

Appendix E: Late Response to Comments

Date: September 9, 2025
Prepared by: Renee Escario
To: Joselyn Perez, JPerez@newportbeachca.gov
Site: Snug Harbor Surf Park Project
Subject: Responses to Late Individual Comments

This memo contains responses to comments related to the Environmental Impact Report (EIR) that the City of Newport Beach received in response to the notice of the Planning Commission Hearing for the proposed Project of September 4, 2025. These comments were received after the close of the Draft EIR public review period (May 23, 2025 through July 7, 2025).

Under CEQA, a lead agency is required to consider comments on the Draft EIR and to prepare written responses, if a comment is received within the public comment period (Pub. Resources Code, § 21091, subd. (d); CEQA Guidelines, § 15088.). When a comment letter is received after the close of the public comment period, however, a lead agency does not have an obligation to respond (Pub. Resources Code, § 21091, subd. (d)(1); Pub. Resources Code, § 21092.5, subd. (c) (“Nothing in this section requires the lead agency to respond to comments not received within the comment periods specified in this division, to reopen comment periods, or to delay acting on a negative declaration or environmental impact report.”).) Although a lead agency is not required to respond to late comments, it may choose to do so (Gray v. County of Madera (2008) 167 Cal. App. 4th 1099, 1110 (Gray), citing Pub. Resources Code, § 21091, subd. (d)(1); CEQA Guidelines, § 15088; Gilroy Citizens for Responsible Planning v. City of Gilroy (2006) 140 Cal.App.4th 911, 925, fn. 10 (Gilroy Citizens).)

The City of Newport Beach has elected to prepare the following written responses to comments received after the 45-day public comment period for the Draft EIR ended (July 7, 2025) that include environmental issues of concern with the intent of conducting a comprehensive and meaningful evaluation of potential environmental impacts of the proposed Project. The number designations in the responses are correlated to the bracketed and numbered portions of the comment letters.

As further detailed in the individual responses to comments below, none of the comments result in identification of any substantial increases in the severity of any previously identified environmental impacts that would not be mitigated, or that there would be any of the other circumstances requiring recirculation as described in CEQA Guidelines Section 15088.5. No new environmental impacts would result from the Project or from a new mitigation measure proposed to be implemented, there is no substantial increase in the severity of an environmental impact, no feasible project alternative that would reduce potential impacts, or mitigation measures considerably different from others previously analyzed that would lessen the environmental impacts of the proposed Project, and the EIR is not fundamentally inadequate and conclusory in nature.

Letter L1: Matt Clark (2 pages) Late Comment Letter

Planning Commission - September 4, 2025
Item No. 2a - Additional Materials Received After Printing Staff Report
Snug Harbor Surf Park (PA2024-0069)

From: Garrett, Errica
Sent: August 27, 2025 12:21 PM
To: Dept - City Clerk
Subject: FW: Surf Park



Errica Garrett
Administrative Assistant to the
Mayor and City Council
City Manager's Office
Office: 949-644-3004
100 Civic Center Drive
Newport Beach, CA 92660



From: Matt Clark <mattsup62@gmail.com>
Sent: August 27, 2025 12:07 PM
To: Planning Commission <planningcommission@newportbeachca.gov>
Cc: Dept - City Council <CityCouncil@newportbeachca.gov>
Subject: Surf Park

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To whom it may concern,,

I would like to state my opposition to plans for a surf park on the existing golf course.

As I have previously stated I feel that a surf park in that location is unnecessary, will take away open space that is much needed and was promised to residents during our annexation process. I noted at that time one of my concerns was for the part of the course across Mesa from project would be ripe for multifamily housing. I was told that there were no applications to build at that location. My understanding is that there is now an application to do so.

L1.1

This and a plan to develop the property at Orchard and Irvine ave that will include 2 MOB's and a parking structure. These were items were not considered in the EIR and must be included in any discussions as traffic would be significantly worse than stated in that report.

L1.2

All things considered the best option is to deem the entire golf course as open space. Or at least designate the area across Mesa from surf park as open space. Ideally as marsh/wetlands to help clean up the storm water that flows through the Delhi channel before it enters the ecological preserve in the Back Bay.

L1.3

Another problem I have with this project is that it does not serve the majority of the community. Many people will not be able to afford the take advantage of the proposed surf park. Many more have no interest in using this facility.

L1.4

All, however will be negatively impacted by increased traffic through our neighborhoods as well as any future residential development that will follow. To say that there are no plans for this development is in my opinion dishonest. **L1.5**

This project will benefit few at the cost of many.

Thank you for your time.
Matt Clark
20111 Bayview Ave.
949 422-4942

Response to Letter L1: Matt Clark, dated August 27, 2025

Response L1.1: As detailed in the Final EIR Master Response 2, *Loss of Existing Golf Course Use*, the Project site consists of privately owned land within a portion of the Newport Beach Golf Course, which is a commercial recreation facility that is not City/publicly owned (not a municipal golf course). Regarding the loss of open space, the Draft EIR Section 3.0, *Project Description*, details that the Project site has a General Plan Land Use designation of Parks and Recreation, which is intended to provide for a variety of both active and passive uses, including: golf courses, marina support facilities, tennis clubs and courts, private recreation, and similar facilities. The Project site is zoned for Open Space and Recreation within the Santa Ana Heights Specific Plan which, subject to a use permit, allows for outdoor commercial recreation. The proposed Project is consistent with the intended uses for the site within the City's General Plan and the Santa Ana Heights Specific Plan, as detailed in Draft EIR Section 5.10, *Land Use and Planning*.

As detailed in the Final EIR Master Response 3, *CEQA Piecemealing and Housing Opportunity Sites*, no housing is currently proposed across Mesa Drive from the Project site. No application for development of these parcels has been submitted to the City nor is such development a reasonably foreseeable consequence of the Project, which proposes a surf park that is designed to allow continued functioning of the existing golf course (by providing access between holes, golf cart storage, etc.).

Response L1.2: The Project located at Orchard Drive and Irvine Avenue is included in the EIR as Project 5 in Table 5-1, *Cumulative Projects List*, (Draft EIR page 5-5) and Figure 5-1 (Draft EIR page 5-7). As detailed in Draft EIR Section 5.14, *Transportation*, in Impact TRA-2, (Draft EIR pages 5.14- and 5.14-17) based on City and CEQA Guidelines screening criteria, the proposed Project would generate a net increase in vehicular trips that are below the threshold of 300 daily trips and would be less than significant at both a Project level and cumulatively. The comment provides no substantiation or evidence of the claim that traffic would be significantly worse than stated in the EIR.

Response L1.3: As detailed in Response L1.1, the Project site and parcels to the south of Mesa Drive have a General Plan Land Use designation of Parks and Recreation and are zoned for Open Space and Recreation by the Santa Ana Heights Specific Plan which, subject to a use permit, allows for outdoor commercial recreation.

Response L1.4: As detailed in the Final EIR Master Response 2, *Loss of Existing Golf Course Use*, the Project site consists of privately owned land within a portion of the Newport Beach Golf Course, which is a commercial recreation facility that is not City/publicly owned (not a municipal golf course). The proposed Project is similarly a commercial recreation facility. As detailed in Final EIR Master Response 1, *Project Merits*, any economic and social effects of the proposed Project are not treated as effects on the environment (CEQA Guidelines Sections 15064(e) and 15131(a)). Therefore, consistent with CEQA, the Draft EIR includes an analysis of the Project's potentially significant physical impacts on the environment and does not include a discussion of the Project's economic or social effects.

Response L1.5: As detailed in Response L1.2, Draft EIR Section 5.14, *Transportation*, Impact TRA-2, (Draft EIR pages 5.14- and 5.14-17) details that based on City and CEQA Guidelines screening criteria, the proposed Project would generate a net increase of approximately 186 daily trips with a net reduction of 73 AM peak hour trips and 10 PM peak hour trips compared to the existing golf course uses, which is below the threshold of 300 daily trips and would be less than significant at both a Project level and cumulatively.

Letter L2: Joseph Salvo (2 pages) Late Comment Letter

Planning Commission - September 4, 2025
Item No. 2a - Additional Materials Received After Printing Staff Report
Snug Harbor Surf Park (PA2024-0069)

From: Garrett, Errica
Sent: August 28, 2025 7:31 AM
To: Dept - City Clerk
Subject: FW: Surf Park & High density Housing Projects-08.27.25



Errica Garrett
Administrative Assistant to the
Mayor and City Council
City Manager's Office
Office: 949-644-3004
100 Civic Center Drive
Newport Beach, CA 92660



From: jsalvo2105@aol.com <jsalvo2105@aol.com>
Sent: August 27, 2025 8:58 PM
To: Dept - City Council <CityCouncil@newportbeachca.gov>
Subject: Surf Park & High density Housing Projects-08.27.25

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Dear City Council Members,

We want to vehemently express our displeasure of the current projects under proposal.

The Surf Park? 4 miles from surfing beaches, kind of ridiculous? So expensive it gentrifies the entire surfing experience and doesn't allow all to participate? But most of all the disruption of our quiet neighborhood from noise to traffic. The Surf Park is essentially a Night Club that has a drone running pushing water all day long. The same Surf Park company is fighting dozens of noise complaints in the desert currently! Not a great thing for the people who reside around it.

L2.1

High Density Housing under the flight path of planes taking off and landing at John Wayne. Worsening an already horrible parking problem in the area by loading it up with too many people and too many cars. Irvine/Bristol will become a parking lot.

L2.2

We would prefer Newport Beach act like the upscale community it is known to be and FIGHTS Sacramento and the crazy requirements this administration has set for high density housing and ADU's!

The neighborhood golf course is a much better play. It is not noisy. It allows people of all socio economic backgrounds to use the facility. It allows more people to earn incomes as a result of the golf course. And it keeps an already difficult traffic problem at bay for the time being.

Our family is a BIG NO on these new proposals and we hope the City Council Members can get past the dollars of these projects and see what is best for the long time residents of Santa Ana Heights. Don't throw us under the bus because you can...

Regards,

Joseph Salvo
20352 SW Cypress Street
Newport Beach, CA 92660

L2.2
Cont.

Response to Letter L2: Joseph Salvo, dated August 28, 2025

Response L2.1: Please refer to Final EIR Master Response 4: *Impacts Related to Vehicle Trips* for a response regarding the traffic generated by the proposed Project. Please refer to Master Response 5: *Noise Impacts* within the Final EIR as well as Draft EIR Section 5.11 *Noise*, for the discussion of the proposed Project's noise impacts. Construction noise impacts are listed in Draft EIR Tables 5.11-7 and 5.11-8 and operational noise impacts are shown on Tables 5.11-9 through 5.11-13. As discussed in the Draft EIR, the proposed Project would not result in any significant impacts related to increased noise levels near sensitive receptors. The proposed wave making technology would not utilize a drone but rather a set of paddles that oscillate up and down cause the waves. The paddles would be stationary in the location at the top of the lagoon and would not "push" the water around as the commenter suggested. This comment is speculative and does not provide any supporting evidence to its claim that the proposed Project would result in an impact related to noise. Thus, no further response is warranted.

Response L2.2: Please refer to Final EIR Master Response 3, *CEQA Piecemealing and Housing Opportunity Sites*, regarding the City's Housing Implementation Program and the housing opportunity sites.

Letter L3: Russell Symonds (1 page) Late Comment Letter

Planning Commission - September 4, 2025
Item No. 2a - Additional Materials Received After Printing Staff Report
Snug Harbor Surf Park (PA2024-0069)

From: Garrett, Errica
Sent: August 28, 2025 10:25 AM
To: Dept - City Clerk
Subject: FW: No Surf Ranch in Newport Beach



Errica Garrett
Administrative Assistant to the
Mayor and City Council
City Manager's Office
Office: 949-644-3004
100 Civic Center Drive
Newport Beach, CA 92660



From: Russell Symonds <rsymonds@sbcglobal.net>
Sent: August 28, 2025 10:11 AM
To: Planning Commission <planningcommission@newportbeachca.gov>
Cc: Dept - City Council <CityCouncil@newportbeachca.gov>
Subject: No Surf Ranch in Newport Beach

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To whom this may concern:

I strongly oppose the construction of a surf park at one of the busiest intersections in Newport Beach. This project would replace the Newport Beach golf course with a high-end resort. I object to this developer's attempt to seize and destroy valuable green space, which is desperately needed, and to the unfortunate loss of significant trees.

L3.1

Sincerely,

Russell Symonds

1973 Newport Blvd. #23
Costa Mesa, CA 92627

Response to Letter L3: Russell Symonds, dated August 28, 2025

Response L3.1: Please refer to Final EIR Master Response 4: *Impacts Related to Vehicle Trips* for a response regarding the traffic generated by the proposed Project.

In regards to the loss of open space, as discussed in Master Response 2: *Loss of Existing Golf Course Use*, and in Draft EIR Section 3.0, *Project Description*, the Project site is privately owned and has a General Plan Land Use designation of Parks and Recreation, which is intended to provide for a variety of both active and passive uses, including: golf courses, marina support facilities, tennis clubs and courts, private recreation, and similar facilities. The Project is zoned for Open Space and Recreation within the Santa Ana Heights Specific Plan which, subject to a use permit, allows for outdoor commercial recreation. The proposed Project is consistent with the intended uses for the site within the City's General Plan and the Santa Ana Heights Specific Plan, as detailed in Draft EIR Section 5.10, *Land Use and Planning*.

Regarding tree coverage, as detailed on page 5.3-11 of the Draft EIR, the Project site has been subject to decades of anthropogenic disturbances, which has removed native habitat for sensitive wildlife species. The proposed landscaping would increase the area of tree coverage compared to the existing condition, as shown by comparison of Draft EIR Figures 3-3, *Aerial View*, and 3-8, *Conceptual Site Plan*.

Letter L4: Kim Harmes (1 page) Late Comment Letter

Planning Commission - September 4, 2025
Item No. 2b - Additional Materials Received
Snug Harbor Surf Park (PA2024-0069)

From: [kim.harmes](#)
To: [Planning Commission](#)
Subject: Surf Ranch
Date: August 28, 2025 4:39:49 PM

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As someone who lived in NB since 1970

Over the years i have attended many weddings, receptions, at one point there was ballroom dancing there we have golfed, used the driving range and gone to the buffet. now going to Original Pizza.

Since the golf course is approximately 6 miles to the beach, and endless waves the Surf seems sort of redundant not to mention the increase of traffic on

Irvine ave

Kim Harmes

L4.1

Response to Letter L4: Kim Harmes, dated August 28, 2025

Response L4.1: Please refer to Final EIR Master Response 4: *Impacts Related to Vehicle Trips* for a response regarding the traffic generated by the proposed Project as well as Master Response 1: *Project Merits* regarding focused environmental review and opinions regarding merits of the proposed Project.

Letter L5: Nicole Summers (1 page) Late Comment Letter

Planning Commission - September 4, 2025
Item No. 2b - Additional Materials Received
Snug Harbor Surf Park (PA2024-0069)

From: [nicole.summers](#)
To: [Planning Commission](#)
Subject: Surf Park
Date: August 28, 2025 8:31:07 PM

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Hello,

We live a block away from the golf course and potential site of the surf club. Please vote no, as there is plenty of spots to surf 10 minutes away. The congestion is already crazy in the morning and afternoon. Newport Beach doesn't need another club. The traffic and noise it would bring is not one we welcome. Keep it simple and vote no.

L5.1

Sincerely,
Nicole Summers
949-922-1526

Response to Letter L5: Nicole Summers, dated August 28, 2025

Response L5.1: Please refer to Final EIR Master Response 1: *Project Merits* for a response to comments regarding the merits of the proposed Project. In regard to potential noise impacts, please refer to Master Response 5: *Noise Impacts* as well as Master Response 4: *Impacts Related to Vehicle Trips* for a response regarding increased traffic.

Letter L6: Katie Lewis (1 page) Late Comment Letter

Planning Commission - September 4, 2025
Item No. 2b - Additional Materials Received
Snug Harbor Surf Park (PA2024-0069)

From: [Katie Lewis](#)
To: [Planning Commission](#)
Subject: Surf Ranch
Date: August 28, 2025 8:47:03 PM

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I live very close to the golf course. I oppose the use of the golf course for a surf ranch.
There is plenty of traffic on irvine and mesa.... Adding a huge facility would just make it worse.

Seriously we live near the beach! Go to the beach!

Keep the only affordable golf course in business.

Thank you,

Katie Lewis
2663 Redlands Dr
Costa Mesa CA 92627

L6.1

Response to Letter L6: Katie Lewis, dated August 28, 2025

Response L6.1: Please refer to Final EIR Master Response 1: *Project Merits* for a response to comments regarding the merits of the proposed Project. In regard to potential traffic impacts, please refer to Master Response 4: *Impacts Related to Vehicle Trips*.

Letter L7: Gail Garceau (1 page) Late Comment Letter

Planning Commission - September 4, 2025
Item No. 2b - Additional Materials Received
Snug Harbor Surf Park (PA2024-0069)

From: [Gail Garceau](#)
To: [Planning Commission](#); [Dept - City Council](#)
Subject: Proposed Surf Park
Date: August 29, 2025 12:44:27 PM

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As a local resident I am very much OPPOSED to the surf park at the intersection of Bristol and Irvine Avenue.

L7.1

Traffic on Irvine Ave is already congested at all hours of the day and cannot handle additional vehicles.

Orange County Airport Land Use Commission ruled the Surf Park is "inconsistent" with the JWA's safety rules. Specifically, the Project's increase of intensity of use in close proximity to JWA.

L7.2

The noise from surf parks will be extremely invasive for the local residents just steps away from the surf park. The powering systems for the surf park and the noise from the surfers will be extremely loud especially at all hours of the day. Our residence is within hearing distance of the proposed surf park and Irvine Avenue is loud enough all day and night.

L7.3

We hope you will consider our input and deny this surf park.

Response to Letter L7: Gail Garceau, dated August 29, 2025

Response L7.1: Please refer to Master Response 4: *Impacts Related to Vehicle Trips*, for a response to comments regarding the proposed Project's traffic effects.

Response L7.2: The Project's consistency with the JWA safety and land use policies are detailed in Draft EIR Sections 5.8, *Hazards and Hazardous Materials* and 5.10, *Land Use and Planning*. The comment does not identify a specific issue regarding the EIR's analysis of JWA. Thus, no further response is warranted.

Response L7.3: As discussed in Draft EIR Section 5.11, *Noise*, on page 5.11-22, based on the manufacturer's specifications for the wave generator, the proposed wave machinery would generate a peak wave noise event of 61.4 Leq at a distance of 50 feet, which would be limited to the hours of 6:00 a.m. to 11:00 p.m. Draft EIR Table 5.11-12 and Table 5.11-13 identifies that the Project would generate daytime operational noise level increases ranging from less than 0.1 to 0.8 dBA Leq and nighttime noise level increases ranging from less than 0.1 to 2.0 dBA Leq at the nearby receiver locations, which are less than the thresholds. Therefore, noise impacts related to Project operations would be less than significant. Please refer to Master Response 5: *Noise Impacts*, as well as Draft EIR Section 5.11 *Noise*, for additional discussion of the proposed Project's noise impacts.

Letter L8: Sally Holstein (1 page) Late Comment Letter

Planning Commission - September 4, 2025
Item No. 2b - Additional Materials Received
Snug Harbor Surf Park (PA2024-0069)

From: sally4golf@gmail.com
To: [Planning Commission](#)
Cc: [Dept - City Council](#)
Subject: No Surf Ranch in Newport Beach
Date: August 29, 2025 8:42:39 PM

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We do NOT need a surf park a couple of miles from the ocean. This is a developer's dream to build more and make more money. It will create too much traffic and lots of noise. The citizens do not want another high-end Resort!

The golf course is 100% full all the time and is used by all types of people. From low income and up. Most people are Not in favor of it and they think it is ridiculous and like learning and playing golf at an affordable course with green open space vs cement and no trees. This is a great golf course for people who can't afford the private golf, and we have a great ocean that people could surf anytime they want in Newport Beach (for Free). My Vote is NO.

L8.1

Sally Holstein
Sally4golf@gmail.com
Cell 949 233-5533

Response to Letter L8: Sally Holstein, dated August 29, 2025

Response L8.1: As detailed in Draft EIR Section 3.0, *Project Description*, 15 holes of golf would be retained with implementation of the proposed Project. Please refer to Master Response 2: *Loss of Existing Golf Course Use*, for the response to comments related to the change to the existing golf course use as well as Master Response 1: *Project Merits* for a response to comments regarding the merits of the proposed Project. In regard to potential noise impacts, please refer to Master Response 5: *Noise Impacts* as well as Master Response 4: *Impacts Related to Vehicle Trips* for a response regarding increased traffic.

Letter L9: Joe Bonafede (1 page) Late Comment Letter

Planning Commission - September 4, 2025
Item No. 2b - Additional Materials Received
Snug Harbor Surf Park (PA2024-0069)

From: [Joe Bonafede](#)
To: [Planning Commission](#)
Subject: Surf Park
Date: August 30, 2025 9:13:59 PM

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We have lived in Santa Ana Heights for 27 years. Please vote "NO" on the surf park. The traffic with additional housing will be unsustainable. The driving range is needed in the city.

L9.1

Best,

Joe Bonafede
Fieldsorce Food Systems, Inc.
joe@fieldsorcefoods.com
Direct 714-390-4573
Office 714-529-FOOD (3663)

Response to Letter L9: Joe Bonafede, dated August 30, 2025

Response L9.1: Please refer to Final EIR Master Response 1: *Project Merits* for a response to comments regarding the merits of the proposed Project. In regard to potential traffic impacts, please refer to Master Response 4: *Impacts Related to Vehicle Trips*. Refer to Master Response 3, *CEQA Piecemealing and Housing Opportunity Sites*, regarding the City's Housing Implementation Program and the housing opportunity sites.

Letter L10: Jeffrey Menkes (1 page) Late Comment Letter

Planning Commission - September 4, 2025
Item No. 2b - Additional Materials Received
Snug Harbor Surf Park (PA2024-0069)

From: [Jeffrey Menkes](#)
To: [Planning Commission](#)
Subject: Surf Park
Date: August 31, 2025 1:04:57 PM

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Dear Sir or Madam,

As a 37-year resident of the Baycrest (back bay) neighborhood in Newport Beach, I am writing you to express my objection to the proposed surf park where the small Newport Beach golf course is currently located. A surf park is not a high-end resort. And whether a surf park or a resort, the current roadway system is not adequate to support any more traffic. I invite you to observe the Southbound traffic on Irvine Avenue on any workday between 4:30 and 6:30. It is often bumper to bumper to Bristol St. I would also suggest that a surf park would become a prime hangout spot for teenagers that are often the cause of mischief and crime. I cannot think of any positive outcome for any of your residents in our part of the city. I therefore hope you will vote to not allow this awful idea to be built.

L10.1

Jeff Menkes
1715 Candlestick Lane
Newport Beach, CA 92660

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Response to Letter L10: Jeffrey Menkes, dated August 31, 2025

Response L10.1: Please refer to Final EIR Master Response 1: *Project Merits* for a response to comments regarding the merits of the proposed Project. In regard to potential traffic impacts, please refer to Master Response 4: *Impacts Related to Vehicle Trips*. In addition, the City's Fire and Police Departments were consulted regarding potential public service and safety impacts as part of preparation of the Draft EIR, as detailed in Draft EIR Section 5.12, *Public Services*.

Letter L11: Julie Thornton (1 page) Late Comment Letter

Planning Commission - September 4, 2025
Item No. 2b - Additional Materials Received
Snug Harbor Surf Park (PA2024-0069)

From: [Julie Thornton](#)
To: [Dept - City Council](#); [Planning Commission](#)
Cc: [Julie Thornton](#)
Subject: Opposition to Surf Wave facility.
Date: September 01, 2025 9:25:47 PM

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I am sending my opposition to the proposed wave/surf pool.

Unnecessary

Expensive

Traffic will be impacted.

Puts the city in the path of liability

Is limited - golf is good for children teens young adults middle aged and the elderly. Wave pool is limited.

How much will this cost us citizens - longer term considerations?

What's the cost per ride? I hear it's several hundred per person.

Environmental Impact: Public green spaces like golf courses contribute to better air quality, wildlife habitat, and overall community health. The loss of such spaces, even partially, could result in a negative environmental effect, especially in a densely populated coastal area like Newport Beach.

Wave pools are known for using significant amounts of water, which is a serious concern in coastal areas where water resources are already limited. The environmental cost of maintaining a wave surf facility may outweigh the short-term economic benefits, especially given the rising concerns over climate change and drought.

: If the city has to fund the wave pool facility, it could place a strain on local taxpayers, especially if the facility ends up being more costly to maintain than anticipated. Maintenance costs and the potential for underuse could also pose long-term financial issues.

Improving the Golf Course: Instead of cutting the course in half, you could propose alternatives like renovating or upgrading the current facilities. A more modern or environmentally-friendly golf course, or adding other types of outdoor recreation areas, could serve a wider community without removing the course entirely.

While a wave pool might cater to a specific demographic, a public golf course serves a wider, more diverse group of people. Ensuring that recreational spaces are inclusive and accessible to all residents is key to fostering a sense of community.

Julie Thornton
29 Cape Andover
Newport Beach, Ca

Sent from my iPhone

L11.1

L11.2

L11.3

L11.4

Response to Letter L11: Julie Thornton, dated September 1, 2025

Response L11.1: Please refer to Final EIR Master Response 1: *Project Merits* for a response to comments regarding the merits of the proposed Project. In regard to potential traffic impacts, please refer to Master Response 4: *Impacts Related to Vehicle Trips*, which details that the net increase in traffic would be below the threshold of 300 daily trips and would be less than significant. As detailed in the Final EIR Master Response 2, *Loss of Existing Golf Course Use*, the Project site consists of privately owned land within a portion of the Newport Beach Golf Course, which is a commercial recreation facility that is not City/publicly owned (not a municipal golf course).

Response L11.2: The comment provides unspecific concerns related to the loss of greenspace. Refer to Draft EIR Sections: 5.2, *Air Quality*, 5.3, *Biological Resources*, regarding effects related to air quality, biology, and community health. No specific issues related to the EIR analysis have been provided. Thus, no further response is warranted.

Response L11.3: Refer to Draft EIR Section 5.9, *Hydrology and Water Quality* and Section 5.16, *Utilities and Service Systems* for an evaluation of water demands based on engineering reports and the City's Urban Water Management Plan, which determined that impacts related to water supply would be less than significant. In addition, Please refer to Final EIR Master Response 1: *Project Merits*, which describes that potential economic and social effects of the proposed Project are not treated as effects on the environment (CEQA Guidelines Sections 15064(e) and 15131(a)); and thus, not evaluated in the EIR.

Response L11.4: As detailed in the Final EIR Master Response 2, *Loss of Existing Golf Course Use*, the Project site consists of privately owned land within a portion of the Newport Beach Golf Course, which is a commercial recreation facility that is not City/publicly owned (not a municipal golf course). In addition, please refer to Master Response, 1: *Project Merits* for a response to comments regarding the merits of the proposed Project.

Letter L12: Mark Adams (1 page) Late Comment Letter

Planning Commission - September 4, 2025
Item No. 2b - Additional Materials Received
Snug Harbor Surf Park (PA2024-0069)

From: [Mark Adams](#)
To: [Dept - City Council](#); [Planning Commission](#)
Subject: Wave Surf
Date: September 01, 2025 9:34:34 PM

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Report phish using the Phish Alert Button above.

Dear Council Members.

I'm write to strongly oppose the proposed wave pool.

This project is unnecessary, expensive, and risky for the City. It will make traffic worse, put Newport Beach on the hook for liability, and it only benefits a narrow group of people. A golf course, by contrast, serves everyone—kids, teens, adults, and seniors alike.

L12.1

Financially, the numbers don't add up. How much will this cost taxpayers in the long run? What's the actual cost per ride? I've heard it could be several hundred dollars per person. And if usage falls short, the City could be left subsidizing a facility that drains public funds year after year.

Environmentally, the tradeoff is even worse. Golf courses are open green space—they improve air quality, provide wildlife habitat, and create a healthier community. A wave pool, on the other hand, is a massive water consumer. In a coastal area facing drought concerns and climate change, that's the wrong direction.

L12.2

There's a better alternative. Instead of cutting the course in half, let's upgrade and modernize what we already have. A renovated, eco-friendly golf course or expanded outdoor recreation space will serve a broader, more diverse group of residents without destroying valuable green space.

L12.3

Bottom line: a wave pool is limited, costly, and short-sighted. The golf course is inclusive, sustainable, and fiscally responsible. I urge you to reject this proposal and focus on improvements that benefit the entire community.

Thank you.

Mark S. Adams
JMBM | Jeffer Mangels Butler & Mitchell LLP
3 Park Plaza, Suite 1100
Irvine, CA 92614
Direct Dial: [\(949\) 623-7230](tel:9496237230)
MarkAdams@JMBM.com
www.JMBM.com

Response to Letter L12: Mark Adams, dated September 1, 2025

Response L12.1: Please refer to Final EIR Master Response 1: *Project Merits* for a response to comments regarding the merits of the proposed Project. Regarding potential traffic impacts, please refer to Master Response 4: *Impacts Related to Vehicle Trips*.

Response L12.2: As discussed in Master Response 2: *Loss of Existing Golf Course Use*, and in Draft EIR Section 3.0, *Project Description*, the Project site is privately owned and has a General Plan Land Use designation of Parks and Recreation, which is intended to provide for a variety of both active and passive uses, including: golf courses, marina support facilities, tennis clubs and courts, private recreation, and similar facilities. The Project is zoned for Open Space and Recreation within the Santa Ana Heights Specific Plan which, subject to a use permit, allows for outdoor commercial recreation. The proposed Project is consistent with the intended uses for the site within the City's General Plan and the Santa Ana Heights Specific Plan, as detailed in Draft EIR Section 5.10, *Land Use and Planning*.

As detailed on page 5.3-11 of the Draft EIR, the Project site has been subject to decades of anthropogenic disturbances, which has removed native habitat for sensitive wildlife species. The proposed landscaping would increase the area of tree coverage compared to the existing condition, as shown by comparison of Draft EIR Figures 3-3, *Aerial View*, and 3-8, *Conceptual Site Plan*.

Regarding water use, as discussed in Draft EIR Section 5.16, *Utilities and Service Systems*, the City's 2020 UWMP projects an increase in water demand from 14,866 AF in 2025 to 15,371 AF in 2030, which is an increase of 505 AF. The 2020 UWMP bases water demand projections on population growth projections from the Center for Demographic Research at California State Fullerton and planned land uses based on zoning designations. The Project's annual demand of 87 AF of potable water would be 17.2 percent of the anticipated increase in water demand between 2025 and 2030 and would have sufficient supplies for the proposed Project. Thus, the Draft EIR determined that impacts related to water supply would be less than significant. In addition, the majority of water used by the Project would become wastewater that would be conveyed to the OC San Wastewater Treatment Plant No.1 that is treated and then conveyed to the OCWD GWRS system that further purifies water to meet all State and federal drinking water standards and then injects it into the groundwater basin providing a loop of water supply and re-use. Therefore, a majority of the water used by the Project (except for irrigation water and evaporation) would become wastewater that would be purified and then reinjected into the groundwater basin for reuse.

Response L12.3: Please refer to Final EIR Master Response 1: *Project Merits* for a response to comments regarding the merits of the proposed Project. In addition, as discussed in Master Response 2: *Loss of Existing Golf Course Use*, the Project site consists of privately owned land within a portion of the Newport Beach Golf Course, which is a commercial recreation facility that is not City/publicly owned (not a municipal golf course). The Project would retain 15 holes of golf on the site while accommodating the new surf lagoon. Both commercial recreational activities would be provided in the area.

Letter L13: Diane Moore (1 page) Late Comment Letter

Planning Commission - September 4, 2025
Item No. 2b - Additional Materials Received
Snug Harbor Surf Park (PA2024-0069)

From: [Diane Moore](#)
To: [Planning Commission](#)
Subject: surf farm project
Date: September 02, 2025 1:37:40 AM

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I am writing to express my hope that you will not approve the Surf Farm project .

I object to the removal of the golf course in my neighborhood to be replaced by the Surf Farm. I think it's going to create unwanted noise for the surrounding residences late into the night when we have a break from the airport noise. They say the wave machine will be quieter than the one in Palm Springs, but we won't know until its too late.. The late night party noise coming from their events will be a problem to the apartments directly across the street. The fire station is adjacent to the project so they will be hearing the wave machine and the wave noise all day into the night.. then the music starts.. How stressful is that going to be? (think about workman's comp issues)..

L13.1

The idea of our only affordable golf course being replaced by an elite surf club is not a good image for the middle class citizens of this city.. The Surf farm can be built anywhere with big enough space like the Great Park or the land surrounding the blimp hanger.. Sacrificing grass and trees for a concrete pool and buildings and a parking lot doesn't seem like a good choice either.

L13.2

Is this project is the gateway to building housing across Mesa drive ? What if that project doesn't get approved due to floodplain issues? Will golfers have to Uber from one section of the course to the other?

L13.3

If this project was just a hotel and restaurant/bar would you approve it so close to houses? Would it replace a golf course too?

Why doesn't the city buy the golf course to keep it as recreation for everyone .. not just the wealthy..?

Diane Moore
2232 Orchard Dr.

Response to Letter L13: Diane Moore, dated September 2, 2025

Response L13.1: As discussed in Draft EIR Section 5.11, *Noise*, on page 5.11-22, based on the manufacturer's specifications for the wave generator, the proposed wave machinery would generate a peak wave noise event of 61.4 Leq at a distance of 50 feet, which would be limited to the hours of 6:00 a.m. to 11:00 p.m. Draft EIR Table 5.11-12 and Table 5.11-13 identifies that the Project would generate daytime operational noise level increases ranging from less than 0.1 to 0.8 dBA Leq and nighttime noise level increases ranging from less than 0.1 to 2.0 dBA Leq at the nearby receiver locations, which are less than the thresholds. Therefore, noise impacts related to Project operations would be less than significant. Please refer to Master Response 5: *Noise Impacts*, as well as Draft EIR Section 5.11 *Noise*, for additional discussion of the proposed Project's noise impacts.

Response L13.2: As detailed in the Final EIR Master Response 2, *Loss of Existing Golf Course Use*, the Project site consists of privately owned land within a portion of the Newport Beach Golf Course, which is a commercial recreation facility that is not City/publicly owned (not a municipal golf course). The proposed Project is similarly a commercial recreation facility. As detailed in Final EIR Master Response 1, *Project Merits*, any economic and social effects of the proposed Project are not treated as effects on the environment (CEQA Guidelines Sections 15064(e) and 15131(a)).

Regarding plant coverage, as detailed on page 5.3-11 of the Draft EIR, the Project site has been subject to decades of anthropogenic disturbances, which has removed native habitat for sensitive wildlife species. The proposed landscaping would increase the area of tree coverage compared to the existing condition, as shown by comparison of Draft EIR Figures 3-3, *Aerial View*, and 3-8, *Conceptual Site Plan*.

Response L13.3: As detailed in the Final EIR Master Response 3, *CEQA Piecemealing and Housing Opportunity Sites*, no housing is currently proposed across Mesa Drive from the Project site. No application for development of these parcels has been submitted to the City nor is such development a reasonably foreseeable consequence of the Project, which proposes a surf park that is designed to allow continued functioning of the existing golf course (by providing access between holes, golf cart storage, etc.).

Letter L14: Chris Karalis (2 pages) Late Comment Letter

Planning Commission - September 4, 2025
Item No. 2b - Additional Materials Received
Snug Harbor Surf Park (PA2024-0069)

From: [Chris Karalis](#)
To: [Planning Commission](#)
Subject: No to the Wave Pool
Date: September 02, 2025 7:33:22 AM
Attachments: [image.png](#)

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I did some research and I cannot find a wave pool anywhere in the world that has appeared to last more than 6 years. Our Golf course has been here 50 years!

- **High water consumption** – Wave pools require huge volumes of water to fill and maintain, which can strain local water supplies, especially in drought-prone areas.
- **Excessive energy use** – Powerful pumps and machinery are needed to generate artificial waves, consuming a lot of electricity (often from fossil fuels).
- **Carbon footprint** – The energy demands of wave pools contribute significantly to greenhouse gas emissions.
- **Chemical pollution** – Like regular pools, wave pools rely on chlorine and other disinfectants, which can end up in wastewater and harm ecosystems.
- **Heat island effect** – Large bodies of artificially maintained water, combined with concrete surroundings, can trap heat and worsen local microclimates.
- **Noise pollution** – The wave machines and constant operation create significant noise, which can disturb nearby communities and wildlife.
- **Land use & habitat destruction** – Building a wave pool requires clearing land, which often means destroying natural habitats for plants and animals.
- **Microplastic & trash contamination** – Visitors often bring sunscreen, plastics, and debris that wash into the pool, and eventually into wastewater systems.
- **Evaporation loss** – Because wave pools are large and shallow, they lose a lot of water through evaporation, wasting even more water in hot climates.
- **Short lifespan & waste** – The infrastructure (concrete, pipes, pumps) has a limited lifespan; when facilities close, they leave behind waste materials that are hard to recycle.

L14.1

Now Golf courses

- **Green space preservation** – They provide large areas of open green space, preventing land from being fully developed into concrete or asphalt.
- **Wildlife habitat** – Courses often include ponds, wooded areas, and rough zones that become safe habitats for birds, insects, amphibians, and mammals.
- **Carbon capture** – Grass, shrubs, and trees on golf courses absorb CO₂ and release oxygen, helping with carbon sequestration.
- **Stormwater management** – Golf courses can act like sponges, absorbing rainfall and reducing flooding by slowing down water runoff.
- **Soil conservation** – Turf and landscaping prevent soil erosion that might otherwise occur on bare land.
- **Urban cooling** – Large expanses of turf and trees help reduce the heat island effect in cities, lowering surrounding air temperatures.
- **Pollinator support** – Many courses now include wildflower meadows and native plant areas that support bees, butterflies, and other pollinators.
- **Wetland creation & protection** – Some courses integrate wetlands into their design, which improves water quality and provides biodiversity benefits.
- **Recycling wastewater** – Many modern golf courses use treated wastewater for irrigation instead of tapping into fresh supplies, which helps with water conservation.
- **Environmental stewardship programs** – Courses can become community leaders by joining sustainability programs (like Audubon Cooperative Sanctuary Program), showing how recreation and conservation can coexist.
- NO ON THE WAVE POOL

L14.2

Christopher D. Karalis	CEO
Direct 888-746-1850	Cell 949-306-4030
chrisk@lendandloan.com	www.lendandloan.com

Response to Letter L14: Chris Karalis, dated September 2, 2025

Response L14.1: Please refer to Final EIR Master Response 1: *Project Merits* for a response to comments regarding the merits of the proposed Project. Please see below responses to the bulleted comments within the letter:

- **Water Use:** As discussed in Draft EIR Section 5.16, *Utilities and Service Systems*, the City's 2020 UWMP projects an increase in water demand from 14,866 AF in 2025 to 15,371 AF in 2030, which is an increase of 505 AF. The Project's annual demand of 87 AF of potable water would be 17.2 percent of the anticipated increase in water demand between 2025 and 2030 and would have sufficient supplies for the proposed Project. In addition, the majority of water used by the Project would be treated and then conveyed to the OCWD GWRS system that injects it into the groundwater basin providing a loop of water supply and re-use. Therefore, impacts related to water supply were determined to be less than significant.
- **Energy Demand/Carbon footprint:** The Draft EIR Section 5.5, *Energy*, details on page 5.5-10 that the proposed solar PV panels would provide approximately 2,375,568 kWh per year of energy, which equates to 20 percent of the Project's annual energy demand. In addition, adherence to California Building Code and Energy Code standards would ensure that energy efficient technologies and practices are used for the Project.
- **Chemical Pollution:** The Orange County Department of Health has approved a variance for Project to allow the levels of chlorine to be 0.5 ppm that is lower than the recreational pool requirement of 1.0 ppm due to the low user load density to water volume ratio by nature of the surf lagoon. An ultraviolet (UV) light system would be utilized as supplemental sanitation of the lagoon water. This system would treat 100% of the recirculation flow rate of the lagoon filtration system and would inactivate chlorine resistant pathogens such as cryptosporidium. As detailed in the *Surf Lagoon Water Systems Narrative*, included as Appendix C to the Final EIR, prior to discharge of a surf basin, the water would be allowed to dechlorinate through natural dissipation during days of non-use, or alternatively could be dechlorinated by dosing sodium thiosulfate prior to pumping the water out to the sewer system. Approximately 575 lbs of sodium thiosulfate would be required to dechlorinate the entire lagoon volume to a zero-chlorine residual. Thus, lagoon water that is discharged into the sewer system would be safe to discharge into the sewer system.
- **Heat Island Effect:** Refer to Draft EIR Figure 3-8, *Conceptual Site Plan*; the proposed Project site would largely consist of the water surf basins, landscaping areas, and solar canopies shaded parking areas, which would not increase heat in the area.
- **Noise:** Please refer to Final EIR Master Response 5: *Noise Impacts* as well as Draft EIR Section 5.11 *Noise*, for the discussion of the proposed Project's noise impacts. Construction noise impacts are listed in Draft EIR Tables 5.11-7 and 5.11-8 and operational noise impacts are shown on Tables 5.11-9 through 5.11-13.
- **Habitat Destruction:** As detailed on page 5.3-11 of the Draft EIR, the Project site has been subject to decades of anthropogenic disturbances, which has removed native habitat for sensitive wildlife species. The proposed landscaping would increase the area of tree coverage compared to the existing condition, as shown by comparison of Draft EIR Figures 3-3, *Aerial View*, and 3-8, *Conceptual Site Plan*. Thus, after implementing the Project birds and other wildlife would have similar locations on the site and the replacement of ornamental trees does not result in long-term adverse impacts on biodiversity. As detailed in Draft EIR Appendix C, *Biological Technical Report*, that was prepared by technical biological experts, with implementation of the construction related mitigation measures, potential impacts related to biological resources would be less than significant. This comment does not include substantial evidence of a significant environmental impact related to biological resources.
- **Trash Contamination:** The lagoon water volume would be continuously filtered utilizing a perlite regenerative media filtration system that would capture particulates and remove contaminants from the lagoon water to the 1-5 micron range. Perlite filter media has been tested to be effective

at removing pathogens such as cryptosporidium from the filtered water and would be used as an additional method of sanitation for the lagoon water. When the filter media is changed wastewater would be generated containing spent perlite media, which would be discharged into the sewer system. Perlite filter media is derived from naturally occurring volcanic rock, is non-toxic, and generally permitted to be discharged into the sewer system (Appendix C of the Final EIR).

- **Evaporation:** As discussed in Draft EIR Section 5.16 *Utilities and Service Systems*, the total annual water demand for the surf lagoon is 22.7 million gallons per year or 69.8 AFY as detailed in Table 5.16-7 which includes an average evaporation water loss of 51,572 gallons per year. As detailed previously, the Project's annual demand of potable water would be 17.2 percent of the anticipated increase in water demand between 2025 and 2030, and would be less than significant.
- **Waste:** This comment is speculative and does not contain comment related to the Draft EIR analysis. However, as detailed on page 5.16-22 of the Draft ER, construction projects in California are required by the California Green Building Standards Code to recycle or reuse a minimum of 65 percent of nonhazardous demolition debris, which is implemented by the City through construction and demolition permitting.

Response L14.2: This comment provides potential environmental benefits to golf course developments. However, many of the mentioned benefits do not apply to the existing Newport Beach Golf Course. Specifically within the proposed Project parcel, many of the benefits related to expansive green space and landscaping are not fully utilized as a majority of the site is made up of concrete and paving or artificial turf which is located throughout the entire driving range area. Only golf holes 1,2 and 9 are covered in grass. In addition, the existing parcel does not include wetland integration or wildflower meadows as mentioned in the comment. Regarding water runoff, Draft EIR evaluates hydrology and drainage in Section 5.9, *Hydrology and Water Quality*. As detailed on page 5.9-14 of the Draft EIR, the 5.06-acre surf lagoon would capture rainfall and not result in runoff. As shown on Draft EIR Table 5.9-2, implementation of the proposed Project would result in a reduction in the overall runoff rate in a 100-year, 24-hour storm condition.

Letter L15: Jim Auster (1 page) Late Comment Letter

Planning Commission - September 4, 2025
Item No. 2c - Additional Materials Received
Snug Harbor Surf Park (PA2024-0069)

Subject: FW: Comment to NB Planning Commission and City Council re intent to override ALUC

-----Original Message-----

From: Jim Auster <jimauster@hotmail.com>

Sent: September 02, 2025 6:57 AM

To: Perez, Joselyn <JPerez@newportbeachca.gov>; Jurjis, Seimone <sjurjis@newportbeachca.gov>; Dept - City Council <CityCouncil@newportbeachca.gov>; OC <response@ocgov.com>

Subject: Comment to NB Planning Commission and City Council re intent to override ALUC

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Newport Beach override of ALUC rejection of Surf Park as inconsistent with AELUP risks the future of JWA with no public benefit. JWA has the shortest runway of any US commercial airport. Landing is a sudden stop like on an aircraft carrier. It is amazing an overrun onto Bristol Ave and 73 has not yet happened but if/when it does happen FAA will require runway extension onto NBGC back nine. That will make Surf Park on NBGC middle parcel and proposed Element Housing on NBGC front nine south parcel too close to the end of the runway in the crash zone and in 75 db zone. These projects would then have to be removed at enormous expense to extend the runway or, if that is not possible, FAA may close JWA.

L15.1

NBGC is the highest and best use of this property. Land owners made a positive long term commitment to the community when they built the golf course, are enjoying a reasonable return on their investment, and have no right or justification to develop the property and eliminate the golf course with loss of irreplaceable recreation, green open space, views, increased traffic, etc.

Surf Park would become an embarrassment to NB reputation for great beaches and real surfing.

It is the duty and responsibility of Planning Commission and City Council to protect Newport Beach from this high risk high impact proposal, to reject NB override of ALUC rejection of Surf Park, and protect JWA from inappropriate development in the flight path that could shut the airport.

L15.2

Jim Auster
20401 Bayview Ave
9706187692

Response to Letter L15: Jim Auster, dated September 2, 2025

Response L15.1: The Project's consistency with the JWA safety and land use policies are detailed in Draft EIR Sections 5.8, *Hazards and Hazardous Materials* and 5.10, *Land Use and Planning*. The General Aviation Improvement Program for John Wayne Airport¹ and the Airport Environs Land Use Plan for John Wayne Airport² do not include extension of any runway to include the back 9 of the golf course. There are no other airport or airport land use plans to extend any John Wayne Airport facilities to areas south of Bristol Street and State Route 73, which is located in between the airport and golf course holes 10-18 (the back 9).

Draft EIR evaluates potential impacts related to operation of John Wayne Airport in Draft EIR Section 5.8, *Hazards and Hazardous Materials*, and the *Aircraft Hazard and Land Use Risk Assessment & Wildlife Hazard Management Analysis*, prepared by Johnson Aviation, Inc., included as Appendix M. The proposed Project was evaluated for compliance with existing FAA, California Division of Aeronautic, and AELUP planning guidelines and regulations related to airport hazards and land uses. As detailed on Draft EIR page 5.8-40, there is an annual risk of an accident on the Project site of 0.033% per year, which is the same under either existing golf course or proposed surf park uses. As detailed in Draft EIR Section 5.11, *Noise*, the General Plan Land Use Noise Compatibility Matrix, identifies that commercial recreation facilities are "normally compatible" up to 75 dBA CNEL, which is consistent with the ambient noise on the Project site.

Response L15.2: Please refer to Final EIR Master Response 2: *Loss of Existing Golf Course Use*, for the response to comments related to the change to the existing golf course use as well as Master Response 1: *Project Merits* for a response to comments regarding the merits of the proposed Project. Please refer to Final EIR Master Response 4: *Impacts Related to Vehicle Trips* for a response regarding increased traffic, and the previous response (L15.1) regarding airport operations.

¹ https://files.ocair.com/media/2020-12/General-Aviation-Program-FAQ_20200922.pdf?VersionId=pyXDNRUElrUqlxuFRtUBoMVJaxcTOLOa

² https://files.ocair.com/media/2021-02/JWA_AELUP-April-17-2008.pdf?VersionId=cB0byJjdad9OuY5im7Oaj5aWaT1FS.vD

Letter L16: Jaime Luce (1 page) Late Comment Letter

Planning Commission - September 4, 2025
Item No. 2c - Additional Materials Received
Snug Harbor Surf Park (PA2024-0069)

From: [Jaime Luce](#)
To: [Planning Commission](#); [Dept - City Council](#)
Subject: Save Newport Beach Golf Course
Date: September 02, 2025 12:56:36 PM

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Chairman Harris and Planning Commission Members:

I oppose the plan to bulldoze the heart of the Newport Beach Golf Course for a financially speculative wave pool project. Over the past 50 years the golf course operator has paid millions in rent to the land owner and created a place for young and old to learn the life lessons of golf.

Sincerely,

Jaime Luce

Additional Comments:

As a Newport Beach resident and golfer, I'm requesting that we keep the golf course. With endless ocean so close by and so few golf courses for the amount of golfers in the area it seems a very unbalanced decision. It's already difficult to get teetimes as well as courses where practice can be done. Not to mention the amount of traffic that we deal with having so few courses available to the public. Any removal of a course only puts unburden on any others that might remain. Causing the problem that we already have to get worse.

L16.1

Response to Letter L16: Jaime Luce, dated September 2, 2025

Response L16.1: As detailed in Draft EIR Section 3.0, *Project Description*, 15 holes of golf would be retained with implementation of the proposed Project. Please refer to Final EIR Master Response 2: *Loss of Existing Golf Course Use*, for the response to comments related to the change to the existing golf course use as well as Master Response 1: *Project Merits* for a response to comments regarding the merits of the proposed Project. Please refer to Final EIR Master Response 4: *Impacts Related to Vehicle Trips* for a response regarding increased traffic.

Letter L17: Linda Giedt (1 page) Late Comment Letter

Planning Commission - September 4, 2025
Item No. 2c - Additional Materials Received
Snug Harbor Surf Park (PA2024-0069)

From: [Linda Giedt](#)
To: [Planning Commission](#); [Dept - City Council](#); [Perez, Joselyn](#); [Juris, Seimone](#); [Murillo, Jaime](#)
Subject: Snug Harbor - Please vote no
Date: September 02, 2025 1:07:57 PM

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Dear Mayor Joe Stapleton & fellow Newport Beach City Council Members:

Dear Tristian Harris, Chairperson & fellow Newport Beach Planning Commission Members:

Please vote NO on the Snug Harbor Surf Park project.

Snug Harbor's plan states that only the center portion of the NBGC will be replaced. That center portion contains the most important part of the golf course and the absolute HEART of what MAKES the golf course and human interaction thrive!

The Newport Beach Golf Course provides an open and affordable recreation option for **ALL** ages and income levels. Snug Harbor will be a huge **RESORT** that will serve a niche demographic that can afford the six figure membership fees and expensive public surfing rates.

Replacing the golf course with a surf park would trade inclusive recreation for a luxury amenity that serves a smaller, more specialized group. There are millions more golfers than surfers in the US, so it is mind-boggling that this project is being considered, especially since Newport Beach has some of the best beaches in Southern California. Additionally, losing the driving range is a significant blow since a driving range enhances the value and appeal of a public golf course and it is an important aspect to learning and practicing golf.

The only affordable public golf course in Newport Beach shouldn't be a target for an elitist commercial venture that prioritizes profit by substituting a high-end resort over public recreational space. The NBGC is an important community gathering space for veterans, retirees, and families. Carving up the golf course limits access and affordability to the thousands of people in the many communities in and around Newport Beach that use it.

Please vote NO. Even though the center parcel is privately owned, Newport Beach already has abundant ocean surf and the surf park's high fees and limited access would replace an inclusive public space with a private amenity. **The golf course needs investment not replacement.** It is a community treasure and a valuable resource that should be maintained for future generations.

Thank you,
Linda Giedt
Newport Beach resident

L17.1

Response to Letter L17: Linda Geidt, dated September 2, 2025

Response L17.1: As detailed in the Final EIR Master Response 2, *Loss of Existing Golf Course Use*, the Project site consists of privately owned land within a portion of the Newport Beach Golf Course, which is a commercial recreation facility. The proposed Project is similarly a commercial recreation facility. As detailed in Final EIR Master Response 1, *Project Merits*, any economic and social effects of the proposed Project are not treated as effects on the environment (CEQA Guidelines Sections 15064(e) and 15131(a)). Therefore, consistent with CEQA, the Draft EIR includes an analysis of the Project's potentially significant physical impacts on the environment and does not include a discussion of the Project's economic or social effects.

Letter L18: Kristi Jackson (1 page) Late Comment Letter

Planning Commission - September 4, 2025
Item No. 2c - Additional Materials Received
Snug Harbor Surf Park (PA2024-0069)

From: [Kristi Jackson](#)
To: [Planning Commission](#); [Dept - City Council](#)
Subject: Save Newport Beach Golf Course
Date: September 02, 2025 1:15:26 PM

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Chairman Harris and Planning Commission Members:

I oppose the plan to bulldoze the heart of the Newport Beach Golf Course for a financially speculative wave pool project. Over the past 50 years the golf course operator has paid millions in rent to the land owner and created a place for young and old to learn the life lessons of golf.

L18.1

Sincerely,

Kristi Jackson

Additional Comments:

I am wholeheartedly against the proposed surf park in Newport Beach. As a 25-year resident of the Dover Shores area, I drive past this area nearly every day. The increase in traffic notwithstanding, the sheer amount of concrete and structural mass which would displace the existing green landscape would forever change the neighborhood and disrupt life for thousands of us who live nearby. Our gorgeous Newport Beach natural-ocean waves and sand are just a short drive from this proposed surf park - not to mention there is a major habitat for thousands of birds and aquatic wildlife all of which currently thrive in the Upper Newport Bay nature preserve just a few hundred yards away as well. Building something massive and disruptive to our neighborhood - when we are so close to the best natural alternative is wrong. Please listen to your tax-paying citizens and neighbors and stop this project.
thank you

L18.2

Response to Letter L18: Kristi Jackson, dated September 2, 2025

Response L18.1: As detailed in Draft EIR Section 3.0, *Project Description*, 15 holes of golf would be retained with implementation of the proposed Project. Please refer to Final EIR Master Response 2: *Loss of Existing Golf Course Use*, for the response to comments related to the change to the existing golf course use as well as Master Response 1: *Project Merits* for a response to comments regarding the merits of the proposed Project.

Response L18.2: Please refer to Final EIR Master Response 4: *Impacts Related to Vehicle Trips* for a response regarding increased traffic. In regards to the loss of open space, as discussed in Master Response 2: *Loss of Existing Golf Course Use*, and in Draft EIR Section 3.0, *Project Description*, the Project site has a General Plan Land Use designation of Parks and Recreation and is zoned for Open Space and Recreation which, subject to a use permit, allows for outdoor commercial recreation. Thus, the proposed Project is consistent with the intended uses for the site within the City's General Plan and the Santa Ana Heights Specific Plan, as detailed in Draft EIR Section 5.10, *Land Use and Planning*.

As detailed in Draft EIR Section 3.0, *Project Description*, on page 3-23, the proposed Project would include approximately 143,844 SF of drought tolerant ornamental landscaping that would cover approximately 20 percent of the site that would include 24-inch box trees, 15-gallon trees, various shrubs, and ground covers to enhance views of the proposed Project and screen structures from offsite viewpoints. Landscaping would be located throughout the site, along the Irvine Avenue and Mesa Drive right-of-way, and along the site boundary.

Regarding wildlife, as discussed in Draft EIR Section 5.3, *Biological Resources* on page 5.3-21, the Project site is comprised of disturbed/developed area and turf grass/ornamental landscaping, which is not classified as a sensitive natural community. The area between the Project site and Upper Newport Bay contains a hill with existing recreational and residential land uses that is approximately 50 feet higher in elevation than the Project site and 40 to 50 feet higher in elevation than the northernmost portion of the Upper Newport Bay. The hill provides a natural barrier between the Upper Newport Bay and the Project site. The Draft EIR details that impacts related to the Project and the Upper Newport Bay would not occur.

Letter L19: John Wayne Airport Orange County (10 pages) Late Comment Letter

Docusign Envelope ID: B46E2E1B-F40E-49EF-B23B-D7D8F5B921CF



September 3, 2025

City of Newport Beach Planning Commission
c/o Joselyn Perez, Senior Planner
100 Civic Center Drive
Newport Beach, California 92660
jperez@newportbeachca.gov

RE: Snug Harbor Surf Park September 4, 2025 Planning Commission Public Hearing

Planning Commissioners:

This letter provides comments on behalf of the County of Orange acting in its capacity as the owner and operator of John Wayne Airport (JWA), Orange County, to the City of Newport Beach Planning Commission regarding the proposed Snug Harbor Surf Park project at 3100 Irvine Avenue. The proposed project entails a General Plan Amendment, Major Site Development, Conditional Use Permit and Modification Permit to redevelop the central 15.38-acre part of the Newport Beach Golf Course. The existing driving range, putting green, pro-shop, restaurant/bar, and three holes of golf would be replaced with a surf lagoon with warming pools, a spa, and spectator seating areas; a three-story clubhouse; a two-story, 20-unit athlete accommodation building; ancillary storage and maintenance areas; and associated parking areas providing a total of 351 parking spaces. Solar panels would be installed on building rooftops and on carport structures in parking areas.

The Airport is concerned about this proposed project due to its proximity to the Airport and its location under the Approach/Departure corridor, which would result in safety, land use, and airspace compatibility issues. Our concerns are addressed in detail below.

L19.1

On August 7, 2025, the Airport Land Use Commission (ALUC) found the proposed General Plan Amendment for the Project to be inconsistent with the Airport Environs Land Use Plan (AELUP) for JWA due to safety and land use incompatibility issues. The General Plan Amendment would increase the current development limit from 20,000 net square feet (per Anomaly Number 58) suitable for golf course development, to 59,772 net square feet, effectively increasing the intensity of use threefold. Despite this, the City has indicated that it plans to overrule ALUC's inconsistency determination at the upcoming September 9, 2025 City Council Public Hearing to clear the way for adoption of the proposed Project. Our understanding is that upon receipt of the Notice of Intent to Overrule, the ALUC will submit a separate comment letter relating to the proposed AELUP overrule and the sufficiency of the City's findings for that overrule.

The Airport is concerned about the proposed Project's high intensity use located within Safety Zones 2, 4, and 6 for JWA, as defined in the California Airport Land Use Planning Handbook (Handbook) which establishes land use compatibility policies for ALUCs, airports, cities and counties. The Handbook indicates that within Safety Zone 2 (the Inner Approach/Departure Zone), agriculture and non-group recreational uses are normally compatible, while residential uses, multi-story buildings and uses with high density or intensity should be avoided. Group recreational uses

L19.2

Charlene V. Reynolds (949) 252-5171 3160 Airway Avenue
Airport Director (949) 252-5178 FAX Costa Mesa, CA
www.ocair.com 92626-4608

Planning Commission
City of Newport Beach
September 3, 2025
Page 2

are explicitly prohibited. The AELUP for JWA further requires that uses within Safety Zone 2, characterized as a "high-risk" level for accidents, be limited to nonresidential uses that attract only a few people. The City's proposed Snug Harbor Surf Park project, a group recreational use that would triple the current intensity of use, is precisely the type of project prohibited under the Handbook policies.

**L19.2
Cont.**

Safety Zone 4 (Outer Approach/Departure Zone) is considered a "moderate risk" area, where restaurants and retail uses are typically deemed compatible; however, group recreational uses should be prohibited. Safety Zone 6 (Traffic Pattern Zone), which includes the western portion of the site, is least restrictive in terms of airport land use compatibility. Nonetheless, if the City proceeds with approving the Project, it could result in the placement of 1,500 or more individuals within the project site (as stated by consultants to the project applicant during the August 7, 2025 ALUC meeting). This number far exceeds the number of individuals at the current golf course site and far exceeds the Handbook policies of uses that attract "few people," creating a new and concerning safety risk.

L19.3

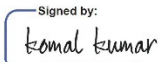
In addition, the proposed Project falls beneath the approach surface for JWA, meaning potential patrons would be exposed to significant aircraft overflight and associated noise disturbances as aircraft depart or approach overhead. The attached flight track data provided by the JWA Noise Office show that on recent dates, a concentration of commercial flights is located just east of the project site.

L19.4

In conclusion, the proposed Project would result in significant overflight impacts and further encroachment of incompatible land uses within the airport environs. We value our ongoing relationship with the City and remain available to discuss the concerns identified in this letter at your convenience. We hope to continue to work collaboratively to ensure land use compatibility surrounding the Airport.

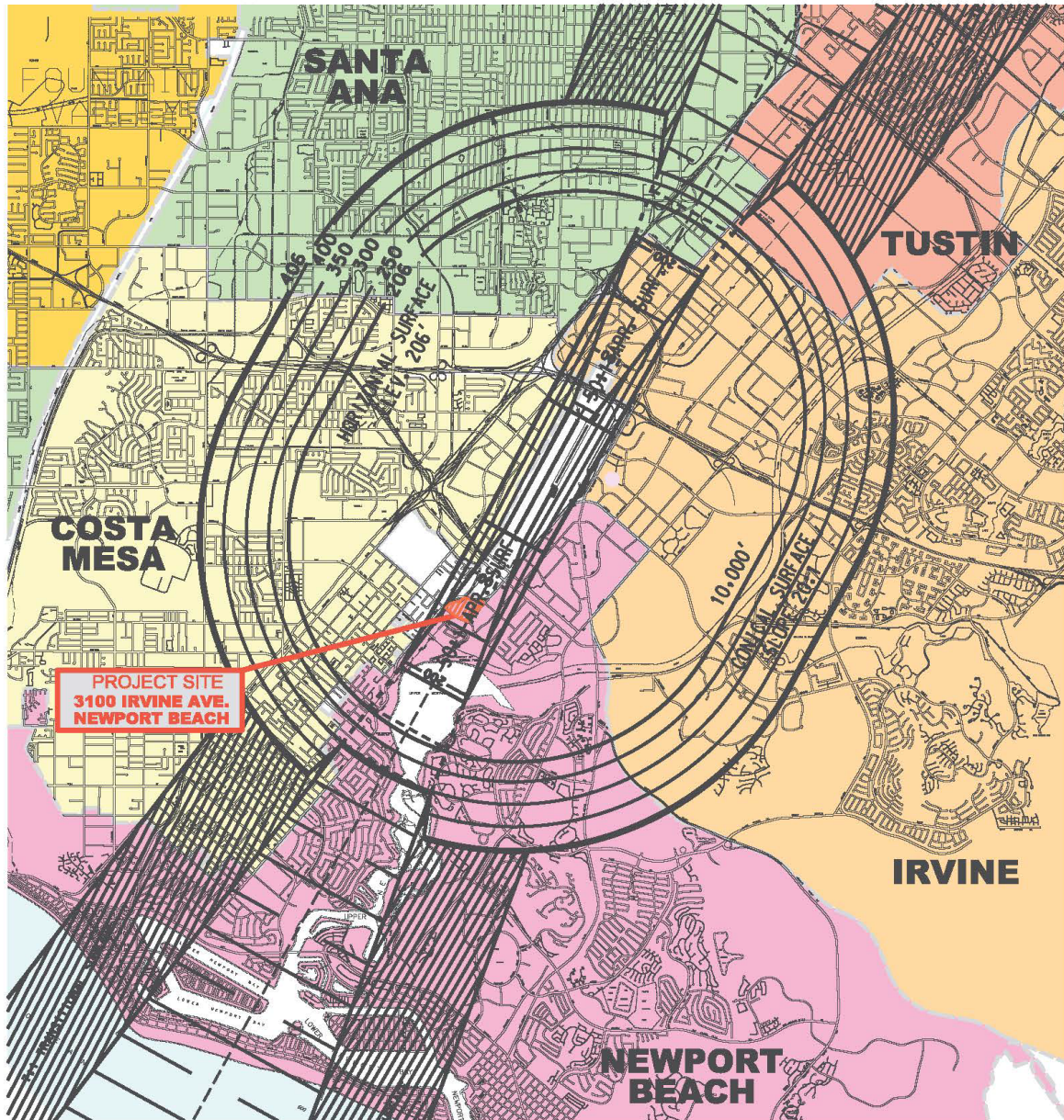
L19.5

Sincerely,

Signed by:

C47CB4ABD9094DE...
Charlene V. Reynolds
Airport Director

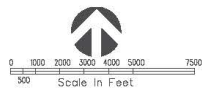
Attachments:

JWA Obstruction Imaginary Surfaces Exhibit
JWA Safety Zones Exhibit
Safety Zone Guidelines from California Airport Land Use Planning Handbook



Note: County Unincorporated areas are shown in white.

FAR PART 77 John Wayne Airport Obstruction Imaginary Surfaces



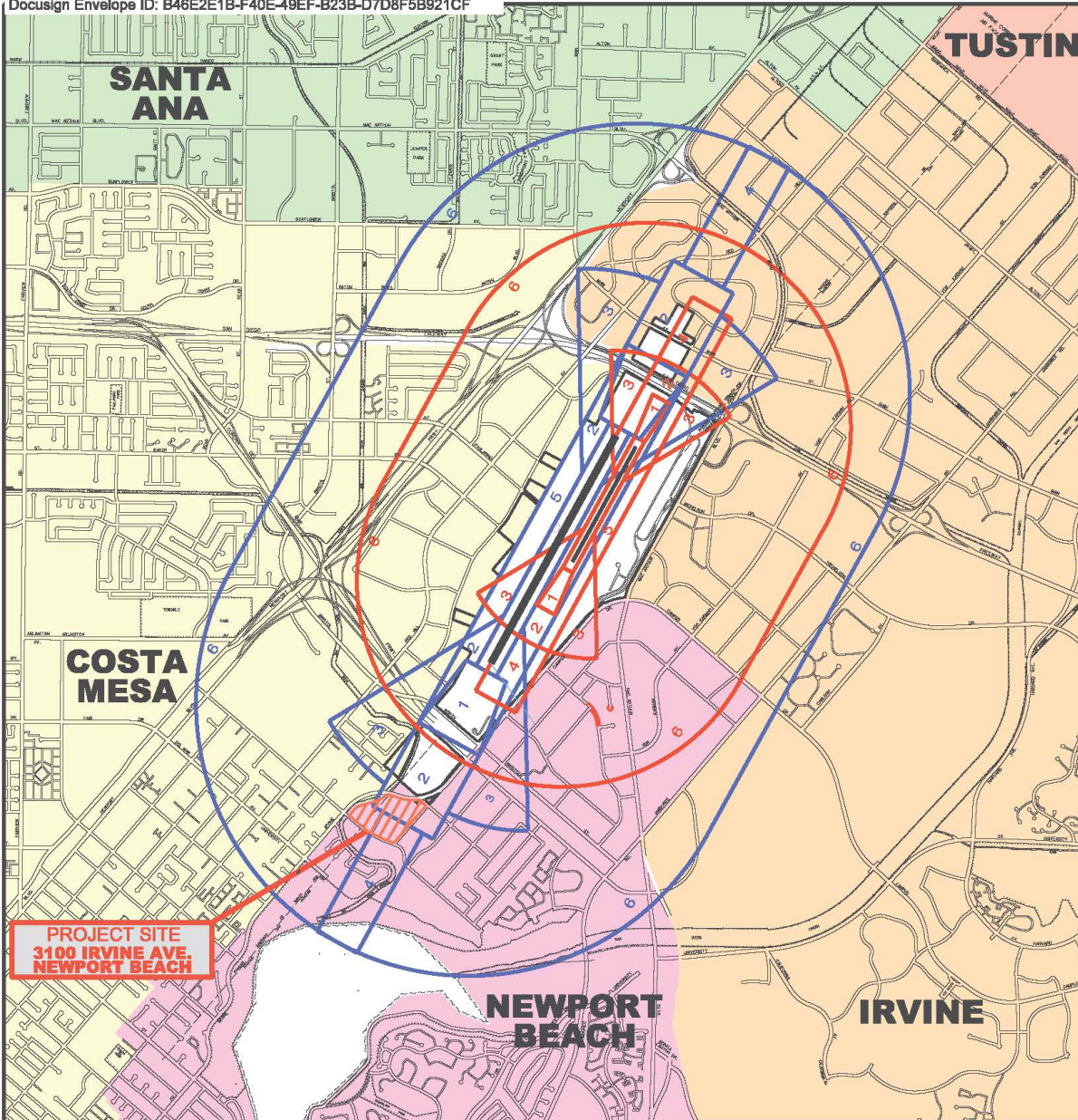
LEGEND

- CITY BOUNDARIES
- AIRPORT BOUNDARIES

CERTIFICATION

Adopted by the Airport Land Use Commission for Orange County

AELUP-2007/3100Irvine_NewportBeach).dgn



John Wayne Airport Safety Zone Reference Map

LEGEND

1. RUNWAY PROTECTION ZONE
2. INNER APPROACH / DEPARTURE ZONE
3. INNER TURNING ZONE
4. OUTER APPROACH / DEPARTURE ZONE
5. SIDELINE ZONE
6. TRAFFIC PATTERN ZONE



SAFETY COMPATIBILITY ZONES FOR RUNWAY 2L & 20R (A MEDIUM GENERAL AVIATION RUNWAY AS DESCRIBED IN THE CALIFORNIA AIRPORT LAND USE PLANNING HANDBOOK, JANUARY 2002 EDITION)



SAFETY COMPATIBILITY ZONES FOR RUNWAY 2R & 20L (A SHORT GENERAL AVIATION RUNWAY AS DESCRIBED IN THE CALIFORNIA AIRPORT LAND USE PLANNING HANDBOOK, JANUARY 2002 EDITION)

CERTIFICATION

Adopted by the Airport Land Use Commission for Orange County

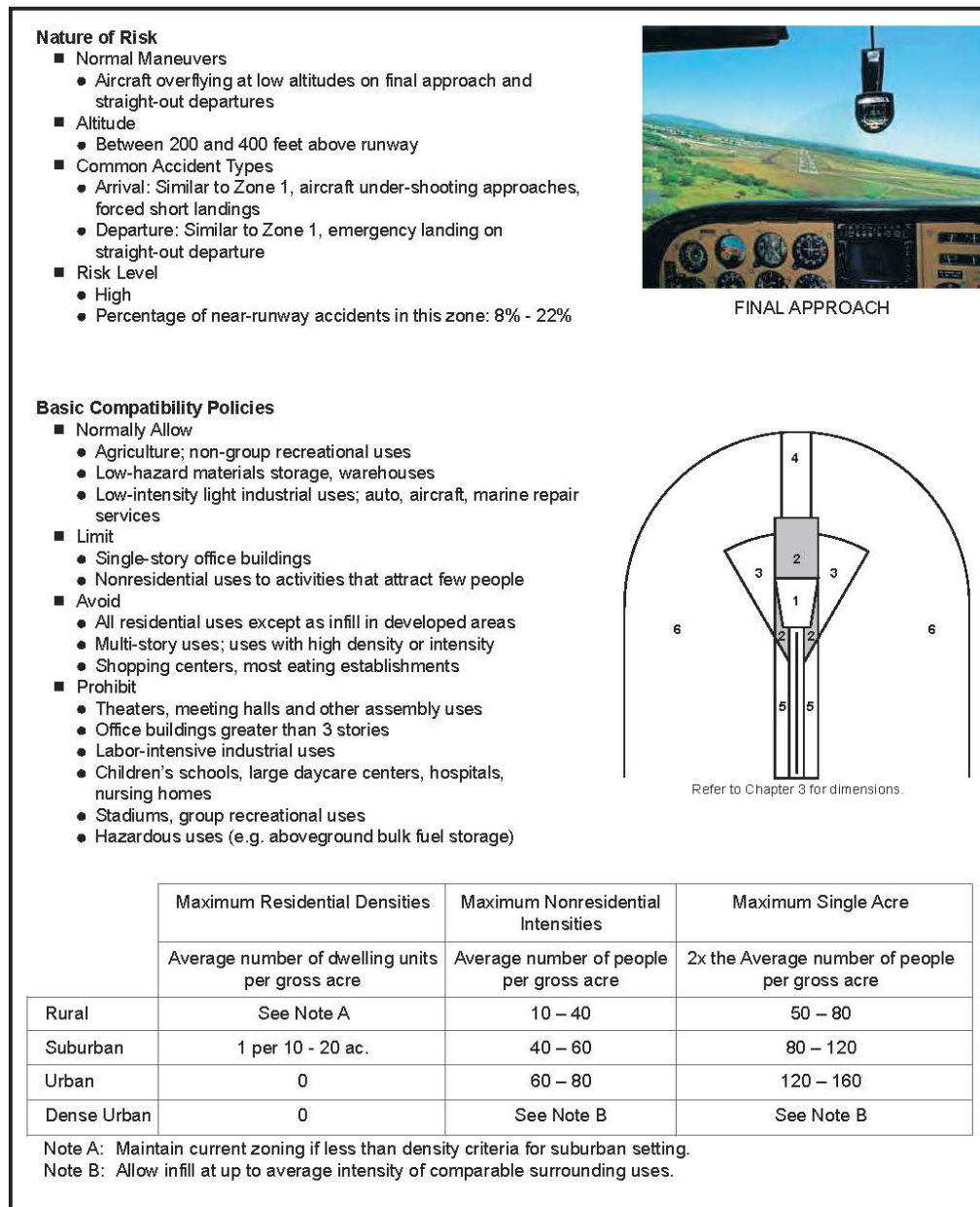


FIGURE 4C

Safety Zone 2 – Inner Approach/Departure Zone

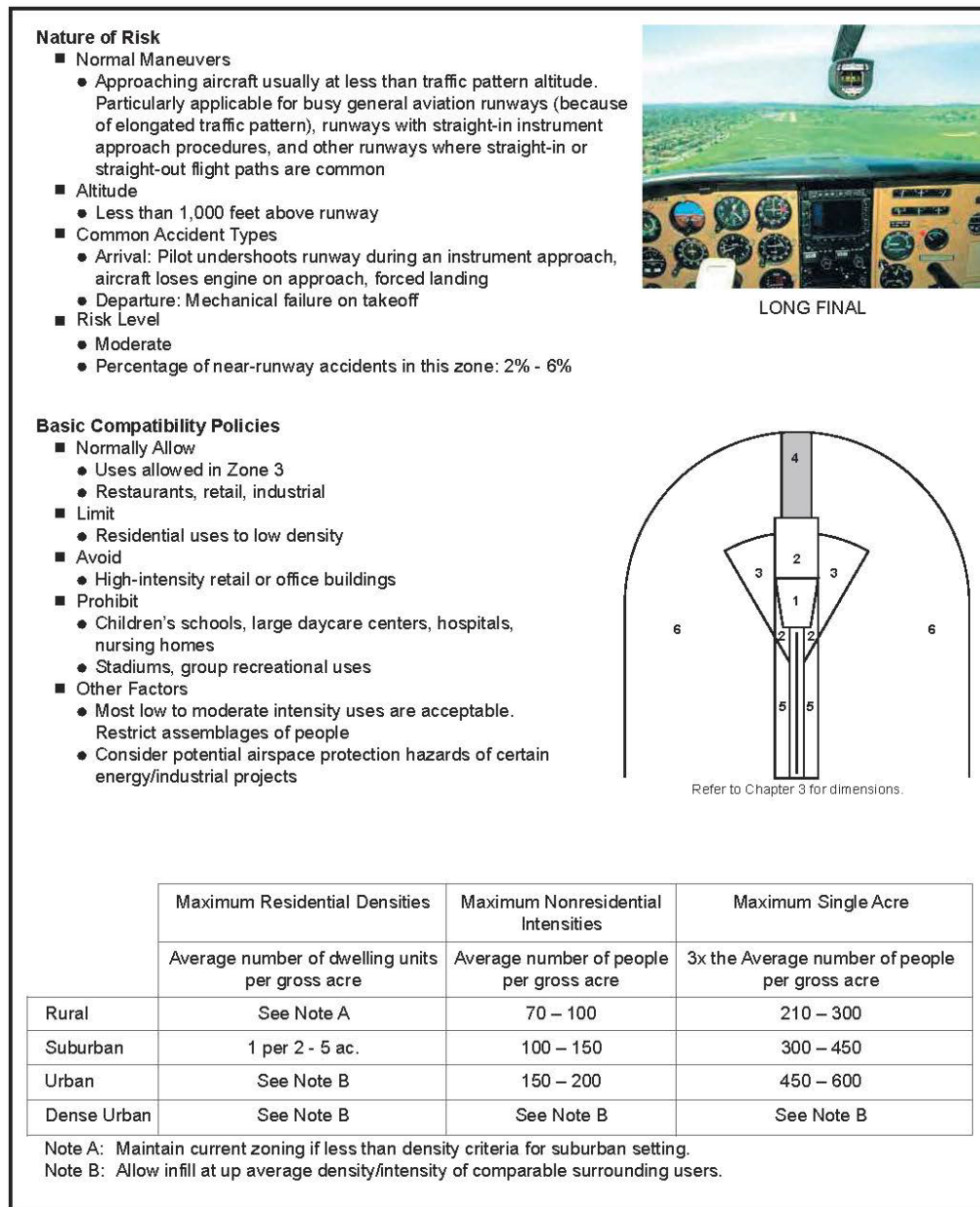


FIGURE 4E

Safety Zone 4 – Outer Approach/Departure Zone

Nature of Risk

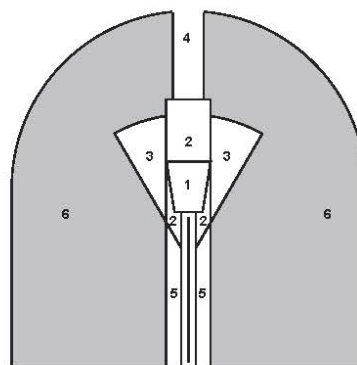
- Normal Maneuvers
 - Aircraft within a regular traffic pattern and pattern entry routes
- Altitude
 - Ranging from 1,000 to 1,500 feet above runway
- Common Accident Types
 - Arrival: Pattern accidents in proximity of airport
 - Departure: Emergency landings
- Risk Level
 - Low
 - Percentage of near-runway accidents in this zone: 18% - 29% (percentage is high because of large area encompassed)



IN TRAFFIC PATTERN

Basic Compatibility Policies

- Normally Allow
 - Residential uses (however, noise and overflight impacts should be considered where ambient noise levels are low)
- Limit
 - Children's schools, large day care centers, hospitals, and nursing homes
 - Processing and storage of bulk quantities of highly hazardous materials
- Avoid
 - Outdoor stadiums and similar uses with very high intensities
- Prohibit
 - None



Refer to Chapter 3 for dimensions.

	Maximum Residential Densities	Maximum Nonresidential Intensities	Maximum Single Acre
	Average number of dwelling units per gross acre	Average number of people per gross acre	4x the Average number of people per gross acre
Rural	No Limit – See Note A	150 – 200	600 – 800
Suburban	No Limit – See Note A	200 – 300	800 – 1,200
Urban	No Limit – See Note A	No Limit – See Note B	No Limit – See Note B
Dense Urban	No Limit – See Note A	No Limit – See Note B	No Limit – See Note B

Note A: Noise and overflight should be considered.

Note B: Large stadiums and similar uses should be avoided.

FIGURE 4G

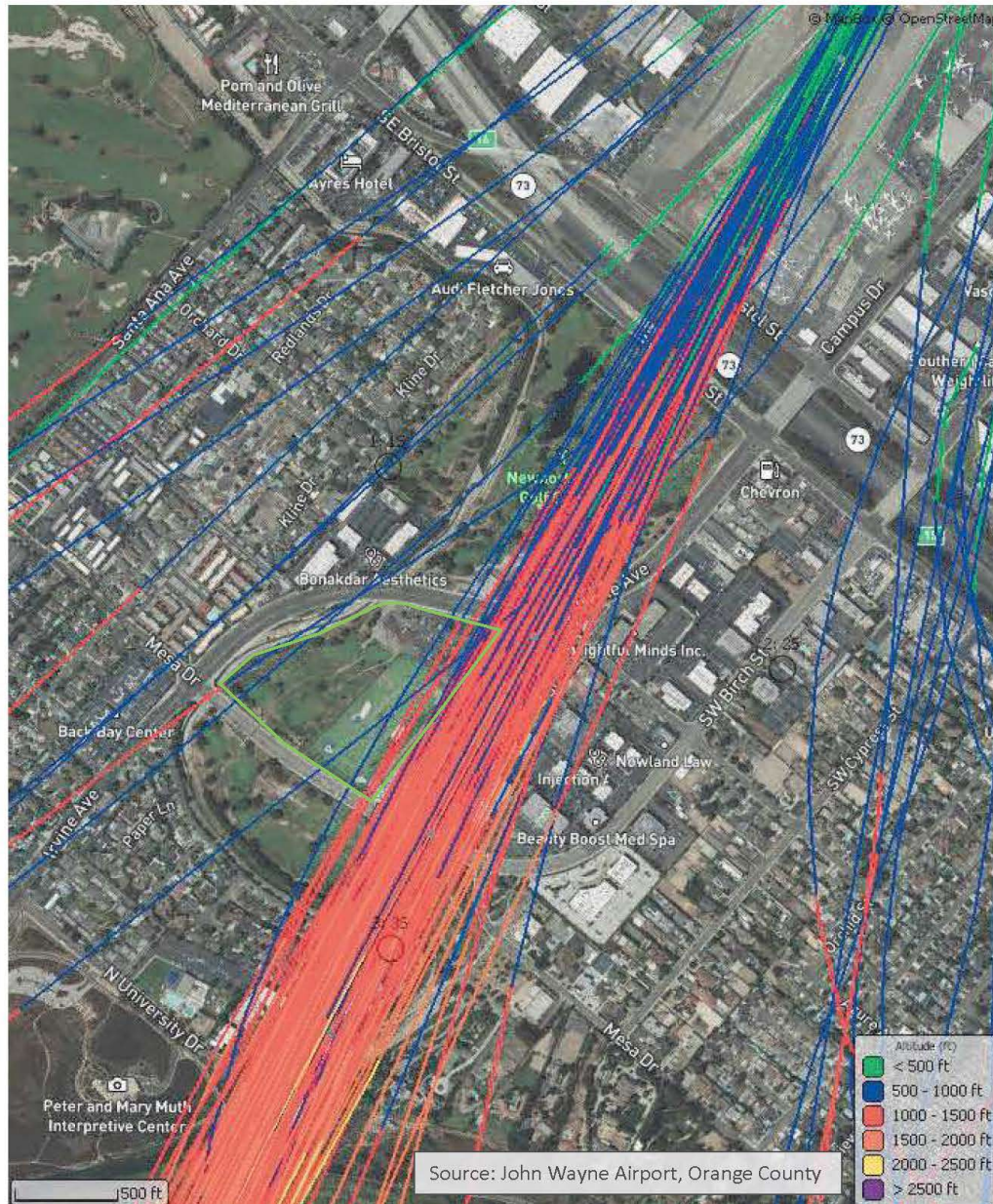
Safety Zone 6 – Traffic Pattern Zone



**JOHN WAYNE
AIRPORT**
ORANGE COUNTY

John Wayne Airport Access & Noise Office

John Wayne Airport Altitude Analysis
Tuesday, June 3, 2025
475 Operations

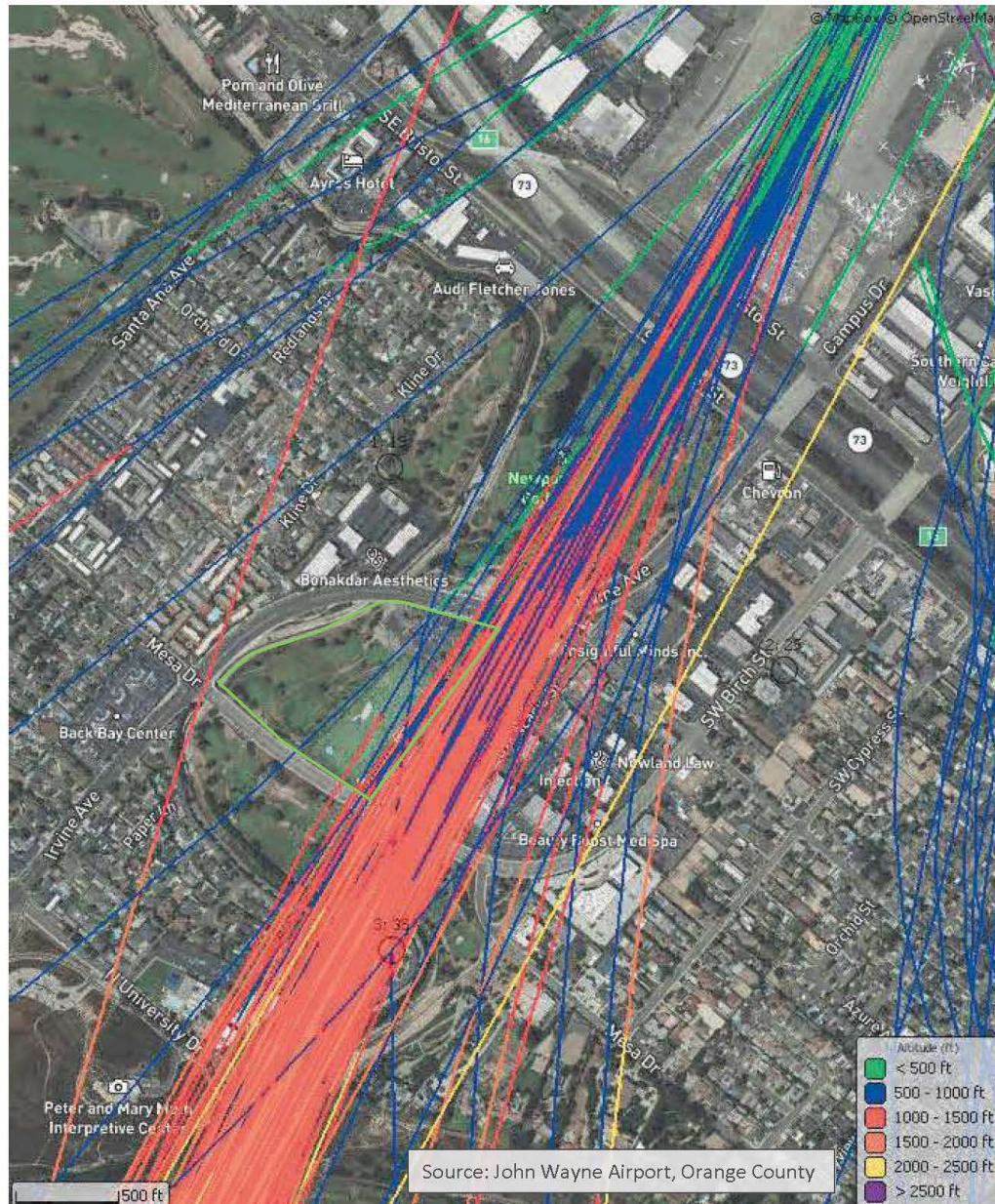




JOHN WAYNE
AIRPORT
ORANGE COUNTY

John Wayne Airport Access & Noise Office

John Wayne Airport Altitude Analysis
Thursday, June 5, 2025
695 Operations

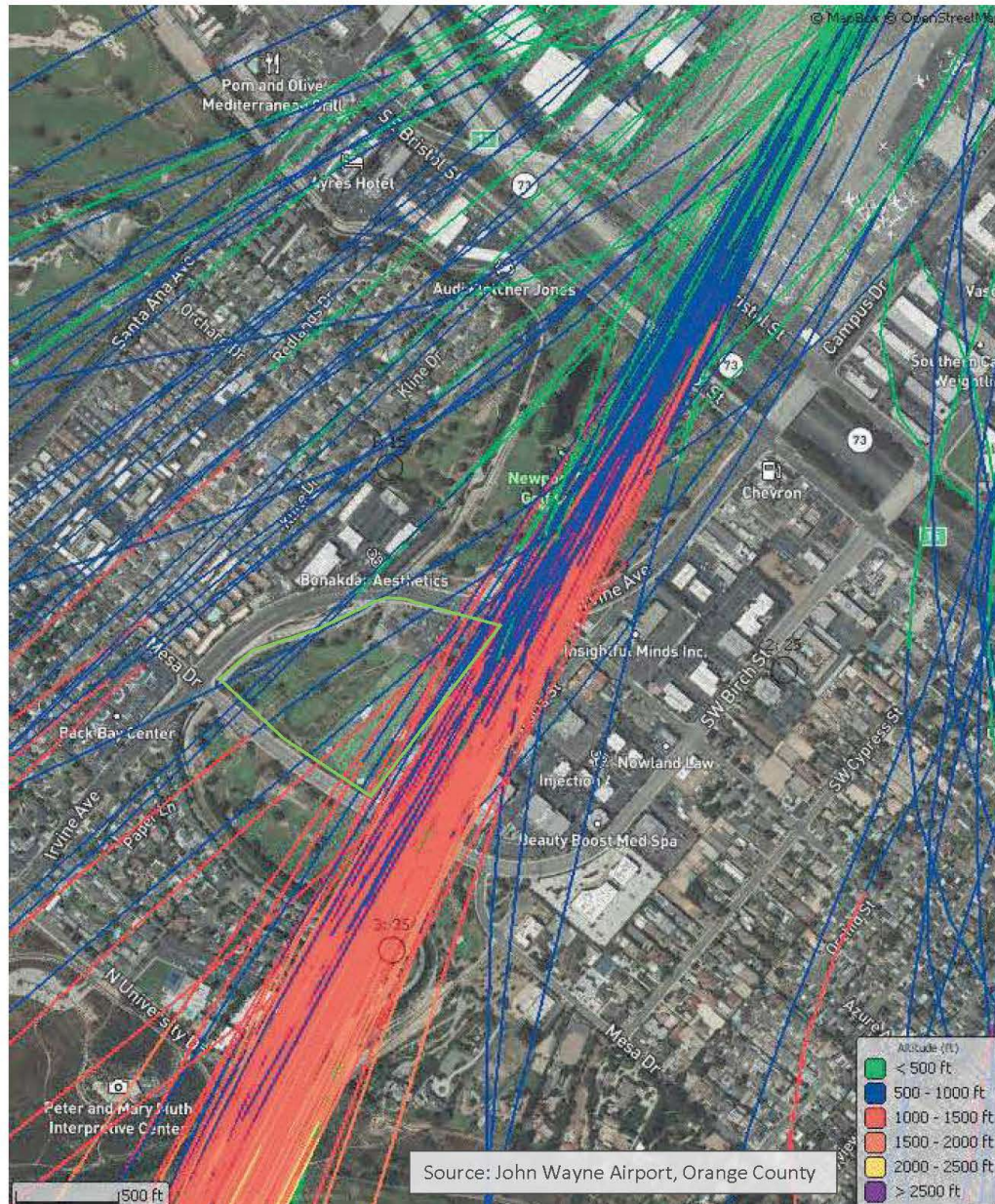




JOHN WAYNE
AIRPORT
ORANGE COUNTY

John Wayne Airport Access & Noise Office

John Wayne Airport Altitude Analysis
Saturday, June 7, 2025
519 Operations



Response to Letter L19: John Wayne Airport Orange County, dated September 3, 2025

Response L19.1: The Project's consistency with the JWA safety and land use policies are detailed in Draft EIR Sections 5.8, *Hazards and Hazardous Materials* and 5.10, *Land Use and Planning*. The proposed Project was evaluated for compliance with existing FAA, California Division of Aeronautic, and AELUP planning guidelines and regulations related to airport hazards and land uses. As detailed on Draft EIR page 5.8-40, there is an annual risk of an accident on the Project site of 0.033% per year, which is the same under either existing golf course or proposed surf park uses. As detailed in Draft EIR Section 5.11, *Noise*, the General Plan Land Use Noise Compatibility Matrix, identifies that commercial recreation facilities are "normally compatible" up to 75 dBA CNEL, which is consistent with the ambient noise on the Project site. In addition, as detailed in Draft EIR Section 5.14, *Transportation*, the increase in vehicle trips to the Project site below the threshold of 300 daily trips. As detailed on page 6-1 of the Draft EIR, the Project would result in the addition of 23 employees that would not be all onsite at one time. Thus, the additional persons on the Project site would be limited.

Response L19.2: The Project's consistency with the JWA safety zones are detailed in Draft EIR Sections 5.8, *Hazards and Hazardous Materials*. As detailed in the previous response (L19.1) the increase in vehicle trips and employees on the site would be limited. Consistent with the existing golf facilities, the proposed surf facilities would provide outdoor recreation for individuals and small groups, such as surf lessons. As detailed in Draft EIR Section 3.0, *Project Description*, the maximum number of participants in the lagoon at one time would be 72 people with an average hourly usage of 35-45 people. The wave lagoon would operate on a reservation basis, and the facility is anticipated to host approximately 12 surf events/competitions per year that would be ticketed events similar in scale to other local sporting events, such as golf events. The California Airport Land Use Planning Handbook identifies stadiums, group recreational uses as prohibitive within Safety Zone 2 and 4; but states on page 4-19 that the "usage intensity - the number of people per acre - is the best common denominator by which to compare the safety compatibility of most land use types". As detailed previously, the increase in intensity of the Project site was determined to be limited to less than 300 vehicle trips and 23 employees, which is less than significant.

Response L19.3: As detailed in Draft EIR Section 5.8, *Hazards and Hazardous Materials*, Figure 5.8-2, *2024 John Wayne Airport Noise Contours*, the Project site is located within the SNA 65 CNEL noise contour as identified by the airport in 2024. As shown in Table 5.11-4, the existing daytime noise levels range from 67.8 to 73.7 dBA, which is largely generated from both airport operations and traffic along both Irvine Avenue and Mesa Drive.

The AELUP contains airport noise contours from 1985 (shown in Figure 5.10-3 in Section 5.10, *Land Use and Planning*), which identifies that a majority of the Project site is located within the 65 dBA CNEL and a small area in the northeastern portion of the Project site that is planned for parking and wave lagoon machinery is in the 70 dBA CNEL airport noise contour. The AELUP for SNA states that community facilities and commercial land uses are "conditionally consistent" within the 70 CNEL contour with interior sound attenuation. There are no proposed structures proposed within the 70 CNEL contour. Only parking and lagoon equipment would be located in the area. In addition, the General Plan Land Use Noise Compatibility Matrix (GP Table N2), included as Draft EIR Table 5.11-1, identifies that commercial recreation facilities are "normally compatible" up to 75 dBA CNEL.

Therefore, the proposed community related commercial recreation facilities that are proposed for the site would be consistent with the aircraft noise from operation of SNA pursuant to both the AELUP and City's General Plan. Impacts related to exposure of people within the Project area to excessive airport-related noise levels would be less than significant.

Response L19.4: As detailed in previous responses, the Project's consistency with the JWA safety and land use policies are detailed in Draft EIR Sections 5.8, *Hazards and Hazardous Materials* and 5.10, *Land Use*

and Planning. The proposed Project was evaluated for compliance with existing FAA, California Division of Aeronautic, and AELUP planning guidelines and regulations related to airport hazards and land uses; which were found to be less than significant. The information regarding the capacities of the proposed Project provided clarification that an intensive increase in onsite capacity would not occur. The City looks forward to continued collaboration with the airport.

Letter L20: Gabrieleno Band of Mission Indians – Kizh Nation (4 pages) Late Comment Letter

From: Gabrieleno Chairman <chairman@gabrielenoindians.org>
Sent: September 03, 2025 6:04 PM
To: Perez, Joselyn <JPerez@newportbeachca.gov>
Cc: Kara Grant <kara@grant-law.net>; Sophia Pina <sophia_pina@gabrielenokizh.org>;
Administration Gabrieleno Indians <admin@gabrielenoindians.org>
Subject: Re: Follow Up to Consultation Per SB 18 and AB 52 Notification - Snug Harbor Surf Park
Project (PA2024-0069)

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe. Report phish using the Phish Alert Button above.

Dear Ms. Perez,

I am following up on my previous correspondence, as I have not received a response regarding our concerns with the handling of this project.

During our initial AB 52 consultation, the mitigation measures provided by the Gabrieleno

L20.1

Band of Mission Indians – Kizh Nation were accepted as submitted. These measures were carefully developed based on our tribe’s direct and documented ancestral connection to this location and were intended to protect our cultural resources, heritage, and sacred sites in compliance with Pub. Resources Code §§ 21074, 21080.3.1, and 21080.3.2.

L20.1
Cont.

However, we have now been informed that these mitigation measures have been changed to include other so-called “tribal entities” that are not ancestral to, nor affiliated with, this location. This action directly undermines the consultation process and violates the requirement that mitigation measures be developed through direct government-to-government consultation with the traditionally and culturally affiliated tribe.

The inclusion of unrelated entities not only dilutes the integrity of our sovereign recommendations, but also impacts our cultural resources, heritage, and ancestral history in ways that could cause irreparable harm. Such a change is a direct violation of both AB 52 and CEQA, which require substantial evidence of cultural affiliation to be the basis for consultation and mitigation planning.

L20.2

Additionally, due to further research and the gathering of new information regarding ceremonial sites and ancestral burials in this geographic area, we are compelled to formally request full avoidance of the project. The discoveries and documentation we have gathered reinforce the sacred and historical significance of this land and demonstrate that any disturbance would deeply harm resources of profound importance to the Gabrieleno people.

L20.3

Because of these factors, the Gabrieleno Band of Mission Indians – Kizh Nation is now formally opposing this project in its entirety. We will pursue all appropriate avenues to ensure these resources are protected and that proper consultation, as required by law, is fully honored.

We urge you to provide a written response as soon as possible so we can determine our next steps, including any legal or administrative actions necessary to protect our ancestral lands and heritage.

Respectfully,

Chief Andrew Salas
Chairman, Gabrieleno Band of Mission Indians – Kizh Nation

On Fri, Jun 6, 2025 at 1:00 PM Gabrieleno Administration

<admin@gabrielenoindians.org> wrote:

Dear Ms. Perez,

Please see the attached formal objection letter from Chief Andrew Salas regarding the City’s actions surrounding the Snug Harbor Surf Park Project.

As outlined in the attached letter, the Gabrieleno Band of Mission Indians – **Kizh Nation formally objects to the City’s implementation of outside entities—who lack ancestral affiliation to the project area—into our previously agreed-upon mitigation measures.** This action was not initiated by our Tribe and represents a serious procedural failure. Accordingly, the City now bears the legal obligation to justify the inclusion of such entities through substantial evidence, as mandated by

AB 52 and CEQA.

Failure to meet this obligation directly impacts our Tribe's rights and undermines the legal foundation of the consultation process. Due to this breach, we will be notifying the California Coastal Commission regarding the significant threat to our Tribal cultural resources (TCR's). Included with this message is evidence supporting our position.

Our legal counsel is cc'd should there be any further questions or need for clarification.

Best regards,
Sophia Pina

Assistant | Gabrieleño Band of Mission Indians - Kizh Nation
PO Box 393
Covina, CA 91723
Office: 844-390-0787
Direct: 626- 469- 2655
website: www.gabrielenoindians.org



The region where Gabrieleño culture thrived for more than twelve thousand years encompassed most of Los Angeles County, more than half of Orange County and portions of Riverside and San Bernardino counties. It was the labor of the Gabrieleño who built the missions, ranchos and the pueblos of Los Angeles. They were trained in the trades, and they did the construction and maintenance, as well as the farming and managing herds of livestock. The Gabrieleño are the ones who did all this work, and they really are the foundation of the early economy of the Los Angeles area. That's a contribution that Los Angeles has not recognized—the fact that in its early decades, without the Gabrieleño, the community simply would not have survived.

On Fri, May 16, 2025 at 5:25 PM Perez, Joselyn <JPerez@newportbeachca.gov> wrote:

Dear Mr. Salas,

The City of Newport Beach is writing to notify you that, as the Lead Agency for this project, we have modified the mitigation measures previously provided by the Kizh Nation, as described in the attached letter. This modification has been made in response to a

request for consultation from another California Native American Tribe that is recognized on the California Native American Heritage Commission (NAHC) Contact List and eligible to engage in consultation for purposes of SB 18 (tribal consultation in land use planning) and AB 52 (CEQA tribal consultation).

If you have any comments or further questions, please contact me by email at jperez@newportbeachca.gov, by phone at (949) 644-3312, or in writing at:

Joselyn Perez, Senior Planner

City of Newport Beach, Community Development Department

100 Civic Center Drive

Newport Beach, California 92660.

Sincerely,



Joselyn

Perez

Senior

Planner

Community

Development

Department

Office: 949-

644-3312

100 Civic

Center Drive

Newport

Beach, CA

92660

Response to Letter L20: Gabrieleno Band of Mission Indians – Kizh Nation, dated September 3, 2025

Response L20.1: The City sent a formal written response to the Tribe's June 6, 2025 email on June 23, 2025, which is attached to this response.

As detailed in the previous letters sent by the City on May 16 and June 4, 2025, in addition to consultation with Gabrieleno Band of Mission Indians – Kizh Nation (Kizh Nation), the City received a timely request for consultation from another California Native American Tribe that is recognized on the California Native American Heritage Commission (NAHC) Contact List and eligible to engage in consultation for purposes of SB 18 (tribal consultation in land use planning) and AB 52 (CEQA tribal consultation). The Gabrieleno Tongva Indians of California tribe provided the City with substantial evidence identifying that the Project area is within their Ancestral Tribal Territory. In addition, the Sacred Lands File (SLF) search completed for the Project by the NAHC resulted in a positive finding that the site is within traditional lands or cultural places for the Gabrieleno/Tongva San Gabriel Band of Mission Indians.

As recently as 2023, the NAHC identified the Gabrieleno Tongva Indians of California as a Native American Tribe that is traditionally or culturally affiliated with Orange County and the Project area.³ Pursuant to Government Code Section 21080.3.1, the NAHC shall assist lead agencies with identifying those Native American Tribes that are traditionally and culturally affiliated with the Project site.

Response L20.2: As noted in email correspondence from the Tribe on May 16, 2025, to the City, “consultation [under SB 18 and AB 52] is not based on equity, shared interest, or requests for inclusion—it is based on substantial evidence of traditional and cultural affiliation to the land in question.” Substantial evidence in the record supports the City’s conclusion that the Gabrieleno Tongva Indians of California have met this standard. Substantial evidence also rebuts the Kizh Nation’s stated position that the Gabrieleno Tongva Indians of California have “no direct historical, ancestral, or cultural ties to the Newport Beach.

Conversely, Kizh Nation has not provided the City with any substantial evidence of cultural affiliation to potential resources on or near the site. Instead, the Kizh Nation provided mitigation measures for tribal monitoring during Project excavation and grading, which have been modified to be applicable to all tribes with ancestral affiliation to the Project area and included in the EIR.

Response L20.3: The City is not in possession of any information that the proposed Project site would disturb sacred ceremonial grounds or ancestral burials of the Kizh Nation. This information was not provided by Kizh Nation during the tribal consultation. As detailed in Draft EIR Sections 5.4, *Cultural Resources*, Section 5.6, *Geology and Soils*, and Section 5.15, *Tribal Cultural Resources*, the Project site has been fully disturbed and contains undocumented fill soils that are up to 15 feet in depth. Although this ground disturbance previously occurred, the EIR includes mitigation in the case that any archaeological, paleontological, or tribal buried resources are uncovered during construction activities, which would reduce potential impacts to a less than significant levels.

In addition, the comment does not detail how the City has allegedly not completed consultation as required by law. However, as detailed in the City’s previous letter from June 6, 2025, the City would like to directly address the Kizh Nation’s suggestion that the Project’s SB 18 and AB 52 process has somehow run afoul. The First District Court of Appeal’s recent holding in *Koi Nation of Northern California v. City of Clearlake* (2025) 109 Cal.App.5th 815 states that the fundamental holding is that closure of consultation failed to meet statutory requirement of a “process of seeking, discussing and considering carefully the views of others” and “where feasible, seeking agreement.” (Gov. Code, § 65352.4.) The administrative record here demonstrates that the City has gone to great and meaningful lengths to seek agreement with the Kizh

³ NAHC March 22, 2023 Letter to K. Graham re Native American Consultation, Pursuant to Senate Bill 18 (SB 18), Government Codes §65352.3 and §65352.4, as well as Assembly Bill 52 (AB 52), Public Resources Codes §21080.1, §21080.3.1 and §21080.3.2, Newport Beach Housing Implementation Program EIR Project, Orange County.

Nation. If the City were to abide by Kizh Nation's proposed mitigation measure through this consultation process, the City would be violating SB 18 and AB 52 as it applies to Gabrielino Tongva Indians of California. The City's communication with the Kizh Nation, in letters dating May 16, June 4, and June 23, 2025 has been clear, consistent, and ongoing. The EIR includes mitigation, including recommendations from Kizh Nation, in the case that any tribal buried resources are uncovered during construction activities, which would reduce potential impacts to a less than significant levels. However, excluding other tribes, as requested by Kizh Nation would violate SB 18 and AB 52.



CITY OF NEWPORT BEACH

100 Civic Center Drive
Newport Beach, California 92660
949 644-3131 | 949 644-3139 FAX
newportbeachca.gov/cityattorney

June 23, 2025

Sent Via Email: admin@gabrielenoindians.org

Andrew Salas, Hereditary Chief
Gabrieleno Band of Mission Indians-Kizh Nation
PO Box 393
Covina, CA 91723

Re: Response to Formal Objection in re: the Snug Harbor Surf Park Project

Dear Mr. Salas:

I am writing in response to your correspondence dated June 5, 2025, to Joselyn Perez, Senior Planner regarding the Gabrieleno Band of Mission Indians-Kizh Nation's ("Kizh") allegation that the City of Newport Beach ("City") is in violation of Assembly Bill 52, California Environmental Quality Act, Senate Bill 18, and *Koi Nation of Northern California v. City of Clearlake*, (2025) 109 Cal.App.5th 815 ("Koi Nation") because the City has consulted not only with Kizh, but also, the Gabrielino Tongva Band ("Tongva") on the Snug Harbor Surf Farm ("Project"). The City disputes the allegations that the City is violating the respective statutes and case law as explained in greater detail below but would also reiterate that the mitigation measures are designed to ensure that Kizh is able to monitor the Project site prior to ground-disturbing activities as well as measures in the event that tribal resource objects and/or remains are discovered.

I. The City is in Compliance with Assembly Bill 52 and CEQA.

Your correspondence alleges that the City is violating the California Environmental Quality Act ("CEQA"), as amended by Assembly Bill 52 by, in effect, arguing that Kizh is the only tribal government that has a demonstrated and cultural affiliation to the geographic area of the Project. As explained in the City's previous correspondence, Tongva is included in the Native American Heritage Commission's ("NAHC") list of groups with roots originally in Southern California. That fact is supported by the NAHC itself and belied by California Public Resources Code Section 21080.3.1, which references tribes in the plural and demonstrates the Legislature's intent to accommodate not just one tribe as part of its consultation process. To refute this, you have provided text messages from Samuel Delatorre Dorame stating that his family was not part of Tongva. However, these text messages do not constitute substantial evidence of Tongva's lack of affiliation to the Project site. What Kizh is asking the City to do is to make a wholly subjective determination that Kizh is the only group qualified for consultation. If the City were to comply with your request, the City would unambiguously violate AB 52 and CEQA.

City Attorney's Office

II. The City is in Compliance with SB 18.

Additionally, your correspondence alleges that the City is violating SB 18, codified in California Government Code Section 65352.3 *et seq.*, by asserting that the Tongva have not historically been tied to the area. Section 65352.3 expressly directs agencies to conduct consultations “with California Native American tribes that are on the contact list maintained by the Native American Heritage Commission...” As explained in the previous correspondence, the NAHC lists the Gabrielino/Tongva Nation of the Greater Los Angeles Basin as a tribe historically tied to the area. California Public Resources Code Section 21080.3.1 states, “the Native American Heritage Commission shall assist the lead agency in identifying the California Native American tribes that are traditionally and culturally affiliated with the project area.” NAHC’s *Tribal Consultation Guidelines, Supplement to General Plan Guidelines* (November 14, 2005), required to be adopted by SB 1818, states that, regarding contacting tribes, “The NAHC will provide local governments with a written contact list of tribes with traditional lands or cultural places located within the local government’s jurisdiction.” The NAHC Digital Atlas highlights that the Gabrielino/Tongva Nation is affiliated with this region. Further, the NAHC states that “since time immemorial, the Tongva people have inhabited the 4,000+ square mile region...known today as the Greater Los Angeles Basin. Our natural, ancestral boundaries are from the Santa Susanna Mountains to the North, Aliso Creek to the South, the San Bernardino Mountains to the East, and the Pacific Ocean to the West, including the four Channel Islands of Santa Catalina, San Clemente, Santa Barbara, and San Nicolas.” Thus, the City is following the appropriate and affirmative procedure in consulting with both Kizh and Tongva based on the guidelines set forth in both SB 18 and California Public Resource Code Section 21080.3.1.

III. The City is in Compliance with AB 52.

California Public Resources Code Section 21080.3.1 provides that prior to the release of an environmental impact report, the lead agency must give formal notification and requests for consultation must be provided to the lead agency within 30 days of receipt of the formal notification.

Tongva made its request to consult within 30 days of the City’s formal notification. Specifically, the City mailed 20 Native American tribal representatives a request for consultation on September 19, 2024. On September 25, 2024, Kizh sent mitigation measures via email identifying their tribe as the sole monitor. On September 26, 2024, Tongva requested consultation via email. Tongva’s request for consultation occurred one week following the City’s formal notification which is within the timeframes provided in California Public Resources Code Section 21080.3.1. Moreover, even if it were not, California Public Resources Code Section 21080.3.2, subdivision (c), explains that the consultation process does not “limit the ability of a California Native American tribe ... to submit information to the lead agency regarding the significance of the tribal cultural resources, the significance of the project’s impact on tribal cultural resources, or any appropriate measures to mitigate the impact.”

IV. The City's Consultation Process with Both Kizh and Tongva is Consistent with the Koi Nation Decision.

Finally, the City has carefully considered *Koi Nation* and disputes the characterization that the City is in violation as to the City's obligations to Kizh under this decision. In *Koi*, the City of Clearlake's ("Clearlake") project consultant was informed by Koi Nation that a Koi Nation ancestor had property near the project site. Clearlake sent the Koi Nation formal notification of the project. On March 9, 2022, Clearlake met with the Koi Nation's representative, who requested Clearlake undertake certain mitigation measures. After multiple follow up requests, Clearlake did not contact the tribe again and circulated its notice to adopt an MND, claiming there was no significant environmental impact to tribal resources without including some of the mitigation measures requested. The Court held that Clearlake violated Public Resources Code Section 21080.3.1 based on the fact that the MND did not include any mitigation measures and independently determined that there was no impact to tribal resources. The Court reasoned that Clearlake should have continued to engage in discussions with any interested tribe and fully respond to all questions and comments from an interested tribe, including offering to meet with tribal representatives to discuss any areas of disagreement.

The facts of *Koi Nation* are clearly distinguishable from the present circumstances. Whereas, in *Koi Nation*, Clearlake failed to include Koi Nation's mitigation measures and failed to consider the value and significance of resources to Koi Nation, in the present circumstances, the City has incorporated the mitigation measures that you have requested which ensure that Kizh is fully able to participate in the process. Specifically, the mitigation measures provide that Kizh may monitor the Project site prior to commencement of ground-disturbing activities as well as measures in the event that tribal resource objects and/or remains are discovered. Additionally, in the present circumstances, the contention that the City has not engaged in meaningful consultation is clearly distinguishable from *Koi Nation*. In *Koi Nation*, Clearlake did not incorporate or respond to Koi Nation's request for tribal cultural monitors and the adoption of specific protocols for handling human remains and cultural resources, whereas here, the City has engaged in meaningful discussion with Kizh Nation by actively responding and accepting consultation requests.

Thank you for your continued cooperation with this Project.

Sincerely,



Yolanda M. Summerhill
Assistant City Attorney

Letter L21: Laurie Kelly (1 page) Late Comment Letter

Planning Commission - September 4, 2025
Item No. 2d - Additional Materials Received
Snug Harbor Surf Park (PA2024-0069)

From: [Laurie Kelly](#)
To: [Planning Commission](#)
Subject: Snug Harbor any additional Development
Date: September 02, 2025 5:24:23 PM

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I am writing to express my complete opposition to any further development in Newport Beach specifically by the airport. Why this commission did not fight back against the state like other smaller cities in the county like Santa Ana and Yorba Linda, is beyond me.

These new building projects are not creating affordable housing but huge mass complexes that cost way too much to live in.

Furthermore, why should all of the building be happening up by the airport, other areas of Newport MUST also bear the burden of this runaway expansion plan.

Just one more nail in the coffin to leave CA.

Sent from my iPhone

L21.1

Response to Letter L21: Laurie Kelly, dated September 2, 2025

Response L21.1: The proposed Project does not include development of housing on the Project site. Refer to Master Response 3 regarding the housing opportunity sites.

Letter L22: Michael Philipps (1 page) Late Comment Letter

Planning Commission - September 4, 2025
Item No. 2d - Additional Materials Received
Snug Harbor Surf Park (PA2024-0069)

From: [Michael Philipps](#)
To: [Planning Commission](#); [Dept - City Council](#)
Subject: Save Newport Beach Golf Course
Date: September 03, 2025 8:04:06 AM

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Chairman Harris and Planning Commission Members:

I oppose the plan to bulldoze the heart of the Newport Beach Golf Course for a financially speculative wave pool project. Over the past 50 years the golf course operator has paid millions in rent to the land owner and created a place for young and old to learn the life lessons of golf.

L22.1

Sincerely,

Michael Philipps

Additional Comments:

The high water and energy consumption of this project are of great concern and make approval in our area of Southern California irresponsible. Also we should not be promoting luxury development over community needs.

L22.2

Response to Letter L22: Michael Philipps, dated September 3, 2025

Response L22.1: As detailed in Draft EIR Section 3.0, *Project Description*, 15 holes of golf would be retained with implementation of the proposed Project. Please refer to Final EIR Master Response 2: *Loss of Existing Golf Course Use*, for the response to comments related to the change to the existing golf course use as well as Master Response 1: *Project Merits* for a response to comments regarding the merits of the proposed Project.

Response L22.2: As discussed in Draft EIR Section 5.16, *Utilities and Service Systems*, the Project's annual demand of potable water would be 17.2 percent of the City's anticipated increase in water demand between 2025 and 2030 and the City would have sufficient supplies for the proposed Project. In addition, the majority of water used by the Project would be treated and then conveyed to the groundwater basin providing a loop of water supply and re-use.

The Draft EIR Section 5.5, *Energy*, details on page 5.5-10 that the proposed solar PV panels would provide approximately 2,375,568 kWh per year of energy, which equates to 20 percent of the Project's annual energy demand. In addition, adherence to California Building Code and Energy Code standards would ensure that energy efficient technologies and practices are used for the Project.

Rodriguez, Clarivel

Subject: FW: comments to Planning Commission re 9/4 review of Surf Park EIR
Attachments: Document (6).docx

From: Jim Auster <jimauster@hotmail.com>
Sent: September 03, 2025 6:51 AM
To: Dept - City Council <CityCouncil@newportbeachca.gov>; Perez, Joselyn <JPerez@newportbeachca.gov>
Subject: comments to Planning Commission re 9/4 review of Surf Park EIR

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Critical Comments on Draft EIR for Surf Park 2024110238

Submitted July 7, 2025 to Planner Joseyn Perez and Newport Beach City Council by

Jim Auster and Merrilee Bliss, 20401 Bayview Ave, Newport Beach

jimauster@hotmail.com merrileebliss@gmail.com 9706187682

Focused Review of "Less Than Significant Impact" Statements and Cumulative Impact Concerns

The following are critical comments on each line item within the Draft Environmental Impact Report (EIR) for Surf Park 2024110238, specifically addressing those where the EIR claims a "less than significant impact." These comments challenge the accuracy of such findings, particularly where they ignore or understate significant cumulative impacts. The loss of the middle parcel of the Newport Beach Golf Course is analyzed as a pivotal factor, given its potential to make the continuation of the golf course unviable and open the door to high-density housing development on holes 3-8.

1. Land Use and Planning

- EIR Finding: Less than significant impact on existing land use and planning.
- Critical Comment: This conclusion fails to account for the substantial disruption caused by the loss of the golf course's middle parcel. The continuity and function of the Newport Beach Golf Course are compromised, effectively rendering the entire course non-viable for continued operations. The EIR should address the domino effect, including the strong likelihood that the remaining holes (3-8) will be redeveloped for high-density housing, dramatically altering the

L23.1

character and land use of the neighborhood. The cumulative effect on open space, recreational amenities, and community character is highly significant and has been ignored.

- The EIR fails to consider the serious contradiction and intentional misinformation included in Surf Park's development application.
- The Surf Park application dishonestly claims that golf will continue on the parcel with holes 3-8.
- Property owners have not given a lease or any written commitment to Surf Park developers for continuation of golf on that parcel.
- In contradiction, the owners have asked Newport Beach to include that parcel on the list sent to CA for 690 units of high-density Element Housing.
- City of Newport Beach has included south golf course parcel on Element Housing list submitted to CA to meet their required numbers of housing units but has accepted and is processing Surf Park application that commits to a continuation of golf on the same parcel.
- Application for housing overlay and rezoning from Recreational Open Space to High Density Residential on south parcel has been made by Newport Beach to California Coastal Commission.
- The City of Newport Beach has submitted an application to the CA Coastal Commission for a housing overlay that will rezone that parcel from recreational open space golf course to allow high-density housing.
- There cannot be both golf and high-density housing on that same parcel.
- Surf Park application must include a long-term lease for golf on south parcel or be withdrawn and resubmitted.
- Housing on south parcel is not speculative, an application for rezoning has been made
- High density housing on south parcel is a significant impact of Surf Park but is not reviewed in EIR.

**L23.1
Cont.**

2. Recreation

- EIR Finding: Less than significant impact on recreational resources.
- Critical Comment: The assertion of minimal impact is misleading. The loss of the middle parcel fragments the golf course, ending the possibility of its continued operation and permanently removing a significant recreational asset from the community. This impact is not only direct but cumulative, as the loss of green space and recreation is compounded by the potential conversion of remaining golf holes into residential development, putting further strain on already limited local recreational resources.
- The Newport Beach Golf Course (NBGC) has been a cornerstone of the community since the 1970s. For generations, it has provided an accessible and affordable recreational option for both locals and tourists. Its long-standing presence has made it a beloved institution in Newport Beach, fostering a sense of community and continuity.
- The NBGC stands out as one of the few affordable and accessible golf courses in the area. The nearby Costa Mesa golf course, while a choice, is overcrowded, slow play, much longer course to play and walk, and more challenging and unsuitable for beginners and children. Additionally, it is much more expensive.
- Other public golf courses in Orange County either fall short in terms of affordability, accessibility, or are simply too far away to be practical alternatives.
- It is important to address the error in the Environmental Impact Report (EIR) map, which incorrectly identifies the nearby Santa Ana Country Club as the Costa Mesa Country Club. This

mistake needs to be corrected to ensure the accuracy of the report and misinformation that another public course is nearby.

- The potential loss of the NBGC would have a significant negative impact on the community. Many locals and tourists rely on the golf course for their recreational activities. Its closure would deprive the community of a valuable and cherished resource.
- The NBGC offers a unique advantage with its shorter rounds of golf. Players can enjoy without much waiting nine holes in just 1-1/2 hours or 18 holes in 3 hours, compared to the five- or six-hour rounds at other courses. This makes it an ideal option for those with limited time or those who prefer a quicker game.

3. Population and Housing

- EIR Finding: Less than significant impact on population growth and housing.
- Critical Comment: The EIR fails to acknowledge the true cumulative impact that will arise from the site's likely transition to high-density residential development. Once the middle parcel is lost and the golf course ceases to function, there will be significant pressure to redevelop the remaining land. This will result in an influx of new residents and a substantial change to the local demographic profile, with significant implications for infrastructure, services, and traffic—all of which the EIR does not meaningfully address.
- The Surf Park application claims that golf will continue on the parcel with holes 3-8. However, the property owners have not given a lease to Surf Park developers for golf on that parcel.
- Additionally, the owners have asked for Newport Beach to include that parcel on list sent to CA for 690 units of high-density Element Housing.
- The City of Newport Beach has submitted an application to the CA Coastal Commission for a housing overlay that rezones that parcel for high-density housing. There cannot be both golf and high-density housing on that same parcel.
- EIR fails to consider this serious contradiction and intentional misinformation included in Surf Farm's development application.
- Surf Park should be required to resubmit application and start the process over..

**L23.1
Cont.**

4. Aesthetics and Visual Resources

- EIR Finding:
- Less than significant impact on visual character of the site.
- Critical Comment: The transformation from open green space to Surf Park and high-density housing dramatically alters the visual landscape and aesthetic value of Newport Beach. The EIR overlooks the collective significance of losing both the immediate scenic qualities of the golf course and the broader sense of openness and identity associated with the site. The cumulative loss of visual resources is significant and irreversible.

5. Traffic and Circulation

- EIR Finding: Less than significant impact on local traffic and circulation.
- Critical Comment: This finding is unsupported, as the redevelopment of the site for housing will substantially increase vehicular traffic, exacerbate congestion, and strain existing roadways. The EIR analysis ignores cumulative traffic impacts arising from both the new Surf Park and

potential residential development, which together pose a significant burden on local infrastructure.

6. Noise

- EIR Finding: Less than significant impact on ambient noise levels.
- Critical Comment: The EIR fails to consider the combined noise impacts from the Surf Park, construction activities, and increased population density resulting from new housing. The cumulative noise effect on neighboring communities, both in the short-term (construction) and long-term (increased activity), is potentially significant and understated in the EIR.
- Surf Park customers will be subject to extreme high noise from flights taking off and landing directly overhead which will negatively affect surfers critical focus on surfing, disturb observers, restaurants users, and hotel accommodation guests.
- With 65-70-75 db and higher noise level this site is unsuitable for Surf Park.
- With \$50,000,000 construction cost, lease, interest, operating cost, energy cost, insurance, etc high noise level to Surf Park customers is n impact that is not in EIR.
- With high noise Surf Park may be unpopular, fail to be profitable and be shut down with permanent impacts from terrain modification, irreplaceable loss loss of golf course, and inevitable residential and commercial development of the site that needs to be considered as an impact by EIR

7. Air Quality

- EIR Finding: Less than significant impact on local air quality.
- Critical Comment: The assessment disregards the cumulative and long-term air quality impacts from the loss of green space, increased vehicular traffic, and dense housing development. With fewer trees and open areas to buffer pollution, and more cars and construction activity, air quality is likely to worsen rather than remain insignificant.

**L23.1
Cont.**

8. Biological Resources

- EIR Finding: Less than significant impact on biological resour
- Critical Comment: The EIR's conclusion is inaccurate, as the cumulative loss of open space and mature landscaping will degrade local habitat for birds and other wildlife. The transition from golf course to urban development results in a net loss of biodiversity and ecosystem services, which is a significant adverse impact ignored by the current analysis.

9. Hydrology and Water Quality

- EIR Finding: Less than significant impact on surface water and drainage.
- Critical Comment: With the loss of permeable golf course land and the addition of impervious surfaces from new development, the cumulative impact on stormwater runoff, drainage, and water quality will be substantial. The EIR does not adequately address the risk of flooding and pollution that will be exacerbated by the proposed land use changes.

10. Archeological Impacts

- The Surf Park's Draft Environmental Impact Report notes existing archaeological concerns.
- Screening excavated material from the site for artifacts and human remains would raise construction costs and extend the timeline.

- With a \$50 million investment, these added expenses could threaten the project's financial feasibility and complicate availability of financing.

11. Utilities and Service Systems

- EIR Finding: Less than significant impact on utilities and services.
- Critical Comment: The EIR minimizes the demands that a high-density housing development will place on water, sewer, energy, and public services. The cumulative effect of increased population and loss of open space is likely to overwhelm existing systems, leading to service disruptions and costly infrastructure
- The surf park will use many times more electrical power than can be collected by the planned number of solar panels with a significant impact of power consumption.
- The reflected light and appearance of those solar panels will impact the view from Irvine Ave and the surrounding neighborhood.
- The installation of solar panels can have unintended consequences on aviation safety, particularly at John Wayne Airport. The reflection from solar panels has the potential to blind pilots during their final approach, posing a significant risk to flight operations. This issue necessitates careful consideration if there is any orientation of panels and mitigation strategies to ensure that the benefits of solar energy do not compromise the safety of air travel.

12. Impacts to John Wayne Airport

- The long-term plan for expansion of the runway at John Wayne Airport (JWA) onto the County-owned back nine raises several safety and environmental concerns. The proximity of the Surf Park and housing developments closer to the end of the runway will result in excessive unacceptable noise levels for Surf Park users and residents and pose significant unacceptable unmitigated risks in the crash zone that includes all of NBGC.
- There is no increased safety risk with no development, existing golf course is low density use, is the safest, and is only appropriate land use for this property directly under the John Wayne Airport flight path.'
- In response to a runway overrun FAA may mandate JWA runway extension as a requirement to keep JWA open.
- But if runway extension is unsafe and is blocked by development of Surf Park and housing on middle and south parcels both Surf Park and 690 units of housing would have to be removed at enormous expense to the County.
- Additionally, as said above the installation of solar panels will reflect direct sunlight and unavoidably blind pilots during their final approach, compromising aviation safety.
- These factors highlight the need for a thorough assessment and mitigation strategies to ensure the safety and well-being of the airport and surrounding community.

**L23.1
Cont.**

13. Financial Viability and Economic Impact

- EIR does not study the financial feasibility of the project and the impact on the property, the community, and the local economy if it fails.
 - EIR has no information whether proper market research study has been done for expensive artificial surfing a few miles from free world-class surfing in Newport Beach. Other similar surf projects are in dry inland areas with no natural surfing.
 - Local surfers are unlikely to pay \$200/hr to use Surf Park when there is free natural surfing nearby. Surf Park may become an embarrassment and bad joke on public media for any local or tourist who admits to using it.
 - Presumption of Surf Park developers that tourist will come to Newport Beach for artificial surfing is unsupported and may be incorrect.
 - Surf Park may be a scheme by landowners just to kill the golf course and open south parcel for high density high profit housing regardless of, considerable risk of financial failure, loss of golf course, and the significant impacts of the project.
 - Artificial surfing may be an embarrassment to Newport Beach as a tourist attraction and its reputation for great real surfing on miles of beautiful beach.
 - There is substantial risk of financial failure from \$50,000,000+ investment, high lease cost, high interest rates, high operational cost, high energy cost, and much less demand for artificial surfing in Newport Beach than can be assumed or hoped for by project developers and investors.
-
- The consequence of financial failure is loss of all potential positive economic benefits of Surf Park listed in EIR, permanent irreplaceable loss of the Newport Beach Golf Course for recreation, and opening the site for higher impacts of housing and commercial development
-
- All these impacts must be reviewed to ensure a thorough understanding of the financial risk of Surf Park and the potential consequences it fails.

L23.1
 Cont.

Conclusion

The Draft EIR for Surf Park 2024110238 systematically understates or ignores significant cumulative impacts across all major categories. The loss of the golf course's middle parcel is a pivotal event with far-reaching consequences, making the continuation of golfing operations unviable and setting the stage for high-density residential development. This will have profound and lasting effects on land use, recreation, aesthetics, infrastructure, and the environment. The EIR must be revised to fully and transparently address these impacts, backed by thorough cumulative impact analysis and community input.

Surf Park's many impacts and the risk of any development of Newport Beach Golf Course to the community and to operations and aviation safety at John Wayne Airport make keeping the existing golf course the **highest and best use** of the property. The landowners built the golf course for profit and public enjoyment and after fifty years continue to make a substantial return on their investment. They made a long-term commitment to public recreation by building this golf course in this location

and have no need or justification to now increase their profit by destroying the golf course and developing the property for other uses. Many generations of the community have enjoyed and are dependent for recreation at this location with no similar facility or practical recreational alternative and replacement for Newport Beach Golf Course.

The cumulative impact of so many "less than substantial" impacts in EIR report leaves the only reasonable choice is **no development and no impacts** as recommended by **EIR, 8.9.**

"Therefore, pursuant to CEQA, the No Project/No Build Alternative has been identified as the Environmentally Superior Alternative"

**L23.1
Cont.**

Response to Letter L23: Jim Auster, dated September 2, 2025

Response L23.1: The comment letter is a copy of a letter submitted during the Draft EIR Public review period. Please refer to Responses I54.3 through I54.20 in the Final EIR for responses to this comment letter.

Letter L24: Benny Hallock (2 pages) Late Comment Letter

Planning Commission - September 4, 2025
Item No. 2d - Additional Materials Received
Snug Harbor Surf Park (PA2024-0069)

From: [Perez, Joselyn](#)
To: [Rodriguez, Clarivel](#)
Subject: FW: Snug Harbor Surf Park Comment
Date: September 03, 2025 3:03:56 PM

From: Benny Hallock <bennyhallock@gmail.com>
Sent: September 02, 2025 6:00 PM
To: Perez, Joselyn <JPerez@newportbeachca.gov>
Cc: Rosene, Mark <Mrosene@newportbeachca.gov>; Harris, Tristan <THarris@newportbeachca.gov>; Salene, David <DSalene@newportbeachca.gov>; cellmore@newportbeachca.gov; Langford, Jon <Jlangford@newportbeachca.gov>; Reed, Greg <GReed@newportbeachca.gov>; Lowrey, Lee <Llowrey@newportbeachca.gov>; Jurjis, Seimone <sjurjis@newportbeachca.gov>; Stapleton, Joe <jstapleton@newportbeachca.gov>; Barto, Michelle <MBarto@newportbeachca.gov>; Weigand, Erik <eweigand@newportbeachca.gov>; Grant, Robyn <rgrant@newportbeachca.gov>; Blom, Noah <NBlom@newportbeachca.gov>; Kleiman, Lauren <lkleiman@newportbeachca.gov>; Weber, Sara <SWeber@newportbeachca.gov>
Subject: Snug Harbor Surf Park Comment

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Newport Beach Planning Commission

Newport Beach City Council

Reference: Snug Harbor Surf Park PA2024- 0069

I am writing to voice my strong opposition to the proposed Snug Harbor Surf Park development and to urge the preservation of Newport Beach Golf Course as the vital community asset it has been for generations.

Some have said the course has been neglected and the landlord is entitled to the highest and best use. Most of you are real estate professionals and understand it's the property owner's responsibility to maintain and improve the asset over the term of the lease. The property owner has received millions in lease payments over the decades – including \$1 million per year for the past 10 years from the current operator.

Everyone was happy, the property owner profited without upgrading the facility, the community got affordable golf, and the operator made a living and provided jobs because golf is financially stable. Golf courses never fail, wave pools do.

Newport Beach Golf Course is not just a patch of grass — it is a community beacon. Every year, thousands of veterans, first responders, seniors, students, and families walk its fairways, connect with neighbors, and find peace and purpose. Golf here is affordable, accessible, and welcoming to all. Unlike high-priced alternatives in the area, Newport Beach Golf Course remains one of the few recreational spaces in our city where the *everyday Joe* can walk in,

L24.1

pick up a club, and belong.

For our veterans and first responders, this course has become more than recreation; it is therapy. Golf provides them with an outlet for stress, a bridge to friendship, and a healthy way to confront the invisible wounds of service. For seniors, the walking, light exercise, and camaraderie keep both body and mind strong. For families, it's where grandparents teach grandchildren the game, and for students, it's where local schools and junior programs develop the next generation of athletes and community leaders.

As a member of this community, I have also seen the advantages of the *everyday Joe* being able to golf here. From elderly residents, to first-time golfers, to children in other youth sports, Newport Beach Golf Course is where people of all ages can participate. The PGA routinely hosts tournaments here, as well as practice sessions for our youth in local schools — ensuring this space is not only recreational, but educational and developmental for future generations.

As the founder and host of the **Fairways of Honor Memorial Golf Tournament**, I have seen firsthand how Newport Beach Golf Course serves as a platform to give back. This course has helped raise **hundreds of thousands of dollars** for both veterans and first responders. Losing it would not only rob the community of a recreational cornerstone, but it would also eliminate our ability to continue these life-changing fundraising efforts that directly support those who sacrifice so much for us.

A wave pool, by contrast, serves a narrow slice of the community, carries high costs to participate, and risks failure — leaving behind only pavement and broken promises. These projects have failed in countless other cities, often abandoned by developers once the novelty wears off. Meanwhile, Newport Beach Golf Course continues to thrive, serving 200,000–300,000 visitors annually, proving its enduring value.

Replacing this community cornerstone with an exclusive, commercial wave pool would betray the very fabric of Newport Beach. Our city needs places that unite us, not divide us by price tags or private interests. Newport Beach Golf Course is more than land; it is a living symbol of accessibility, resilience, and community spirit.

For the sake of our veterans, first responders, elderly residents, young athletes, and everyday families, I urge you to reject the Snug Harbor Surf Park proposal and safeguard Newport Beach Golf Course for generations to come.

Respectfully,
Benny Hallock

Volunteer Chairman, Save Newport Beach Golf Course

Board Member, Sons of the American Legion Post 291

Founder and Host, Fairways of Honor Memorial Golf Tournament

L24.1
Cont.

Response to Letter L24: Benny Hallock, dated September 2, 2025

Response L24.1: As detailed in Section 3.0, *Project Description*, 15 holes of golf would be retained with implementation of the proposed Project. Please refer to Master Response 2: *Loss of Existing Golf Course Use*, related to the change to the existing golf course use as well as Master Response 1: *Project Merits* regarding focused environmental review and opinions regarding merits of the proposed Project.

Letter L25: Benny Hallock (4 pages) Late Comment Letter

Planning Commission - September 4, 2025
Item No. 2d - Additional Materials Received
Snug Harbor Surf Park (PA2024-0069)

From: [Perez, Joselyn](#)
To: [Rodriguez, Clarivel](#)
Subject: FW: Newport Beach Golf Course
Date: September 03, 2025 3:04:53 PM

From: Benny Hallock <bennyhallock@gmail.com>
Sent: September 03, 2025 3:02 PM
To: Rosene, Mark <Mrosene@newportbeachca.gov>; Harris, Tristan <THarris@newportbeachca.gov>; Salene, David <DSalene@newportbeachca.gov>; cellmore@newportbeachca.gov; Langford, Jon <Jlangford@newportbeachca.gov>; Reed, Greg <GReed@newportbeachca.gov>; Lowrey, Lee <Llowrey@newportbeachca.gov>; Jurjis, Seimone <sjurjis@newportbeachca.gov>; Stapleton, Joe <jstapleton@newportbeachca.gov>; Barto, Michelle <MBarto@newportbeachca.gov>; Weigand, Erik <eweigand@newportbeachca.gov>; Grant, Robyn <rgrant@newportbeachca.gov>; Blom, Noah <NBlom@newportbeachca.gov>; Kleiman, Lauren <lkleiman@newportbeachca.gov>; Weber, Sara <SWeber@newportbeachca.gov>; Perez, Joselyn <JPerez@newportbeachca.gov>
Subject: Newport Beach Golf Course

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SAVE THE NEWPORT BEACH GOLF COURSE

September 3, 2025

Tristan Harris
Chairman, Newport Beach Planning Commission
100 Newport Center Drive
Newport Beach, CA 92660

SUBJECT: The Surf Park Hype Fact & Fiction

Dear Chairman Harris & Planning Commissioners

As you consider the application for a wave park at the Newport Beach golf course, please understand the state of the industry, hype, and the impact on the community of the imminent failure of the project.

Wave pools have been around since the 1960's, the first in Scottsdale, AZ. It failed.

Over the past sixty years numerous attempts have been made to build and operate similar projects across the country. Most have failed.

L25.1

It's a familiar pattern – developers hype a project, inflate user projections in a dubious proforma, build the venue, run it for a few years, can't make debt service payments, investors foreclose, and the community is left with blight that cannot be repurposed.

The proposed Newport Beach project will follow the same path of failure for the same reasons.

- 1. Wave pool technology is not ready for investor grade roll out. Palm Springs is the closest example. It opened with a splash, and subsequently closed in 2024, reopening in April 2025. Due to weak attendance, they have retained a concert promoter for multi-day festivals leading to augment revenue for debt service purposes.
- 2. According to Snug Harbor LLC's Adam Cleary they are soliciting \$250,000 "annual memberships" to appear to have the necessary equity to secure financing. How many wealthy surf enthusiasts will invest \$250,000 each year for the "perfect wave?" Based upon the Palm Springs Surf Park's \$80 million price tag from 2019, the Newport Beach wave pool will cost in the range of \$100 million in 2026 dollars due to the cost of land, interest rates, and construction cost increases since 2019.
- 3. According to the DEIR and staff report, Snug Harbor is projecting 840 daily surf users, paying an average of \$200 per hour, based upon the Palm Springs rate card. This is unrealistic and inflated. By contrast, the existing golf course has an average of 250,000 annual visitors (700 daily), for \$34.00 golf and \$10.00 range balls. It is folly to believe that surf will exceed golf attendance.

L25.1
Cont.

Table 4 – Staff Report

Surf Lagoon	700 daily visitors
Surf Academy	140 daily visitors
Restaurant	280 daily visitors
Shops	70 daily visitors
Fitness/Yoga Facilities	210 daily visitors
Total	1,400 visitors per day

L25.2

Summary Table: Operating Surf & Wave Pools in the U.S.

This table summarizes the major open and operating surf and wave pools across the U.S. as of 2025. It includes surf-specific lagoons, training facilities, leisure wave pools, and the newest openings.

Facility	Location	Type	Access
Palm Springs Surf Club	Palm Springs, CA	Wave lagoon resort	Public
Waco Surf (BSR Surf Ranch)	Waco, TX	Resort with PerfectSwell lagoon	Public
Kelly Slater Surf	Lemoore, CA	Pro training/event	Limited access

Ranch		facility	
Skudin Surf – American Dream	East Rutherford, NJ	Indoor surf pool	Public
Disney’s Typhoon Lagoon	Orlando, FL	Large wave pool (theme park)	Public
Revel Surf Park	Mesa, AZ	Custom surf lagoon	Public
Great Wolf Lodge (FlowRider)	Williamsburg, VA	Indoor surf simulator	Public (resort)
Kalahari Resort (FlowRider)	Sandusky, OH	Indoor surf simulator	Public (resort)
Splash Lagoon (FlowRider)	Erie, PA	Indoor surf simulator	Public (resort)
Atlantic Park (Wavegarden Cove)	Virginia Beach, VA	Wave lagoon entertainment complex	Public

L25.2
Cont.

Note: Facility types vary between surf-specific lagoons, professional training centers, leisure wave pools, and hybrid resorts. Access levels also differ.

Snug Harbor LLC is proposing a standalone facility not nested within a resort or theme park. Resorts and theme parks have built in packages for their guests that drive use. Venue construction and operational costs are nested into the resort/theme park guest package price.

In conclusion, I believe the Snug Harbor LLC project will fail due to inflated use projections, investor skepticism, construction costs, underestimated O&M costs, cost of capital, and the projects proximity to the best surf beaches in California.

Based upon the speculative nature of the project, its potential for failure, and massive concrete pool larger than a Major League Baseball field, I propose the following conditions be placed on the project:

1. Restoration Bond. Landowner or developer posts a “restoration bond” to protect the community from a failed project that leaves an abandoned 5-acre, 13-foot deep swimming pool at the entrance to Newport Beach. The failed site would be deemed a public nuisance and health hazard due to standing water in the pool. The restoration bond would guarantee the funds are available to return the site to its original state. The bond would trigger 180 days following the cessation of operations.
2. Curfew. Limit operational hours to 7:00 a.m. to 10:00 p.m. to coincide with JWA flight departure curfew restrictions, embodied the JWA Settlement Agreement.
3. Ban Amplified Music. The application requests 12 “special events.” The implication is they will be surf related contests. Those don’t generate the revenue Snug Harbor needs and like Palm Springs they will pivot to live music. The adjacent neighborhoods should not have to deal with live music compounding aircraft departure noise.

L25.3

Thank you for your service to the community and consideration of my comments. This is a generational decision you are considering, bulldozing a 55-year golf course that has benefited the landlord and community handsomely or take a flyer on a speculative real estate project that will likely fail. I am confident you will weigh the issues carefully.

Sincerely,

Benny Hallock

Volunteer Chairman, Save Newport Beach Golf Course

Historian, Newport Beach American Legion SAL Post 291

Newport Beach Golf Course Tournament Director, Memorial Tournament, Fairways of Honor
Golf Tournament benefiting Veterans

Response to Letter L25: Benny Hallock, dated September 3, 2025

Response L25.1: Please refer to Final EIR Master Response 1: *Project Merits* for a response to comments regarding the merits of the proposed Project. As detailed in the Final EIR Master Response 2, *Loss of Existing Golf Course Use*, the Project site consists of privately owned land within a portion of the Newport Beach Golf Course, which is a commercial recreation facility that is not City/publicly owned (not a municipal golf course).

Response L25.2: CEQA is an environmental protection statute that is concerned with the physical changes to the environment (CEQA Guidelines Section 15358(b)). The environment includes land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance (CEQA Guidelines Section 15360). Any economic and social effects of the proposed project are not treated as effects on the environment (CEQA Guidelines Sections 15064(e) and 15131(a)). Therefore, consistent with CEQA, the Draft EIR includes an analysis of the Project's reasonably foreseeable and potentially significant physical impacts on the environment and does not include a discussion of the Project's economic or social effects. Thus, impacts related to the proposed Project's potential failure as a business and ability to be redeveloped is not within the scope of CEQA and is speculative. Should the site be redeveloped for another use in the future, further CEQA analysis would be needed to examine the scope and environmental impacts of such a Project.

Response L25.3: As discussed in the response above, the proposed Project's potential failure as a business and ability to be redeveloped is not within the scope of CEQA and is speculative.

September 4, 2025, Planning Commission Item 2 Comments

These comments on a Newport Beach Planning Commission [agenda](#) item are submitted by:

Jim Mosher (jimmosher@yahoo.com), 2210 Private Road, Newport Beach 92660 (949-548-6229).

Item No. 2. SNUG HARBOR SURF PARK (PA2024-0069)

Inconsistency with Land Use Plans

The subject property has been part of the City since 1973, with its General Plan and zoning refined in cooperation with the County during the annexation of the neighboring area.

Contrary to staff's conclusions, I do not believe this application is consistent with either the resulting "PR" General Plan land use designation or the Specific Plan zoning assigned to the site.

As to the General Plan, according to [Table LU1](#) of the Land Use Element, "*The PR designation applies to land used or proposed for active public or private recreational use. Permitted uses include parks (both active and passive), golf courses, marina support facilities, aquatic facilities, tennis clubs and courts, private recreation, and similar facilities.*" While both a golf course and a wave park would seem consistent with this, I don't think the existing golf course would be allowed to add a general fitness center, retail shopping, or especially overnight visitor accommodations without a change in land use designation. The closest example of a golf course with overnight accommodations I can think of is the City's other public golf course at Pelican Hill: but the golf course there is on land designated "PR," while the accommodations and other amenities are land designated "CV" (Visitor Serving Commercial). In other words, what is being proposed resembles that kind of a resort, but for surfers. And while many resorts include a golf course, the things described under "PR" do not sound like they were intended to include a resort within them.

L26.1

Similarly, the Specific Area Plan's zoning of "OSR" (Open Space and Recreation District) found in NBMC [Section 20.90.050](#) says its purpose "is established to ensure the long-term use and viability of the Newport Beach Golf Course," it seems to allow no golf course (open space or utility structures) and it allows both golf courses and other "Outdoor commercial recreation" as principal uses, the "Accessory uses and structures are permitted when customarily associated with and subordinate to a principal permitted use." I don't believe hotel or motel rooms are normally associated with outdoor commercial recreation such as a golf course, and I don't see why adding a wave park would change that. Likewise, a fitness center seems a clear instance of *indoor* recreation, not the *outdoor* recreation for which the land has been reserved. The zoning seems inconsistent with what is being requested.

Comment on Aesthetics

The proposed development would be at 3100 Irvine Avenue.

I live south of this, near the intersection of Irvine and Santiago, where a recently-constructed 2-story single family home at 2130 Santiago Drive greets residents travelling along Irvine Avenue with a vast blank 2-story facade, and has been met with universal condemnation ("Who approved that??").

L26.2

September 4, 2025, PC agenda Item 2 comments - Jim Mosher

The "proposed" part of Figure 5 of the staff report (handwritten page 23) suggests a similar, forbidding, prison-like blank facade will greet those visiting the intersection of Irvine Avenue and Mesa Drive. Do we really want that? Is this the new aesthetic for Newport Beach?

L26.2
Cont.

Comment on Noise

In response to the invitation for comments regarding the draft EIR, I mentioned, among other things, the fact that in assessing the noise environment around the site, measurements had been taken at home in the Anniversary Tract (directly under the JVA departure path) where the airport Access and Noise Office continuously measures noise at one second intervals. I noted that the hourly averages reported in the EIR appeared accurate, but the peak loudness produced by jet overflights was dramatically under-reported (by typically 10, but as much as 20 decibels).

Whoever wrote the response to that comment on page 2-337 of the [Response to Comments](#) attributes this to the placement of the microphone being shielded from the jet noise. They clearly don't understand noise measurement. The hourly noise averages at that site are produced almost entirely by the brief bursts of jet noise. If the microphone was not seeing those, the hourly averages would have been similarly low. It appears, instead, that the measurements of peak noise were, themselves, being averaged over a time span much longer than the 1-second "slow" response specified in the monitor's reference manual.

L26.3

That may indicate they also may not understand the impact the wave park could have on neighbors. As someone who lives in a high noise area impacted by both airport and Irvine Avenue noise, I can testify that the little relief residents get from that is the rare moments when noise from both subsides into a blissful quiet. If the wave park fills all those rare silences with a constant background drone, neighbors will not be happy, even if the drone is within City noise standards.

Miscellaneous Comments

1. Should there be a restriction on use of the facility during times of drought or water shortage. Given surfing is available in the ocean, this does not seem like it should be a priority use of limited water supplies.
2. Handwritten page 6: TThe proposed increase is development from 8,975 sf (? I think it may be 11,639 sf with the driving range building) to 79,533 sf seems immense.
3. Handwritten page 7: It would have been helpful to include a link to UP1594.
4. Handwritten page 12: The staff report and draft resolution repeatedly use the expression "finish grade." The correct term is "finished grade."
5. Handwritten page 16: Isn't there a potential problem with mixing alcohol sales with swimming, especially in potentially turbulent conditions?
6. Handwritten page 17: Could there be a problem basing parking demand on experiences in foreign cities?

L26.4

September 4, 2025, PC agenda Item 2 comments - Jim Mosher

7. Handwritten page 20: Comparing the proposed building heights to the height of the existing net poles does not seem very meaningful to me. The latter would seem more relevant to the proposed new 71-foot-high light poles mentioned on page 6.
8. Handwritten page 32: In numbered paragraph 7, "extend" should be "extent."
9. Handwritten page 97: In Condition of Approval No. 3, "may be caused" should be "may be cause for" or "may cause."
10. Handwritten page 97: Condition of Approval No. 11 requires bicycle parking, but does not set a minimum amount. Is one space sufficient?
11. Handwritten page 98: Is Condition of Approval No. 20 supposed to say "Traffic Fair Share fee"?
12. Handwritten page 99: Some words seem to be missing from Condition of Approval No. 25.
13. Handwritten pages 99, 106 and 111: Conditions of Approval No. 29, 113 and 140 all require compliance with NBMC Chapter 10.26, and seem largely redundant.
14. Handwritten page 102: The second "and" in Condition of Approval No. 64 appears to be unintended.
15. Handwritten page 103: In Conditions of Approval No. 72 and 75, "with" is missing in "comply with."
16. Handwritten page 104: In Condition of Approval No. 85, it should be "finished floor."
17. Handwritten page 104: In Conditions of Approval No. 86 and 87, shouldn't "plans" be "plan"?
18. Handwritten page 106: In Condition of Approval No. 105, "tree" should be "trees."
19. Handwritten page 108: Condition of Approval No. 128: Does it need an Operator License if it is open after 11:00 p.m?
20. Handwritten page 109: Shouldn't Condition of Approval No. 131, limiting the project to 12 permitted special events per year, also include limits of the total number of permitted special event days per month and year? Without that, since there appears to be no limit on the number of days a Level 3 special event can last, every day could be a special event day.
21. Handwritten page 110: Why should Condition of Approval No. 136 offer extended hours on New Year's Eve? Do people really celebrate by surfing at midnight? This again, sounds like an application for a resort rather than an outdoor recreation use. Does allowing late hours on some days change the requirement for an Operators License?
22. Handwritten page 110: Condition of Approval No. 137 cites "the Snug Harbor Surf Park Mitigation Report and Noise Mitigation Protocol attached hereto as Exhibit "B"." What is this referring to? According to page 52, Exhibit "B" to the resolution is "Draft Environmental Impact Report (SCH No. 2024110238)." There is no exhibit with the name "Snug Harbor Surf Park Mitigation Report and Noise Mitigation Protocol" and there does not appear to be anything of that name within Exhibit "B." There is, according to page 52, an Exhibit "D" (Mitigation Monitoring and Reporting Program) but it does not appear to include any noise mitigation measures or protocol.

**L26.4
Cont.**

September 4, 2025, PC agenda Item 2 comments - Jim Mosher

23. Handwritten page 207: Attachment No. PC 7 appears to be identical to Exhibit D on page 56. Why is it repeated?
24. Handwritten page 287: The letter from ALUC staff is remarkable in that in announcing that the ALUC found the project "inconsistent," it gives no hint as to why it reached that conclusion.

L26.4
Cont.

Response to Letter L26: Jim Mosher, dated September 4, 2025

Response L26.1: The Project site has a General Plan land use designation of Parks and Recreation (PR), permits parks (both active and passive), golf courses, marina support facilities, aquatic facilities, tennis clubs and courts, private recreation, and similar facilities. The proposed surf park would implement the existing land use designation providing both active and passive (spectator) recreation. The PR land use designation allows for both aquatic facilities and private recreation. Thus, the proposed Project would be consistent with the existing PR land use designation.

The Project site is zoned as Open Space/Recreation (OS/R), that allows golf courses and outdoor commercial recreation and accessory uses and structures with a use permit. The proposed surf park and golf course support facilities (including parking, starter shack, golf cart storage, and golf cart paths) for the remaining golf course areas to the north and south of the proposed Project would implement outdoor commercial recreation and accessory uses as intended by the OS/R designation and would not result in a conflict related to avoiding or mitigating an environmental effect.

The existing uses on the Project site include a retail store that is similar to the one proposed as part of the clubhouse building, which is an accessory use. In addition, the proposed fitness center is an accessory to the surf lagoon and would only be used by surf park members or with a surf session reservation; and therefore, would be an accessory to the surf lagoon uses. The comment asserts that the Project includes hotel and motel rooms, which is inaccurate. The Project includes 20 surfer accommodation units, which as detailed in the Draft EIR Section 3.0, Project Description (page 3-22) the units would be exclusively for visiting surfers and surf park guests to stay while using the onsite amenities; and therefore, are accessory uses. As detailed in the Draft EIR Section 5.10, *Land Use and Planning*, the proposed Project would not result in impacts related to zoning or General Plan inconsistency.

Response L26.2: The Draft EIR evaluation of potential impacts to aesthetics is based on Appendix G of the CEQA Guidelines and the City's General Plan guidance regarding visual resources in the City. Draft EIR page 5.1-8 describes that as the Project site is located within an urban area, the evaluation of aesthetic character identifies if the Project would conflict with applicable zoning and other regulations governing scenic quality. Draft EIR Section 5.1, *Aesthetics*, pages 5.1-12 through 5.1-16 describes that the proposed Project would change the public views of the Project site from a golf course with a driving range and a clubhouse building and would construct a surf park with a 5.06-acre surf lagoon, amenity clubhouse, athlete accommodations, parking lot, ornamental landscaping, and associated infrastructure. As detailed in Draft EIR Section 3.0, *Project Description*, on page 3-23, the proposed Project would include approximately 143,844 SF of drought tolerant ornamental landscaping that would cover approximately 20 percent of the site that would include 24-inch box trees, 15-gallon trees, various shrubs, and ground covers to enhance views of the proposed Project and screen the proposed Project structures from offsite viewpoints. Landscaping would be located throughout the site, along the Irvine Avenue and Mesa Drive right-of-way, and along the site boundary.

Response L26.3: The lead staff who prepared the technical noise study and previous response has over 25 years of experience conducting noise measurement and analysis and is a standing member of the Institute of Noise Control Engineers.

The noise meter was properly set with in the "slow" response, in fact there is no other setting that would extend the L_{max} measurement. However, as detailed in the response to comments referred to in this comment, while the L_{max} is shown to provide characterization of the environment, it is not used in the analysis. The City does not use L_{max} as a standard. As previously stated, "The analysis relies on hourly L_{eq} for construction and stationary sources, and community noise level equivalent (CNEL) for traffic noise and land use compatibility, in accordance with the City of Newport Beach's Noise Element and CEQA guidelines. L_{max} is included only to help characterize the existing noise environment, not to determine impact significance. As such, the L_{max} discrepancies do not affect the conclusions of the analysis." Therefore, the

original comment was not relevant to the analysis or the findings under CEQA or the City standards. This comment does not provide any substantial evidence related to a new or increased environmental impact.

Response L26.4: This comment provides a list of miscellaneous comments regarding the Planning Commission Agenda, Resolutions, and Project Conditions of Approval, which were made publicly available. The comments are not regarding the environmental impacts or the EIR prepared for the proposed Project. Thus, no response is warranted.

Letter L27: Niki Parker (1 page) Late Comment Letter

Planning Commission - September 4, 2025
Item No. 2d - Additional Materials Received
Snug Harbor Surf Park (PA2024-0069)

Subject: FW: Notice of Public Hearing for Snug Harbor Surf Park (PA2024-0069)

From: NikiParker <nikiparker@aol.com>

Sent: September 03, 2025 12:48 PM

To: Perez, Joselyn <JPerez@newportbeachca.gov>

Subject: Re: Notice of Public Hearing for Snug Harbor Surf Park (PA2024-0069)

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe. Report phish using the Phish Alert Button above.

I oppose the waiver of the decision of the ALUC. Do not pass this proposal, we do not need a Snug Harbor Surf Park in our neighborhood:

Danger to flight path
Wasted water
Poor use of public land
Create too much traffic
Buildings/development too close to residential

L27.1

Thank you.

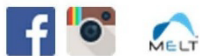
Niki Parker

PMA® Certified Pilates Teacher

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949-923-1622



https://meltmethod.com/pages/shop?rfsn=6612083.bb78b9&utm_source=refersion&utm_medium=affiliate&utm_campaign=6612083.bb78b9

"A healthy body is one where all systems effortlessly connect, support and maintain balance"
"You cannot be efficiently mobile if you are inefficiently stable."

Response to Letter L27: Niki Parker, dated September 3, 2025

Response L27.1: Draft EIR evaluates potential impacts related to operation of John Wayne Airport in Draft EIR Section 5.8, *Hazards and Hazardous Materials*, and Section 5.10, *Land Use and Planning*. Please refer to Final EIR Master Response 1: *Project Merits* for a response to comments regarding the merits of the proposed Project.