



SNUG HARBOR SURF PARK PROJECT

SCH NO. 2024110238

Final Environmental Impact Report

Prepared for
City of Newport Beach
100 Civic Center Drive
Newport Beach, CA 92660

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1. Introduction

This Final Environmental Impact Report (Final EIR) has been prepared in conformance with the environmental policy guidelines for the implementation of the California Environmental Quality Act (CEQA) to evaluate the environmental effects that may result from construction and operation of the proposed Snug Harbor Surf Park Project (proposed Project).

According to CEQA Guidelines Section 15132, the Final EIR shall consist of:

- (a) The Draft Environmental Impact Report (Draft EIR) or a revision of the Draft EIR;
- (b) Comments and recommendations received on the Draft EIR, either verbatim or in summary;
- (c) A list of persons, organizations, and public agencies commenting on the Draft EIR;
- (d) The responses of the lead agency to significant environmental points raised in the review and consultation process;
- (e) Any other information added by the lead agency.

This document contains responses to comments received on the Draft EIR during the public review period, which began on May 23, 2025, and ended on July 7, 2025. A Notice of Availability of the Draft EIR was published concurrently with distribution of the Draft EIR. This document has been prepared in accordance with CEQA, the State CEQA Guidelines, and represents the independent judgment of the lead agency, which is the City of Newport Beach. This document and the circulated Draft EIR comprise the Final EIR in accordance with CEQA Guidelines, Section 15132.

1.1 FORMAT OF THE FINAL EIR

The following chapters are contained within this document:

Section 1.0, Introduction. This section describes the CEQA requirements and the content of the Final EIR.

Section 2.0, Response to Comments. This section provides a list of agencies and organizations who commented on the Draft EIR, as well as copies of their comment letters received during and following the public review period, and individual responses to their comments. Response to comment letters received after the closing of the public review period can be found in Final EIR Appendix E, *Late Response to Comments*.

Section 3.0, Revisions to the Draft EIR. This section contains revisions made to the Draft EIR as a result of the comments received by agencies and organizations as described in Section 2.0, and/or errors and omissions discovered since release of the Draft EIR for public review.

The City of Newport Beach has determined that none of this material constitutes significant new information that requires recirculation of the Draft EIR for further public comment under CEQA Guidelines Section 15088.5. The additional material clarifies existing information prepared in the Draft EIR and does not present any new substantive information. None of this new material indicates that the Project would result in a significant new environmental impact not previously disclosed in the Draft EIR. Additionally, none of this material indicates that there would be a substantial increase in the severity of a previously identified environmental impact that would not be mitigated, or that there would be any of the other circumstances requiring recirculation described in Section 15088.5.

Section 4.0, Mitigation, Monitoring, and Reporting Program. This chapter includes the Mitigation Monitoring and Reporting Program (MMRP). CEQA requires lead agencies to “adopt a reporting and

mitigation monitoring program for the changes to the project which it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment” (CEQA Section 21081.6, CEQA Guidelines Section 15097). The MMRP was prepared based on the mitigation measures included in the Draft EIR and finalized in this Final EIR.

1.2 CEQA REQUIREMENTS REGARDING COMMENTS AND RESPONSES

CEQA Guidelines Section 15204(a) outlines parameters for submitting comments and reminds persons and public agencies that the focus of review and comment of Draft EIRs should be “*on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided or mitigated. Comments are most helpful when they suggest additional specific alternatives or mitigation measures that would provide better ways to avoid or mitigate the significant environmental effects. At the same time, reviewers should be aware that the adequacy of an EIR is determined in terms of what is reasonably feasible ... CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters. When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR.*”

CEQA Guidelines Section 15204(c) further advises, “*Reviewers should explain the basis for their comments, and should submit data or references offering facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of the comments. Pursuant to Section 15064, an effect shall not be considered significant in the absence of substantial evidence.*” Section 15204 (d) also states, “*Each responsible agency and trustee agency shall focus its comments on environmental information germane to that agency’s statutory responsibility.*” Section 15204 (e) states, “*This section shall not be used to restrict the ability of reviewers to comment on the general adequacy of a document or of the lead agency to reject comments not focused as recommended by this section.*”

In accordance with CEQA, Public Resources Code (PRC) Section 21092.5, copies of the written responses to public agencies are being forwarded to those agencies at least 10 days prior to certification of the Final EIR, with copies of this Final EIR document, which conforms to the legal standards established for response to comments on the Draft EIR pursuant to CEQA.

2. Response to Comments

This section of the Final Environmental Impact Report (FEIR; Final EIR) for the Snug Harbor Surf Park Project (Project) includes a copy of all comment letters that were submitted during the public review period for the Draft Environmental Impact Report (DEIR; Draft EIR), along with responses to comments in accordance with California Environmental Quality Act (CEQA) Guidelines Section 15088. The 45-day review period for the Draft EIR began on May 23, 2025, and ended on July 7, 2025. A total of 122 comment letters were received in response to the Draft EIR during the 45-day public review period, and two comment letters were received after the close of the public review period.

The responses amplify or clarify information provided in the Draft EIR and/or refer the reader to the appropriate place in the document where the requested information can be found. Comments that are not directly related to environmental issues (e.g., opinions on the merits of the Project unrelated to its environmental impacts) are noted for the record. Where text changes in the Draft EIR are warranted based on comments received, updated Project information, or other information provided by City staff, those changes are noted in the response to comment and the reader is directed to Section 3.0, *Revisions to the Draft EIR*, of this Final EIR. These changes to the analysis contained in the Draft EIR represent only minor clarifications/amplifications and do not constitute significant new information. In accordance with CEQA Guidelines Section 15088.5, recirculation of the Draft EIR is not required.

All written comments received on the Draft EIR are listed in Table 2-1. All comment letters received on the Draft EIR have been coded with a number to facilitate identification and tracking. The comment letters were reviewed and divided into individual comments, with each comment containing a single theme, issue, or concern. Individual comments and the responses to them were assigned corresponding numbers. To aid readers and commenters, electronically bracketed comment letters have been reproduced in this document with the corresponding responses provided immediately following each comment letter.

Table 2-1: Environmental Comments Received on the Draft EIR

Comment Letter	Agency/Organization/Name	Date
Agencies		
A1	City of Costa Mesa	July 1, 2025
A2	Orange County Public Works	July 3, 2025
A3	Orange County Sanitation District	July 14, 2025*
Organizations		
O1	California Cultural Resource Preservation Alliance	June 18, 2025
O2	Newport Bay Conservancy	July 7, 2025
O3	Orange County Coastkeeper	July 7, 2025
O4	Save Newport Beach Golf Course	July 28, 2025*
Individuals		
I1	Samuel Anderson	May 21, 2025
I2	Melissa Mcleod	May 23, 2025
I3	Mike Smith	May 29, 2025
I4	Lyle Brakob	May 30, 2025
I5	Mike Smith	June 5, 2025
I6	Bethany O'Connor	June 13, 2025
I7	Niall Saunders	June 14, 2025

Comment Letter	Agency/Organization/Name	Date
I8	Eric Halverson	June 14, 2025
I9	Patricia Pidgeon	June 14, 2025
I10	Karen Mc-J	June 14, 2025
I11	Bruce Carlin	June 15, 2025
I12	Deborah Sheperd	June 16, 2025
I13	Ted Norkunas	June 16, 2025
I14	Bernard Feldman	June 16, 2025
I15	Mike Smith	June 16, 2025
I16	Brandy Kaminski	June 17, 2025
I17	Jeff Smith	June 17, 2025
I18	Amy Reverdy	June 17, 2025
I19	Derek Sabori	June 17, 2025
I20	Niki Parker	June 17, 2025
I21	Eric Woods	June 17, 2025
I22	Benny Hallock	June 19, 2025
I23	Jordan Lissoy	June 19, 2025
I24	Andrew Bowden	June 19, 2025
I25	Pete Bower	June 19, 2025
I26	Patricia Lynch	June 19, 2025
I27	Brooke Braga	June 23, 2025
I28	Melissa Lippand	June 23, 2025
I29	Mindy Adamson	June 24, 2025
I30	Dandy O'Shea	June 24, 2025
I31	Rone Dales	June 24, 2025
I32	Penny Rodheim	June 24, 2025
I33	Sandy Isselin	June 24, 2025
I34	Joe Jennings	June 24, 2025
I35	Gay Holmes	June 24, 2025
I36	Ron Armenta	June 24, 2025
I37	Kaynanee Lussier	June 24, 2025
I38	Sandy MacDougall	June 24, 2025
I39	Isabel Lancaster	June 25, 2025
I40	Lori Cheyne	June 26, 2025
I41	Merlaina O'Conner	June 26, 2025
I42	Nick Kaminski	June 27, 2025
I43	Clarence Costa	June 27, 2025
I44	Christie Brockhage	June 28, 2025
I45	Bill Finster	June 29, 2025
I46	Kay Dalton Simpkins	July 1, 2025
I47	Sherri Myers	July 1, 2025
I48	Richard Zelner	July 1, 2025

Comment Letter	Agency/Organization/Name	Date
I49	Antony Chisholm	July 3, 2025
I50	Shawn Maxwell	July 3, 2025
I51	Mary Citrano	July 4, 2025
I52	Jan Aspegren	July 5, 2025
I53	Chip Long	July 5, 2025
I54	Laurie Kelly	July 5, 2025
I55	Greg Nelson	July 5, 2025
I56	Julie Santa Rosa	July 6, 2025
I57	Robert Meadows	July 6, 2025
I58	Debra Frederickson	July 6, 2025
I59	Kristi Jackson	July 6, 2025
I60	Patti Ferguson	July 6, 2025
I61	Diane Rinker	July 6, 2025
I62	Scott Pickard	July 6, 2025
I63	Shella Salvo	July 6, 2025
I64	Steve Kalatschan	July 6, 2025
I65	Allison Robar	July 6, 2025
I66	Sandee Felix	July 6, 2025
I67	Diane Moore	July 6, 2025
I68	Michelle Clark	July 7, 2025
I69	Micah Stovall	July 7, 2025
I70	Moe Sim	July 7, 2025
I71	Ryan Calderon	July 7, 2025
I72	Mike Smith	July 7, 2025
I73	Kerry Simpson	July 7, 2025
I74	Scott Klein	July 7, 2025
I75	Jim Auster	July 7, 2025
I76	Richard Moriarty	July 7, 2025
I77	Betsy Hall	July 7, 2025
I78	Sue Garland	July 7, 2025
I79	Linda Giedt	July 7, 2025
I80	Matt Clark	July 7, 2025
I81	Richard Dayton	July 7, 2025
I82	Benny Hallock	July 7, 2025
I83	Scott Wellwood	July 7, 2025
I84	Nick Shaffer	July 7, 2025
I85	Kyle Robar	July 7, 2025
I86	Wade Womack	July 7, 2025
I87	Jim Mosher	July 7, 2025
I88	Suzan Beck	July 8, 2025

*Received after close of the public review period.

Master Responses

Certain topics were raised several times in comments from interested persons regarding the Draft EIR. In order to minimize duplication and provide a more comprehensive discussion, “Master Responses” have been prepared. Each Master Response is intended to provide a general response to several comments on the given subject and responses to individual comments reference these Master Responses as appropriate.

Master Response 1: Project Merits

Comments were received during the public review of the Draft EIR that indicated a preference for or opposition to the proposed Project or elements of the Project. In accordance with Section 15088 of the CEQA Guidelines, the City is required to “evaluate comments on environmental issues received from persons who reviewed the Draft EIR and shall prepare a written response to comments raising significant environmental issues received during the noticed comment period.” Comments related to the proposed Project or elements of the Project, as well as the project’s merits, are not themselves considered comments on issues related to physical environmental conditions or impacts disclosed and evaluated as part of the Draft EIR.

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 potentially significant physical impacts on the environment and does not include a discussion of the Project’s economic or social effects. Further, it is not the purpose of a CEQA document to advocate for or against any specific project. Instead, environmental impact reports are objective and technical documents, completed for the purpose of identifying and disclosing environmental impacts, to inform both the public and the City’s decision makers. It is then up to the City’s decision makers to weigh the environmental impacts identified in the environmental impact report, against the Project merits (which includes its economic and social effects), in deciding whether to approve or disapprove a proposed Project.

CEQA Guidelines Section 15204(a) states that when responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, and provides the following direction related to EIR comments and responses:

In reviewing draft EIRs, persons and public agencies should focus on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided or mitigated. Comments are most helpful when they suggest additional specific alternatives or mitigation measures that would provide better ways to avoid or mitigate the significant environmental effects. At the same time, reviewers should be aware that the adequacy of an EIR is determined in terms of what is reasonably feasible, in light of factors such as the magnitude of the project at issue, the severity of its likely environmental impacts, and the geographic scope of the project. CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commentors.

Thus, this Final EIR does not provide responses to comments that do not raise a significant environmental question (*Citizens for E. Shore Parks v. State Lands Commission* (2011) 202 Cal.App.4th 549). Because comments regarding project merits do not pertain to the potential for significant physical impacts, or the objective analysis of the same, such comments are not responded to in this Final EIR. All of the comment letters providing support for or opposition to the proposed Project based on Project merits or other reasons and do not contain comments regarding environmental topics are provided in Appendix A of this Final EIR and are listed in Table 2-2.

Even though the EIR does not consider and weigh the project's economic and social effects, economic and social effects are important, and the City of Newport Beach decision makers will consider all comments regarding the Project merits in determining what action to take on the proposed Project. The Planning Commission and City Council will hold publicly noticed hearings to consider action on the Project, which will include consideration of the Project merits (including economic and social effects).

Table 2-2: Comments Received That Do Not Involve Environmental Effects of the Project

Comment Letter	Name	Date
1	Elliot Fad	June 14, 2025
2	Rachelle Rooney	June 16, 2025
3	Charles Spence	June 16, 2025
4	David Clarke	June 16, 2025
5	David Wooters	June 16, 2025
6	Pat Lewis	June 17, 2025
7	Erik Kristiansen	June 17, 2025
8	Brain Barson	June 18, 2025
9	Marshall Lally	June 18, 2025
10	Sasha Lopez	June 18, 2025
11	Cristina Tuer	June 18, 2025
12	Victoria Lugo	June 18, 2025
13	Cameron Sinclair	June 18, 2025
14	Kathy Mader	June 27, 2025
15	Ray Sanford	July 2, 2025

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). Some comments to the Draft EIR expressed concerns related to the loss of affordable golf recreation facilities in the City. As stated in Draft EIR Section 5.13 *Parks and Recreation*, while the Newport Beach Golf Course is open to the public, it is privately owned and is not a municipal golf course operated or maintained by the City. Thus, implementation of the proposed Project would not result in the loss of any City-owned open space or recreational facilities.

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. Like the existing golf course, the proposed Project is a commercial recreation use that is consistent with the intended uses for the site within the City's General Plan and the Santa Ana Heights Specific Plan.

Many commenters incorrectly believe that Project implementation would eliminate all existing golf operations at the Newport Beach Golf Course. In fact, only holes 1, 2, and 9 along with the driving range would be removed. The proposed Project would support the remaining 15-hole golf course and facilitate continued golf by providing parking and a check-in station (starter) on the Project site, golf cart storage within the basement level of the Project's proposed clubhouse building, and maintenance of connection between all

golf holes for a 15-hole golf track. Thus, although reduced, golf recreation would continue to be provided to the north and south of the Project and supported by the Project. There are many examples of successful golf courses that provide less than 18 holes, including Gable Sands (Quicksand) Course (13 holes), Brandon Preserve (13 holes), Gravel Pit (13 holes), Gilroy Golf Course (11 holes), Monarch Dunes Golf Club (12 holes), and Woodside Golf Course (12 holes), among others. These courses have succeeded with less than the traditional 18 holes, reflecting (a) a continued desire to play even with a non-standard number of holes, and (b) that a lesser number of holes provides a golfing experience that can be accommodated on a shorter schedule (requiring less time to complete a round).

Additionally, as detailed in Draft EIR Section 5.13, *Parks and Recreation* (Table 5.13-2), there are 11 other publicly available golf courses within 10 miles of the Project site that provide golfing activities at a range of costs, some of which are similar to those of the Newport Beach Golf Course. Likewise, Draft EIR Table 5.13-3 identifies that there are nine other public driving ranges within 10 miles of the Project site, and that the cost of the other driving ranges are similar to the cost of the driving range on the Project site.

The proposed Project would provide a new commercial recreational facility that would complement both the commercial golf recreation to the north and south of the site, and the City's nearby park and recreation areas. The physical impacts associated with provision of the proposed commercial recreational surf lagoon facility are detailed within the Draft EIR. For example, impacts related to air quality, geology, greenhouse gases, and noise, are detailed within the respective sections of the document. No further or additional environmental impacts from implementation of the surf lagoon recreation would occur other than those detailed herein.

Master Response 3: CEQA Piecemealing and Housing Opportunity Sites

A number of comments stated that the Draft EIR provides a "piecemeal" environmental review because the residential designation of Housing Opportunity sites 23, 24, 25 and 26 (located across Mesa Drive to the south of the Project site) was not analyzed in the Draft EIR. These comments incorrectly assume that development of the parcels south of Mesa Drive for housing is part of the proposed Project.

Under CEQA, "piecemealing" refers to the improper division of a larger project into smaller, less impactful components to avoid a comprehensive environmental review of the entire project's effects. CEQA Guidelines Section 15378 states that a "project" is "an activity which may cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment" and refers to "the whole of an action." Citing *Laurel Heights Improvement Assn. v. Regents of University of California* (1988) 47 Cal.3d 376, the court noted that an EIR must include an analysis of the environmental effects of future expansion or other action if: (1) it is a reasonably foreseeable consequence of the initial project; and (2) the future expansion or action will be significant in that it will likely change the scope or nature of the initial project or its environmental effects. There is no piecemealing, however, when "projects have different proponents, serve different purposes, or can be implemented independently."

As detailed in Section 3.0, *Project Description*, the Project consists of the central portion of the Newport Beach Golf Course as shown in Draft EIR Figures 3-2, *Local Vicinity* and 3-3, *Aerial View*, and does not include development of areas to the south of Mesa Drive. The whole of the Project is detailed in Draft EIR Section 3.0, *Project Description*, where it is detailed that the portions of the golf course to the north of Irvine Avenue (holes 10-18) and south of Mesa Drive (holes 3-8) are not a part of the Project site. The Project includes golf course parking, a starter shack for the golf course, and golf cart storage in the basement level of the proposed amenity clubhouse to support the adjacent golf course areas, but it does not expand the existing golf course operations.

As detailed on page 5-6 of the Draft EIR, parcels (APNs 119 300 15, 16, 17 and APN 119-310-04) to the south of the site, across Mesa Drive have been identified as "candidate" sites for possible future housing,

along with 100 other candidate housing sites on 176 acres within the Airport Focus Area of the City, as identified in the City Housing Implementation Program. These parcels are identified in Municipal Code Sections 20.80.025 (Housing Opportunity Overlay Zoning Districts maps) and 20.28.050 (Housing Opportunity (HO) Overlay Zoning Districts) and were previously evaluated in the Housing Implementation Program EIR (State Clearinghouse [SCH] Number 2023060699). The Government Code section under which the “candidate” sites were identified expressly recognizes that development is not guaranteed. (Govt. Code § 65583(a)(3) [a housing element shall include an “inventory of land suitable and available for residential development, including vacant sites and sites having a realistic and demonstrates **potential** for redevelopment during the planning period” to meet the City’s assigned regional housing needs assessment allocation] [emphasis added].) The City’s assigned Regional Housing Needs Assessment was 4,845 units. To meet that state-assigned need, and provide a buffer in the event housing is not developed consistent with the assumptions in the Housing Element (given that the Housing Element does not “approve” any housing projects), the City’s Housing Element (and Housing Opportunity Overlay Zoning Districts) identified hundreds of acres of land, accommodating a *theoretical* 10,087 dwelling units (with an actual capacity of +23,000 units based on new densities and acres zoned for housing). Those units are only theoretical, and 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.). (*McCann v. City of San Diego* (2021) 70 Cal.App.5th 51, 85 [city could separately consider different utility undergrounding projects because each project was separately approved and independently functional of the other projects]; *Banning Ranch Conservancy v. City of Newport Beach* (2012) 211 Cal.App.4th 1209, 1222 [no piecemealing because project was not a “reasonably foreseeable consequence” of another project].) The Project does not propose improvements that facilitate residential development, such as extending infrastructure, or otherwise cause or contribute to residential development. Any future residential development is speculative, as is any development consistent with the underlying zoning of the parcels across Mesa Drive. Any future proposed housing on parcels south of Mesa Drive, or any other location, would be separate and independent from the proposed surf park Project, and would be subject to environmental review as required by CEQA. Moreover, the Project does not result in or cause any residential development. It has complete independent utility – it does not rely on or necessitate future housing. Neither the proposed surf park or potential future housing would be needed for the other to proceed, and any future proposed housing or other proposed development would require development specific environmental analysis pursuant to CEQA and related permitting review.

The Draft EIR makes it clear that the Project site is limited to the 15.38-acre central portion of the Newport Beach Golf Course and that the only development proposed is the surf park facility and related improvements. There are no other developments that are a prerequisite of the proposed Project, and the proposed Project is separate and independent from any other future proposed Project outside of the 15.38-acre Project site, including any future housing south of Mesa Drive. In addition, the proposed Project has independent utility and a separate purpose to provide a commercial recreation surfing facility. The approval or denial of the proposed Project is not dependent upon the existence of any other projects; and any future housing project is not dependent upon the proposed surf park. The Project does not necessitate or compel future housing south of Mesa Drive. (*Aptos Council v. County of Santa Cruz* (2017) 10 Cal.App.5th 266, 280 [“when each action has independent utility and does not subsume or necessitate each other, the actions may properly undergo separate environmental review”].) Moreover, as explained above, the development of housing is not a reasonably foreseeable consequence of the proposed surf park Project. Therefore, the Draft EIR does not constitute piecemealing and has accurately evaluated the whole of the proposed Project.

Master Response 4: Impacts Related to Vehicle Trips

Potential impacts related to transportation are evaluated as required by CEQA in Draft EIR Section 5.14 *Transportation*. As detailed on Draft EIR pages 5.14-5 and 5.14-13, the Newport Beach Golf Course currently generates approximately 1,810 daily vehicular trips, with 136 a.m. peak hour trips and 165 p.m. peak hour trips.

As detailed in Draft EIR Table 5.14-2, implementation of the proposed Project would result in a net reduction of 73 a.m. peak hour trips and 10 p.m. peak hour trips compared to the existing uses. The daily vehicle trips would increase by 186 at maximum capacity of the surf park and golf facilities, which is less than the 300 daily trip significance threshold per the City Traffic Phasing Ordinance (Municipal Code Title 15, Chapter 15.40). Thus, as detailed on page 5.14-13 of the Draft EIR, impacts related to roadways would be less than significant. It should also be noted that automobile delay, including level of service (LOS), cannot legally be an impact on the environment. (*Ocean Street Extension Neighborhood Assn.*, *supra*, 73 Cal.App.5th at 1021 [challenges to EIR's LOS analysis that compared project traffic to General Plan LOS goals were moot].) In addition, Draft EIR page 5.14-15 details that pursuant to the City's Vehicle Miles Traveled (VMT) screening criteria and guidance from Governor's Office of Planning and Research (OPR) and CEQA Guidelines Section 15064.3(b)(1), based on the Project's net trip generation of less than 300 daily trips, the proposed Project would result in a less than significant impact related to Vehicle Miles Traveled.

Draft EIR Section 3.8, *Operations*, describes that use of the surf lagoon would be limited by a reservation system, with a maximum number of 72 people using the lagoon and an average hourly usage of 35-45 people. The facility also has associated amenities, as described in the Draft EIR's project description, all of which were considered for purposes of estimating trip generation. (Draft EIR Appendix R, *Trip Generation Assessment for Surf Farm* [explaining that the trip generation analysis includes a comprehensive market analysis of comparable case studies to validate the assumptions and the modeling included detailed programmatic attendance reflective of the physical and operational parameters of the facility].) 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. The potential peak conditions that would occur with implementation of the Project were evaluated and determined through comparison to numeric thresholds and review by the City's Traffic Engineering Department to be less than significant.

Master Response 5: Noise Impacts

Potential impacts related to noise are evaluated as required by CEQA in Draft EIR Section 5.11 *Noise*. As detailed on page 5.11-8, existing ambient noise near the Project site is dominated by the overflight of airplanes from John Wayne Airport and traffic noise from roadways. As shown on Draft EIR Figure 5.8-2, the Project site is located within the John Wayne Airport 65 dBA CNEL noise contour. Existing measured daytime noise levels range from 67.8 to 73.7 dBA in the Project area (Draft EIR Table 5.11-4). As listed in Draft EIR Table 5.11-1, the General Plan Noise Element Table N2 identifies that commercial recreational facilities are normally compatible with ambient noise levels up to 75 dBA CNEL. Thus, the existing ambient noise levels are consistent with the proposed Project.

Traffic Noise. As detailed in the previous Master Response 4, the Project would generate a net increase of 186 average daily trips. This increase would not create a perceptible noise level increase compared to the existing roadway volumes of 31,000 ADT and 6,000 ADT for Irvine Avenue and Mesa Drive respectively (as detailed on page 5.11-21 of the Draft EIR). Further, the Project would result in a reduction of 73 a.m. peak hour trips and 10 p.m. peak hour trips compared to the existing uses (as detailed in the previous Master Response and Draft EIR Table 5.14-2). Due to the low traffic volumes generated by the Project, the offsite traffic noise levels generated by the Project would be inaudible and less than significant.

Wave Park Operational Noise. The Noise Analysis prepared for the Project (Draft EIR Appendix Q) calculated the operational source noise levels that are expected to be generated by the Project and the Project-related noise level increases at the closest (most impacted) sensitive receiver locations. Draft EIR Table 5.11-9 shows that the Project operational noise levels during the daytime hours of 7:00 a.m. to 10:00 p.m. would range from 53.8 to 64.1 dBA Leq at the offsite receiver locations. This is less than the existing daytime ambient noise in the Project vicinity, which ranges from 67.8 to 73.7 dBA. Draft EIR Table 5.11-10 shows that the Project operational noise levels at the closest sensitive receivers during the nighttime hours of 10:00 p.m. to 7:00 a.m. would range from 40.0 to 45.7 dBA Leq, which is below the City's 50 dBA Leq nighttime noise standard at residential land uses.

The Draft EIR further evaluates operational noise by combining Project generated noise with existing ambient noise at the nearest receiver locations. The difference between the combined Project and ambient noise levels describes the Project noise level increase to the existing ambient noise environment. 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 inaudible by humans and less than the thresholds. Therefore, noise impacts related to Project operations would be less than significant.

Comment Letter A1: City of Costa Mesa (1 page)

ECONOMIC & DEVELOPMENT SERVICES DEPARTMENT

July 1, 2025

Joselyn Perez, Senior Planner
City of Newport Beach, Community Development Department
100 Civic Center Drive
Newport Beach, CA 92660

Sent via email: JPerez@newportbeachca.gov**Subject: Snug Harbor Surf Park Project: Notice of Availability of a Draft EIR**

Dear Ms. Perez:

Thank you for the opportunity to review the EIR for the Snug Harbor Surf Park project located at 3100 Irvine Avenue in the City of Newport Beach. The project includes redeveloping the site with a 5.06-acre surf lagoon with four distinct surf areas. The surf lagoons would be surrounded by viewing platforms, seating, warming pools and space. The project includes development of a three-story amenity clubhouse that would be approximately 50,341 square feet. The project also includes a two-story 9,432 square foot athlete accommodation building with 20 units.

The City of Costa Mesa has reviewed the EIR and at this time, has no comments on the proposed project. However, we respectfully request to remain on the notification list and be kept informed as the project moves forward through subsequent stages of environmental review and project development.

Please do not hesitate to contact us with any future materials, updates, or opportunities for input.

Sincerely,



Chris Yeager
Senior Planner

77 FAIR DRIVE, POST OFFICE BOX 1200, COSTA MESA CA. 92628-1200
Building Safety Division (714) 754-5273 Community Improvement Division (714) 754-5638
Housing & Community Development (714) 754-4870 Planning Division (714) 754-5245
www.costamesaca.gov

1 | Page

A1.1

Response to Comment Letter A1: City of Costa Mesa, July 1, 2025

Response to Comment A1.1: The comment does not include any environmental comments related to the proposed Project or the Draft EIR. As requested, the City of Costa Mesa will remain on the notification list to be kept informed of Project environmental review and development. No further comments were provided, and no further response is warranted.

Comment Letter A2: Orange County Public Works (11 pages)

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County Administration South
601 North Ross Street
Santa Ana, CA 92701

P.O. Box 4048
Santa Ana, CA 92702

(714) 667-8800

info@ocpw.ocgov.com

OCPublicWorks.com



Administrative
Services



OC Development
Services



OC Facilities Design
& Construction
Management



OC Facilities
Maintenance
& CUF



OC Fleet Services



OC Construction



OC Environmental
Resources



OC Operations &
Maintenance



OC Infrastructure
Programs



OC Survey



July 3, 2025

Attn: Joselyn Perez, Senior Planner
City of Newport Beach
Community Development Department
100 Civic Center Drive
Newport Beach, CA 92660

Subject: NCL-25-0004 – Notice of Availability of a Draft Environmental Impact Report (SCH No. 2024110238) for the Snug Harbor Surf Park Project

Dear Ms. Joselyn Perez,

Thank you for the opportunity to comment on the Notice of Availability of a Draft Environmental Impact Report (Draft EIR) (SCH No. 2024110238) for the Snug Harbor Surf Park Project. The County offers the following comments:

OC Development Services:

1. The proposed project could potentially require an encroachment permit or easement from the County for access or construction work requirement on/in close proximity to County property. Please list the County under Section 3.1 – Discretionary Actions Required in the Draft EIR.

A2.1

OC Infrastructure Programs – Regulatory Permitting:

1. The proposed project's extra weight associated with the pools have the potential of putting undue pressure on the Santa Ana Delhi Channel walls and causing a catastrophic collapse. Please address this concern in the Draft EIR.

A2.2

OC Infrastructure Programs – Traffic Engineering:

1. Portions of the following roadways are within Unincorporated Orange County: Irvine Avenue, Mesa Drive, University Drive, Bristol Street and Campus Drive. Please provide a Traffic Control or Traffic Management Plan to OC Traffic Engineering for review when it becomes available.

A2.3

OC Infrastructure Programs – Flood Programs:

1. Section 4.5.9 Hydrology and Water Quality and Section 5.9.3.1 Watershed, states that the Project site is in the Santa Ana River Watershed and in the San Diego Creek sub-watershed. Please revise the statement and associated information about the Santa Ana River since the project is in only in the San Diego Creek Watershed.
2. Section 5.9, Impact HYD-3, the justification provided states that "The Project site does not include, and is not adjacent to, a stream or river." Although this statement is true, the less than significant impact determination should be based on an assessment of whether the project alters the existing drainage pattern of the site or area in a manner which

A2.4

A2.5

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NCL25-0004 – Snug Harbor Surf Park Project

July 3, 2025

Page 2

- | | |
|--|-------------------------------------|
| <p>would result in substantial erosion or siltation on- or off-site, and not be based on location. Please update the justification for the “Less than Significant Impact” determination.</p> | <p>A2.5
Cont.</p> |
| <p>3. Section 5.9, Impact HYD-4, the justification provided states that “The Project site does not include, and is not adjacent to, a stream or river.” Similar to the previous comment, although this statement is true, the less than significant impact determination should be based on an assessment of whether the project alters the existing drainage pattern of the site or area in a manner which would result in substantial increase the rate or amount of surface runoff that would result in flooding on- or off-site, and not be based on location. Please update the justification for the “Less than Significant Impact” determination.</p> | <p>A2.6</p> |
| <p>4. Section 5.9, Impact HYD-5, the justification provided states that “The Project site does not include, and is not adjacent to, a stream or river.” Similar to the previous comment, although this statement is true, the less than significant impact determination should be based on an assessment of whether the project alters the existing drainage pattern of the site or area in a manner which would create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff, and not be based on location. Please update the justification for the “Less than Significant Impact” determination.</p> | <p>A2.7</p> |
| <p>5. The proposed project is within the City of Newport Beach’s jurisdiction, and the City of Newport Beach will be the ultimate approver of the Hydrology Report. The Preliminary Hydrology Report was submitted to OC Public Works for review under Flood Encroachment Permit FE25-0048. Comments on the preliminary hydrology report were provided on April 17, 2025, and these comments may affect the information presented in the Draft EIR such as:</p> <p style="margin-left: 40px;">a. The 100-year storm flows in Table 5.9-2 are misleading since subareas A through E do not represent the same discharge point in both the existing and proposed condition. It has been requested in the comments for FE25-0048 that the information be presented in a manner that compares the existing and proposed flow rates to the same discharge point, instead of totaling up individual flows for the entire project. The totaling of flows at different discharge points are only acceptable if the time of concentration is similar, which is not the case for all discharge points for the Snug Harbor project. In general, it is more accurate to provide a comparison of flow rates at each individual discharge point, and to check capacity of existing facilities downstream to determine project impacts.</p> <p style="margin-left: 40px;">b. Revisions to the proposed condition hydrology model may impact the flow rates referenced in Table 5.9-2.</p> | <p>A2.8</p> |
| <p>6. Under Impact HYD-3 Operation states “As shown on Table 5.9-2, while implementation of the proposed Project would result in a large increase in impermeable surfaces, the 100-year, 24-hour storm volume would decrease by approximately 11 percent. Please note that the values shown in Table 5.9-2 are discharges, not volume, and the statement should be revised accordingly.</p> | <p>A2.9</p> |

OC Parks:

- | | |
|--|---------------------|
| <p>1. OC Parks is the recipient of a 20-foot wide Irrevocable Offer to Dedicate (IOD) an Easement along the Santa Ana Delhi channel as reflected in Book 11446 Page 210 as recorded in Official Records of Orange County, California (Exhibit A: Irrevocable Offer to Convey Easement to OC Parks). This IOD terminates January 31, 2027. OC Parks may pursue acceptance of this easement for future public access improvements as reflected in Section 20.90.190 (Public Improvements) of the SP-7 (Santa Ana Heights</p> | <p>A2.10</p> |
|--|---------------------|

601 North Ross Street, Santa Ana, CA 92701
P.O. Box 4048, Santa Ana, CA 92702-4048

www.OCPublicWorks.com
(714) 667-8800 | Info@OCPW.ocgov.com

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NCL25-0004 – Snug Harbor Surf Park Project

July 3, 2025

Page 3

- | | |
|---|------------------------|
| Specific Plan) and Master Plan of Trails for Orange County (Exhibit B: OCPW Major Hiking & Riding Trails and Off-Road Paved Bikeways Map). Therefore, the project plans should be updated to accommodate this 20-foot wide IOD. | A2.10
Cont. |
| 2. The project landscape plans indicate the proposed retaining wall will be located within the 20-foot IOD adjacent to the Santa Ana-Delhi Channel. Physical improvements should stay clear of this area. | A2.11 |
| 3. The Draft EIR does not currently contemplate long term golf course operations following construction of the surf park. Would a golf cart access path remain as shown on Figure 3-12? | A2.12 |
| 4. Is a title report available that accompanied the project application materials? If so, can this be shared with County staff? | A2.13 |

OC Environmental Resources:

- | | |
|--|--------------|
| <p>1. The water quality impacts of the project should be evaluated in accordance with the provisions outlined in Exhibit 7-I of the 2003 Countywide Drainage Area Management Plan (DAMP). At a minimum, the following information should be provided:</p> <ul style="list-style-type: none"> - A description of project characteristics with respect to water quality issues, such as project site location in a given watershed, site acreage, change in percent impervious surface area, and BMPs to be incorporated into the project design. - A review of DAMP Exhibit 7.1 Table 7-I.1, Priority Projects Categories. This project will require the development of a Water Quality Management Plan. - Identification of receiving waters. The project is located in Newport Bay watershed, and the Draft EIR should identify associated receiving waters that may receive runoff from the project site. - A description of the sensitivity of the receiving waters. In particular, given its location in Newport Bay watershed, the Draft EIR should identify Areas of Special Biological Significance, water bodies with Total Maximum Daily Loads (TMDLs), 303(d) listed impaired water bodies, etc. - A characterization of the potential water quality impacts from the proposed project and identification of the anticipated pollutants to be generated by the project. - An identification of hydrologic conditions of concern, such as runoff volume and velocity; reduced infiltration, and increased flow, frequency, duration, and peak of storm runoff. - An assessment of project impact significance to water quality. - If the proposed project has the potential to create a major new stormwater discharge to a water body with an established TMDL, the EIR should consider quantitative analysis of the anticipated pollutant loads in the stormwater discharges to the receiving waters. - A reasonable analysis of the cumulative impacts of the proposed project together with past, present and reasonably anticipated future projects (related projects) that could produce cumulative impacts with the proposed project. | A2.14 |
| <p>2. Implementation of post-construction Best Management Practices (BMPs) consistent with the Water Quality Management Plan (WQMP) program in Section 7 and Exhibit 7-II of the 2003 Countywide DAMP. This includes describing commitments to installation and maintenance of site design, source control and treatment control BMPs consistent with the DAMP New Development and Significant Redevelopment Program.</p> | A2.15 |
| <p>3. Mitigation for the construction phase of the project should include compliance with the State General Construction Permit.</p> | A2.16 |

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NCL25-0004 – Snug Harbor Surf Park Project

July 3, 2025

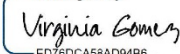
Page 4

Thank you again for the opportunity to review the Draft EIR. If you have any questions regarding these comments, please contact Virginia Gomez at (714) 667-1614 for OC Development Services, Giles Matthews at (714) 647-3933 for OC Infrastructure Programs – Regulatory Permitting, Raymond Poss at (714) 647-3995 for OC Infrastructure Programs – Traffic Engineering, Alison Camara for OC Infrastructure Programs – Flood Programs, Makana Nova at (949) 923-2218 for OC Parks, or Matt Tucker at (714) 955-0669 for OC Environmental Resources.

A2.17

Please continue to keep the County of Orange on the distribution list for future notifications related to the Project

Sincerely,

DocuSigned by:

ED76DCA58AD94B6...

Virginia Gomez, Senior Planner
OC Public Works /OC Development Services
601 North Ross Street
Santa Ana, California 92701
Virginia.Gomez@ocpw.ocgov.com

cc: Cindy Salazar, Planning Division Manager, OC Development Services
Giles Matthews, Regulatory Permitting Manager, OC Infrastructure Programs
Wei Zhu, Civil Engineer, OC Infrastructure Programs
Raymond Poss, Civil Engineer Associate, OC Infrastructure Programs
Giatho Tran, Senior Civil Engineer, OC Infrastructure Programs
Alison Camara, Civil Engineer, OC Infrastructure Programs
Brian Kurnow, Entitlement Division Manager, OC Parks
Makana Nova, Coastal Resources Manager, OC Parks
Tracy Ingebrigtsen, Countywide Compliance Manager, OC Environmental Resources
Matt Tucker, ERS II, OC Environmental Resources

Attachments:

- **Exhibit A:** Irrevocable Offer to Convey Easement to OC Parks (IOD)
- **Exhibit B:** OCPW Major Hiking & Riding Trails and Off-Road Paved Bikeways Map

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P.O. Box 4048, Santa Ana, CA 92702-4048

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EXHIBIT A

ORIGINAL

34376

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Recorded at request of, and return to:
Orange County Dept. of Real Property Services
400 Civic Center Drive West
Santa Ana, California 92701

EXEMPT
C10

RECORDED IN OFFICIAL RECORDS
OF ORANGE COUNTY, CALIFORNIA
50 Min. 4 PM JUN 30 1975
Past
J. WYLIE CARLYLE, County Recorder

Project No: GA 546-3
Project: Recreational Trail No. 3
Parcel No: 2

NA

IRREVOCABLE OFFER TO CONVEY EASEMENT

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

THE IRVINE COMPANY, a West Virginia corporation (owner),
and GEORGE C. LANE, STEVEN G. LANE and CHRISTOPHER JONES (lessees)

hereby IRREVOCABLY OFFER TO DEDICATE to ORANGE COUNTY HARBORS, BEACHES
AND PARKS DISTRICT, an easement and right of way for RECREATIONAL
purposes in, on and over the real property in the County of Orange,
State of California, described as:

Parcel GA 546-3-2

This describes/limits property owned by TIC at the time
the IOD was made to OCHBPD.

A strip of land 20.00 feet in width, in the County of Orange, State of California, lying within Lot 148, Block 5 of the Irvine's Subdivision as shown on a map recorded in Book 1, Page 88 of Miscellaneous Maps and Lots 101, 102 and 103 in Tract 706, as shown on a map recorded in Book 21, Page 25 of Miscellaneous Maps, both on record in the Office of the County Recorder of said Orange County, California; said strip is adjoining and lying Easterly and Northerly measured at right angles from the following described line:

Beginning at the northeasterly terminus of that line described as being parallel with and 900.00 feet Northwesterly as measured at right angles from the northwesterly line of said Tract in a grant deed to the County of Orange recorded June 30, 1958 in Book 4332, Page 308 of Official Records of said County; thence Southwesterly along said parallel line to the northeasterly line of the land described as Parcel 215 granted to the Orange County Flood Control District, September 27, 1961, per a deed recorded in Book 5862, Page 311 of

(CRS) F0652-37

IRREVOCABLE COMPANY

By [Signature]
6/24/75

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BX 11445PG 211

Official Records of said County; thence Southerly along the easterly line of said Parcel to the southeasterly prolongation of the centerline of Orchard Drive as shown on a map of Tract 456 recorded in Book 17, Page 9 of Miscellaneous Maps, records of said County; thence Southerly and Westerly along the northerly and easterly line of the land described as Parcel 214A granted to the Orange County Flood Control District per a deed recorded October 31, 1961 in Book 5897, Page 339 of Official Records of said County, to an intersection with the centerline of Mesa Drive, 60' wide, per Tract 706; thence Southerly and Easterly along the northerly and easterly line of that certain land described as Parcel 102.1 granted to the Orange County Flood Control District recorded November 8, 1961 in Book 5906, Page 516 of Official Records of said County.

Said strip terminates 10.00 feet Westerly and at right angles from the westerly right of way line of Birch Street as shown on said Tract 706.

EXCEPTING THEREFROM that portion lying Northeasterly of the southeasterly prolongation of the centerline of Orchard Drive as shown on a map of Tract 456 recorded in Book 17, Page 9 of Miscellaneous Maps, records of said County.

-2-

Description Compared

By L. Deut
6/29/75

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It is mutually understood and agreed that the said offer may be accepted by Resolution of the Board of Supervisors of said District whenever, in the judgment of said Board, the property is needed for recreational purposes.

It is further understood and agreed that upon such acceptance by said District, it shall mail or deliver a copy of its resolution of acceptance to the then owners at the address shown on the latest secured assessment roll in the County where said property is located, and within 60 days thereafter said owners shall remove any and all permanent structures that are affixed to the above-described strip of land, and if same are not removed within said 60-day period said owners shall hold the said District free and harmless from any and all liability for its destruction or removal of same.

It is further understood and agreed that this offer is irrevocable and shall be absolutely and perpetually binding upon the undersigned owners, their heirs, successors and assigns.

It is further understood and agreed by the parties hereto that the above-described easement shall terminate on January 31, 2027.

Upon acceptance and use of above easement by said District, said District shall be responsible for providing adequate security fencing between above-described easement area and adjoining southwestern property currently leased for a golf course development between above-stated owner and lessees.

Grantors, for themselves, their heirs, successors and assigns, do hereby release grantees, its officers, employees and agents, from any and all liability arising out of the use of said land for the purposes stated or implied herein.

DATED: 10-21-74

XXXXXX
Signed in the presence of:

XXXXXX

CHRISTOPHER JONES



THE IRVINE COMPANY

By Alfred H. Lane
VICE PRESIDENTBy George G. Lane
LESSEES: ASSISTANT SECRETARY

GEORGE G. LANE

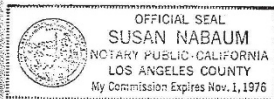
STEVEN G. LANE

INDIVIDUAL ACKNOWLEDGMENT

STATE OF CALIFORNIA, COUNTY OF Los Angeles; ss.On October 21, 1974, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Christopher Jones

known to me to be the person whose name is subscribed to the within Instrument, and acknowledged that he executed the same.

WITNESS my hand and official seal.



Susan Nabaum
 10/21/74

CERTIFICATE OF ACCEPTANCE

This is to certify that the within document is hereby accepted for purposes of recordation only, under authority of a Resolution adopted by the Board of Supervisors of Orange County on February 16, 1965. This acceptance is not to be construed in any way, shape, form, or manner as an acceptance of the offer embodied in the subject document.

Dated 6-26-75

By [Signature]
 Assistant Director,
 Department of Real Property Services

APPROVALS

Approved as to form by County Counsel	
By <u>Harold N. Webster 6-25-75</u>	
Description Compared	
By <u>[Signature]</u> 6/24/75	

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It is mutually understood and agreed that the said offer may be accepted by Resolution of the Board of Supervisors of said District whenever, in the judgment of said Board, the property is needed for recreational purposes.

It is further understood and agreed that upon such acceptance by said District, it shall mail or deliver a copy of its resolution of acceptance to the then owners at the address shown on the latest secured assessment roll in the County where said property is located, and within 60 days thereafter said owners shall remove any and all permanent structures that are affixed to the above-described strip of land, and if same are not removed within said 60-day period said owners shall hold the said District free and harmless from any and all liability for its destruction or removal of same.

It is further understood and agreed that this offer is irrevocable and shall be absolutely and perpetually binding upon the undersigned owners, their heirs, successors and assigns.

It is further understood and agreed by the parties hereto that the above-described easement shall terminate on January 31, 2027.

Upon acceptance and use of above easement by said District, said District shall be responsible for providing adequate security fencing between above-described easement area and adjoining southwestern property currently leased for a golf course development between above-stated owner and lessees.

Grantors, for themselves, their heirs, successors and assigns, do hereby release grantee, its officers, employees and agents, from any and all liability arising out of the purposes stated or implied herein.

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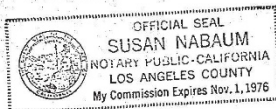
INDIVIDUAL ACKNOWLEDGMENT

BK 11446PG 213

STATE OF CALIFORNIA, COUNTY OF Los Angeles, ss.
On October 21, 1974, before me, the undersigned, a Notary Public in and for said County and State, personally appeared George C. Lane

known to me to be the person whose name is subscribed to the within Instrument, and acknowledged that he executed the same.

WITNESS my hand and official seal.



Susan Nabaum

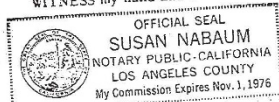
and State, personally appeared Christopher Jones, before me, the undersigned, a Notary Public in and for said County

INDIVIDUAL ACKNOWLEDGMENT

STATE OF CALIFORNIA, COUNTY OF Los Angeles, ss.
On October 21, 1974, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Steven G. Lane

known to me to be the person whose name is subscribed to the within Instrument, and acknowledged that he executed the same.

WITNESS my hand and official seal.



Susan Nabaum
for 10/21/74

By [Signature] Assistant Director,
Department of Real Property Services

APPROVALS

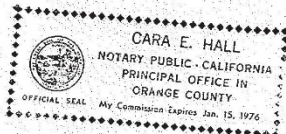
Approved as to form by County Counsel	
By <u>Walker D. Webster 6-25-75</u>	
Description Compared	
By <u>[Signature]</u> <u>6/24/75</u>	

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CORPORATE ACKNOWLEDGMENT

STATE OF CALIFORNIA, COUNTY OF Orange ss:On this 24th day of October, 1974, before me, a Notary Public in and for saidCounty and State, personally appeared Robert J. Quer, known to me
to be the Vice President, and Sheldon Smart,known to me to be the Assistant Secretary of the Corporation that executed the within Instru-
ment, known to me to be the persons who executed the within Instrument on behalf of the said Corporation and
acknowledged to me that such Corporation executed the within Instrument pursuant to its by-laws or a resolution
of its board of directors.

WITNESS my hand and official seal.

Cara E. Hall

PARTNERSHIP ACKNOWLEDGMENT

STATE OF CALIFORNIA, COUNTY OF _____ ss:

On this _____ day of _____, 19____, before me, a Notary Public in and for said

County and State, personally appeared _____

known to me to be the partner(s) of the partnership that executed the within Instrument, and acknowledged to me
that such partnership executed the same.

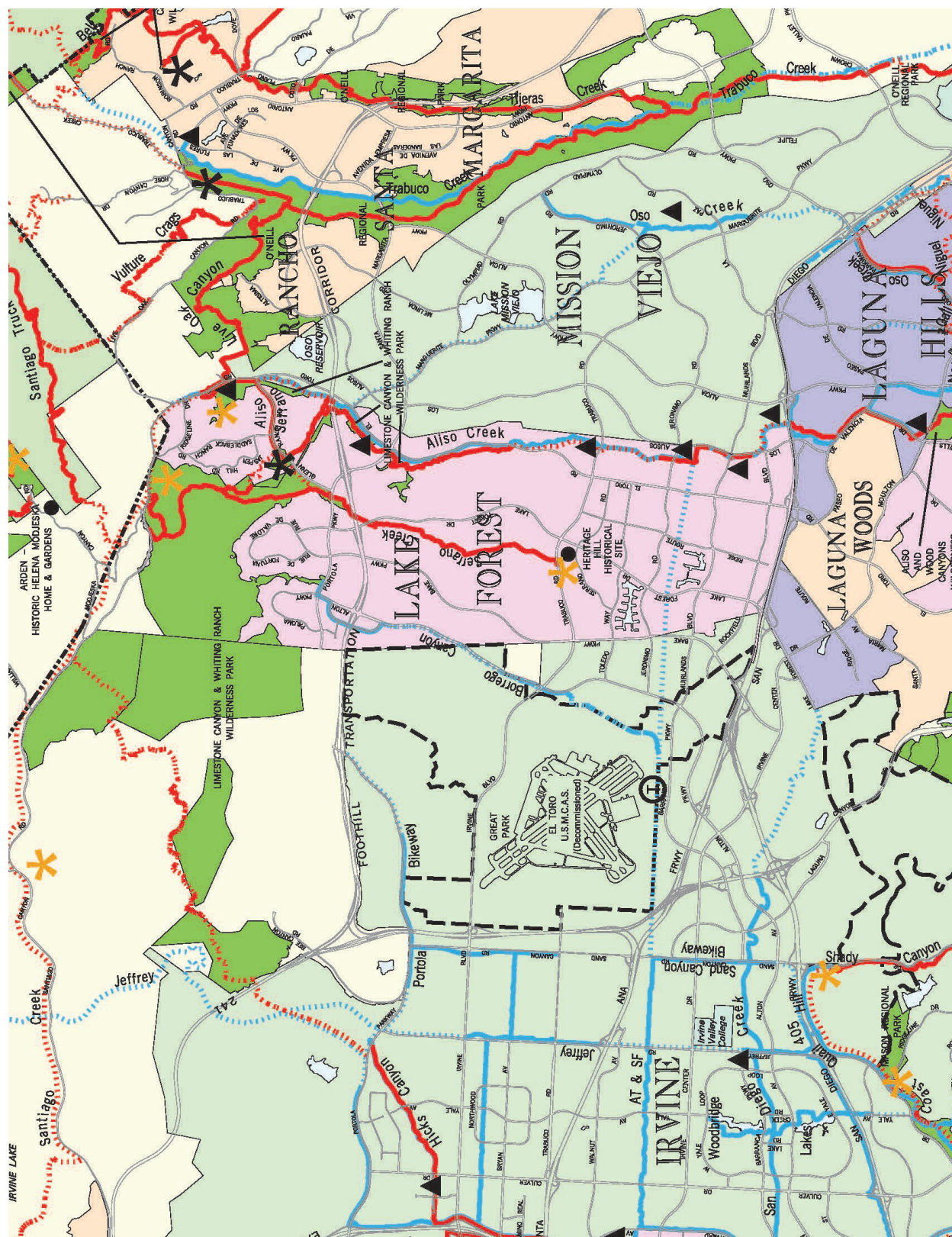
WITNESS my hand and official seal.

SUBSCRIBING WITNESS ACKNOWLEDGMENT

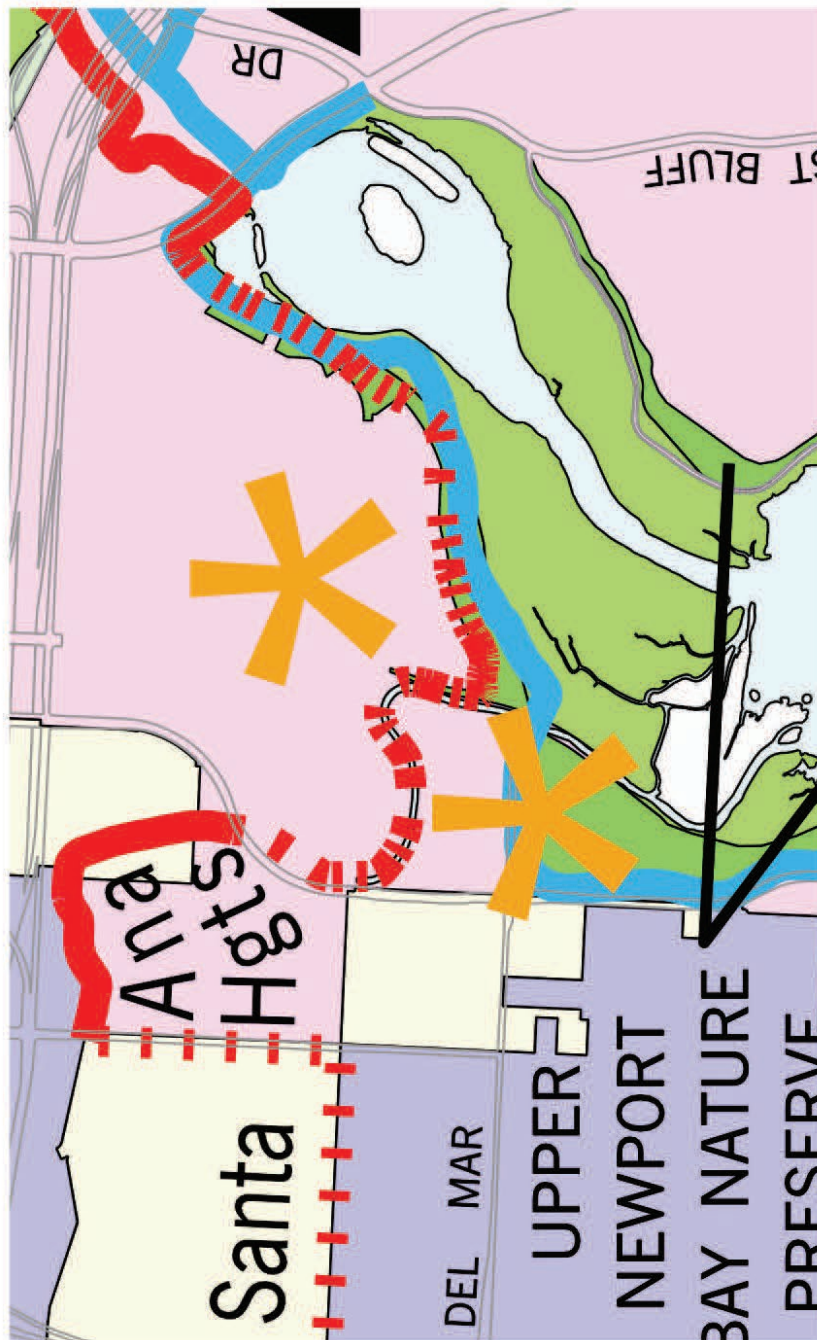
STATE OF CALIFORNIA, COUNTY OF _____ ss:

On _____ before me, the undersigned, a Notary Public in and for said County
and State, personally appeared _____
personally known to me to be the person whose name is subscribed to the within Instrument, as a Witness thereto,
who being by me duly sworn, deposes and says: That _____ resides in _____ County, and
that _____ was present and saw _____personally known to _____ to be the same person _____ described in and whose name _____ subscribed to the
within and annexed Instrument as _____ thereto, execute and deliver the same, and _____ acknowl-
edged to said affiant that _____ executed the same; and that said affiant subscribed _____ name thereto as a
Witness.

WITNESS my hand and official seal.



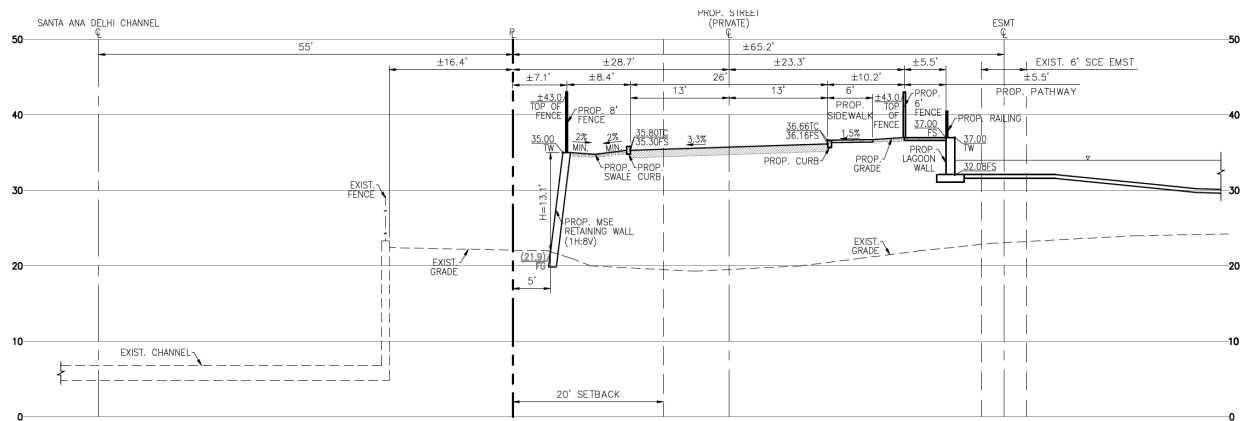
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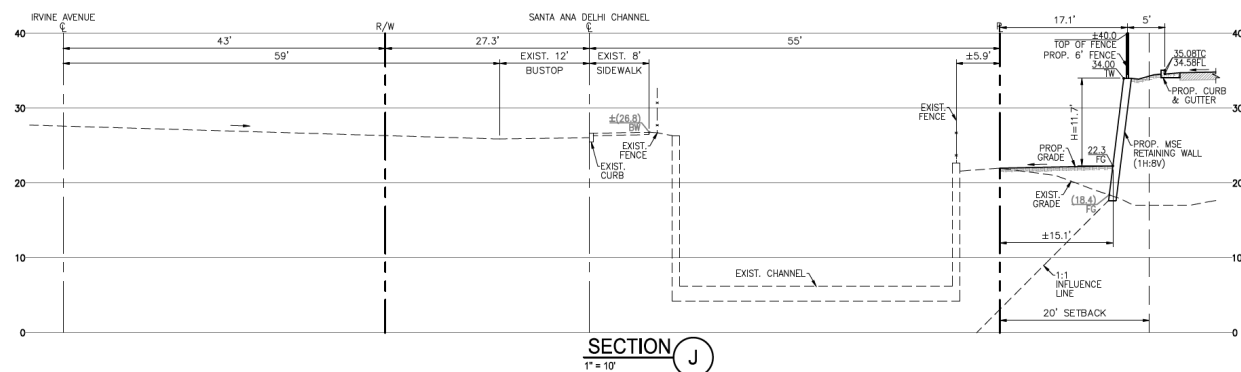
Response to Comment Letter A2: Orange County Public Works, July 7, 2025

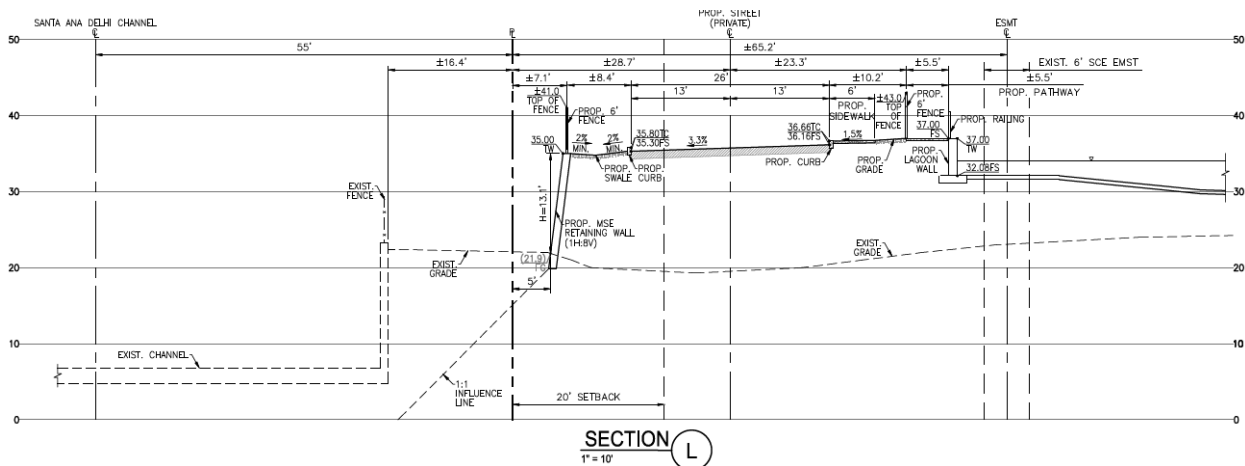
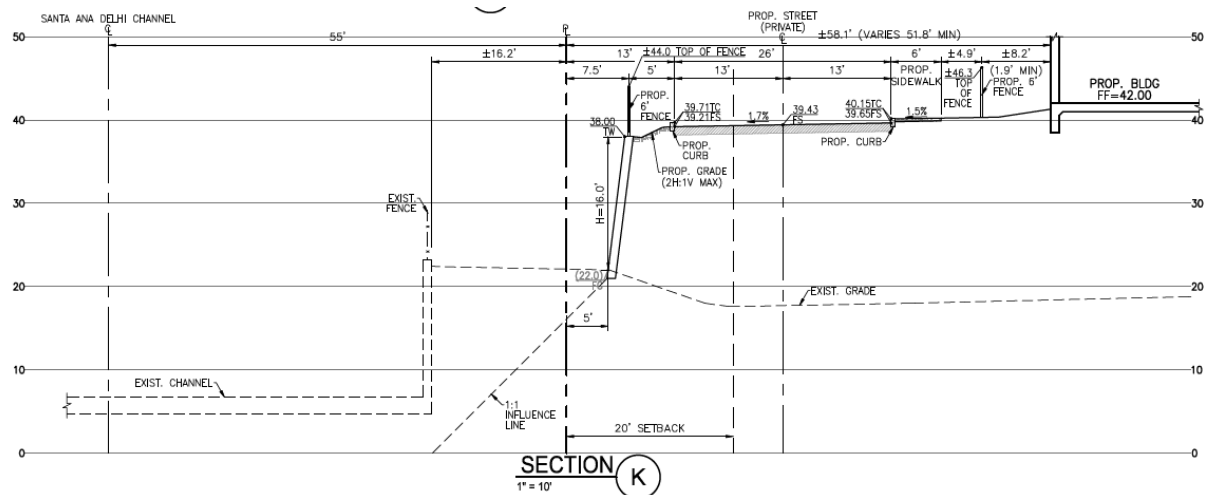
Response to Comment A2.1: It is understood that the proposed project could require an encroachment permit related to construction in close proximity to County owned easements and rights-of-way and the County has been listed with the encroachment permit requirement in Draft EIR Section 3.11, *Discretionary Actions Required*, as shown in Section 3, *Revisions to the Draft EIR*, of this Final EIR.

Response to Comment A2.2: The proposed Project would not exert any weight or pressure on the walls of the Santa Ana Delhi Channel. The proposed surf park basins have been specifically designed to not put any lateral pressure on the side walls of the lagoon basins. As detailed in the civil engineering plans (included below) the proposed lagoon basins would be set back a minimum of approximately 73.9 feet from the existing channel walls and have been engineered to not exert pressure on the side walls of the basins.



A 1:1 influence line was added to Sections J, K, and L on the Project's plan set Sheet C-05 (as included below) to demonstrate the channel walls would not be impacted by the proposed improvements. In addition, the geotechnical study that was prepared for the Project is provided as Appendix H of the Draft EIR, which demonstrates the California Building Code requirements that would be implemented for design and construction of the proposed Project, which would be verified during the City's development review and permitting process to ensure that the Project, including wave basins, would be designed to withstand seismic movement.





Response to Comment A2.3: The proposed Project would not involve changes to any roadways. As detailed in Draft EIR Section 3.0, *Project Description*, the Project would provide improved driveway entrances to the Project site, which are located within the City of Newport Beach. Draft EIR page 3-23 describes that the Project includes an improved 26-foot-wide driveway along Irvine Avenue in the same location as the existing driveway that would provide full turning access. There is also an existing driveway to the Project site along Mesa Drive that is undersized and does not meet City or accessibility standards. The Project would relocate the driveway approximately 200 feet to the east, away from the Irvine Avenue intersection, and build it to current 26-foot-wide standards. The driveway relocation includes closing the existing driveway within the right-of-way, converting the existing curb returns to a curb and gutter, and resurfacing the sidewalk. The relocated driveway would include new curb returns, resurfacing, and roadway striping to denote the driveway turn. The improved driveways would provide upgrades to the existing conditions in the City of Newport Beach and would be approved by The City Traffic and Fire Departments.

As detailed in Master Response 4, *Impacts Related to Vehicle Trips*, the proposed Project would result in a net reduction of 73 AM peak hour trips and 10 PM peak hour trips compared to the existing golf course uses. The daily increase of 186 net trips is less than the 300 daily trip threshold per the City Traffic Phasing Ordinance (Municipal Code Title 15, Chapter 15.40, Traffic Phasing Ordinance) and no roadway improvements are required. Further, as shown in Draft EIR Table 5.14-3, the Project would result in a total of 31 daily construction trips, which is less than the current operational trips in the existing condition. In addition, as part of the grading plan and building plan review processes, the City permits would require appropriate measures to facilitate the passage of persons and vehicles through/around any required road

closures (as applicable). Thus, no Traffic Control or Traffic Management Plan would be prepared beyond those required for typical construction permitting.

Response to Comment A2.4: The EIR has been updated to delete references to the site being located within the Santa Ana River Watershed and the San Diego Creek sub-watershed. The EIR has been revised to state that the Project is in only in the San Diego Creek Watershed, as shown in Section 3, *Revisions to the Draft EIR*, of this Final EIR.

Response to Comment A2.5: Within Draft EIR Section, 5.9, Impact HYD-3, the discussion describes that Project site does not include, and is not adjacent to, a stream or river and follows with analysis (on pages 5.9-13 through 5.9-15) regarding construction and operational activities and implementation of existing regulations that would ensure that potential impacts are reduced to a less than significant level. It is detailed that the Project would not alter the existing drainage pattern of the site or area in a manner which would result in substantial erosion or siltation on- or off-site in both construction and operational conditions. Draft EIR Page 5.9-13 details that The NPDES Construction General Permit and Orange County DAMP require preparation and implementation of a SWPPP by a Qualified SWPPP Developer for the proposed construction activities (included as PPP WQ-1). The SWPPP is required to address site-specific conditions related to potential sources of sedimentation and erosion and would list the required BMPs that are necessary to reduce or eliminate the potential of erosion or alteration of a drainage pattern during construction activities. A Qualified SWPPP Practitioner (QSP) is required to ensure compliance with the SWPPP through regular monitoring and visual inspections during construction activities.

Draft EIR page 5.9-14 details that the proposed Project would maintain the existing drainage pattern. The Project includes installation of an onsite storm drainage system that includes two bioretention basins at the north parking lot and two bioretention basins in the southern parking lot, and an 18-inch storm drain that would connect to the existing storm drain line at the intersection of Mesa Drive and Irvine Avenue and the existing drain within Irvine Avenue near the existing site driveway. Draft EIR page 5.9-15 further details that the MS4 Permit and DAMP require new development projects to prepare a WQMP (included as PPP WQ-3) that is required to include BMPs to reduce the potential of erosion and/or sedimentation through site design and structural treatment control BMPs. The Preliminary WQMP has been completed and is provided as Draft EIR Appendix O. As part of the City's permitting approval process, the drainage and water quality design and engineering plans would be reviewed by the City to ensure that the site specific BMPs limit the potential for erosion and siltation. Overall, as detailed in the Draft EIR, the proposed drainage system and adherence to the existing regulations would ensure that Project impacts related to alteration of a drainage pattern and erosion/siltation from operational activities would be less than significant. No revisions to this discussion is required.

Response to Comment A2.6: Within Draft EIR Section, 5.9, Impact HYD-4, it describes that Project site does not include, and is not adjacent to, a stream or river and then it follows with analysis (on pages 5.9-15 and 5.9-16) regarding construction and operational activities and implementation of existing regulations that would ensure that potential impacts are reduced to a less than significant level.

Similar to the previous response, the less than significant impact determination is based on an assessment of whether the project alters the existing drainage pattern of the site in a manner which would result in substantial increase the rate or amount of surface runoff that would result in flooding on-or off-site in both construction and operational scenarios. Please refer to Draft EIR pages 5.9-15 and 5.9-16 where it is detailed that Project construction requires a SWPPP (included as PPP WQ-1) that would address site-specific drainage issues related to construction of the proposed Project and include BMPs to eliminate the potential of flooding or alteration of a drainage pattern during construction activities.

The design of the proposed Project would maintain the existing drainage pattern by collecting runoff via roof drains, curbs, and area drains and conveying it to vegetated biotreatment systems for treatment.

Treated runoff would be conveyed to the Santa Ana-Delhi Channel adjacent to the site with a maximum outlet flow rate equal or less than the existing condition pursuant to the MS4 Permit and DAMP requirements. The Preliminary Water Quality Management Plan that was prepared for the proposed Project (Draft EIR Appendix O) details that the biotreatment system would meet the design capture volume of 18,867 cubic feet and 3.419 cubic feet per second (cfs). The Draft EIR describes that as part of the permitting approval process, the drainage design and engineering plans would be reviewed by the City to ensure that it would accommodate the appropriate design flows. Overall, the Draft EIR details that the proposed drainage system and adherence to the existing MS4 Permit and DAMP regulations and ensure that Project impacts related to alteration of a drainage pattern or flooding from operational activities would be less than significant. No revisions to this discussion is required.

Response to Comment A2.7: Similar to the previous response, Draft EIR Section, 5.9, Impact HYD-5, describes on pages 5.9-16 and 5.9-17 that the Project does not alter the existing drainage pattern of the site or area in a manner which would create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. Page 5.9-16 describes that implementation of the proposed Project requires a SWPPP (included as PPP WQ-1) that would address site-specific pollutant and drainage issues related to construction of the Project and include BMPs to eliminate the potential of polluted runoff and increased runoff during construction activities. Page 5.9-17 also describes that as part of the permitting approval process the drainage design and engineering plans would be reviewed by the City to ensure that the system would accommodate the design flows. Additionally, the City permitting process would ensure that the drainage system specifications adhere to the existing MS4 Permit and DAMP regulations, which would ensure that pollutants are removed prior to discharge. Overall, with compliance to the existing regulations as verified by the City's permitting process, Project impacts related to the capacity of the drainage system and polluted runoff would be less than significant. No revisions to this discussion is required.

Response to Comment A2.8: A Preliminary Water Quality Management Plan that was prepared for the proposed Project (Draft EIR Appendix O). A Final Water Quality Management Plan would be prepared as part of further design review as part of the City's permitting process. As detailed in the Preliminary Hydrology Report in the Draft EIR (Appendix P), two bioretention systems at the north parking lot and two bioretention systems in the southern parking lot, have been designed to accommodate stormwater associated with the proposed Project as required by the MS4 Permit and DAMP, and offsite flows would not increase.

The 100-year storm flows in Draft EIR Table 5.9-2 are accurate and show different discharge locations (A through E). As detailed on page 5 of the Preliminary Hydrology Report (Draft EIR Appendix P) Q100 flow rates at the various discharge locations do not exceed those of existing condition, except for a small increase at the upstream reach, which has been confirmed to not adversely impact the channel hydraulics. The existing and proposed drainage systems have capacities to provide drainage interception and conveyance for the proposed Project. Due to the proposed 5.06-acre lagoon basins that would capture rainfall and would not discharge into the storm drain system, a comparison of the same flow rates, discharge points, and area of drainage is not an accurate representation of the anticipated flows. Thus, Draft EIR Table 5.9-2 providing a summary of information from page 5 of the Preliminary Hydrology Report is not misleading and does not require revision.

However, additional analysis has been added to the report to show comparisons of existing and proposed discharge flowrates at the various Santa Ana Delhi Channel stations. The revised Preliminary Hydrology Report (included as Appendix B to the Final EIR) identifies that an existing drainage flow which discharges to a storm drain lateral on the north of the Santa Ana Delhi Channel, would be modified by the Project to be redirected to the existing lateral on the south, which would result in an increase of 2.5 cubic feet per second (cfs) within a 400-foot reach of the Santa Ana Delhi Channel in a 100-year storm flow condition, which is less than a 0.03 percent increase. The existing flowrate of 8,550 cfs would become 8,553 cfs for

the reach between 44+85 to 48+95, which would increase the depth of flows by 0.01 foot for this 400-foot reach of channel during a 100-year storm flow condition, which is determined by the revised Preliminary Hydrology Report to be a negligible increase. After the 400-foot channel reach, the overall runoff would be reduced compared to existing conditions. The discharge amounts at each of the channel stations have been evaluated and are listed in the following table, which has been included in the EIR as Table 5.9-3 (as shown in Section 3.0, *Revisions to the Draft EIR*).

Table 5.9-3: Santa Ana – Delhi Channel Station 100-Year Storm Flow Rate Comparison (CFS)

Station	Upstream Station 48+95 & 49+00	Middle Station 44+85	Downstream Station 40+79
Existing	30.9	11.1	19.8
Proposed	33.4	3.8	19.2
Difference	+2.5	-7.3	-0.62

Source: Final EIR Appendix B, Preliminary Hydrology Report

Response to Comment A2.9: The discussion under Impact HYD-3 Operation describes that while implementation of the proposed Project would result in a large increase in impermeable surfaces, 5.06 acres of the area would consist of lagoons that would capture rainfall and the proposed bioretention basins are sized to meet the MS4 and DAMP required storm flow.

Pursuant to the comment, it has been clarified in Section 3, *Revisions to the Draft EIR*, of this Final EIR that with the proposed surf lagoon, landscaping areas, and drainage bioretention systems the total 100-year storm discharge flows are shown in Draft EIR Table 5.9-2.

Response to Comment A2.10: The existing 20-footwide Irrevocable Offer to Dedicate (IOD) Easement along the Santa Ana Delhi channel was recorded on June 30, 1975 (over 50 years ago) and has never been requested or dedicated. The IOD specifically states that, although it is irrevocable, any easement that may be created pursuant to the IOD terminates on January 31, 2027, which is prior to the planned operation of the proposed Project. Thus, the IOD does not provide a right to encumber the property past January 31, 2027 with an easement. As the County has no existing planned uses for the IOD area, and any easement would terminate prior to Project operations, an update to the Project plans is not needed.

Response to Comment A2.11: Refer to Response to Comment A2.2, which includes portions of the Project Plan set that shows Project improvement setback distances from the Santa Ana Delhi Channel. Also, refer to the previous response, IOD expressly states that any acquired “easement shall terminate on January 1, 2027”, prior to operation of the proposed Project; thus, no conflict would occur.

Response to Comment A2.12: The Draft EIR does describe long-term golf course operations following construction of the surf park. Draft EIR Section 3.5, *Project Overview*, and Section 3.8, *Operations*, state that the portions of the golf course to the north of Irvine Avenue (holes 10-18) and south of Mesa Drive (holes 3-8) would remain, and golf cart path of travel between holes 3-8 and holes 10-18 would be provided. The Project includes golf course parking, a starter shack for the golf course, and golf cart storage in the basement level of the proposed amenity clubhouse.

Response to Comment A2.13: In response to the request of this comment, the title report for the Project site will be sent to OC Public Works staff.

Response to Comment A2.14: The water quality evaluation requested by the comment has been provided in the Draft EIR in compliance with DAMP as detailed in Draft EIR Section 5.9 *Hydrology and Water Quality*, and Draft EIR Appendix O, Preliminary Water Quality Management Plan and Appendix P, Preliminary Hydrology Report. As detailed in the following table, the DAMP provisions listed by the comment are provided and detailed in the Draft EIR.

Information Requested by Comment	Location of Information Requested
A description of Project characteristics with respect to water quality issues, such as project site location in a given watershed, site acreage, change in percent impervious surface area, and BMPs to be incorporated into the Project design.	A complete description of water quality issues are provided in Draft EIR Section 5.9 <i>Hydrology and Water Quality</i> , including the Project location in the San Diego Creek watershed, which drains to the Santa Ana–Delhi Channel and then to the Upper Newport Back Bay (Draft EIR page 5.9-7). The change in impervious surfaces and site acreage is described on Draft EIR page 5.9-14 where it states that the Project site currently includes 3.40 acres of impermeable surfaces, which equates to 22 percent of the site. After completion of Project construction, the site would have 13.89 acres or 90 percent impermeable surfaces). However, this includes the 5.06-acre surf lagoon, which would capture rainfall and not result in runoff. In addition, the BMPs to be incorporated into the Project design are detailed on Draft EIR pages 5.9-11 and 5.9-12, and within the Preliminary Water Quality Management Plan provided as Appendix O of the Draft EIR, which include vegetated biotreatment systems that utilize multi-stage treatment processes including screening media filtration, settling, and biofiltration.
A review of DAMP Exhibit 7.1 Table 7-1.1, Priority Projects Categories. This project will require the development of a Water Quality Management Plan.	A Preliminary Water Quality Management Plan with a review of DAMP compliance requirements has been prepared and is provided in Appendix O of the Draft EIR.
Identification of receiving waters. The Project is located in Newport Bay watershed, and the Draft EIR should identify associated receiving waters that may receive runoff from the project site.	Draft EIR Section 5.9 <i>Hydrology and Water Quality</i> , provides identification of receiving waters and states on page 5.9-7 that the site drains to the Santa Ana–Delhi Channel and then to the Upper Newport Back Bay.
A description of the sensitivity of the receiving waters. Given its location in Newport Bay watershed, the Draft EIR should identify Areas of Special Biological Significance, water bodies with Total Maximum Daily Loads (TMDLs), 303(d) listed impaired water bodies, etc.	Draft EIR Section 5.9 <i>Hydrology and Water Quality</i> , provides the sensitivity of the receiving waters on page 5.9-7, which states that the Project site drains to the Santa Ana Delhi Channel and then to the Upper Newport Back Bay. The Upper and Lower Newport Back Bay are included on the Section 303(d) List of Water Quality Impairments for: chlordane, copper, DDT, nutrients, PCBs, sedimentation, malathion, toxicity, and indicator bacteria (further details in Draft EIR Appendix O). Areas of Special Biological Significance are described in Section 5.3, <i>Biological Resources</i> , on page 5.3-20 where it states that the Upper Newport Bay Nature Preserve and Ecological Reserve is located approximately 0.3 miles south of the Project site and separated from the site by developed land uses.
A characterization of the potential water quality impacts from the proposed Project and identification of the anticipated pollutants to be generated by the project.	A characterization of the potential water quality impacts from the proposed Project including the anticipated pollutants is provided in Draft EIR Section 5.9 <i>Hydrology and Water Quality</i> , within Impact HYD-1 starting on page 5.9-10 and Impact HYD-5 starting on page 5.9-16.
An identification of hydrologic conditions of concern, such as runoff volume and velocity; reduced infiltration, and increased flow, frequency, duration, and peak of storm runoff.	An identification of hydrologic conditions of concern (HCOC) is provided on Draft EIR page 5.9-12 where it states that a site is considered a HCOC if post-development runoff flowrate for the two-year storm event exceeds the predevelopment flowrate for the 2-

Information Requested by Comment	Location of Information Requested
	year by more than ten percent. As shown in the Hydrology Report, the proposed flowrate for the two-year storm event would be 14.1 cfs, which is only 1.4 percent higher than the existing flow rate of 13.9. Thus, the proposed Project is not considered a HCOC (Draft EIR Appendix P).
An assessment of Project impact significance to water quality.	The Draft EIR provides an assessment of the Project's impacts to water quality in Section 5.9.6, <i>Environmental Impacts</i> , which begins on page 5.9-10.
If the proposed Project has the potential to create a major new stormwater discharge to a water body with an established TMDL, the EIR should consider quantitative analysis of the anticipated pollutant loads in the stormwater discharges to the receiving waters.	As detailed in previous responses, the Project would not create a major new stormwater discharge and implementation of a WQMP including BMPs (with vegetated biotreatment systems that utilize multi-stage treatment processes of screening media filtration, settling, and biofiltration) in compliance with MS4 Permit and Orange County DAMP regulations would ensure that impacts related to pollutant loads in stormwater discharges would be less than significant.
A reasonable analysis of the cumulative impacts of the proposed project together with past, present and reasonably anticipated future projects (related projects) that could produce cumulative impacts with the proposed Project.	Draft EIR pages 5.9-18 and 5.9-19 provides a complete evaluation of potential cumulative impacts. As detailed, the NPDES permit requirements have been set by the State Water Board and implemented by the RWQCB and the Orange County DAMP to reduce incremental effects of individual projects so that they would not become cumulatively considerable. Therefore, overall potential impacts to water quality associated with present and future development in the watershed would not be cumulatively considerable upon compliance with all applicable laws, permits, ordinances and plans. As detailed previously, the proposed Project would be implemented in compliance with all regulations, as would be verified during the permitting process. Therefore, cumulative impacts related to water quality would be less than significant. Draft EIR page 5.9-19 also details that the proposed vegetated biotreatment systems would retain runoff and control drainage, pursuant to the required design storm. As a result, the proposed Project would not generate runoff that could combine with additional runoff from cumulative projects that could cumulatively combine to impact drainage. Thus, cumulative impacts related to drainage would be less than significant.

Response to Comment A2.15: As detailed in Draft EIR Section 5.9, *Hydrology and Water Quality*, and Draft EIR Appendix O, Preliminary Water Quality Management Plan the Project would implement post construction BMPs, including installation and maintenance of site design, source control and treatment control BMPs, such as the vegetated biotreatment systems described in previous responses. Further, as detailed on Draft EIR page 5.9-20, requirements for implementation of a Water Quality Management Plan have been included as PPP WQ-3, where it specifies that prior to approval of the Grading Plan and issuance of Grading Permits, a completed Water Quality Management Plan shall be submitted to and approved by the City Public Works Department. The WQMP shall identify all Post-Construction, Site Design, Source Control, and Treatment

Control Best Management Practices (BMPs) that will be incorporated into the development project in order to minimize the adverse effects on receiving waters.

Response to Comment A2.16: As detailed in Draft EIR Section 5.9, *Hydrology and Water Quality*, on pages 5.9-10 through 5.9-20, the Project would be required to comply with the State General Construction Permit, which has been included in the Draft EIR as PPP WQ-1. As detailed on Draft EIR page 5.9-20, prior to issuance of any grading or demolition permits, the applicant shall provide the City Building and Safety Division evidence of compliance with the NPDES (National Pollutant Discharge Elimination System) requirement to obtain a construction permit from the State Water Resource Control Board (SWRCB). The permit requirement applies to grading and construction sites of one acre or larger. The Project applicant/proponent shall comply by submitting a Notice of Intent (NOI) and by developing and implementing a Stormwater Pollution Prevention Plan (SWPPP) and a monitoring program and reporting plan for the construction site.

Response to Comment A2.17: The County of Orange will remain on the distribution list for future notifications related to the Project. The title report information requested previously in the comment letter will be provided to OC Public works.

Comment Letter A3: Orange County Sanitation District (1 page)

18480 Bandilier Circle
Fountain Valley, CA 92708
714.962.2411
www.ocsan.gov

July 14, 2025

Joselyn Perez, Senior Planner
City of Newport Beach, Community Development Department
100 Civic Center Drive, Newport Beach, CA 92660

SUBJECT: Notice of Availability Snug Harbor Surf Park Project Environmental Impact Report

Thank you for providing the Notice of Availability Snug Harbor Surf Park Project Environmental Impact Report. The Orange County Sanitation District (OC San) has reviewed it and would like to provide a comment regarding Section 5.16.3.5. This section currently only refers to coordination with the Costa Mesa Sanitation District (CMSD) and permitting from CMSD. It should also reference coordination with OC San and permitting from OC San on the draining of the surf basins.

If you have any questions, please contact Kevin Hadden, Principal Staff Analyst, Planning Division, at (714) 593-7462, or khadden@ocsan.gov.

Brown, Andrew

Andrew Brown
Engineering Supervisor
Planning Division
(714) 593-7052

AB:KH:op

[https://ocsdgov.sharepoint.com/sites/Planning/CEQA Externally Generated/2025 Comment Letters/City of Newport Beach Response Letter - NOA Snug Harbor Surf Park Project EIR - 20250714.docx](https://ocsdgov.sharepoint.com/sites/Planning/CEQA%20Externally%20Generated/2025%20Comment%20Letters/City%20of%20Newport%20Beach/Response%20Letter%20-%20NOA%20Snug%20Harbor%20Surf%20Park%20Project%20EIR%20-%2020250714.docx)

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County of Orange
Costa Mesa Sanitary District
Midway City Sanitary District
Irvine Ranch Water District
Yorba Linda Water District

A3-1

Our Mission: To protect public health and the environment by providing effective wastewater collection, treatment, and recycling.

Response to Comment Letter A3: Orange County Sanitation District, July 14, 2025

Response to Comment A3.1: The comment does not include any environmental comments related to the proposed Project. As requested, the EIR has been modified to describe coordination with the OC Sanitation District and permitting from the OC Sanitation District for draining the surf basins, as shown in as shown in Section 3, *Revisions to the Draft EIR*, of this Final EIR. No further comments were provided, and no further response is warranted.

Comment Letter O1: California Cultural Resource Preservation Alliance (1 page)

P.O. Box 54132
Irvine, CA 92619-4132

California Cultural Resource Preservation Alliance, Inc.
An alliance of American Indian and scientific communities working for
the preservation of archaeological sites and other cultural resources.

June 18, 2025

Joselyn Perez, Senior Planner
City of Newport Beach, Community Development Department 100
Civic Center Drive,
Newport Beach, CA 92660

Via email

Subject: Snug Harbor Surf Park Project EIR

Dear Ms. Perez:

Thank you for the opportunity to comment on the Draft Environmental Impact Report (EIR) for the Surf Park Project. Prior to European contact, Newport Beach was densely populated by The Juaneño/Acjachemen and Gabrielino/Tongva. Therefore, I concur with the recommendations regarding an archaeological monitor during construction-related ground disturbance.

O1.1

Sincerely,

Patricia Martz, Ph.D.
President

Response to Comment Letter O1: California Cultural Resource Preservation Alliance, June 18, 2025

Response to Comment O1.1: It is understood that the Newport Beach area, including the proposed project, was previously inhabited by Native American tribes. Therefore, the EIR includes mitigation measures for both archaeological and tribal monitoring during construction related ground disturbance activities, which are listed in Section 4.0, *Mitigation Monitoring and Reporting Program*, of this Final EIR. It is also understood that the commenter agrees with the mitigation provided in the Draft EIR regarding tribal cultural and archaeological resources. Thus, no response is warranted.

Comment Letter O2: Newport Bay Conservancy (4 pages)

From: [Heather Cieslak](#)
To: [Perez, Joselyn](#)
Cc: [Bryan Tsu](#)
Subject: Public Comment to the Snug Harbor Surf Park Project (PA2024-0069) Notice of Draft EIR, State Clearinghouse No.2024110238
Date: July 07, 2025 12:48:02 PM
Attachments: [NBC Response to Draft EIR for Snug Harbor Surf Park Project PA2024-0069.pdf](#)

[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.

Joselyn,

Please accept the attached letter regarding the Draft Environmental Impact Report for the proposed Snug Harbor Surf Park Project. Thank you for the opportunity to comment on this project. The issues raised in the attached letter should be carefully considered when preparing the Final EIR. Further discussion of these comments is possible if needed.

O2.1

Happy Trails,

Heather Cieslak, Operations Director



Protecting and Preserving Upper Newport Bay Since 1968

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818-917-7509 (Cell/text)

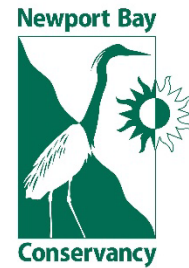
949-923-2269 (Education programs/tours)

949-923-2296 (Restoration programs/stewardship events)

Sent via email to JPerez@newportbeachca.gov

July 7, 2025

Joselyn Perez, Senior Planner
City of Newport Beach
Community Development Department
100 Civic Center Drive
Newport Beach, CA 92660



Subject: Newport Bay Conservancy Public Comment to the Snug Harbor Surf Park Project (PA2024-0069) Notice of Availability of Draft Environmental Impact Report State Clearinghouse No.2024110238

Dear Ms. Perez,

On behalf of Newport Bay Naturalists & Friends (d/b/a Newport Bay Conservancy ("NBC")), we respectfully submit this letter in response to the proposed Snug Harbor Surf Park Project (PA2024-0069) Notice of Availability of Draft Environmental Impact Report ("EIR") State Clearinghouse No. 2024110238. While we recognize the value of innovative recreational facilities in our community, we believe this project poses unacceptable environmental risks that have not been adequately addressed in the Draft EIR.

Newport Bay Conservancy ("NBC") is focused exclusively on the protection and preservation of Upper Newport Bay – one of the most precious natural resources in Southern California. Among the very few remaining, undeveloped wetlands on the California coast located in Orange County, Upper Newport Bay is recognized as a globally significant hotspot of biodiversity. NBC works to sustain an amazing diversity of marine, plant and animal life in its stewardship of the Bay. Restoration of native habitat is one of NBC's primary activities, bringing together highly trained experts, committed volunteers, the public, and local businesses in the process of uprooting invasive plants and returning the proper plant life to encourage biodiversity. NBC seeks to advocate for residents of central Orange County and many of our visitors from far and wide to enjoy the natural beauty of this precious resource and to learn more about its ecological value.

NBC raises the following three primary concerns regarding the proposed Snug Harbor Surf Park Project:

O2.2

Newport Bay Conservancy

Protecting and Preserving the Upper Newport Bay Since 1968

949.923.2269 Educational programs/tours ~ 949.923.2296 Restoration Projects/stewardship

**Newport Bay Conservancy Public Comment to the Snug Harbor Surf Park Project,
PA2024-0069** (page 2 of 3)**1. Risk of Surface Runoff into the Santa Ana Delhi Channel and Newport Bay**

The proposed project site lies directly adjacent to the Santa Ana Delhi Channel, which drains into the Upper and Lower Newport Bay—ecologically significant estuarine habitats that support numerous migratory and resident bird species, fish, and invertebrates.

Despite the plan to complete a Water Quality Management Plan (WQMP) and incorporate standard Best Management Practices (BMPs), the project's conversion of semi-permeable golf course terrain into a highly developed site—including a 5.06-acre surf lagoon and expanded impervious surfaces—represents a significant alteration to site hydrology. The risk of runoff transporting pollutants, including synthetic surfactants, potential chlorination byproducts, and petroleum residues from parking areas, is real and potentially severe.

O2.3

Even intermittent discharges into the Delhi Channel can cumulatively degrade water quality in Newport Bay, a water body already under pressure from urban runoff. The assertion in the Draft EIR that water quality impacts will be “less than significant” is not convincing in light of the project's scale and proximity to this sensitive watershed.

2. Long-Term Habitat Disruption Due to Tree Removal

The Draft EIR outlines mitigation measures that would restrict tree removal to outside of the February 1 to August 31 nesting season and require pre-construction surveys. However, this limited temporal buffer ignores a well-established ecological reality: many bird species exhibit site fidelity and return to the same nesting and roosting locations year after year.

O2.4

The removal of mature trees, particularly those used historically for nesting, represents not only a one-time disruption but a permanent loss of viable breeding habitat. The Draft EIR's framework does not consider these multi-year biological patterns and offers no meaningful habitat compensation. As a result, the Project will likely have long-term adverse impacts on regional avian biodiversity, even if it complies technically with nesting season windows.

3. Introduction of Non-Native and Potentially Invasive Landscaping

The Draft EIR indicates that the project will intentionally avoid fruit- and seed-bearing plant species to minimize wildlife attraction due to the site's proximity to John Wayne Airport. However, it fails to establish firm restrictions against the use of non-native or potentially invasive species in the project's landscaping, and does not address the need to eradicate such species already on the site.

O2.5

One particularly concerning example is the identification of the Brazilian Pepper Tree (*Schinus terebinthifolia*) as part of the site's landscaping palette. This species is already recognized as invasive within the Newport Bay watershed. It is known to outcompete

**Newport Bay Conservancy Public Comment to the Snug Harbor Surf Park Project,
PA2024-0069** (page 3 of 3)

native vegetation, alter soil chemistry, and degrade habitat for native fauna. Local agencies and environmental groups, including NBC, are currently investing considerable effort and public resources in restoration projects to remove the Brazilian Pepper Tree from Newport Bay.

**O2.5
Cont.**

To include this species in a new development located within the same watershed not only undermines these ongoing efforts but directly contradicts ecological restoration goals long supported by the City of Newport Beach and its environmental partners. Allowing this project to perpetuate known invasive species, and potentially allow for new ones, would be counterproductive and irresponsible.

Conclusion

In light of the above concerns—particularly the threats to water quality, long-term habitat loss for birds, and the introduction of invasive landscaping elements—we urge the City of Newport Beach to reject the Snug Harbor Surf Park Project in its current form. At a minimum, we recommend that the City require a revised environmental review that includes:

- A detailed pollutant load and runoff risk analysis with respect to how the Upper and Lower Newport Bay may be impacted;
- Permanent habitat replacement measures for tree-dependent avian species; and
- A strict prohibition on invasive or non-native plantings, including the Brazilian Pepper Tree, with preference given to climate-appropriate native vegetation.

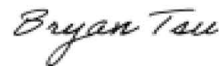
O2.6

Thank you for the opportunity to provide input on this project. We remain available for consultation and welcome the chance to contribute constructively to a more environmentally responsible path forward.

Sincerely,



Heather Cieslak
Operations Director
Newport Bay Conservancy
heather.cieslak@newportbay.org



Bryan Tsu
President, Board of Directors
Newport Bay Conservancy
bryan.tsu@newportbay.org

Response to Comment Letter O2: Newport Bay Conservancy, July 7, 2025

Response to Comment O2.1: The comment is introductory in nature and refers to later comments and requests that the comments are carefully considered when preparing the Final EIR. No specific environmental issue of concern was raised in this comment, and no further response is required.

Response to Comment O2.2: It is understood that the Newport Bay Conservancy (“NBC”) is focused on the protection and preservation of Upper Newport Bay and that the comment refers to general environmental risks related to three primary Project concerns. This comment does not identify a specific environmental issue or EIR concern. The Draft EIR Section 5.3, *Biological Resources*, states on page 5.3-20 that the Upper Newport Bay Nature Preserve and Ecological Reserve is located approximately 0.3 miles south of the Project site and separated from the site by developed land uses. 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 to potential indirect effects to the Upper Newport Bay from the proposed Project. The analysis within the Draft EIR determined that potential impacts to biological resources, including those within the Upper Newport Bay, would be less than significant.

Response to Comment O2.3: The proposed Project would not be located directly adjacent to the Santa Ana Delhi Channel. The proposed retaining wall would be located approximately 21.4 feet from the existing channel fence line and the proposed lagoon basins would be set back a minimum of approximately 73.9 feet from the existing channel walls. As detailed on Draft EIR page 3-33, water from the surf lagoon would drain to the sewer system and would not discharge into the Santa Ana Delhi Channel. The surf basins would capture rainfall. The *Surf Lagoon Water Systems Narrative*, included as Appendix C to this Final EIR, details that the lagoon is designed to have a water level of 11 inches below the adjacent pool deck and the lagoon basin is capable of receiving over 11 inches of rainwater (1,511,499 gallons) above normal operating level before overflowing. For every inch of excess water elevation contained in the lagoon, the equivalent volume is approximately 137,409 gallons. Excess water in the lagoon (over 2-inches) would halt operation of the wave generation machine and excess water would be discharged into the sewer. In addition, the surf lagoon water management system includes meteorological monitoring to automatically restrict auto-filling of the lagoon in anticipation of heavy rainfall. This system provides efficient use of water and reduces the likelihood of water needing to be discharged to the sewer system due to a storm event. Overall, water from the surf lagoon would not runoff into the Santa Ana Delhi Channel.

Potential impacts related to water quality from the proposed Project are detailed in Draft EIR Section 5.9 *Hydrology and Water Quality*, that provides the sensitivity of the receiving waters on page 5.9-7, which states that the Project site drains to the Santa Ana Delhi Channel and then to the Upper Newport Back Bay. The Upper and Lower Newport Back Bay are included on the Section 303(d) List of Water Quality Impairments for: chlordane, copper, DDT, nutrients, PCBs, sedimentation, malathion, toxicity, and indicator bacteria (further details in Draft EIR Appendix O). Areas of Special Biological Significance are described in Section 5.3, *Biological Resources*, on page 5.3-20 where it describes the location of the Upper Newport Bay Nature Preserve and Ecological Reserve.

Existing stormflows from the onsite parking lot, artificial turf areas, and golf course currently drain directly into the Santa Ana Delhi Channel. Draft EIR page 5.9-14 details that the proposed Project would maintain the existing drainage pattern and improve runoff water quality by installation of an onsite storm drainage system that includes two bioretention basins at the north parking lot and two bioretention basins in the southern parking lot that would utilize multi-stage treatment processes including screening media filtration, settling, and biofiltration in compliance with MS4 Permit and Orange County DAMP regulations prior to discharge into the Santa Ana Delhi Channel and then to the Upper Newport Back Bay.

Draft EIR page 5.9-20 describes that implementation of a Water Quality Management Plan has been included as PPP WQ-3, where it specifies that all Post-Construction, Site Design, Source Control, and Treatment Control Best Management Practices (BMPs) would be incorporated into the development Project in order to minimize the adverse effects on receiving waters. The Project specific Water Quality Management Plan is required to be reviewed and approved by the City prior to issuance of grading permits to ensure that NPDES and Orange County DAMP permit requirements have been met, which would reduce potential water quality drainage impacts to biological resources to a less than significant level.

Response to Comment O2.4: As detailed in Draft EIR Section 5.3, *Biological Resources*, (page 5.3-4 and Figure 5.3-1) the Project site consists of approximately 6.04 acres of turf grass with ornamental landscaping and scattered trees and 9.4 acres of disturbed/developed area. No remnant native vegetation exists on the site. The proposed Project would remove the existing ornamental landscaping and revegetate 143,844 SF (20 percent) of the site with drought tolerant ornamental landscaping including 24-inch box trees and 15-gallon trees as shown in Draft EIR Figure 3-8, *Conceptual Site Plan*. 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 would have increased roosting locations on the site and the replacement of ornamental trees does not result in long-term adverse impacts on regional avian biodiversity, and no habitat compensation is required. Draft EIR Section 5.3, *Biological Resources*, page 5.3-11 details that the existing site has been subject to decades of anthropogenic disturbances, which has removed native habitat for sensitive avian species. The native birds with potential to nest on the Project site are those that are common to the region and highly adapted to human landscapes, including development.

The Draft EIR page 5.3-21 describes that onsite trees that can be utilized by nesting birds and raptors during the nesting bird season that generally extends from February 1 through September 15 but may be extended due to weather and drought conditions. Nesting birds are protected under the federal MBTA and Section 3503 of the California Fish and Game Code. Although, the native birds with potential to nest on the Project site would be those that are common to the region and highly adapted to human landscapes, the Project would be required to implement Mitigation Measure BIO-2, which requires a pre-construction nesting bird survey (as detailed on Draft EIR pages 5.3-22 and 5.3-24). With implementation of Mitigation Measure BIO-2, impacts to nesting birds would be less than significant.

Response to Comment O2.5: The Federal Aviation Administration (FAA) Advisory Circular (AC) 150/5200-33C provides wildlife management protocols for land uses in the vicinity of airports is to avoid landscaping that could become an attractant to wildlife, such as fruit bearing trees, nuts, and seed mixtures containing millet or any large seed producing grass. These measures are applicable to all land uses on the Project site; and based on FAA guidance have been included as part of the proposed Project.

Draft EIR page 5.3-20 describes that the Project would implement the City's landscaping requirements and not use invasive plant species including plant species listed as "Moderate" or "High" invasiveness by the California Invasive Plant Council. As detailed on Draft EIR page 5.3-7 there is existing Brazilian pepper tree (*Schinus terebinthifolia*) on the site. The existing landscaping would be removed and replaced with a new landscape palette that does not include the Brazilian pepper tree (*Schinus terebinthifolia*). All of the Project landscaping material would be reviewed and approved by the City as part of the development permitting process to ensure compliance with landscape requirements.

Response to Comment O2.6: The Draft EIR details (as described previously in Response O2-3) that with compliance with existing regulations that would be implemented through the City's development review and permitting process would ensure that impacts to water quality would be less than significant. This includes a Project specific drainage design related to pollutant loading and runoff pursuant to the Orange County DAMP requirements (Draft EIR Appendix O).

The site does not contain native vegetation and the existing scattered trees on the site would be replaced with trees and landscaping covering 20 percent of the site. Thus, long-term habitat loss for birds would not occur from implementation of the Project. As detailed in the previous response, Draft EIR page 5.3-20 describes that the Project would implement the City's landscaping requirements and not use plant species listed as "Moderate" or "High" invasiveness by the California Invasive Plant Council; and that all of the Project landscaping material would be reviewed and approved by the City.

Comment Letter O3: Orange County Coastkeeper (2 pages)**ORANGE COUNTY
COASTKEEPER®**

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Costa Mesa, CA 92626
714-850-1965
www.coastkeeper.org

July 7, 2025

Joselyn Perez,
Senior Planner City of Newport Beach, Community Development Department
100 Civic Center Drive
Newport Beach, California 92660

Subject: Comments On Snug Harbor Surf Park Project Draft EIR

Dear Ms. Perez,

Orange County Coastkeeper is an environmental organization with the mission to protect the region's water resources, so they are swimmable, drinkable and fishable for present and future generations. We have the following about the proposed Snug Harbor Surf Park Project proposed for Newport Beach.

First of all, we have concerns about this type of project being proposed in Newport Beach at all. The ocean with real waves is just five miles away, and there is over 40 miles of Coastline in Orange County for surfing. It is simply unnecessary to have the environmental and social impact of this project when it is not needed.

O3.1

Our top concern is the water use for the project. The EIR Water Environmental Impact section seems to ignore the fact that Orange County is in a severe water deficit and uses the City's 2020 Urban Water Management Plan to justify the increase in water use. UWMP's are notoriously inaccurate, as demonstrated by the fact that the city is now using less water in 2025 than in 2020, instead of more as the UWMP predicted. The EIR also states that water can be bought from the Metropolitan Water District, which imports water from the Colorado River and California Delta, neither can supply the water that has been allocated from them. Coastkeeper does not believe that the damage to the environment that will occur locally and regionally is justified for a vanity project that provides little benefit to the community. At the very least the project should be required to use 100% recycled water. Potable is unnecessary for surfing and is too precious to be used in this way. For example, the nearby ocean where the vast majority of surfing occurs is not potable. Additionally, the project should pay the highest tier water rates for the huge amount of water it will use. The public should not be made to subsidize the project through discounted water rates.

O3.2**O3.3**

Another concern is the water treatment system for the project. The water from the project will be loaded with toxic chemicals for disinfecting and cleaning the wave pools. The EIR makes no mention of this impact of these chemicals on the environment and instead focuses on the

O3.4

capacity of the sewer system infrastructure to handle the additional waste. The EIR needs to address the additional toxic chemicals that will be put into the system, some of which will be discharged to the ocean after going through treatment and the GWRS system. The capacity of the system to accept the discharge from the project is a completely different subject than the impact of the discharge on the environment. The environmental impact of the discharge needs to be specifically discussed in the EIR.

**O3.4
Cont.**

The Stormwater Drainage Environmental Impacts section takes the same approach of examining infrastructure capacity instead of actual environmental impacts. The project should be designed to have no stormwater discharge at all. All stormwater from the site could easily be directed to the pools where it would be a useful addition to the project.

O3.5

We are also concerned about public access. Unlike the current golf facility, the project seems to be designed specifically for wealthy patrons that can pay an exorbitant price for admission. For example, a wave pool in Palm Springs charges a group rates of \$100 to \$200 per person for a session depending on skill level, and \$800 for a private lesson. This does not even consider the additional cost for rooms and training facilities. These prices are too high for the public, so a significant proportion of the sessions and facilities should be at lower prices to allow school groups and moderate income residents to utilize the facility. The water used for the project is a public resource, so the public should benefit from the project. Since this project is designed to create a beach environment, it should be as accessible to the public as possible, including no fee to walk on to the property and observe the surfing.

O3.6

In conclusion we ask that if this project is approved at all, the EIR accurately address all the environmental impacts from the increase in water use and the discharge of both wastewater and stormwater from the facility. It should also be designed with access for all in mind. Newport Beach has enough exclusive clubs on public property. This should not be another one.

O3.7

Sincerely,

Raymond Hiemstra



Associate Director of Policy and Projects

Response to Comment Letter O3: Orange County Coastkeeper, July 7, 2025

Response to Comment O3.1: Refer to Master Response 1 regarding comments about the Project merits, and CEQA's requirements to respond to comments related to environmental impacts.

Orange County is not in a severe water deficit. The Orange County Water District, who manages the Orange County Groundwater Basin, identifies that at the end of June 2025 the groundwater storage level was 94 percent of the water district target (<https://www.ocwd.com/>).

The City's 2020 Urban Water Management Plan is the most recently adopted plan, and provides water projections through the year 2045, indicating that the use of groundwater would increase to about 82 Percent of the City's water supply (Draft EIR Appendix S). In addition to the information from the 2020 Urban Water Management Plan, the Water Supply Evaluation (Draft EIR Appendix S) includes the City's actual water use for 2021 through 2023 (Draft EIR Table 5.16-5), which demonstrates reductions in water demand and increased effectiveness of water conservation (Water Supply Evaluation pages 8 and 9). The 2020 Urban Water Management Plan is based on actual water demand, land uses, growth projections, and implementation of the Water Conservation Act of 2009. The intent of Urban Water Management Plans is to ensure adequate water supply in normal and multiple dry years.

As detailed in Draft EIR Table 5.16-3, 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. This is conservative; as described in Draft EIR Table 5.16-5, the City's actual water use between 2021 through 2023 was 1,045 AF less than the water used in 2020 and 906 AF less than the projected use in 2025. As such, the Draft EIR determined that adequate water supply would be available to serve the Project and reasonably foreseeable future development during normal, dry, and multiple dry years.

The comment does not provide any substantial evidence that Orange County is in a severe water deficit or that impacts related to water supply would occur from the Project. Thus, no further response is required or provided.

Response to Comment O3.2: The comment does not provide any substantial evidence that imported water cannot be purchased. Draft EIR page 5.16-5 describes that in the 2020 Metropolitan UWMP, the reliability of water deliveries from the State Water Project and the Colorado River Aqueduct were assessed by Metropolitan. Metropolitan determined that its water sources will continue to provide a reliable supply to its member agencies during normal, single dry, and multiple-dry years during the UWMP planning horizon of 2045. In addition, Draft EIR page 5.9-12 details that by 2045 approximately 82.1 percent of water supply would be from the Orange County Basin and 14.5 percent from imported purchases. Comparison of Draft EIR Tables 5.16-2 and 5.16-3 identifies a 53 percent planned reduction in use of imported water between 2020 and 2045. Thus, the City does have the ability to purchase additional supplies of water, if necessary, although the Draft EIR concludes that the Project would not trigger a need to purchase additional water.

Response to Comment O3.3: The comment does not provide any substantial evidence or provide specifics of the referred to local and regional damage to the environment. The infrastructure does not currently exist within the City to serve the Project site from recycled water. However, as detailed on Draft EIR page 5.16-10, 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 Groundwater Replenishment System (GWRs) 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.

The proposed Project is not a public project and would not be subsidized by public funding through discounted water rates. As detailed in Master Response 1, CEQA is an environmental disclosure statute that does not include evaluation of economic impacts. Thus, no further response is required or provided regarding water rates.

Response to Comment O3.4: Draft EIR Section 5.8, *Hazards and Hazardous Materials*, pages 5.8-36 and 5.8-36 describe that the Project would use and store common hazardous materials such as paints, pool cleaning chemicals, solvents, and cleaning products. The surf lagoon would use basic pool type cleaning equipment and chemicals to maintain the pH levels for surfers. The *Surf Lagoon Water Systems Narrative*, included as Appendix C to this Final EIR, details that sodium hypochlorite would be utilized as the primary sanitizer and is one of the most common chemical compounds used to maintain a chlorine residual in traditional swimming pool facilities. Muriatic acid would also be utilized for pH maintenance. Both chemicals would be dosed to the lagoon water through automated feeders and the lagoon water quality would be continuously monitored via an automated water chemistry control system, maintaining the following water quality parameters at all times during operation:

- Water clarity/turbidity: < 5 NTU
- Oxidation Reduction Potential (ORP): minimum 650 mV - maximum 850 mV
- Sanitizer Residual: minimum 0.5 ppm FAC
- pH level: 7.0 to 7.6

The surf lagoon would require permitting from the Orange County Department of Health, which has approved a variance for 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.

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 this Final EIR).

As detailed in the *Surf Lagoon Water Systems Narrative*, included as Appendix C to this 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.

Draft EIR Section 3.0, *Project Description*, page 3-34 describes that operation of the surf lagoons include maintenance that would be coordinated via permit with the Costa Mesa Sanitary District (CMSD) that provides sewer services to the site. In addition, due to the volume of wastewater that would be discharged by the Project an Orange County Sanitation District Industrial Wastewater Discharge Permit would be required, as is required for any discharge in excess of 25,000 gallons per day. The Industrial Wastewater

Discharge Permit regulates wastewater discharges by limiting specific pollutants through establishing numeric discharge standards, discharge requirements, monitoring and reporting requirements (<https://www.ocsan.gov/industrialdischarge/>). The discharge standards of Industrial Wastewater Discharge Permits are based on the National Pollutant Discharge Elimination System Permit and the wastewater treatment facility.

Draft EIR Section 5.16, *Utilities and Service Systems*, pages 5.16-10 through 5.16-13, describe that the Costa Mesa Sanitary District sewer conveys wastewater to the Orange County Sanitation District Wastewater Treatment Plant No.1 for secondary treatment and then to the Orange County Water District GWRS system that purifies secondary treated wastewater to levels that 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. Draft EIR page 5.16-10 describes that 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 to Comment O3.5: The environmental impacts related to stormwater discharge are evaluated throughout Section 5.9, *Hydrology and Water Quality*. As detailed on Draft EIR page 5.9-14 the proposed Project would improve runoff water quality by installation of an onsite storm drainage system that includes two bioretention basins at the north parking lot and two bioretention basins in the southern parking lot that would utilize multi-stage treatment processes including screening media filtration, settling, and biofiltration in compliance with MS4 Permit and Orange County DAMP regulations.

Draft EIR page 5.9-20 describes that implementation of a Water Quality Management Plan has been included as PPP WQ-3, where it specifies that all Post-Construction, Site Design, Source Control, and Treatment Control Best Management Practices (BMPs) would be incorporated into the development Project in order to minimize the adverse effects on receiving waters. The Project specific Water Quality Management Plan is required to be reviewed and approved by the City prior to issuance of grading permits to ensure that NPDES and Orange County DAMP permit requirements have been met, which would reduce potential water quality drainage impacts to a less than significant level. Thus, the Draft EIR does evaluate potential environmental impacts related to stormwater. In addition, refer to Master Response 1 regarding comments related to Project merits.

Response to Comment O3.6: The comment raises concern about public access. As detailed in Master Response 2, the Project site consists of privately owned land and the existing golf course facilities are privately owned. Also, please refer to Master Response 1, CEQA is an environmental protection statute that is concerned with the physical changes to the environment (CEQA Guidelines Section 15358(b)). 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 to Comment O3.7: The Draft EIR accurately addresses all the environmental impacts from the increase in water and the discharge of wastewater and stormwater in Draft EIR Sections 5.9, *Hydrology and Water Quality*, and 5.16, *Utilities and Service Systems*. This comment does not provide a specific concern related to these Draft EIR analyses. In addition, as detailed in Master Responses 1 and 2, the Project site consists of privately owned land facilities; and comments regarding project merits do not pertain to the potential for significant physical impacts, and are not responded to in this Final EIR.

Comment Letter O4: Save Newport Beach Golf Course (4 pages)

K A R A G R A N T L A W , P C

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Counsel for Save Newport Beach Golf Course

VIA E-MAIL ONLY

July 28, 2025

Joselyn Perez, Senior Planner
City of Newport Beach
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RE: SNUG HARBOR SURF PARK PROJECT; SCH NO. 2024110238

Dear Ms. Perez,

This letter serves to notify the City of Newport Beach that Save Newport Beach Golf Course ("SNBGC") is securing legal representation to provide critical comments to this project. SNBGC has identified several compliance issues under the California Environmental Quality Act ("CEQA"), CEQA Guidelines, and other statutory mandates.

O4.1

This letter identifies a few of the key compliance issues, but supplemental comments will be provided to the City within the next two weeks as their legal review continues. Key issues that demand the City's immediate attention and thorough review are set forth briefly below.

1) Good Faith Tribal Consultation Did Not Occur and An Immediate Stay of Project Approvals is Necessary to Comply with CEQA and Protect Tribal Cultural Resources from Irreparable Harm.

O4.2

SNBGC contests CEQA compliance with Assembly Bill 52 and Senate Bill 18's tribal consultation process in that the full extent of the "project" as defined by CEQA, was not disclosed to the ancestral tribe that requested consultation – the Gabrieleno Band of

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Mission Indians – Kizh Nation (the “Kizh Nation”). According to the EIR, the City provided the consulting tribe, the Kizh Nation, with an incomplete and inaccurate “project” description. Misidentifying the project results in defective CEQA analysis and undermines the statutory purpose of the tribal consultation process. The City’s omissions and misrepresentations indisputably evidence a lack of good faith by this lead agency.

SNBGC contends that material omissions and an incomplete project description void the EIR. Legal Standards/Rules Tribal Consultation Requirements under CEQA Assembly Bill 52 and Senate Bill 18 require lead agencies to consult with California Native American tribes regarding potential impacts on tribal cultural resources. Consultation must be conducted in good faith and include discussions on mitigation measures and project alternatives if requested by the tribe. (Pub. Res. Code §§ 21080.3, 2, 21082.3.)

**04.2
Cont.**

Notification to tribes with traditional lands in the project area is mandatory before adopting an EIR or negative declaration. (Pub. Res. Code § 75102.) Project Description Requirements CEQA mandates that EIRs provide a clear, accurate, and stable project description to ensure informed decision-making and public participation. (*Washoe Meadows Community v. Department of Parks & Recreation*, 17 Cal. App. 5th 277.) The definition of project under CEQA includes all actions that result in environmental changes, requiring comprehensive disclosure. (Pub. Res. Code § 21065; *County of Orange v. Superior Court*, 113 Cal. App. 4th 1.)

2) The City’s Noncompliance Has Resulted in Prejudicial Error

Consequences of Noncompliance Failure to comply with CEQAs procedural requirements, including tribal consultation and accurate project descriptions, constitutes prejudicial error if it deprives decision-makers or the public of necessary information. (Pub. Res. Code § 21005; *Koi Nation of Northern California v. City of Clearlake*, 109 Cal. App. 5th 815.) Courts have invalidated EIRs where consultation requirements were not met or project descriptions were incomplete. (*Koi Nation v. City of Clearlake*, 109 Cal. App. 5th 815; *Washoe Meadows Community v. Department of Parks & Recreation*, 17 Cal. App. 5th 277.)

Under Assembly Bill 52 and Senate Bill 18, lead agencies must engage in meaningful consultation with tribe bearing lineal ancestry to the project location. This includes full disclosure of the project’s scope and potential impacts on tribal cultural resources. The SNBGC contends that the project’s full extent was not disclosed to the Kizh Nation in violation of Public Resources Code §§ 21080.3, 2 and 21082.3. These sections also require good faith consultation and comprehensive information sharing. (Pub. Res. Code § 21080.3.2, § 21082.3.) Additionally, failure to notify the tribe of the complete project scope undermines the purpose of section 75102. (Pub. Res. Code § 75102.)

04.3

CEQA requires EIRs to provide an accurate and stable project description to facilitate informed decision-making. In *Washoe Meadows Community v. Department of Parks*

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§ Recreation, the court invalidated an EIR due to an unstable project description, emphasizing that such deficiencies impair public participation. (*Washoe Meadows Community v. Department of Parks & Recreation*, 17 Cal. App. 5th 277.) Similarly, Public Resources Code § 21065 defines project broadly, requiring disclosure of all actions resulting in environmental changes. (*County of Orange v. Superior Court*, 113 Cal. App. 4th 1. The alleged omissions in the current case likely violate these standards.

Courts have consistently held that noncompliance with CEQAs procedural requirements constitutes prejudicial error if it deprives decision-makers or the public of necessary information. In *Koi Nation v. City*, the court found that failure to comply with tribal consultation requirements invalidated the project approval. (*Koi Nation of Northern California v. City of Clearlake*, 109 Cal. App. 5th 815.) Similarly, the incomplete project description in *Washoe Meadows Community v. Department of Parks & Recreation* was deemed prejudicial error. (*Washoe Meadows Community v. Department of Parks & Recreation*, 17 Cal. App. 5th 277.) The alleged deficiencies in the current case likely meet this threshold, rendering the EIR invalid.

**O4.3
Cont.**

The failure to disclose the full extent of the project to the Kizh Nation during the consultation process likely violates CEQAs requirements under Assembly Bill 52 and Senate Bill 18. Additionally, the incomplete project description undermines the integrity of the EIR, constituting prejudicial error. These deficiencies support SNBGC's demand for immediate invalidation of the Project EIR and full compliance with CEQAs procedural and substantive mandates.

3) Alternative Orange County Sites with Fewer Environmental Impacts are Available to the Applicant/Owner for this Project or a Substantially Similar Project

The EIR states that “there are no other available properties of similar size (15.38 developable acres) that are zoned for commercial recreational uses that could accommodate the site with fewer potential impacts. There are no suitable sites within the control of the Project Applicant.” SNBGC's research and investigation indicates that this information is false and has misled the City and the public, undermining the integrity of the EIR as an informational document.

O4.4

Information and evidence of sizable sites in Orange County accessible or controlled by the applicant/owner and/or its subsidiary or affiliated entities, exist, are available, and will significantly reduce the Project impacts on the environmental. The site alternative is surrounded by land uses that are far less, reduce the cumulative impacts, and have already experienced significant ground-disturbance. As such, Project development on the affiliated sites will have a lower impact on tribal cultural resources than the subject Site.

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Opposition & Demand for Stay
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The City is in possession of extensive information about that the proposed Project Site would disturb sacred ceremonial grounds, villages, and heavily traveled routes of the Kizh Nation. By comparison to most anywhere else within the City's boundaries, the golf course grounds are relatively undisturbed over significant time periods. As the only Maritime tribe of Southern California, the lands spanning between the coast and the Project Site were heavily traveled by Kizh ancestors.

04.5

As such, they will be ripe with preserved resources and a high possibility of Kizh ancestral remains. The proximity of the Kizh Nation's Sacred Lands File to the Project Site is evidence that supports this probability. These preserved soils are also likely to contain archaeological and paleontological artifacts as well.

Further information regarding alternative sites will be provided by the SNBGC in their supplemental comments.

4) Evidence that Possible Conflicts of Interest with the City are Expediting CEQA Review and Past and Future Project Approvals

SNBGC has learned information that merits serious concerns about whether this massive project is not accelerating through the review process due to prohibited conflicts of interest by City officials and project representatives. Please ensure that all City officials, personnel, consultants, and contractors are in full compliance with their duties under applicable laws, including but not limited to, the Political Reform Act, Government Code § 1090, and the City's Municipal Code.

04.6

Considering the foregoing, SNBGC demands the immediate stay of the City's review, consideration, and approvals for this Project. Please acknowledge receipt of this letter and confirm the City's cooperation and stay of the Project. Feel free to contact me to further discuss this matter.

Sincerely,



Kara E. Grant, Esq.
Counsel for Save Newport Beach Golf Course

grant-law.net

Response to Comment Letter O4: Save Newport Beach Golf Course, July 28, 2025

Response to Comment O4.1: The comment is introductory in nature and refers to later comments related to CEQA compliance and requests that the comments are carefully considered when preparing the Final EIR. No specific environmental issue of concern was raised in this comment. Thus, no further response is warranted.

Response to Comment O4.2: This comment states that the full extent of the proposed Project was not disclosed to the Gabrielino Band of Mission Indians during the AB 52 consultation process. This comment also asserts that the EIR Project description is incomplete but does not identify what is missing. As discussed in Draft EIR Section 5.15, *Tribal Cultural Resources*, in accordance with SB 18 and AB 52, the City sent letters to 20 Native American representatives identified by the City and NAHC, notifying them of the proposed Project. The notification sent to the Gabrielino Band of Mission Indians – Kizh Nation is included as Appendix D to this Final EIR. As shown, the description of the proposed Project and the location of ground disturbance that could impact tribal cultural resources, is consistent with what is described in Draft EIR Section 3.0, *Project Description*. The proposed Project is thoroughly described within Draft EIR Section 3.0, *Project Description*, where the Project location, Project site boundaries, a Conceptual Site Plan, Building Elevations, and a Conceptual Landscape Plan are provided as Figures 3-2, 3-3, 3-8, 3-9, 3-10. Also, the Project is described within Section 5.1, *Aesthetics*, and shown in Figures 5.1-3 through 5.1-8. The EIR descriptions are consistent with the Project detailed in the SB 18/AB 52 letters to tribes, and the analysis within the Draft EIR have all utilized consistent graphics and plans. As demonstrated by *Citizens for a Sustainable Treasure Island v. City & County of San Francisco (2014) 227 CA4th 1036, 1053*, the EIR's description of the proposed Project should identify the Project's main features and other information needed for an analysis of the Project's environmental impacts. For tribal cultural resources, potential impacts of the proposed Project are related to the area of ground disturbance, which is consistently identified in the SB 18/AB 52 letters to tribes and the Draft EIR. This comment does not provide any substantial evidence to support its claim that the Project description provided was incomplete or inaccurate. Thus, no further response is warranted.

Response to Comment O4.3: As described above in Response to Comment O4.2, the City sent letters to 20 Native American representatives identified by the City and NAHC, notifying them of the proposed Project. The notification sent to the Gabrielino Band of Mission Indians – Kizh Nation is included as Appendix D to this Final EIR. As shown, the description of the proposed Project is consistent with what is described in Draft EIR Section 3.0, *Project Description*. This comment letter does not provide any substantial evidence to support the claim that the Project description provided was incomplete or inaccurate. All actions resulting in environmental changes are detailed within Draft EIR Section 3.0, *Project Description*, including construction, operations, and the discretionary actions that are required (in Section 3.11). As discussed in Master Response 3: *CEQA Piecemealing and Housing Opportunity Sites*, the Project consists of the central portion of the Newport Beach Golf Course as shown in Draft EIR Figures 3-2, *Local Vicinity* and 3-3, *Aerial View*, and does not include development of areas to the north of Irvine Avenue or south of Mesa Drive. The whole of the Project is described in Draft EIR Section 3.0, *Project Description*, where it is detailed that the portions of the golf course to the north of Irvine Avenue (holes 10-18) and south of Mesa Drive (holes 3-8) are not a part of the Project site. As no specifications or details of what is asserted to be missing were provided by the comment and no substantial evidence to support the claim was provided, no further response is warranted.

Response to Comment O4.4: This comment provides no supporting evidence or specific examples of sites that are within Orange County that are accessible or controlled by the applicant and/or would result in reduced potential impacts. As detailed throughout the Draft EIR, the Project would implement mitigation measures that would reduce potential impacts to a less than significant level. The potential impacts that were identified are related to construction activities and involve biological resources, archaeological resources, paleontological resources, and tribal cultural resources. No significant and unavoidable project or cumulative impacts would result from the Project. The comment is incorrect by indicating that the Project site has not experienced significant ground disturbance. 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 level. It should be noted that the mitigation included for tribal cultural resources was provided to the City by the Gabrieleno Band of Mission Indians – Kizh Nation during the tribal consultation process for the proposed Project.

Due to the fact that the biological, archaeological, paleontological, and tribal cultural resources are regional types of resources, a large majority of the City of Newport Beach and Orange County contain the same potential to contain these resources; and may also contain native soils (not undocumented fill). As detailed in the Draft EIR in Section 8.4, *Alternatives Considered But Rejected* (page 8-3), “in the event land could be purchased of suitable size, due to the built-out nature of the City of Newport Beach, development of a recreational surf park would likely require demolition of structures, removal of existing vegetation, and require similar excavation that would require the same, and potentially additional, mitigation.” Consistent with the previous comments, this comment makes allegations without any specifics. The comment does not identify the location of a 15.38-acre site that assertedly could be developed for the proposed Project and result in fewer impacts, and no substantial evidence to support the claim was provided. Thus, no further response is warranted.

Response to Comment O4.5: This comment is incorrect. The City is not in possession of extensive information that the proposed Project Site would disturb sacred ceremonial grounds, villages, and heavily traveled routes of the Kizh Nation. This information was not provided by Kizh Nation during the tribal consultation. 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 Draft EIR. Also, as detailed in the previous response, the Project site is not undisturbed. The Project site has been disturbed and contains undocumented fill soils that are up to 15 feet in depth. Further, the Kizh Nation is not the only maritime tribe of southern California and is not the only tribe with potential resources within site soils. The Gabrielino 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 Native American Heritage Commission (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 Gabrielino Tongva Indians of California as a Native American Tribe that is traditionally or culturally affiliated with Orange County and the Project area. As detailed in the previous response, the Draft EIR describes that potential archaeological, paleontological, and tribal cultural resources could exist in site soils; and therefore, mitigation has been included in the EIR to reduce potential impacts to a less than significant level.

Response to Comment O4.6: This comment is conclusory in nature and does not provide any evidence to support the statement that the Project is accelerating through the review process. As detailed in Draft EIR Section 2.3, *Environmental Impact Report Process*, the City of Newport Beach issued the Notice of Preparation (NOP) for the Project on November 7, 2024 for a public review period of 30 days, as directed by CEQA Guidelines Section 15802. The Draft EIR was published for public review on May 23, 2025 (over 6.5 months later) for a 45-day public review period per CEQA Guidelines Section 15105. During public review of the EIR, the City held a Planning Commission study session to discuss the Project. The Project’s progress has been in accordance with CEQA Guidelines and has not been accelerated.

Likewise, the comment does not provide specifics regarding the claim that there are prohibited conflicts of interest between City officials and Project representatives and/or any related environmental effect. As substantiated by the responses above, none of the comments constitute significant new information related

to a potential significant environmental impact. In accordance with CEQA Guidelines Section 15088.5, recirculation of the Draft EIR or a stay of the Project is not required and no further response is warranted.

Comment Letter 11: Samuel Anderson (1 page)

From: Samuel Anderson <gobruins42@yahoo.com>

Sent: May 21, 2025 1:25 PM

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

Subject: Potential Surf park

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what would the noise emissions from the surf park be?

Thank you,

Sam Anderson

11.1

Response to Comment Letter I1: Samuel Anderson, May 21, 2025

Response to Comment I1.1: Please refer to *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.

Comment Letter I2: Melissa Mcleod (1 page)

Hello .. I am definitely opposed to the surf park . Born and raised in Newport Beach . This seems like a ridiculous addition to the traffic we already put up with . Sincerely ... melissa McLeod Sent from my iPhone

I2.1

Response to Comment Letter I2: Melissa Mcleod, May 23, 2025

Response to Comment I2.1: Please refer to Master Response 4: *Impacts Related to Vehicle Trips*, regarding the generation of vehicle trips and the proposed Project's impacts related to transportation.

Comment Letter I3: Mike Smith (2 pages)

Hi Joselyn,

I expect this will be a very active EIR for the City, the residents, golfers, etc...

Can you tell me how long the lease is for Snug Harbor Surf Park with the property owner Newport Golf Club LLC?

Does that lease also cover golf holes 3 - 8 along Mesa Dr.

It is my understanding that Snug Harbor Surf Park, if approved, would take over the management and maintenance, watering, etc. of golf holes 3 - 8 and 10 - 18. Is this correct?

I3.1

How long will they be responsible for this?

Can you please direct me to the section in the EIR that addresses this or if you have another document, MOU, etc., I would appreciate it.

Last, has the property owner submitted any plans or requests for the development in regards to golf holes 3 - 8?

Thank you,
Mike Smith

**I3.1
Cont.**

On Fri, May 23, 2025 at 7:26 PM M. Smith <mws.aspenroyal@gmail.com> wrote:

Thank you.

On Fri, May 23, 2025, 10:51 AM Perez, Joselyn <JPerez@newportbeachca.gov> wrote:

Dear Interested Party,

You are receiving this email because you previously requested updates or notifications related to the Snug Harbor Surf Park project ([PA2024-0069](#)).

On Friday, May 23, 2025, the Community Development Department released a Notice of Availability (NOA) of the Draft Environmental Impact Report (Draft EIR) for the proposed Snug Harbor Surf Park project. The Project would redevelop the center portion of the Newport Beach Golf Course, located at [3100 Irvine Avenue](#), into approximately 5-acres of surfing lagoons, an amenity clubhouse building, and an athlete accommodation building. A detailed project description is available in the Notice of Availability (NOA) and the Draft EIR (linked below).

The NOA includes an invitation for the public, agencies, and interested parties to provide comments on the Draft EIR. The 45-day public comment period runs from **May 23, 2025, through July 7, 2025**. An electronic copy of the NOA and Draft EIR are available online: www.newportbeachca.gov/ceqa with hard copies available to view at City Hall (Bay B) and all City library branches.

Comments on the Draft EIR will be accepted now through July 7, 2025. Comments must be received via email or in writing by close of business.

Please provide comments to:

Joselyn Perez, Senior Planner

City of Newport Beach, Community Development Department

Response to Comment Letter I3: Mike Smith, May 29, 2025

Response to Comment I3.1: The continued operation of the remaining 15 holes of the Newport Beach Golf Course are described in Draft EIR Section 3.0, *Project Description*, as well as in Section 5.13, *Parks and Recreation*. As discussed above in Master Response 1: *Project Merits*, the leasing and management elements of the proposed Project are not related to impacts on the environment and thus are not analyzed within the Draft EIR. The remaining golf course holes would continue to be managed by the Newport Beach Golf Course, and the proposed Project would support operation of the golfing facilities, as detailed in Draft EIR Section 3.8, *Operations*.

Comment Letter I4: Lyle Brakob (1 page)

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

From: LYLE BRAKOB <lbrakob@cox.net>

Sent: May 30, 2025 3:36 PM

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

Subject: No on Surfing Lagoon

[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.

Total Waste of tax payer dollars!

Please pass to All stakeholders!

Lyle Brakob

6 Baycrest Court

Newport Beach 92660

Sent from my iPhone

I4.1

Response to Comment Letter I4: Lyle Brakob, May 30, 2025

Response to Comment I4.1: Please refer to Master Response 1: *Project Merits* for the discussion of the proposed Project's fiscal impacts. As discussed in Master Response 2, the Newport Beach Golf Course is not a municipal course, it is privately owned and the proposed Project is funded by a private developer, not the City.

Comment Letter I5: Mike Smith (10 pages)

From: [Perez, Joselyn](#)
To: [M. Smith](#); [Seifert, Chloe@Coastal](#)
Cc: [Jim Auster](#); [Linda Giedt](#)
Subject: RE: Newport Beach housing
Date: June 11, 2025 8:53:00 AM
Attachments: [image001.png](#)
[image002.png](#)

Mr. Smith,

Apologies for the delay in returning your email. I've been out of the office intermittently.

- I was not involved in the update to the housing element. I will need to work with Ben Zdeba on your request for copies of the interest letters.
- The City provides an interactive map to the public (<https://nbgis.newportbeachca.gov/gispub/Dashboards/PlanningCasesDash.htm>) that is kept up to date with planning cases on file with the City. There are no applications on file for housing projects on the southern portion of the golf course.
- The Project Description included in the draft EIR (<https://www.newportbeachca.gov/government/departments/community-development/planning-division/projects-environmental-document-download-page/environmental-document-download-page>) includes maintaining golf course operations.

Thank you,



Joselyn Perez
Senior Planner
Community Development
Department
Office: 949-644-3312
100 Civic Center Drive
Newport Beach, CA 92660

From: M. Smith <mws.aspenroyal@gmail.com>
Sent: June 10, 2025 8:13 AM
To: Seifert, Chloe@Coastal <chloe.seifert@coastal.ca.gov>; Perez, Joselyn <JPerez@newportbeachca.gov>
Cc: Jim Auster <jimauster@hotmail.com>; Linda Giedt <lclemensgiedt@gmail.com>
Subject: Re: Newport Beach housing

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Good morning Ms. Seifert & Ms. Perez,

Can you please get back to me on this. Thank you both.
Mike Smith

On Thu, Jun 5, 2025, 4:09 PM M. Smith <mws.aspenroyal@gmail.com> wrote:

Hello Ms. Seifert (CCC),

Re: Local Coastal Program (LCP) Amendment Request No. LCP-5-NPB-24-0032-2

Has the CCC taken action on the matter regarding the Newport Beach Golf Course and the City of Newport Beach's request for a residential overlay, for golf holes 3-8?

If yes, can I ask what the status is please?

If not, do you know when it will go before the CCC for a vote?

If the general public has comments on this issue, are those to still be directed to your office to your email?

Hello Ms. Perez (City of NB),

Can you please email me a copy of the letter from the Newport Golf Club LLC in which they asked to have golf holes 3-8 added to the current City Housing Plan, i.e. the 693 units. If you have a link to a prior Staff Report that would include that letter, that would be fine also.

Have any discussions or plans been submitted to the City for development on any part of golf holes 3-8 at the Newport Beach Golf Course (NBGC) by any party?

Re: Draft EIR - Snug Harbor Surf Park Project (PA2024-0069)

Has the Snug Harbor Surf Park operator provided the City with a copy of any written agreement that confirms their intent and commitment to running and maintaining golf holes 3-8 & 10-18. Can you please provide me with a copy?

Thank you both for your time.
Mike Smith

On Wed, Apr 16, 2025 at 10:51 PM M. Smith <mws.aspenroyal@gmail.com> wrote:

Ms. Seifert: Can you please resend the colored coded maps you noted in your 4/1/2025 email. Thank you, Mike Smith.

On Wed, Apr 2, 2025 at 5:35 PM M. Smith <mws.aspenroyal@gmail.com> wrote:

Thank you for the reply.

15.1

On Tue, Apr 1, 2025, 8:55 AM Seifert, Chloe@Coastal <chloe.seifert@coastal.ca.gov> wrote:

Hello Mr. Smith and Mr. Auster,

Thanks again for your patience. Below are your questions with staff answers in **bold**.

- You noted that if CCC approves the City of Newport Beach's request for the residential overlay, no zoning change will be required in the future. Does that mean the golf course owner or a developer can submit plans for removing golf holes 3 - 8 and all open green space without going before CCC and only deal with the City? **The answer is yes regardless of the CCC's action on the LCP residential overlay. Attached is a map showing the City's appealable permitting jurisdiction in blue and the Commission's retained permitting jurisdiction in striped red. Any project in the blue shaded area would require solely a CDP application from the City. The City's action could then be appealed to the Commission on the basis inconsistency with the City's LCP previously certified by the CCC. If the CCC approves the City's LCP amendment request for a residential overlay, the grounds for appeal would change accordingly.**
- Have any plans been submitted to CCC for development on any part of the Newport Beach Golf Course (NBGC) by any party? **Not that I'm aware of.**
- You also noted, "local coastal development permit application (CDP) would be needed". Is a CDP application submitted, reviewed, approved or denied by your office (CCC), or is the CDP application submitted, reviewed, approved or denied by the City of Newport Beach? **If the CDP application is located solely within the City's permitting jurisdiction (i.e. blue shading on the map), it's submitted and approved/denied on solely by the City, unless followed by an appeal. If the CDP application includes the Commission's retained jurisdiction (i.e. red striping on the map), it requires preliminary local approval before the app. is submitted and approved/denied by the CCC.**

- I understand that the County of Orange plans to do improvements to the Delphi Channel in Newport Beach. Do you happen to know the timing of this and is CCC involved in this project? The channel runs directly adjacent to NBGC golf holes 3 - 8. It would seem problematic to consider or allow the building of 693 residential units next to a flood channel given the terrain and elevation of NBGC. **Yes, the Santa Ana Delhi Channel project was submitted as CDP App. 5-24-0702 for Commission review on August 22, 2024. The application status remains incomplete, pending receipt of the information requested in the attached 'Santa Ana Delhi Incomplete Letter'. No deadline for hearing is set until an application is filed complete.**
- Last, since the proposed Surf Farm project is in the EIR development phase does CCC have to review, approve or deny that project? Has or will CCC been contacted or consulted as part of the Surf Farm EIR process? As you may know, the Surf Farm project proposal would be removing all current open green spaces including golf holes 1, 2, 9, the vast open space driving range, starters offices, pro shop, restaurant, etc. **The coastal zone follows Mesa Drive and bisects the Newport Beach Golf Course. If the Surf Farm project is synonymous with the [Snug Harbor Surf Park Project](#), it's outside of the coastal zone and located beyond the CCC's permitting/consultation authority.**

Best,

Chloe Seifert | Coastal Program Analyst

CALIFORNIA COASTAL COMMISSION

South Coast District Office
[301 E. Ocean Blvd. Suite 300](#)
[Long Beach, CA 90802](#)
[\(562\) 590-5071](#)

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From: M. Smith <mws.aspenroyal@gmail.com>
Sent: Friday, March 21, 2025 10:54 AM
To: Seifert, Chloe@Coastal <chloe.seifert@coastal.ca.gov>
Cc: Jim Auster <jimauster@hotmail.com>; Joselyn Perez <JPerez@newportbeachca.gov>; Linda Giedt <lclemensgiedt@gmail.com>; merrilee bliss <merrileeb bliss@gmail.com>; Steve Carfano <scarfano@verizon.net>; newportbeachgolfcourse@gmail.com
Subject: Re: Newport Beach housing

Ms. Seifert,
Appreciated yours and Joselyn's prior responses/emails. Following up on your email of 3/20/2025:

You noted that if CCC approves the City of Newport Beach's request for the residential overlay, no zoning change will be required in the future. Does that mean the golf course owner or a developer can submit plans for removing golf holes 3 - 8 and all open green space without going before CCC and only deal with the City? Have any plans been submitted to CCC for development on any part of the Newport Beach Golf Course (NBGC) by any party?

You also noted, "local coastal development permit application (CDP) would be needed". Is a CDP application submitted, reviewed, approved or denied by your office (CCC), or is the CDP application submitted, reviewed, approved or denied by the City of Newport Beach?

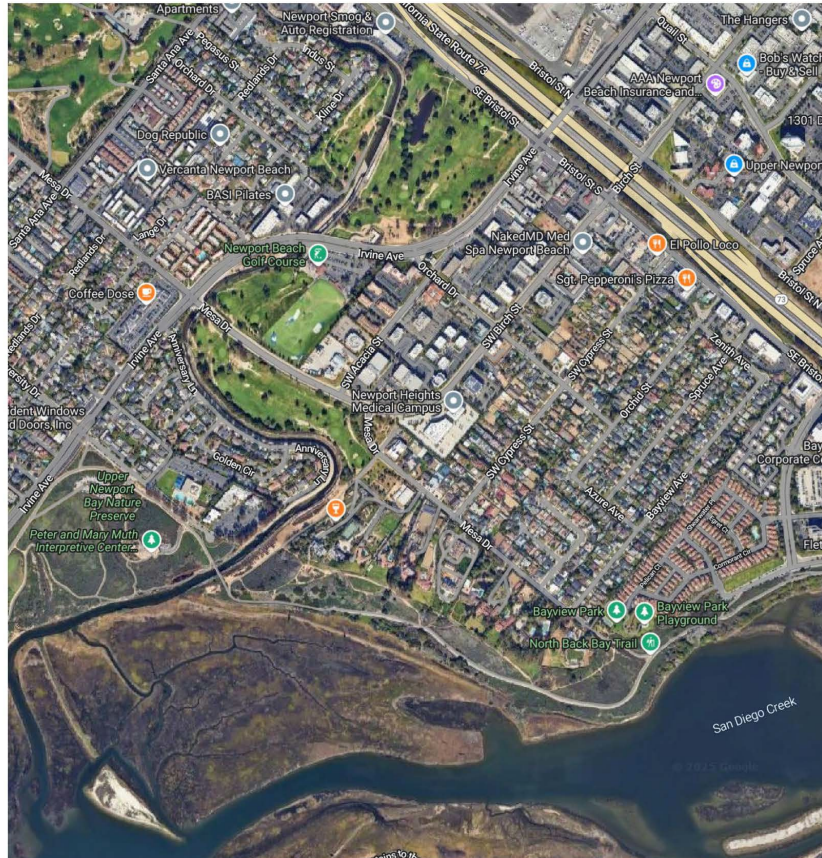
I understand that the County of Orange plans to do improvements to the Delphi Channel in Newport Beach. Do you happen to know the timing of this and is CCC involved in this project? The channel runs directly adjacent to NBGC golf holes 3 - 8.

It would seem problematic to consider or allow the building of 693 residential units next to a flood channel given the terrain and elevation of NBGC.

In my opinion: The overlaying/ rezoning of this area to residential and the forfeiting of all the open space & recreation that the general public currently enjoys - is a bad idea. City's request for the residential overlay should not be approved by CCC.

Last, since the proposed Surf Farm project is in the EIR development phase does CCC have to review, approve or deny that project? Has or will CCC been contacted or consulted as part of the Surf Farm EIR process? As you may know, the Surf Farm project proposal would be removing all current open green spaces including golf holes 1, 2, 9, the vast open space driving range, starters offices, pro shop, restaurant, etc.

(Overview photo attached here for reference for areas discussed above).



Thank you,
Mike Smith

On Thu, Mar 20, 2025 at 4:55 PM Seifert, Chloe@Coastal
<chloe.seifert@coastal.ca.gov> wrote:

Mr. Auster,

Please see Joselyn's prior response, as I believe she answered each of these questions already (except the General Plan voter approval item.)

As she stated: if the CCC approves the proposed housing overlay, no zoning change application will be required. It adds residential zoning to whatever the existing zone is in the subject site. She also stated that solely a local coastal development permit application (CDP) would be needed. CDPs will be noticed and scheduled for public local hearings. Members of the public may submit letters and attend the hearing to voice feedback.

Whether it will require an amendment to the City's General Plan is a new question and I'll defer to the City.

Respectfully,

Chloe Seifert | Coastal Program Analyst

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South Coast District Office

[301 E. Ocean Blvd. Suite 300](#)

[Long Beach, CA 90802](#)

[\(562\) 590-5071](#)

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From: M. Smith <mws.aspenroyal@gmail.com>

Sent: Thursday, March 20, 2025 1:35 PM

To: Jim Auster <jimauster@hotmail.com>

Cc: Joselyn Perez <JPerez@newportbeachca.gov>; Seifert, Chloe@Coastal <chloe.seifert@coastal.ca.gov>; Linda Giedt <lclemensgiedt@gmail.com>; merrilee bliss <merrileebliss@gmail.com>; Steve Carfano <scarfano@verizon.net>; newportbeachgolfcourse@gmail.com; Jurjis, Seimone@City of Newport Beach <sjurjis@newportbeachca.gov>

Subject: Re: Newport Beach housing

Good questions.

On Thu, Mar 20, 2025, 12:47 PM Jim Auster <jimauster@hotmail.com> wrote:

Joselyn

Will housing on NB golf course require CCC overlay approval AND a normal NB zoning change application and review or is all Element housing exempt from a

zoning change application ? Will it also require General Plan voter approval? and what else? Or just the Site development review? What is reviewed, what is the process, and what public input is considered on the site development review .

Thanks

Jim

On Mar 20, 2025, at 12:22 PM, Perez, Joselyn <JPerez@newportbeachca.gov> wrote:

Hi Jim,

Thanks for including me on your email.

I'm glad you have connected with Coastal Commission staff and I'd like to provide some clarification on our prior discussions-

The proposed housing overlay is additive to the base zoning. This means that the housing overlay will not rezone the golf course property away from open space. Instead, it will add the opportunity for potential housing development on top of that base zone. Regardless of location, housing projects taking advantage of the housing overlay are likely to, at minimum, require the approval of a site development review, which is a discretionary application and requires a public hearing. Also, as currently written and proposed, housing projects in the Coastal Zone must apply for and obtain a coastal development permit, which would also include public noticing and a public hearing.

If you have additional questions on this process, please let me know.

Thanks again,

Sincerely,

**Joselyn
Perez**
Senior
Planner
Community
Development
Department
Office: 949-
644-3312
[100 Civic
Center Drive
Newport](#)



[Beach, CA](#)
[92660](#)

From: Jim Auster <jimauster@hotmail.com>

Sent: March 20, 2025 11:14 AM

To: Chloe@ Coastal Seifert <chloe.seifert@coastal.ca.gov>

Cc: M. Smith <mws.aspenroyal@gmail.com>; Linda Giedt

<lclemensgiedt@gmail.com>; merrilee bliss <merrileebliss@gmail.com>; Steve

Carfano <scarfano@verizon.net>; newportbeachgolfcourse@gmail.com; Perez,

Joselyn <JPerez@newportbeachca.gov>; Jurjis Seimone

<sjurjis@newportbeachca.gov>

Subject: Re: Newport Beach housing

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Dear Chloe

Thanks for the information on Newport Beach CCC application, please send updates. We were told by NB planner Joselyn Perez that CCC approval would automatically change the zoning from recreational Open Space golf course to high density housing without a normal change of zoning application, public notice, public hearings etc, is that correct?

Thanks

Jim Auster

Save Newport Beach Golf Course

On Mar 20, 2025, at 10:27 AM, Seifert, Chloe@Coastal

<chloe.seifert@coastal.ca.gov> wrote:

Hello Mr. Auster,

Thank you for reaching out, I'm the California Coastal Commission planner assigned to this item. The file number is Local Coastal Program (LCP) Amendment Request No. LCP-5-NPB-24-0032-2 for a Housing Opportunity Overlay in the Newport Beach coastal zone, including the golf course. The deadline to schedule this item for a Commission hearing is May 16, 2026.

Please feel free to request monthly updates from me, although staff's backlog suggests we won't be able to schedule this item prior to the August 2025 hearing.

Best,

Chloe Seifert | Coastal Program Analyst

CALIFORNIA COASTAL COMMISSION

South Coast District Office

[301 E. Ocean Blvd, Suite 300](#)

[Long Beach, CA 90802](#)

[\(562\) 590-5071](#)

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

From: Jim Auster <jimauster@hotmail.com>

Sent: Tuesday, March 18, 2025 1:02 PM

To: SouthCoast@Coastal <SouthCoast@coastal.ca.gov>

Subject: Newport Beach housing

Our neighborhood is opposed to changes in the coastal map that would allow 700 units of high density housing and what is now the Newport Beach golf course recreational Open Space and wildlife area adjoining Back Bay Please let us know the schedule for the meeting to review Newport Beach's application for housing in the coastal zone.

Thank you

Jim Auster

[20401 Bayview Avenue Newport Beach](#) 970-618-7692

Response to Comment Letter I5: Mike Smith, June 5, 2025

Response to Comment I5.1: Please refer to Master Response 3: *CEQA Piecemealing and Housing Opportunity Sites*, for a response regarding the proposed Project impacts related to the Housing Element sites located on the southern golf course parcel. The comment contains attachments of emailed questions to the City and the Coastal Commission regarding the status of parcels to the south of the Project site, which are not related to the Project. Thus, no further response beyond Master Response 3 is warranted.

Comment Letter I6: Bethany O'Connor (2 pages)

From: [Perez, Joselyn](#)
To: [Bethany O'Connor](#)
Subject: RE: Newport Beach golf course
Date: June 16, 2025 1:25:00 PM

Hello Bethany,

The City has received your comment on the EIR.

Sincerely,

Joselyn Perez
Senior Planner
Community Development Department
Office: 949-644-3312
100 Civic Center Drive
Newport Beach, CA 92660

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

From: Bethany O'Connor <bethany.m.s.oconnor@gmail.com>
Sent: June 13, 2025 10:07 PM
To: Perez, Joselyn <JPerez@newportbeachca.gov>
Subject: Newport Beach golf course

[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.

Newport Beach Golf Course is vital - literally and figuratively - green space for people, not just in Newport Beach, but the entire region. Green spaces have been shown to reduce inflammation and cardiovascular disease, and to improve healthy behaviors - especially in people with a history of cancer.

On a more personal note, this is where I learned to enjoy the friendly spirit of golf with my husband and father in law. It's where I struck up a friendly conversation with a stranger wearing a t shirt from my very small town in Ohio. And it's where my youngest daughter, who has autism and sensory needs, got a chance to participate in a golf camp - when her special needs made it difficult for her to participate in a more traditional summer camp. And we don't miss out on a chance to surf - we live along arguably some of the most fantastic surf beaches in the world. And my kids, including my kiddo with autism and sensory needs, have gotten a chance to participate in surf camps through the city of Newport Beach, as well. We don't need - and I don't want my tax dollars to benefit - an artificial sure experience geared towards tourists. We need to keep the green space of Newport Beach Golf Course - a literally vital resource - accessible to all.

I6.1

Thank you for your time and consideration regarding this matter.

Take care,
Bethany MS O'Connor, MD

Sent from my iPhone

Response to Comment Letter I6: Bethany O’Conor, June 13, 2025

Response to Comment I6.1: 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 detailed in Section 3.0, *Project Description*, 15 holes of golf would be retained with implementation of the proposed Project. 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 that the Project would not 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. As discussed in Master Response 2, the Newport Beach Golf Course is not a municipal course, it is privately owned and the proposed Project is funded by a private developer, not the City.

Comment Letter 17: Naill Saunders (2 pages)

From: [Niall Saunders](#)
To: [Perez, Joselyn](#)
Subject: Re: Snug Harbor Surf Park
Date: June 16, 2025 2:33:12 PM
Attachments: [image001.png](#)

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Report phish using the Phish Alert Button above.

Hi Joselyn

Please strike the word "municipal" from my objection. Instead I wish to express my opposition to the intensification of the open space use, including the need for a 3-storey parking and additional hardscaped parking areas.

Thank you

Niall

17.1

On Mon, Jun 16, 2025 at 1:27 PM Perez, Joselyn <JPerez@newportbeachca.gov> wrote:

Hi Niall,

I have received your comment on the EIR.

Just to clarify- the golf course is not owned or operated by the city and is not a municipal facility. It is privately owned and operated.

Thanks,



Joselyn Perez

Senior Planner

Community Development
Department

Office: 949-644-3312

100 Civic Center Drive

Newport Beach, CA 92660

From: Niall Saunders <niall@architectsoc.com>
Sent: June 14, 2025 10:41 AM
To: Perez, Joselyn <JPerez@newportbeachca.gov>
Subject: Snug Harbor Surf Park

[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.

Hello Joselyn

I wish to reiterate my opposition to the proposed surf park which would replace municipal golf facilities at Irvine Avenue.

17.2

Thank you,

--

Niall F. Saunders AIA RIBA
Saunders + Wiant Architects
2700 West Coast Highway, Suite 200,
Newport Beach, CA. 92663

Tel: (949) 721 0730

Fax: (949) 721 0767

www.architectsoc.com

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Niall F. Saunders AIA RIBA
Saunders + Wiant Architects
2700 West Coast Highway, Suite 200,
Newport Beach, CA. 92663

Tel: (949) 721 0730

Fax: (949) 721 0767

www.architectsoc.com

Response to Comment Letter I7: Naill Saunders, June 14, 2025

Response to Comment I7.1: The commenter incorrectly states that the Project proposes a three-story parking structure. As discussed in Draft EIR Section 3.0 *Project Description*, the proposed Project would include two surface parking lots located on the northern and southern portions of the site. 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 Projects 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*.

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 to Comment I7.2: As detailed in Section 3.0, *Project Description*, 15 holes of golf would be retained with implementation of the proposed Project. As described in Master Response 2, the Newport Beach Golf Course is privately owned and is not a municipal golf course.

Comment Letter I8: Eric Halverson (2 pages)

From: Eric Halverson <mrinventor@hotmail.com>
Sent: June 14, 2025 12:51 PM
To: Perez, Joselyn <JPerez@newportbeachca.gov>
Subject: Newport Beach Golf Course

[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.

Hello,

Regarding destroying the only affordable Course in Newport Beach it is a terrible idea. I've been playing that course for five decades and play it every week with friends who are also classmates. If the City cares about maintaining attendance they should replace all lighting and allow evening play.

The last thing a well known Beach town needs is fake surfing when the ocean is right there. The additional parking demands will also present a problem along with the expected illegal activities that usually accompany theme park types of venues.

Eric Halverson
Cell (949) 689-0158

18.1

Response to Comment Letter I8: Eric Halverson, June 14, 2025

Response to Comment I8.1: 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. In addition, the proposed Project would not operate as a theme park, as discussed in Draft EIR Section 3.8, *Operations*, 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 surf 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 and limited in capacity. Thus, the proposed 351 parking stall would be able to accommodate the proposed operations using a reservation system rather than first come first served.

In addition, as discussed in Draft EIR Section 5.12 *Public Services*, on page 5.12-8, the proposed Project would address typical security concerns by providing low-intensity security lighting, security cameras, and 24-hour security personnel. Pursuant to the City's existing permitting process, the Police Department would review the site plans to ensure that the City's safety features are incorporated.

Comment Letter I9: Patricia Pidgeon (2 pages)

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

From: Patricia Pidgeon <ppidgeon09@gmail.com>

Sent: June 14, 2025 2:37 PM

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

Subject: Public golf course must stay

[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.

There are few things that make a community unique for all ages. A public golf course in Newport is one of them. You're a public servant and should think about the community first, that's your responsibility. Stop profiteering with a ridiculous unnecessary wasted of an idea such as a surf park. HB is the surf capital of the country, it's foolish to think a surf park will win over the public.
Sent from my iPad

19.1

Response to Comment Letter I9: Patricia Pidgeon, June 14, 2025

Response to Comment I9.1: 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.

Comment Letter I10: Karen Mc-J (2 pages)

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I am vehemently opposed to this proposed project. We have such little green space as it is so we need to preserve this golf course. A surf park should be at the beach, not a golf course that many of us have used for close to 50 years.

I10.1

Karen Mc-J

Response to Comment Letter I10: Karen Mc-J, June 14, 2025

Response to Comment I10.1: Please refer to Master Response 2: *Loss of Existing Golf Course Use*, regarding 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. Regarding 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, 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*.

Comment Letter I11: Bruce Carlin (1 page)

Dear Ms. Perez,

I'm a 13 year resident of NB/Corona del Mar and an avid golfer. Please, a surf park at the expense of many residents' leisure activity is not welcome. It would force the hundreds of people now congregating at this facility out of the city, along with their revenue dollars. A surf park is for the few; golf along with the restaurant, golf shop, driving range, and golf course is for the many.

Please, a surf park makes no sense. There's no green in a surf park, while a golf course is all green.

Thank you for listening.

Bruce Carlin
426 Acacia Ave, Corona del Mar
310-714-0612

I11.1

Response to Comment Letter I11: Bruce Carlin, June 15, 2025

Response to Comment I11.1: 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 the opinions of merits of the proposed Project. Regarding 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, 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 Projects 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*.

Comment Letter I12: Deborah Sheperd (2 pages)

Hi,

I hope you are well. As a resident of Newport Beach for over 30 years and attorney in the community, I wanted to express my strong disapproval of the proposed surf park. We regularly visit the restaurant (essentially every week) there which would be destroyed and my family regularly uses the driving range and golf course. These are inexpensive local activities that would be taken away with the surf park. The surf park would also bring in congestion on Irvine Avenue. The surf park is not something we would use. Let's think about the demographic on visitors -- not older people, not people with super young kids - I am not sure who would use it. Also, surf parks are not inexpensive to visit and it is quite possible it could financially fail. This could leave something that is expensive to replace with something else or to bring the golf course facilities taken away back. My family and I strongly oppose the surf park. I hope you will consider our feedback and realize that this is not a positive decision for our community.

I12.1

Best,

Deborah Shepherd

Response to Comment Letter I12: Deborah Sheperd, June 16, 2025

Response to Comment I12.1: As detailed in Section 3.0, *Project Description*, 15 holes of golf would be retained with implementation of the proposed Project. Refer to Master Response 2: *Loss of Existing Golf Course Use*, regarding the change to the existing golf course use as well as Master Response 1: *Project Merits* for regarding comments about the merits of the proposed Project. Also, see Master Response 4: *Impacts Related to Vehicle Trips*.

Comment Letter I13: Ted Norkunas (1 page)

From: [Ted Norkunas](#)
To: [Perez, Joselyn](#)
Subject: Please
Date: June 16, 2025 7:50:38 PM

[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.

Please do not ruin the Newport Beach Golf course. I literally have no other place to take my grandchildren. This place is invaluable for training young golfers. So many kids come here and would be left in the cold with no where else to play golf.... This is the best family place ever!!! Please
Sent from my iPhone

I13.1

Response to Comment Letter I13: Ted Norkunas, June 16, 2025

Response to Comment I13.1: 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*, regarding the proposed changes to the existing golf course.

Comment Letter I14: Bernard Feldman (1 page)

From: [BERNARD FELDMAN](#)
To: [Perez, Joselyn](#)
Subject: Surf Park
Date: June 16, 2025 9:38:33 PM

[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.

This e mail is to let you know that I am strongly opposed to the development
Of the proposed surf park . The current driving range and golf course benefits more people
In the community, and at much less expense, and environmental impact.
Thank you.

I14.1

Bernar M Feldman MD
2421 E 16 th St #3
NB CA 92663

Response to Comment Letter I14: Bernard Feldman, June 16, 2025

Response to Comment I14.1: Please refer to Master Response 2: *Loss of Existing Golf Course Use*, regarding the change to the existing golf course use as well as Master Response 1: *Project Merits* for a response to comments regarding the opinions of the proposed Project's merits. The comment does not specify the environmental effect of concern or analysis in the Draft EIR. Thus, no further response is warranted.

Comment Letter I15: Mike Smith (2 pages)

From: [M. Smith](#)
To: [Zdeba, Benjamin](#)
Cc: [Dept - City Council](#); [Planning Commission](#); [Perez, Joselyn](#); [Chloe@Coastal Seifert](#)
Subject: Snug Harbor Surf Park (PA2024-0069) & Newport Beach Golf Course California Coastal Commission (LCP) item # Amendment Request No. LCP-5-NPB-24-0032-2
Date: June 16, 2025 5:28:56 PM
Attachments: [NBGC owner interest memo 2.5.2021.pdf](#)

[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.

Hi Ben,

I understand Ms. Joselyn Perez has reached out to you recently on a question I had earlier for her regarding the housing element. I was able to reach back in prior emails and found this conversation with Mr. Jim Campbell, you and myself from 5/3/2021.

Can you please confirm that the attached memo dated 2/5/2021 from Mr. Brett Feuerstein, Newport Golf Club, LLC and the attached maps are the most current and most accurate items the City has on file in regards to residential building/construction at the Newport Beach Golf Course - located at 3100 Irvine Ave, Newport Beach, CA 92660, specifically golf holes 3 - 8 along Mesa Dr., lots 23, 24, 25, 26. Have there been any changes or updates in regards to development on any section(s) of 3 - 8?

I would like to point out the issue raised by the City back on 5/3/2021 regarding the sites known as golf holes 3 - 8, being in a 100-year flood zone and the City not being interested in installing new homes in harms way (please see the yellow highlighted section below). I am aware that the City of Newport Beach has submitted the LCPA to the California Coastal Commission back on August 16, 2024. The City is currently asking the (CCC) to have a residential overlay over golf holes 3 - 8 in addition to keeping the present zoned Open Space and Recreation (SP-7/OSR) designation. This is (CCC) Local Coastal Program (LCP) item # Amendment Request No. LCP-5-NPB-24-0032-2. I have been advised by Ms. Chloe Seifert, Coastal Program Analyst with the California Coastal Commission, that as of today, 6/16/2025, this item has not been voted on by (CCC).

Would the City of Newport Beach consider removing its residential overlay request for golf holes 3 - 8 with the California Coastal Commission at this time? Ref: Local Coastal Program (LCP) item # Amendment Request No. LCP-5-NPB-24-0032-2?

If yes, please advise.

If not, why not?

A reply by 6/18/2025 would be greatly appreciated as the NB Planning Commission meeting is on 6/19/2025 @ 6 pm. and the Newport Beach Golf Course issue related to the Snug Harbor Surf Park (PA2024-0069) is on the agenda for 6/19/2025.

Thank you,
Mike Smith

I15.1

----- Forwarded message -----

From: **Campbell, Jim** <JCampbell@newportbeachca.gov>

Date: Mon, May 3, 2021 at 10:01 AM

Subject: RE: Draft of the General Plan Housing Element Update (PA2017-141), Newport Beach Golf Course area

To: M. Smith <mws.aspenroyal@gmail.com>

Cc: Zdeba, Benjamin <bzdeba@newportbeachca.gov>

Mike,

It was good to speak with you has week.

The “density rezone” value is the assumed density in units per acre that was used for the analysis. The “potential units rezone” is simply the density times the lot acreage so for site #23, its 1.38 acres X 50 dwelling units per acre = 69 units. The “potential units net” is a discounted number of units reflecting the differential factoring existing residential units or owner interest to do a less dense development than the assumed density for a site. Sites 23-26 is the golf course as you know. The unit yield for the combined sites totals 693 units and the net shown totals 416 units. There is no existing residential but the property owner is suggesting 375 units based on the attached site study. I directed the Housing Element consultant to update the net so it totals 375 units. The difference is why it took me so long to respond, I needed to track this down to correct the error.

The sites are in the 100-year flood zone and that would need to be mitigated. The City is not interested in placing any new homes in harm’s way. Mitigation can be a levee or raising the grade of the site or a combination of the two.

**115.1
Cont.**

The site is in the Coastal Zone and residential use would require an amendment to the City’s Local Coastal Program and would require Coastal Commission approval. The process can add as much as a 15 months after potential City Council action. The project itself assuming the LCP amendment were approved would only require City approval but it could be appealed to the Commission.

I hope this answers your questions and let me know if you have more. Take care.

JIM CAMPBELL

Community Development Department

Response to Comment Letter I15: Mike Smith, June 16, 2025

Response to Comment I15.1: This comment is related to the southern portion of the Newport Beach Golf Course and its inclusion in the City's Housing Element and is not related to the proposed Project. Please refer to Master Response 3: *CEQA Piecemealing and Housing Opportunity Sites*, for a response to comments regarding the Housing Opportunity Sites located on the southern portion of the Newport Beach Golf Course.

Comment Letter I16: Brandy Kaminski (2 pages)

From: [Brandy Kaminski](#)
To: [Perez, Joselyn](#)
Subject: Save Newport Beach Golf Course
Date: June 17, 2025 11:37:02 AM

[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.

Please Help Save Our Community Golf Course

This golf course has been more than just fairways and greens — it's been a home for my children. They've grown up playing here, learning discipline, patience, and respect for others. It's a safe, affordable place where they and their friends can stay active and out of trouble in a world that feels more chaotic every day.

Losing this course would mean losing a vital part of our community — a space that has shaped our kids and kept them grounded. Please help us preserve this sanctuary for future generations.

Thank you!

I16.1

Response to Comment Letter I16: Brandy Kaminski, June 17, 2025

Response to Comment I16.1: 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*, for the response to comments related to the change to the existing golf course use.

Comment Letter I17: Jeff Smith (2 pages)

From: [Smith, Jeff](#)
To: [Perez, Joselyn](#)
Subject: Keep Newport Beach Golf Course
Date: June 17, 2025 12:49:24 PM

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Hi Joselyn,

I'm writing to urge you to oppose the proposal to replace the Newport Beach Golf Course with a surf park. This course is a rare and valuable public space that serves residents of all ages and backgrounds.

Turning it into a private attraction would take away a long-standing community resource that promotes outdoor activity, accessibility, and green space. Newport Beach already has excellent surf beaches—what we don't have is another public golf course.

Please help protect our culture, support the people whose livelihoods depend on the Golf Course, and preserve this vital part of our city's identity.

Sincerely, Jeff

Jeffrey Smith
PERse
President
23 Corporate Plaza, Suite 248
Newport Beach, CA 92660
E: jsmith@powerenergyrisk.com
M: 949.280.0559
www.powerenergyrisk.com

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I17.1

Response to Comment Letter I17: Jeff Smith, June 17, 2025

Response to Comment I17.1: 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*, regarding the change to the existing golf course use. As stated in Master Response 2, while the golf course is public and does not require membership to play, it is not a municipal course and is privately owned. The proposed surf park would operate similarly in that anyone in the public can reserve time to utilize the facility. The proposed membership associated with the facility would grant special access to certain features and/or times; however, it would not be necessary to be access.

Comment Letter I18: Amy Reverdy (1 page)

From: [Amy Reverdy](#)
To: [Perez, Joselyn](#)
Subject: Newport Beach Golf Course
Date: June 17, 2025 2:27:23 PM

[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'm writing to express my support for preserving the Newport Beach Golf Course. This course is far more than a recreational facility -- it's a cornerstone of the community. It serves as a vital practice ground for several local high school and college teams. It fosters athletic development, mentorship, and school spirit across generations of local student-athletes. The course also hosts charitable tournaments that benefit veterans, first responders, local schools, and youth golf programs through the PGA and Junior PGA. Events like these reflect the course's broad and lasting impact on the community.

In addition to its social and civic value, the course welcomes hundreds local residents daily -- serving as a hub for recreation, health, and connection. Replacing this facility with a surf park would be shortsighted, especially considering our community already has easy access to one of the world's best natural surf environments just miles away. A golf course offers year-round, multi-generational value in a way a surf park simply cannot replicate.

Please help ensure the Newport Beach Golf Course remains a lasting asset for the community and future generations.

Thank you,

Amy Reverdy

I18.1

Response to Comment Letter I18: Amy Reverdy, June 17, 2025

Response to Comment I18.1: 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*, 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 regarding the merits of the proposed Project.

Comment Letter I19: Derek Sabori (1 page)

From: [Derek Sabori](#)
To: [Perez, Joselyn](#)
Subject: Snug Harbor Surf Park
Date: June 17, 2025 5:02:52 PM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.
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Dear City Planner Perez,

While I am not opposed to the idea of a well-designed, inclusive, accessible, and world-class surf park in our community, I have just signed the Keep NB Golf petition mainly because of the impact it will have on the restaurant and its staff and owners.

If this passes, I hope that business owners already partnered with the property have a first right to keep their businesses running on the new property. As a true neighborhood gem, Original Pizza would be an AMAZING addition to the Surf Park if things don't go the way I voted.

Thank you,

Derek Sabori
[The Underswell](#)



@derekasabori
949-433-4144

I19.1

Response to Comment Letter I19: Derek Sabori, June 17, 2025

Response to Comment I19.1: As detailed in Section 3.0, *Project Description*, the proposed Project would include a restaurant/bar and surf shop. As detailed on page 6-1 of the Draft EIR, the Project site currently employs 47 full and part-time people at the golf course, pro-shop, and restaurant. The proposed Project would employ approximately 70 full-time and part-time employees with an average of approximately 55 employees onsite at any given time. Thus, the Project would result in the addition of 23 employees and provide local employment. Please refer to Master Response 1: *Project Merits* for a response to comments regarding the operational details of the proposed Project. While this is not a CEQA issue that needs to be responded to within the Final EIR, this comment will be available to City decisionmakers as part of the Final EIR.

Comment Letter I20: Niki Parker (1 page)

From: [NikiParker](#)
To: [Perez, Joselyn](#)
Subject: Snug Harbor proposal
Date: June 17, 2025 6:28:17 PM

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Two objections:

As a local, Costa Mesa Resident that uses Irvine Ave. frequently, at non- prime time commute, I object to the additional traffic generated by this project.

Second, the amount of water needed in an on-going manner is completely detrimental to our saving water for the next drought. Surely with the ocean only a short distance away, surfing in the ocean is better than a surf park.

Please cast my vote as a no.

I20.1

Niki Parker
PMA® Certified Pilates Teacher
MELT Method® Advanced Instructor
NikiParker@aol.com
949-923-1622

   [https://meltmethod.com/pages/shop?
rfsn=6612083.bb78b9&utm_source=refersion&utm_medium=affiliate&utm_campaign=6612083.bb78b9](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 Comment Letter I20: Niki Parker, June 17, 2025

Response to Comment I20.1: Please refer to Master Response 4: *Impacts Related to Vehicle Trips* for a response regarding the traffic generated by the proposed Project.

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.

Comment Letter I21: Eric Woods (1 page)

From: [Eric Woods](#)
To: [Perez, Joselyn](#)
Subject: Newport Beach Golf Course
Date: June 17, 2025 9:18:20 PM

[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.

It's sad to see our city council is willing to destroy a community golf course that contributes to so many kids, parents, friends, and seniors to make a small group of people happy. Times have changed in Newport Beach and it's disappointing that there is no one to protect our communities best interests.

I21.1

Response to Comment Letter I21: Eric Woods, June 19, 2025

Response to Comment I21.1: 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*, for the response to comments related to the change to the existing golf course use.

Comment Letter I22: Benny Hallock (8 pages)

June 19, 2025

Mark Rosene

Chair, Newport Beach Planning Commission

100 Civic Center Dr.

Newport Beach, CA 92660

SUBJECT: SNUG HARBOR SURF PARK EIR DEFICIENCY

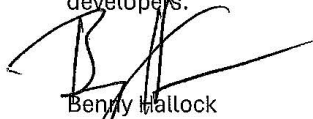
Dear Chairman Rosene and members of the Planning Commission,

The Draft EIR now in circulation for the Snug Harbor Surf Park project is deficient and must be recirculated.

It does not study the complete project that includes the developers expressed intent to develop apartments south of Mesa Drive as indicated in their February 5, 2021 email to planning director Jim Campbell. (attached)

As you are aware, CEQA Guidelines Section 15097 prohibits breaking up a project into smaller pieces in a way that obscures the full environmental impact of the project. Established case law also prohibits “piecemealing” where a project is not the comprehensive project.

The Surf Park EIR is clearly the first step in the apartment project envisioned by the developers.



Benny Hallock

Volunteer Chair, Save Newport Beach Golf Course

I22.1

From: Brett Feuerstein <brett@mesacenters.com>
Sent: Friday, February 5, 2021 3:40 PM
To: Jurjis, Seimone
Cc: Campbell, Jim; Housing Element Update Advisory Committee; Tucker, Larry
Subject: Newport Beach Golf Course- 3100 Irvine Ave.
Attachments: Site Study.pdf; California Airport Land Use Planning Handbook - Allowable Densities (Zone 4).pdf

Follow Up Flag: Follow up
Flag Status: Flagged

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Mr. Jurjis and Mr. Campbell:

Thank you for all of your efforts and work that went into the subcommittee report regarding projects in the 65 CNEL. I would like to submit the attached plan as a potential project for the City to consider as part of the updated Housing Element. We are very excited to participate in this update. Through much study regarding the goals of the City, the policies of the airport, as well as the financial needs for the development to occur, we believe that we have come up with an ideal residential project, as well as providing a 1.5 acre park for the community. The attached plan shows a majority of the denser development in Zone 6 with a little of the multifamily spilling over into Zone 4 (see attached plan to see where Zone 4 and 6 actually are). This portion of the property includes approximately 200 multifamily units as well as 75 affordable units. In Zone 4 which per the airport guidelines allows an "average density/intensity of comparable surrounding users" (see attached for exact language for residential use pertaining to urban areas) we have shown townhomes at approx. 17 du/ac, for a total of approximately 100 units. With the neighboring uses including; single family residential, multifamily residential, commercial center, golf course and office buildings, we thought that townhomes would make sense in Zone 4 and allow the City to get a significant numbers of units. In addition in Zone 4 we placed the 1.5 acre park since obviously that is the least dense use and helps offset the other development in Zone 4. I would love to discuss with you and see if there is anything else that the City would like to see on the property.

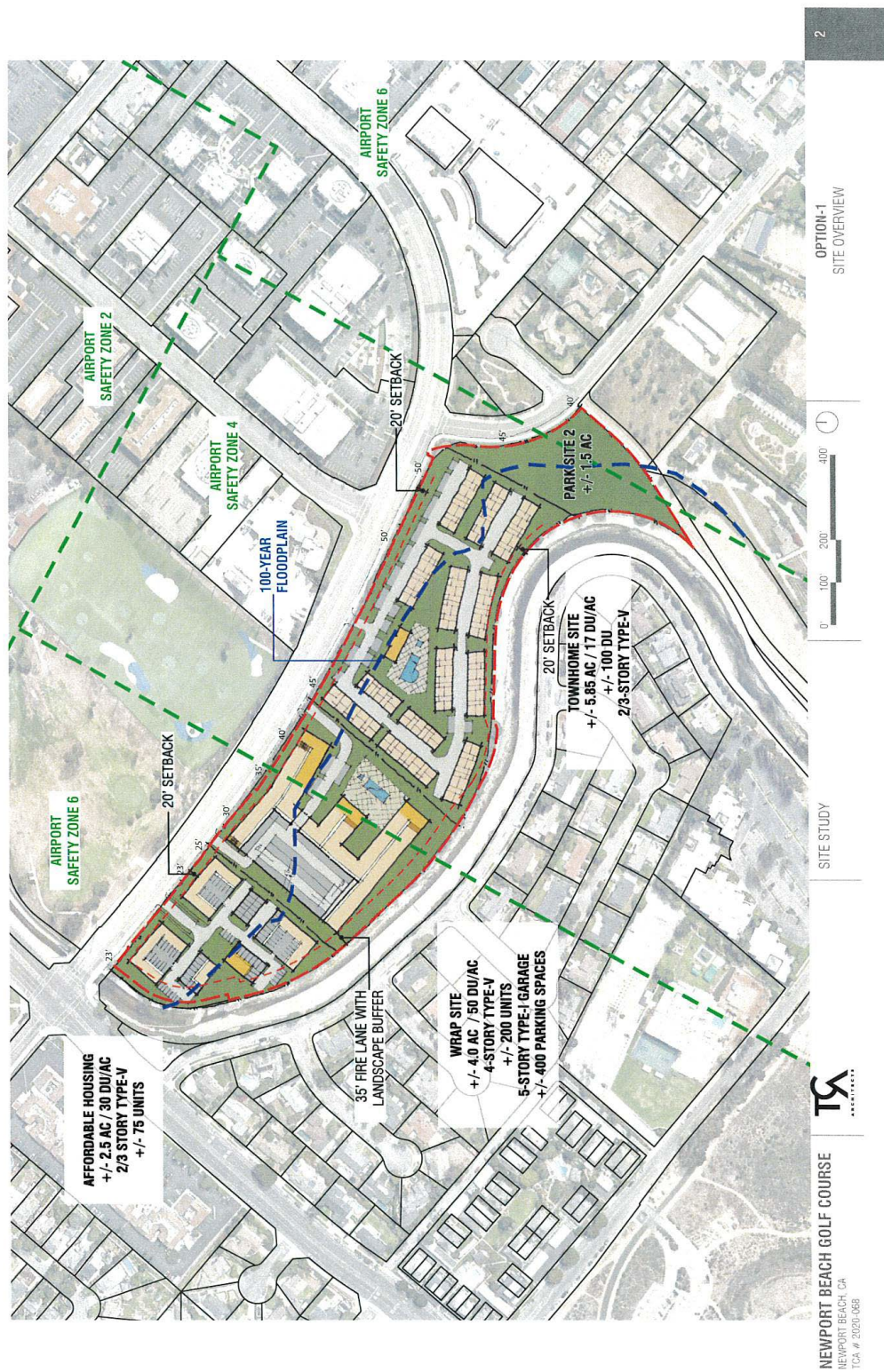
Sincerely,

Brett Feuerstein
Newport Golf Club, LLC

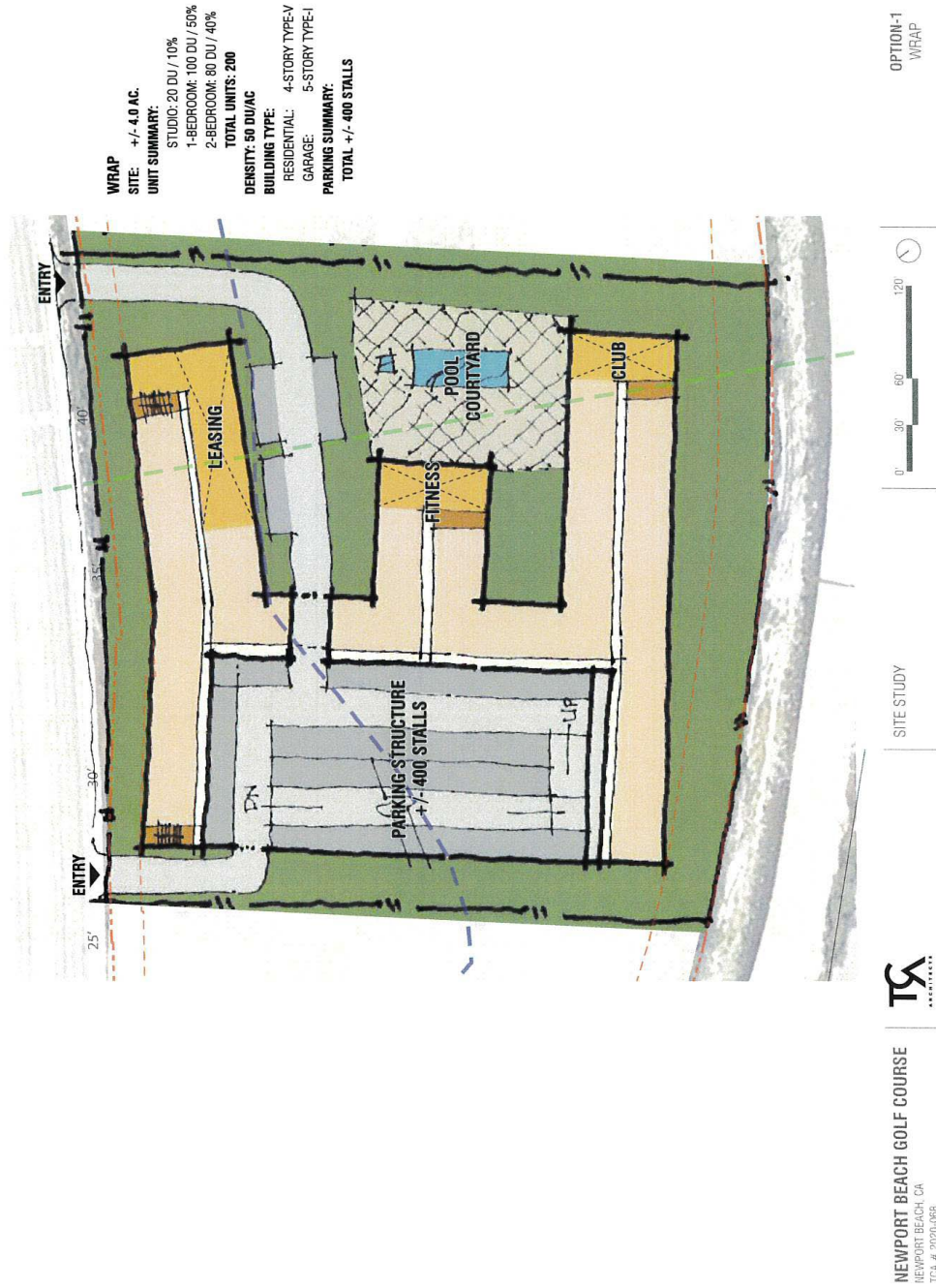


NEWPORT BEACH GOLF COURSE SITE STUDY











DEVELOPING AIRPORT LAND USE COMPATIBILITY POLICES 4

Nature of Risk

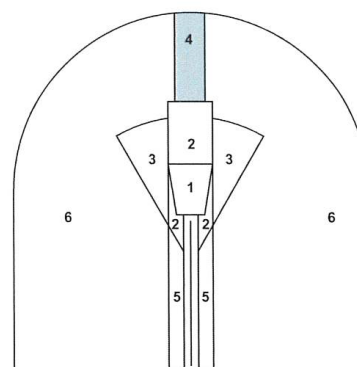
- Normal Maneuvers
 - Approaching aircraft usually at less than traffic pattern altitude. Particularly applicable for busy general aviation runways (because of elongated traffic pattern), runways with straight-in instrument approach procedures, and other runways where straight-in or straight-out flight paths are common
- Altitude
 - Less than 1,000 feet above runway
- Common Accident Types
 - Arrival: Pilot undershoots runway during an instrument approach, aircraft loses engine on approach, forced landing
 - Departure: Mechanical failure on takeoff
- Risk Level
 - Moderate
 - Percentage of near-runway accidents in this zone: 2% - 6%



LONG FINAL

Basic Compatibility Policies

- Normally Allow
 - Uses allowed in Zone 3
 - Restaurants, retail, industrial
- Limit
 - Residential uses to low density
- Avoid
 - High-intensity retail or office buildings
- Prohibit
 - Children's schools, large daycare centers, hospitals, nursing homes
 - Stadiums, group recreational uses
- Other Factors
 - Most low to moderate intensity uses are acceptable. Restrict assemblages of people
 - Consider potential airspace protection hazards of certain energy/industrial projects



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	3x the Average number of people per gross acre
Rural	See Note A	70 – 100	210 – 300
Suburban	1 per 2 - 5 ac.	100 – 150	300 – 450
Urban	See Note B	150 – 200	450 – 600
Dense Urban	See Note B	See Note B	See Note B

Note A: Maintain current zoning if less than density criteria for suburban setting.

Note B: Allow infill at up average density/intensity of comparable surrounding users.

FIGURE 4E

Safety Zone 4 – Outer Approach/Departure Zone

Response to Comment Letter I22: Benny Hallock, June 19, 2025

Response to Comment I22.1: Please refer to Master Response 3: *CEQA Piecemealing and Housing Opportunity Sites*, for a response to comments regarding the Housing Opportunity Sites located on the southern portion of the Newport Beach Golf Course.

Comment Letter I23: Jordan Lissoy (1 page)

From: [Jordan Lissoy](#)
To: [Dept - City Council](#)
Cc: [Perez, Joselyn](#); [Stapleton, Joe](#); ["brett@mesacenters.com"](#); ["fluterproperties@gmail.com"](#)
Subject: Newport Beach Golf Course -- Opposition to Proposed Developments
Date: June 19, 2025 2:44:25 PM

[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.

Hello,

My name is Jordan Lissoy. I was raised in Irvine, went to college at Pepperdine, and am currently a homeowner and resident in the neighborhood of Mesa Mel Mar, Costa Mesa. I am writing to you in opposition of proposed developments at Newport Beach Golf Course. The course provides me the ONLY nearby affordable, casual, no shame, public golf course in Orange County. This course has come to mean a significant amount to me. I have two daughters who I really hope I get to give access to Golf to as they grow older and I genuinely don't know how I am going to be able to justify it without Newport Beach Golf Course. So many golf courses in Orange County are expensive let alone public. To state the obvious, I don't understand why we need a wave pool 15 minutes from the ocean. As for housing, I know cities need more housing and the state is mandating it. Not sure my opinion can sway that result. If the argument for these proposed developments is that "some holes" will remain, well, demand for golf since COVID has made golf a crowded sport. Reducing holes will just mean more congestion on the course with limited tee times ruining the character of the course and its impact on the community.

I23.1

Proposed developments would reduce my access to nearby recreation and threatens to end my ability to play golf frequently. With respect to limited recreation, our neighborhood is littered with basketball hoops on the street because no parks nearby have basketball courts.

Thank you for listening.

Jordan Lissoy

Loan Analyst

GF Capital | 17731 Mitchell N, Suite 200 | Irvine, CA 92614

Tel: (949) 224-1970 Ext. 103 | Fax: (949) 224-1963

Email: jordan@gfcloans.com | Web: www.gfcloans.com



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www.farwestindustries.com

Response to Comment Letter I23: Jordan Lissoy, June 19, 2025

Response to Comment I23.1: 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 3: *CEQA Piecemealing and Housing Opportunity Sites*, for a response to comments regarding the Housing Opportunity Sites located on the southern portion of the Newport Beach Golf Course.

As detailed in Draft EIR Section 5.13, *Parks and Recreation*, page 5.13-9, the Project proposes to redevelop a portion of a golf course with a new commercial recreational surf park use. With the change to the golf course to the 15-hole format and removal of the driving range, it is likely that existing users of the driving range and golf course would use other nearby golf facilities that would incrementally increase their usage. However, Draft EIR Tables 5.13-2 and 5.13-3 details that there are 11 other publicly available golf courses and nine other public driving ranges within 10 miles of the Project site that provide a range of golfing activities, and the incrementally increased usage would be spread amongst the other existing golf facilities. These are commercial recreational facilities that users pay to use. The increase in fees from the increased usage would provide funding for increased maintenance to offset the increase in use. Thus, substantial physical deterioration of other nearby golf course and driving range facilities would not occur.

In addition, the Draft EIR page 5.13-10 details that the construction and operational activities related to the proposed commercial recreational facilities are included as part of the Project and would not result in any physical environmental effects beyond those identified throughout the Draft EIR. Emissions due to the construction of the surf park facility are included in Sections 5.2, *Air Quality*, and 5.7, *Greenhouse Gas Emissions*. Hydrology and drainage are evaluated in Sections 5.9, *Hydrology and Water Quality* and Section 5.16, *Utilities and Service Systems*. Noise from construction is evaluated in Section 5.11, *Noise*, and vehicular trips from construction of the Project are analyzed in Draft EIR Section 5.14, *Transportation*. Therefore, Project impacts related to the construction or expansion of recreational facilities would be less than significant. The comment does not describe a specific potential impact; thus, no further response is warranted.

Comment Letter I24: Andrew Bowden (1 page)

From: 1andybowden1@gmail.com
To: [Perez, Joselyn](#)
Subject: Surf Park Proposed on the site of the Newport Beach Golf Course
Date: June 19, 2025 2:44:44 PM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.
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Mr. Perez-

I want to go on record as being adamantly opposed to the proposal of converting the current Newport Beach Golf Course to a Surf Park and housing. The open space that is created by the current golf course use is vital to the community. We do not need a surf park in this area and certainly not in Newport Beach which has incredible beaches just 5 miles away. The noise from the John Wayne Airport would make the housing site most undesirable and would take away a much-needed green belt area for wildlife. I have enjoyed playing golf at the Newport Beach Golf Course for over 40 years. If you were to put this on the ballot for registered voters of Newport Beach to vote on, I'm sure that this proposal would not be approved. We need open space, not surf parks!

I24.1

Respectfully Yours,

Andrew Bowden, FASLA, PLA
20301 Orchid Street
Newport Beach, CA 92660

Response to Comment Letter I24: Andrew Bowden, June 19, 2025

Response to Comment I24.1: Please refer to Master Response 5: Noise Impacts as well as Draft EIR Section 5.11 *Noise*, for the discussion of the proposed Project's noise impacts as well as Master Response 2: *Loss of Existing Golf Course Use*, for the response to comments related to the change to the existing golf course uses.

Regarding 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, 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.

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.

In regard to the Project's impact to 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 (included as Appendix C to the Draft EIR). 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 to potential indirect effects to the Upper Newport Bay from the proposed Project. As such, the Project would not result in any substantial impacts to sensitive wildlife.

Comment Letter I25: Pete Bower (1 page)

From: [Pete Bower](#)
To: [Perez, Joselyn](#)
Subject: Keep NB golf
Date: June 20, 2025 11:57:41 AM

[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.

Any one with a few bucks can enjoy hitting some golf balls at NB Golf Course.
Only the wealthy will be able to afford over \$200 for a 55 minute time period.

It is a ridiculous idea and doomed for failure. It must be the creation of someone very wealthy with little concept of the general public welfare.
Pete Bower

Sent from my iPhone

I25.1

Response to Comment Letter I25: Pete Bower, June 19, 2025

Response to Comment I25.1: Please refer to Master Response 1: *Project Merits* for a response to comments regarding the merits of the proposed Project.

Comment Letter I26: Patricia Lynch (1 page)

From: [Patricia A. Lynch](#)
To: [Perez, Joselyn](#)
Subject: Snug Harbor Surf Park Project, SCH 2024110238
Date: June 19, 2025 12:37:36 PM

[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.

Ms. Joselyn Perez
Senior Planner
City of Newport Beach

Ms. Perez,

I am very opposed to taking away portions of the Newport Beach Golf Course and driving range to build a surf park. The ocean is less than 5 miles away and Newport has some of the best waves on which to learn and surf. Why would you take open land dedicated to public golf away for a surf park when the ocean is so close?

This golf course provides multiple kids with a local and inexpensive way to learn and enjoy golf. There is no other public golf course in Newport Beach. Newport Beach Golf Course has some of the best pros for a public course. I also enjoy golfing and improving my golf game at the range. Frankly, the restaurant also has some of the best pizza. The public driving range is an integral part of the golf course because many young people come in the afternoons and evenings after school to take lessons.

The planned 15- hole course is ridiculous, especially without a range to warm up and practice.

I disagree that the impact on the community is minimal. Many youth tournaments will no longer be held there because they require 18-hole courses. Without a driving range PGA tour pros will not be able to teach. This is a bad plan for the community. It is also unnecessary. If Newport Beach had another public course, it might be different. Frankly, having that open space is very important as well.

Please reject this plan.

Thank you,

Pat Lynch

I26.1

Response to Comment Letter I26: Patricia Lynch, June 19, 2025

Response to Comment I26.1: 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 regarding the merits of the proposed Project. 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, 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 Projects 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.

Comment Letter I27: Brooke Braga (1 page)

From: [Brooke Braga](#)
To: [Perez, Joselyn](#)
Subject: Golf course concern
Date: June 23, 2025 11:28:27 PM

[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.

Good Evening Ms. Perez,

I am writing to express my concern about the surf park development potentially taking place at the current Newport Beach Golf Course. As a lifelong resident of Newport Beach, the golf course has become a stable and welcoming place for my family and many friends. It is accessible to all socioeconomic levels and highly popular with all age groups. The beach is nearby where surfers of all levels can catch waves that fit their experience but there are no other golf courses or driving ranges in the city.

I am opposed to the surf park development and hope that the city makes the right choice in keeping the golf course.

Thank you,
Brooke Braga

I27.1

Response to Comment Letter I27: Brooke Braga, June 23,, 2025

Response to Comment I27.1: 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.

Comment Letter I28: Melissa Lippand (2 pages)

Please, do not approve the wave park to that will replace the golf course, driving range and Original Pizza. Please support open space and community space for all rather than another private attraction that will only serve an entitled few.

These types of parks have not been successful in locations far from the actual ocean - to think the park will be successful when it is located very close to the actual ocean is short sighted and wrong.

Please do the right thing and do not support this proposal. Keep the golf and restaurant intact.

Thank you.

I28.1

Response to Comment Letter I28: Melissa Lippand, June 23, 2025

Response to Comment I28.1: 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 regarding the merits of the proposed Project. The proposed surf park would operate similarly to the golf course as anyone in the public can reserve time to utilize the facility. The proposed membership associated with the facility would grant special access to certain features and/or times; however, it would not be necessary to be access the surf lagoon.

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, 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 Projects 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.

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.

Comment Letter I29: Mindy Adamson (1 page)

From: [Rodriguez, Clarivel](#)
To: [Perez, Joselyn](#)
Subject: FW: Surf ranch-NO
Date: June 24, 2025 7:09:19 AM

Clarivel Rodriguez
Assistant to the Community Development Director
Community Development Department
Office: 949-644-3232

100 Civic Center Drive
Newport Beach, CA 92660

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

From: Mindy Adamson <adamsonfam@aol.com>
Sent: June 24, 2025 7:02 AM
To: Planning Commission <planningcommission@newportbeachca.gov>
Subject: Surf ranch-NO

[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 urge you not to tear down our only public golf course, driving range and great restaurant that is affordable and fun for the family. We have an ocean for surfing that visitors can use. This golf course is for locals... one of the cheaper attractions we have, and a great place for kids and adults to learn the game of golf. We all love it. Please stop changing everything good about NB. The city council is already building more high rises on FI and changing views, bringing more people and cars. It's too much. You're ruining our special city.

I urge you to vote NO on this project. Take it inland where the ocean is far away.

-Mindy Adamson
NB Resident

I29.1

Response to Comment Letter I29: Mindy Adamson, June 24, 2025

Response to Comment I29.1: 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.

Comment Letter I30: Dandy O'Shea (3 pages)

From: [Dandy O'Shea](#)
To: [Perez, Jocelyn](#)
Subject: Fwd: Public Comment on the Draft EIR for Snug Harbor Surf Park
Date: June 24, 2025 8:19:13 AM

[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.

Hello Jocelyn,

I read the article in Stu News this am on the surf park and clicked through to the Save Newport Beach Golf Course where I found your address.

I thought I would send along the email I sent to the CM Planning Commission and touch bases with you in Newport Beach's Planning Department as well.

I30.1

As you read on, you will find that I am neither for nor against development. What I am asking is that whatever is done, it is done with mindful planning, execution and maintenance. Land is a precious commodity here in town and should be treated as such.

Let me know if you have any questions or would like to have a conversation,

Dandy O'Shea
949-466-9188

Note: I never received acknowledgment that my email was received by CMPC.

Begin forwarded message:

From: Dandy O'Shea <dandyoshea@mac.com>
Subject: Public Comment on the Draft EIR for Snug Harbor Surf Park
Date: June 17, 2025 at 1:57:46 PM PDT
To: ZAPublicComments@costamesaca.gov

Costa Mesa Planning Commission
City of Costa Mesa
77 Fair Drive
Costa Mesa, CA 92626

Subject: Public Comment on the Draft EIR for Snug Harbor Surf Park

Dear Planning Commissioners,

My name is Dandy O'Shea, and I am a 59-year resident of Newport Beach who regularly travels through the Mesa Drive and Irvine Avenue intersection.

I30.2

I appreciate the vision of Snug Harbor Surf Park. A facility offering year-round

recreation and a safe place to build water confidence and surf skills has potential community value.

However, I am concerned that the current Draft Environmental Impact Report (DEIR) falls short and does not adequately address the project's impacts on traffic, infrastructure, construction, and neighborhood quality of life.

**I30.2
Cont.**

Traffic and Vehicle Miles Traveled (VMT)

The DEIR lacks a complete analysis of the traffic this project will generate. A surf park with commercial uses and event space will increase daily trips through an already congested corridor. The report lacks comprehensive modeling for peak periods and proposes ineffective mitigation strategies. Consequently, its inadequacy in meeting CEQA standards is evident.

Construction and Road Impacts

The project requires significant excavation, yet the DEIR does not provide estimates for the amount of earth to be removed, the number of truck trips, or the construction timeline. Heavy construction traffic will cause wear on Mesa Drive, Irvine Avenue, and nearby streets. There is no well-defined plan for mitigating these impacts or ascertaining whether the developer will assume responsibility for the ensuing infrastructure expenses. Also, it is important to acknowledge that nearby neighborhoods and roadways will experience a surge in traffic as drivers opt to circumvent the construction zone.

I30.3

Retaining Wall and Long-Term Maintenance

The proposed retaining wall along public roads raises safety concerns. The city should require structural and seismic reviews, a drainage plan, and a binding maintenance agreement that holds the developer financially responsible.

I30.4

Noise Impacts

The project's ongoing noise—from wave machinery, visitors, events, and traffic—is understated in the DEIR. The city should consider requiring a full noise study, setting enforceable limits, and including design features to reduce sound.

I30.5

Recommendations

The City of Costa Mesa should carefully consider the following significant impacts:

1. Require a revised, CEQA-compliant transportation and VMT analysis.
2. Provide a clear construction and hauling plan, including road maintenance responsibilities.
3. Ensure the retaining wall is safe and maintained by the developer.
4. Complete a noise impact study and enforce limits.
5. Actively include Newport Beach residents in the public review process.

I30.6

While I support development, community improvements, and expanding safe, accessible water recreation, this project must undergo a thorough review and

responsible development review before proceeding. I urge you to mandate comprehensive analysis and robust community safeguards in the Final Environmental Impact Report (FEIR).

**I30.6
Cont.**

Thank you for your time and consideration.

Sincerely,
Dandy O'Shea
1337 Galaxy Drive
Newport Beach, CA 92660
dandyoshea@mac.com

Response to Comment Letter I30: Dandy O'Shea, June 24, 2025

Response to Comment I30.1: This comment is introductive in nature and does not provide comment about the environmental analysis in the Draft EIR or provide any substantial evidence that the proposed Project would result in a new significant environmental impact. Thus, no further response is warranted.

Response to Comment I30.2: As detailed on Draft EIR page 5.14-12, the vehicle trips generated by the proposed Project have been estimated based on trip generation rates provided by the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, 11th Edition, 2021. Where generation rates were not detailed within the ITE Trip Generation Manual, rates were derived from attendance data observed at the Project site and surf park data, which were reviewed and approved by the City's Traffic Engineering Division. In addition, the Project was screened using the City's VMT Analysis Methodology per City Council Policy K-3. Using this methodology, the proposed Project was found to produce less than 300 net daily trips and therefore results in a less than significant impact related to VMT.

Section 152049(c) of the CEQA Guidelines advises that comments should be accompanied by factual support, stating "[r]eviewers should explain the basis for their comments and should submit data or references offering facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of the comments. Pursuant to Section 15064, an effect shall not be considered significant in the absence of substantial evidence". Where comments provide no facts or other substantial evidence to support an assertion, or where comments do not explain why the evidence supporting a conclusion in the Draft EIR is not substantial evidence. The comment does not provide supporting evidence that the transportation evaluation prepared for the Project, included as Draft EIR Section 5.14, *Transportation*, and Appendix R, is inaccurate. Thus, no further response is warranted.

Response to Comment I30.3: Construction details are listed in Section 3.7 *Construction*, within Draft EIR Section 3.0, *Project Description*, which details that construction is anticipated to begin in the second quarter of 2026 and complete by the third quarter of 2027. The construction timeline is provided in Draft EIR Table 3-5 on page 3-33. The section also discusses that Project grading is expected to result in a balanced site, with 135,000 cubic yards of cut and 135,000 cubic yards of fill. In regard to construction traffic, as discussed in Draft EIR Section 5.14, *Transportation*, on page 5.14-14, vendor delivery trucks would arrive and depart throughout the day and a majority of construction crews would arrive and depart outside peak hours. As shown in Draft EIR Table 5.14-3, the grading phase of construction would generate the most vehicular trips per day from approximately 30 worker trips and 1 vendor trip per day, which would result in a total of 31 daily trips. This equates to approximately 16.7 percent of the net daily trips that would be generated from operation of the Project (as shown in Draft EIR Table 5.14-2). Therefore, 16.7 percent of the daily trips would also not result in an inconsistency with the City's traffic criteria, and impacts would be less than significant. Furthermore, the construction traffic would be temporary and intermittent depending on the phase of construction, and haul and vendor trucks would be required to utilize City truck routes. All construction equipment, including construction worker vehicles, would be staged on the Project site for the duration of the construction period. In addition, as part of the grading plan and building plan review processes, the City permits would require appropriate measures to facilitate the passage of persons and vehicles through/around any required road closures (as applicable). Thus, overall construction related transportation impacts would be less than significant.

Response to Comment I30.4: As discussed on page 5.6-14 within Draft EIR Section 5.6 *Geology and Soils*, seismic shaking is a risk throughout Southern California, and the Project site is not at greater risk of seismic activity or impacts as compared to other areas within the region. The California Building Code (CBC) includes provisions to reduce impacts caused by major structural failures or loss of life resulting from earthquakes or other geologic hazards. For example, Chapter 16 of the CBC contains requirements for design and construction of structures to resist loads, including earthquake loads. The CBC provides procedures for earthquake-resistant structural design that include considerations for onsite soil conditions, occupancy, and

the configuration of the structure including the structural system and height. The City of Newport Beach has adopted the CBC as part of the Municipal Code Chapter 15.04, which regulates all building and construction projects within the City and implements a minimum standard for building design and construction that includes specific requirements for seismic safety, excavation, foundations, retaining walls and site demolition. Structures built in the City, including retaining walls, are required to be built in compliance with the CBC. The proposed Project would be required to adhere to the provisions of the CBC as part of the building plan check and development review process.

Response to Comment I30.5: Please refer to Master Response 5: *Noise Impacts* as well as Draft EIR Section 5.11 *Noise*, for the discussion of the proposed Project's noise impacts. A noise study was completed for the Project, which is included in the Draft EIR as Appendix Q. The comment does not provide any specific comments related to the noise analysis in the EIR and does not provide substantial evidence to support the statement that noise impacts have been understated in the Draft EIR. Thus, no further response is warranted.

Response to Comment I30.6: The City of Newport Beach is the Lead Agency for the proposed Project. As discussed above in Response to comments I30.2 through I30.5, the Draft EIR provides a complete CEQA compliant analysis of VMT, construction, geotechnical, and noise effects that would occur from the proposed Project. Mitigation measures and other requirements to ensure that impacts would be reduced to a less than significant level are provided throughout the Draft EIR, as summarized in Draft EIR Section 1.0, *Executive Summary*, and here in this Final EIR as Section 4.0, *Mitigation Monitoring and Reporting Program*. The comment does not provide substantial evidence of a new or increased significant environmental impact. Thus, no further response is warranted.

Comment Letter I31: Rone Dales (1 page)

From: [Ron Dales](#)
To: [Perez, Joselyn](#)
Subject: Newport Beach Golf Course
Date: June 24, 2025 8:43:51 AM

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Joselyn,

Newport Beach Golf Course must remain a golf course for the betterment of Newport Beach and surrounding area. I agree with many that it is not the best but the cost to play reflects that and it is still very fun and enjoyable. The number of golfers in the area far exceeds the number of surfers and there are many more public areas to surf than golf. The noise from the airport is almost constant and would not be good for a relaxing day at a surf park. The golf course alone can not survive on its own, it needs the income from the driving range and the availability of post round food and drinks and a place to buy golf equipment. On the property there is a very popular pizza place and a golf shop that would be eliminated. This exclusive and pricey surf park is not a good use of the property and will be an eye sore when this experiment fails.

I31.1

Thank you, Ron Dales

Response to Comment Letter I31: Rone Dales, June 24, 2025

Response to Comment I31.1: 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. As listed in Draft EIR Table 5.11-1, the General Plan Noise Element Table N2 identifies that commercial recreational facilities are normally compatible with ambient noise levels up to 75 dBA CNEL and the existing daytime ambient noise range from 67.8 to 73.7 dBA. Thus, the existing ambient noise levels are consistent with the proposed Project commercial recreational uses.

Comment Letter I32: Penny Rodheim (1 page)

From: [Penny Rodheim](#)
To: [Perez, Joselyn](#)
Subject: A plea for the ages
Date: June 24, 2025 10:32:40 AM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.
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Dear City Council,

This is a plea for the ages who are brought together to enjoy learning and playing the game of golf. I frequent Newport Beach golf course. At no time is it empty. Daily, youngsters along with retirees, like myself, come to enjoy a day of golf. They also come for the comradery, for the companionship, and for their own improvement. Where else in Newport Beach can this occur at an affordable rate? And because putting is free, toddlers barely able to hold a club, can thrill at making the ball go into the hole. And the result is priceless.

Moms and dads just scored a beautiful moment with their child. We plead that you will see the immense benefits of keeping this golf course open. It serves the community while showcasing the high standards which make Newport Beach an exceptionally desirable place to live for all ages.

Penny Rodheim
81 yr old golfer

I32.1

Response to Comment Letter I32: Penny Rodheim, June 24, 2025

Response to Comment I32.1: 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.

Comment Letter I33: Sandy Isselin (1 page)

From: [Sandy Isselin](#)
To: [Perez, Joselyn](#)
Subject: Opposition to Proposed Surf Park Development
Date: June 24, 2025 11:12:16 AM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.
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Dear Joselyn Perez,

As a local resident and member of this community, I'm writing to express my strong opposition to the proposed plan to shut down Newport Beach Golf Course and replace it with a surf park.

This development feels completely incompatible with the character of our neighborhood. We live in Southern California, the beach is already nearby and accessible. Adding a man-made surf park not only seems redundant, but it also risks increasing traffic, noise, and environmental strain in an area that values open space and outdoor recreation.

I recently picked up golf as a way to spend more quality time with friends. The golf course and its surrounding amenities provide a peaceful, inclusive environment that benefits people of all ages. It encourages physical activity, mental wellness, and social connection — without the commercial intensity or crowd draw of a major water attraction.

I hope the city will consider preserving what makes this area special and choose community-focused, sustainable use of our shared space over commercial development.

Sincerely,

Sandy Isselin
1662 Iowa Street,
Costa Mesa CA, 92626

I33.1

Response to Comment Letter I33: Sandy Isselin, June 24, 2025

Response to Comment I33.1: 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*, 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.

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. As detailed in Draft EIR Section 5.1, *Aesthetics*, pages 5.1-12 through 5.1-16 the proposed Project would change views of the site to a more urban and developed character compared to the existing condition. However, it would not conflict with applicable zoning and other regulations governing scenic quality and pursuant to CEQA Guidelines criteria, impacts would be less than significant.

Comment Letter I34: Joe Jennings (1 page)

From: [Joe Jennings](#)
To: [Perez, Joselyn](#)
Subject: Save the Newport Beach Golf Course
Date: June 24, 2025 11:31:54 AM

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Turning this into a surf park makes no sense for many reasons. This golf course is a great affordable way for NB residents to play golf, and especially for kids to learn to golf. The surf park would be yet another business that caters to the wealthy who can afford hundreds of dollars per hour to surf fake waves. Surfing is something to do at the beach, for free. The golf course accommodates many many people, practicing, playing a round of golf, and eating and dining, whereas the surf park will accommodate a very limited number of people. It would be an all-around bad decision to convert the golf course into a surf park in NB, home to some of the best real surfing in the world.

I34.1

Joe Jennings
Partner
Joe.Jennings@knobbe.com
(949) 760-0404 Main
Knobbe Martens
2040 Main St., 14th Fl.
Irvine, CA 92614
www.knobbe.com/joe-jennings

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Response to Comment Letter I34: Joe Jennings, June 24, 2025

Response to Comment I34.1: 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*, 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.

Comment Letter I35: Gay Holmes (1 page)

From: [Rodriguez, Clarivel](#)
To: [Perez, Joselyn](#)
Subject: FW: Snug Harbor Surf Park
Date: June 24, 2025 12:47:52 PM

Clarivel Rodriguez
Assistant to the Community Development Director
Community Development Department
Office: 949-644-3232

100 Civic Center Drive
Newport Beach, CA 92660

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

From: Gay Holmes <jgholmes55@yahoo.com>
Sent: June 24, 2025 9:41 AM
To: Planning Commission <planningcommission@newportbeachca.gov>
Subject: Snug Harbor Surf Park

[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 can't believe you are even considering this development. Who needs the surf park when we have the ocean!
Leave the golf course. It is very popular and affordable.

I35.1

Long time Newport Beach resident,
Gay Holmes
Sent from my iPad

Response to Comment Letter I35: Gay Holmes, June 24, 2025

Response to Comment I35.1: 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 necessity of the proposed Project.

Comment Letter I36: Ron Armenta (3 pages)

From: [Rodriguez, Clarivel](#)
To: [Perez, Joselyn](#)
Subject: FW: Surf park
Date: June 24, 2025 12:48:04 PM

Clarivel Rodriguez
Assistant to the Community Development Director
Community Development Department
Office: 949-644-3232

100 Civic Center Drive
Newport Beach, CA 92660

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

From: Ron Armenta <whileyoureaway2000@yahoo.com>
Sent: June 24, 2025 12:22 PM
To: Planning Commission <planningcommission@newportbeachca.gov>
Subject: Surf park

[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.

No no no.
Keep the golf course.
And not just 12 or 15 holes.
No one plays 12 holes.
Sent from my iPhone

I36.1

From: [RON ARMENTA](#)
To: [Perez, Joselyn](#)
Subject: Surf park
Date: June 24, 2025 6:25:36 PM

[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.

No no no.
Hi end surf park at \$200 an hour versus golf course that caters to all ages and all income bracket's.
Yes GOLF COURSE.
Sent from my iPad

I36.1
Cont.

From: [RON ARMENTA](#)
To: [Perez, Joselyn](#)
Subject: Surf Park
Date: June 26, 2025 4:48:31 PM

[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.

The golf course serves people of all ages from kids to seniors and from all economic backgrounds.
A surf park at \$200 an hour will benefit only the wealthy.
No on the surf park.
Sent from my iPad

I36.1
Cont.

Response to Comment Letter I36: Ron Armenta, June 24, 2025

Response to Comment I36.1: 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.

Comment Letter I37: Kaynanee Lussier (1 page)

From: [Kaynanee Lussier](#)
To: [Perez, Joselyn](#)
Subject: No to the surf park
Date: June 24, 2025 7:24:31 PM

[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.

Traffic in the area is already insane , and why a surf park when we live so close to the beach, and the cost NO NO
 NO NO
 Sent from my iPad

I37.1

Response to Comment Letter I37: Kayanee Lussier, June 24, 2025

Response to Comment I37.1: Please refer to Master Response 1: *Project Merits* for a response to comments regarding the merits of the proposed Project as well as Master Response 4: *Impacts Related to Vehicle Trips* for a response regarding traffic.

Comment Letter I38: Sandy MacDougall (1 page)

[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 Newport Beach Planning Commission, with a face lift, I think we need to have the Newport Beach Golf Course remain an 18 hole public golf facility so that all players of all levels can enjoy and learn the game of golf. That NBGC course is a precious resource for Newport Beach and although it needs some investment for quality, it gets 115,000 rounds a year which is a very high utilization showing that the public supports the course as well as the driving range. If the current proposal does not include improving, the quality of Newport Beach golf course, I would not be opposed to the surf park plan.
Sandy MacDougall

I38.1

Response to Comment Letter I38: Sandy MacDougall, June 24, 2025

Response to Comment I1.1: 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.

Comment Letter I39: Isabel Lancaster (1 page)

From: [Isabel Green](#)
To: [Perez, Joselyn](#)
Subject: Golf Course
Date: June 25, 2025 7:15:38 PM

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I frequently go to the golf course and we live in Orange.
As it is we need this course not a water park. Did we forget about seniors in OC.

Isabel Lancaster

Sent from my iPhone

I39.1

Response to Comment Letter I39: Isabel Lancaster, June 25, 2025

Response to Comment I39.1: 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.

Comment Letter I40: Lori Cheyne (1 page)

From: [Lori Cheyne](#)
To: [Perez, Joselyn](#)
Subject: Save our Community Golf Course, please!
Date: June 26, 2025 6:27:29 PM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.
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This golf course has been more than just a collection of fairways and greens — it has served as a second home for children. They’ve spent their childhoods here, learning essential values like discipline, patience, and respect for others. It’s a safe, budget-friendly environment where they and their friends can remain active and steer clear of trouble in an increasingly confusing world.

I40.1

Beyond the personal benefits, the golf course serves as a hub for community bonding. It’s a place where neighbors come together for tournaments, charity events, and casual games. These events foster a sense of belonging and unity among residents of all ages.

Maintaining the golf course also offers environmental benefits. The green space contributes to local biodiversity, providing a habitat for various plant and animal species. It also helps to improve air quality and offers a natural escape from urban life.

I40.2

Losing this course would mean losing a vital part of our community — a space that has shaped our kids and kept them grounded. It’s not just about the sport; it’s about preserving a piece of our community’s heritage that future generations can enjoy.

Please help us preserve this sanctuary.

Thank you!

Lori Cheyne

email: loricheyne@gmail.com

Response to Comment Letter I40: Lori Cheyne, June 26, 2025

Response to Comment I40.1: 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.

Response to Comment I40.2: In regard to the Project's impact to plants and 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 (included as Appendix C to the Draft EIR). 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 to potential indirect effects to the Upper Newport Bay from the proposed Project. As such, the Project would not result in any substantial impacts to sensitive wildlife.

In regard to air quality, as shown on Draft EIR Table 5.2-8, impacts related to regional air quality threshold would be less than significant. The existing Project site is mostly developed with turf, structures, and parking lot, with grass located on holes 1, 2 and 9 and ornamental landscaping. The proposed Project would result in 143,844 SF of drought tolerant ornamental landscaping that would cover approximately 20 percent of the site. Proposed landscaping 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 buildings, infiltration/detention basins, and parking areas 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.

Comment Letter I41: Merlaina O'Conner (1 page)

From: [Merlaina O'Conner](#)
To: [Perez, Joselyn](#)
Subject: Snug Harbor
Date: June 26, 2025 7:01:29 PM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.
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Ms Perez and NPB planning,

It is unacceptable that this project go forward. This is a nice quiet neighborhood. The proposed surf school/water park will bring MORE traffic to an already busy street. Also, the noise and disruption to the beautiful piece of green that attracts all types of birds, pollinators and other wildlife must be taken into account. There is also the fact that Orange County has many surf instructors making a living for their families at the actual beach! I can't be the first neighbor who wants to keep our golf course am I?? Please decline this proposal. It's not good for our area. Find someplace else.

I41.1

Thank you, Merlaina O'Conner

Response to Comment Letter I41: Merlaina O’Conner, June 26, 2025

Response to Comment I41.1: Please refer to Master Response 5: Noise Impacts as well as Draft EIR Section 5.11 *Noise*, for the discussion of the proposed Project’s noise impacts as well as Master Response 4: *Impacts Related to Vehicle Trips* for a response regarding traffic.

In regard to the Project’s impact to 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 to potential indirect effects to the Upper Newport Bay from the proposed Project. As such, the Project would not result in any substantial impacts to sensitive wildlife. In addition, as part of the Project new ornamental landscaping would be installed, as detailed in Draft EIR Section 3.0, *Project Description*.

Comment Letter I42: Nick Kaminski (1 page)

From: [nick Kaminski](#)
To: [Perez, Joselyn](#)
Subject: Save the Golf Course
Date: June 27, 2025 1:23:52 PM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.
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Please help save our community golf course!

This golf course has been more than just fairways and greens — it's been a home for my children. They've grown up playing here, learning discipline, patience, and respect for others. It's a safe, affordable place where they and their friends can stay active and out of trouble in a world that feels more chaotic every day.

Losing this course would mean losing a vital part of our community — a space that has shaped our kids and kept them grounded. Please help us preserve this sanctuary for future generations. Thank you!

I42.1

Response to Comment Letter I42: Nick Kaminski, June 27, 2025

Response to Comment I1.1: 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*, for the response to comments related to the change to the existing golf course use.

Comment Letter I43: Clarence Costa (2 pages)

From: [Clarence Costa](#)
To: [Perez, Joselyn](#)
Subject: RE: Proposed Surf Park
Date: June 27, 2025 2:55:54 PM
Attachments: [image001.png](#)

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Thank you, Joselyn.

My concern is the demolition and clean up of a surf park.

While a golf course is basically open land which can easily be developed, a surf park is a unique business with an infrastructure which does not have many potential replacement tenants and is likely a more complex and expensive development opportunity for future prospective tenants of John Wayne Airport / County of Orange.

I43.1

Just a thought for consideration.... no response necessary.

Thank you, again.

Clarence
949.721.1938

From: Perez, Joselyn <JPerez@newportbeachca.gov>
Sent: Friday, June 27, 2025 2:25 PM
To: Clarence Costa <CCostaJr@outlook.com>
Subject: RE: Proposed Surf Park

Hi Clarence,

If the property owner wishes to pursue a different business in the future, they would apply for a new conditional use permit.

Sincerely,

Joselyn Perez



Senior Planner
Community Development
Department
Office: 949-644-3312
100 Civic Center Drive
Newport Beach, CA 92660

From: Clarence Costa <CCostaJr@outlook.com>
Sent: June 24, 2025 10:19 AM
To: Perez, Joselyn <JPerez@newportbeachca.gov>
Subject: Proposed Surf Park

[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.

Joselyn,

Greetings!

Thank you for serving as our contact for this project.

After reading many articles I have not found an answer to the question:
What happens to the land if the surf park fails as a business?

Thank you for your help.

Clarence Costa
Corona Del Mar, CA 92625
949.721.1938

I43.1

Response to Comment Letter I43: Clarence Costa, June 27, 2025

Response to Comment I43.1: CEQA is an environmental protection statute that is concerned with a project's 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. Because the comment does not express any specific concern or question regarding the adequacy of the Draft EIR, no further response is warranted.

Comment Letter I44: Christie Brockhage (1 page)

From: [Christie Brockhage](#)
To: [Perez, Joselyn](#)
Cc: [Christie Brockhage](#)
Subject: Please keep the green space and golf course
Date: June 28, 2025 7:42:02 PM

[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.

Please keep the existing green space and golf course for our community and environment as it is now. We do not need a surf park or any other man-made constructed complex in its place. Our ocean, beaches and green spaces are beautiful just as they are!

I44.1

Sincerely,
Christie Brockhage
1053 Dover Dr
Newport Beach, CA 92660
C: 949-872-3068
***Sent from my iPhone

Response to Comment Letter I44: Christie Brockhage, June 28, 2025

Response to Comment I44.1: 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.

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 to a more urban and developed character compared to the existing condition. However, it would not conflict with applicable zoning and other regulations governing scenic quality and pursuant to CEQA Guidelines criteria, and impacts would be less than significant.

Comment Letter I45: Bill Finster (1 page)

From: [Bill Finster](#)
To: [Perez, Joselyn](#)
Subject: Newport Beach Golf Course
Date: June 29, 2025 8:06:11 PM

[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 support the NEWPORT BEACH GOLF Course. We DO NOT need a man made surf spot.
Newport Beach has Beautiful Surf spots at NO Charge just miles from proposed location.
GOLF NOT SURF. SAVE NEWPORT BEACH GOLF COURSE
Thank you
Bill

I45.1

Bill Finster
Wmfinster@yahoo.com
T: [949.400.9739](tel:949.400.9739)

Response to Comment Letter I45: Bill Finster, June 29, 2025

Response to Comment I45.1: 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.

Comment Letter I46: Kay Dalton Simpkins (1 page)

From: [Kay Dalton Simpkins](#)
To: [Perez, Joselyn](#)
Subject: Golf course
Date: July 01, 2025 3:29:30 PM

[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 played on this course for years and it is and was the only affordable place to teach our kids how to play golf. A great activity to do as a family.

My kids were also avid surfers and could go to some of the best surf breaks in the country any time they wished - for Free! They learned surf etiquette that is not learned in a built facility. And they could spend all day at the beach - not just an hour or two that had mandatory payment.

Taking away the only affordable golf course for people in Costa Mesa and Newport to replace it with surfing artificial waves for a fee does NOT make sense. Unless it's because the City (which is supposed to be for the public's wishes and welfare) has decided they still need more tax payer dollars to pay its employees even more significant salaries and benefits.

It is an abomination that a high density building has been ok'ed for the property next to the Nature Center which has been a gem for our families for decades, but to take away the golf course too makes me want to pack up and leave the area.

Please, please keep the golf course!!!!

Sincerely,
Kay Simpkins

Kay Dalton Simpkins

P.O. Box 3383
Newport Beach, CA 92659
(C) 949.922.7892

I46.1

Response to Comment Letter I46: Kay Dalton Simpkins, July 1, 2025

Response to Comment I46.1: 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. The proposed Project does not include the transformation from open green space to high-density housing. 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. 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. As detailed in Draft EIR Section 5.1, *Aesthetics*, pages 5.1-12 through 5.1-16 the proposed Project would change views of the site to a more urban and developed character compared to the existing condition. However, it would not conflict with applicable zoning and other regulations governing scenic quality and pursuant to CEQA Guidelines criteria, impacts would be less than significant.

Comment Letter I47: Sherri Myers (1 page)

From: [Sherri Myers](#)
To: [Perez, Joselyn](#)
Subject: Golf Course
Date: July 01, 2025 7:12:56 PM

[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.

Sent from my iPhone
Please save the Golf Course, do not it in a Surf Park! We have the Ocean for that!!!

I47.1

Response to Comment Letter I47: Sherri Myers, July 1, 2025

Response to Comment I47.1: 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.

Comment Letter I48: Richard Zelner (1 page)

From: [Rick Zelner](#)
To: [Perez, Joselyn](#)
Subject: Newport Beach Golf course
Date: July 01, 2025 9:09:03 PM

[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.

Has traffic concerns regarding ingress/egress on 73 freeway and Bristol been addressed in environmental report. 73 freeway currently is almost overwhelmed with traffic, especially during rush hour. Dense housing and water park may cause traffic on 73 come to complete standstill.

I48.1

Thank you,
Richard Zelner, MD

Response to Comment Letter I48: Richard Zelner, July 1, 2025

Response to Comment I48.1: Please refer to Master Response 4: *Impacts Related to Vehicle Trips*, for a response to comments regarding the proposed Project's traffic effects.

Comment Letter I49: Antony Chisholm (1 page)

From: [Antony Chisholm](#)
To: [Perez, Joselyn](#)
Subject: Newport Beach Golf course
Date: July 03, 2025 3:32:19 PM

[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.

Hi would like give u my opinion as a new resident of Newport Beach! We love the golf course and as we see it, so do a lot of other people! Please don't become Irvine!!!! We just moved from that area to get away from all the over building. People need the green space. We are very surprised to hear that you are following in the same footsteps as so many who only care about profit!!! Please don't this development happen. Let's not be like everyone else!!!

Please think about community over profits!

Sincerely

Tony and Kristen Chisholm

Sent from my iPhone

I49.1

Response to Comment Letter I49: Antony Chisholm, July 3, 2025

Response to Comment I49.1: 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.

Comment Letter I50: Shawn Maxwell (1 page)

From: [Shawn Maxwell](#)
To: [Perez, Joselyn](#)
Subject: No to surf park
Date: July 03, 2025 10:46:16 PM

[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.

Hello,

We need to preserve green space—not replace it with a surf park and more high-density apartments. The golf course has served generations in the community and remains one of the few affordable recreational spaces available.

Replacing it with an exclusive surf ranch caters to elites and disregards the needs of local residents who value accessible, open space.

Please reconsider this proposal in favor of maintaining a resource that benefits the broader community.

Regards,
Shawn Maxwell

Sent from my iPhone

I50.1

Response to Comment Letter I50: Shawn Maxwell, July 3, 2025

Response to Comment I50.1: 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. 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 to a more urban and developed character compared to the existing condition. However, it would not conflict with applicable zoning and other regulations governing scenic quality and pursuant to CEQA Guidelines criteria, impacts would be less than significant.

Comment Letter I51: Mary Citrano (1 page)

From: [Mary Citrano](#)
To: [Perez, Joselyn](#)
Subject: Newport Beach GOLF course
Date: July 04, 2025 1:32:59 PM

[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 am writing to find out how we can stop the plans to put a wave machine where the golf course is now located. The golf course is an important part of our community. The other courses in Newport are either private or VERY expensive. This course is great for children, seniors, vets and working class people who just want to play golf! The course has improved in the last few years and is a treasured part of the community. The wave machine would be better located inland where there is no beach. This plan makes no sense!!! What can we do????

Thanks for your consideration.

Mary Citrano
5509 Seashore Dr
Newport Beach 92663
Sent from Mary's iPhone
marycitrano@gmail.com
949 244-5504

I51.1

Response to Comment Letter I51: Mary Citrano, July 4, 2025

Response to Comment I51.1: 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.

Comment Letter I52: Jan Aspegren (1 page)

From: [Blueberry Kids](#)
To: [Perez, Joselyn](#)
Subject: Newport Height Neighborhood/ Surf Park
Date: July 05, 2025 5:21:06 PM

[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.

Hello Ms. Perez,

Hope all is well!

I am sending this email to let you know that I am strongly against the proposed Surf Park.

I have lived in Newport Heights, for over 20 years.

The proposed Surf Park will erode our community, and change it forever not for the betterment of the community but for financial gain of people outside our community.

Part of the charm of Newport is that.... it is not commercial. but green with beautiful waterways and great families.

For all the many reasons my co neighbors have addressed.... and also for the devaluation of our properties.....I again state that I am strongly against the proposed Surf Park.

The county assessor would have to reassess all of the homes in the area as they will lose their values substantially.

Please feel free to contact me if you have any questions.
Thanks so much,

Jan Aspegren

I52.1

Response to Comment Letter I52: Jan Aspegren, July 5, 2025

Response to Comment I52.1: 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.

Comment Letter I53: Chip Long (1 page)

From: [CHIP LONG](#)
To: [Perez, Joselyn](#)
Subject: Surf Park
Date: July 05, 2025 5:24:05 PM

[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.

NO to Surf Park. Kids when learning to play golf needed an inexpensive place to learn and that's the purpose of executive golf courses. Elderly people on fixed budgets need inexpensive place to play golf.

I53.1

That golf course is where I learned to play golf

Chip Long
6 Rue Grand Ducal,
Newport Beach, California 92660

Response to Comment Letter I53: Chip Long, July 5, 2025

Response to Comment I53.1: 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.

Comment Letter I54: Laurie Kelly (9 pages)

From: [Laurie Kelly](#)
To: [Perez, Joselyn](#)
Subject: Surf Park and golf course development
Date: July 05, 2025 5:25:33 PM
Attachments: [cid:f_mcauo5zu1.pdf](#)
[Surf Park Draft EIR comments 1.pdf](#)

[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.

This is yet another email to voice my objection to ANY development on the Newport Beach golf course including Surf Park, high density housing and/or Costco.

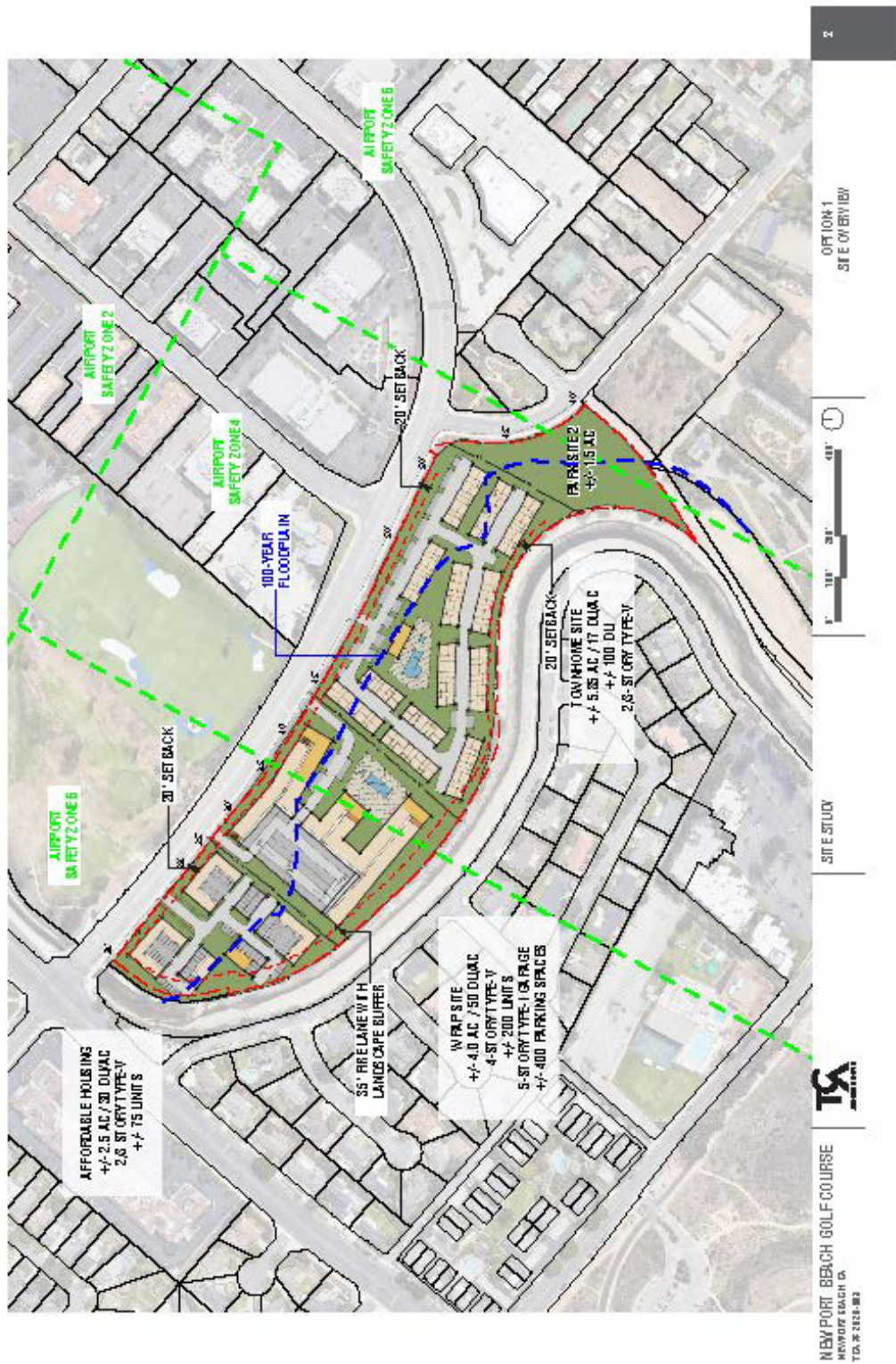
The EIR fall's extremely short on its assessment in probably every category. Please see attached document that outlines objections.

Thank you so much.

Laurie Kelly
9496895448

Sent from my iPhone

I54.1



154.2

Critical Comments on Draft EIR for Surf Park 2024110238

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.

I54.3

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 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 for 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 housing required numbers of housing units.

I54.4

- 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 rezones 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; it is a significant impact of Surf Park but is not reviewed in EIR.
-

**I54.4
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, eliminating 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.

I54.5

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.

I54.6

- 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..

**I54.6
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 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.

I54.7

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.

I54.8

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

I54.9

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 high noise from flights taking off directly overhead which will affect critical focus on surfing, disturb observers, restaurants users, and hotel accomodation guests.

**I54.9
Cont.**

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.

I54.10

8. Biological Resources

- EIR Finding: Less than significant impact on biological resources.
- 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.

I54.11

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.

I54.12

10. Archeological Impacts

- The Surf Park's Draft Environmental Impact Report notes existing archaeological concerns.

I54.13

- 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.

**I54.13
Cont.**

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.

I54.14

I54.15

I54.16

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 of the golf course raises several safety and environmental concerns. The proximity of the Surf Park and housing developments too close to the end of the runway will result in higher noise levels for Surf Park users and residents and pose significant unacceptable unmitigated risks in the expanded crash zone that includes all of NBGC.

I54.17

- There is no increased safety risk with no development, existing golf course is the most safe and only appropriate land use for this property
- 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.

**I54.17
Cont.**

I54.18

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 artificial surfing a few miles from 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 by market research and may be incorrect.
- Surf Park 80 year lease by landowners may be just to kill the golf course and open south parcel for high density high profit housing development regardless of the low financial viability and high impacts of the project.
- Artificial surfing may become an embarrassment to Newport Beach as a tourist attraction and 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, and much less demand for artificial surfing in Newport Beach than is hoped for and planned for by project developers and investors.

I54.19

- The consequence of financial failure is loss of all the assumed 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 fsils

I54.19

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. Considering 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.

I54.20

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

Response to Comment Letter I54: Laurie Kelly, July 5, 2025

Response to Comment I54.1: This comment asserts objection to any development on the Newport Beach Golf Course and does not provide substantial evidence of a significant environmental impact or provide specific comments related to the analysis within the EIR. Thus, no further response is warranted.

Response to Comment I54.2: This comment provides an image of the southern portion of the Newport Beach Golf Course in support of the attached letter. As discussed in Master Response 1, *Project Merits*, this parcel is not included as part of the proposed Project. Thus, no further response is warranted.

Response to Comment I54.3: This comment states that the Draft EIR ignores or underestimates significant cumulative impacts and that the loss of the middle parcel of the Newport Beach Golf Course is a pivotal factor making the remainder of the golf course unviable to allow for high density housing. However, the comment provides no substantial evidence or data regarding these statements. As detailed in Section 3.0, *Project Description*, on page 3-34, portions of the golf course to the north of Irvine Avenue (holes 10-18) and south of Mesa Drive (holes 3-8) would remain with implementation of the proposed Project. Access to the 15 holes of golf would be provided via a starter shack that would be located in between the proposed parking lots near the northern end of the amenity clubhouse building, and golf cart storage located on the basement level of the proposed clubhouse. In addition, golf cart path of travel between holes 3-8 and holes 10-18 would remain. There are ample examples of successful golf courses that are not the traditional 18-hole format, including Gable Sands (Quicksand) Course (13 holes), Brandon Preserve (13 holes), Gravel Pit (13 holes), Gilroy Golf Course (11 holes), Monarch Dunes Golf Club (12 holes), and Woodside Golf Course (12 holes), among others. The success of such courses reflects a demand for a golf experience that is less time consuming, making it more accessible. Refer to Master Response 3, *CEQA Piecemealing and Housing Opportunity Sites*, regarding the City's Housing Implementation Program and the housing opportunity sites.

Response to Comment I54.4: This comment provides an assumption that golf course holes 3-8 will be redeveloped into high density housing and that the cumulative effect on open space, recreational amenities, and community character is highly significant and has been ignored. As detailed in the previous response, the proposed Project would keep golf course holes 3-8 and 10-18 and provide support for their continued use, which would be consistent with the existing General Plan and Specific Plan land use designations for the Project site. As detailed in Draft EIR Section 5.0, no housing is currently proposed across Mesa Drive from the Project site, and the Newport Beach General Plan Housing Implementation Program EIR (State Clearinghouse [SCH] Number 2023060699) provides a cumulative analysis regarding open space, recreation amenities, and community character regarding potential development of the housing implementation plan and housing opportunity sites. Refer to Master Response 3, *CEQA Piecemealing and Housing Opportunity Sites*, regarding the City's Housing Implementation Program and the housing opportunity sites.

Response to Comment I54.5: Refer to Master Response 2: *Loss of Existing Golf Course Use*, as well as the above responses. Additionally, as detailed in Draft EIR Section 5.13, *Parks and Recreation*, page 5.13-9, the Project proposes to redevelop a portion of a golf course with a new commercial recreational surf park use. Draft EIR Tables 5.13-2 and 5.13-3 details that there are 11 other publicly available golf courses and nine other public driving ranges within 10 miles of the Project site that provide a range of golfing activities. To the extent people seek either an 18-hole course or a driving range, there are ample opportunities in the vicinity. Moreover, as discussed above, shorter golf courses present a unique opportunity for a golf experience, and courses are successfully designed with less than the standards 18-hole design.

Response to Comment I54.6: Refer to Master Response 3: *CEQA Piecemealing and Housing Opportunity Sites*. As detailed in Draft EIR Section 3.0, *Project Description*, page 3-36, the portions of the golf course to the north of Irvine Avenue (holes 10-18) and south of Mesa Drive (holes 3-8) would remain with implementation of the proposed Project. Access to the 15 holes of golf would be provided via a starter

shack that would be located in between the proposed parking lots near the northern end of the amenity clubhouse building, and golf cart storage located on the basement level of the proposed clubhouse. In addition, golf cart path of travel between holes 3-8 and holes 10-18 would remain.

The comment speculates that the proposed surf park would cause the remaining golf courses to fail. However, the commenter provides no evidence to support that conclusion. In accordance with CEQA Guidelines Section 15145, *Speculation*, the Draft EIR is not required to consider issues that are too speculative for evaluation. The Project proposes only the replacement of a few holes, which is evaluated in the EIR.

As detailed on page 5-6 of the Draft EIR (and Master Response 3), parcels (APNs 119 300 15, 16, 17 and APN 119-310-04) to the south of the site (area of holes 3-8), across Mesa Drive have been identified as candidate sites for future housing along with 100 housing sites on 176 acres within the Airport Focus Area of the City, as identified in the City Housing Implementation Program. These parcels are identified in Municipal Code Sections 20.80.025 (Housing Opportunity Overlay Zoning Districts maps) and 20.28.050 (Housing Opportunity (HO) Overlay Zoning Districts) and were previously evaluated in the Housing Implementation Program EIR (State Clearinghouse [SCH] Number 2023060699).

However, 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. Any future proposed housing on parcels south of Mesa Drive, or any other location, would be separate and independent from the proposed surf park Project. Any future proposed housing or other proposed development would require development specific environmental analysis pursuant to CEQA and related permitting review.

Response to Comment I54.7: The proposed Project does not include the transformation from open green space to high-density housing. 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. As detailed in Draft EIR Section 5.1, *Aesthetics*, pages 5.1-12 through 5.1-16 the proposed Project would change views of the site to a more urban and developed character compared to the existing condition. However, it would not conflict with applicable zoning and other regulations governing scenic quality and pursuant to CEQA Guidelines criteria, impacts would be less than significant.

Response to Comment I54.8: The proposed Project does not include development of housing on the Project site. Refer to Master Response 3, regarding the housing opportunity sites, and Master Response 4, regarding impacts related to vehicular trips.

Response to Comment I54.9: The Draft EIR evaluates cumulative impacts to ambient noise in Section 5.1.1, *Noise*, pages 5.1.1-28 and 5.1.1-29, and also in Draft EIR Appendix Q, *Surf Farm Noise Analysis*. As detailed above, the Project does not propose any housing. It proposes a surf park on a portion of the exiting golf course, with 15-holes to remain. Therefore, the Project would not cumulatively increase noise together with housing on Housing Opportunity sites 23, 24, 25 and 26, the development of which is speculative and not related to the Project. The Project's construction noise increase at R5 (near Housing Opportunity sites 23, 24,

25, and 26) would be 0.3 dBA, which is less than cumulatively significant. Therefore, construction noise generated from the proposed Project would not combine to become cumulatively considerable.

Cumulative traffic noise was evaluated on Draft EIR page 5.11-29 where it is detailed that the Project would result in a reduction of 73 a.m. peak hour trips and 10 p.m. peak hour trips compared to the existing uses. The reduced vehicular trips during peak hours would result in less than cumulatively considerable vehicle noise. Cumulative operational noise was also evaluated on Draft EIR page 5.11-29, which details that the Project would generate daytime operational noise level increases ranging from less than 0.2 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. Thus, the Project would not result in an increase in ambient noise that could become cumulatively considerable.

The Draft EIR Section 5.11, *Noise*, details that the existing daytime ambient noise in the Project vicinity, which ranges from 67.8 to 73.7 dBA, as listed in Draft EIR Table 5.11-4. Draft EIR page 5.11-4 states that the General Plan land use noise compatibility matrix (shown in Table 5.11-1) identifies that commercial recreation is clearly compatible with noise of up to 65 dBA CNEL and normally compatible with noise up to 75 dBA CNEL. As the ambient noise at the site ranges from 67.8 to 73.7 dBA it would be normally compatible with the proposed commercial recreation uses.

Response to Comment I54.10: The proposed Project does not include development of housing on the Project site. Refer to Master Response 3 regarding the housing opportunity sites. The Draft EIR air quality analysis has been completed in compliance with the South Coast Air Quality Management District methodologies and thresholds as detailed in Draft EIR Section 5.2, *Air Quality*, which details that emissions from construction and operation of the proposed Project would not exceed thresholds and, therefore, would be less than significant. The 186 daily additional vehicular trips that would be generated by the Project would not exceed air quality thresholds, and the Project includes 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 that would replace the existing landscaping on the site. Overall, compliance with South Coast Air Quality Management District methodologies and thresholds determined that impacts would be less than significant and the comment does not provide substantial evidence that a potential impact could occur.

Response to Comment I54.11: 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. Thus, no further response is warranted.

Response to Comment I54.12: The Draft EIR evaluates hydrology and drainage in Section 5.9, *Hydrology and Water Quality*. As detailed on page 5.9-14, 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. Draft EIR page 5.9-16 details that the proposed Project would manage the runoff with vegetated biotreatment systems that have been designed to accommodate the meet the design capture volume of 18,867 cubic feet and 3.419 cubic feet per second (cfs) pursuant to the MS4 Permit and DAMP requirements. The proposed vegetated biotreatment systems consist of Modular Wetlands Systems that utilize multi-stage treatment processes including screening media filtration, settling, and biofiltration. The pre-treatment chamber contains a filter to capture trash,

debris, gross solids and sediments, a settling chamber for separating out larger solids, and a media filter cartridge for capturing fine silts, metals, nutrients, and bacteria. Runoff then flows through the wetland chamber where treatment of the water is done through a variety of physical, chemical, and biological processes. As stormwater passes down through the planting soil, pollutants are filtered, absorbed, biodegraded, and sequestered by the soil and plants, functioning similar to bioretention systems (Draft EIR page 5.9-11). As part of the permitting approval process, the proposed drainage design and engineering plans would be reviewed by the City to ensure that the proposed drainage would accommodate the appropriate design flows and water quality BMPs, which would reduce potential impacts to a less than significant level. The potential impacts have been addressed in compliance with the CEQA Guidelines Appendix G thresholds, and are adequately addressed in Draft EIR Section 5.9, *Hydrology and Water Quality*.

Response to Comment I54.13: As detailed in Draft EIR Section 5.4, *Cultural Resources*, pages 5.4-14 and 5.4-15, prior to issuance of grading permits the applicant/developer shall provide evidence to the City that a qualified professional archeologist meeting the Secretary of Interior's PQS for Archaeology (as defined in the Code of Federal Regulations, 36 CFR Part 61) has been retained to prepare a Cultural Resource Monitoring Program (CRMP) in coordination with the consulting tribe(s) and to conduct monitoring of rough grading activities. The mitigation also provides that the archaeologist shall conduct Cultural Resource Sensitivity Training, in conjunction with the Tribe(s) designated Tribal Representative, to focus on the archaeological and tribal cultural resources that may be encountered during ground-disturbing activities as well as the procedures to be followed in such an event. The mitigation also details procedures in the event that a resource is inadvertently discovered during ground-disturbing activities in accordance with Public Resource Code Section 21083.2 and State CEQA Guidelines 15064.5 and 15126.4. All of these measures would be required at the developer/applicant's expense as part of construction costs of the proposed Project. As detailed on Draft EIR page 5.4-15, implementation of the identified construction related mitigation measures that were identified by archaeological professionals (in Draft EIR Appendix E) and existing regulations would reduce potential impacts to a less than significant level. As detailed in Master Response 1, economic effects of the proposed Project are not treated as effects on the environment and are not evaluated within the EIR.

Response to Comment I54.14: The proposed Project does not include development of housing on the Project site, and an increase in residential population would not occur (see Draft EIR Section 7.3, *Population and Housing*. Refer to Draft EIR Section 5.5, *Energy*, Section 5.12, *Public Services*, and Section 5.16, *Utilities and Service Systems*, which evaluate water, sewer, energy, and public services and detail that existing facilities and public services would provide services to the proposed Project and that impacts related to infrastructure would be less than significant and less than cumulatively considerable with implementation of existing regulations and requirements that would be ensured through the development review and permitting process.

Response to Comment I54.15: 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.

As detailed in Draft EIR Section 5.16, *Utilities and Service Systems*, page 5.16-27, the Project would connect to the existing electricity powerlines within adjacent roadways. SCE prepared an Engineering Analysis Report (included as Draft EIR Appendix G) which determined that the Project's electricity demand would be adequately served by SCE's existing distribution system, and that the existing electrical lines, Pike 12kV Circuit, and Bayside Substation can accommodate the Project. The Project would not require or result in the construction of new facilities or the expansion of existing facilities, which could cause significant environmental effects. Thus, the Draft EIR determined that impacts would be less than significant.

Response to Comment I54.16: The proposed Project includes PV solar panels installed on parking canopies and the buildings' roofs, as shown in Figure 3-11, *Proposed Solar PV Installation*. As detailed in Draft EIR Figures 5.1-3 through 5.1-8, views of solar panels on canopies in the parking lots would be screened by the proposed landscaping. In addition, the Project would be required through the City's permitting process to comply with Municipal Code Section 21.30.070, *Outdoor Lighting*, which would limit glare from solar panels on canopies in the parking areas.

As detailed in Draft EIR Sections 5.1, *Aesthetics* (page 5.1-32) and Section 5.8, *Hazards and Hazardous Materials* (page 5.8-41), a solar glare analysis (included as Draft EIR Appendix N) was prepared to analyze the potential for the solar panels to generate glare that could impact John Wayne Airport operations. The glare modeling analysis that was implemented pursuant to FAA criteria found that the proposed Project would not produce any glare on the air traffic control tower or in any of the final approach areas to the runways at John Wayne Airport. Thus, the Project would not create a new source of substantial glare which would adversely affect day or nighttime views in the area or impact operations of John Wayne Airport, and impacts would be less than significant.

Response to Comment I54.17: 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, using the accident data in the California Airport Land Use Planning Handbook and from the NTSB database for SNA, the aircraft hazard assessment developed a rough order of magnitude estimate of accident risk at the Project site. Over the most recent ten-year period (2014-2024), SNA had 11 accidents listed in the NTSB database. Two occurred during the takeoff or departure phase of the flight. During this same time period there were over 3 million aircraft operations at SNA. This results in a risk rate of 0.067 accidents per 100,000 aircraft operations. Combining these two figures (0.3 accidents per year) provides an estimate of the chances of an accident on the Project site as 0.035% per year. The additional factor that aircraft typically depart to the southwest about 95 percent of the time brings the chances of an accident on the Project site to 0.033% per year. It should be noted that the existing golf course has a similar risk.

In terms of the annual risk to an individual on the Project site, if there is a 0.033% chance of an onsite accident per year, and as per the California Airport Land Use Planning Handbook, approximately, 0.11% of general aviation aircraft accidents result in fatalities to people on the ground, this yields a 0.000036% chance of a fatality per year, or an approximate risk of 0.036 in 100,000 operations. Therefore, the Draft EIR determined that potential impacts from aircraft accidents would be less than significant. As detailed in Section 5.11, *Noise*, (and Response I54.9) the General Plan Land Use Noise Compatibility Matrix, identifies that commercial recreation facilities are "normally compatible" up to 75 dBA CNEL.

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

In addition, as detailed in Draft EIR details in Section 5.8, *Hazards and Hazardous Materials*, pages 5.8-15 and 5.8-40 that the Project site has previously undergone FAA evaluation, which determined that structures on the site that are below 162 feet amsl would not have a significant adverse impact related to aeronautical hazards. Thus, the FAA has not blocked development within the Project site. The proposed Project does not include housing, as detailed in Draft EIR Section 3.0, *Project Description*. It should be noted the Project site is privately owned and the proposed Project does not involve expenses to the County.

Response to Comment I54.18: Refer to response I54.16 related to the solar panels potential for glare. A complete evaluation of potential impacts related to John Wayne Airport has been included in the Draft EIR as described in the previous response.

Response to Comment I54.19: As detailed in Master Response 1, CEQA is an environmental protection statute that is concerned with a project's 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 potentially significant physical impacts on the environment and does not include a discussion of the Project's economic or social effects. The commenter is also referred to Responses to Comments I54.1-18.

Response to Comment I54.20: The comment is conclusionary in nature and summarizes previous concerns related to the Draft EIR evaluation. The City disagrees with the commenter's assertion. The Draft EIR provides an accurate and thorough analysis of all of the Project's potential environmental impacts pursuant to CEQA. Refer to previous responses regarding the scope of the proposed Project and EIR evaluation related to land use, recreation, aesthetics, infrastructure, and related cumulative impacts. This comment asserts concurrence with Alternative 1, No Project No Build Alternative.

Comment Letter I55: Greg Nelson (1 page)

From: [Gregory Nelson](#)
To: council@newportbeachca.gov; [Perez, Joselyn](#)
Subject: "Surf Park"
Date: July 05, 2025 6:04:40 PM

[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.

The Newport Beach Golf Course is a unique feature of the Newport Beach area, in that it provides an opportunity for youngsters and people unable to afford the many expensive golf facilities in the area to enjoy the sport.

Newport Beach has an abundance of private and very expensive golf courses that cater to a very small segment of the population, but only one facility where people (and children) with less resources, have an opportunity to learn and enjoy this wonderful game.

What Newport Beach already has is one of the world's greatest surfing destinations!

A "Surf Park" with hundreds more "condos" in an already heavily trafficked and populated neighborhood does not appear to be a plan or solution in the best interest of the people who reside close by, but rather in the best interest of a few wealthy investors who will be appealing, not to our residents, but to visitors and tourists, of which we already have an abundance and most of whom come to enjoy and our incredible surfing facilities.

Hundreds of new condos in the area combined with the visitors to "Surf Park" will cause even more traffic congestion and pollution in an already very congested area.

Not an idea with interest of Newport Beach residents in mind!

Greg Nelson

Newport Beach Resident and happy user of the Newport Beach Golf Course facilities.

I55.1

Response to Comment Letter I55: Greg Nelson, July 5, 2025

Response to Comment I55.1: 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. Please see Master Responses 3: *Piecemealing and Housing Opportunity Sites* and 4: *Impacts related to Vehicle Trips* for responses regarding the proposed Project's traffic impacts and the Project's relation to the Housing Opportunity Sites to the south of the Project.

Comment Letter I56: Julie Santa Rosa (1 page)

From: [Julie SantaRosa](#)
To: [Perez, Joselyn](#)
Subject: Golf course
Date: July 06, 2025 1:38:11 AM

[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.

We absolutely do not want high density housing! The traffic congestion not to mention increase in people and the crowdedness to our area would be horrible! When we became Newport Beach, the golf course was promised to be left alone.... The city going around us is pathetic! It our neighborhood, they do not live here and they do not have a right to destroy our unique area!

Julie Santa Rosa
Steven Todd Chapin

Sent from my iPhone

I56.1

Response to Comment Letter I56: Julie Santa Rosa, July 6, 2025

Response to Comment I56.1: The Project site is privately owned. 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. Refer to Master Responses 3: *CEQA Piecemealing and Housing Opportunity Sites*, and 4: *Impacts related to Vehicle Trips*, for responses regarding the proposed Project's traffic impacts and the Project's relation to the Housing Opportunity Sites to the south of the Project.

Comment Letter I57: Robert Meadows (8 pages)

From: [Robert Meadows](#)
To: [Perez, Joselyn](#)
Cc: smeadows2412@gmail.com
Subject: EIR Surf Park Newport Beach 2024110238
Date: July 06, 2025 9:34:35 AM
Attachments: [Surf Park EIR comments.pdf](#)

[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.

Ms. Perez, I would like to go on record that the EIR submitted for this project does not accurately consider all the facts and circumstances this project will have on the community and neighborhoods it borders. The current EIR was clearly written to serve the developer in their desire to push a project forward that will negatively affect all of those who live near it. I have attached a list our community has put together sharing our concerns and spelling out areas the EIR has not accurately taken into consideration. Frankly, a Surf Park a few miles from our beaches makes no sense whatsoever.

We urge you and others to consider our comments as well as use some common sense in evaluating this development. Is it really in the best interests of Newport Beach and the surrounding communities to support this project as proposed?

Sincerely,

Sandy and Rob Meadows 2412 Mesa Drive, NB.

I57.1

Critical Comments on Draft EIR for Surf Park 2024110238

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 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 for 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 housing required numbers of housing units.

157.2

- 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 rezones 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; it is a significant impact of Surf Park but is not reviewed in EIR.
-

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, eliminating 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.

**I57.2
Cont.**

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..

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 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.

**157.2
Cont.**

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 high noise from flights taking off directly overhead which will affect critical focus on surfing, disturb observers, restaurants users, and hotel accomodation guests.

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.

8. Biological Resources

- EIR Finding: Less than significant impact on biological resources.
- 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.

157.2
Cont.

- 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.

**157.2
Cont.**

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 of the golf course raises several safety and environmental concerns. The proximity of the Surf Park and housing developments too close to the end of the runway will result in higher noise levels for Surf Park users and residents and pose significant unacceptable unmitigated risks in the expanded crash zone that includes all of NBGC.

- There is no increased safety risk with no development, existing golf course is the most safe and only appropriate land use for this property
- 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.

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 artificial surfing a few miles from 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 by market research and may be incorrect.
- Surf Park 80 year lease by landowners may be just to kill the golf course and open south parcel for high density high profit housing development regardless of the low financial viability and high impacts of the project.
- Artificial surfing may become an embarrassment to Newport Beach as a tourist attraction and 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, and much less demand for artificial surfing in Newport Beach than is hoped for and planned for by project developers and investors.

157.2
Cont.

- The consequence of financial failure is loss of all the assumed 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 fsils

**I57.2
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. Considering 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"

Response to Comment Letter I57: Robert Meadows, July 6, 2025

Response to Comment I57.1: This comment is introductive in nature and provides the commenter's opinion on the proposed Project and does not provide a comment on specific environmental analysis within the Draft EIR or any substantial evidence of a significant environmental impact. Thus, no further response is warranted.

Response to Comment I57.2: This comment is a copy of the letter provided in Comment I54. Please see responses I54.3 to I54.20 for responses to this comment letter.

Comment Letter I58: Debra Frederickson (1 page)

From: [Debra Frederickson](#)
To: [Perez, Joselyn](#)
Subject: NO SURF PARK!
Date: July 06, 2025 12:02:13 PM

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Please understand how incredibly bad the traffic situation is on Irvine Avenue as it is currently! And the speed with which people travel is so fast for the cant or banking of the roadway at the S curves . Why would we really want this? Revenue? We have drought issues in California and evaporation of large areas of surface water; do the numbers really work?

NO SURF PARK! Please
Debra Frederickson
1433 Santiago Drive
Newport Beach, CA 92660

Get [Outlook for iOS](#)

I58.1

Response to Comment Letter I58: Debra Frederickson, July 6, 2025

Response to Comment I58.1: Please refer to Master Response 4: *Impacts Related to Vehicle Trips*, for a response to comments regarding the proposed Project's traffic impacts. In regard to impacts related to 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 the City would have sufficient supplies for the proposed Project. Thus, 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.

Comment Letter I59: Kristi Jackson (2 pages)

From: [Kristi Jackson](#)
To: [Perez, Joselyn](#)
Subject: Snug Harbor Surf Park - opposition
Date: July 06, 2025 12:54:58 PM

[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,

As a 28-year homeowner-resident of the Westcliff-Dover Shores neighborhood, I am writing to express my strong opposition to the proposed Snug Harbor Surf Park Project. I drive past this location nearly every day and have since 1997 - despite the assertions in the Environmental Impact Report that the development will have no "significant impact" I believe this Project would forever change the character of the neighborhood and impact our community detrimentally.

I59.1

Project scope - As a banker I have evaluated and financed close to \$100 billion of commercial and tribal resort and gaming facilities over my career. I understand the process by which projects need to gain environmental approvals and have read myriad EIR/EIS reports, most of which in their hundreds of pages of boilerplate language lead up to a no significant impact conclusion. The sheer scope of this project however defies the conclusions in the posted EIR for the Project. In addition to questioning the very business proposal itself - why a surf park is needed when located within a couple of miles of some of the most highly-coveted surfing beaches in the world, all at an undisclosed total development cost - the components of the project seem misleading to the public. Top of the list are the 20 "athlete" accommodations that are included - likely a cover for a boutique hotel. Further, two wave pools create a scale that is difficult to see fully utilized. Having this Project be located so close to a wildlife preserve where hundreds of species of birds and other animals take refuge and breed in a protected environment should give pause of concern. While the EIR concludes that the preserve won't be impacted, it is difficult to image how the birds won't be affected by fewer trees, massive chlorine/chemical pools and drainage/runoff. The scale of the project, the traffic it will bring will cause irreparable damage to the character of our community.

I59.2

Neighborhood esthetic - The elevations provided, particularly the one showing the intersection of Mesa and Irvine Avenue - illustrate the massive change to the neighborhood. Having an imposing three story structure with minimalist architectural details (it actually looks institutional vs resort-like) face this corridor where thousands of residents pass by each day will be troubling. Rather than pass a green landscape with minimal height structures, the near wall of concrete is an eyesore.

I59.3

Traffic - Traffic estimates seem to be understated - particularly when compared to existing golf course/restaurant flows. It appears as if the existing number of

I59.4

restaurant trips per day are overstated in table 5.14-2. While the Original Pizza establishment is good - it is tough to accept that it generates over 500 trips/day (for over 1000 total) in its current state. I would ask that these numbers be challenged. If this much traffic were coming to the existing restaurant location, they would be generating such consistent current revenue that the conversation on the current lease would likely be resulting in a different outcome (editorial comment, however, begs the question regarding the calculation of existing traffic flow).

**159.4
Cont.**

Alternative uses - Always important as a banker to consider - but if this project were permitted to continue and were to be developed - it is highly likely that the economics of the surf park won't last. The community would likely be forced to look at a vacant water park, with minimal alternative uses. The further erosion of the "green" components of our community will likely then result in redevelopment with further environmental consequences.

159.5

I strongly urge the city to disapprove this development. I am available anytime to discuss these comments and appreciate your attention to this matter that is so important to preserve our community.

Regards,

Kristi Jackson
2115 Leeward Lane
Newport Beach, CA 92660
(714) 293-0037

Response to Comment Letter I59: Kristi Jackson, July 6, 2025

Response to Comment I59.1: As detailed in Draft EIR Section 5.1, *Aesthetics*, pages 5.1-12 through 5.1-16 the proposed Project would change views of the site to a more urban and developed character compared to the existing condition. However, it would not conflict with applicable zoning and other regulations governing scenic quality and pursuant to CEQA Guidelines criteria, impacts would be less than significant. This comment does not provide any substantial evidence that the proposed Project would result in a new significant environmental impact. Thus, no further response is warranted.

Response to Comment I59.2: Please refer to Master Response 1: *Project Merits* for a response to comments regarding the necessity and fiscal impacts of the proposed Project.

In regard to the Projects components, Draft EIR Section 3.0, *Project Description*, provides an accurate description of the Project components and their operational functions. The athlete accommodations are described as units which would be “exclusively for visiting surfers and surf park guests to stay while using the onsite amenities. Each unit would include a bed, bathroom, closet, and a patio space facing the surf lagoon.”

About the Project’s impact to 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 (also discussed in Appendix C to the Draft EIR). 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 to potential indirect effects to the Upper Newport Bay from the proposed Project. As such, the Project would not result in any substantial impacts to sensitive wildlife. The Project would not result in a reduction in trees. 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. Trees are shown in Draft EIR Figure 3-8, *Conceptual Site Plan*.

On the chlorine runoff from the proposed lagoon, Draft EIR Section 5.8, *Hazards and Hazardous Materials*, pages 5.8-36 and 5.8-36 describe that the Project would use and store common hazardous materials such as paints, pool cleaning chemicals, solvents, and cleaning products. The surf lagoon would use basic pool type cleaning equipment and chemicals to maintain the pH levels for surfers. The *Surf Lagoon Water Systems Narrative*, included as Appendix C to this Final EIR, details that sodium hypochlorite would be utilized as the primary sanitizer and is one of the most common chemical compounds used to maintain a chlorine residual in traditional swimming pool facilities. Muriatic acid would also be utilized for pH maintenance. Both chemicals would be dosed to the lagoon water through automated feeders and the lagoon water quality would be continuously monitored via an automated water chemistry control system, maintaining the following water quality parameters at all times during operation:

- Water clarity/turbidity: < 5 NTU
- Oxidation Reduction Potential (ORP): minimum 650 mV - maximum 850 mV
- Sanitizer Residual: minimum 0.5 ppm FAC
- pH level: 7.0 to 7.6

The surf lagoon would require permitting from the Orange County Department of Health, which has approved a variance for 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. Thus, lagoon water that is discharged into the sewer system would have a low level of chlorine and potentially a limited volume of cleaning agents, which is similar to other commercial recreational facilities. 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.

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 this Final EIR).

As detailed in the *Surf Lagoon Water Systems Narrative*, included as Appendix C to this 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.

Draft EIR Section 3.0, *Project Description*, page 3-34 describes that operation of the surf lagoons include maintenance that would be coordinated via permit with the Costa Mesa Sanitary District (CMSD) that provides sewer services to the site. In addition, due to the volume of wastewater that would be discharged by the Project an Orange County Sanitation District Industrial Wastewater Discharge Permit would be required, as is required for any discharge in excess of 25,000 gallons per day. The Industrial Wastewater Discharge Permit regulates wastewater discharges by limiting specific pollutants through establishing numeric discharge standards, discharge requirements, monitoring and reporting requirements (<https://www.ocsan.gov/industrialdischarge/>). The discharge standards of Industrial Wastewater Discharge Permits are based on the National Pollutant Discharge Elimination System Permit and the wastewater treatment facility.

Response to Comment I59.3: This comment does not provide any substantial evidence that the Project would result in a significant environmental impact. Section 152049(c) of the CEQA Guidelines advises that comments should be accompanied by factual support, stating “[r]eviewers should explain the basis for their comments and should submit data or references offering facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of the comments. Pursuant to Section 15064, an effect shall not be considered significant in the absence of substantial evidence.”

Although, 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 surf lagoon, amenity clubhouse, athlete accommodations, parking lot, and associated infrastructure, the Project would not cause a significant aesthetic impact. The proposed structures would be set back a minimum of 20 feet from adjacent streets (as shown in Draft EIR Figure 3-8, *Conceptual Site Plan*) and would not encroach into public views along the roadway corridors adjacent to the site. 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. Therefore, views along the adjacent roadways would provide green landscaping that would provide screening to the proposed structures.

Response to Comment I59.4: As detailed on Draft EIR page 5.14-12, the vehicle trips generated by the existing uses on the site and the proposed Project have been estimated based on trip generation rates provided by the Institute of Transportation Engineers (ITE) *Trip Generation Manual, 11th Edition, 2021*. Where generation rates were not detailed within the ITE Trip Generation Manual, rates were derived from attendance data observed at the Project site and surf park data, which were reviewed and approved by the City's Traffic Engineering Division. Also, refer to Master Response 4: *Impacts Related to Vehicle Trips*, for a response to comments regarding the proposed Project's traffic impacts.

Response to Comment I59.5: The comment speculates that the proposed surf park would cease to operate in the future. It would be speculative to make assumptions regarding how long the surf park would operate and what would occur with the infrastructure thereafter. The EIR properly evaluates the potential environmental impacts associated with construction and operation of the proposed Project. In accordance with CEQA Guidelines Section 15145, *Speculation*, the Draft EIR is not required to consider circumstances that are too speculative for evaluation. Further CEQA Guidelines Section 15146, *Degree of Specificity*, states that the degree of specificity required for an EIR will correspond to the degree of specificity in the activity. The specificity of future activities beyond construction and operation of the proposed Project are unknown. Further, as detailed in Master Response 1, economic effects of the proposed Project are not treated as effects on the environment and are not evaluated within the EIR.

Comment Letter I60: Patti Ferguson (1 page)

From: [Patti Ferguson](#)
To: [Perez, Joselyn](#)
Subject: Surf park
Date: July 06, 2025 1:58:37 PM

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Please please no surf park. We have a beach a few miles down the road. Putting in the surf park is like saying we only like rich people. The cost is unacceptable. Oh I forgot the city gets tax money . Really sad. Thank you for listening. No surf park.
Patti Ferguson

I60.1

Response to Comment Letter I60: Patti Ferguson, July 6, 2025

Response to Comment I60.1: Please refer to Master Response 1: *Project Merits* for a response to comments regarding the Project merits and fiscal impacts of the proposed Project.

Comment Letter I61: Diane Rinker (1 page)

From: dianerinker@me.com
To: [Perez, Joselyn](#)
Subject: Surf park
Date: July 06, 2025 3:03:13 PM

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To whom it may concern,

I am writing to express my concern of allowing the Surf Park development to be built. I have lived over 50 years on Mesa Drive and have seen many changes to disrupt our residential neighborhood with all this high density. The traffic has become a disaster and will continue to only get much worse. I am definitely not in favor of these types of developments to continue to be built.

I61.1

Sincerely,
Diane Rinker

2342 Mesa Drive
Newport Beach, ca, 92660

Sent from my iPad

Response to Comment Letter I61: Diane Rinker, July 6, 2025

Response to Comment I61.1: Please refer to Master Response 4: *Impacts Related to Vehicle Trips*, for a response to comments regarding the proposed Project's traffic impacts. As discussed in Master Response 3, there is no high density housing included as part of the proposed Project.

Comment Letter I62: Scott Pickard (1 page)

From: [Scott Pickard](#)
To: [Perez, Joselyn](#)
Subject: Please Save Newport Beach Golf Course
Date: July 06, 2025 6:49:21 PM

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Ms. Perez.

My name is Scott Pickard, my wife Kim and I live at 20071 Orchid Street just blocks from the local golf course under consideration to build a wave pool. I have been surfer for over 45 years and a golfer for almost the same. My son and I surf the beaches in Newport and often play golf at Newport Beach Golf Course on the same day. The golf course is a beloved place and the only public affordable golf course in Newport Beach. I watch the local red tail hawks hunt from the pines at the course and enjoy the other wildlife. A wave pool and its hotel, bar and immense out buildings are a special interest project catering to well to do to visitors from out of town not local surfers. We don't want or need this project.

I62.1

Thank you for your time.

Scott and Kim Pickard

Response to Comment Letter I62: Scott Pickard, July 6, 2025

Response to Comment I62.1: As detailed in Section 3.0, *Project Description*, 15 holes of golf would be retained with implementation of the proposed Project. 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.

As discussed in Draft EIR Section 5.3, *Biological Resources*, and in Appendix C to the Draft EIR, the Project site lacks potential nesting habitat (e.g., mature trees, shrubs) for special-status raptor species but is expected to provide marginal foraging habitat for common raptors that supports prey species such as insects, spiders, lizards, snakes, small mammals, and other birds. Impacts related to nesting birds onsite would be mitigated with the implementation of Mitigation Measure BIO-2 which requires nesting bird surveys to take place prior to ground disturbance to ensure that no nesting birds are disturbed during construction. In addition, the proposed Project would include landscaping on 143,844 SF (20 percent) of the site with 24-inch box trees and 15-gallon trees, including palms, as shown in Draft EIR Figure 3-8, *Conceptual Site Plan*. Proposed landscaping would provide new trees for roosting and nesting common bird species.

Comment Letter I63: Shella Salvo (1 page)

From: jsalvo2105@aol.com
To: [Perez, Joselyn](#)
Subject: Surf Park Project or Costco at Irvine & Mesa-07.06.25
Date: July 06, 2025 7:40:18 PM

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Dear Ms. Perez,

We vehemently oppose the proposed Surf Camp or a Costco at Irvine and Mesa. With all the new building of high density housing in the area the traffic is already bad in the area, particularly Mesa, Irvine and Bristol which are horribly problematic. There are accidents all the time and now, with the increase in traffic, the entire area will be affected adversely.

Between new housing projects and new commercial projects this area will become untenable due to the mass of humanity and the resultant automobiles and traffic that come with such an increase in population density in a small single family home community.

Please do not allow these projects to move forward.

Regards,

Shella & Joseph Salvo
20352 SW Cypress Street
Newport Beach, CA 92660

I63.1

Response to Comment Letter I63: Shella Salvo, July 6, 2025

Response to Comment I63.1: Cumulative transportation impacts were discussed on page 5.14-7 in Draft EIR Section 5.14, *Transportation*, which determined that impacts would be less than significant upon implementation of the City's traffic engineering design standards. For an additional response related to traffic impacts, refer to Master Response 4: *Impacts Related to Vehicle Trips*. As discussed in Master Response 3, there is no high-density housing included as part of the proposed Project.

Comment Letter I64: Steve Kalatschan (2 pages)

From: [Steve Kalatschan](#)
To: [Perez, Joselyn](#)
Subject: Snug Harbor Surf Park
Date: July 06, 2025 8:52:47 PM

[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.

Good afternoon,

My name is Steve Kalatschan, a lifetime resident and business owner in Newport Beach. I went to nursery school at the 38th st park, Pre-school at Christ church By The Sea, Newport El. Ensign, NHHS and OCC. My family opened up Original Pizza in 1963 and still going strong, My brother is the owner of TK Burgers, Both of our businesses are very active in the community, schools and youth sports. Albeit I have skin in the game with my location located at the course but this is beyond me. This is an unbiased opinion leaving my future out of it. I will be fine, I already have locations reaching out to me. That being said I will only brush up on the obvious which most your letters have mentioned The historical significance of the course, Original Pizza etc. Generations playing there. Grand parents time with their grand children, open green space. The mis-truths of the surf ranch being community friendly. It will be an elitists park only for the rich. Look at the costs of other surf ranches in less affluent areas, From the mouth Adam Cleary himself to my ears when he was pitching it to me. " Imagine the Balboa Bay Club meets a surf park" Anyway I could go on and on but I'm sure you heard it all and know the community for the most part are strongly against it. That being said Please read and all involved with the decision seriously think about my next statement.

I64.1

The surf Ranches the current fad of thing to do, They are popping up everywhere. Palm Springs, Carlsbad with what I understand multiple others in the works in Orange county. The market is getting saturated. I need you all to think about the future when the fad passes its natural course. Palm springs is already struggling, forcing to do vegas-style pool parties etc. Flash forward 10 years when the market has been saturated, when the fad passes by. When Wave pools will become one with Roller Rinks, Bowling Alleys, malls etc. It will already be an eye sore, but picture when in inevitably closes, we will have a Giant empty pool, It will be a Graffiti ridden, homeless encampment! on an already hard to develop parcel , the odds of a new developer is extremely unlikely. and they we are generations will be able to enjoy a giant, wasp ridden, graffiti covered homeless encampment. This is the likely scenario

I believe it is all of your civic responsibility to look after the community both now and in the future. I'm not sure how it works but I do know it's possible. The "right" thing for the city to do is to eminent domain the property (you guys will go down in Newport history as

heroes) and keep it the way it is. This is a perfect example of why that law was put in place .

Please really consider shutting down this project, It's not good for our beautiful town.
Thank you for your time
Steve Kalatschan
714-651-8566

164.1
Cont.

Response to Comment Letter I64: Steve Kalatschan, July 6, 2025

Response to Comment I64.1: 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.

Comment Letter I65: Allison Robar (1 page)

From: [Robars](#)
To: [Perez, Joselyn](#)
Subject: Robar family
Date: July 06, 2025 9:34:51 PM

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We moved here to be near open spaces. We do not approve the surf park project. It does not belong here. Kindly,
Allison and Kyle Robar

I65.1

Response to Comment Letter I65: Allison Robar, July 6, 2025

Response to Comment I65.1: Refer to Master Response 1: *Project Merits*, for a response to comments regarding the merits of the proposed Project. 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, 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.

Comment Letter I66: Sandee Felix (2 pages)

From: [Sandee Felix](#)
To: [Perez, Joselyn](#)
Subject: No surf park and high density housing
Date: July 06, 2025 10:47:54 PM

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Please save our cozy neighborhood!
Irvine Avenue is already a curvy, hilly, dangerous speedway with traffic. I cannot even imagine how horrible the bottom of the hill will be if high density housing, and a Disneyland style Surf Park is built. "The many negative impacts of Surf Park and crammed housing are unacceptable and damaging to our whole community."
Sandeefelix@earthlink.net
2231 Mesa Dr Newport Beach 92660
714 658 9233

I66.1

Response to Comment Letter I66: Sandee Felix, July 6, 2025

Response to Comment I66.1: Please refer to Master Responses 3: *Piecemealing and Housing Opportunity Sites* and 4: *Impacts related to Vehicle Trips* for responses regarding the proposed Project's traffic impacts and the lack of relationship between the Project and the City's decision to rezone the sites to the south for possible housing. Implementation of the Project would result in a reduction in AM and PM peak hour traffic and would not increase congestion. As detailed in Draft EIR Section 5.14, *Transportation*, page 5.14-16, the new site circulation, including driveway designs, would be approved by the City's transportation engineering. Sight distance at the Project's access points would be reviewed with respect to City standards prior to receipt of permits. The Project frontage improvements and site access points would be constructed to be consistent with the identified roadway classifications and respective cross-sections in accordance with the Newport Beach General Plan Circulation Element and traffic engineering safety standards. Compliance with existing regulations would be ensured through the City's construction permitting process, which would provide safe access to and from the Project site.

Comment Letter I67: Diane Moore (1 page)

From: [Diane Moore](#)
To: [Perez, Joselyn](#)
Subject: EIR for Snug Harbor Surf Farm
Date: July 06, 2025 11:36:06 PM

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Hi,

I object to the proposed surf farm.. I read the comments to the EIR and I agree with all of them. I worry about the increased traffic it will put on Mesa Drive and the need to change the flow to allow left turns into the surf farm.. Mesa is a short cut to Irvine Ave and very busy at 5pm. And the threat of housing being built on the other side of the street will complicate the flow. I would like to know how much noise the wave machine makes. Is it going to be a constant noise that will bother the fire station and the adjoining office buildings ? Will it have late hours so the apartments across the street will hear it all evening?

I think the golf course is a better fit for the location and the neighborhood.. You can put a surf farm anywhere.. like the Great Park or any industrial neighborhood.. I imagine they picked this place so they can cash in on the Newport address and attract our affluent residents which in turn is taking away a golf course that is used by middle class folks.

Thanks for your time.
Diane Moore
2232 Orchard Dr NB

949 400 41 54

I67.1

Response to Comment Letter I67: Diane Moore, July 6, 2025

Response to Comment I67.1: Please refer to Master Responses 3: *Piecemealing and Housing Opportunity Sites* and 4: *Impacts related to Vehicle Trips* for responses regarding the proposed Project's traffic impacts and the Project's relation to the Housing Opportunity sites to the south. Implementation of the Project would result in a reduction in AM and PM peak hour traffic and would not increase congestion. As detailed in Draft EIR page 5.14-16, the new site circulation, including driveway designs, would be approved by the City's transportation engineering. Sight distance at the Project's access points would be reviewed with respect to City standards prior to receipt of permits. The Project frontage improvements and site access points would be constructed to be consistent with the identified roadway classifications and respective cross-sections in accordance with the Newport Beach General Plan Circulation Element and traffic engineering safety standards. Compliance with existing regulations would be ensured through the City's construction permitting process, which would provide safe access to and from the Project site.

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.

Comment Letter I68: Michelle Clark (1 page)

From: [M Clark](#)
To: [Perez, Joselyn](#)
Subject: Santa Ana Heights is not Disneyland or DTLA
Date: July 07, 2025 8:16:15 AM

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Please stop taking away what little bit of community Santa Ana Heights Newport Beach has. Higher population and more tourism does not help the residents of Newport Beach. The peninsula is an example of this point. As the city reaps the benefits, the actual residents suffer the consequences. As more people may want to visit, less people are now wanting to live here because of all the congestion. Santa Ana Heights is plenty busy enough with the airport and all the hotels surrounding it, in addition to all the additional medicals office and high rise apartment plans. Please do not make it worse for those that actually live here and that have made a life here. The cute and quiet little neighborhood we have lived in for over 30 years is now becoming exactly what we never wanted to live in.

I68.1

Michelle Clark
20111 Bayview Ave
Newport Beach, Ca

Response to Comment Letter I68: Michelle Clark, July 7, 2025

Response to Comment I68.1: As discussed on page 7-3 within Section 7.0, *Effects Found Not Significant*, the Project would employ approximately 70 full-time and part-time employees with an average of approximately 55 employees onsite at any given time. The addition of 23 total employees from implementation of the proposed Project would not result in additional jobs in the area that would result in unplanned growth. Additionally, the 20 athlete accommodations would only be utilized for short time periods by visiting surfers and related guests, and the athlete accommodations would not result in unplanned population growth. No housing units are included in the Project, as discussed in Master Response 3. In regards to congestion impacts, refer to Master Response 4: *Impacts Related to Vehicle Trips*.

Comment Letter I69: Micah Stovall (1 page)

From: [Micah Stovall](#)
To: [Perez, Joselyn](#)
Subject: Save the golf course
Date: July 07, 2025 9:33:55 AM

[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.

Hi thanks for reading my statement As a surfer and golfer, id be embarrassed to go to a pool where only 100 people a day can participate and there are several public beaches nearby. I say public because for golf there arent many public options (especially for kids) The golf course has over 100+ kids under 12 there each and every day. There is a program called YOUTH ON COURSE that my daughter has participated in since she was tiny. She now plays high school golf and i dont know that she would've if it wasnt for "the matts" it isn't the most glamorous course in Newport but its the one where everyone is invited. I dont know the numbers but, do they even matter or do kids and true community matter the most. Thanks again for reading

I69.1

Response to Comment Letter I69: Micah Stovall, July 19, 2025

Response to Comment I69.1: 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.

Comment Letter I70: Moe Sim (1 page)

From: [Moe Sim](#)
To: [Perez, Joselyn](#)
Subject: Do not build a wave pool in newport
Date: July 07, 2025 9:49:34 AM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.
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As a 20 year business owner and resident I appose tearing down our only affordable local golf course to build something that all ready exists naturally 3 miles away..
Its called the ocean and i have surfed the ocean for 40 plus years and prefer to keep that way..

I70.1

Wave pools by the beach are money grabs and not necessary..

Thanks Moe Sim

Moe Sim / COO
Black Flys eyewear
2912 Kilson dr.
Santa Ana, Ca. 92707

Response to Comment Letter I70: Moe Sim, July 7, 2025

Response to Comment I70.1: 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.

Comment Letter I71: Ryan Calderon (1 page)

From: [CALDERON, Ryan](#)
To: [Perez, Joselyn](#)
Subject: Newport Beach Golf Course
Date: July 07, 2025 10:03:00 AM

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The last thing the community needs is a wave pool. The Newport golf course is a staple in the community and it would be heart breaking to see it gone over a wave pool of all things. Please save Newport Beach GC!

I71.1

Ryan Calderon
District Manager
South Inland Empire/ Orange County
Mobile:(323) 855-3069
Ryan.Calderon@Airgas.com
Airgas an Air Liquide company

Response to Comment Letter I71: Ryan Calderon, July 7, 2025

Response to Comment I71.1: 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 necessity of the proposed Project.

Comment Letter I72: Mike Smith (22 pages)

From: [M. Smith](#)
To: [Dept - City Council](#)
Cc: [Planning Commission; Perez, Joselyn](#)
Subject: Snug Harbor Surf Park Project (PA2024-0069), May 2025 - Draft EIR SCH NO. 2024110238
Date: July 07, 2025 10:43:12 AM
Attachments: [Medical Bldg 3300 Irvine Ave 4 1 2025 LA Times.pdf](#)
[NBGC owner interest memo 2.5 2021.pdf](#)
[Surf Park Draft EIR comments 7 2025 A.pdf](#)

[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.

Sent via email 7/7/2025 @ 10:30 am.

Dear Members of the Newport Beach City Council, Newport Beach Planning Commission,
 Ms. Joselyn Perez, Senior Planner City of Newport Beach:

We are all so very fortunate to live in Newport Beach where we have access to over 10 miles of world renowned beaches. I encourage everyone to, "Go to the Beach to surf and body surf in the ocean". It is the Best!

I am opposed to the Snug Harbor Surf Park Project (PA2024-0069) and the May 2025 Draft EIR SCH NO. 2024110238 should not be accepted or approved as written. Reasons for this are noted in the attached and I look forward to your written response to those items and these points below. *Thank you.*

In my opinion, regarding the Snug Harbor Surf Park Project, May 2025 Draft EIR, SCH NO. 2024110238:

I72-1

Item 1.5, Summary of Alternatives, Section 8.0. Alternative 1: No Project/No Build Alternative. The Draft EIR notes this as the #1 Alternative and states: "under this alternative, no new development would occur on the Project site, and it would remain in its existing condition with 3 holes of golf, a driving range, putting green, and the existing pro shop and restaurant would remain operational. This alternative compares impacts of the proposed Project with the existing buildings and golf facilities operating at full capacity." This is the best choice for our general public and golfing community. I urge you to please choose Alternative #1 and keep the property, "AS IS" and NOT go forward with the Surf Park.

Table 1-1, Summary of Impacts, item 5.1 Aesthetics – the Draft EIR is Wrong! The Project WOULD have a substantial adverse effect on a scenic vista. It is NOT "Less than significant". We have a beautiful natural green open space vista now. Please don't remove the green open space to install a concrete Surf Park. Once we lose the green open space, it is gone forever. Again, The Project WOULD have a substantial adverse effect on a scenic vista. The Draft EIR should be corrected and restated.

I72-2

Table 1-1, Summary of Impacts, item 5.3 Biological Resources, Impact BIO-1. Potentially significant, Re: Roosting Bats. It is NOT "Less than significant". Outside Independent Experts in this field should be consulted now, prior to the Draft EIR going forward and their findings should be made public. Please save the Roosting Bats habitat & Bats.

I72-3

Table 1-1, Summary of Impacts, item 5.3 Biological Resources, Impact BIO-4. Potentially significant, Re: Nesting Birds. It is NOT “Less than significant”. Outside Independent Experts in this field should be consulted now, prior to the EIR going forward and their findings should be made public. Please save the Birds habitat & Birds.

172-4

Table 1-1, item 5.3 Biological Resources, Cumulative line item. Potentially significant. The EIR is not accurate and the line-item comment of “Less than significant” is WRONG and needs to be restated. It is NOT “Less than significant”.

172-5

Table 1-1, Summary of Impacts, item 5.4 Cultural Resources, Impact CUL-2. Archaeological issue. Potentially significant. The applicant must identify and put forth a specific plan of action and operating procedures associated with the Cultural Resource Monitoring Program related to grading the site. Applicant/Developer must be required to identify the past and current specific tribe(s) associated with the site/project. At the Applicant/Developer sole expense, a Tribal or multiple Tribal Representatives must be on site daily during all hours of project for immediate consultation on found items. Graded items and all excavated dirt must be sifted and screened to locate any artifacts or other items of value or significance. If found on site, all work on the site must stop immediately and a full archeological investigation/dig must take place with full documentation and photographs, in addition to the 60 feet comment in section 5.4. Found items should be turned over to the Tribe(s) or museum and made public within 24 hours and the City should be notified immediately. Again, the Applicant/Developer would be responsible for any and all costs associated with this. The EIR is not accurate and the line-item comment of “Less than significant” is WRONG and needs to be restated. It is NOT “Less than significant”.

172-6

Table 1-1, Summary of Impacts, item 5.6 Geology and Soils, Impact GEO-1. Earthquake issue. Per the Draft EIR table 5.16-7, the Surf Park would use 22,743,722 million gallons of water per year. In the event of an Earthquake (think 1989 Loma Prieta earthquake (M6.9), and the 1994 Northridge earthquake (M6.7), approximately 11 million or more gallons of exposed treated Surf Park water would be a danger to the public and the environment, especially the Upper Newport Back Bay Ecological Reserve via the Delphi Channel. That amount of water and the damage and death it could cause MUST be addressed now by an Outside Independent Expert. Also, the emergency exit routes for the City of Newport Beach and Costa Mesa should be addressed in the Draft EIR in the case of a flooding event. The EIR is not accurate and the line-item comment of “No impact” is WRONG and needs to be restated. It is NOT correct. Please note that a 6.9 or a 6.7 magnitude earthquake on an open green space is much safer than a 6.9 or 6.7 in a cement Surf Park with 22,743,722 Gallons of water. The Draft EIR must address and analyze this LIFE THREATENING ISSUE. “Where does all that treated pool water go during a big earthquake?” What happens to the surrounding areas, homes, streets and the environment? What do citizens and emergency vehicles do if this happens?

172-7

Again, please consider, Item 1.5, Summary of Alternatives, Section 8.0. Alternative 1: No Project/No Build Alternative. The Draft EIR notes this as the #1 Alternative and states: “under this alternative, no new development would occur on the Project site, and it would remain in its existing condition with 3 holes of golf, a driving range, putting green, and the existing pro shop and restaurant would remain operational. This alternative compares impacts of the proposed Project with the existing buildings and golf facilities operating at full capacity.” This is the best choice for our general public and golfing community. I urge you to please choose Alternative #1 and keep the property, “AS IS” and not go forward with the Surf Park.

172-8

Table 1-1, Summary of Impacts, item 5.10 Land Use and Planning, Impact LU-1. This line item is NOT, “Less than significant”. The Applicant/Developer would be removing many key components to the NBGC including the Driving Range, Original Pizza Sports Bar & Grill, and the Pro Shop. Combined, these are used by thousands of golfers and patrons annually and are considered key and important components of the current property by the Citizens of Newport Beach, Costa Mesa and the surrounding areas. The Applicant/Developer has not stated in writing to the best of my knowledge exactly how long the ground lease is for the project area with the property owner, Newport Golf Club LLC. Nor have they stated in writing how long the ground lease is for golf holes 3-8 on Mesa Drive that the Applicant/Developer will be responsible for. They have not stated in writing how long of an agreement they have with the County of Orange for operating golf holes 10-18. The Applicant/Developer has not put forward any specifics as to what they will do to improve golf holes 3-8 & 10-18; however, they do make the point they will be responsible for these areas. They have not put forward or disclosed what the golf fees and cart rental rates will be. The Applicant/Developer MUST disclose, in good faith, the terms noted above and answer these questions in writing for the public. That information MUST be disclosed in the Draft EIR. Therefore, this section 5.10 of the Draft EIR is not accurate and the line-item comment of “Less than significant”, is WRONG and needs to be restated. It is NOT correct. It is not complete.

172-9

Table 1-1, Summary of Impacts, item 5.13 Park and Recreation, Impact REC-1. This line item is NOT, “Less than significant”. If the Project is approved, the general public will not be able to play a true 18 holes course and the general public will not have access to an outside Driving Range where new beginning golfers, active golfers and senior golfers can practice making contact with the ball and hitting it past the distance targets in real time. The Applicant/Developer is taking away an affordable physical exercise activity, enjoyed by thousands of people each year to install a concrete Surf Park that will cater to a select few who can afford the high price tag of Surf Park membership and/or hourly surf sessions. The Applicant/Developer should publish the membership fees, the hourly surf session rates and any other fees that will be charged to the public. If you take away the outside Driving Range, you take away someone’s ability to learn how to play the game of golf. That taking is not right. The answer to Table 1-1, Summary of Impacts, item 5.13, “Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered park and recreation facilities, need for new or physically altered park or recreation facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable park and recreation service ratios?” YES, it will because the ratio of the thousands of people that currently use the 18-hole golf course and the Driving Range for an affordable price is much greater than the number of Surf Park customers. In regards to this project, the needs of the many outweigh the needs of the high price tag few. The Beach is free, is 5 miles down the street and it has waves! Section 5.13 of the Draft EIR is not accurate and the line-item comment of “Less than significant”, is WRONG and needs to be restated. It is NOT correct.

172-10

Again: Alternative 1: No Project/No Build Alternative is the best choice.

Table 1-1, Summary of Impacts, item 5.13 Park and Recreation, Impact REC-3. The Applicant/ Developer is building a cement Surf Park so the answer to this statement, “Does the Project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?” is YES! It will and does have an adverse physical effect on the environment. The Applicant/Developer are removing a green open space section of land and installing a massive concrete structure.

172-11

Section 5.13 of the Draft EIR is not accurate and the line-item comment of “Less than significant”, is WRONG and needs to be restated. It is NOT correct.

|72-11
cont.

Section 5.14, Transportation, Roadway Facilities:

The Draft EIR states, “As it concerns the visitors, the AVR was conservatively assumed to be 2.0 persons per vehicle (i.e., 700 vehicles for 1,400 visitors), resulting in 1,400 daily vehicle trips (700 inbound and 700 outbound).” AVR = Average Vehicle Ridership. I believe the 2.0 person per vehicle count is not accurate. Surfing being a single person sport, and, “I will meet you at the beach” type scenario equates to 1 surfer for 1 vehicle. Not always, but very often this is the case. Therefore, that 2.0 count is drastically WRONG and so is the 700 inbound and 700 outbound trip count. The 1,400 visitors per day count is WRONG also. That count should be set to approximately 1.3 per vehicle and the inbound and outbound trip count should be recalculated. The Draft EIR is NOT accurate and NOT correct in the trip counts. There will be much more traffic on Irvine Ave. and Mesa Drive.

|72-12

The Draft EIR states, “Table 5.14-2 identifies the number of trips that would be generated by the Project. As shown in Table 5.142, the Project and the 15 golf holes to remain within the golf course would generate approximately 1,996 average daily trips.” For reasons noted in the paragraph directly above the daily trips count of 1,996 is WRONG. The Draft EIR is NOT accurate and is NOT correct on the trip counts. These need to be recalculated and restated. It will be much higher.

The Snug Harbor Surf Park Project will bring more traffic & congestion to our streets and to the main intersections of Irvine Ave & Mesa Drive, Highway 73 & Bristol and Campus, Bristol and Birch, Bristol and Spruce. These are already some of the most dangerous and accident-prone intersections in the City of Newport Beach (ask the NB Fire and NB Police Dept.). I have seen numerous accidents first hand – not good! We do not need this Project to become a large magnet resulting in more traffic, more accidents, injuries, and deaths in our streets, especially at the intersections noted above.

|72-13

The traffic at Irvine and Mesa is terrible and has gridlock as it stands now. Adding this project will only make the traffic congestion worse for everyone. Add in the recently approved medical building complex at 3300 Irvine, (see attached), and we will have even more gridlock. Did the Snug Harbor Draft EIR firm take into account the traffic generated by the 3300 Irvine project published 4/1/2025 in the LA Times. If not, they need to. All the traffic will have a major negative impact on the quality of life for our residents in both Newport Beach and Costa Mesa.

The Draft EIR states, “the Project site would be provided from two driveways, one along Irvine Avenue and one along Mesa Drive.” The Draft EIR, Figure 5.1-8 shows a Mesa Drive driveway that enters and exits the property on Mesa Drive. This will cause major traffic problems, congestion, delays and accidents on Mesa Drive for the driving public and the local residents. The Mesa Drive driveway should be removed from the project and all vehicle access points in and out of the project should be only on Irvine Ave. No driveway access should be allowed on Mesa Drive. This includes during the periods of demolition, grading, construction and day to day operations for all parties, employees, service vehicles and the general public.

|72-14

Draft EIR section 6.2 Growth Inducement.

"CEQA Guidelines Section 15126.2(e), Growth Inducing Impact of the Proposed Project, requires that an EIR "discuss the ways in which the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment."

To address this point, if the Applicant/Developer are allowed to build the Surf Park project and they do not have a signed long-term lease with the Landowner, Newport Golf Club LLC, not only for the project site but also for golf holes 3-8 on Mesa Drive and a long term written/signed agreement with the County of Orange for golf holes 10-18 there will be 693 units being built over golf holes 3-8 as noted on the Newport Beach Housing Element. The Landowner has placed an email on file with the City on the future development for golf holes 3-8 (see attached email dated 2/5/2021 from Landowner Mr. Brett Feuerstein of the Newport Golf Club LLC). The answer is YES to the question of the Project adding additional housing as the Landowner, Newport Golf Club LLC could terminate golf on holes 3-8 on a Monday and start the building process on a Tuesday, if no written/signed agreement is in place. The Draft EIR MUST address this topic/scenario and I recommend that a legal document be signed by all parties and recorded; thereby, protecting holes 3-8 as recreational open space with no development or housing being permitted on 3-8 now or in the future.

172-15

Also, the Draft EIR Figure 3.7, shows holes 3-8 along Mesa Drive in the "Coastal Zone Boundary". All parties need to be aware that in August 2024 the City of Newport Beach submitted a request to the California Coastal Commission to add a housing overlay zoning to holes 3-8. As of 4/1/2025 this matter has not been approved by the California Coastal Commission (CCC). The City should remove this request today from (CCC) and keep the area as Parks and Recreation (PR) and zoned Santa Ana Heights Specific Plan/Open Space and Recreation (SP-7/OSR). Please keep it, "AS IS". NO to Surf Park!

172-16

Draft EIR, Table 8-4: Impact Comparison of the Proposed Project and Alternatives. Listed on item 8-23, you will find Alternative 1, No Project/No Build - as the clear, best and #1 choice in all 15 categories of the document.

Please confirm receipt of this email and the 3 attachments. I respectfully ask that you please download and print the attached items for the record as part of my response to the Draft EIR. *Thank you.*

172-17

Thank you for your time and I look forward to a written response to the items raised here and on the attached.

Mike Smith

**Los Angeles Times**

LA TIMES STUDIOS

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COMMERCIAL REAL ESTATE

Newport Beach Building to be Transformed Into State-of-the-Art Medical Outpatient Center



172-18

By Paul Williams
Contributor

April 1, 2025 1 PM PT

A joint venture between Archer Property Partners and Real Estate Development Associates (REDA) has acquired the 78,000-square-foot office building at 3300 Irvine Ave., with plans to transform it into a state-of-the-art medical outpatient building (MOB). The partnership received unanimous approval from the Newport Beach

Planning Commission earlier this year and is now moving full speed ahead with the project.

Newport Irvine Medical Center, as it will be known, is a three-story building located just off State Route 73 in Newport Beach. Originally developed by The Koll Company in 1980, the building has long served as a general office space. However, with the continued decline in demand for traditional office space since the pandemic, the new ownership is converting the property to what it sees as its highest and best use: a modern medical office facility.

“Newport Beach is one of the most sought-after locations for medical office space in Southern California,” said R.J. Sommerdyke, principal at Archer. “Medical office vacancy in the city is exceptionally low – less than 5% – with a severe lack of large blocks of contiguous space. Currently, there is only one space larger than 10,000 square feet available citywide. Many existing MOB’s are aging and no longer meet the needs of today’s providers, making redevelopment projects like this essential.”

In addition to these strong fundamentals, Newport Beach’s medical office market is being reshaped by intensifying competition between major health systems. Hoag and UC Irvine Health are aggressively expanding their presence, each vying for market share in one of the region’s most affluent healthcare markets. Hoag recently announced plans to expand its specialty care services, while UC Irvine is investing \$1.3 billion in a new medical complex in Irvine.

Rising rental rates further highlight the tight market conditions. Since the partnership first explored acquiring the property, medical office rental rates have increased by over 10%, driven by strong demand from healthcare providers. Newport Beach’s three newest medical office developments – The Walk (anchored by MemorialCare), Newport Harbor Medical Plaza (anchored by USC Keck), and Newport Heights Medical Campus (anchored by UCI Health) – are all 100% leased, underscoring the intense demand and limited availability of premium medical space in the area.

I72-18
cont

“We identified this property before the pandemic and immediately recognized its exceptional potential based on its location, size, and construction type,” said Jason Krotts, principal at REDA. “We remained patient and ultimately acquired the building at the right price. Now, with medical space even tighter, this conversion is well-positioned for success.”

The partnership’s principals previously collaborated on the neighboring Newport Heights Medical Campus, a speculative ground-up development.

Newport Irvine Medical Center will be comprehensively reimagined to support a wide range of healthcare providers, from specialty practices to wellness services.

“Medical office buildings serve a broad spectrum of patients – from MedSpa clients to post-surgical orthopedic patients,” said Chad Manista, principal at REDA. “Our design prioritizes accessibility, ensuring patients have multiple options for navigating the building – an especially important feature in a post-COVID world.”

I72-18
cont

“Medical practices tend to remain in one location for 10 to 20 years,” added Kelly Blaes, COO at Archer. “Our goal is to ensure this building remains modern and relevant well into the future.”

The project is scheduled for completion in spring of 2026.

With healthcare demand in Newport Beach continuing to rise, this redevelopment represents a rare opportunity for medical providers to secure premium space in a highly constrained market. MedWest Realty, Inc., a healthcare real estate brokerage and advisory firm, has been retained to handle the leasing of Newport Irvine Medical Center.

Information was sourced from Real Estate Development Associates and Archer Property Partners. For more details, contact anne@MonaghanPR.com.

From: Brett Feuerstein <brett@mesacenters.com>
Sent: Friday, February 5, 2021 3:40 PM
To: Jurjis, Seimone
Cc: Campbell, Jim; Housing Element Update Advisory Committee; Tucker, Larry
Subject: Newport Beach Golf Course- 3100 Irvine Ave.
Attachments: Site Study.pdf; California Airport Land Use Planning Handbook - Allowable Densities (Zone 4).pdf

Follow Up Flag: Follow up
Flag Status: Flagged

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Mr. Jurjis and Mr. Campbell:

Thank you for all of your efforts and work that went into the subcommittee report regarding projects in the 65 CNEL. I would like to submit the attached plan as a potential project for the City to consider as part of the updated Housing Element. We are very excited to participate in this update. Through much study regarding the goals of the City, the policies of the airport, as well as the financial needs for the development to occur, we believe that we have come up with an ideal residential project, as well as providing a 1.5 acre park for the community. The attached plan shows a majority of the denser development in Zone 6 with a little of the multifamily spilling over into Zone 4 (see attached plan to see where Zone 4 and 6 actually are). This portion of the property includes approximately 200 multifamily units as well as 75 affordable units. In Zone 4 which per the airport guidelines allows an "average density/intensity of comparable surrounding users" (see attached for exact language for residential use pertaining to urban areas) we have shown townhomes at approx. 17 du/ac, for a total of approximately 100 units. With the neighboring uses including; single family residential, multifamily residential, commercial center, golf course and office buildings, we thought that townhomes would make sense in Zone 4 and allow the City to get a significant numbers of units. In addition in Zone 4 we placed the 1.5 acre park since obviously that is the least dense use and helps offset the other development in Zone 4. I would love to discuss with you and see if there is anything else that the City would like to see on the property.

Sincerely,

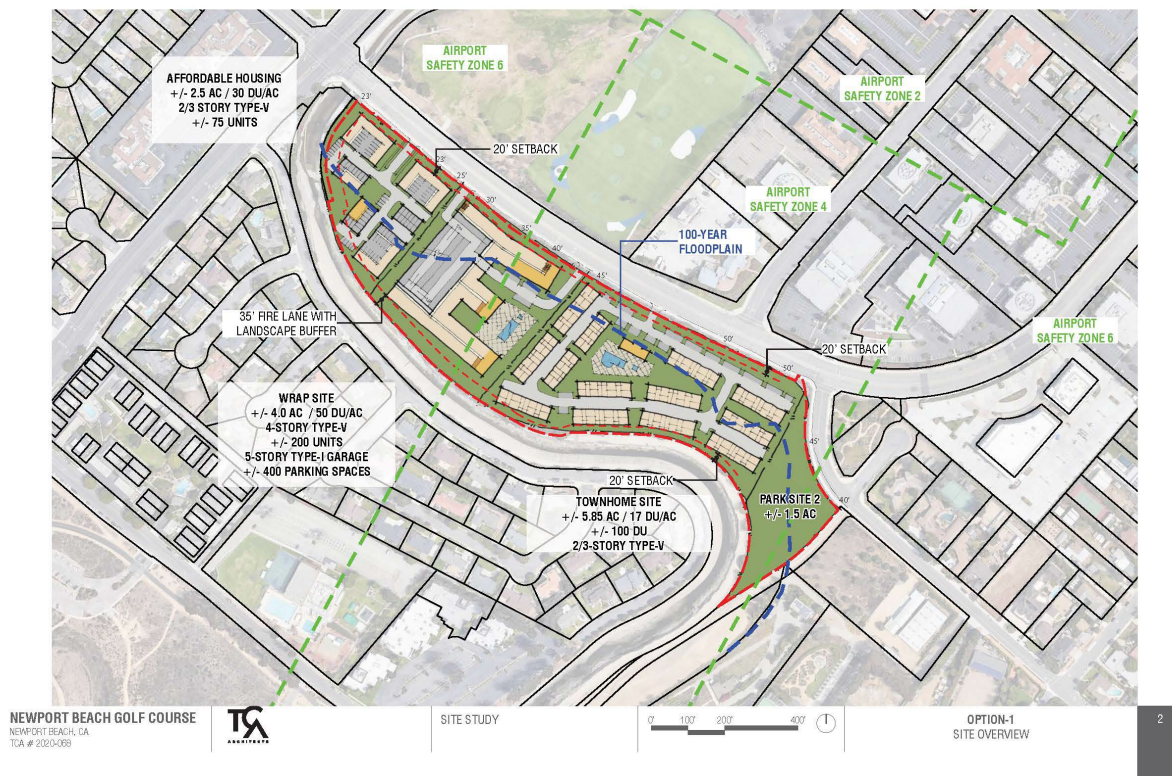
Brett Feuerstein
Newport Golf Club, LLC

172-19

NEWPORT BEACH GOLF COURSE

SITE STUDY







AFFORDABLE HOUSING

SITE: +/- 2.5 AC
 TOTAL UNITS: 75
 DENSITY: 30 DU/AC
 BUILDING TYPE: RESIDENTIAL 2/3 STORY - TYPE V

NEWPORT BEACH GOLF COURSE
 NEWPORT BEACH, CA
 TCA # 2020-068

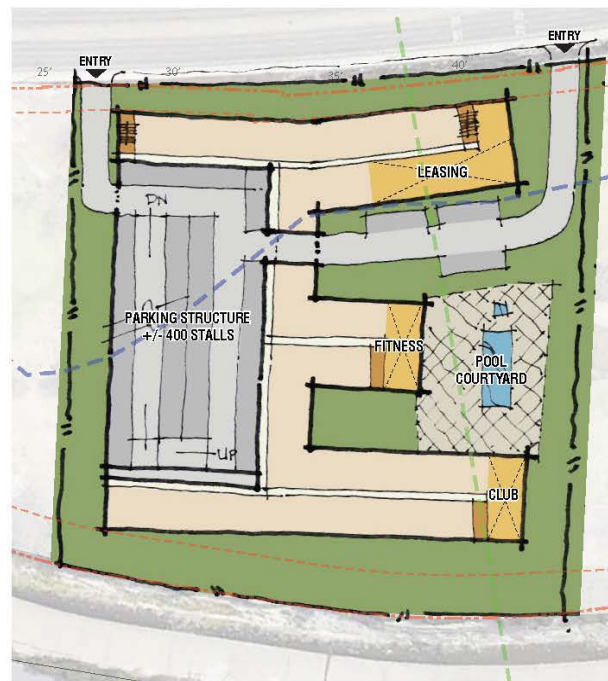


SITE STUDY



OPTION-1
 AFFORDABLE HOUSING

3



WRAP
SITE: +/- 4.0 AC.
UNIT SUMMARY:
 STUDIO: 20 DU / 10%
 1-BEDROOM: 100 DU / 50%
 2-BEDROOM: 80 DU / 40%
TOTAL UNITS: 200
DENSITY: 50 DU/AC
BUILDING TYPE:
 RESIDENTIAL: 4-STORY TYPE-V
 GARAGE: 5-STORY TYPE-I
PARKING SUMMARY:
TOTAL +/- 400 STALLS

NEWPORT BEACH GOLF COURSE
 NEWPORT BEACH, CA
 TCA # 2020-088



SITE STUDY



OPTION-1
 WRAP

4



DEVELOPING AIRPORT LAND USE COMPATIBILITY POLICES 4

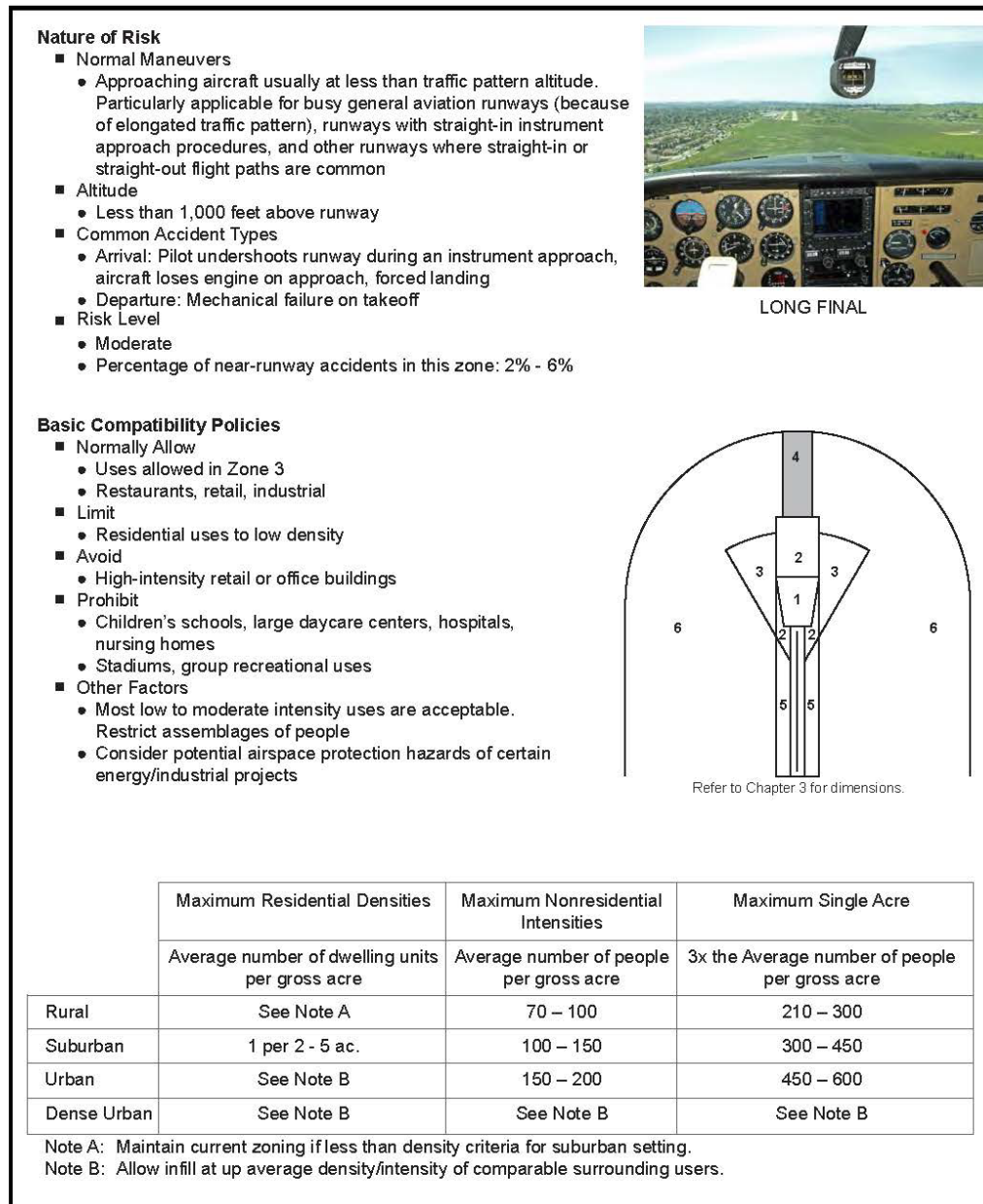


FIGURE 4E

Safety Zone 4 – Outer Approach/Departure Zone

Critical Comments on Draft EIR for Surf Park 2024110238

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

172.20

- 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 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 for 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 housing required numbers of housing units.

- 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 rezones 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; it is a significant impact of Surf Park but is not reviewed in EIR.
-

2. Recreation

**172.20
Cont.**

- 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, eliminating 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.

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..

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 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.

**172.20
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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 high noise from flights taking off directly overhead which will affect critical focus on surfing, disturb observers, restaurants users, and hotel accomodation guests.

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.

**I72.20
Cont.**

8. Biological Resources

- EIR Finding: Less than significant impact on biological resources.
- 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.

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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 of the golf course raises several safety and environmental concerns. The proximity of the Surf Park and housing developments too close to the end of the runway will result in higher noise levels for Surf Park users and residents and pose significant unacceptable unmitigated risks in the expanded crash zone that includes all of NBGC.

- There is no increased safety risk with no development, existing golf course is the most safe and only appropriate land use for this property
- 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.

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 artificial surfing a few miles from 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 by market research and may be incorrect.
- Surf Park 80 year lease by landowners may be just to kill the golf course and open south parcel for high density high profit housing development regardless of the low financial viability and high impacts of the project.
- Artificial surfing may become an embarrassment to Newport Beach as a tourist attraction and 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, and much less demand for artificial surfing in Newport Beach than is hoped for and planned for by project developers and investors.

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Cont.

- The consequence of financial failure is loss of all the assumed 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 fsils

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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. Considering 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"

Response to Comment Letter I72: Mike Smith, July 7, 2025

Response to Comment I72.1: This comment does not provide substantial evidence of a significant environmental impact or provide comments related to the analysis within the EIR, except for concurrence with Alternative 1, No Project No Build Alternative. Refer to Master Response 1, *Project Merits*, regarding comments about the Project merits, and CEQA's requirements to respond to comments related to environmental impacts. The commenter's preference for the No Project/No Build Alternative is noted. As no specific comment related to the environmental analysis was provided, no further response is required.

Response to Comment I72.2: Although the Project would result in view changes from removal of the golf course amenities from the Project site and develop a surf park facility, Draft EIR Section 5.1, *Aesthetics*, details that the Project would not result in significant impacts to a scenic vista. The comment does not provide any substantial evidence that an impact to a scenic vista would occur, other than noting the change from green space to developed areas. Section 152049(c) of the CEQA Guidelines advises that comments should be accompanied by factual support, stating "[r]eviewers should explain the basis for their comments and should submit data or references offering facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of the comments. Pursuant to Section 15064, an effect shall not be considered significant in the absence of substantial evidence."

Draft EIR page 5.1-6 describes that the City has identified the Pacific Ocean, the San Joaquin Corridor, Crystal Cove State Park, and Upper Newport Bay as locally significant scenic vistas. In addition, the General Plan describes that scenic vistas within the City consist of public coastal views from the roadway segments identified in the City's Local Coastal Program and from public viewpoints and corridors, identified on General Plan Figure NR 3, Coastal Views (City of Newport Beach, 2006a). None of the listed roadway segments, viewpoints, or view corridors are adjacent to the Project site, and are all located to the west, such that the Project site is behind the views, and not encroaching into or blocking the views.

The Project site is within an area developed with commercial, residential, and golf course uses. The Project site is not within a scenic vista. The Project site is surrounded by urban development and there are no long-range scenic vistas from the Project site. Although areas of open space are located to the north and south of the Project site (associated with NB Golf Course holes 3-8 and 10-18), those golf course areas are bound by the Santa Ana-Delhi Channel, residences, and roadways that do not provide scenic views.

The Newport Beach General Plan specifies that scenic vistas within the City consist of public coastal views from the roadway segments identified in the City's Local Coastal Program (City of Newport Beach, 2006a). None of the listed roadway segments are adjacent to the Project site. The closest view location is along Irvine Avenue south of University Drive, which contains views of the Upper Newport Bay Preserve and is approximately 0.3 miles southwest of the Project site. In addition, Bayview Park that is adjacent to Upper Newport Bay Preserve is also listed as a public viewpoint. The Project site is to the northwest and behind the Upper Newport Bay Preserve and Bayview Park that is to the southeast; thus, the Project site is not within the coastal scenic viewshed from either of these viewpoints. As shown on Draft EIR Figures 5.1-3 through 5.1-8, none of the adjacent roadways provide views of the Upper Newport Bay or the Pacific Ocean.

The proposed Project would result in development that would be set back from adjacent streets and would not encroach on the existing public views along the roadway corridors adjacent to the site. The proposed buildings would have a minimum setback 20 feet from Mesa Drive, and 20 feet from Irvine Avenue. In addition, the eastern border of the Project site would be set back 20 feet from the adjacent property. The building setbacks would ensure that public views along the nearby roadways (although not scenic vistas) would not be impacted. Overall, none of the roadways adjacent to the Project provide long range views of scenic vistas such as the Upper Newport Bay Preserve or Pacific Ocean; and the Project site is behind the General Plan-identified coastal viewpoints. Therefore, the Project would not block or substantially interrupt any public scenic vistas. As such, potential impacts would be less than significant.

Response to Comment I72.3: This comment does not provide substantial evidence of a significant environmental impact related to bats or provide specific comments related to the analysis related to bats within the Draft EIR. Consistent with the comment that outside independent experts in this field should be consulted, Draft EIR Appendix C, *Biological Technical Report*, was prepared by Glen Lukos Associates, Inc. who are technical biological experts. As detailed on page 33 of the report, the western yellow bat does not have a federal designation but is a California Department Fish Wildlife ranked high priority species, indicating that it is rare to uncommon. The western yellow bat preferentially roosts in trees, generally palms in the southern U.S. and often encountered among dead fronds of *Washingtonia* fan palms and has a low potential to roost in ornamental palm trees on the Project site. As detailed on page 38 of the Biological Technical Report, due to the limited habitat for this species on the Project site, potential impacts to habitat for this species would be less than significant. However, the Draft EIR includes Mitigation Measure BIO-1 that requires implementation of emergent bat surveys to detect roosting bats be completed prior to removal of trees, and measures to implement in the case that bats are identified. As detailed in Mitigation Measure BIO-1, a qualified biologist (as determined by the City), would implement the bat protection measures, which would reduce potential impacts to a less than significant level, as detailed in Draft EIR Section 5.3, *Biological Resources*, page 5.3-20 and 5.3-24.

Response to Comment I72.4: This comment does not provide substantial evidence of a significant environmental impact related to birds or provide specific comments related to the analysis related to birds within the Draft EIR. Consistent with the comment that outside independent experts in this field should be consulted, Draft EIR Appendix C, *Biological Technical Report*, was prepared by Glen Lukos Associates, Inc. who are technical biological experts.

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 Project site lacks potential nesting habitat (e.g., mature trees, shrubs) for special-status raptor species but is expected to provide marginal foraging habitat for common raptors that support prey species such as insects, spiders, lizards, snakes, small mammals, and other birds. Draft EIR Table 5.3-2, *Special Status Wildlife Species Probably List*, identifies each special status bird species and their lack of potential to occur on the Project site. Draft EIR page 5.3-21 details that common bird species may nest in the existing trees on the site and that nesting birds are protected by the federal Migratory Bird Treaty Act (MBTA) and Section 3503 of the California Fish and Game Code. Any activities that occur during the nesting/breeding season of birds protected by the MBTA could result in a potentially significant impact if requirements of the MBTA are not followed. Although impacts to native birds are prohibited by MBTA and similar provisions within the California Fish and Game Code, the native birds with potential to nest on the Project site would be those that are common to the region and highly adapted to human landscapes. Nevertheless, the Project would be required to implement Mitigation Measure BIO-2, which requires a pre-construction nesting bird survey. With implementation of Mitigation Measure BIO-2, impacts to nesting birds would be less than significant.

In addition, the proposed Project would include landscaping on 143,844 SF (20 percent) of the site with 24-inch box trees and 15-gallon trees, including palms, as shown in Draft EIR Figure 3-8, *Conceptual Site Plan*. Proposed landscaping would provide new trees for roosting and nesting common bird species.

Response to Comment I72.5: This comment does not provide substantial evidence of a significant environmental impact related to cumulative impacts on biological resources. The comment states that the EIR is inaccurate and wrong but does not provide an explanation of how or why. As detailed in Draft EIR Section 5.3, *Biological Resources*, pages 5.3-22 and 5.3-23, with implementation of existing regulations and Mitigation Measures BIO-1 and BIO-2 potential impacts from the Project would be less than cumulatively considerable. As no specific comment related to the environmental analysis was provided, no further response is required.

Response to Comment I72.6: This comment identifies specific procedures related to reduced potential impacts to archaeological resources, which are similar to those identified by the professional archaeological analysis that is provided in Draft EIR Appendix E, *Phase I Archaeological Resources Assessment*. The Draft EIR identifies mitigation measures to be implemented to ensure that no significant impacts occur regarding archaeological resources. As detailed in Draft EIR Section 5.4, *Cultural Resources*, pages 5.4-14 and 5.4-15, prior to issuance of grading permits the applicant/developer shall provide evidence to the City that a qualified professional archeologist meeting the Secretary of Interior's PQS for Archaeology (as defined in the Code of Federal Regulations, 36 CFR Part 61) has been retained to prepare a Cultural Resource Monitoring Program (CRMP) in coordination with the consulting tribe(s) and to conduct monitoring of rough grading activities. The mitigation also provides that the archaeologist shall conduct Cultural Resource Sensitivity Training, in conjunction with the Tribe(s) designated Tribal Representative, to focus on the archaeological and tribal cultural resources that may be encountered during ground-disturbing activities as well as the procedures to be followed in such an event. The mitigation also details procedures in the event that a resource is inadvertently discovered during ground-disturbing activities in accordance with Public Resource Code Section 21083.2 and State CEQA Guidelines 15064.5 and 15126.4. All of these measures would be required at the developer/applicant's expense as part of construction costs of the proposed Project. As detailed on EIR page 5.4-15, implementation of the identified construction related mitigation measures that were identified by archaeological professionals (in Draft EIR Appendix E) and existing regulations would reduce potential impacts to a less than significant level. The comment does not provide any detail or substantive evidence to support its statement that the determination of less than significant is wrong or, how impacts could be significant. Thus, based on the expert technical study determination provided in Draft EIR Appendix E, impacts related to archaeological resources would be less than significant with implementation of existing regulations and the Draft EIR mitigation measures.

Response to Comment I72.7: As detailed in Draft EIR Section 5.6, *Geology and Soils*, the proposed Project site is within a seismically active region, with numerous faults capable of producing significant ground motions. The Project has been evaluated through implementation of site-specific testing as detailed in Draft EIR Appendix H, *Geotechnical Exploration*. In addition, as described in page 5.6-14, the Project would be required to be constructed in compliance with the California Building Code, as adopted by the City of Newport Beach in Municipal Code Chapter 15.04, and as verified through the City's plan check and permitting process.

Basin water movement and safety related to seismic movement is discussed in Section 5.9, *Hydrology and Water Quality*, on pages 5.9-17 and 5.9-18, where it is described that the two proposed surf basins would be seismically designed to contain waves from the moving water. The perimeter walls and deck around the lagoon would be 11 inches higher than the water level and are designed to contain waves. Thus, water movement generated by seismic movement would stay within the lagoon. The *Surf Lagoon Water Systems Narrative*, included as Appendix C to this Final EIR, details that the lagoon is designed to have a water level of 11 inches below the adjacent pool deck and would be maintained during operation as excess water in the lagoon (over 2-inches) would halt operation of the wave generation machine. In a worst case seismic scenario, wave energy may be directed toward the southwest where the sloshing action akin to a rogue wave could theoretically splash onto the hardscape surrounding the lagoon and drain to the sewer. Therefore, the Draft EIR determined that potential impacts related to seiche and/or seismic related flooding would be less than significant.

Potential Project impacts related to emergency exit routes are described in Draft EIR Section 5.14, *Transportation*, on page 5.14-17, where it describes that the proposed two driveways would provide emergency access from both adjacent roadways and through the site. The Project would be required to design and construct internal access and provide fire suppression facilities (e.g., hydrants and sprinklers) in conformance with the City's Municipal Code Chapter 9.04. This also includes compliance with emergency access design standards to provide sufficient access for emergency equipment. The Fire Code sets minimum

standards for site driveway and access dimension, design, grades, and other fire safety features. The Newport Beach Fire Department would review the development plans as part of the construction permitting process to ensure that emergency access is provided pursuant to the requirements of the Uniform Fire Code and Section 503 of the California Fire Code (Title 24, California Code of Regulations, Part 9). Therefore, impacts related to emergency access would be less than significant.

Response to Comment I72.8: This comment expresses concurrence with Alternative 1, No Project No Build Alternative, and provides an opinion to implement Alternative 1. Refer to Master Response 1 regarding comments about the Project merits, and CEQA's requirements to respond to comments related to environmental impacts. As no specific comment related to the environmental analysis was provided, no further response is required.

Response to Comment I72.9: As detailed in Master Response 1, *Project Merits*, CEQA is an environmental protection statute that is concerned with the physical changes to the environment (CEQA Guidelines Section 15358(b)) that are associated with a project. Here, the Project is the construction and operation of a surf lagoon in the location of certain golf course holes. While the remaining 15 holes would continue to operate, the Project does not control that operation, which would continue to be the responsibility of the golf course itself. 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 potentially significant physical impacts on the environment and does not include a discussion of the Project's economic or social effects.

As detailed in Section 3.0, *Project Description*, on page 3-34, portions of the golf course to the north of Irvine Avenue (holes 10-18) and south of Mesa Drive (holes 3-8) would remain with implementation of the proposed Project. Access to the 15 holes of golf would be provided via a starter shack that would be located in between the proposed parking lots near the northern end of the amenity clubhouse building, and golf cart storage located on the basement level of the proposed clubhouse. In addition, golf cart path of travel between holes 3-8 and holes 10-18 would remain. Draft EIR Section 5.10, *Land Use and Planning*, details that the Project would be consistent with the City General Plan and Santa Ana Specific Plan designated uses for the Project site.

Response to Comment I72.10: As detailed in Master Response 2, 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). As detailed in Draft EIR Section 5.13 *Parks and Recreation* (Table 5.13-2), there are 11 other publicly available golf courses within 10 miles of the Project site that provide a range of golfing activities at a range of costs, some of which are similar to those of the Newport Beach Golf Course. Likewise, Draft EIR Table 5.13-3 identifies that there are nine other public driving ranges within 10 miles of the Project site, and the cost of the other driving ranges are similar to the cost of the driving range on the Project site. As detailed in the previous response and Master Response 1, *Project Merits*, CEQA is an environmental protection statute that is concerned with the physical changes to the environment that do not include economic or social effects, or other Project merits. Although the comment states that the Draft EIR is incorrect and that site golfers would use other facilities, the comment does not identify any physically altered golf facilities that would be required by the proposed Project or any other substantial evidence of a potential significant impact. Thus, no further response is warranted.

Response to Comment I72.11: This comment asserts concurrence with Alternative 1, No Project No Build Alternative and that the Project would result in an impact related to Impact REC-3 by removing a green open space and installing a concrete structure. The comment does not provide any substantial evidence to support the statement. As detailed in Draft EIR Section 5.13, *Parks and Recreation*, page 5.13-9, the Project proposes to redevelop a portion of a golf course with a new commercial recreational surf park use. With

the change to the Golf Course to the 15-hole format and removal of the driving range, it is likely that existing users of the driving range and golf course would use other nearby golf facilities that would incrementally increase their usage. However, Draft EIR Tables 5.13-2 and 5.13-3 details that there are 11 other publicly available golf courses and nine other public driving ranges within 10 miles of the Project site that provide a range of golfing activities, and the incrementally increased usage would be spread amongst the other existing golf facilities. These are commercial recreational facilities that users pay to use. The increase in fees from the increased usage would provide funding for increased maintenance to offset the increase in use. Thus, substantial physical deterioration of other nearby golf course and driving range facilities would not occur.

In addition, the Draft EIR page 5.13-10 details that the construction and operational activities related to the proposed commercial recreational facilities are included as part of the Project and would not result in any physical environmental effects beyond those identified throughout the Draft EIR. Emissions due to the construction of the surf park facility are included in Sections 5.2, *Air Quality*, and 5.7, *Greenhouse Gas Emissions*. Hydrology and drainage are evaluated in Sections 5.9, *Hydrology and Water Quality* and Section 5.16, *Utilities and Service Systems*. Noise from construction is evaluated in Section 5.11, *Noise*, and vehicular trips from construction of the Project are analyzed in Draft EIR Section 5.14, *Transportation*. Therefore, Project impacts related to the construction or expansion of recreational facilities would be less than significant. The comment does not describe a specific potential impact; thus, no further response is warranted.

Response to Comment I72.12: This comment asserts that the vehicle trip generation information prepared by traffic engineers and approved by the City's transportation engineering division is inaccurate but does not provide any substantial evidence to support the opinion provided. As detailed in Draft EIR Appendix R, the trip generation was prepared through a comprehensive review of detailed programmatic attendance information and operational modeling data based on maximum attendance and was reviewed and approved by the City's traffic engineer. Trip generation was also based on a comprehensive market analysis that include a review of comparable case studies to validate the demand assumptions. As noted by many commenters, the Project's surf lagoon is not the ocean, and it cannot be assumed that demand/trip styles would be the same. The daily visitor allocations for the individual land use categories, as detailed in Draft EIR Appendix R, are related to primary destination person trips and do not reflect any additional internally captured visitor activity (i.e., trips to secondary destinations by individuals already on-site). As such, it can be reasonably assumed that the total amount of daily visitors projected for the restaurant facility could include both the 240 primary destination visitors and approximately 280 additional internally captured visitors from the other land use categories (i.e., 25% of the remaining 1,160 primary destination person trips), which would total 520 daily visitors and is generally consistent with the patronage of a standalone restaurant of similar size. The comment does not provide any data to support a different trip generation by the proposed Project. Refer to Master Response 4, *Impacts Related to Vehicle Trips*.

Response to Comment I72.13: As detailed in Draft EIR Section 5.14, *Transportation*, page 5.14-13, the proposed Project would result in a net reduction of 73 AM peak hour trips and 10 PM peak hour trips compared to the existing golf course uses. Therefore, the Project would result in a reduction in peak hour congestion compared to the existing conditions and reduce potential for accident conditions related to congestion. Similarly, the Project would not contribute to traffic conditions of other projects during the AM and PM peak hours. The overall daily number of vehicle trips would increase by 186 (Draft EIR Table 5.14-2 on page 5.14-13); however, this would be less than the 300 daily trip threshold identified by the City Traffic Phasing Ordinance (Municipal Code Title 15, Chapter 15.40, Traffic Phasing Ordinance) and would be less than significant and would not combine with traffic from other projects to become cumulatively considerable (Draft EIR page 5.14-17). In addition, the medical office building project located at 3300 Irvine Avenue is included in the cumulative projects that were evaluated and is listed on Draft EIR Table 5-1, *Cumulative Projects List*, on page 5-5 and shown on Figure 5-1, *Cumulative Project* (page 5-7). 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*.

Response to Comment I72.14: As detailed in the previous response, implementation of the Project would result in a reduction in AM and PM peak hour traffic and would not increase congestion. As detailed in Draft EIR page 5.14-16, the new site circulation, including driveway designs, would be approved by the City's transportation engineering. Sight distance at the Project's access points would be reviewed with respect to City standards prior to receipt of permits. The Project frontage improvements and site access points would be constructed to be consistent with the identified roadway classifications and respective cross-sections in accordance with the Newport Beach General Plan Circulation Element and traffic engineering safety standards. Compliance with existing regulations would be ensured through the City's construction permitting process, which would provide safe access to and from the Project site.

Response to Comment I72.15: As detailed in Draft EIR Section 3.0, *Project Description*, page 3-36, the portions of the golf course to the north of Irvine Avenue (holes 10-18) and south of Mesa Drive (holes 3-8) would remain with implementation of the proposed Project. Access to the 15 holes of golf would be provided via a starter shack that would be located in between the proposed parking lots near the northern end of the amenity clubhouse building, and golf cart storage located on the basement level of the proposed clubhouse. In addition, golf cart path of travel between holes 3-8 and holes 10-18 would remain.

As detailed on page 5-6 of the Draft EIR, parcels (APNs 119 300 15, 16, 17 and APN 119-310-04) to the south of the site (area of holes 3-8), across Mesa Drive have been identified as candidate sites for future housing along with 100 housing sites on 176 acres within the Airport Focus Area of the City, as identified in the City Housing Implementation Program. These parcels are identified in Municipal Code Sections 20.80.025 (Housing Opportunity Overlay Zoning Districts maps) and 20.28.050 (Housing Opportunity (HO) Overlay Zoning Districts) and were previously evaluated in the Housing Implementation Program EIR (State Clearinghouse [SCH] Number 2023060699). However, 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. Any future proposed housing on parcels south of Mesa Drive, or any other location, would be separate and independent from the proposed surf park Project. Any future proposed housing or other proposed development would require development specific environmental analysis pursuant to CEQA and related permitting review. The commenter is incorrect in stating that the golf club could stop golf course operations and then start construction the following day. To the extent any future project is proposed for the other portions of the golf course that are retained by the Project – which is unforeseeable – such future project would require discretionary review by the City. Further, refer to Master Response 1 regarding comments about Project merits, such as opinion regarding future uses of adjacent parcels.

Response to Comment I72.16: This comment does not provide comments related to a Project potential significant environmental impact or provide comments related to the analysis within the EIR. As detailed in the previous response, the parcels to the south of Mesa Drive from the Project site (that include holes 3-8) are identified in Municipal Code Sections 20.80.025 (Housing Opportunity Overlay Zoning Districts maps) and 20.28.050 (Housing Opportunity (HO) Overlay Zoning Districts). The addition of the overlay to this area is not part of or related to the proposed Project. It was an independent act of the City, which does not require or trigger the construction of housing. Further, refer to Master Response 1 regarding comments about Project merits, such as opinion regarding future uses of adjacent parcels. Refer to Master Response 3, *CEQA Piecemealing and Housing Opportunity Sites*, regarding the City's Housing Implementation Program and these housing opportunity sites.

Response to Comment I72.17: This comment does not provide substantial evidence of a significant environmental impact or provide comments related to the analysis within the EIR, except for concurrence with Alternative 1, No Project No Build Alternative. Refer to Master Response 1 regarding comments about the

Project merits, and CEQA's requirements to respond to comments related to environmental impacts. As no specific comment related to the environmental analysis was provided, no further response is required.

Response to Comment I72.18: This comment provides an LA Times article about the proposed redevelopment project located at 3300 Irvine Avenue, across the street to the northwest of the Project site. This project is included in the cumulative projects that were evaluated and is listed on Draft EIR Table 5-1, *Cumulative Projects List*, on page 5-5 and shown on Figure 5-1, *Cumulative Project* (page 5-7). This comment does not provide substantial evidence of a significant environmental impact or provide comments related to the analysis within the EIR. Thus, no further response is required.

Response to Comment I72.19: This comment provides a 2021 email to the City related to the Housing Element Update, concepts for potential housing development on the parcels to the south of Mesa Drive from the Project site (that includes holes 3-8), and information related to the John Wayne Airport Safety Zone 4. This comment is not related to the proposed Project's discretionary actions or potential environmental impacts of the proposed Project. Refer to Master Response 3, *CEQA Piecemealing and Housing Opportunity Sites*, regarding the City's Housing Implementation Program and these housing opportunity sites.

Response to Comment I72.20: This comment is a copy of the letter provided in Comment I54. Please see responses I54.3 to I54.20 for responses to this comment.

Comment Letter I73: Kerry Simpson (1 page)

From: [Kerry Simpson](#)
To: [Perez, Joselyn](#)
Subject: Snug Harbor Surf Park Project Comment
Date: July 07, 2025 11:45:05 AM

[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.

Ms. Perez,

This email is to provide my opposition to the subject project SCH No. 2024110238.

Newport Beach Golf Course is the most economical green fee option to play golf and use the driving range in the community. Removal of this course would be a disadvantage to those who do not have the means to play golf or use a driving range at a higher price point. Removal of Newport Beach Golf course would require those looking to play golf at the same price to drive to courses outside the area, which just adds to the existing traffic congestion, and related pollution and lost time.

Kerry Simpson
Resident and Golf Course User.
20292 Bayview Avenue

I73.1

Response to Comment Letter I73: Kerry Simpson, July 7, 2025

Response to Comment I73.1: As detailed in Section 3.0, *Project Description*, 15 holes of golf would remain with implementation of the proposed Project, and the Project would not require those who wish to play golf to drive farther. Also, refer to Master Response 2: *Loss of Existing Golf Course Use*. As detailed in Draft EIR Section 5.13 *Parks and Recreation* (Table 5.13-2), there are 11 other publicly available golf courses within 10 miles of the Project site that provide a range of golfing activities at a range of costs, some of which are similar to those of the Newport Beach Golf Course. Draft EIR Table 5.13-3 identifies that there are nine other public driving ranges within 10 miles of the Project site, and the cost of the other driving ranges are similar to the cost of the driving range on the Project site. Further, as detailed in Master Response 1, *Project Merits*, economic and social effects of the proposed Project are not treated as effects on the environment and are not evaluated within the EIR.

Comment Letter I74: Scott Klein (1 page)

From: scottklein71@gmail.com
To: [Perez, Joselyn](#)
Subject: Newport Beach Golf Course
Date: July 07, 2025 11:52:08 AM

[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.

Hi-

I am strongly against the wave pool project at the course. I have been playing in a league there for almost 25 years, running it for about the last 8. There are no other affordable courses in the area that we can continue our league with 56 members.

Thank you for your time.

Scott Klein

Response to Comment Letter I74: Scott Klein, July 7, 2025

Response to Comment I74.1: 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.

Comment Letter I75: Jim Auster (9 pages)

From: [Jim Auster](#)
To: [Perez, Joselyn](#); [Dept - City Council](#)
Cc: [merrilee.bliss](#)
Subject: Surf Park Draft EIR comment (docx, pdf, dropbox)
Date: July 07, 2025 12:11:41 PM
Attachments: [Surf Park Draft EIR comments 1.docx](#)
[Surf Park Draft EIR comments 1.pdf](#)
[favicon.ico](#)

[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 Joselyn

Please confirm our comments about Surf Farm Draft EIR have been received before 5 pm 7/7
and are properly formatted for review.

Thanks

Jim Auster and Merrilee Bliss
20401 Bayview Ave NB

I75.1

Surf Park Draft EIR comments 1.docx
dropbox.com

Critical Comments on Draft EIR for Surf Park 2024110238

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 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 for 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 housing required numbers of housing units.

175.2

- 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 rezones 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; it is a significant impact of Surf Park but is not reviewed in EIR.
-

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, eliminating 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.
-
-
- **Historical Significance**
- 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.
- **Lack of Alternatives**
- The NBGC stands out as one of the few affordable and accessible golf courses in the area. The nearby Costa Mesa golf course, while an option, is often overcrowded, longer, and more challenging for beginners and children. Additionally, it is 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.
- **Error in EIR Map**

**175.2
Cont.**

- 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.
- **Community Impact**
- 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.
- **Accessibility**
- The NBGC offers a unique advantage with its shorter rounds of golf. Players can enjoy 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

175.2
Cont.

- 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..

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 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 high noise from flights taking off directly overhead which will affect critical focus on surfing, disturb observers, restaurants users, and hotel accomodation guests.

175.2
Cont.

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.

8. Biological Resources

- EIR Finding: Less than significant impact on biological resources.
- 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.

**175.2
Cont.**

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.

**I75.2
Cont.**

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 of the golf course raises several safety and environmental concerns. The proximity of the Surf Park and housing developments too close to the end of the runway will result in higher noise levels for Surf Park users and residents and pose significant unacceptable unmitigated risks in the expanded crash zone that includes all of NBGC.
- There is no increased safety risk with no development, existing golf course is the most safe and only appropriate land use for this property
- 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.

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 artificial surfing a few miles from 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 by market research and may be incorrect.
- Surf Park 80 year lease by landowners may be just to kill the golf course and open south parcel for high density high profit housing development regardless of the low financial viability and high impacts of the project.
- Artificial surfing may become an embarrassment to Newport Beach as a tourist attraction and 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, and much less demand for artificial surfing in Newport Beach than is hoped for and planned for by project developers and investors.
- The consequence of financial failure is loss of all the assumed 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 fsils

**175.2
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 the 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 a golf course 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"

**175.2
Cont.**

Response to Comment Letter I75: Jim Auster, July 7, 2025

Response to Comment I75.1: This comment is introductive in nature and does not provide any substantial evidence that the proposed Project would result in a new significant environmental impact. Thus, no further response is warranted.

Response to Comment I75.2: This comment is a copy of the letter provided in Comment I54. Please see responses I54.3 to I54.20 for responses to this comment letter.

Comment Letter I76: Richard Moriarty (1 page)

From: [Richard Moriarty](#)
To: [Perez, Joselyn](#)
Subject: Surf Park
Date: July 07, 2025 12:48:03 PM

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Current traffic at Mesa & Birch at 5:00 PM backs up past the entrances for Surf Park which will make it worse. Adding 700+ residential units to the Golf Course will "gridlock" Mesa. . We should look at Texas right now and their body count from a "Bomb cyclone" and think about the Anniversary tract of homes that is protected by the flood zone of the golf course. The "new Delhi Habitat restoration project" proposed by OC County Parks would create a "zero flow" zone that will flood. Richard Moriarty 2128 Mesa DR.,NB

I76.1

Response to Comment Letter I76: Richard Moriarty, July 7, 2025

Response to Comment I31.1: The proposed Project does not include housing. Please refer to Master Response 3: *CEQA Piecemealing and Housing Opportunity Sites*, for a response regarding the proposed Project impacts related to the Housing Opportunity sites located to the south of the proposed Project. With respect to flooding, the Draft EIR thoroughly analyzes the potential impacts to hydrology associated with the Project, in Draft EIR Section 5.9, *Hydrology and Water Quality*, concluding that no significant impacts would result.

Comment Letter I77: Betsy Hall (1 page)

From: [Betsy Hall](#)
To: [Perez, Joselyn](#)
Subject: Newport Beach Golf Course
Date: July 07, 2025 12:48:12 PM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.
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Kindly accept this notice as SUPPORT FOR RETAINING THE NEWPORT BEACH GOLF COURSE AND DRIVING RANGE in its current configuration.

This location has, and should, continue to serve the local community as the only public golf facility in the area. A possible addition could include a "top golf" addition, which would increase the capacity for the driving range use, and provide additional income for support of the overall golf operation.

A surfing instruction facility would be totally out of place at this location, and would impose unnecessary construction and traffic in an area already congested by inland to beach traffic, and access to the airport.

Also, **it makes NO sense to add a water location for surfing,** when the beach is a few miles down the road. A better location for a surf or water facility of this size would be in Irvine perhaps near the Great Park, or in Tustin near the former blimp hangers.

Please do not be influenced by local developers who are likely using this ploy as a method to expand their own interests. Listen to the community residents who live here, and want to protect the current environment and lifestyle.

As 45 year resident of Newport Beach, I fully support maintaining the Newport Beach Golf Course, and request that the Newport Beach officials DISMISS THE PLANS FOR THE PROPOSED SURF FARM.

Betsy Hall
Bayview Heights
714.322.3533

I77.1

Response to Comment Letter I77: Betsy Hall, July 7, 2025

Response to Comment I77.1: 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 necessity of the proposed Project.

Comment Letter I78: Sue Garland (1 page)

From: [sue.garland](#)
To: [Perez, Joselyn](#)
Subject: Wave pool
Date: July 07, 2025 12:54:17 PM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.
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Joselyn,

The idea of a WavePool is awful!! The area around it is a nice residential area with a little restaurant and quiet patrons on the golf course. A wave pool would be a massive disturbance with screaming kids, lots of concrete and an ugly appearance! Keep the green grass, the cooler temps because of it, and the pleasant look for the community.

Once the wave pool mgt sees that it can no longer financially make the project work because the ocean is only a couple of miles away and people can do that for free, then how do you repurpose that monstrosity?

Please don't allow the long lasting black eye to the beautiful city of Newport.

Sue Garland

I78.1

Response to Comment Letter I78: Sue Garland, July 7, 2025

Response to Comment I78.1: 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. Also 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.

Comment Letter I79: Linda Giedt (12 pages)

From: [Linda Giedt](#)
To: [Perez, Joselyn](#)
Cc: [Dept - City Council](#); [Planning Commission](#)
Subject: Snug Harbor Surf Park Project (PA2024-0069), May 2025 - Draft EIR SCH NO. 2024110238 Comments 7/7/25
Date: July 07, 2025 1:19:23 PM
Attachments: [eir comments 070725xx.pdf](#)
[Surf Park EIR comments.pdf](#)

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.
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Hello Joselyn,

Attached are my comments regarding the Draft EIR for the Snug Harbor Surf Park Project along with some additional comments our community has put together.

For the record, I am against a surfing venue at the corner of Irvine Ave and Mesa Dr. where the main part of the Newport Beach Golf Course is located. I don't know how a project this large that is more like a country club can be supported when our renowned beaches are just a few miles away. Is the project really in the best interests of Newport Beach and the surrounding communities or will only a select few get the benefit of it?

Sincerely,
Linda Giedt
Bay Farm Pl
Newport Beach

cc: City Council Members
Planning Commission

I79.1

The number of employees for the Surf Farm (Project)

The following are some of the amenities this Project will have:

Wave pools, 3 pools, clubhouse, surf academy, fitness facility, yoga, locker rooms, lounge, retail store, sit down restaurant, full-service bar, coffee/snack bar, spa, VIP suites, recording studio, cabanas, maintenance basement, golf room, athlete accommodation, administrative offices, summer kids camp, 12 surf competitions a year.

At various sections of the EIR, the project states that there will be **70 employees**.

179.2

I don't see how this can be possible with the size of this Project.

The bar is almost 7,000 square feet, thus a lot of people are expected. With all the amenities offered by this Project, how can there only be 70 employees? There is a mention of security staff. Is that included in the employee count? What about valets or the kids' camp? Will extra staff be needed for the 12 surfing competitions per year? There needs to be more transparency for the community regarding the day-to-day operations of this Project.

Transportation and Trip Generation Numbers

The daily attendance of 1400 people is too low.

This Project is using attendance data from Wavegardens outside of the United States. There are no Wavegardens in the US to compare to. URBNSURF, Sydney, Australia states that it has 1,000 visitors a day. This Project is in Southern California and is next to JWA giving it easy access to many more visitors. Additionally, even with the reservation system for the wave pool, won't the public and members be able to come to the facility on demand (use the restaurant, bar, yoga, fitness, etc.)? Again, there is no way to know how this works since there is little information in the EIR. It needs to be spelled out.

179.3

The Trip Generation Assessment by Gibson Transportation Consulting, Inc, does not have a Study Area for Intersections with Intersection Levels of Service Data and Future Volume Forecasts for the TPO scenarios with the City of Newport Beach list of

179.4

approved projects within the study area for use in the TPO analysis. The Traffic Impact Analysis for 3300 Irvine Ave by Ganddini Group, Inc. analyzed this information. Where is all the information on the traffic impact on Irvine Ave and Mesa Dr. for this Project? The renovation at 3300 Irvine Ave will be adding 1,496 new daily trips. These new trips should have been considered when analyzing the traffic on Irvine Ave and Mesa Dr. Future approved projects should have been analyzed for this Project. The Trip Generation Assessment for Surf Farm dated March 4, 2025, needs more data and analysis. The Ganddini Group, Inc. report is 188 pages compared to 21 pages for this Project.

Examples of Traffic Data:

STUDY AREA

Based on scoping discussions with City of Newport Beach staff, the study area consists of the following study intersections within the City of Newport Beach, four of which share jurisdiction with the City of Irvine or County of Orange:

Study Intersections ¹	Jurisdiction
1. MacArthur Boulevard (NS) at Campus Drive (EW)	Newport Beach/Irvine
2. MacArthur Boulevard (NS) at Birch Street (EW)	Newport Beach
3. MacArthur Boulevard (NS) at Jamboree Road (EW)	Newport Beach/Irvine
4. Campus Drive (NS) at Bristol Street North (EW)	Newport Beach
5. Irvine Avenue/Campus Drive (NS) at Bristol Street South (EW)	Newport Beach
6. Birch Street (NS) at Bristol Street North (EW)	Newport Beach
7. Birch Street (NS) at Bristol Street South (EW)	Newport Beach
8. Jamboree Road (NS) at Bristol Street North (EW)	Newport Beach
9. Jamboree Road (NS) at Bristol Street South (EW)	Newport Beach
10. Irvine Avenue (NS) at Orchard Drive (EW)	Newport Beach
11. Birch Street (NS) at Orchard Drive (EW)	Newport Beach
12. Mesa Drive (NS) at Birch Street (EW)	Newport Beach
13. Acacia Street (NS) at Birch Street (EW)	Newport Beach
14. Irvine Avenue (NS) at Mesa Drive (EW)	Newport Beach/Orange County
15. Irvine Avenue (NS) at University Drive (EW)	Newport Beach/Orange County

**179.4
Cont.**

The City of Newport Beach staff provided a list of approved projects within the study area for use in the TPO analysis. The approved project list consists of future developments that have been approved, but have not been fully constructed and occupied. The approved project data is contained in Appendix D.

Trips associated with the following 19 projects are included in the TPO analysis:

- Fashion Island Expansion
- Temple Bat Yahm Expansion
- Hoag Hospital Phase III
- St. Mark Presbyterian Church
- 2300 Newport Blvd (Vue)
- Hoag Health Center 500-540 Superior
- North Newport Center
- Back Bay Landing 300 ECH
- Balboa Marina West
- Newport Crossings
- Museum House – Vivante Senior Center
- Uptown Newport: Phase 1 – Trans Devel Rights (TDR)
- Uptown Newport: Phase 2 only
- Residences at 4400 VK
- Picerne Residential (1300 Bristol St N)
- 2510 WCH Residential and Mother's Market
- Pacifica Christian HS
- 1400 Bristol St N Residences
- Sage Hill Middle School Expansion

179.4
Cont.

Table 4.13-7 Intersection Analysis Summary for General Plan Buildout with Project

Intersection	Traffic Control	Intersection Approach Lanes												ICU		Level of Service		Feasibility/Comments
		Northbound			Southbound			Eastbound			Westbound			A.M.	P.M.	A.M.	P.M.	
Birch St. (NS) at:																		
▪ Bristol St. S (EW)	TS	0	2.5	1.5	2	2	0	1.5	3.5	0	0	0	0	0.51	0.54	A	A	
Irvine Av. (NS) at:																		
▪ Mesa Dr. (EW)	TS	1	2	d	1	2	d	1	1	0	1	1	1	0.98	1.19	E	F	
➢ Funded Improvements	TS	1	3	1	1	3	1	1	1	1	2	1	0	0.88	0.94	B	E	
➢ LOS D Alternative 1	TS	1	3	1	1	3	1	1	1	1>	1	2	0	0.74	0.87	C	D	Highly problematic ROW / topographic issues on the west leg of the intersection.
➢ LOS D Alternative 2	TS	1	3	1	1	3	1	1	1	0	2	1	0	0.71	0.86	C	D	Assumes reallocated P.M. WB LT / Thru Volume
▪ University Dr. (EW)	TS	1	2	1	1	2	1	1	2	D	1	1	D	1.19	1.09	F	F	
➢ LOS D Improvements	TS	1	3	0	1	3	1	1.5	0.5	1	1	1	d	0.81	0.84	D	D	ROW and potential environmental issues.
▪ Santiago Dr. (EW)	TS	1	2	0	1	2	d	0	1	d	0	1	d	0.69	0.77	B	C	
▪ Highland Dr. (EW)	TS	1	2	d	1	2	d	0	1	d	0	1	d	0.60	0.65	A	B	
▪ Dover Dr. (EW)	TS	1	2	d	1	2	d	1	1	0	1	1	d	0.78	0.69	C	B	
▪ Westcliff Dr. (EW)	TS	2	2	d	2	2	d	2	2	0	1	2	0	0.86	0.82	B	D	

The City of Newport Beach rates the intersection of Irvine Avenue and Mesa Dr as E and F and problematic. This Project should not be approved with the LOS on Irvine Ave and Mesa Dr rated as unacceptable.

SIGNIFICANT IRREVERSIBLE EFFECTS:

Lands in the Project area that are currently developed with golf course recreation uses would be irreversibly changed if the surf project goes forward.

An important community asset will forever be changed. There are considerably more golfers than surfers in the United States and in other countries. Newport Beach residents as well as other surrounding communities use the golf course as an affordable way to exercise and learn a sport. The Newport Beach Golf Course provides affordable golfing opportunities for families, seniors, men, women and children of our community. It is a hub of social activities for golfers and family members in the region. Replacing the main components of the golf course (holes 1,2,9) that the average person can enjoy (Original Pizza, Pro Shop, Driving Range,) will diminish the course and replace it with a huge complex at an already overcrowded intersection. The surf farm will be much more than a place to surf. This Project will be like a country club with six figure membership fees catering to the wealthy and the elite who can afford memberships or \$200 per hour surfing. The golfing that remains will be an afterthought compared to what it is now and there are no details on how long the front and back parcels will continue with golf. This is the wrong project for this space and community.

179.5

Critical Comments on Draft EIR for Surf Park 2024110238

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 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 for 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 housing required numbers of housing units.

179.6

- 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 rezones 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; it is a significant impact of Surf Park but is not reviewed in EIR.
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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, eliminating 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.

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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..

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 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.

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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 high noise from flights taking off directly overhead which will affect critical focus on surfing, disturb observers, restaurants users, and hotel accomodation guests.

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.

8. Biological Resources

- EIR Finding: Less than significant impact on biological resources.
- 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.

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- 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.

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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 of the golf course raises several safety and environmental concerns. The proximity of the Surf Park and housing developments too close to the end of the runway will result in higher noise levels for Surf Park users and residents and pose significant unacceptable unmitigated risks in the expanded crash zone that includes all of NBGC.

- There is no increased safety risk with no development, existing golf course is the most safe and only appropriate land use for this property
- 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.

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 artificial surfing a few miles from 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 by market research and may be incorrect.
- Surf Park 80 year lease by landowners may be just to kill the golf course and open south parcel for high density high profit housing development regardless of the low financial viability and high impacts of the project.
- Artificial surfing may become an embarrassment to Newport Beach as a tourist attraction and 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, and much less demand for artificial surfing in Newport Beach than is hoped for and planned for by project developers and investors.

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- The consequence of financial failure is loss of all the assumed 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 fsils

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. Considering 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"

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Response to Comment Letter I79: Linda Giedt, July 7, 2025

Response to Comment I79.1: Please refer to Master Response 1: *Project Merits* for a response to comments regarding the necessity of the proposed Project. In addition, the proposed surf park would operate similarly to the existing golf course in that anyone in the public can reserve time to utilize the facility. The membership associated with the facility would grant special access to certain features and/or times; however, it would not be necessary to access the surf lagoon.

Response to Comment I79.2: This comment does not provide any substantial evidence that the Project would result in additional employees that could result in a significant environmental impact. Section 152049(c) of the CEQA Guidelines advises that comments should be accompanied by factual support, stating “[r]eviewers should explain the basis for their comments and should submit data or references offering facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of the comments. Pursuant to Section 15064, an effect shall not be considered significant in the absence of substantial evidence.”

As detailed in Draft EIR Section 3.8, *Operations*, the Project would have a limited capacity and operation through a reservation and/or ticketing system. The maximum number of participants in the lagoon at one time would be 72 people with an average hourly usage of 35-45 people. This includes surfing competitions, surf camps, and all other Project activities. The onsite surf amenities (other than the restaurant/bar, and pro shop) would be limited to members. Also, the existing pro shop and restaurant on the Project site total 8,975 SF, and the proposed surf shop, restaurant/bar would total 9,108 SF, which is an increase of 133 SF over existing conditions. Thus, a substantial increase of employees is not anticipated.

Response to Comment I79.3: As discussed above in response I79.2, Section 152049(c) of the CEQA Guidelines advises that comments should be accompanied by factual support, stating “[r]eviewers should explain the basis for their comments and should submit data or references offering facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of the comments. Pursuant to Section 15064, an effect shall not be considered significant in the absence of substantial evidence.” This comment does not provide any supporting evidence to its claim that the daily attendance of 1,400 people is too low.

The trip generation provided in Draft EIR Appendix R states that an average of 1,400 visits per day would be generated on a weekday during the high season. As detailed in Draft EIR Appendix R, the trip generation was prepared through a comprehensive review of detailed programmatic attendance information and operational modeling data based on maximum attendance and was reviewed and approved by the City’s traffic engineer. In addition, only the restaurant/bar, and surf shop would be open to the public, the other amenities such as the yoga and fitness areas would be reserved for members. As shown in the Trip Generation Analysis included as Appendix R to the Draft EIR, 50% of the trip demand would be related to the surf lagoon and 50% would be demand for the other associated amenities. The Trip Generation Analysis (Appendix R to the Draft EIR) was reviewed and approved by the City’s traffic engineer. The daily visitor allocations for the individual land use categories, as detailed in Appendix R, are related to primary destination person trips and do not reflect any additional internally captured visitor activity (i.e., trips to secondary destinations by individuals already on-site). As such, it can be reasonably assumed that the total amount of daily visitors projected for the restaurant facility could include both the 240 primary destination visitors and approximately 280 additional internally captured visitors from the other land use categories (i.e., 25% of the remaining 1,160 primary destination person trips), which would total 520 daily visitors and is generally consistent with the patronage of a standalone restaurant of similar size. It should also be noted that the URBNSURF facility referenced by the commenter is located in Sydney, Australia, a significant metropolitan area with proximity to the ocean and surfing (like Newport Beach and Orange County generally). URBNSURF also includes two restaurants among other amenities.

Response to Comment I79.4: As part of the 2019 amendments to the CEQA Guidelines, SB 743 directed that the revised CEQA Guidelines “shall promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses” (Public Resources Code Section 21099[b][1]); and that “automobile delay, as described solely by level of service or similar measures of vehicular capacity or traffic congestion, shall not be considered a significant impact on the environment” (Public Resources Code Section 21099[b][2]). As such, pursuant to Public Resources Code Section 21099(b)(2), the Draft EIR is not required to analyze impacts related to traffic congestion as it shall not be considered an impact on the environment.

As discussed in further detail under Master Response 4: *Impacts Related to Vehicle Trips*, the proposed Project would result in a reduction in AM and PM peak hour traffic and in a net increase of 186 daily trips, which would have a less than significant transportation impact per City of Newport Beach traffic analysis guidelines because its less than the threshold of 300 daily trips. As detailed by the comment, the Traffic Impact Analysis for 3300 Irvine Avenue describes that the medical center project would add 1,496 new daily trips, which exceeds the City’s 300 daily trip threshold; and therefore, a different analysis is required pursuant to the City’s City Traffic Phasing Ordinance (Municipal Code Title 15, Chapter 15.40) and Transportation Engineering Division Requirements.

Response to Comment I79.5: 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.

Response to Comment I79.6: This comment is a copy of the letter provided in Comment I54. Please see responses I54.3 to I54.20 for responses to this comment letter.

Comment Letter I80: Matt Clark (1 page)

From: [Matt](#)
To: [Perez, Joselyn](#)
Subject: Surf Park and high density housing for golf course
Date: July 07, 2025 2:03:08 PM

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Good afternoon Joselyn,

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 multi family 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.

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.

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.

Thank you for your time.

Matt Clark

20111 Bayview Ave.

949 422-4942

Sent from my iPhone

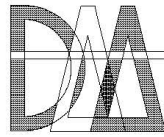
I80.1

Response to Comment Letter I80: Matt Clark, July 7, 2025

Response to Comment I80.1: Please refer to Master Response 1: *Project Merits*, for a response to comments regarding the merits of the proposed Project, 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 3: *CEQA Piecemealing and Housing Opportunity Sites*, for a response to comments regarding the Housing Opportunity Sites located to the south portion of the Project site. The medical office building project located at 3300 Irvine Avenue is included in the cumulative projects that were evaluated and is listed on Draft EIR Table 5-1, *Cumulative Projects List*, on page 5-5 and shown on Figure 5-1, *Cumulative Project* (page 5-7).

Comment Letter I81: Richard Dayton (2 pages)

1



DAYTON ASSOCIATES-
ARCHITECTS, Inc.

2900 Silver Lane Newport Beach, CA 92660
949 / 645-1717 Fax: 949 / 645-4243

07/07/2025

Attention:

Joselyn Perez, Senior Planner <jperez@newportbeachca.gov>
City of Newport Beach, Community Development Department
100 Civic Center Drive
Newport Beach, CA 92660

RE: Snug Harbor Surf Park (PA2024-0069) Planning Commission study session, 06-19-25

Dear Joselyn:

I watched the Planning Commission study session for the Snug Harbor Surf Park project on 06/19/25 with some disappointment. The commissioners were quite impressed with the fly through video presentation, but there was an absence of any incisive questions by the commissioners regarding the use itself, the possible negative effects to the surrounding community, the long term effects to the public golf course, and future negative impacts to the community should the golf course fail. In the presentation, the applicant mentioned their outreaches to the community to explain the project. There were no public outreach notifications or meetings that I am aware of, other than the standard 300 foot radius notification. This notification was largely ineffective, as it included mostly commercial properties. The radius included only 2 residential properties in the Anniversary tract, only 4 residential properties in the Pegasus tract, only 3 residential properties on Riverside Drive, Costa Mesa, and only 1 residence in the Santa Ana Heights neighborhood. I received notification of the Planning Commission study session because of my previous involvement with development reviews for the Santa Ana Heights PAC.

I81.1

According to the Project Summary, building areas for Clubhouse Level B1(basement) and Level 1 and Athletic Accommodations Building Level 1 are excluded from the General Plan Square Footage. Why aren't these areas included in the total building area? Looking at the Conceptual Site Plan on page 90 of the draft EIR, since the golf cart storage will be in the basement level of the Amenity Clubhouse, it appears that both surfing patrons and golfing patrons will use the proposed Mesa Drive gated entry to the south parking lot much more than the Irvine Ave. gated entry to the north parking lot. The slope of Mesa Drive at this point and the proximity to the busy Irvine Ave./Mesa Drive intersection are not conducive to 2-direction access to the Mesa Drive entrance. There will be traffic problems with the Mesa Drive entrance.

I81.2

Golfers using carts will get the cart at the basement level that will be 14 feet below ground level, drive the cart up a ramp to a 2-way drive aisle to the tunnel leading to the starting hole at the north course on the north side of Irvine Ave. This drive aisle is also used by street vehicles traversing the site between the north and south parking lots. Both street vehicles and golf carts using the same drive aisle is a traffic conflict. Another poor feature for golf carts in both the existing and proposed golf course configurations is that golf carts must use the pedestrian crosswalk to cross Mesa Drive at the Irvine Ave. intersection to access the south portion of the course. This is an unsafe juxtaposition.

My main concern is with the effect this proposed use will have on the public golf course. This golf course has served a unique function for the community for many years. It offers golf instruction for new golfers by local pros. It gives parents a place to teach the game to their children. It gives groups of friends a place to go for entertainment after a day at work. It gives seasoned golfers a driving range to hone their skills. It includes a pro shop. It offers a popular pizza restaurant that has become a destination eatery.

I81.3

2

The draft EIR conclusion that the loss of the golf course would have a less than significant impact to the community because there are other golf courses in the area is not correct. This course provides unique services not replicated by other courses in the area.

It's highly unlikely that the golf course will survive in the proposed downsized and fractured configuration. It appears to be just a token offering by the applicant to satisfy the question of what will become of the golf course. While a 15-hole course is an oddity, there are other examples of courses that don't have 18 holes. Oak Hills Golf Course in Charlotte, NC has 15 holes. However, this 15-hole configuration was a result of the unfortunate circumstances of a highway expansion, not a deliberate design choice. There is no precedent for a golf course that has more than a ¼ mile separation between 2 holes (9th and 10th). This phenomenon will rule out walking with a golf bag or pulling a hand cart. It will only be used by driving golf carts. A driving range, a putting green, and a pro shop are all essential parts of a viable golf course. The proposed "golf course" has none of these.

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What will happen to the property where the golf course is to be located when the golf course business fails, as it most certainly will? It will leave the door open for the City of Newport Beach to proceed with the "Housing Opportunity Overlay", the implementation of a 700-unit residential development where holes 3 through 8 (to be redesignated 10 through 15) are located. This residential development would have far greater negative impacts on the surrounding community than the negative impacts of the Snug Harbor Surf Park project that are noted in the draft EIR.

181.4

Sincerely,



Richard A. Dayton
2900 Silver Lane
Newport Beach, CA 92660

Response to Comment Letter I81: Richard Dayton, July 7, 2025

Response to Comment I81.1: In accordance with CEQA Guidelines Section 21092, the Notice of Availability of the Draft EIR for the proposed Project was mailed on May 23, 2025 to owners and occupants within a 300-foot radius of the Project site, posted physically onsite, posted on the City's website, and published in the Newport Harbor News Press Combined With Daily Pilot. Additionally, prior to circulation of the EIR, the Notice of Preparation was similarly noticed on November 7, 2024 to the radius list, onsite, as well as on the City's website which notified about a public scoping meeting held in the Newport Beach Civic Center on November 20, 2024 where public comments regarding the scope and content of the Draft EIR were heard. Thus, sufficient notice was provided per CEQA Guidelines.

Response to Comment I81.2: The City of Newport Beach Municipal Code regulates how floor area is calculated. Municipal Code Section 20.70.020(F)(2) states that:

"a.---For multi-unit residential, mixed-use, and nonresidential structures, the following areas shall be included in calculations of gross floor area:

- i. The area within and including the surrounding exterior walls; and
- ii. Any interior portion of a structure that is accessible and that measures more than four feet from floor to ceiling.

b. The following areas shall be excluded:

- i. Stairwells and elevator shafts above the first level;
- ii. Outdoor dining areas associated with an eating and drinking establishment, and
- iii. Parking structures associated with an allowed use within the same development."

Thus, pursuant to this municipal code regulation, the storage areas, restrooms, and maintenance rooms are not included in the calculation of the General Plan square footage.

Regarding access and operation, carts would be brought up from the storage basement by a staff member to the parking lot level and then driven by golfers to the golf course. As stated on Draft EIR page 4.14-16, the proposed Project would include golf cart circulation, separate from vehicular circulation. As shown on Draft EIR Figure 5.1-4, the driveway along Mesa Drive would be graded to be level with the existing grade of Mesa Drive. As stated on Draft EIR page 5.14-16, the Project frontage improvements and site access points would be constructed to be consistent with the identified roadway classifications and respective cross-sections in accordance with the Newport Beach General Plan Circulation Element, and traffic engineering safety standards. Compliance with existing regulations would be ensured through the City's construction permitting process, which would reduce potential sighting hazards to a less than significant level.

Response to Comment I81.3: Refer to Master Response 1, *Project Merits*, and Master Response 2: *Loss of Existing Golf Course Use*, for the response to comments related to the change to the existing golf course use.

Response to Comment I81.4: Please refer to Master Response 3: *CEQA Piecemealing and Housing Opportunity Sites*, for a response regarding the proposed Project impacts related to the Housing Element sites located on the southern golf course parcel.

Comment Letter I82: Benny Hallock (1 page)

From: [Benny Hallock](#)
To: [Perez, Joselyn](#)
Cc: [jeffrey.harlan@costamesaca.gov](#); [jon.zich@costamesaca.gov](#); [karen.klepack@costamesaca.gov](#); [johnny.rojas@costamesaca.gov](#); [angely.vallarta@costamesaca.gov](#); [david.martinez@costamesaca.gov](#); [robert.dickson@costamesaca.gov](#); [jeff.pettis@costamesaca.gov](#); [john.stephens@costamesaca.gov](#); [Manuel.Chavez@costamesaca.gov](#); [Andrea.Marr@costamesaca.gov](#); [LGameros@costamesaca.gov](#); [mike.buley@costamesaca.gov](#); [Arlis.Reynolds@costamesaca.gov](#); [cityclerk@costamesaca.gov](#); [citycouncil@costamesaca.gov](#); [constituentservices@costamesaca.gov](#); [Rosene, Mark](#); [Harris, Tristan](#); [Salene, David](#); [cellmore@newportbeachca.gov](#); [Langford, Jon](#); [Reed, Greg](#); [Lowrey, Lee](#); [Juris, Seimone](#); [Stapleton, Joe](#); [Barto, Michelle](#); [Weigand, Erik](#); [Grant, Robyn](#); [Blom, Noah](#); [Kleiman, Lauren](#); [Weber, Sara](#)
Subject: PA2024- 0069 (EIR) CITY OF COSTA MESA TRAFFIC CONCERNS
Date: July 07, 2025 2:51:16 PM

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Dear Ms. Perez,

The Draft Environmental Impact Report (EIR) currently in circulation for the proposed **Snug Harbor Surf Park** project is **deficient and must be recirculated**.

Critically, the **City of Costa Mesa** was not consulted regarding traffic impacts related to **PA2024-0069** and the associated apartment development proposed south of Mesa Drive. Given the potential impacts to Costa Mesa, I respectfully request an **extension of the EIR comment period** to allow the City appropriate time to evaluate and respond to the project's implications.

Additionally, under **CEQA Guidelines Section 15097**, segmenting a project in a way that obscures its total environmental impact is expressly prohibited. Case law reinforces this by disallowing "piecemealing," where a project is improperly divided to avoid full environmental review.

It is clear that the current Surf Park EIR represents only the initial phase of a broader development, specifically the apartment complex planned by the same developers. As such, this EIR **fails to address the full scope of the project**, rendering it incomplete under CEQA standards.

I urge you to take the necessary steps to **recirculate the EIR** and ensure proper coordination with all impacted jurisdictions, particularly the City of Costa Mesa.

Benny Hallock
Volunteer Chair, Save Newport Beach Golf Course
CC: Costa Mesa City Council and Planning Commission

I82.1

Response to Comment Letter I82: Benny Hallock, June 24, 2025

Response to Comment I82.1: Please refer to Master Response 3: *CEQA Piecemealing and Housing Opportunity Sites*, for a response regarding the proposed Project impacts related to the Housing Opportunity sites located to the south of the proposed Project. The City of Costa Mesa was consulted regarding cumulative impacts from the proposed Project, as detailed in the list of sources below Table 5-1, *Cumulative Projects List*. As detailed in Master Response 4, *Impacts Related to Vehicle Trips*, the proposed Project would result in a reduction in vehicular trips during the AM and PM peak hour and would not result in impacts related to transportation, including streets within the City of Costa Mesa. Further, the City of Costa Mesa has reviewed the Draft EIR and has no comments on the proposed Project, as shown in Comment Letter A1, herein. This comment does not provide substantial evidence of a significant impact or other reason for EIR recirculation.

Comment Letter I83: Scott Wellwood (10 pages)

From: [Scott Wellwood](#)
To: council@newportbeachca.gov; [Perez, Joselyn](#)
Subject: Opposition to the Newport Beach Surf Park
Date: July 07, 2025 3:09:12 PM
Attachments: [Surf Park Draft EIR comments.pdf](#)

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Hello,

I write to you today to urge you to strongly consider the attached concerns regarding the accuracy and thoroughness of the Environmental Impact Report for this project. I fear that there is an effort to fast track this for monetary gain and that the realities of the impact of these changes are being swept under the rug to the detriment of the community.

At the very least, the developers should be required to address these concerns specifically along with significant oversight of the supporting documentation of any “studies” that they are putting forward. Once our free green space is gone, it’s impossible to recover it.

Thank you for your consideration.

Scott

Scott Wellwood

I83.1

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 merrileeb bliss@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 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.

183.2

- 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.

**183.2
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.

**183.2
Cont.**

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..

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.

**183.2
Cont.**

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 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

**183.2
Cont.**

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.

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.

**183.2
Cont.**

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.

**183.2
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.

183.2
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”

**183.2
Cont.**

Response to Comment Letter I83: Scott Wellwood, July 7, 2025

Response to Comment I83.1: Refer to Master Response 1, *Project Merits*. This comment is introductive in nature and does not provide any substantial evidence that the Proposed Project would result in a new significant environmental impact. Thus, no further response is warranted.

Response to Comment I83.1: This comment is a copy of the letter provided in Comment I54. Please see responses to comments I54.3 to I54.20 for responses to this comment letter.

Comment Letter I84: Nick Shaffer (1 page)

From: [Nick Shaffer](#)
To: [Perez, Joselyn](#)
Subject: EIR comments for snug harbor
Date: July 07, 2025 3:19:46 PM

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Hello!

Please see below for 2 comments on the EIR.

1. Section 5.5 Energy

Impact ENE-1- Depending on the size of the solar installed it will use a significant amount of energy.

Per hour: The Wavegarden Cove machine, along with other systems like water treatment, typically consumes around 455 kWh per one-hour session in normal operation. If other systems (lighting, cooling, sensors, etc.) are excluded, this drops to around 325 kWh. Based on actual data from operational systems, the Wavegarden Cove machine uses between 300 to 400 kWh per one-hour session.

The system can be partially powered by renewable energy, with 2500m² of solar panels covering 50% of the energy needs

I84.1

2. Section 5.22 noise Impact NOI 3

Planes flying over produce an excessive amount of noise which does not allow for talking. This also has to be a safety hazard for emergency announcements and communication during an emergency.

I84.2

--

Nick Shaffer
949-795-2362

Response to Comment Letter I84: Nick Shaffer, July 7, 2025

Response to Comment I84.1: 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. As shown on Draft EIR Table 5.5-6, the Project would result in a net increase of 9,559,556 kWh per year of electricity. Adherence to California Building Code and Energy Code standards, which would be required by development permitting, would ensure that energy efficient technologies and practices are used for the Project.

As detailed in Draft EIR Section 5.16, *Utilities and Service Systems*, page 5.16-27, the Project would connect to the existing electricity powerlines within adjacent roadways. SCE prepared an Engineering Analysis Report (included as Draft EIR Appendix G), which determined that the Project's electricity demand would be adequately served by SCE's existing distribution system, and that the existing electrical lines, Pike 12kV Circuit, and Bayside Substation can accommodate the Project. The Project would not require or result in the construction of new facilities or the expansion of existing facilities, which could cause significant environmental effects. Thus, the Draft EIR determined that impacts would be less than significant.

Response to Comment I84.2: The Draft EIR Section 5.11, *Noise*, details that the existing daytime ambient noise in the Project vicinity ranges from 67.8 to 73.7 dBA, as listed in Draft EIR Table 5.11-4. Draft EIR page 5.11-4 states that the General Plan land use noise compatibility matrix (shown in Draft EIR Table 5.11-1) identifies that commercial recreation is clearly compatible with noise of up to 65 dBA CNEL and normally compatible with noise up to 75 dBA CNEL. As the ambient noise at the site ranges from 67.8 to 73.7 dBA, it would be normally compatible with the proposed commercial recreation uses.

Comment Letter I85: Kyle Robar (1 page)

From: [Kyle Robar](#)
To: [Perez, Joselyn](#)
Subject: EIR input
Date: July 07, 2025 3:21:28 PM

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As a resident of the Santa Ana Heights neighborhood for 17 years, I wanted to weigh in. I find the EIR for the surf park very brief and understating the issues that will be faced if the surf park moves forward.

1. Land Use: Mesa Ave from Irvine to Orchard will be heavily impacted with traffic causing safety concerns with the Fire Departments egress. This will also affect the amount of traffic Irvine Ave can handle between 4p-6p every weekday which is currently over capacity. The next thing that they will add is more stop lights along this route which will be extremely impactful to traffic. **I85.1**
2. Aesthetics: The amount of people that will want to surf at this place will not justify the enjoyment that comes from the tens of thousands that currently enjoy the driving range and the golf course. The driving range is currently packed with people every day I drive by. if they want to surf I know of an ocean that is close by. **I85.2**
3. Biological Resources: The addition of dense housing will overpopulate the walking paths that surround the back bay. The Back Bay alone is a gem to the community and adding additional strain of extra people in this area is not well thought out. walking paths will need to be widened causing a huge impact on indigenous plant species. **I85.3**
4. Environmental: I have had friends in the neighborhood that have rebuilt their homes. In doing so, they have had to stop building due to permitting from the Coastal Commission. And these were existing structures that were being replaced. There is no way the Coastal Commission can approve this since it is so close to the back bay and of its size and scope. **I85.4**
5. Hydrology and water Quality: Water runoff will dramatically increase and flood the lower walking trails near the Nature Center. Currently the water is absorbed into the ground after a hard rain. Housing will create hard scape that will ensure water accumulation into the water way which will in turn cause trail flooding during hard rains. **I85.5**

I am all in favor of incenting new business into the community and improving existing ones. But when you remove a family recreational center like the Newport Beach Golf Course you are taking away people's ability to learn a new game at a reasonable and accessible location. The next closest location is the Costa Mesa Golf Course which is not ideal for the beginning golfer. **I85.6**

Please don't remove our local golf course.

Kind Regards

Kyle Robar
Ktrobar@gmail.com

Response to Comment Letter I85: Kyle Robar, July 7, 2025

Response to Comment I85.1: Please refer to Master Response 4: *Impacts Related to Vehicle Trips*, for a response to comments regarding the proposed Project's traffic impacts.

Response to Comment I85.2: Please refer to Master Response 1: *Project Merits* for a response to comments regarding the merits of the proposed Project.

Response to Comment I85.3: Please refer to Master Response 3: *CEQA Piecemealing and Housing Opportunity Sites*, for a response regarding the proposed Project impacts related to the Housing Opportunity sites located on the southern golf course parcel.

Response to Comment I85.4: In this case, the Project site is located adjacent to and outside of the Coastal Zone boundary and does not require a Coastal Development Permit (CDP). As discussed on page 5.10-35 in Draft EIR Section 5.10, *Land Use*, and shown on Draft EIR Figure 3-7, *Coastal Zone Boundary*, the Project site is adjacent to, but outside of, areas that are within the Coastal Zone. The proposed Project would include offsite connections to the existing infrastructure within Mesa Drive and install new roadway striping within Mesa Drive, within the coastal zone. However, the Coastal Land Use Plan Implementation Plan Section 21.52.035(C)(5) exempts the need for a CDP for utility connections and roadway striping. Thus, no permitting from the Coastal Commission is required for the proposed Project.

Response to Comment I85.5: As discussed on page 5.9-14 within Draft EIR Section 5.9 *Hydrology and Water Quality* and within the Hydrology Report included as Appendix P to the Draft EIR, While the proposed Project includes an increase in impermeable surfaces compared to existing condition, the total 100 year, 24-hour storm runoff volume would decrease by 11 percent as the proposed 5.06 acres surf lagoon would capture rainfall and would not result in runoff. The drainage design would accommodate the proposed Project within bioretention basins pursuant to the County DAMP and MS4 requirements that would be verified during permitting of the proposed Project; and flooding from the Project would not occur.

Response to Comment I85.6: 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.

Comment Letter I86: Wade Womack (1 page)

From: [Wade Womack](#)
To: [Perez, Joselyn](#)
Subject: Comments on EIR for Snug Harbor Surf Park Project EIR #2024110238
Date: July 07, 2025 3:57:40 PM

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Report phish using the Phish Alert Button above.

Dear Joselyn Perez,

I oppose this project because it will break up the existing golf course that provides low cost recreational golf opportunity for our community. The EIR does not adequately address the fact that this project is not consistent with NB Code 20.90.050 which specifically calls for the long-term use of the NB Golf Course.

Any claim that converting this parcel to a surf park and eliminating a significant portion of the golf course and important existing amenities on this parcel/site will not have a significant negative impact the recreational golf on this parcel is simply unreliable. The parcel involved in the development includes holes 1,2 and 9, the driving range, the practice green, the golf shop as well as other significant golf amenities that are necessary for golf course to function properly. This development will make it improbable, if not impossible, for any golf course operator to run a successful golf course, thereby killing off the entire golf course. The EIR does not adequately address this concern.

Here is the City of Newport Beach Code Section I am referring to:

20.90.050 Open Space and Recreation District: SP-7 (OSR).

A. Purpose and Intent. The SP-7 (OSR) District is established to ensure the long-term use and viability of the Newport Beach Golf Course.

Thank you for your consideration,

Wade Womack
1865 Port Abbey Pl
Newport Beach, CA 92660
949-292-1165

I86.1

Response to Comment Letter I86: Wade Womack, July 7, 2025

Response to Comment I86.1: 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. Although Municipal Code Section 20.90.050 states that the District is intended to ensure the long-term use and viability of the golf course, Draft EIR Section 5.10, *Land Use and Planning*, details that the permitted uses include other outdoor commercial recreation and accessory structures, which is consistent with the proposed Project.

As detailed in Section 3.0, *Project Description*, on page 3-34, portions of the golf course to the north of Irvine Avenue (holes 10-18) and south of Mesa Drive (holes 3-8) would remain with implementation of the proposed Project. Access to the 15 holes of golf would be provided via a starter shack that would be located in between the proposed parking lots near the northern end of the amenity clubhouse building, and golf cart storage located on the basement level of the proposed clubhouse. In addition, golf cart path of travel between holes 3-8 and holes 10-18 would remain. Draft EIR Section 5.10, *Land Use and Planning*, details that the Project would be consistent with the City General Plan and Santa Ana Specific Plan designated uses for the Project site.

Comment Letter I87: Jim Mosher (4 pages)**Comments regarding SCH No. 2024110238****= Snug Harbor Surf Park Project, Draft Environmental Impact Report =**

Submitted by: Jim Mosher, Newport Beach resident, July 7, 2025

1. [Cal. Code Regs. Tit. 14, § 15123](#), subdivision (a) requires an EIR to “*contain a brief summary of the proposed actions and its consequences. The language of the summary should be as clear and simple as reasonably practical.*” Subdivision (b) lists required contents of the summary, including “*Areas of controversy known to the lead agency,*” “*issues raised by ... the public*” and “*Issues to be resolved.*” Subdivision (c) says “*The summary should normally not exceed 15 pages.*”

For those seeking a quick understanding of the project and its possible impacts, the Executive Summary provided in SCH No. 2024110238 is disappointing, at best.

I believe, for example, that the lead agency is well aware of controversy regarding this proposal, yet I do not find the word “controversy” or anything enlightening me about controversies in this 36 page summary.

I87.1

As to what is being proposed, I find a much clearer and more complete description in the materials provided by the applicant in the City’s [PA2024-0069 Application Folder](#).

As to “*Issues to be resolved including the choice among alternatives and whether or how to mitigate the significant effects,*” I find three alternatives described, but nothing I can discern (in the summary) as to the issues involved in making a choice between them.

A little later I find, as an example, more than a full page of the summary devoted to a possible mitigation measure, BIO-1, to protect bats in trees that might be removed, but absolutely no insight as to what kind of trees might attract bats, whether there are any of those trees on this site, whether they have, in fact, been observed to contain bats, or whether any of them are even being proposed to be removed.

2. [Cal. Code Regs. Tit. 14, § 15141](#) sets a limit on the number of pages in an EIR: “*The text of draft EIRs should normally be less than 150 pages and for proposals of unusual scope or complexity should normally be less than 300 pages.*” In this case, to understand what are claimed to be the environmental consequences of the project, readers are asked to digest a 577-page PDF with numerous appendices.

I87.2

Despite, or perhaps because of, the excessive length, I find information frequently as difficult to locate in the body as in the summary.

3. For example, the Executive Summary appears to assure me that executing the project will create no aesthetic impacts. Yet when I turn to Figure 5.1-3 or Figure 5.1-4, I find at an intersection I frequent, the huge, ominous, unarticulated wall of what looks like a prison enclosure replacing a previously pastoral scene of rolling grass:

I87.3



**187.3
Cont.**

It would take many pages of reading to discover why CEQA regards this as an "insignificant" or "less than significant" aesthetic impact.

4. Regarding possible Land Use and Planning issues, also deemed "less than significant" in the summary, I found the description of the regulatory history of the site confusingly incomplete. On page 5.10-21, I find one of many mentions of what it calls the "City of Newport Beach Santa Ana Heights Specific Plan." This particular one says "*Santa Ana Heights was annexed from the County of Orange to the City of Newport Beach in two segments – the area east of Irvine Avenue became part of the City in January of 2002 and the area west of Irvine Avenue was added on January 1, 2008,*" In the usual insight-free fashion found in the Executive Summary, it is impossible for readers to tell which, if either, of these annexations the subject property was part of, or how and when it became subject to the Specific Plan. The authors also do not mention, and may not be aware of, a still-active and binding [Pre-Annexation Agreement](#) the City signed with the County. Section 2.1 of that Agreement requires the City to obtain County approval for certain changes not only to the Specific Plan but also for certain changes to its General Plan:

187.4

- 1 **2.1.** After the CITY's annexation of the Annex Area, the CITY shall not amend its General
- 2 Plan as it pertains to the Annex Area or the Specific Plan without the prior written consent of the
- 3 COUNTY and the AGENCY. The CITY also agrees that in the event of any conflict between the

The wording is open to interpretation. At the time the Agreement was signed, the General Plan [Land Use Element](#) limited development on the subject property (which was, and continues to be part of the Specific Plan, but was not part of either the 2002 or 2008 annexation) to 20,000 gross square feet:

8. **Newport Beach Golf Course.** The Newport Beach Golf Course occupies a site which is between Irvine Avenue and Upper Newport Bay along the Delhi Flood Control Channel. The site is designated for Recreational and Environmental Open Space. Golf Course support facilities are allowed, with a maximum floor area of 20,000 sq.ft.

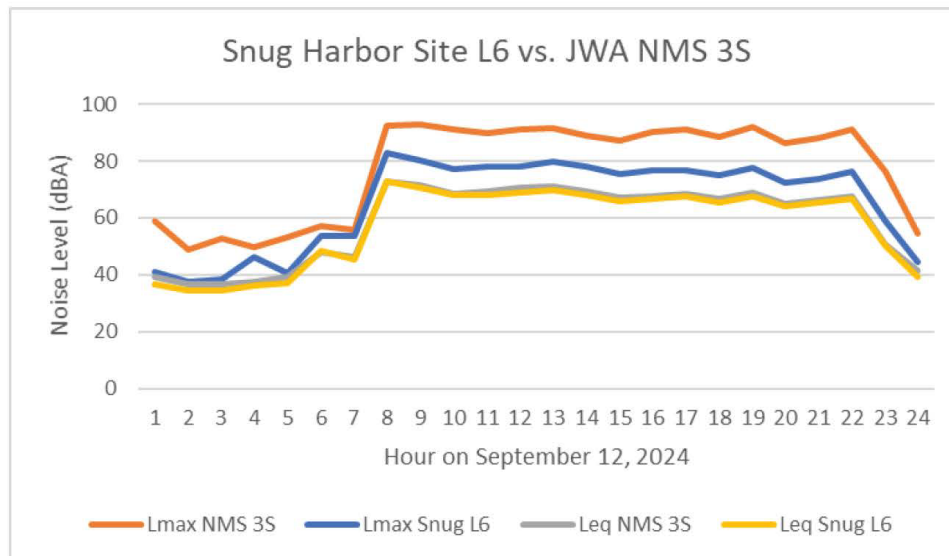
The 2006 Land Use Element creating exemptions from the General Plan development limits for certain kinds of structures, and the proposed amendment here, which would allow construction of 79,534 gross square feet on a property limited to 20,000 gross square feet at the time of the Agreement certainly affects what can be built under the Specific Plan.

Whether the Agreement requires the proposal to have County approval is not addressed in the EIR.

187.4

5. As a member of the City's General Plan Advisory Committee, and of its Noise Element Subcommittee, but commenting as a private individual, I was intrigued by the EIR's handling of noise issues, which I have not had time to fully digest. I was especially interested in the existing environment measurements at what Figure 5.11-1 labels location "L6." This is one of [ten addresses](#) at which the [JWA Noise Office](#) measures ambient noise and spikes due to planes 24/7 – albeit with a microphone atop a 20-foot pole in the backyard, while the EIR measurements may have been taken in the front yard or even the street (the EIR's [Appendix Q](#), "Noise Analysis," does not contain photos of the monitors during deployment, leaving considerable uncertainty as to exactly how they were placed). JWA calls their microphone "NMS 3S," and southbound jet departures fly almost directly over it at relatively low altitude. [Page 86](#) of Appendix Q (page 100 of the 138-page PDF) provides the hourly noise statistics gathered at location L6 on September 12, 2024. What is curious about this is that the readings are said to have been taken with a Piccolo II noise monitor set for "slow" response, which according to the manufacturer means 1-second averages, the same as for JWA. Yet when one compares the hourly statistics from the two on the same day one sees this:

187.5



Snug Harbor EIR comments - Jim Mosher (7/7/2025)

Page 4 of 4

The hourly averages, or Leq, match closely, but the peak loudness, or Lmax, detected during each hour is systematically lower in the EIR than the number reported for the same hour by JWA – by as much as 10 dB or more, which is a very large difference.

For example, between 8:00 and 9:00 a.m., JWA recorded a peak noise (averaged over 1 second) of 92.8 dB while the EIR reports a peak of just 80.4 dB. Similarly, from 4:00 to 5:00 p.m. (16:00 to 17:00), JWA recorded a 91.2 dB peak, while the EIR shows 76.8.

To get the hourly averages correct, but underestimate the peaks by so much, the measurements must have been taken with a very long averaging time, and not the standard “slow” mode suggested.

**187.5
Cont.**

Response to Comment Letter I87: Jim Mosher, July 7, 2025

Response to Comment I87.1: Pursuant to CEQA Guidelines Section 15123 the EIR Section 1.0, *Executive Summary*, includes a brief summary of the proposed actions in Section 1.2, *Project Description Summary*, and its consequences in Section 1.6, *Summary of Impacts*, that lists each significant effect with mitigation measures, as necessary. The alternatives are listed in Section 1.5, *Summary of Alternatives*, and the issues to be resolved include the potential impacts that are listed in Table 1-1, *Summary of Impacts*. Areas of known controversy, including issues raised by agencies and the public are listed in Table 2-1, *Summary of NOP Comment Letters*, and Table 2-2, *Summary of Scoping Meeting Comments*, which are on pages 2-3 through 2-18. Table 1-1, *Summary of Impacts*, lists the CEQA impact areas, the level of potential impacts from implementation of the Project, and any mitigation measures that are required. The Draft EIR Table of Contents identifies that a complete description of onsite biological resources and analysis of potential impacts (including those related to bats) is provided in Section 5.3, *Biological Resources*, which begins on page 5.3-1, and within Appendix C, *Biological Technical Report*. The CEQA Guidelines Section 15123 does not limit the length of the EIR summary. The proposed Project Draft EIR includes detailed mitigation measures to ensure that potential environmental impacts would be reduced to a less than significant level and details the Project Design Features and applicable existing regulations that would reduce potential environmental impacts, which make the summary longer, but provide clear detail of required measures.

Response to Comment I87.2: CEQA Guidelines Section 15141 does not limit the number of pages in an EIR. As detailed in the comment the guideline states that “draft EIRs should normally be less than 150 pages and for proposals of unusual scope or complexity should normally be less than 300 pages.” As Lead Agency, the City of Newport Beach, determined that a complete analysis of all of the CEQA environmental topics should be completed for the proposed Project and that multiple technical studies should be completed, resulting in a document of more than 300 pages. The Draft EIR Table of Contents identifies the location of environmental analysis, and Section 2.4, *Organization of this Draft EIR*, provides a brief summary of the contents of each chapter.

Response to Comment I87.3: 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. As detailed in Draft EIR Section 5.1, *Aesthetics*, pages 5.1-12 through 5.1-16 the proposed Project would change views of the site to a more urban and developed character compared to the existing condition. However, it would not conflict with applicable zoning and other regulations governing scenic quality and pursuant to CEQA Guidelines criteria, impacts would be less than significant. It is true that the aesthetics section of the Draft EIR is 34 pages; however, a complete analysis including six visual simulations was prepared to show the change in views from each of the primary offsite view locations.

Response to Comment I87.4: The Draft EIR page 5.10-21 describes that the Santa Ana Heights Specific Plan area was annexed to the City in two parts. There is no relevance to Project impacts whether the Project site was annexed from the County in 2002 or 2008. The Santa Ana Heights Specific Plan is included in the

City's Municipal Code as Chapter 20.90 and is applicable to the proposed Project. As detailed on Draft EIR page 3-35, the Project includes a General Plan Amendment to increase the development intensity for the site from the current limit of 20,000 SF to approximately 59,772 SF. No amendments to the Santa Ana Heights Specific Plan would be required; however, the Specific Plan requires a CUP to allow for the construction of a building in excess of 18 feet in height, which would be reviewed and approved by the City of Newport Beach, and no County approvals are required.

Response to Comment 187.5: The commenter compares the Project's noise monitoring data in Appendix Q of the Draft EIR to data collected by John Wayne Airport (JWA). While the hourly equivalent noise levels (Leq) recorded for the Project closely match those from the JWA system, the comment notes some discrepancies in maximum sound levels (Lmax) during specific time periods and suggests that this may indicate incorrect meter settings as reported in the Project analysis.

The differences in reported Lmax between the two sound level meters (SLMs) are most likely attributable to differences in exposure to the noise source, not incorrect meter settings. Due to access limitations on private property, the SLM used for the Project's environmental monitoring was placed at approximately 5 feet above ground in publicly accessible areas, rather than at 20 feet above ground in a private backyard setting. This placement can significantly influence Lmax measurements, as this metric is highly sensitive to the exact timing and position of the noise source, atmospheric conditions, and the presence of reflections, shielding, and terrain features.

In this case, the Project's SLM was likely partially shielded from aircraft noise by nearby structures, depending on the aircraft's orientation relative to the meter. In contrast, the permanent monitoring equipment used by John Wayne Airport is above ground and likely maintains a clear and consistent line of sight to overhead aircraft, resulting in higher recorded Lmax values.

While the commenter suggests that meter settings may not match those described in the noise study prepared for the Project, the strong consistency in Leq levels and the similar pattern of peaks and valleys in Lmax levels between both datasets suggest that both meters captured the same events and were similarly configured. Therefore, the observed Lmax differences are best explained by variations in location and exposure, rather than inconsistencies in meter settings.

Importantly, Lmax was not used as a significance criterion in the CEQA noise impact analysis. The analysis relies on hourly Leq 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. Lmax is included only to help characterize the existing noise environment, not to determine impact significance. As such, the Lmax discrepancies do not affect the conclusions of the analysis.

Comment Letter I88: Suzan Beck (1 page)

From: [Suzan Beck](#)
To: [Perez, Joselyn](#)
Subject: No Surf Park
Date: July 08, 2025 7:03:47 AM

[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 am writing today to express a NO vote to the proposed surf park. It is not an improvement- it's an unwanted distraction for our beautiful Newport. Makes more sense inland area where they actually need a beach-like attraction.

I88.1

Do better Newport!

Sincerely 41 year residents,

Suzan and Bill Beck
Eastbluff

Suzan Beck
(949) 351-1864 mobile
suzan.beck@gmail.com

"We are what we repeatedly do. Excellence, therefore, is not an Act, but a Habit" ... Aristotle

Response to Comment Letter I88: Suzan Beck, July 8, 2025

Response to Comment I88.1: Please refer to Master Response 1: *Project Merits*, for the discussion of the proposed Project's fiscal impacts.

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3. Revisions to the Draft EIR

3.1 INTRODUCTION

As provided in Section 15088(c) of the CEQA Guidelines, responses to comments may take the form of a revision to a Draft EIR or may be a separate section in the Final EIR. This section complies with the latter option and provides changes to the Draft EIR shown as strikethrough text (e.g., ~~strikethrough~~) to signify deletions and double-underlined text (e.g., double-underlined) to signify additions. These changes are meant to provide clarification, corrections, or minor revisions made to the Draft EIR initiated by the Lead Agency, the City of Newport Beach, reviewing agencies, the public, and/or consultants based on their review. Text changes are presented in the section and page order in which they appear in the Draft EIR. None of the corrections or additions constitute significant new information or substantial project changes that, in accordance with CEQA Guidelines Section 15088.5, would trigger the need to recirculate portions or all of the Draft EIR.

3.2 CHANGES TO THE DRAFT ENVIRONMENTAL IMPACT REPORT

The following text, organized by Draft EIR Sections, has been revised in response to comments received on the Draft EIR and corrections identified after the Public Draft EIR was released.

Section 2.0, Introduction

The paragraph on page 2-16, in Section 2.3.2, *Public Scoping Meeting*, is revised as follows:

Pursuant to Section 15082(c)(1) of the CEQA Guidelines, the City of Newport Beach hosted a public scoping meeting for members of the public and public agencies to provide input as to the scope and content of the environmental information and analysis to be included in the Draft EIR for the Project. A scoping meeting was held on November 20, 2024, at 6:00 p.m. at the ~~Friends~~ **Community** Room in the Newport Beach Public Library (Central Library Branch) at 1000 Avocado Avenue, Newport Beach, California 92660.

Section 3.0, Project Description

The last paragraph on page 3-35, in Section 3.11, *Discretionary Actions Required*, is revised as follows:

The responsible agencies, trustee agencies, and other public agencies which may be required to grant approvals and permits or coordinate as part of implementation of the proposed Project include, but are not limited to:

- **Federal Aviation Administration (FAA):** Based on the location of the Project site and the proposed height of the buildings, the Applicant will file Form 7460-1, Notice of Actual Construction or Alteration, with the FAA. The FAA will use information provided in Form 7460-1 and other data to conduct an aeronautical review for the proposed Project.
- **Orange County Airport Land Use Commission (ALUC):** The Project site is within the Airport Environs Land Use Plan (AELUP) Notification Area for John Wayne Airport and the Project will be submitted to the ALUC for review.
- **South Coast Air Quality Management District (SCAQMD):** Issuance of any permits to construct or permits to operate.

- **Santa Ana Regional Water Quality Control Board (RWQCB):** Issuance of a National Pollution Discharge Elimination System (NPDES) Permit and Construction General Permit. The Santa Ana RWQCB would also issue a Dewatering Permit consistent with the General Permit.
- **Orange County Health Care Agency:** Issuance of permits related to water safety and restaurant operations.
- **County of Orange:** The Project may require an encroachment permit from the County of Orange Public Works Department for access or construction work within County owned easements and rights-of-way.
- **Costa Mesa Sanitary District (CMSD):** Issuance of permits for wastewater discharges into the sewer system.
- **Orange County Sanitation District:** Issuance of Industrial Wastewater Discharge Permits for wastewater discharges into Wastewater Treatment Plant No.1.

Section 5.1, Aesthetics

The first paragraph on page 5.1-12, in Section 5.1.6, *Environmental Impacts*, under Impact AES-3 is revised as follows:

Less than Significant Impact. 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 (220,427 SF) surf lagoon, amenity clubhouse, athlete accommodations, parking lot, ornamental landscaping, and associated infrastructure. The proposed structures would be set back a minimum of 20 feet from adjacent streets (as shown in Figure 3-8, *Conceptual Site Plan*) and would not encroach into public views along the roadway corridors adjacent to the site. In order to analyze the change to visual character and public views of the Project site, visual simulations were prepared to demonstrate where the structures, retaining walls, and changes to grade would be located, and the change to views of the site from six offsite locations, shown in Figure 5.1-2, *View Simulation Locations*.

Section 5.3, Biological Resources

The second and third full paragraphs on page 5.3-20, in Section 5.3.6, *Environmental Impacts*, under Impact BIO-1 is revised as follows:

According to the Biological Technical Report, western yellow bat has a low potential to roost in the limited habitat for this species ~~ornamental trees~~, including palms, on the Project site. The Biological Technical Report (Draft EIR Appendix C) determined that due to the limited habitat for this species on the Project site, impacts to habitat for the western yellow bat would be less than significant.

~~Further,~~ The Project site provides suitable foraging, breeding, and roosting habitat for a number of raptor species. No raptor species were detected over the course of field studies; however, common, urban adapted species may occasionally occur. The Project site lacks potential nesting habitat (e.g., mature trees, shrubs) for special-status raptor species but is expected to provide marginal foraging habitat for common raptors that support prey species such as insects, spiders, lizards, snakes, small mammals, and other birds. The Biological Technical Report determined that the Project site does not have the potential to support any of the other special-status species listed in Table 5.3-2 in a live-in capacity.

Although the Biological Technical Report (Draft EIR Appendix C) determined that impacts would be less than significant ~~Given the limited roosting habitat for western yellow bat onsite, Mitigation Measure BIO-1 is included as a precautionary measure to require a pre-construction nesting bat roost surveys including a minimum of two emergent bat surveys to avoid injury to roosting bats and avoid maternity roosts until the maternity roost is no longer in use. With implementation of Mitigation Measure BIO-1, impacts would be less than significant.~~

Mitigation Measure BIO-1 in Section 5.3.11, *Mitigation Measures*, is revised as follows:

Mitigation Measure BIO-1: Pre-Construction Roosting Bat Surveys. Project plans and construction permitting, including tree removal permits, shall require that in order to avoid and/or minimize injury to roosting bats and avoid maternity roosts until the maternity roost is no longer in use, a qualified biologist shall conduct ~~two~~ pre-construction emergent bat roost surveys ~~for roosting bats utilizing acoustic detection. The first survey shall be conducted no more than 14 days prior to site disturbance, and the second survey shall be conducted no more than three days prior to site disturbance. The pre-construction bat roost survey shall consist of a minimum of two emergent bat surveys (conducted consecutively or as determined by the biologist).~~ The emergent surveys shall begin 30 minutes before dusk and extend to one hour after dark.

If the pre-construction survey determines that no active roosts are present, then trees/suitable habitat shall be removed within three days following the pre-construction survey. All potential roost trees shall be removed in a manner approved by a qualified bat biologist, which may include presence of a biological monitor.

If roosting bats are detected onsite outside of the bat maternity season (~~outside of March 1~~April 1 through August 31), the roost tree shall be removed in a manner to avoid and/or minimize injury to roosting bats. This may include using mechanical equipment to gently nudge the tree trunk multiple times prior to removal or for palm trees and other species, to de-frond or de-branch the tree using a mechanical lift and gently lower the cut fronds or branches to the ground. Regardless of the method, the fallen tree and/or material shall be left undisturbed overnight until at least the next morning to give roosting bats time to exit before site disturbance.

If roosting bats are detected onsite during the maternity season (~~March through August 31~~September 1 through March 31), the Project shall avoid the subject roost(s) and incorporate an avoidance buffer (300 feet or as determined by the qualified biologist for roosts of special-status bat species, the buffer width shall be 300 feet or as determined by the qualified biologist in consultation with California Department of Fish and Wildlife (CDFW)) until after the maternity season or until a qualified biologist determines no maternity roosting is occurring. The qualified biologist shall clearly delineate any bat maternity roosts and any required avoidance buffers, which shall be clearly marked with flags and/or fencing prior to the initiation of construction activities. All construction activity in the vicinity of an active roost shall be limited to daylight hours. Once the qualified biologist approves removal of the subject roost tree(s), the same tree removal procedures as outlined above shall be implemented prior to tree removal.

Section 5.9, Hydrology and Water Quality

The third paragraph on page 5.9-2 is revised as follows:

The City of Newport Beach is within the Santa Ana River Basin, Region 8, in the San Diego Creek sub-watershed. The Water Quality Control Plan for this region was adopted in 1995. This Basin Plan gives direction on the beneficial uses of the state waters within Region 8, describes the water quality that must be maintained to support such uses, and provides programs, projects, and other actions necessary to achieve the established standards.

The first two paragraphs on page 5.9-7 are revised as follows:

~~The Project site is in the Santa Ana River Watershed and in the San Diego Creek sub-watershed. The Santa Ana River Watershed includes much of Orange County, much of western Riverside County, part of southwestern San Bernardino County, and a small portion of Los Angeles County. The watershed is bounded on the south by the Santa Margarita watershed, on the east by the Salton Sea and Southern Mojave watersheds, and on the north and west by the Mojave and San Gabriel watersheds, respectively. The watershed covers approximately 2,800 square miles in area with about 700 miles of rivers. The Santa Ana~~

~~River extends over 100 miles from the San Bernardino Mountains in San Bernardino County to the Pacific Ocean at the boundary between the Cities of Huntington Beach and Newport Beach.~~

~~The Santa Ana Watershed is subdivided into several smaller watersheds, and as mentioned above, the Project site is in the San Diego Creek sub-watershed. The San Diego Creek sub-watershed spans 112.2 square miles in central Orange County, with its main tributary, San Diego Creek, draining into Upper Newport Bay. Smaller tributaries of this watershed include Serrano Creek, Borrego Canyon Wash, Agua Chinon Wash, Bee Canyon Wash, Peters Canyon Wash, Sand Canyon Wash, Bonita Canyon Creek, and the Santa Ana Delhi Channel.~~

The sixth paragraph on page 5.9-7 is revised as follows:

The Project site is located within the Coastal Plain of Orange County Groundwater Basin No. 8-001. The Coastal Plain of Orange County basin underlies a coastal alluvial plain in northwestern Orange County. The basin is bounded on the northwest and the north by the Los Angeles-Orange County line; on the northeast by the Whittier fault zone and consolidated rocks of the Puente Hills and Chino Hills; on the east by consolidated rocks of the Santa Ana Mountains; on the south by consolidated rocks of the Laguna Hills and San Joaquin Hills; and on the southwest by the Pacific Ocean. ~~As described in the Phase I Environmental Site Assessment, the groundwater basin is located in the lower Santa Ana River Watershed (Appendix K).~~

The first paragraph in Section 5.9.7, Cumulative Impacts, on page 5.9-18 is revised as follows:

Water Quality. The geographic scope for cumulative impacts related to hydrology and water quality includes the ~~Santa Ana~~ San Diego Creek Watershed and the Newport Back Bay because cumulative projects and developments pursuant to the proposed Project could incrementally exacerbate the existing impaired conditions and could result in new pollutant-related impairments.

The second paragraph on page 5.9-14 is revised as follows:

The Project-specific Preliminary WQMP describes that the Project site currently includes 3.40 acres of impermeable surfaces, which equates to 22 percent of the site. After completion of Project construction, the site would have a significant increase in impermeable surfaces (i.e., 13.89 acres or 90 percent of the site would have impermeable surfaces). However, this includes the 5.06-acre (20,427 SF) surf lagoon, which would capture rainfall and not result in runoff. As shown on Table 5.9-2, ~~while implementation of the proposed surf lagoon, landscaping areas, and drainage bioretention systems Project would result in a large increase in impermeable surfaces, the total 100-year, 24-hour storm volume would discharge to decrease by approximately 11 percent.~~

Impact HYD-4 has been augmented to include the following additional analysis as the first full paragraph on page 5.9-16:

The existing drainage flow which discharges to a storm drain lateral on the north of the Santa Ana Delhi Channel, would be modified to be redirected to the existing lateral on the south, which would result in an increase of 2.5 cubic feet per second (cfs) within a 400-foot reach of the Santa Ana – Delhi Channel in a 100-year storm flow condition, which is less than 0.03 percent. The existing flowrate of 8,550 cfs would become 8,553 cfs for the reach between 44+85 to 48+95, which would increase the depth of flows by 0.01 feet for this 400-foot reach of channel during a 100-year storm flow condition, which is determined by the Hydrology Report to be a negligible increase. After the 400-foot channel reach, the overall runoff would be reduced compared to existing conditions. The discharge amounts at each of the channel stations have been evaluated and are listed in Table 5.9-3.

Table 5.9-3: Santa Ana – Delhi Channel Station 100-Year Storm Flow Rate Comparison (CFS)

<u>Station</u>	<u>Upstream Station</u>	<u>Middle Station</u>	<u>Downstream Station</u>
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	<u>48+95 & 49+00</u>	<u>44+85</u>	<u>40+79</u>
Existing	<u>30.9</u>	<u>11.1</u>	<u>19.8</u>
Proposed	<u>33.4</u>	<u>3.8</u>	<u>19.2</u>
Difference	<u>+2.5</u>	<u>-7.3</u>	<u>-0.62</u>

Source: Final EIR Appendix B, Revised Preliminary Hydrology Report

Section 5.16, Utilities and Service Systems

The first paragraph on page 5.16-14, in Section 5.16.3.4, *Wastewater Environmental Impacts*, is revised as follows:

A Sewer Analysis Report (Appendix U) was prepared to determine whether the sewer system would be able to adequately handle the wastewater flows from the proposed Project in addition to existing flows. The Project would generate wastewater daily from the proposed clubhouse, 20 athlete accommodations, standalone restrooms, and the nine outdoor showers. As shown on Table 5.16-10, the clubhouse, accommodations, and outdoor showers would generate 10,408 gpd at full capacity. Table 5.16-11 shows that operation of the wave lagoon would generate 53,351 gpd. In total, regular operation of the proposed buildings, restrooms, and outdoor showers would result in a total average wastewater flow of 63,759 gpd (44.3 gpm) (Appendix U). Using the CMSD peaking factor, the Sewer Analysis Report determined that the peak wastewater flows would be 111 gpm.

The last paragraph on page 5.16-14, in Section 5.16.3.4, *Wastewater Environmental Impacts*, is revised as follows:

In addition to typical daily operational wastewater generating conditions, each of the 5.1-million-gallon basins would be drained once every two years into the sewer system. The two 5.1-million-gallon basins are hydrologically separate. Each year one of the surf basins would be drained; the timing of which would be coordinated with CMSD and approved by CMSD permitting. Also, due to the volume of wastewater that would be discharged during draining of the surf basins, an Orange County Sanitation District Industrial Wastewater Discharge Permit would be required, as is required for any discharge in excess of 25,000 gallons per day. The Industrial Wastewater Discharge Permit regulates wastewater discharges by limiting specific pollutants through establishing numeric discharge standards, discharge requirements, monitoring and reporting requirements. Thus, permits from both CMSD and the Orange County Sanitation District would be required for draining the surf basins.

The first paragraph in Impact UTIL-4 on page 5.16-16, in Section 5.16.3.4, *Wastewater Environmental Impacts*, is revised as follows:

Less than Significant Impact. The proposed Project would result in an increase of wastewater generation from the site. As discussed above, the proposed Project is expected to result in an increase from 1,409 gpd to ~~63,729~~ **63,759** gpd of wastewater. Under existing conditions, the OC San Wastewater Treatment Plan No.1, which serves the Project site, has treatment capacity for approximately 50 million gallons per day of additional flow, and would have capacity to accommodate the proposed Project's operational ~~63,729~~ **63,759** gpd of wastewater. Daily operation of the proposed Project would utilize less than 0.01 percent of the daily available treatment capacity.

Section 8.0, Alternatives

Page 8-21, in Section 8.8.2, *Conclusion*, is revised as follows:

The Alternative Commercial Recreation Use Alternative would include the development of a 20,000-square-foot family entertainment building consisting of a snack bar, dining area, restrooms, and arcade gaming

area; two outdoor 18-hole miniature golf courses; a 4-acre outdoor area for attractions and rides on the site.

The Alternative Commercial Recreation Use Alternative would not require a General Plan Amendment or Major Site Development Review as the onsite building would not be over 20,000 square feet. A CUP may be required if the building is in excess of 18 feet. The same mitigation measures related to biological resources, archaeological resources, paleontological resources, and tribal cultural resources would be required for implementation of the Alternative Commercial Recreation Use Alternative. ~~In addition, an increase of noise, air quality emissions, and greenhouse gas emissions would occur from the alternative.~~

Overall, the Alternative Commercial Recreation Use Alternative would reduce potential impacts related to three topic areas but all of the mitigation measures required for the Project would continue to be required for the Alternative Commercial Recreation Use Alternative (see Table 8-4).

Section 9.0, EIR Preparers and Persons Contacted

Page 9-2, *Persons Contacted*, is revised as follows:

PERSONS CONTACTED

Newport Beach Police Department – Chief Dave Miner

Newport Beach Fire Department – Chief Jeff Boyles

City of Irvine Community Development Department – Justin Equina, Senior Planner

City of Costa Mesa Economic Development and Services Department – Michelle Halligan, Senior Planner

4. Mitigation Monitoring and Reporting Summary

4.1 INTRODUCTION

The California Environmental Quality Act (CEQA) requires a lead or public agency that approves or carries out a project for which an Environmental Impact Report (EIR) has been certified, which identifies one or more significant adverse environmental effects and where findings with respect to changes or alterations in the project have been made, to adopt a "...reporting or monitoring program for the changes to the project which it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment" (CEQA, Public Resources Code Sections 21081, 21081.6).

A Mitigation Monitoring and Reporting Program (MMRP) is required to ensure that adopted mitigation measures are successfully implemented. The City of Newport Beach is the Lead Agency for the Project and is responsible for implementation of the MMRP. This report describes the MMRP for the Project and identifies the parties that will be responsible for monitoring implementation of the individual mitigation measures in the MMRP.

4.2 MITIGATION MONITORING AND REPORTING PROGRAM

The MMRP for the Project will be active through all phases of the Project, including design, construction, and operation. The attached table identifies the mitigation program required to be implemented by the City for the Project. The table identifies mitigation measures required by the City to mitigate or avoid significant impacts associated with the implementation of the Project, the timing of implementation, and the responsible party or parties for monitoring compliance.

The MMRP also includes a column that will be used by the compliance monitor (individual responsible for monitoring compliance) to document when implementation of the measure is completed. As individual Plans, Programs, and Policies (PPPs), Project Design Features (PDFs), and mitigation measures are completed, the compliance monitor will sign and date the MMRP, indicating that the required actions have been completed.

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Table 4-1: Mitigation Monitoring and Reporting Program

Plan, Program, or Policy (PPP), Project Design Feature (PDF), or Mitigation Measure	Implementation Timing	Responsible Party	Verification Method	Date Completed and Initials
BIOLOGICAL RESOURCES				
Mitigation Measure BIO-1: Pre-Construction Roosting Bat Surveys. Project plans and construction permitting, including tree removal permits, shall require that in order to avoid and/or minimize injury to roosting bats and avoid maternity roosts until the maternity roost is no longer in use, a qualified biologist shall conduct two pre-construction emergent bat surveys utilizing acoustic detection. The first survey shall be conducted no more than 14 days prior to site disturbance, and the second survey shall be conducted no more than three days prior to site disturbance. The emergent surveys shall begin 30 minutes before dusk and extend to one hour after dark. If the pre-construction survey determines that no active roosts are present, then trees/suitable habitat shall be removed within three days following the pre-construction survey. All potential roost trees shall be removed in a manner approved by a qualified bat biologist, which may include presence of a biological monitor. If roosting bats are detected onsite outside of the bat maternity season (outside of March 1 through August 31), the roost tree shall be removed in a manner to avoid and/or minimize injury to roosting bats. This may include using mechanical equipment to gently nudge the tree trunk multiple times prior to removal or for palm trees and other species, to de-frond or de-branch the tree using a mechanical lift and gently lower the cut fronds or branches to the ground. Regardless of the method, the fallen tree and/or material shall be left undisturbed overnight until at least the next morning to give roosting bats time to exit before site disturbance. If roosting bats are detected onsite during the maternity season (March 1 through August 31), the Project shall avoid the subject roost(s) and incorporate	In Project plans and construction permitting. Prior to ground disturbing activity.	City of Newport Beach Community Development Department	Project plans and construction permits shall include that roosting bat survey be completed as specified. If roosting bats are encountered, a biological monitoring report shall be submitted to the City of Newport Beach Planning Division and coordination with the California Department of Fish and Wildlife (CDFW) if special status species are identified.	Initials: _____ Date: _____

Plan, Program, or Policy (PPP), Project Design Feature (PDF), or Mitigation Measure	Implementation Timing	Responsible Party	Verification Method	Date Completed and Initials
an avoidance buffer (300 feet or as determined by the qualified biologist for roosts of special-status bat species, the buffer width shall be 300 feet or as determined by the qualified biologist in consultation with CDFW) until after the maternity season or until a qualified biologist determines no maternity roosting is occurring. The qualified biologist shall clearly delineate any bat maternity roosts and any required avoidance buffers, which shall be clearly marked with flags and/or fencing prior to the initiation of construction activities. All construction activity in the vicinity of an active roost shall be limited to daylight hours. Once the qualified biologist approves removal of the subject roost tree(s), the same tree removal procedures as outlined above shall be implemented prior to tree removal.				
Mitigation Measure BIO-2: Pre-Construction Nesting Bird Survey. Project plans and construction permitting, including tree removal permits, shall state that vegetation removal should occur outside of the nesting bird season (generally between February 1 and August 31). If vegetation removal is required during the nesting bird season, the applicant shall conduct take avoidance surveys for nesting birds prior to initiating vegetation removal/clearing. Surveys shall be conducted by a qualified biologist(s) within three days of vegetation removal. If active nests are observed, a qualified biologist shall determine appropriate minimum disturbance buffers and other adaptive mitigation techniques (e.g., biological monitoring of active nests during construction-related activities, staggered schedules, etc.) to ensure that impacts to nesting birds are avoided until the nest is no longer active. At a minimum, construction activities shall stay outside of a 200-foot buffer around the active nests. The approved buffer zone shall be marked in the field with construction fencing, within which no vegetation clearing or ground disturbance shall commence until the qualified biologist and City of Newport Beach Planning Division verify that the nests	Prior to issuance of grading permits.	City of Newport Beach Community Development Department	Verify that nesting bird survey has been completed as specified. If nests are encountered, monitoring report shall be submitted to the City of Newport Beach Planning Division.	Initials: _____ Date: _____

Plan, Program, or Policy (PPP), Project Design Feature (PDF), or Mitigation Measure	Implementation Timing	Responsible Party	Verification Method	Date Completed and Initials
are no longer occupied, and the juvenile birds can survive independently from the nests. Once the young have fledged and left the nest, or the nest otherwise becomes inactive under natural conditions, normal construction activities may occur.				
CULTURAL RESOURCES				
PPP CUL-1: Human Remains. California Health and Safety Code Section 7050.5, CEQA Guidelines Section 15064.5, and Public Resources Code Section 5097.98 mandate the process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery. California Health and Safety Code Section 7050.5 requires that in the event that human remains are discovered within the project site, disturbance of the site shall be halted until the coroner has conducted an investigation into the circumstances, manner and cause of death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation, or to his or her authorized representative, in the manner provided in Section 5097.98 of the Public Resources Code. If the coroner determines that the remains are not subject to his or her authority and if the coroner recognizes or has reason to believe the human remains to be those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission.	If human remains are found during subsurface excavation.	Archaeological and Tribal Monitors, City of Newport Beach Community Development Department	Confirmation of coroner and NAHC contact and submittal of Report of Findings, if applicable.	Initials: _____ Date: _____
Mitigation Measure CUL-1: Cultural Resources Monitoring Program. Prior to issuance of grading permits the applicant/developer shall provide evidence to the City of Newport Beach Planning Division that a qualified professional archeologist meeting the Secretary of Interior's PQS for Archaeology (as defined in the Code of Federal Regulations, 36 CFR Part 61) has been retained to prepare a Cultural Resource Monitoring Program (CRMP) and to conduct monitoring of rough grading activities. The CRMP shall be developed in	Prior to the issuance of grading permits. During construction.	City of Newport Beach Community Development Department	Verify that archaeologist has been retained and contracted for specified work. Verify that Native American tribal agreement has been signed. Submittal of Report of Findings.	Initials: _____ Date: _____

Plan, Program, or Policy (PPP), Project Design Feature (PDF), or Mitigation Measure	Implementation Timing	Responsible Party	Verification Method	Date Completed and Initials
coordination with the consulting tribe(s) and address the details of all activities and provides procedures that must be followed in order to reduce the impacts to cultural, tribal cultural and historic resources to a level that is less than significant as well as address potential impacts to undiscovered buried archaeological resources associated with this project. The Archaeologist shall conduct Cultural Resource Sensitivity Training, in conjunction with the Tribe(s) designated Tribal Representative. The training session shall focus on the archaeological and tribal cultural resources that may be encountered during ground-disturbing activities as well as the procedures to be followed in such an event.				
Mitigation Measure CUL-2: Monitoring Report. A final monitoring report shall be prepared by the qualified archaeologist prior to issuance of any certificate of occupancy. The final monitoring report(s) created as a part of the Project (isolate records, site records, survey reports, testing reports, etc.) shall be submitted to the Lead Agency and Consulting Tribe(s) for review and comment. After approval of all parties, the final reports are to be submitted to the South Central Coastal Information Center, and the Consulting Tribe(s).	Prior to issuance of certificate of occupancy.	City of Newport Beach Community Development Department	Submittal of Monitoring Report to the City of Newport Beach Planning Division and Consulting Tribe(s).	Initials: _____ Date: _____
ENERGY				
PDF-1: Solar. The proposed Project includes installation of solar panels on the roofs of the buildings and on 14 to 18-foot-high solar canopies in portions of the parking areas to provide onsite renewable energy to provide power to the proposed Project.	Shown on building plans. Prior to certificates of occupancy, as applicable.	Project Applicant		Initials: _____ Date: _____
GEOLOGY AND SOILS				
PPP GEO-1: CBC Compliance. The proposed Project is required to comply with the California Building Standards Code (CBC) as included in the City's Municipal Code as Chapter 15.04, to preclude significant adverse effects associated with seismic and soils hazards. As part of CBC compliance, CBC related	Prior to issuance of grading and building permits.	City of Newport Beach Community Development Department	Compliance with Project Conditions of Approval	Initials: _____ Date: _____

Plan, Program, or Policy (PPP), Project Design Feature (PDF), or Mitigation Measure	Implementation Timing	Responsible Party	Verification Method	Date Completed and Initials
and geologist and/or civil engineer specifications for the proposed Project shall be incorporated into grading plans and building specifications as a condition of construction permit approval.				
PPP WQ-1: NPDES/SWPPP. Prior to issuance of any grading or demolition permits, the applicant shall provide the City Building and Safety Division evidence of compliance with the NPDES (National Pollutant Discharge Elimination System) requirement to obtain a construction permit from the State Water Resource Control Board (SWRCB). The permit requirement applies to grading and construction sites of one acre or larger. The Project applicant/proponent shall comply by submitting a Notice of Intent (NOI) and by developing and implementing a Stormwater Pollution Prevention Plan (SWPPP) and a monitoring program and reporting plan for the construction site.	Prior to issuance of a demolition or grading permits.	City of Newport Beach Community Development Department	Compliance with Project Conditions of Approval	Initials: _____ Date: _____
PPP WQ-3: WQMP. Prior to the approval of the Grading Plan and issuance of Grading Permits, a completed Water Quality Management Plan (WQMP) shall be submitted to and approved by the City Public Works Department. The WQMP shall identify all Post-Construction, Site Design, Source Control, and Treatment Control Best Management Practices (BMPs) that will be incorporated into the development project in order to minimize the adverse effects on receiving waters.	Prior to issuance of a grading permit.	City of Newport Beach Community Development Department	Compliance with Project Conditions of Approval	Initials: _____ Date: _____
Mitigation Measure PAL-1: Prior to commencement of any grading activity on site, a paleontologist shall be retained to develop a Paleontological Resources Impact Mitigation Program (PRIMP) for this project. The PRIMP shall include the methods that will be used to protect paleontological resources that may exist within the project area as well as procedures for monitoring, fossil preparation and identification, curation into a repository, and preparation of a report at the conclusion of grading. The PRIMP shall be consistent with the guidelines of the Society of	Prior to the issuance of grading permits. During subsurface excavation.	City of Newport Beach Community Development Department	Verify that PRIMMP has been prepared and implemented.	Initials: _____ Date: _____

Plan, Program, or Policy (PPP), Project Design Feature (PDF), or Mitigation Measure	Implementation Timing	Responsible Party	Verification Method	Date Completed and Initials
Vertebrate Paleontology (SVP) and include, but not be limited to, the following: - Excavation and grading activities in deposits with high paleontological sensitivity (Young Axial Channel Deposits below a depth of 10 feet and Old Paralic Deposits Overlain by Alluvial Fan Deposits) shall be monitored by a paleontological monitor following a PRIMP. No monitoring is required for excavations in deposits with no paleontological sensitivity (Artificial Fill). - If paleontological resources are encountered during the course of ground disturbance, the paleontological monitor shall have the authority to temporarily redirect construction away from the area of the find in order to assess its significance. In the event that paleontological resources are encountered when a paleontological monitor is not present, work in the immediate area of the find shall be redirected and a paleontologist should be contacted to assess the find for significance. If determined to be significant, the fossil shall be collected from the field. - Collected resources shall be prepared to the point of identification, identified to the lowest taxonomic level possible, cataloged, and curated into the permanent collections of a scientific institution. At the conclusion of the monitoring program, a report of findings shall be prepared to document the results of the monitoring program.				
GREENHOUSE GAS EMISSIONS				
PDF-1: Solar. The proposed Project includes installation of solar panels on the roofs of the buildings and on 14 to 18-foot-high solar canopies in portions of the parking areas to provide onsite renewable energy to provide power to the proposed Project.	Shown on building plans. Prior to certificates of occupancy, as applicable.	Project Applicant		Initials: _____ Date: _____
HAZARDS AND HAZARDOUS MATERIALS				

Plan, Program, or Policy (PPP), Project Design Feature (PDF), or Mitigation Measure	Implementation Timing	Responsible Party	Verification Method	Date Completed and Initials
PDF-2: Vegetation. The proposed Project does not include landscaping or other vegetation that produces seeds, fruits, nuts, or berries, such as fruit bearing trees and shrubs. Likewise, Project site areas would be planted with seed mixtures that do not contain millet or any other large seed producing grass.	Shown on building plans. Prior to certificates of occupancy, as applicable.	Project Applicant		
PPP HAZ-1: SCAQMD Rule 1403. Prior to issuance of demolition permits, the Project applicant shall submit verification to the City Building and Safety Division that an asbestos survey has been conducted at all existing buildings located on the Project site. If asbestos or asbestos containing material is found, the Project applicant shall follow all procedural requirements and regulations of the South Coast Air Quality Management District (SCAQMD) Rule 1403. Rule 1403 regulations require that the following actions be taken: notification of SCAQMD prior to construction activity, asbestos removal in accordance with prescribed procedures, placement of collected asbestos in leak-tight containers or wrapping, and proper disposal.	Prior to issuance of demolition permits.	City of Newport Beach Community Development Department	Compliance with Project Conditions of Approval	Initials: _____ Date: _____
PPP HAZ-2: Lead. Prior to issuance of demolition permits, the Project applicant shall submit verification to the City Building and Safety Division that a lead-based paint survey has been conducted at all existing buildings located on the Project site. If lead-based paint is found, the Project applicant shall follow all procedural requirements and regulations for proper removal and disposal of the lead-based paint. CalOSHA has established limits of exposure to lead contained in dusts and fumes. Specifically, CCR Title 8, Section 1532.1 provides for exposure limits, exposure monitoring, and respiratory protection, and mandates good working practices by workers exposed to lead.	Prior to issuance of demolition permits.	City of Newport Beach Community Development Department	Compliance with Project Conditions of Approval	Initials: _____ Date: _____
PPP WQ-1: NPDES/SWPPP. Prior to issuance of any grading or demolition permits, the applicant shall provide the City Building and Safety Division evidence of compliance with the NPDES (National Pollutant Discharge Elimination System) requirement to obtain a	Prior to issuance of a demolition or grading permits.	City of Newport Beach Community Development Department	Compliance with Project Conditions of Approval	Initials: _____ Date: _____

Plan, Program, or Policy (PPP), Project Design Feature (PDF), or Mitigation Measure	Implementation Timing	Responsible Party	Verification Method	Date Completed and Initials
construction permit from the State Water Resource Control Board (SWRCB). The permit requirement applies to grading and construction sites of one acre or larger. The Project applicant/proponent shall comply by submitting a Notice of Intent (NOI) and by developing and implementing a Stormwater Pollution Prevention Plan (SWPPP) and a monitoring program and reporting plan for the construction site.				
PPP WQ-3: WQMP. Prior to the approval of the Grading Plan and issuance of Grading Permits, a completed Water Quality Management Plan (WQMP) shall be submitted to and approved by the City Public Works Department. The WQMP shall identify all Post-Construction, Site Design, Source Control, and Treatment Control Best Management Practices (BMPs) that will be incorporated into the development project in order to minimize the adverse effects on receiving waters.	Prior to issuance of a grading permit.	City of Newport Beach Community Development Department	Compliance with Project Conditions of Approval	Initials: _____ Date: _____
HYDROLOGY AND WATER QUALITY				
PPP WQ-1: NPDES/SWPPP. Prior to issuance of any grading or demolition permits, the applicant shall provide the City Building and Safety Division evidence of compliance with the NPDES (National Pollutant Discharge Elimination System) requirement to obtain a construction permit from the State Water Resource Control Board (SWRCB). The permit requirement applies to grading and construction sites of one acre or larger. The Project applicant/proponent shall comply by submitting a Notice of Intent (NOI) and by developing and implementing a Stormwater Pollution Prevention Plan (SWPPP) and a monitoring program and reporting plan for the construction site.	Prior to issuance of a demolition or grading permits.	City of Newport Beach Community Development Department	Compliance with Project Conditions of Approval	Initials: _____ Date: _____
PPP WQ-2: Groundwater Dewatering Permits. Prior to initiation of excavation activities, the Project applicant shall obtain coverage under the Santa Ana RWQCB General Waste Discharge Requirements for Discharges to Surface Waters Resulting from De Minimis Discharges or Groundwater Dewatering	Prior to issuance of a grading permit.	City of Newport Beach Community Development Department	Compliance with Project Conditions of Approval	Initials: _____ Date: _____

Plan, Program, or Policy (PPP), Project Design Feature (PDF), or Mitigation Measure	Implementation Timing	Responsible Party	Verification Method	Date Completed and Initials
Operations, and/or Groundwater Cleanup/ Remediation Operations at Sites within the Newport Bay Watershed Permit (Order No. R8-2019-0061, NPDES No. CAG918002), or any other subsequent permit for dewatering activities, and provide evidence of coverage to the City of Newport Beach designee. This shall include submission of a Notice of Intent (NOI) for coverage under the permit to the Santa Ana Regional Water Quality Control Board (RWQCB) at least 60 days prior to the start of excavation activities and anticipated discharge of dewatered groundwater to surface waters. Groundwater dewatering activities shall comply with all applicable provisions in the permit, including water sampling, analysis, treatment (if required), and reporting of dewatering-related discharges. Upon completion of groundwater dewatering activities, a Notice of Termination shall be submitted to the Santa Ana RWQCB.				
PPP WQ-3: WQMP. Prior to the approval of the Grading Plan and issuance of Grading Permits, a completed Water Quality Management Plan (WQMP) shall be submitted to and approved by the City Public Works Department. The WQMP shall identify all Post-Construction, Site Design, Source Control, and Treatment Control Best Management Practices (BMPs) that will be incorporated into the development project in order to minimize the adverse effects on receiving waters.	Prior to issuance of a grading permit.	City of Newport Beach Community Development Department	Compliance with Project Conditions of Approval	Initials: _____ Date: _____
TRIBAL CULTURAL RESOURCES				
PPP CUL-1: Human Remains. California Health and Safety Code Section 7050.5, CEQA Guidelines Section 15064.5, and Public Resources Code Section 5097.98 mandate the process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery. California Health and Safety Code Section 7050.5 requires that in the event that human remains are discovered within the project site, disturbance of the site shall be halted until the coroner has conducted an	If human remains are found during subsurface excavation.	City of Newport Beach Community Development Department	Compliance with Project Conditions of Approval	Initials: _____ Date: _____

Plan, Program, or Policy (PPP), Project Design Feature (PDF), or Mitigation Measure	Implementation Timing	Responsible Party	Verification Method	Date Completed and Initials
investigation into the circumstances, manner and cause of death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation, or to his or her authorized representative, in the manner provided in Section 5097.98 of the Public Resources Code. If the coroner determines that the remains are not subject to his or her authority and if the coroner recognizes or has reason to believe the human remains to be those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission.				
Mitigation Measure TCR-1: Retain a Native American Monitors Prior to Commencement of Ground-Disturbing Activities A. The Project plans, specifications, and grading permits shall state that the Project applicant shall retain Native American monitor(s). The monitor(s) shall be retained prior to the commencement of any “ground-disturbing activity” for the Project (both onsite and any offsite locations that are included in the Project description and/or required in connection with the proposed Project, such as public improvement work). “Ground-disturbing activity” shall include, but is not limited to, demolition, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching. B. A copy of the executed monitoring agreement(s) shall be submitted to the Lead Agency prior to the earlier of the commencement of any ground-disturbing activity, or the issuance of any permit necessary to commence a ground-disturbing activity. C. The monitor(s) shall complete daily monitoring logs that shall provide descriptions of the relevant ground-disturbing activities, the type of construction activities performed, locations of ground-disturbing activities, soil types, cultural-related materials, and	Prior to issuance of permits associated with ground-disturbing activities. Monitoring during ground-disturbing activities.	City of Newport Beach Community Development Department	Compliance with Project Conditions of Approval	Initials: _____ Date: _____

Plan, Program, or Policy (PPP), Project Design Feature (PDF), or Mitigation Measure	Implementation Timing	Responsible Party	Verification Method	Date Completed and Initials
any other facts, conditions, materials, or discoveries of significance to the tribe(s). Monitor logs shall identify and describe any discovered TCRs, including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc., (collectively, tribal cultural resources, or "TCR"), as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs shall be provided to the Project applicant upon written request to the tribe(s). D. Onsite tribal monitoring shall conclude upon the earlier of the following (1) written confirmation to the monitoring tribe(s) from a designated point of contact for the Project applicant or Lead Agency that all ground-disturbing activities and phases that may involve ground-disturbing activities on the Project site or in connection with the Project are complete; or (2) a determination and written notification by the monitoring tribe(s) to the Lead Agency that no future, planned construction activity and/or development/construction phase at the Project site possesses the potential to impact TCRs.				

Plan, Program, or Policy (PPP), Project Design Feature (PDF), or Mitigation Measure	Implementation Timing	Responsible Party	Verification Method	Date Completed and Initials
Mitigation Measure TCR-2: Unanticipated Discovery of Tribal Cultural Resource Objects (Non-Funerary/Non-Ceremonial) A. Upon discovery of any TCRs, all construction activities in the immediate vicinity of the discovery shall cease (i.e., not less than the surrounding 50 feet) and shall not resume until the discovered TCR has been fully assessed by a Native American monitor in consultation with a qualified archaeologist. The monitoring tribe(s) shall recover and retain all discovered TCRs in the form and/or manner the tribe(s) deems appropriate, in the tribe(s) sole discretion, and for any purpose the tribe(s) deems appropriate, including for educational, cultural and/or historic purposes.	During ground disturbing activities.	City of Newport Beach Community Development Department	Compliance with Project Conditions of Approval	Initials: _____ Date: _____
Mitigation Measure TCR-3: Unanticipated Discovery of Human Remains and Associated Funerary or Ceremonial Objects A. Native American human remains are defined in PRC 5097.98 (d)(1) as an inhumation or cremation, and in any state of decomposition or skeletal completeness. Funerary objects, called associated grave goods in Public Resources Code Section 5097.98, are also to be treated according to this statute. B. If Native American human remains and/or grave goods are discovered or recognized on the Project site, then Public Resource Code 5097.9 as well as Health and Safety Code Section 7050.5 shall be followed. C. Human remains and grave/burial goods shall be treated alike per California Public Resources Code section 5097.98(d)(1) and (2). D. Preservation in place (i.e., avoidance) is the preferred manner of treatment for discovered human remains and/or burial goods.	In construction plans and specifications. During all ground disturbing activities.	City of Newport Beach Community Development Department	Compliance with Project Conditions of Approval	Initials: _____ Date: _____

Plan, Program, or Policy (PPP), Project Design Feature (PDF), or Mitigation Measure	Implementation Timing	Responsible Party	Verification Method	Date Completed and Initials
E. Any discovery of human remains/burial goods shall be kept confidential to prevent further disturbance.				

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