that, even while there is no blackball in the water, bodysurfers are still able to bodysurf. While the statement itself is true, it is not practical. There are very few people that attempt to bodysurf prior to blackball going up, as it is near impossible to compete for waves with boards of any kind without cutting them off and risking being hit in the head by their board as board surfers take off from a deeper (further down) section of the wave. Bodysurfers are completely immersed in the water with only their head exposed and have to propel themselves through the water, rather than on top of the water and are, therefore, much slower leaving their heads exposed for contact. The inability to compete in the water with these other forms of wave riding will essentially cause the demise of the art of bodysurfing and/or create unnecessary safety hazards when bodysurfers do the only thing they can to catch waves; taking off in front of someone on a board.

Furthermore, there is very little blackball enforcement from May to late June and early September through the end of October since the Newport Lifeguards generally do not staff the Wedge tower during this time of the year. This enforcement gap results in bodysurfers sharing the majority of the, technically blackballed, water time with board surfers who enter the water regardless of blackball. Generally bodysurfers have been able to manage occasions like this ourselves because the regulation was in place (regardless of it being enforced). Unfortunately, there are still times during which boards (skimboards, surfboards, and bodyboards) will enter the water and not want to respect the blackball. During these times, I have been hit by skimboards, as well as surfboards and bodyboards, countless times, twice resulting in minor head injuries.

There are plenty of places in Newport and up and down the Orange County coast for the board riders to ride when the blackball goes up. Locations in Newport like Balboa Pier for the skimboards, 40-44th Street (and the rest of Newport), even Cylinders, for the bodyboarders and Upper Jetty's for the surfboards. If you eliminate blackball or reduce the hours, where are WE as bodysurfers to go? Please take these points into consideration when deciding what to do in regards to the blackball regulations at Wedge.

Thank you and best regards,

-Nicole Hayford

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From: Murphy, Kevin [mailto:KeMurphy@fnf.com]  
Sent: Wednesday, February 05, 2014 3:58 PM  
To: Craig, Teri  
Subject: Blackball committee proposal

Dear PB&R commissioners Englebrecht, Anderson, Marston, and Howald. I want to thank you for making the right decision last night that benefits all water men not just surfers. I'm a forty year Newport resident that both surfs and body surfs and my son surfs. So I'm not a guy biased for only the swimmers. I'm just a guy who believes all people deserve time in our beautiful Newport waters safely.

I'm the one who presented the detailed graph of the outrageous amount of time the surfers currently dominate our coastal waters. I must be honest when I first saw the Blackball proposal I was shocked because like you they saw my graph.

I just could not understand how anyone could see giving the surfers from 48th to 56th and Orange St to River Jetty ALL DAY as a FAIR and SAFE proposal. This proposal was offering surfing in 50% of West Newport all day. This along with the 10 hours a day they already get everywhere else in West Newport.

Then to add insult to injury they wanted to take away 50% of the months from the Wedge and 50% from the boogie boarders at 40th to 44th. They say they can't control these areas for spring and fall months because there's no lifeguards in the towers.

The truth is there is TWELVE full time lifeguards on staff for those months. They are patrolling these areas all day. All it takes is for them to drive by and announce on the microphone that this area is black balled, it's that simple. The reality is they just don't want to deal with it.

May I please interject on the false statements the surfers were saying last night. They say there's no one out at 40th-44th, this simply is not true. I know because I go to this area everyday when I'm not surfing. Like all surf areas when the waves are good it's packed and when it's lousy it's not.

I want to shed some light on how this area became black balled from 10-5 to begin with. They initially wanted this area to become a swim only area. I personally feel this was a great idea. But what happened over the years is this area became known as boogie land because it's dominated by boogie boards.

The surfers suggest no blackball ever and say we'll all figure it out. After 40 years I've figured it out, when I surf these guys love me, but when I body surf I'm a kook who's told to go back to Riverside. The reality is you cannot mix surfers with swimmers, it just does not work. I am not proud to admit this but in 40 years I've had many altercations with surfers. I've NEVER had one with another body surfer or boogie boarder.

The surfers feel entitled to the waves and know we all fear getting hit by them.

They say we can go out with them the 10 hours a day they have the waves which is true. What they won't tell you is they dominate catching the waves. You just can't compete with them, it's not an even playing field. We say join us for our limited 5 hours with your fins and we're all on the same playing field.

This one really irritates me, the surfers bring in revenue. I'm a #'s guy and the money they bring into our economy is minimal at best. A couple bucks a day to park and \$5 they spend at Chronic Taco or Jack in the box. The people who bring in the real revenue are the families who drive to Newport and the weekly rentals. Along with also paying for parking they are feeding their whole families and the renters are spending big money all over Newport.

I know this seems like a surfer versus body surfer issue but we cannot forget the main people. The thousands of people who line our coast daily in the summer. The ones who wait patiently everyday for blackball to come down so they can safely go out. I spoke to Burr White rentals and they said this proposal would greatly effect them. What family who pays \$3000/\$5000 a week wants to rent where there's surfing all day.

I'd like to end this with one question for you and I hope you think this over. There is nowhere in Newport that I can go swim at 7,8,9,10,11,12 in the morning and not have to worry about getting run over by surfboards and Boogie boards, NO-WHERE. The surfers get everywhere from sun up till 1:00. And then again from 5:00 to dark. The boogie boarders get 40/44th. I pay over \$20,000 a year just in property taxes and I want to know why there's nowhere for people to swim safely in the morning?

Once again thank you for last nights ruling, it's great to see common sense prevail for the greater of all people.

Sincerely,

Kevin Murphy  
Vice President  
Hall of Fame  
Fidelity National Title  
19000 MacArthur Blvd. Ste. 300  
Irvine, ca 92612

Cell 714 624 2906  
Fax 949 788 2893

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**From:** Philippe LAHAIT [mailto:philippe.lahait@wanadoo.fr]  
**Sent:** Wednesday, February 05, 2014 1:31 PM  
**To:** PB&R Commission  
**Subject:** wedge

"Dear Council Members,

I am a French bodysurfer and I do not want the ordonnance the Blackball introduced in 1993 should be deleted.

The BackBall must remain in place for bodysurfing can still be practiced safely. This famous wave known around the world as one of the best for the practice of bodysurfing is known to all. We want to save the Blackball rules!

Sporting and sincerely.

Philippe LAHAIT from France