

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
301 E. Ocean Blvd. Suite 300
Long Beach, CA 90802-4302
(562) 590-5071



W13b

CDP 5-21-0640 (City of Newport Beach)

September 7, 2022

CORRESPONDENCE

September 2, 2022

Mandy Revell, Coastal Program Analyst
California Coastal Commission, South Coast District
301 Ocean Boulevard, Suite 300
Long Beach, California 90802

Sent by electronic mail: mandy.revell@coastal.ca.gov

RE: Request for Postponement and Denial of September Agenda Item 13.b
CDP Application NO. 5-21-0640

To: CDP Application No. 5-21-0640, City of Newport Beach proposed Confined Aquatic Disposal (CAD) Facility:

On behalf of Friends of Newport Harbor, LLC, we provide these comments for consideration by the California Coastal Commission regarding the City of Newport Beach's application for a Coastal Development Permit for construction of a Confined Aquatic Disposal (CAD) in Newport Bay. Friends of Newport Harbor represents a significant number of local citizens and directly affected residents who are gravely concerned about the proposed CAD and the long and short-term effects on Lower Newport Bay's water quality, animal, and plant species, and designated beneficial uses.

Friends of Newport Harbor asks the Commission to, at a minimum, postpone its decision on this item until its October meeting. This project, by the City's own admissions, poses short-term and long-term risks to water quality and aquatic habitat. And yet, the Commission is posed to approve a CDP, albeit with an attempt to address future unknowns through conditional approval. If the Commission postponed this decision until the October meeting, we believe some of those unknowns will be resolved, or at least made more certain. This includes:

- 1) The California Regional Water Quality Control Board, Santa Ana Region (Regional Water Board) has not yet adopted a Clean Water Act Section 401 Water Quality Certification for this project. The Regional Water Board circulated its draft 401 for public comment at 2:14 p.m. today. Therefore, neither we nor the Commission, nor any other responsible agency, has yet reviewed the draft to understand the Regional Water Board's position on whether the project can go forward in a manner that ensures compliance with water quality standards and protection of Newport Bay's beneficial uses. The Water Board has given interested parties until September 16th to comment. That deadline still leaves time for the Commission to see how the Board responds to comments, and if the Water Board's Executive Officer finalizes the 401 Certification before the

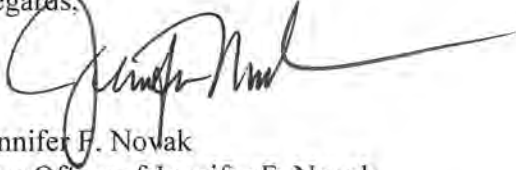
Commission's October meeting, the CDP can build off the Certification, rather than includes more "conditions" than it needs to;

- 2) The U.S. Army Corps of Engineers has not completed its environmental review under the National Environmental Policy Act (NEPA), although we understand that should occur shortly. Again, having further environmental analysis before issuing the CDP ensures that it accounts for all potential risks;
- 3) A short delay is also warranted because it will provide much-needed data to either support the City's project or warn of additional changes that must be made. At this time, the City's proposal is based upon one composite sample in each area of proposed dredge that serves as a "hot spot" for contamination. This singular sample does not come close to delineating either the vertical or lateral contamination in these areas, nor does it allow for accurate estimates of how much dredged material may be considered "clean" as opposed to contaminated. Soon, however, the City should have completed additional sampling in areas subject to Regional General Permit (RGP) 54, which will provide additional data for the Regional Water Board and Commission;
- 4) A critical component of the City's proposed CAD is the promise that the City will sequester material contaminated with DDT and mercury under a layer of clean fill. The City has not identified how, or from where, it will obtain this material. While the Commission's recommendation requires the City to provide notice of this information, the proposal leaves open a strong likelihood that the CAD, and its contaminated fill, will remain open to the elements while the City figures this out. It therefore also does not consider any adverse environmental effects or regulatory barriers if the City must, for example, dredge the Santa Ana River to obtain this fill. By leaving this issue open for future consideration, the Commission does not protect the Harbor. Having additional time means the City may create more certainty as to how it will ensure that the protective layer requirements are met.

Friends of Newport Harbor is aware of the written comments submitted by Brent Mardian of Pi Environmental, LLC to the Commission on September 1, 2022. We wholeheartedly agree with the concerns and arguments raised in that letter. Similarly, we have seen comments submitted by Orange County Coastkeeper to the Commission on September 2, 2022. We agree with Coastkeeper that there have been insufficient studies and consideration of alternatives for the Commission to accept the City of Newport Beach's findings to date. As further noted by Coastkeeper and as noted in our letter to the Regional Water Board dated August 22, 2022 (a copy of which was provided to the Commission on that date), there also remain further concerns that the City has not adequately planned for material exposure, resuspension, or pluming during its operations, and during the time period when the CAD will remain open and exposed. No agency to date has identified a plan to immediately halt and immediately remediate any exposure of toxic sediment should the City's data and assumptions prove inaccurate, thereby threatening the residents and many people who recreate in Newport Harbor.

We ask the Coastal Commission not to rush its approval through based upon one week's notice for written comments and four extra days for concerned citizens to provide their perspectives and raise their concerns to the Commission. Given that the Commission can wait until at least October 17, 2022 to act on the City's application, further time is warranted. We ask that the Commission act in the most protective means possible, that it not simply push issues off into the future, and to do everything it can to protect the residents of Newport Bay, visitors to the area, Bay marine life, and the quality of Lower Newport Bay's waters.

Regards,

A handwritten signature in black ink, appearing to read 'Jennifer Novak', with a long horizontal flourish extending to the right.

Jennifer F. Novak
Law Office of Jennifer F. Novak
Counsel for Friends of Newport Harbor

OCCK Comment Letter: CDP App. 5-21-0640, Item 13b, 09/07/22 Meeting

Lauren Chase <lauren@coastkeeper.org>

Fri 9/2/2022 10:18 AM

To: Revell, Mandy@Coastal <Mandy.Revell@coastal.ca.gov>

 1 attachments (188 KB)

2022.09.02_OCCK Letter_CDP 5-21-0640_Item 13b.pdf;

Good morning,

On behalf of Orange County Coastkeeper, please see attached comment letter for the above-referenced item. If you have any questions or would like to discuss, please don't hesitate to reach out. Thank you in advance for your consideration and thank you for all of your great work along our coasts.

For clean water,

Lauren Chase

Staff Attorney

lauren@coastkeeper.org

Orange County Coastkeeper

Inland Empire Waterkeeper

Coachella Valley Waterkeeper

Living on sacred Acjachemen and Tongva lands

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Agenda Item 13.b
CDP Application No. 5-21-0640
Orange County Coastkeeper
Requesting Denial of CDP

3151 Airway Avenue, Suite F-110
Costa Mesa, CA 92626
Phone 714-850-1965
www.coastkeeper.org

September 2, 2022

SENT VIA ELECTRONIC MAIL

Mandy Revell, Coastal Program Analyst
California Coastal Commission, South Coast District Office
301 Ocean Blvd., Suite 300
Long Beach, CA 90802
Mandy.Revell@coastal.ca.gov

To: CDP Application No. 5-21-0640 (City of Newport Beach Confined Aquatic Disposal "CAD" Facility)

Dear Ms. Revell and Commission Staff:

Orange County Coastkeeper appreciates the opportunity to submit these comments regarding the City of Newport Beach's (the "City's") pending Coastal Development Permit application for the construction of a Confined Aquatic Disposal (CAD) facility in Newport Bay.

Orange County Coastkeeper is a non-profit environmental organization with the mission to protect our region's water resources so they are swimmable, drinkable, and fishable for present and future generations. Coastkeeper and our members care deeply about the health of Newport Bay, the ancestral home of the Gabrieleno/Gabrielino Tongva and Juaneño Band of Mission Indians Acjachemen Nation peoples and a historic outfall of the Santa Ana River. As a living estuary, Coastkeeper maintains Newport Bay has the right to integral respect for its existence and for the maintenance and regeneration of its life cycles, structure, functions, and evolutionary processes, as do its flora and fauna. Coastkeeper represents thousands of members, including Newport residents and strong supporters of environmental quality and public health. Coastkeeper members hike, bike, kayak, paddleboard, surf, boat, swim, birdwatch, wildlife watch, observe and restore native plants, and conduct other activities within Newport Bay, offshore Newport, and within the greater project area. In addition, Coastkeeper conducts a variety of marine habitat restoration and education projects within Newport Bay, including restoration of native eelgrass and oysters. Coastkeeper representatives are also part of the Southern California Caulerpa Action Team, which is actively responding to a *Caulerpa prolifera* infestation in Lower Newport Bay.

While Coastkeeper appreciates Commission staff's thoughtful consideration and sound inclusion of special conditions that significantly improve the proposed CAD project, Coastkeeper does not feel the conditions sufficiently address all unanswered questions and concerns. In particular, Coastkeeper does not believe the proposed CAD is the least environmentally-damaging feasible alternative, nor that all feasible mitigation measures have been provided to minimize adverse environmental effects in accordance with the Coastal Act. Thus, Coastkeeper respectfully requests the Commission deny the CDP and direct the applicant to analyze the feasibility of (i)

less damaging, remediation-based options and (ii) additional mitigation requests outlined herein.

Coastkeeper understands and agrees with the need to address the unsuitable sediment currently present in the Bay. However, Coastkeeper respectfully disagrees that dredging – without full environmental and cultural protections – and burying unsuitable sediment is the best solution. Coastkeeper has repeatedly attempted to communicate our core concern throughout various phases of this project: seemingly, the CAD is being obstinately hurried along to avoid additional testing at the expense of full, thorough, and honest environmental analyses and required consultations.

It bears mention that the City's proposed CAD moves in lockstep with the U.S. Army Corps of Engineers' (USACE's) Lower Newport Bay maintenance dredging (together, the "Project"). The work is so deeply intertwined that, per the USACE, the USACE cannot dredge the unsuitable sediment without the CAD.¹ Likewise, without USACE's dredged sediment, there would be no need for the CAD. The dual-tracked City and USACE environmental review, planning, and permitting processes make it challenging to get a full picture of the Project and its cumulative, anticipated impacts. Additionally, the Project has changed in schedule and size over time, leaving inconsistencies across environmental planning documents regarding (i) scheduling and (ii) the volume of unsuitable sediment to be disposed of.²

The City's DEIR initially contemplated CAD excavation to occur from July 15 – October 3, 2022, with unsuitable material dredging and placement to take place from October 4 – November 5, 2022. Dredging for the interim 1' layer was scheduled for November 5-9, 2022. California Department of Fish and Wildlife (CDFW) representatives previously recommended dredging and CAD construction occur outside of California least tern nesting season to avoid potential adverse impacts, including nest abandonment.³ The City declined CDFW's recommendation, noting "it is not a feasible measure and it is not necessary, as there is not anticipated to be any significant impacts." Here, the Staff Report anticipates proposed CAD facility construction to occur over approximately 6 months beginning in late 2022, extending CAD construction and material dredging/placement into nesting season (typically April-September). While Coastkeeper is requesting CDP denial, if the Commission is inclined to support the Project, Coastkeeper requests the Staff Report be revised to include an updated, more detailed schedule delineating when CAD construction, unsuitable sediment dredging/placement, and interim cap layer dredging/placement will each start and end, and that these activities be scheduled around least tern nesting season.

Additionally, Coastkeeper understands the National Marine Fisheries Service (NMFS) requested the USACE engage in Endangered Species Act (ESA) section 7 and Magnuson Stevens Act Essential Fish Habitat (EFH) consultation in connection with the Project. As of the date of this letter, information available to Coastkeeper indicates the USACE has declined to consult. Just days before submitting this letter, Coastkeeper was made aware that the USACE denied the Santa Ana Regional Water Quality Control Board (SARWQCB) an opportunity to complete tribal consultations⁴ in connection with its Clean Water Act Section 401 review and prematurely

¹ See USACE Draft Environmental Assessment for Lower Newport Bay Maintenance Dredging Project ("DEA"), March 2022 at p. 1 ("If the CAD site is not available in time to be used for [the] purpose [of disposing sediment deemed unsuitable for open ocean disposal], the material would not be dredged and would remain in place.").

² For example, in the USACE's DEA, the stated volume is approximately 98,000 cy of unsuitable sediment. In the City's Environmental Impact Report ("EIR"), the stated volume is approximately 106,900 cy. In the instant Staff Report, the stated volume is approximately 112,500 cy. Coastkeeper acknowledges the EIR-Staff Report change is noted in the Permit Application Supplement, which attributes the change to negotiations between EPA and USACE (with City input), as part of EPA final sediment suitability concurrence in spring 2022.

³ See email from Corianna Flannery to Chris Miller, sent January 20, 2021.

⁴ While Coastkeeper defers to and amplifies indigenous voices on tribal concerns, Coastkeeper thanks Commission staff for including Special Condition 10.

assumed the SARWQCB waived 401 requirements. These denials of meaningful processes are disappointing, but indicative of attitudes demonstrated throughout the Project's lifespan. At present, and to the best of Coastkeeper's knowledge amidst ongoing informational access issues, the following remain outstanding:

- The SARWQCB is still evaluating the City's Clean Water Act Section 401 Water Quality Certification application and drafting a proposed certification for public review;
- The USACE is still working through the National Environmental Policy Act process with no final document or response to comments issued as of the date of this letter; and
- The USACE has yet to make available recently conducted geotechnical sampling results.

Coastkeeper has repeatedly voiced its concern that the scope of potential alternatives for the interdependent City/USACE projects has been limited and insufficient. For example, Coastkeeper has not seen a remediation-based alternative, where sediment would be treated instead of just buried. Coastkeeper would like to see analysis of in-situ treatment options and/or the addition of zeolites or other materials in cap layer(s) to improve efficacy and promote treatment. Of course, the environmental effects of all alternatives should be carefully analyzed.

As the Commission is acutely aware, recent examination of the effects of ocean disposal (and attempted capping) of contaminated sediments offshore Southern California has revealed tragic flaws.⁵ Studies have corroborated a variety of emerging, cost-effective, less intrusive remedial options for PCBs and mercury, including phytoremediation, biosorption, microbial bioremediation, and other green-tech solutions that could actually remove the contaminants from the marine environment, rather than just bury them.⁶ Rather than relying on outdated, status quo practices of relocating waste for future generations to wait and see if they will hold, Coastkeeper invites the City and USACE to treat this dredging project as an opportunity for *remediation*, not just relocation.

Preeminent of Coastkeeper's concerns with burying untreated, unsuitable sediment is the potential for reintroduction of contaminants into the marine environment, creating the possibility for bioaccumulation, biomagnification, and/or methylation. The City's 2018 individual core sediment sampling included mercury results as high as 5 mg/kg and Total PCBs as high as 403 ug/kg. The ERL⁷ for mercury is 0.15 mg/kg and ERM⁸ is 0.71 mg/kg. The ERL for Total PCBs is 22.7 ug/kg and ERM is 180 ug/kg. In the City's individual core sediment samples, mercury concentrations were below the ERL in just 1 instance; concentrations exceeded the ERM in 13 of 21 samples. Total PCBs were never below the ERL; concentrations exceeded the ERM in 3 of 6 samples. It is not clear to Coastkeeper whether these concentrations reflect sediment at full dredge depth, nor whether concentrations will increase once unsuitable sediment is grouped in the CAD facility.

The City proposes leaving the unsuitable materials covered by a 1' thick interim cap layer for a period of two years, prior to subsequent placements and 3' final capping. Coastkeeper is concerned about

⁵ Rosanna Xia, *L.A.'s Coast Was Once a DDT Dumping Ground*, L.A. Times (Oct. 25, 2020) <https://www.latimes.com/projects/la-coast-ddt-dumping-ground/> (noting the EPA "suspended capping efforts" and is "updating our evaluation of the mechanisms of how the DDTs and PCBs in the sediment impact human health and the environment . . .").

⁶ See, e.g., Final Programmatic NEPA/SEPA EIS for the Puget Sound Confined Disposal Study (noting "[a]n eight alternative, sediment treatment, was added to this final PEIS in response to increased awareness by the Study Team of recent research and development in this field and public comments").

⁷ The effects range low (ERL) indicates the concentration below which toxic effects are scarcely observed or predicted.

⁸ The effects range median (ERM) indicates the concentration above which effects are generally or always observed.

the potential for reintroduction of materials into the marine environment via one or a combination of: propeller disturbance, anchor incidents, uneven layering, and burrowing organisms, particularly during the interim period. Coastkeeper appreciates Commission staff's inclusion of Special Condition 3 regarding bathymetric surveys and notes the City intends to relocate the anchorage area while the 1' layer is present, but maintains concerns toxins could be reintroduced in this busy recreational harbor if boaters are not aware of or compliant with relocations. As noted in the Staff Report, "[t]he applicant estimates that private vessel anchors will likely penetrate up to one foot into the seabed" – i.e., through the interim cap layer, even assuming no other disturbance. Coastkeeper also notes CDFW previously requested the City use "a thicker interim containment layer (>one-foot thick) to minimize mobilization of contaminated sediments that could occur from vessels anchoring or mooring . . ."⁹

Coastkeeper is also concerned about turbidity and/or pluming as materials are dredged and disposed of. Coastkeeper has not seen an analysis of an alternative utilizing anything other than bottom-dump barges. Coastkeeper applauds Commission staff for inclusion of Special Condition 5 requiring, among other BMPs, (i) silt curtains supported by floating booms during dredging and placement activities and (ii) limitation of placement to non-peak flood tide. While Coastkeeper is requesting CDP denial, if the Commission is inclined to approve, Coastkeeper requests a temporal or narrative condition be imposed to confirm silt curtains will remain in place until all sediment has settled.

Additionally, Coastkeeper highlights the ongoing presence of the highly invasive *Caulerpa prolifera* in Newport Bay. *Caulepra prolifera* was discovered in Newport Bay in March 2021 and additional fronds have been found as recently as September 1, 2022. *Caulerpa prolifera* has a high potential to spread quickly and out-compete native species. Coastkeeper appreciates Commission staff's inclusion of Special Condition 4 requiring SCCAT-protocol *Caulerpa* surveys and urges the most protective protocols be adhered to throughout the duration of the Project. Specifically, Coastkeeper emphasizes the need for inclusion of SCCAT-approved *Caulerpa* protocols in future permits for disposal during the 6-month CAD opening. The BMPs provided for in Special Condition 5 should likewise be included in future disposal permits. To the extent issues arise with BMPs or other matters during initial phases of the Project, Coastkeeper hopes the City, USACE, Commission staff, and other powers that be communicate closely so permit requirements can be upgraded as needed for later disposals in the interest of environmental protection.

In closing, Coastkeeper reiterates its concern with continuing outdated, status quo, "just bury it" practices of addressing toxins in the marine environment, and in our environment generally. Future generations should not continue to be saddled with their ancestors' lack of diligence. Coastkeeper hopes to see the City and USACE embrace a paradigm shift in their approach to contaminant clean-up via prioritizing – or, at the very least, just considering – treatment over concealment and sediment remediation over burial. Coastkeeper is grateful for the opportunity to provide these comments. If you have any questions, please feel free to call me at (714) 850-1965, ex. 1006 or email me at lauren@coastkeeper.org.

Regards,



Lauren Chase
Staff Attorney
Orange County Coastkeeper

⁹ See email from Corianna Flannery to Chris Miller, sent January 20, 2021.

From: [hotmail](#)
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: #5-21-0640 Agenda W13b
Date: Friday, September 2, 2022 8:58:45 AM

To: California Coastal Commission

I understand the coastal

Commission is considering allowing burying of toxic material in Newport Harbor, where residents and tourists alike sail, swim and otherwise recreate. It is astonishing to me that this would even be considered. If the material is dangerous for fish in the ocean then clearly people should not be exposed to it.

Therefore, I am strongly opposed to the proposal to bury material that is unsuitable for disposal in the open ocean and bury it in the Newport Beach Harbor.

Thank you for your careful consideration of this very important matter.

Jill Byers
Newport Beach, California

From: marissa@stacy-davis.com
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: #5-21-0640
Date: Thursday, September 1, 2022 1:09:14 PM

Marissa Cordero
OPPOSED
#5-21-0640
Agenda W13b

Marissa Cordero

Stacy Davis & Associates
24651 Evereve Circle, suite 1
Lake Forest, CA 92630
P: (949) 474-6930
F: (949) 305-9919

From: mia@stacy-davis.com
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: #5-21-0640
Date: Thursday, September 1, 2022 1:08:27 PM

Mia Roth
OPPOSED
#5-21-0640
Agenda W13b

Mia Roth

Stacy Davis & Associates
24651 Evereve Circle, Suite 1
Lake Forest, CA 92630
P: (949) 474-6930
F: (949) 305-9919

From: [Stacy Davis](#)
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: #5-21-0640
Date: Thursday, September 1, 2022 4:27:19 PM
Importance: High

Stacy Davis
OPPOSED
#5-21-0640
Agenda W13b

Stacy Davis

From: [Cate Heck](#)
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: #5-21064; agenda W - 13b
Date: Friday, September 2, 2022 12:05:18 PM

Hello,

I am opposed to the proposal to bury material that is unsuitable for disposal in the open ocean and bury it in the Newport Beach Harbor.

Thank you.

Cate Heck.

--

Blessings to you!

Cate Heck

From: [John Thompson](#)
To: [SouthCoast@Coastal](#); [Revell.Mandy@Coastal](#)
Subject: Agenda 13b - Application No. 5-21-0640 - Opposition Letter
Date: Friday, September 2, 2022 10:37:09 AM
Attachments: [CAD Opposition Letter - John Thompson.pdf](#)

I am submitting my opposition letter to the construction of a Confined Aquatic Disposal Facility for the 9/7/2022 Coastal Commission meeting. This is agenda item 13b regarding the CAD in lower Newport Harbor.

My letter is attached to this email. Please let me know if you need it in the body of this email or in any other form.

Thank you,
John

Agenda Number: W13b

Application Number: 5-21-0640

Name: John Thompson

Position: In opposition to the project

Opposition to the Construction of a Confined Aquatic Disposal Facility

The CAD is a poorly designed solution to a problem with strong alternatives created and supported by many frequent users of the harbor.

Whereas the CAD inconveniences thousands of residents, recreational, and commercial users of the harbor for a number of years, the alternatives reduce the immediate impact of dredging and ensure normal use of the anchorage and channels.

Whereas the CAD severely impedes the enjoyment of Newport's greatest asset, the alternatives develop new assets that increase access, and promote the general knowledge and appreciation of the harbor.

Whereas the CAD blemishes an otherwise beautiful harbor, the alternatives eliminate the eyesore and add long-term beauty to the area.

Whereas the CAD relocates "toxic material" to a more highly trafficked area that constantly undergoes disturbance from anchors, the alternatives remove this material from the harbor altogether.

Whereas the "toxic material" is currently located in an area that's largest use is transportation, the CAD is located in an area that frequently hosts swimmers, fishermen, and wildlife with an inadequate 3ft cap.

I strongly oppose the proposed CAD for the reasons listed above, and I know I am not alone. The approval of this permit would show an utter disrespect for the harbor and its wildlife, the citizens voicing their opposition, and all the people that are currently unaware of this inconvenience, but will be appalled once they see the impact of this plan.

I urge the coastal commission to further consider more beneficial alternatives.

Thank you for your time,

John Thompson

From: [Tim Hogan](#)
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: App #15 -21-0640 agenda W13b
Date: Tuesday, August 30, 2022 9:53:36 AM

I'm, Tim Hogan and a resident of Newport Beach and I oppose this application.

Tim Hogan

Sent from my iPhone

From: [Tracey Dewane](#)
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal); SouthCoast@Coastal
Subject: App No 5-21-0640
Date: Friday, September 2, 2022 11:35:16 AM

We are very opposed to the construction of the CAD facility in the Newport Harbor. There are better alternatives that have not had enough consideration and/or review during this process. Children from all over the country will want to enjoy the harbor, and this project will more than likely change the safety water quality that will effect swimming, boating, kayaking, paddle boarding and other water related activities. In addition, using 4 samples taken from the bay a couple years ago to base such an important decision like this seems very irresponsible.

Thank you,
Tracey Dewane

From: [Teryn Clarke](#)
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: CAD Newport Harbor - oppose
Date: Friday, September 2, 2022 12:43:09 PM

Dear Coastal Commission members,

If waste is not suitable to be disposed of in the vast ocean, then it certainly should not be deposited in a shallow harbor that is home to wildlife and in which children swim and recreate.

There are enough chemicals washing down from inland golf courses and filling the estuary and bay with silt. It's unimaginable to me that this strategy was ever proposed in the first place.

Best,
Teryn

[Teryn Clarke](#)

From: [lgilbert](#)
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: construction of a confined aquatic disposal facility
Date: Friday, September 2, 2022 1:09:27 PM

To Whom It May Concern,

We are opposed to the Coastal Commission allowing contaminated material to be disposed in the Newport Beach Harbor. If it is not safe to put into the open ocean is certainly not safe to put into a harbor that has houses around it and boats that will be sailing over it. Please do not do bury this in the harbor.

Lance and Nancy Gilbertson

From: [Jason Pitkin](#)
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: Dumping in Newport Beach Harbor
Date: Friday, September 2, 2022 9:24:02 AM

Jason Pitkin
OPPOSED
Subject: #5-21-0640
Agenda W13b

I am opposed to the CAD plan by the City of Newport Beach. A plan of this significance needs more time to stand up to any level of criticism.

Also I would like to speak at the meeting on Wednesday and will be completing the link.

If you have any questions, I can be reached at the following:

Jason Pitkin 949-232-8882

From: [Ed Wall](#)
To: Revell.Mandy@Coastal
Subject: From: Ed Wall Subj. # 5-21-0640 Agenda W13B
Date: Friday, September 2, 2022 10:11:09 AM

THE PROPOSAL TO BURY TOXIC MATERIAL IN THE NEWPORT HARBOR IS A VERY BAD SOLUTION. IT WOULD NOT ONLY TAINT OUR BEAUTIFUL HARBOR, BUT WOULD ALSO TAINT THE REPUTATION OF A SPECTACULAR RECREATIONAL BOATERS PARADISE AND HOME TO THE SEA SCOUTS AND MANY CHILDRENS SAILING PROGRAMS.
BAD FOR EVERYONE!!!!!! PLEASE TABLE THIS UNTIL A MORE SUITABLE OPTION IS PROPOSED.
Ed Wall

From: SouthCoast@Coastal
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: FW: #5-21-0640
Date: Tuesday, August 30, 2022 7:32:41 AM

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

From: Debbie Garner <garner_newportbeach@yahoo.com>
Sent: Monday, August 29, 2022 10:00 PM
To: SouthCoast@Coastal <SouthCoast@coastal.ca.gov>
Subject: #5-21-0640

Deborah Garner
Opposed
Application #5-21-0640
Agenda W13b

Debbie Garner
714-679-9451

From: SouthCoast@Coastal
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: FW: Application #5-21-0640 -- Agenda W13b
Date: Monday, August 29, 2022 4:14:55 PM
Attachments: [CAD Letter.docx](#)

From: Will Singleton <ws.singleton@gmail.com>
Sent: Monday, August 29, 2022 4:05 PM
To: SouthCoast@Coastal <SouthCoast@coastal.ca.gov>; Cary Singleton
<CarySingleton1@gmail.com>
Subject: Application #5-21-0640 -- Agenda W13b

Application #5-21-0640

Agenda W13b

Will & Cary Singleton

Opposed

CALIFORNIA COASTAL COMMISSION
301 E. OCEAN BLVD., SUITE 300
LONG BEACH, CALIFORNIA 90802-4830
(562) 590-5071 FAX (562) 590-5084

We are concerned about the use of a CAD to manage toxic material in Newport Beach Harbor. The harbor is a very special place due to its diversity of residential, commercial and recreational activities. Placing a CAD as proposed would be unprecedented in a west coast harbor as beautiful and active as Newport Beach. We believe there are several potential Confined Disposal Facility (CDF) locations that have not been considered that would provide more appropriate solutions.

Sincerely,

Will & Cary Singleton
844 Via Lido Nord
Newport Beach, CA 92663

Application #5-21-0640
Agenda W13b
Will & Cary Singleton
Opposed

CALIFORNIA COASTAL COMMISSION
301 E. OCEAN BLVD., SUITE 300
LONG BEACH, CALIFORNIA 90802-4830
(562) 590-5071 FAX (562) 590-5084

We are concerned about the use of a CAD to manage toxic material in Newport Beach Harbor. The harbor is a very special place due to its diversity of residential, commercial and recreational activities. Placing a CAD as proposed would be unprecedented in a west coast harbor as beautiful and active as Newport Beach. We believe there are several potential Confined Disposal Facility (CDF) locations that have not been considered that would provide more appropriate solutions.

Sincerely,

Will & Cary Singleton
844 Via Lido Nord
Newport Beach, CA 92663

From: SouthCoast@Coastal
To: [Revell, Mandy@Coastal](mailto:Revell,Mandy@Coastal)
Subject: FW: 450 Via Lido Soud
Date: Wednesday, August 31, 2022 10:14:12 AM

From: Cobb Family <cobbfamily789@gmail.com>
Sent: Tuesday, August 30, 2022 5:49 PM
To: SouthCoast@Coastal <SouthCoast@coastal.ca.gov>
Subject: 450 Via Lido Soud

Kevin and Maria Cobb
Opposed
Application #5-21-0640
Agenda W13b

Maria A. Cobb

Sent from my iPhone

From: SouthCoast@Coastal
To: [Revell, Mandy@Coastal](mailto:Revell_Mandy@Coastal)
Subject: FW: Agenda 13b - Application No. 5-21-0640 - Opposition Letter
Date: Friday, September 2, 2022 11:28:39 AM
Attachments: [CAD Opposition Letter - John Thompson.pdf](#)
[image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)



Krysten Tomaier | Coastal Program Analyst

CALIFORNIA COASTAL COMMISSION
South Coast District Office
301 E. Ocean Blvd, Suite 300
Long Beach, CA 90802
(562) 590-5071



[If you need to submit an appeal or an emergency application, please email a supervisor and copy: SouthCoast@coastal.ca.gov.](#)

Please note that public counter hours for all Commission offices are currently suspended indefinitely in light of the coronavirus. However, in order to provide the public with continuity of service while protecting both you and our employees, the Commission remains open for business, and you can contact staff directly by email, and regular mail. Phone messages left in the Long Beach office will be returned sporadically. If your matter is urgent, please send an email. In addition, more information on the Commission's response to the COVID-19 virus can be found on our website at www.coastal.ca.gov.

From: John Thompson <thompsonjp22@gmail.com>
Sent: Friday, September 2, 2022 10:38 AM
To: SouthCoast@Coastal <SouthCoast@coastal.ca.gov>; [Revell, Mandy@Coastal](mailto:Revell_Mandy@Coastal) <Mandy.Revell@coastal.ca.gov>
Subject: Agenda 13b - Application No. 5-21-0640 - Opposition Letter

I am submitting my opposition letter to the construction of a Confined Aquatic Disposal Facility for the 9/7/2022 Coastal Commission meeting. This is agenda item 13b regarding the CAD in lower Newport Harbor.

My letter is attached to this email. Please let me know if you need it in the body of this email or in any other form.

Thank you,
John

Agenda Number: W13b

Application Number: 5-21-0640

Name: John Thompson

Position: In opposition to the project

Opposition to the Construction of a Confined Aquatic Disposal Facility

The CAD is a poorly designed solution to a problem with strong alternatives created and supported by many frequent users of the harbor.

Whereas the CAD inconveniences thousands of residents, recreational, and commercial users of the harbor for a number of years, the alternatives reduce the immediate impact of dredging and ensure normal use of the anchorage and channels.

Whereas the CAD severely impedes the enjoyment of Newport's greatest asset, the alternatives develop new assets that increase access, and promote the general knowledge and appreciation of the harbor.

Whereas the CAD blemishes an otherwise beautiful harbor, the alternatives eliminate the eyesore and add long-term beauty to the area.

Whereas the CAD relocates "toxic material" to a more highly trafficked area that constantly undergoes disturbance from anchors, the alternatives remove this material from the harbor altogether.

Whereas the "toxic material" is currently located in an area that's largest use is transportation, the CAD is located in an area that frequently hosts swimmers, fishermen, and wildlife with an inadequate 3ft cap.

I strongly oppose the proposed CAD for the reasons listed above, and I know I am not alone. The approval of this permit would show an utter disrespect for the harbor and its wildlife, the citizens voicing their opposition, and all the people that are currently unaware of this inconvenience, but will be appalled once they see the impact of this plan.

I urge the coastal commission to further consider more beneficial alternatives.

Thank you for your time,

John Thompson

From: SouthCoast@Coastal
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: FW: App No 5-21-0640
Date: Friday, September 2, 2022 11:59:21 AM

Krysten Tomaier | Coastal Program Analyst
CALIFORNIA COASTAL COMMISSION
South Coast District Office
301 E. Ocean Blvd, Suite 300
Long Beach, CA 90802
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-----Original Message-----

From: Tracey Dewane <tdewane@me.com>
Sent: Friday, September 2, 2022 11:35 AM
To: Revell, Mandy@Coastal <Mandy.Revell@coastal.ca.gov>; SouthCoast@Coastal <SouthCoast@coastal.ca.gov>
Subject: App No 5-21-0640

We are very opposed to the construction of the CAD facility in the Newport Harbor. There are better alternatives that have not had enough consideration and/or review during this process. Children from all over the country will want to enjoy the harbor, and this project will more than likely change the safety water quality that will effect swimming, boating, kayaking, paddle boarding and other water related activities. In addition, using 4 samples taken from the bay a couple years ago to base such an important decision like this seems very irresponsible.

Thank you,
Tracey Dewane

From: SouthCoast@Coastal
To: [Revell, Mandy@Coastal](mailto:Revell,Mandy@Coastal)
Subject: FW: Application #5-21-0640 Agenda W13b
Date: Wednesday, August 31, 2022 6:54:38 PM

From: Mike Battin <mbattin@yahoo.com>
Sent: Wednesday, August 31, 2022 6:49 PM
To: SouthCoast@Coastal <SouthCoast@coastal.ca.gov>
Subject: Application #5-21-0640 Agenda W13b

Mike Battin

Opposed

Application #5-21-0640

Agenda W13b

From: SouthCoast@Coastal
To: [Revell, Mandy@Coastal](mailto:Revell_Mandy@Coastal)
Subject: FW: Application #5-21-0640 Agenda W13b
Date: Thursday, September 1, 2022 9:29:47 AM
Attachments: [Letter to California Coastal Comissioners re Newport Beach CAD Proposal.pdf](#)

From: David Rhodes <drhodes@acs-architects.com>
Sent: Wednesday, August 31, 2022 10:19 PM
To: SouthCoast@Coastal <SouthCoast@coastal.ca.gov>
Subject: Application #5-21-0640 Agenda W13b

Dear California Coastal Commission,

Please find attached my letter in opposition to the above application and its proposal.
If you have any question regarding its content or my views, please do not hesitate to contact me at any of the numbers below.

Respectfully Submitted,

David L. Rhodes, AIA

President

ACS NEWPORT BEACH

101 Shipyard Way Suite B Newport Beach CA 92663
T 714 436 9000 x1522 M 714 476 3550
www.4acsi.com

|



ACS ARCHITECTURAL
CONSTRUCTION
SERVICES
INC

August 31, 2022

David L. Rhodes
Opposed
Application #5-21-0640
Agenda W13b

California Coastal Commission
Southcoast@Coastal.CA.gov

Re: Request by the City of Newport Beach
Installation of a Confined Aquatic Disposal (CAD)

Dear Commissioners,

I am an architect in the city of Newport Beach and a Lido Isle resident having lived on the Isle beginning in 1987. I am also a Staff Commodore of LIYC 1997. I am not a marine architect, although I have been involved in a number of projects over the years with CEQA. Most of my involvement with CEQA has centered on the issues dealing with traffic in vehicular and pedestrian intersections. That is why I question the appropriateness of placing a Confined Aquatic Disposal or "CAD" at the intersection of what is a marine version of "Main & Main". I stated this in the City's scoping meeting December 4, 2019.

I am quite familiar with the activities in that part of our harbor. Along with being a boater, as Commodore, I was previously responsible for running our youth and adult sailing programs involving nearly 200 sailors. Limiting the use of that area for any sustained period of time much less ten years would devastate the quality of small boat regattas and thus all but curtail the youngest of our youth sailing programs. Running them adjacent to the equipment at the CAD site if even possible would be much too dangerous. Running regattas entirely in front of LIYC or Newport YC would be nearly impossible as the courses would be too short to be considered in almost all conditions. Running our regatta's from other areas of the harbor such as the western turning basin would cause logistical problems as well as being too distant for the younger of our sailors.

While placing the CAD in the middle of our harbor greatly perplexes me, I have to date unanswered concerns. When I attended the scoping meeting various quantities of dredged material were mentioned. Frankly, it was obvious that the city did not have (does not have) a clear understanding of the amount of material that will be placed into the CAD nor the amount of "unsuitable material" that will be dredged. Many of the assumptions that have been made regarding the quantity of material are purely that, assumptions. In my world as an architect when I am designing foundations, I need to have a comprehensive soils study done including several borings to identify the limits and depth of the material. This has not been adequately measured and as a result assumptions have been made that appear to be vastly overstated.

My concern regarding the calculation of the amount of "unsuitable material" to be dredged. If the city were to further analyze the material through core samples and testing it may turn out that the unsuitable material is approximately 20,000 CY or even less. In that case there would likely be no need for a CAD as the material could be disposed of off-site or with further testing possibly at LA3.

ATLANTA
MILWAUKEE
NEWPORT BEACH

101 Shipyard Way
Suite B
Newport Beach CA
92663

To be clear I have no objection to dredging and understand its need. However I believe a CAD should be a last resort due to its permanency. It's interesting that our own Harbor Commissioners originally recommended siting the CAD facility adjacent to the contaminated material not in the middle of Main and Main. Although I have concerns of employing the CAD solution at all, if the decision is to utilize a CAD it seems appropriate to deal with the problem adjacent to where it occurs. None of this material occurs in the relatively clean area of the Eastern turning basin. So why bring contaminated material there?

The CEQA guidelines require alternative solutions be considered. Although I have nothing against Anchor QEA, LLC, having the same company furnish the analysis that will provide the work is a conflict of interest and entirely inappropriate. I have heard that Anchor is a CAD expert. While that is good, it may however lead, if not appear to lead, them to be predisposed to a CAD solution. Why not have an independent third party provide the analysis? And why have other alternative solutions including the Lower Castaways one provided by Team Palmer not been given thorough consideration by the City?

Apart from the City's position, I ask you as our Coastal Commissioners to give the Lower Castaways alternative solution serious consideration as I believe you will be surprised at the legitimacy of it. And I believe you will be serving the public by looking at all of the alternatives and not make a hasty decision under the pressure of time. We have time to do this right and not become an historical case study of what not to do.

I know this is an emotional issue for many. I have tried to take the emotion out of this and look only at the facts which I feel are not complete. I look forward to hopefully seeing a comprehensive study of the alternatives and the creation of a plan that does not disrupt the recreational quality of our lives nor damage Newport Harbor. A plan the residents and the city of Newport Beach and you as our Coastal Commissioners can stand behind. And a plan in which we can be proud of working out together.

Respectfully Submitted,



David Rhodes, AIA
President

ATLANTA
MILWAUKEE
NEWPORT BEACH

101 Shipyard Way
Suite B
Newport Beach CA
92663

From: SouthCoast@Coastal
To: [Revell, Mandy@Coastal](mailto:Revell_Mandy@Coastal)
Subject: FW: Containing contaminated soil
Date: Thursday, September 1, 2022 9:34:07 AM
Attachments: [Meeting Tonight!! Learn about the Contaminated Dumping In Newport Harbor!.eml.msg](#)

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

From: Joyce Snyder <joycelsnyder@gmail.com>
Sent: Thursday, September 1, 2022 8:16 AM
To: SouthCoast@Coastal <SouthCoast@coastal.ca.gov>
Subject: Containing contaminated soil

The proposal here given is ridiculous! This is not something that should be forced on any community much less one that is used and enjoyed by not only the immediate residents but many who bring their families to visit and enjoy the coastline we provide here in Newport Beach and surrounding areas. WHO DECIDES THIS FOR US? This is unacceptable..PERIOD.

STOP THIS VERY BAD IDEA. No CAD for our ocean.

Joyce Snyder
Newport Beach resident

From: SouthCoast@Coastal
To: Revell.Mandy@Coastal
Subject: FW: For meeting September 7, 2022 Application #5-21-0640 Agenda Item W13b
Date: Tuesday, August 30, 2022 2:34:37 PM

From: newportmarion@gmail.com <newportmarion@gmail.com>
Sent: Tuesday, August 30, 2022 11:37 AM
To: SouthCoast@Coastal <SouthCoast@coastal.ca.gov>
Subject: For meeting September 7, 2022 Application #5-21-0640 Agenda Item W13b

From: Marion Smith

OPPOSED

Application #5-21-0640

Agenda W13b

I am strongly OPPOSED to having a CAD in the Newport Harbor directly under the main channel which is a recreational playground and thoroughfare for boating traffic each and every day.

Never before has a CAD that will hold contaminated, unsuitable materials been dredged in a perfectly clean bay .

This is a MAIN channel for boat traffic, recreational boater who are swimming in the approved anchorage, anchors are dragging through this area day after day, children of all ages from 4 to college age use this area to sail often tipping over.

There is no guarantee that the plum of contaminated materials will alter the bay water forever. We understand that it may have to be monitored by a company on a regular basis and that person is the person installing the CAD so how reliable can that be without competition and transparency.

A working group of concerned residents have found an excellent area in which to put the unsuitable material on LAND and that is much better than destroying our bay and altering it forever.

Thank you- Marion Smith

From: SouthCoast@Coastal
To: [Revell, Mandy@Coastal](mailto:Revell,Mandy@Coastal)
Subject: FW: I am Opposed to Application #5-21-0640
Date: Monday, August 29, 2022 3:10:13 PM

From: Jim Palmer <jim.palmer@rescuemission.org>
Sent: Monday, August 29, 2022 2:55 PM
To: SouthCoast@Coastal <SouthCoast@coastal.ca.gov>
Subject: I am Opposed to Application #5-21-0640

Jim Palmer
I am Opposed to Application #5-21-0640
Agenda W13b

Jim



Jim Palmer
President
p: (714) 247-4301
w: www.rescuemission.org
e: jim.palmer@rescuemission.org
a: 1 Hope Drive, Tustin, CA 92782

From: SouthCoast@Coastal
To: [Revell, Mandy@Coastal](mailto:Revell,Mandy@Coastal)
Subject: FW: Important Public Hearing Notice Coastal Permit Application
Date: Monday, August 29, 2022 6:16:10 PM

From: Sharon Bradley <sharbradle@gmail.com>
Sent: Monday, August 29, 2022 6:01 PM
To: SouthCoast@Coastal <SouthCoast@coastal.ca.gov>
Subject: Important Public Hearing Notice Coastal Permit Application

SHARON BRADLEY
OPPOSED
Application #5-21-0640
Agenda W13b

I am adamantly OPPOSE the CAD being put in the NEWPORT HARBOR! This is something I do not want placed in the Newport Harbor!!

Sharon Bradley

From: SouthCoast@Coastal
To: [Revell, Mandy@Coastal](mailto:Revell,Mandy@Coastal)
Subject: FW: New dump site
Date: Monday, August 29, 2022 4:46:40 PM

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

From: cj Hanley <cathyjghanley@gmail.com>
Sent: Monday, August 29, 2022 4:44 PM
To: SouthCoast@Coastal <SouthCoast@coastal.ca.gov>
Subject: New dump site

Cathy Jean Hanley
Opposed
Application #5-21-0640
Agenda W13b

cj

Cathy Jean Grice Hanley

From: SouthCoast@Coastal
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: FW: Newport Bay Dump Site
Date: Tuesday, August 30, 2022 7:33:21 AM

From: Corynne Winters <cwinters73@me.com>
Sent: Monday, August 29, 2022 7:47 PM
To: SouthCoast@Coastal <SouthCoast@coastal.ca.gov>
Subject: Newport Bay Dump Site

Dear Coastal Commission:

We are opposed to having a dump site in the middle of Newport Bay. There must be a better alternative.

Regards,
Robert and Corynne Winters
100 Via Koron
Newport Beach, CA 92663

Opposed to Application #5-21-0640
Agenda W13b

From: SouthCoast@Coastal
To: [Revell, Mandy@Coastal](mailto:Revell_Mandy@Coastal)
Subject: FW: Newport Beach - Harbor
Date: Wednesday, August 31, 2022 4:23:52 PM

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

From: Valaree Wahler <valaree@westforellc.com>
Sent: Wednesday, August 31, 2022 2:26 PM
To: SouthCoast@Coastal <SouthCoast@coastal.ca.gov>
Subject: Newport Beach - Harbor

I'd like to add one more comment and address this now that when cancer numbers start climbing in the years to come will know who to SUE!!!!

Valaree Wahler

"Gratitude opens the door to the power, the wisdom, the creativity of the universe. You open the door through gratitude."

Deepak Chopra

From: SouthCoast@Coastal
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: FW: Newport Beach Bay - Oppose The CAD
Date: Wednesday, August 31, 2022 10:17:16 AM

From: Bev Ching <ching.bev@gmail.com>
Sent: Wednesday, August 31, 2022 9:49 AM
To: SouthCoast@Coastal <SouthCoast@coastal.ca.gov>
Cc: Bev Ching <ching.bev@gmail.com>
Subject: Newport Beach Bay - Oppose The CAD

Bev Ching
Opposed
Application #5-21-0640
Agenda W 13b

From: [Judy Weightman](#)
To: Revell.Mandy@Coastal
Subject: Fw: Newport Beach CAD issue at next week's Coastal Comm meeting.
Date: Friday, September 2, 2022 2:07:33 PM

.Subject: Newport Harbor CAD

Judy Weightman
Subject: #5-21-0640
Agenda W13b

I am opposed to the measure.

Please vote NO.

Please consider my objection:

As a long time boater who has anchored in the intended site of the "Confined Aquatic Disposal Facility", please do not dump any contaminated sand/sediment or whatever it's called into my bay.

My kids loved to jump off the boat and swim around it but my Grandkids will NOT BE ALLOWED to swim at that site or anywhere near it in the future if the CAD becomes a reality.

WHY DUMP the unsuitable material IN THE WATER? WHY NOT PUT IT ON LAND AND COVER IT WITH SOMETHING.

This has never been done in a residential waterway before. All the figures and numbers used to convince us of the safety of the event have been used in areas where possible error would not be significant.

BUT WHERE WE SWIM? RIGHT OFF our SHOREs ????

Please vote NO,

Judy Weightman

From: SouthCoast@Coastal
To: [Revell, Mandy@Coastal](mailto:Revell_Mandy@Coastal)
Subject: FW: Oppose Application #5-21-0640 Agenda W13b
Date: Tuesday, August 30, 2022 2:35:27 PM

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

From: Sheryl Doucette <tnsdo@hotmail.com>
Sent: Tuesday, August 30, 2022 10:59 AM
To: SouthCoast@Coastal <SouthCoast@coastal.ca.gov>
Subject: Oppose Application #5-21-0640 Agenda W13b

Sheryl Doucette
Opposed
Application #5-21-0640
Agenda W13b

I no longer live in Newport Beach but I was raised there and have many family members and friends who still do. I will be sending all the information available to show much better solutions than the one about which I oppose. Please don't use Newport Harbor as a dump!!!!
Concerned,
Sheryl Doucette

From: SouthCoast@Coastal
To: Revell.Mandy@Coastal
Subject: FW: Oppose CAD in Newport Harbor Application 5-21-0640
Date: Wednesday, August 31, 2022 11:59:23 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
Importance: High

From: chieflockard@gmail.com <chieflockard@gmail.com>

Sent: Wednesday, August 31, 2022 11:55 AM

To: Brownsey, Donne@Coastal <donne.brownsey@coastal.ca.gov>; SouthCoast@Coastal <SouthCoast@coastal.ca.gov>; Revell, Mandy@Coastal <Mandy.Revell@coastal.ca.gov>

Cc: Hart, Caryl@Coastal <caryl.hart@coastal.ca.gov>; Turnbull-Sanders, Effie@Coastal <effie.turnbull-sanders@coastal.ca.gov>; Aminzadeh, Sara@Coastal <sara.aminzadeh@coastal.ca.gov>; Escalante, Linda@Coastal <linda.escalante@coastal.ca.gov>; mike.wilson@coastal.ca.gov; Katie.Rice@coastal.ca.gov; Padilla, Stephen@Coastal <Stephen.Padilla@coastal.ca.gov>; Meagan.Harmon@coastal.ca.gov; Roberto.Uranga@coastal.ca.gov; Groom, Carole@Coastal <carole.groom@coastal.ca.gov>; Mann, Zahirah@Coastal <zahirah.mann@coastal.ca.gov>; Rivas, Rick@Coastal <rick.rivas@coastal.ca.gov>

Subject: Oppose CAD in Newport Harbor Application 5-21-0640

Importance: High

Dennis Lockard

OPPOSED

Application 5-21-0640

Agenda W13b

**THIS COMMUNICATION IS BEING SENT TO COSTAL COMMISSION STAFF VIA
EMAIL IN ACCORDANCE WITH EX-PARTE PROCEDURES**

Dear Chairman Brownsey and Costal Commission Members,

Thanks for the important work you do to protect one of the greatest natural resources in California, our State tidelands, waterways and tidelands. The Coastal Commission has the authority and responsibility to ensure our coastlines are maintained and preserved.

To that goal the removal of contaminated materials within the harbor of Newport Beach in conjunction with Federally authorized (and funded) dredging is a noble cause. The presence of contaminated materials in the bay poses a concern that should be addressed. The contaminated soil that will be disturbed by these dredging operations should be **removed from the bay to prevent any future exposure to the known hazard.**

As stated in the application those contaminants include (*on page 21*):

The proposed project includes dredging of sediments contaminated with elevated concentrations of chemicals including pesticides, polychlorinated biphenyls (PCBs) and/or mercury within Lower Newport Harbor,

Unfortunately, the **City of Newport Beach** selected **Anchor QEA** as the consultant team responsible for determining the **best method for remediation** of these contaminated soils. **Anchor QEA, a company specializing in Confined Aquatic Disposal (CAD) and monitoring** (see exhibits for this application). **It is in the best interest of current and future company revenues for Anchor QEA to propose a CAD for the contract to design and build the CAD, and receive the continuing revenues for monitoring the CAD in perpetuity** (section 3A;2b of the application).

The Commission should find the application incomplete in accordance with section IV; C, in that the alternates analysis has been proved incomplete.

The project application states (on page 18):

The proposed CAD and disposal project must be examined for consistency with Section 30233 of the Coastal Act. Under this section, dredging and filling of open coastal waters, including disposal of dredged materials, is limited to those cases where the proposed project is an allowable use, **is the least damaging feasible alternative**, and where mitigation measures are provided to **minimize environmental impacts**. As stated, the dredging of the federal channels in the Newport Harbor has been permitted separately. This project is an allowable use pursuant to Section 30233(a)(2), -(4), and -(6), as components of the project achieve numerous goals for the overall functionality of Newport Harbor.

The alternatives listed in the report are:

1. No CAD construction
2. Upland Trucking of Material to Landfill
3. Reduced Dredging, and Smaller CAD
4. Alternative (CAD) Location within Newport Harbor

It is important to note three of the four alternatives deal with CAD construction. Further, none of the alternatives explored in the report reflect local public comments demanding the scope of the CAD project alternatives include (on land) Confined Disposal Facility (CDF) adjacent to the bay. The **CDF** would provide greater protection to the bay by **removing the contaminated soil from the bay**, and provide a permanent solution that would not require continual, annual inspection and maintenance.

Based on this information, and the incomplete application filed by the applicant we respectfully request you deny this application.

The application, does not meet the conditions of approval that are stated in the staff report (on page 20):

The Commission finds that the proposed dredging and fill associated with the proposed project is associated with allowable uses and is the **least environmentally-damaging feasible alternative** for disposal of Lower Newport Harbor contaminated sediments, which includes feasible mitigation measures.

Please stand with the residents of Newport Beach and the citizens of California and demand:

- the City provide a comprehensive review of the alternatives to constructing a CAD in Newport Bay;
- consultants selected by the City to evaluate all the alternatives for the disposal of contaminated soil be a independent firm that will not construct or profit from any form of mitigation selected.

The City of Newport Beach has, over the years, gradually continued to increase the City's control of the harbors and beaches of Newport Beach. This effort, appears to be to increase regulatory control, and revenues from associated tideland activities. The application before you, 5-21-0640, Agenda item W13b is an extension of the control and future revenue source for the City.

Please deny this current application and require the City to return to the Coastal Commission a revised complete, comprehensive report that identifies all remediation alternatives and have support of the community for the recommended mitigation method.

Kindest Regards, Dennis Lockard

From: SouthCoast@Coastal
To: [Revell, Mandy@Coastal](mailto:Revell,Mandy@Coastal)
Subject: FW: OPPOSED - A5-21-0640 - W13B - J REYNOLDS
Date: Friday, September 2, 2022 10:02:46 AM
Attachments: [OPPOSED - A5-21-0640 W13B - J Reynolds - 9 1 22.pdf](#)
[image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)



Krysten Tomaier | Coastal Program Analyst

CALIFORNIA COASTAL COMMISSION
South Coast District Office
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From: Julie Reynolds <jrprsocal@gmail.com>
Sent: Friday, September 2, 2022 8:21 AM
To: PublicPortalComments@coastal.ca.gov; SouthCoast@Coastal <SouthCoast@coastal.ca.gov>; Revell, Mandy@Coastal <Mandy.Revell@coastal.ca.gov>
Cc: jrprsocal <Jrprsocal@gmail.com>
Subject: OPPOSED - A5-21-0640 - W13B - J REYNOLDS

Julie Reynolds
OPPOSED
A5-21-0640
W13B

Dear California Coastal Commission & Ms Mandy Revell:

I am opposed to the approval of current plans to construct a Confined Aquatic Disposal Facility (CAD) in the middle of the Newport Beach harbor at the Anchorage site where dredged sediment unsuitable for open ocean disposal can be dumped and capped with a final 3-foot thick layer of sand.

Please pause your plans to adopt the current CAD plan for these and other reasons:

- Boats regularly drop heavy anchors into the sediment at the bottom of the Newport Harbor Anchorage site and drag them until they're secured. These actions will disturb the sediment again when the anchor is pulled up. Sediment will also be disturbed by propeller thrust during anchoring and idling. The dredged sediment will drift to public beaches adjacent to the anchorage site and to homes lining the harbor, putting all sea life at risk, along with our residents and visitors who swim, SUP, kayak and jet ski in the harbor daily.
- The CAD proposal includes dredging on the weekends which is disruptive to recreational use and residents' lives when it is NOT necessary. We don't need little sabots with children, SUPs, kayaks and sailboats competing with tugs and dump scows on the weekends.
- Accepting the current plan is premature since the ongoing sediment sampling isn't complete and there is still no accurate determination of the amount of material that must be disposed.
- The proposal includes a relocation of the boat anchorage for an undetermined time. To where? Plus, the project is estimated to take 2 to 4 years.

Please don't 'sweep the dirt under the rug' so to speak. Those of us who live here believe the current CAD plan is a recipe for disaster.

I am opposed **OPPOSED to the current proposal A5-21-0640 W13B** and urge the California Coastal Commission to pause the approval of the current proposal until a better alternative for moving the contaminated sediment is identified.

Thank you for your kind consideration

Best,

Julie Reynolds
818.264.5594
jprsocial@gmail.com

From: SouthCoast@Coastal
To: [Revell, Mandy@Coastal](mailto:Revell_Mandy@Coastal)
Subject: FW: Opposed to CAD in Newport Harbor
Date: Thursday, September 1, 2022 9:29:29 AM

From: Dave Zylstra <dave.zylstra@gmail.com>
Sent: Wednesday, August 31, 2022 10:44 PM
To: SouthCoast@Coastal <SouthCoast@coastal.ca.gov>
Subject: Opposed to CAD in Newport Harbor

David Zylstra
Opposed
Application #5-21-0640
Agenda W13b

To Whom it May Concern:

I, David Zylstra, am strongly opposed to the California Coastal Commission placing a CAD in Newport Harbor. I live on Lido Isle and the CAD placement right in the heart of the bay will directly affect the activities of marine wildlife, residents and visitors to Newport Beach.

Sincerely,
David Zylstra

From: SouthCoast@Coastal
To: [Revell, Mandy@Coastal](mailto:Revell_Mandy@Coastal)
Subject: FW: Opposed to CAD in Newport Harbor
Date: Thursday, September 1, 2022 9:29:34 AM

From: Maxine Zylstra <kidcrazymom@gmail.com>
Sent: Wednesday, August 31, 2022 10:41 PM
To: SouthCoast@Coastal <SouthCoast@coastal.ca.gov>
Subject: Opposed to CAD in Newport Harbor

Maxine Zylstra
Opposed
Application #5-21-0640
Agenda W13b

To Whom it May Concern:

I, Maxine Zylstra, am strongly opposed to the California Coastal Commission placing a CAD in Newport Harbor. I live on Lido Isle and the CAD placement right in the heart of the bay will directly affect the activities of marine wildlife, residents and visitors to Newport Beach.

Sincerely,
Maxine Zylstra

From: SouthCoast@Coastal
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: FW: Opposition to Application #5-21-0640; Item #W13b
Date: Wednesday, August 31, 2022 10:17:25 AM

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

From: Ronda Clark <rondaclark09@gmail.com>
Sent: Wednesday, August 31, 2022 9:40 AM
To: SouthCoast@Coastal <SouthCoast@coastal.ca.gov>
Subject: Opposition to Application #5-21-0640; Item #W13b

Commissioners,

This is notice of my opposition to the referenced application. Please note that a CAD facility located so close to residential and water recreational uses is an unacceptable risk regardless of how this risk is currently being defined. Additionally in my opinion there were alternatives presented by citizens that were not given rigorous consideration. I urge you to vote against this application and request further consideration of alternative measures.

Thank you for your consideration.

Best,

Ronda Clark

Newport Beach Resident

From: SouthCoast@Coastal
To: [Revell, Mandy@Coastal](mailto:Revell_Mandy@Coastal)
Subject: FW: OPPOSITION TO CAD OFF TIP OF LIDO ISLE , NEWPORT BEACH
Date: Wednesday, August 31, 2022 10:18:15 AM

From: Linda Merrifield <lmerrifield120@gmail.com>
Sent: Wednesday, August 31, 2022 8:25 AM
To: SouthCoast@Coastal <SouthCoast@coastal.ca.gov>
Subject: OPPOSITION TO CAD OFF TIP OF LIDO ISLE , NEWPORT BEACH

Linda Merrifield
OPPOSED
Application #5-21-0640

Agenda W13b

To Whom it may Concern:

I am OPPOSED to the

proposal to dig a 450' by 450' square by 47' deep hole in the anchorage at the East end of Lido. To implement this CAD the good materials now present in our bay will be taken out and the 'UNSUITABLE FOR DREDGING' materials will fill this CAD. ***Simply put we are not removing the unsuitable materials we are placing them in our clean anchorage.*** The process in itself exposes all removal areas, transport of the unsuitable and the dump site to what is called a pluming effect of this unacceptable contamination. The CAD system is a commercial port usage and not one involving contact recreation and surrounded by bayside parks, beaches, clubs and residents, it does not belong in our anchorage.

Regards,

Linda Merrifield

From: SouthCoast@Coastal
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: FW: Opposition to the CAD Prposal Application #5-21-0640 Agenda W13b
Date: Thursday, September 1, 2022 4:44:29 PM

From: Cary Singleton <carysingleton1@gmail.com>
Sent: Thursday, September 1, 2022 3:52 PM
To: SouthCoast@Coastal <SouthCoast@coastal.ca.gov>
Subject: Opposition to the CAD Prposal Application #5-21-0640 Agenda W13b

**Carolyn Singleton
Opposed
Application #5-21-0640
Agenda W13b**

CALIFORNIA COASTAL COMMISSION
301 E. OCEAN BLVD., SUITE 300
LONG BEACH, CALIFORNIA 90802-4830
(562) 590-5071 FAX (562) 590-5084

Attention: The Coastal Commision re the CAD Application #5-21-0640

I was diagnosed with a rare form of cancer for a 26 year old - endometrial - in 1982 and given 6-9 months to live with no time for chemo or radiation. Surgery, a hysterectomy, was the only option. after the diagnosis which had been confirmed by four cancer centers around the country since it was so unusual. We learned many years later that **the cancer was likely to have been caused by environmental causes, the dumping of trichloroethylene in the cleaning of circuit boards into the water system at Hughes Aircraft, Tucson Arizona,** where I worked from 1977-79.

"Hughes Aircraft and the city of Tucson were accused of dumping TCE in the water table for 29 years, beginning in 1952. **A lawsuit against the city was settled in 1981 for \$31 million, and in 1991 a suit against Hughes Aircraft was settled for \$84.5 million.** In 1981 the Environmental Protection Agency (EPA) tested water wells on the south side of Tucson and found TCE levels were beyond the EPA limits."* Since I was unaware of this lawsuit having moved out of the area, I didn't participate in the suit, but I can assure that NO AMOUNT OF MONEY would have compensated me for the loss of the opportunity to bear biological children, let alone all of the locals who died or were seriously medically impacted by that.

So, it is incredible that the City of Newport Beach would consider moving potentially cancer-causing material ANYWHERE in our harbor: a harbor where residents and visitors from all over the world swim and enjoy boating activities. This could affect the city's tourist income when this becomes widely known. Furthermore, how can we be ASSURED that an earthquake or other seismic activity won't disturb this site? What if a large boat sinks into the open CAD? or drags an [anchor across it, exposing](#)

its contents as we recently witnessed off the coast last year. And if it is too dangerous to be dumped in open ocean waters, why do we think that couldn't apply to our own harbor? And if installed and it later leads to lawsuits as a result, who will be responsible financially?

We know other safer venues have been offered that don't involve potential contamination of our harbor. We ask you to please reconsider this plan.

Carolyn Singleton

CarySingleton1@gmail.com

844 Via Lido Nord

Newport Beach, CA 92663

Create Vision > Inspire Action

From: SouthCoast@Coastal
To: [Revell, Mandy@Coastal](mailto:Revell_Mandy@Coastal)
Subject: FW: Please forward to Coastal Commission
Date: Monday, August 29, 2022 5:14:55 PM
Attachments: [Michael Volk Comments #5-21-0640.pdf](#)

From: Michael Volk <michael@mvaarc.com>
Sent: Monday, August 29, 2022 5:14 PM
To: SouthCoast@Coastal <SouthCoast@coastal.ca.gov>
Subject: Please forward to Coastal Commission

Thank you for forwarding to the Coast Commission for upcoming hearing.
Thank you,
Michael Volk

Michael and Ellen Volk
Opposed to Application
#5-21-0640
Agenda W13b

California Coastal Commission
South Coast Area Office
301 E. Ocean Boulevard
Suite 300
Long Beach, CA 90802-4302

Dear Members of the Coastal Commission,

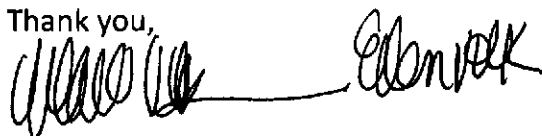
Please do not approve the CAD installation in Newport Harbor. Our Harbor is a precious gem. Certainly there must be an alternative to removing contaminated sediment in the upper bay, only to move it to a harbor location with clean sediment, and then bury it under ground.

From what we have learned, the contaminated sediment is not suitable for disposal in our ocean. Therefore the in-harbor disposal was suggested. What is hard to understand, is that the sediment has been in the upper bay for many years due to ship building, maybe more than 70 years. How can moving it to another Harbor location be a solution?

Some say that the CAD is a safe alternative, with a 3 foot cap of sand over the top. The proposed location is below a public anchorage, where boats drag their anchors to "set" them in the sediment and where people enjoy water activities. That cap will be disturbed with the anchor dragging, and then what? A gentleman from the CAD installation company spoke at City hearing and he said they have installed these in harbors similar to Newport. We see many commercial harbors, but no install in a bustling residential and tourist harbor. Certainly, he has never installed under an active public anchorage. Newport Harbor is a destination for vacationers, boaters and people enjoying water activities, not a dump site.

We can do better than this. We entrust you to protect the coast and harbors. Please take a close look at this proposal for the long term health and safety of Newport Harbor.

Thank you,

The image shows two handwritten signatures in black ink. The signature on the left is more stylized and cursive, while the one on the right is more legible and appears to be 'E. Volk'. Both signatures are connected by a horizontal line.

Michael and Ellen Volk
392 Ramona Way
Costa Mesa, CA 92627

From: SouthCoast@Coastal
To: Revell_Mandy@Coastal
Subject: FW: Public Comment on September 2022 Agenda Item Wednesday 13b - Application No. 5-21-0640 (City of Newport Beach, Newport Beach)
Date: Friday, September 2, 2022 11:29:33 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)



Krysten Tomaier | Coastal Program Analyst

CALIFORNIA COASTAL COMMISSION
South Coast District Office
301 E. Ocean Blvd, Suite 300
Long Beach, CA 90802
(562) 590-5071



[If you need to submit an appeal or an emergency application, please email a supervisor and copy: SouthCoast@coastal.ca.gov.](#)

Please note that public counter hours for all Commission offices are currently suspended indefinitely in light of the coronavirus. However, in order to provide the public with continuity of service while protecting both you and our employees, the Commission remains open for business, and you can contact staff directly by email, and regular mail. Phone messages left in the Long Beach office will be returned sporadically. If your matter is urgent, please send an email. In addition, more information on the Commission's response to the COVID-19 virus can be found on our website at www.coastal.ca.gov.

From: Bryn Evans <evans_bryn@yahoo.com>
Sent: Friday, September 2, 2022 11:21 AM
To: SouthCoast@Coastal <SouthCoast@coastal.ca.gov>
Subject: Public Comment on September 2022 Agenda Item Wednesday 13b - Application No. 5-21-0640 (City of Newport Beach, Newport Beach)

Coastal Commissioners-

I support growing concern about the subject project Agenda Item Wednesday 13b - Application No. 5-21-0640 (City of Newport Beach, Newport Beach). Based on available information, there appears to be serious administrative and technical issues with the project design and permitting approach.

Newport Bay is one of southern California's most sensitive environmental and recreational resources. Additional environmental review and planning is needed to better understand the actual environmental impacts of the proposed confined aquatic disposal (CAD) facility. The project description, used as part of the City of Newport Beach California Environmental Quality Act (CEQA) document, states the CAD serves "as a solution for sediment dredged from within Lower Newport Harbor not suitable for open ocean placement or nearshore disposal. The location of the CAD facility

would be in the central portion of the harbor between Bay Island and Lido Isle". This description alone is evidence enough that the highest level of environmental review and planning should be used to evaluate the impacts, costs, and potential benefits of this project. Requiring anything less than highest standard of environmental review has serious consequences to the vital social, environmental, and economic characteristics of Newport Bay.

Please stop the permitting of this project and direct the City of Newport Beach to provide additional technical data and evaluate all potential options for dredge sediment management in Newport Bay. Additional information is needed to ensure Newport Bay's irreplaceable resources are protected from harmful pollutants for generations to come.

Thank you,

Bryn Evans

From: SouthCoast@Coastal
To: [Revell, Mandy@Coastal](mailto:Revell_Mandy@Coastal)
Subject: FW: Public Comment on September 2022 Agenda Item Wednesday 13b - Application No. 5-21-0640 (City of Newport Beach, Newport Beach)
Date: Friday, September 2, 2022 10:02:54 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)



Krysten Tomaier | 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: Joe Zuffoletto <Joe@zmail.zone>
Sent: Friday, September 2, 2022 9:32 AM
To: SouthCoast@Coastal <SouthCoast@coastal.ca.gov>
Subject: Public Comment on September 2022 Agenda Item Wednesday 13b - Application No. 5-21-0640 (City of Newport Beach, Newport Beach)

Having read the article in today's OC Register that stated the pros submitted by the city to dredge the harbor now using today's current technologies vs the cons and cutesy comments of the naysayers (like using mid century technologies and layers of lasagna) it seems like the question the commission must answer is simply does the harbor need dredging today or not.

If so then the best solution is simply to vote yes to the city's viable plan or kick the can down the road submitting to the fear mongers of the theoretically negative suppositions of those who want to delay the project for years.

The harbor is a tremendous asset to the city and its health should come first not to mention the support that those who pay to use it should receive.

Thanks and good luck with your decision.

Sincerely,

Joe Zuffoletto
joe@zmail.zone
303-241-3399

PS: We do live on the harbor and want what's best for it.

From: SouthCoast@Coastal
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: FW: Public Comment on September 2022 Agenda Item Wednesday 13b - Application No. 5-21-0640 (City of Newport Beach, Newport Beach)
Date: Friday, September 2, 2022 10:01:16 AM

Krysten Tomaier | 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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SouthCoast@coastal.ca.gov.

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

From: Dana Johnston <danakj@hotmail.com>
Sent: Friday, September 2, 2022 4:53 AM
To: SouthCoast@Coastal <SouthCoast@coastal.ca.gov>
Subject: Public Comment on September 2022 Agenda Item Wednesday 13b - Application No. 5-21-0640 (City of Newport Beach, Newport Beach)

Please deny this permit. As a long time resident of Newport Beach and as someone who regularly uses our Bay, please deny this permit. The city and the Army Corps us skipped several steps in this process. More studies need to be done to have an accurate view of how much contaminated sand needs to be placed. And dumping it into a different part of a very busy harbor can NOT be the best solution. There needs to be more options researched to keep both residents, human and marine life, safe from the harmful levels of mercury. If you deny this permit now, the city will be forced to research alternative options as well as have more accurate information. Thank you for your consideration.

Sent from my iPhone

From: SouthCoast@Coastal
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: FW: Public Comment on September 2022 Agenda Item Wednesday 13b - Application No. 5-21-0640 (City of Newport Beach, Newport Beach)
Date: Friday, September 2, 2022 10:00:59 AM

Krysten Tomaier | 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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SouthCoast@coastal.ca.gov.

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

From: WestCoast 737 <soconn518@gmail.com>
Sent: Friday, September 2, 2022 1:36 AM
To: SouthCoast@Coastal <SouthCoast@coastal.ca.gov>
Subject: Public Comment on September 2022 Agenda Item Wednesday 13b - Application No. 5-21-0640 (City of Newport Beach, Newport Beach)

Dear Coastal Commissioners,

>

> I am concerned about the City of Newport Beach's proposal to bury contaminated material in the Bay. This project needs to be paused while other places to store this contaminated sediment can be found. Please stop the permitting of this project while other options can be explored and more data collected. We need to see evidence that the City is protecting us from the toxins they are planning to stockpile in the Bay.

>

> Orange County Resident

From: SouthCoast@Coastal
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: FW: Public Comment on September 2022 Agenda Item Wednesday 13b - Application No. 5-21-0640 (City of Newport Beach, Newport Beach)
Date: Friday, September 2, 2022 10:00:45 AM

Krysten Tomaier | 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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SouthCoast@coastal.ca.gov.

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

From: Fallon Winslow <kuipofm@me.com>
Sent: Friday, September 2, 2022 1:35 AM
To: SouthCoast@Coastal <SouthCoast@coastal.ca.gov>
Subject: Public Comment on September 2022 Agenda Item Wednesday 13b - Application No. 5-21-0640 (City of Newport Beach, Newport Beach)

Dear Coastal Commissioners,

>

> I am concerned about the City of Newport Beach's proposal to bury contaminated material in the Bay. This project needs to be paused while other places to store this contaminated sediment can be found. Please stop the permitting of this project while other options can be explored and more data collected. We need to see evidence that the City is protecting us from the toxins they are planning to stockpile in the Bay.

>

>

> Orange County Resident

From: SouthCoast@Coastal
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: FW: Public Comment on September 2022 Agenda Item Wednesday 13b - Application No. 5-21-0640 (City of Newport Beach, Newport Beach)
Date: Friday, September 2, 2022 10:00:29 AM

Krysten Tomaier | 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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SouthCoast@coastal.ca.gov.

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

From: Fallon Winslow <fallonwinslow@yahoo.com>
Sent: Friday, September 2, 2022 1:35 AM
To: SouthCoast@Coastal <SouthCoast@coastal.ca.gov>
Subject: Public Comment on September 2022 Agenda Item Wednesday 13b - Application No. 5-21-0640 (City of Newport Beach, Newport Beach)

Dear Coastal Commissioners,

I am concerned about the City of Newport Beach's proposal to bury contaminated material in the Bay. This project needs to be paused while other places to store this contaminated sediment can be found. Please stop the permitting of this project while other options can be explored and more data collected. We need to see evidence that the City is protecting us from the toxins they are planning to stockpile in the Bay.

Fallon Winslow
Orange County Resident

From: SouthCoast@coastal.ca.gov
To: SouthCoast@coastal.ca.gov
Subject: FW: Public Comment on September 2022 Agenda Item Wednesday 13b - Application No. S-21-0640 (City of Newport Beach, Newport Beach)
Date: Friday, September 2, 2022 9:59:42 AM
Attachments: [SouthCoast@coastal.ca.gov](#)
[SouthCoast@coastal.ca.gov](#)
[SouthCoast@coastal.ca.gov](#)
[SouthCoast@coastal.ca.gov](#)
[SouthCoast@coastal.ca.gov](#)



Krysten Tomaler | Coastal Program Analyst

CALIFORNIA COASTAL COMMISSION
South Coast District Office
3911 E. Ocean Blvd., Suite 300
Long Beach, CA 90802
(562) 595-2622



If you need to submit an appeal or an emergency application, please email a supervisor and copy SouthCoast@coastal.ca.gov.

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From: Mary O <maryobuck@gmail.com>

Sent: Thursday, September 1, 2022 11:37 PM

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

Subject: Public Comment on September 2022 Agenda Item Wednesday 13b - Application No. S-21-0640 (City of Newport Beach, Newport Beach)

Opposed to the CAD placement in our bay.



From: SouthCoast@Coastal
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: FW: Public Comment on September 2022 Agenda Item Wednesday 11a - City of Newport Beach LCP Amendment No. LCP-5-NPB-21-0036-1, Part D (Transfers of Development Rights).
Date: Wednesday, August 31, 2022 6:46:05 PM

From: Beverly Blais Moosmann <bblaisesq@icloud.com>
Sent: Wednesday, August 31, 2022 6:13 PM
To: SouthCoast@Coastal <SouthCoast@coastal.ca.gov>
Subject: Public Comment on September 2022 Agenda Item Wednesday 11a - City of Newport Beach LCP Amendment No. LCP-5-NPB-21-0036-1, Part D (Transfers of Development Rights).

I am strongly opposed to the City of Newport Beach's CAD proposal to dredge a large part of Newport Harbor for the purpose of disposing of highly contaminated and toxic materials for the following reasons:

1. Instead of cleaning up the contaminated material and disposing it on land, they plan to take the highly concentrated contaminated material in our residential recreational harbor out of the water and put it back into the water.
2. Accepting the permit is premature as there is ongoing sediment sampling that has not been completed to give an accurate determination of the amount of material that is suitable or unsuitable for ocean disposal.
3. Despite being a stated benefit of the plan, the CAD proposal doesn't guarantee the residents the ability to dispose of their unsuitable material in the CAD.
4. The proposal includes a relocation of the boat anchorage for an undetermined time. The project is estimated to take 2 to 4 years.
5. Despite having the City Council vote 6-1 to allow the Friends of Newport Harbor to proceed concurrently as an alternative to the CAD, there is no indication that the Coastal Commission is looking at the viable alternatives.
6. The CAD proposal includes dredging on the weekends, which is disruptive to recreational use and residents' lives when it is NOT necessary. We don't need little sabots and sailboats competing with tugs and dump scows on the weekends.
7. They don't know how far down the contamination goes.
8. There are still too many unknowns and the CA Coastal Commission needs to take more time to do its job to protect the health and well-being of the bay and its residents.

It is incredible that the Coastal Commission would even consider this project as viable and safe. The Coastal Act mandates the California Coastal Commission to "**protect, conserve, restore, and enhance**" the state's coastal resources." Establishing a toxic dredging dump in the middle of Newport Harbor clearly is **NOT** consistent with this mandate!

I strongly urge the Coastal Commission to deny the City of Newport Beach's CAD proposal.

Best Regards,
Beverly Moosmann

From: SouthCoast@Coastal
To: [Revell, Mandy@Coastal](mailto:Revell_Mandy@Coastal)
Subject: FW: Public Comment on September 2022 Agenda Item Wednesday 13b - Application No. 5-21-0640 (City of Newport Beach, Newport Beach)
Date: Friday, September 2, 2022 11:30:45 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)



Krysten Tomaier | Coastal Program Analyst

CALIFORNIA COASTAL COMMISSION
South Coast District Office
301 E. Ocean Blvd, Suite 300
Long Beach, CA 90802
(562) 590-5071



[If you need to submit an appeal or an emergency application, please email a supervisor and copy: SouthCoast@coastal.ca.gov.](mailto:SouthCoast@coastal.ca.gov)

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From: Dianna Mann <diannamann@outlook.com>
Sent: Friday, September 2, 2022 11:29 AM
To: SouthCoast@Coastal <SouthCoast@coastal.ca.gov>
Subject: Public Comment on September 2022 Agenda Item Wednesday 13b - Application No. 5-21-0640 (City of Newport Beach, Newport Beach)

Dear Commissioners,

As a long time Newport Beach resident, I ask that you please consider resident safety and the safety of wildlife and waterfowl when contemplating this proposal. I respectfully ask that you vote NO on any plan to create a containment area in the Newport Bay or Newport Beach for the purpose of disposing of soil contaminated by mercury and other harmful materials. It is a terrible solution to a difficult problem.

Burying toxic and contaminated material in the vibrant Newport Bay must be avoided at ALL costs. My family utilizes the waters off Balboa Island almost everyday, I'm not convinced that 3 feet of sand will capture and contain contaminants that are evaluated to be at five (5) times

the limit considered safe for exposure. Mercury is incredibly dangerous, and there is a need to move it out of the bay, not bury it in the bay.

The deserts of several western states already contain areas where harmful contaminants have been disposed of, is it possible to transport these materials elsewhere and bury them in previously contaminated areas such as a remote desert?

Thank you.

Sincerely,

Dianna Mann
Balboa Island
Newport Beach, CA

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From: SouthCoast@Coastal
To: [Revell, Mandy@Coastal](mailto:Revell_Mandy@Coastal)
Subject: FW: Save Our Bay
Date: Monday, August 29, 2022 3:10:18 PM

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

From: Stephanie Rados <18bloomr@roadrunner.com>
Sent: Monday, August 29, 2022 2:59 PM
To: SouthCoast@Coastal <SouthCoast@coastal.ca.gov>
Cc: Stephanie Rados <18bloomr@roadrunner.com>
Subject: Save Our Bay

Stephanie Rados
Opposed
App# 5-21-0640
Agenda W13b

Dear California Coastal Commission,

We strongly opposed the proposed dumping of dredged sediment (that is unsuitable to dispose of in the ocean) in Newport Bay. The proposed dumping area is a prime recreational spot that people from all over California enjoy. Your proposal is a catastrophe waiting to happen. I urge you to reconsider!

Thank you,
Steve, Stephanie, Lauren and Chase Rados

From: SouthCoast@Coastal
To: [Revell, Mandy@Coastal](mailto:Revell_Mandy@Coastal)
Subject: FW: September 7, 2022 Agenda Item 13.b., Application No. 5-21-0640
Date: Friday, September 2, 2022 11:59:40 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)



Krysten Tomaier | Coastal Program Analyst

CALIFORNIA COASTAL COMMISSION
South Coast District Office
301 E. Ocean Blvd, Suite 300
Long Beach, CA 90802
(562) 590-5071



[If you need to submit an appeal or an emergency application, please email a supervisor and copy: SouthCoast@coastal.ca.gov.](#)

Please note that public counter hours for all Commission offices are currently suspended indefinitely in light of the coronavirus. However, in order to provide the public with continuity of service while protecting both you and our employees, the Commission remains open for business, and you can contact staff directly by email, and regular mail. Phone messages left in the Long Beach office will be returned sporadically. If your matter is urgent, please send an email. In addition, more information on the Commission's response to the COVID-19 virus can be found on our website at www.coastal.ca.gov.

From: mhewitt lawverdict.com <mhewitt@lawverdict.com>
Sent: Friday, September 2, 2022 11:37 AM
To: SouthCoast@Coastal <SouthCoast@coastal.ca.gov>
Cc: alron7099@aol.com
Subject: September 7, 2022 Agenda Item 13.b., Application No. 5-21-0640

Dear Commissioners,

I support the Staff Report on Agenda Item 13.b. The City of Newport Beach ("CNB") has invested hundreds, if not thousands, of hours of research and study and invested millions of dollars to find a solution to properly dispose of dredge waste.

Additionally, CNB has analyzed virtually every alternative to the Confined Aquatic Disposal Facility ("CAD"), and after exhaustive research, has determined that there is no better alternative to the CAD.

Please vote yes on the motion to approve Coastal Development Permit No. 5-21-0640.

Best regards,
Mike Hewitt

Michael C. Hewitt
Attorney at Law
Law Offices of Michael C. Hewitt
2082 Michelson Drive, Suite 300
Irvine , CA 92612

(949) 825-5260 Voice

(949) 825-5261 Fax

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To ensure compliance with requirements by the IRS, we inform you that any U.S. tax advice contained in this communication (including any attachments) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any transaction or matter addressed herein.

From: [Lynn Bonas](#)
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: Fwd: Newport Harbor CAD
Date: Friday, September 2, 2022 11:21:01 AM

I cannot believe that in our "green state" that any public entity would even consider this proposal for a harbor.

Every citizen should be contesting this rushed plan, with awareness just beginning as you plan to vote.

PLEASE DON'T DO THIS TO OUR COUNTY!

Respectfully,
Lynn Bonas
Orange, CA

From: SouthCoast@Coastal
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: Fwd: Newport Beach Bay.
Date: Friday, September 2, 2022 1:46:18 PM

Sent from my T-Mobile 5G Device
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From: Ken Boyko <kenboyko@mac.com>
Sent: Friday, September 2, 2022 12:27:28 PM
To: SouthCoast@Coastal <SouthCoast@coastal.ca.gov>
Subject: Newport Beach Bay.

OPPOSED

Public Comment on September 2022 Agenda Item
Wednesday 13b - Application No. 5-21-0640 (City of
Newport Beach, Newport Beach)

Dear Coastal Commissioners,

I am concerned about the City of Newport Beach's proposal to bury contaminated material in the Bay. This project needs to be paused while other places to store this contaminated sediment can be found. Please stop the permitting of this project while other options can be explored and more data collected. We need to see evidence that the City is protecting us from the toxins they are planning to stockpile in the Bay.

Thank you,

Ken Boyko
8 Cape Danbury
Newport Beach, CA 92660

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8 Cape Danbury
Newport Beach, CA 92660

From: SouthCoast@Coastal
To: Revell_Mandy@Coastal
Subject: Fwd: Newport Beach CAD
Date: Friday, September 2, 2022 1:51:28 PM

Sent from my T-Mobile 5G Device
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From: Wendy kerr <wendykerr514@gmail.com>
Sent: Friday, September 2, 2022 1:34:13 PM
To: SouthCoast@Coastal <SouthCoast@coastal.ca.gov>
Subject: Newport Beach CAD

I live in Newport Beach and work on the water. I am totally against this.

I lived in Vail for 10 years from 1979 to 1989. They would cloud seed every year in October. All those years of chemicals finely got into the water that family's, kids,

grandparents and animals would drink. Years later I lost so many friends to cancer. I believe it was due to the chemicals that where in the cloud seeding that got

into the soil and water.

If this soil is so contaminated that we cannot put it out in the ocean, why would we put it in our bay where we boat and swim ?

We do not need more chemicals in our bay !!!!

Wendy Kerr
Kerrwen@yahoo.com

From: SouthCoast@Coastal
To: Revell_Mandy@Coastal
Subject: Fwd: Newport Beach CAD
Date: Friday, September 2, 2022 1:51:28 PM

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Wendy Kerr
Kerrwen@yahoo.com

From: SouthCoast@Coastal
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: Fwd: OBJECTION TO NEWPORT HARBOR CAD
Date: Friday, September 2, 2022 1:55:51 PM

Sent from my T-Mobile 5G Device
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From: Ann Ramser <annramser@hotmail.com>
Sent: Friday, September 2, 2022 12:53:45 PM
To: SouthCoast@Coastal <SouthCoast@coastal.ca.gov>
Subject: OBJECTION TO NEWPORT HARBOR CAD

Public Comment on September 2022
Agenda Item Wednesday 13b - Application
No. 5-21-0640 (City of Newport Beach,
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Please Save Newport Bay from becoming a landfill.

Respectfully,

Ann Ramser
Newport Resident, 53 years

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From: SouthCoast@Coastal
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: Fwd: Please Reconsider Alternatives - Storing Contaminated Toxic Material in the Newport Bay
Date: Friday, September 2, 2022 1:55:09 PM

Sent from my T-Mobile 5G Device
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From: Julie Bissell <bissell.j@hotmail.com>
Sent: Friday, September 2, 2022 12:33:27 PM
To: SouthCoast@Coastal <SouthCoast@coastal.ca.gov>
Subject: Please Reconsider Alternatives - Storing Contaminated Toxic Material in the Newport Bay

Dear Coastal Commission,

I am concerned about the City of Newport Beach's proposal to bury contaminated material in the bay. I routinely swim in Newport Bay with family and friends and depend on safe, clean water. Please pause this project and explore other places to deposit the contaminated sediment. What is the evidence that the City is protecting us from the toxins they are planning to stockpile in the Bay? Please save Newport Bay from becoming a landfill.

Thank you,

Julie Bissell
217 Via Eboli
Newport Beach, CA 92663

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217 Via Eboli
Newport Beach, CA 92663

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To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: Fwd: Please Reconsider Alternatives - Storing Contaminated Toxic Material in the Newport Bay
Date: Friday, September 2, 2022 1:49:02 PM

Sent from my T-Mobile 5G Device
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From: Julie Bissell <bissell.j@hotmail.com>
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Newport Beach, CA 92663

From: SouthCoast@Coastal
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: Fwd: Public Comment on September 2022 Agenda Item Wednesday 13b - Application No. 5-21-0640 (City of Newport Beach, Newport Beach)
Date: Friday, September 2, 2022 1:46:06 PM

Sent from my T-Mobile 5G Device
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From: Brooke <brookehueyy@gmail.com>
Sent: Friday, September 2, 2022 12:17:53 PM
To: SouthCoast@Coastal <SouthCoast@coastal.ca.gov>
Subject: Public Comment on September 2022 Agenda Item Wednesday 13b - Application No. 5-21-0640 (City of Newport Beach, Newport Beach)

Dear Coastal Commissioners,

I am concerned about the City of Newport Beach's proposal to bury contaminated material in the Bay. This project needs to be paused while other places to store this contaminated sediment can be found. Please stop the permitting of this project while other options can be explored and more data collected. We need to see evidence that the City is protecting us from the toxins they are planning to stockpile in the Bay.

Please save Newport Bay from becoming an aquatic landfill.

Thank you,
Brooke Huey
Orange County, CA

From: SouthCoast@Coastal
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: Fwd: Public Comment on September 2022 Agenda Item Wednesday 13b - Application No. 5-21-0640 (City of Newport Beach, Newport Beach)
Date: Friday, September 2, 2022 1:56:50 PM

Sent from my T-Mobile 5G Device
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From: Bennett Talsky <btalsky@gmail.com>
Sent: Friday, September 2, 2022 1:56:17 PM
To: SouthCoast@Coastal <SouthCoast@coastal.ca.gov>
Subject: Public Comment on September 2022 Agenda Item Wednesday 13b - Application No. 5-21-0640 (City of Newport Beach, Newport Beach)

Dear Coastal Commissioners,

I am very concerned about the City of Newport Beach's proposal to bury contaminated material in the Bay. This project needs to be paused while other places to store this contaminated sediment can be found. Please stop the permitting of this project while other options can be explored and more data collected. We need to see evidence that the City is protecting us from the toxins they are planning to stockpile in the Bay.

I worked in Newport Harbor in the late 1980's when it was giving the title of one of **"the most contaminated bays in the world"**. That's not an award you want to receive again.

Thank you,

Bennett Talsky
BENNETT TALSKY CONSTRUCTION, INC.
License # 943597
A-General Engineering Contractor
B-General Contractor
C27-Landscaping Contractor

[1726 Carver Street](#)
[Redondo Beach, CA. 90278](#)
Btalsky@gmail.com
Direct [\(310\)529-0400](tel:(310)529-0400)

From: SouthCoast@Coastal
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: Fwd: Public Comment on September 2022 Agenda Item Wednesday 13b - Application No. 5-21-0640 (City of Newport Beach, Newport Beach)
Date: Friday, September 2, 2022 1:49:30 PM

Sent from my T-Mobile 5G Device
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From: Sis Galli <sisgalli@roadrunner.com>
Sent: Friday, September 2, 2022 1:28:27 PM
To: SouthCoast@Coastal <SouthCoast@coastal.ca.gov>
Subject: Public Comment on September 2022 Agenda Item Wednesday 13b - Application No. 5-21-0640 (City of Newport Beach, Newport Beach)

Unbelievable. Who's getting paid off?

Sent from my iPhone

From: SouthCoast@Coastal
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: Fwd: Public Comment on September 2022 Agenda Item Wednesday 13b - Application No. 5-21-0640 (City of Newport Beach, Newport Beach)
Date: Friday, September 2, 2022 1:46:06 PM

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Sent: Friday, September 2, 2022 12:17:53 PM
To: SouthCoast@Coastal <SouthCoast@coastal.ca.gov>
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Please save Newport Bay from becoming an aquatic landfill.

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Orange County, CA

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From: SouthCoast@Coastal
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: Fwd: Save Newport Bay
Date: Friday, September 2, 2022 1:45:11 PM

Sent from my T-Mobile 5G Device
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From: Brooke <brookehueyy@gmail.com>
Sent: Friday, September 2, 2022 12:14:23 PM
To: SouthCoast@Coastal <SouthCoast@coastal.ca.gov>
Subject: Save Newport Bay

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Subject: Fwd: September 2022 Agenda Item Wednesday 13b - Application No. 5-21-0640 (City of Newport Beach)
Date: Friday, September 2, 2022 1:49:44 PM
Attachments: [image001.png](#)

Sent from my T-Mobile 5G Device
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From: Scott Ramser <scott@ramserdevco.com>
Sent: Friday, September 2, 2022 1:19:28 PM
To: SouthCoast@Coastal <SouthCoast@coastal.ca.gov>
Subject: September 2022 Agenda Item Wednesday 13b - Application No. 5-21-0640 (City of Newport Beach)

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Please Save Newport Bay from becoming a landfill.

Scott Ramser - Managing General Partner



901 Dove Street | Suite 230 | Newport Beach, CA 92660

949.307.9313 mobile | 949.515.7900 office

www.ramserdevco.com

From: SouthCoast@Coastal
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: Fwd: September 2022 Agenda Item Wednesday 13b - Application No. 5-21-0640 (City of Newport Beach)
Date: Friday, September 2, 2022 1:50:40 PM
Attachments: [image001.png](#)

Sent from my T-Mobile 5G Device
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From: Scott Ramser <scott@ramserdevco.com>
Sent: Friday, September 2, 2022 1:19:28 PM
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Attachments: [image001.png](#)

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www.ramserdevco.com

From: SouthCoast@Coastal
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: Fwd: September 2022 Agenda Item Wednesday 13b - Application No. 5-21-0640 (City of Newport Beach)
Date: Friday, September 2, 2022 1:50:40 PM
Attachments: [image001.png](#)

Sent from my T-Mobile 5G Device
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Sent: Friday, September 2, 2022 1:19:28 PM
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Subject: September 2022 Agenda Item Wednesday 13b - Application No. 5-21-0640 (City of Newport Beach)

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Scott Ramser - Managing General Partner



901 Dove Street | Suite 230 | Newport Beach, CA 92660

949.307.9313 mobile | 949.515.7900 office

www.ramserdevco.com

From: SouthCoast@Coastal
To: [Revell, Mandy@Coastal](mailto:Revell_Mandy@Coastal)
Subject: Fwd: Stop Burial of Contaminated Material in Newport Bay
Date: Friday, September 2, 2022 1:51:06 PM

Sent from my T-Mobile 5G Device
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From: Kimmy Ramser <ramserkimberly@gmail.com>
Sent: Friday, September 2, 2022 1:32:08 PM
To: SouthCoast@Coastal <SouthCoast@coastal.ca.gov>
Subject: Stop Burial of Contaminated Material in Newport Bay

Dear Coastal Commissioners,

I am concerned about the City of Newport Beach's proposal to bury contaminated material in the Bay. This project needs to be paused while other places to store this contaminated sediment can be found. Please stop the permitting of this project while other options can be explored and more data collected. We need to see evidence that the City is protecting us from the toxins they are planning to stockpile in the Bay.

Please Save Newport Bay from becoming a landfill.

Thank you,

Kimmy

From: SouthCoast@Coastal
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: Fwd: Stop Burial of Contaminated Material in Newport Bay
Date: Friday, September 2, 2022 1:51:06 PM

Sent from my T-Mobile 5G Device
Get [Outlook for Android](#)

From: Kimmy Ramser <ramserkimberly@gmail.com>
Sent: Friday, September 2, 2022 1:32:08 PM
To: SouthCoast@Coastal <SouthCoast@coastal.ca.gov>
Subject: Stop Burial of Contaminated Material in Newport Bay

Dear Coastal Commissioners,

I am concerned about the City of Newport Beach's proposal to bury contaminated material in the Bay. This project needs to be paused while other places to store this contaminated sediment can be found. Please stop the permitting of this project while other options can be explored and more data collected. We need to see evidence that the City is protecting us from the toxins they are planning to stockpile in the Bay.

Please Save Newport Bay from becoming a landfill.

Thank you,

Kimmy

From: [Patti Scott](#)
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: Insanity
Date: Friday, September 2, 2022 2:09:39 PM

Newport Harbor CAD

Patricia A. Scott
Subject: #5-21-0640
Agenda W13b

"I am opposed to the proposal to bury material that is unsuitable for disposal in the open ocean and bury it in the Newport Beach Harbor."

Sent from my iPhone

From: [Peter Macdonald](#)
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: Newport Beach CAD
Date: Friday, September 2, 2022 12:45:42 PM

Peter Macdonald
Subject: #5-21-0640
Agenda W13b

I am opposed to the proposal to bury material that is unsuitable for disposal in the open ocean and bury it in the Newport Beach Harbor.

Additional Points for Pausing:

- # 1. Instead of cleaning up the contaminated material and disposing it on land, they plan to take the highly concentrated contaminated material in our residential recreational harbor out of the water and put it back into the water.
- #2. Accepting the permit is premature as there is ongoing sediment sampling that has not been completed to give an accurate determination of the amount of material that is suitable or unsuitable for ocean disposal.
- #3. Despite being a stated benefit of the plan, the CAD proposal doesn't guarantee the residents the ability to dispose of their unsuitable material in the CAD.
- #4. The proposal includes a relocation of the boat anchorage for an undetermined time. The project is estimated to take 2 to 4 years.
- #5. Despite having the City Council vote 6-1 to allow the Friends of Newport Harbor to proceed concurrently as an alternative to the CAD, there is no indication that the Coastal Commission is looking at the viable alternatives.
- #6. The CAD proposal includes dredging on the weekends which is disruptive to recreational use and residents' lives when it is NOT necessary. We don't need little sabots and sailboats

competing with tugs and dump scows on the weekends.

#7. They don't know how far down the contamination goes.

#8. There are still too many unknowns and the CA Coastal Commission needs to take more time to do its job to protect the health and well being of the bay and its residents.

From: [julie.mattson](#)
To: Revell.Mandy@Coastal
Subject: Newport Beach Harbor
Date: Friday, September 2, 2022 1:01:37 PM

Dear Ms. Revell,

Subject: #5-21-0640

Agenda W13b

I am opposed to the proposal to bury material that is unsuitable for disposal in the open ocean and bury it in the Newport Beach Harbor.

Additional Points for Pausing:

- # 1. Instead of cleaning up the contaminated material and disposing it on land, they plan to take the highly concentrated contaminated material in our residential recreational harbor out of the water and put it back into the water.
- #2. Accepting the permit is premature as there is ongoing sediment sampling that has not been completed to give an accurate determination of the amount of material that is suitable or unsuitable for ocean disposal.
- #3. Despite being a stated benefit of the plan, the CAD proposal doesn't guarantee the residents the ability to dispose of their unsuitable material in the CAD.
- #4. The proposal includes a relocation of the boat anchorage for an undetermined time. The project is estimated to take 2 to 4 years.
- #5. Despite having the City Council vote 6-1 to allow the Friends of Newport Harbor to proceed concurrently as an alternative to the CAD, there is no indication that the Coastal Commission is looking at the viable alternatives.
- #6. The CAD proposal includes dredging on the weekends which is disruptive to recreational use and residents' lives when it is NOT necessary. We don't need little sabots and sailboats competing with tugs and dump scows on the weekends.
- #7. They don't know how far down the contamination goes.
- #8. There are still too many unknowns and the CA Coastal Commission needs to take more time to do its job to protect the health and well being of the bay and its residents.

Thank you.
Julie Mattson

From: randall@scdevelopment.net
To: Revell_Mandy@Coastal
Subject: Newport Harbor CAD - Opposed
Date: Friday, September 2, 2022 9:39:39 AM
Attachments: [image001.png](#)

Dear Coastal Commission / Mandy Revell

I am opposed to the proposal to bury material that is unsuitable for disposal in the open ocean and bury it in the Newport Beach Harbor.

- Instead of cleaning up the contaminated material and disposing it on land, they plan to take the highly concentrated contaminated material in our residential recreational harbor out of the water and put it back into the water.
- Despite being a stated benefit of the plan, the CAD proposal doesn't guarantee the residents the ability to dispose of their unsuitable material in the CAD.
- The proposal includes a relocation of the boat anchorage for an undetermined time. The project is estimated to take 2 to 4 years.
- Despite having the City Council vote 6-1 to allow the Friends of Newport Harbor to proceed concurrently as an alternative to the CAD, **there is no indication that the Coastal Commission is looking at the viable alternatives.**
- The CAD proposal includes dredging on the weekends which is disruptive to recreational use and residents' lives when it is NOT necessary. We don't need little sabots and sailboats competing with tugs and dump scows on the weekends.
- They don't know how far down the contamination goes.
- There are still too many unknowns, and the CA Coastal Commission needs to take more time to do its job to protect the health and wellbeing of the bay and its residents.

Best Regards,

Randall Hause

Acquisition & Development Associate
SC Development
(949) 878-6781
2151 Michelson Dr., Ste. 140
Irvine, CA 92612
www.scdevelopment.net



This message (including any attachments) contains confidential information intended for a specific individual and purpose, and is protected by law. If you are not the intended recipient, you should delete this message. Any disclosure, copying, or distribution of this message is strictly prohibited.

From: gialisa_at_gmail
To: Revell.Mandy@Coastal
Subject: Newport Harbor CAD # 5-21-0640 Agenda W13b
Date: Friday, September 2, 2022 1:59:01 PM

I'm a resident of Newport Beach writing in opposition to the proposed plan to bury contaminated sediment in the Newport Beach Harbor. The plan to remove highly concentrated contaminated material from the water — and then put it back into the water in our residential /recreational harbor is reckless and unnecessary.

The commission has an obligation to take the time they need and look at viable alternatives to protect the health of Newport Bay and the safety of those of us who live here. Our Newport Beach City Council voted 6-1 to allow the Friends of Newport Harbor to proceed concurrently as an alternative to the CAD! There is still ongoing sampling of the sediment and far too many unknowns to move forward with the CAD plan at this time.

For the health of the Newport Bay I urge the commission to reject the permit--AT LEAST FOR NOW until the studies have concluded.

Gialisa Gaffaney
Corona del Mar homeowner

From: [David Rosten](#)
To: Revell.Mandy@Coastal
Subject: Newport Harbor CAD #5-21-0640 Agenda @13b
Date: Friday, September 2, 2022 1:22:54 PM

To: Mandy.revell@coastal.ca.gov

From: David Rosten db.rosten@gmail.com

Dated: September 2, 2022

RE: Newport Harbor CAD subject: #5-21-0640 Agenda W13b

Dear Honorable Revell:

I am opposed to the proposal to bury material that is unsuitable for disposal in the open ocean and bury it in the Newport Beach Harbor.

1. Instead of cleaning up the contaminated material and disposing it on land, they plan to take the highly concentrated contaminated material in our residential recreational harbor out of the water and put it back into the water.

#2. Accepting the permit is premature as there is ongoing sediment sampling that has not been completed to give an accurate determination of the amount of material that is suitable or unsuitable for ocean disposal. It will destroy the local habitat.

#3. Despite being a stated benefit of the plan, the CAD proposal doesn't guarantee the residents the ability to dispose of their unsuitable material in the CAD.

#4. The proposal includes a relocation of the boat anchorage for an undetermined time.

The project is estimated to take 2 to 4 years.

#5. Despite having the City Council vote 6-1 to allow the Friends of Newport Harbor to proceed concurrently as an alternative to the CAD, there is no indication that the Coastal Commission is looking at the viable alternatives.

#6. The CAD proposal includes dredging on the weekends which is disruptive to recreational use and residents' lives when it is NOT necessary. We don't need little sabots and sailboats competing with tugs and dump scows on the weekends.

#7. They don't know how far down the contamination goes.

#8. There are still too many unknowns, and the CA Coastal Commission needs to take more time to do its job to protect the health and well-being of the bay and its residents.

We want to be certain and ensure that the contaminated materials that are unsuitable for ocean disposal are not deposited in Newport Harbor. We have been trying to clean up the harbor but letting seagrass grow and creating a swimming environment for generations to come.

Sincerely,

David Rosten

949-280-5714

Resident of Orange County and boat owner

From: [JANET RONNENBERG](#)
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: Newport Harbor CAD #5-21-0640. Agenda W 13b
Date: Friday, September 2, 2022 10:46:23 AM

To The Coastal Commision and involved parties:

I am a native Californian, and a resident of Newport Beach. As such, I am completely opposed to the proposal to bury contaminated material that is unsuitable for disposal in the open ocean and bury it in Newport Harbor!!!! Where our children and grandchildren play and swim!!

Please postpone this for further discussion in consideration of better options!!!!

Thank you for your consideration,

Janet Ronnenberg
949-280-9260
2646 Bayshore Drive
Newport 92663

Sent from my iPhone

From: [Andy Fathollahi](#)
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: Newport Harbor CAD #5-21-0640
Date: Friday, September 2, 2022 2:14:21 PM

To whom it may concern:

My name is Andy Fathollahi,

I am opposed to the proposal to bury material that is unsuitable for Agenda W13b disposal in the open ocean and bury it in the Newport Beach Harbor.

Thank you,

Andy Fathollahi
714-381-4048

From: [Jason Beck](#)
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: Newport Harbor CAD
Date: Friday, September 2, 2022 1:46:11 PM

Janson Beck

Subject: #5-21-0640

Agenda W13b

I am opposed to the proposal to bury material that is unsuitable for disposal in the open ocean and bury it in the Newport Beach Harbor.

Regards,

Jason Beck

From: [Jason Beck](#)
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: Newport Harbor CAD
Date: Friday, September 2, 2022 1:46:11 PM

Janson Beck

Subject: #5-21-0640

Agenda W13b

I am opposed to the proposal to bury material that is unsuitable for disposal in the open ocean and bury it in the Newport Beach Harbor.

Regards,

Jason Beck

From: [Suzanne Dunlap](#)
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: Newport harbor CAD
Date: Friday, September 2, 2022 1:59:49 PM

Suzanne Dunlap - opposed
Application 5-21-0640
Agenda W13b

I am opposed to the disposing of material in the harbor that is unsuitable for ocean disposal. The harbor is used and enjoyed by myself and children.

Thanks you,
Suzanne

From: [Sharon Grimes](#)
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: Newport Harbor Cad "bury"
Date: Friday, September 2, 2022 12:46:42 PM

Sharon Grimes
219 Via Eboli, Newport Beach, CA 92663
Subject: #5-21-0640
Agenda W13b

"I am opposed to the proposal to bury material that is unsuitable for disposal in the open ocean and bury it in the Newport Beach Harbor."

--



mvesig.com

From: [Annie Kinney](#)
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: Newport Harbor CAD Agenda W13b
Date: Friday, September 2, 2022 12:45:35 PM

Anne Clemens
Subject: #5-21-0640

Agenda W13b

I am opposed to the proposal to bury material that is unsuitable for disposal in the open ocean and bury it in the Newport Beach Harbor.

Additional Points for Pausing:

1. Instead of cleaning up the contaminated material and disposing it on land, they plan to take the highly concentrated contaminated material in our residential recreational harbor out of the water and put it back into the water.

#2. Accepting the permit is premature as there is ongoing sediment sampling that has not been completed to give an accurate determination of the amount of material that is suitable or unsuitable for ocean disposal.

#3. Despite being a stated benefit of the plan, the CAD proposal doesn't guarantee the residents the ability to dispose of their unsuitable material in the CAD.

#4. The proposal includes a relocation of the boat anchorage for an undetermined time. The project is estimated to take 2 to 4 years.

#5. Despite having the City Council vote 6-1 to allow the Friends of Newport Harbor to proceed concurrently as an alternative to the CAD, there is no indication that the Coastal Commission is looking at the viable alternatives.

#6. The CAD proposal includes dredging on the weekends which is disruptive to recreational use and residents' lives when it is NOT necessary. We don't need little sabots and sailboats competing with tugs and dump scows on the weekends.

#7. They don't know how far down the contamination goes.

#8. There are still too many unknowns and the CA Coastal Commission needs to take more time to do its job to protect the health and well being of the bay and its residents.

--

Annie Kinney
949-338-7293

From: [Reagan Clemens](#)
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: Newport Harbor CAD Agenda W13b
Date: Friday, September 2, 2022 12:48:29 PM

Reagan Clemens
Subject: #5-21-0640
Agenda W13b

[SEP]

I am opposed to the proposal to bury material that is unsuitable for disposal in the open ocean and bury it in the Newport Beach Harbor.

[SEP]

Additional Points for Pausing:

- # 1. Instead of cleaning up the contaminated material and disposing it on land, they plan to take the highly concentrated contaminated material in our residential recreational harbor out of the water and put it back into the water.
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- #8. There are still too many unknowns and the CA Coastal Commission needs to take more time to do its job to protect the health and well being of the bay and its residents.

From: [Jenifer Evans](#)
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: Newport Harbor CAD
Date: Friday, September 2, 2022 1:48:24 PM

Jenifer Evans
Subject: #5-21-0640
Agenda W13b

I am opposed to bury material that is unsuitable for disposal in the open ocean and bury it in the Newport Beach harbor.

Sent from my iPhone

From: [Robert Schuller](#)
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: Newport Harbor CAD
Date: Friday, September 2, 2022 1:44:11 PM

Robert and Donna Schuller

Subject: #5-21-0640

Agenda W13b

I am opposed to the proposal to bury material that is unsuitable for disposal in the open ocean and bury it in the Newport Beach Harbor.

Please stop these plans to store these toxins on our beautiful, clean bay.

Dr. Robert Schuller
Donna Schuller
Newport Beach

Sent from my iPhone

From: [Eve Lowey](#)
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: Newport Harbor CAD
Date: Friday, September 2, 2022 2:16:08 PM
Attachments: [image004.png](#)

Eve Lowey
Subject: #5-21-0640
Agenda W13b

I am strongly opposed to the proposal to bury material that is unsuitable for disposal in the open ocean and bury it in the Newport Beach Harbor. My kids swim and fish in the bay. This can't be a sensible solution to this problem as it will affect the health of the people who use the bay recreationally every week. We see tons of people in the water every day, especially on the weekends.

Thank you for working to come up with a better solution.

Eve Lowey, ASID

President

714.708.3505 ext. 300
elowey@chameleonoc.com

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CHAMELEON DESIGN

3188 Airway Ave Suite B | Costa Mesa, Ca 92626 | 714.708.3515 fx | www.chameleonoc.com

From: [Samantha Cessna](#)
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: Newport Harbor CAD
Date: Friday, September 2, 2022 2:13:02 PM

Hi Ms Revell,

I am writing to express my opposition to the proposal to bury material that is unsuitable for disposal in the open ocean and bury it in the Newport Beach Harbor.

Samantha McClellan
Resident of Newport Beach for 15 years
Subject: #5-21-0640
Agenda W13b

Sent from my iPhone

From: [Jenny Wagner](#)
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: Newport Harbor CAD
Date: Friday, September 2, 2022 2:04:53 PM

Jenny Wagner

Subject: #5-21-0640
Agenda W13b

I am opposed to the proposal to bury material that is unsuitable for disposal in the open ocean and bury it in the Newport Beach Harbor

Thank you,

Jenny

From: [Bart Evans](#)
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: Newport Harbor CAD
Date: Friday, September 2, 2022 2:02:42 PM

Hello:

I opposed to dumping any contaminated materials within the Newport Harbor.

Thanks,
Bart Evans

Sent from my iPhone

From: [Juliet Scholz](#)
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: Newport Harbor CAD
Date: Friday, September 2, 2022 1:54:36 PM

I am opposed to the proposal to bury contaminated materials that is unsuitable for disposal in the open ocean and bury it in the Newport Beach Harbor where public recreation and residential homes are nearby.

Juliet Scholz
Subject: # 5-21-0640
Agenda W13b

From: [Jenifer Evans](#)
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: Newport Harbor CAD
Date: Friday, September 2, 2022 1:48:24 PM

Jenifer Evans
Subject: #5-21-0640
Agenda W13b

I am opposed to bury material that is unsuitable for disposal in the open ocean and bury it in the Newport Beach harbor.

Sent from my iPhone

From: [Robert Schuller](#)
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: Newport Harbor CAD
Date: Friday, September 2, 2022 1:44:11 PM

Robert and Donna Schuller

Subject: #5-21-0640

Agenda W13b

I am opposed to the proposal to bury material that is unsuitable for disposal in the open ocean and bury it in the Newport Beach Harbor.

Please stop these plans to store these toxins on our beautiful, clean bay.

Dr. Robert Schuller
Donna Schuller
Newport Beach

Sent from my iPhone

From: [Erin L'Huillier](#)
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: Newport Harbor CAD
Date: Friday, September 2, 2022 1:43:27 PM

Erin L'Huillier - #5-21-0640
Agenda W13b

I am opposed to the proposal to bury material that is unsuitable for disposal in the open ocean and bury it in the Newport Beach Harbor.

[1]
SEP

Additional Points for Pausing:

- # 1. Instead of cleaning up the contaminated material and disposing it on land, they plan to take the highly concentrated contaminated material in our residential recreational harbor out of the water and put it back into the water.
- #2. Accepting the permit is premature as there is ongoing sediment sampling that has not been completed to give an accurate determination of the amount of material that is suitable or unsuitable for ocean disposal.
- #3. Despite being a stated benefit of the plan, the CAD proposal doesn't guarantee the residents the ability to dispose of their unsuitable material in the CAD.
- #4. The proposal includes a relocation of the boat anchorage for an undetermined time. The project is estimated to take 2 to 4 years.
- #5. Despite having the City Council vote 6-1 to allow the Friends of Newport Harbor to proceed concurrently as an alternative to the CAD, there is no indication that the Coastal Commission is looking at the viable alternatives.
- #6. The CAD proposal includes dredging on the weekends which is disruptive to recreational use and residents' lives when it is NOT necessary. We don't need little sabots and sailboats competing with tugs and dump scows on the weekends.
- #7. They don't know how far down the contamination goes.
- #8. There are still too many unknowns and the CA Coastal Commission needs to take more time to do its job to protect the health and well being of the bay and its residents.

Thank you,
Erin L'Huillier

From: [Mary O](#)
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: Newport Harbor CAD
Date: Friday, September 2, 2022 1:40:38 PM

From: Mary Buckingham

Subject: #5-21-0640
Agenda W13b

I am opposed to the proposal to bury material that is unsuitable for disposal in the open ocean and to bury it in the Newport Harbor Bay.

From: [Bayley Davidson](#)
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: Newport Harbor CAD
Date: Friday, September 2, 2022 1:40:32 PM

Bayley Davidson - #5-21-0640
Agenda W13b

I am opposed to the proposal to bury material that is unsuitable for disposal in the open ocean and bury it in the Newport Beach Harbor.

[1]
SEP:

Additional Points for Pausing:

- # 1. Instead of cleaning up the contaminated material and disposing it on land, they plan to take the highly concentrated contaminated material in our residential recreational harbor out of the water and put it back into the water.
- #2. Accepting the permit is premature as there is ongoing sediment sampling that has not been completed to give an accurate determination of the amount of material that is suitable or unsuitable for ocean disposal.
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- #8. There are still too many unknowns and the CA Coastal Commission needs to take more time to do its job to protect the health and well being of the bay and its residents.

Thank you,
Bayley Davidson

From: [Nicholas Kovacevich](#)
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: Newport Harbor CAD
Date: Friday, September 2, 2022 1:39:56 PM

Subject: #5-21-0640

Agenda W13b

Dear Mandy,

My name is Nick Kovacevich and I am a longtime Newport Beach resident and OC Fair Board Commissioner.

I am writing to tell you I am strongly opposed to the proposal to bury material (which is unsuitable for disposal in the open ocean) here in the Newport Beach Harbor.

Thank you,

Nick Kovacevich

From: [Chelsea Kovacevich](#)
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: Newport Harbor CAD
Date: Friday, September 2, 2022 1:39:05 PM

Subject: #5-21-0640
Agenda W13b

Hi Mandy,

I am opposed to the proposal to bury material in the Newport Beach Harbor especially given it is unsuitable for open ocean.

Thank you,

Chelsea Kovacevich

Sent from my iPhone

From: [Sydney Lockard](#)
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: Newport Harbor CAD
Date: Friday, September 2, 2022 1:34:24 PM

Sydney Lockard

Subject: #5-21-0640

I am opposed to the proposal to bury material that is unsuitable for Agenda W13b disposal in the open ocean and bury it in the Newport Beach Harbor

From: [Katie Ertle](#)
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: Newport Harbor CAD
Date: Friday, September 2, 2022 1:34:17 PM

Katie Ertle

Subject: #5-21-0640

I am opposed to the proposal to bury material that is unsuitable for Agenda W13b disposal in the open ocean and bury it in the Newport Beach Harbor.

Katie Ertle

From: [Susan Lockard](#)
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: Newport Harbor CAD
Date: Friday, September 2, 2022 1:27:46 PM

Susan Lockard

Subject: #5-21-0640

"I am opposed to the proposal to bury material that is unsuitable for
Agenda W13b

I respectfully request that you postpone a vote on CAD until all pertinent information is disclosed.

Regards,
Susan Lockard

Sent from my iPhone

From: [Puzant](#)
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: Newport Harbor CAD
Date: Friday, September 2, 2022 1:14:16 PM

Subject: #5-21-0640
Agenda W13b

I am opposed to the proposal to bury material that is unsuitable for disposal in the open ocean and bury it in the Newport Beach Harbor.

Puzant Ozbag

From: [Barbara Brawner](#)
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: Newport Harbor CAD
Date: Friday, September 2, 2022 12:49:58 PM

Barbara Brawner
422 Acacia Avenue
Corona del Mar, CA 92625

Subject #5-21-0640
Agenda W13b


Dear Mandy,

I am opposed to the proposal to bury material that is unsuitable for disposal in the open ocean and instead bury it in the Newport Beach Harbor. I ask you to find a more suitable, safer option.

Barbara Brawner

From: [Hannah Beek](#)
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: Newport Harbor CAD
Date: Friday, September 2, 2022 12:46:20 PM

Hannah Beek

 Subject: #5-21-0640

Agenda W13b



I am opposed to the proposal to bury material that is unsuitable for disposal in the open ocean and bury it in the Newport Beach Harbor.



Additional Points for Pausing:

- # 1. Instead of cleaning up the contaminated material and disposing it on land, they plan to take the highly concentrated contaminated material in our residential recreational harbor out of the water and put it back into the water.
- #2. Accepting the permit is premature as there is ongoing sediment sampling that has not been completed to give an accurate determination of the amount of material that is suitable or unsuitable for ocean disposal.
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- #4. The proposal includes a relocation of the boat anchorage for an undetermined time. The project is estimated to take 2 to 4 years.
- #5. Despite having the City Council vote 6-1 to allow the Friends of Newport Harbor to proceed concurrently as an alternative to the CAD, there is no indication that the Coastal Commission is looking at the viable alternatives.
- #6. The CAD proposal includes dredging on the weekends which is disruptive to recreational use and residents' lives when it is NOT necessary. We don't need little sabots and sailboats competing with tugs and dump scows on the weekends.
- #7. They don't know how far down the contamination goes.
- #8. There are still too many unknowns and the CA Coastal Commission needs to take more time to do its job to protect the health and well being of the bay and its residents.

From: [Shaye McClory](#)
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: Newport Harbor CAD
Date: Friday, September 2, 2022 12:45:11 PM

Shaye McClory
Subject: #5-21-0640
Agenda W13b

"I am opposed to the proposal to bury material that is unsuitable for disposal in the open ocean and bury it in the Newport Beach Harbor."

Thank you,

--

Shaye McClory
VP, Marketing Strategy, KCOMM
(949) 230-4381

From: [Wells Baker](#)
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: Newport Harbor CAD
Date: Friday, September 2, 2022 12:42:54 PM

Wells Baker
Subject #5-21-0640
Agenda W13b

I am opposed to the proposal to bury material that is unsuitable for disposal in the open ocean and bury it in the Newport Beach Harbor. This is an irresponsible, incomplete plan that needs to be looked into, and alternative methods of disposal should be employed.

From: [Erin J Anderson](#)
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: Newport Harbor CAD
Date: Friday, September 2, 2022 12:36:16 PM

Erin Anderson

Subject: #5-21-0640

Agenda W13b

"I am opposed to the proposal to bury material that is unsuitable for disposal in the open ocean and bury it in the Newport Beach Harbor."

Erin J. Anderson
President/CEO/Founder
A. Gary Anderson Family Foundation
17772 Cowan
Irvine, CA 92614
erinjanderson@agaff.org
(949)242-5050 office
(714)745-3500 cell

From: [Suzanne Wessman](#)
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: Newport Harbor CAD
Date: Friday, September 2, 2022 12:32:16 PM

Suzanne Wessman
Subject: #5-21-0640
Agenda W13b

I am opposed to the proposal to bury material that is unsuitable for disposal in the open ocean and bury it in the Newport Beach Harbor.

Kindest Regards,

Suzanne Wessman
Newport Beach, CA 92660
Cell: 949-302-9303

From: [Janette Wehrmann | The Wehrmann Foundation](#)
To: [Revell, Mandy@Coastal](mailto:Revell_Mandy@Coastal)
Subject: Newport Harbor CAD
Date: Friday, September 2, 2022 12:30:49 PM
Attachments: [image001.png](#)
[image002.png](#)

Janette Wehrmann

Subject: #5-21-0640

Agenda W13b

"I am opposed to the proposal to bury material that is unsuitable for disposal in the open ocean and bury it in the Newport Beach Harbor."

Janette Wehrmann
Founding Chair

949-258-7438 Cell | 949-335-7875 Main

2816 Newport Blvd., Suite B | Newport Beach, CA 92663

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From: [Peggy Rose](#)
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: Newport Harbor CAD
Date: Friday, September 2, 2022 12:30:07 PM

#5-21-0640
Agenda W13b

I am vehemently opposed to
the proposal to bury material that is unsuitable for disposal in the open ocean and bury it in the Newport Beach
Harbor.

Consider for a moment what you are doing to our future generations.

Thank you.

Peggy Rose
(949) 422-7622
Sent from my iPhone

From: [Hannah Hawkins](#)
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: Newport Harbor CAD
Date: Friday, September 2, 2022 12:30:00 PM

Hannah Hawkins

Subject: #5-21-0640

Agenda W13b

"I am opposed to the proposal to bury material that is unsuitable for disposal in the open ocean and bury it in the Newport Beach Harbor."

From: [Jake La Dow](#)
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: Newport Harbor CAD
Date: Friday, September 2, 2022 12:28:40 PM

Jacob La Dow
Subject: #5-21-0640
Agenda W13b

I am opposed to the proposal to bury material that is unsuitable for disposal in the open ocean and bury it in the Newport Beach Harbor.

--

Regards,

Jake La Dow
(619) 840-8762

From: cindygates@cindy7.com
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: Newport Harbor CAD
Date: Friday, September 2, 2022 12:25:54 PM

Cynthia S Gates
Subject: #5-21-0640

Agenda W13

"I am opposed to the proposal to bury material that is unsuitable for disposal in the open ocean and bury it in the Newport Beach Harbor."

Cynthia S Gates

From: [gina.vincent](#)
To: Revell.Mandy@Coastal
Subject: Newport Harbor CAD
Date: Friday, September 2, 2022 12:24:58 PM

PLEASE OPPOSE

Subject: #5-21-0640

Agenda W13b

I am opposed to the proposal to bury material that is unsuitable for disposal in the open ocean and bury it in the Newport Beach Harbor.

Gina Vincent

Sent from my iPhone

From: [James Saunders](#)
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: Newport Harbor CAD
Date: Friday, September 2, 2022 12:20:05 PM

James Saunders

#5-21-0640

Agenda W13b

I am opposed to the proposal to bury material that is unsuitable for disposal in the open ocean and bury it in the Newport Beach Harbor.

James Saunders

Office: (949) 251-0444 Ext. 114
4040 MacArthur Blvd. Ste. 300
Newport Beach, CA 92660

From: [Tiaan Wienand](#)
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: Newport Harbor CAD
Date: Friday, September 2, 2022 12:19:49 PM

Tiaan Wienand
Subject: #5-21-0640
Agenda W13b

I am opposed to the proposal to bury material that is unsuitable for disposal in the open ocean and bury it in the Newport Beach Harbor.

Thank you

--

Tiaan
Account Executive, KCOMM
714.390.2952
tiaan@kcomm.com

From: [Madeline Pitkin](#)
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: Newport Harbor CAD
Date: Friday, September 2, 2022 12:17:54 PM

Madeline Pitkin
Subject: #5-21-0640
Agenda W13b

I am opposed to the proposal to bury material that is unsuitable for disposal in the open ocean and bury it in the Newport Beach Harbor. This project should not move forward and should be delayed if not stopped completely. Despite having years to prepare for this, there has not been a sufficient amount of testing done to get an accurate estimate of the amount of unsuitable materials. The cap material to cover this hole has not even been identified. It makes absolutely no sense to take these contaminated materials out of our harbor, just to place them right back in. There is no guarantee that the CAD is secure enough to contain these unsuitable materials. Especially because it will be located in an area with high boat traffic, and anchors constantly being dragged right on top of it. This will do more harm than good and is ridiculous when there are plenty of alternative solutions that are financially comparable and much safer. Yet these alternatives have been shut down and ignored. The coastal commission needs to delay the progression of this project in order to fully consider all options, rather than blindly push forward with this outdated, irresponsible, unfinished plan.

From: [David Crouch](#)
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: Newport Harbor CAD
Date: Friday, September 2, 2022 12:14:51 PM

David Crouch

Subject: #5-21-0640

Agenda W13b

I am opposed to the proposal to bury material that is unsuitable for disposal in the open ocean and bury it in the Newport Beach Harbor.

Kindest Regards,
David Crouch II
CEO/CIO, Decorus Imperium
DecorusImperium.com



From: [Deon Macdonald](#)
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: Newport Harbor CAD
Date: Friday, September 2, 2022 12:10:10 PM

Deon Macdonald
Subject: #5-21-0640
Agenda W13b

I am opposed to the proposal to bury material that is unsuitable for disposal in the open ocean and bury it in the Newport Beach Harbor.

Additional Points for Pausing:

- # 1. Instead of cleaning up the contaminated material and disposing it on land, they plan to take the highly concentrated contaminated material in our residential recreational harbor out of the water and put it back into the water.
- #2. Accepting the permit is premature as there is ongoing sediment sampling that has not been completed to give an accurate determination of the amount of material that is suitable or unsuitable for ocean disposal.
- #3. Despite being a stated benefit of the plan, the CAD proposal doesn't guarantee the residents the ability to dispose of their unsuitable material in the CAD.
- #4. The proposal includes a relocation of the boat anchorage for an undetermined time. The project is estimated to take 2 to 4 years.
- #5. Despite having the City Council vote 6-1 to allow the Friends of Newport Harbor to proceed concurrently as an alternative to the CAD, there is no indication that the Coastal Commission is looking at the viable alternatives.
- #6. The CAD proposal includes dredging on the weekends which is disruptive to recreational use and residents' lives when it is NOT necessary. We don't need little sabots and sailboats competing with tugs and dump scows on the weekends.
- #7. They don't know how far down the contamination goes.
- #8. There are still too many unknowns and the CA Coastal Commission needs to take more time to do its job to protect the health and well being of the bay and its residents.

From: [Chace Warmington](#)
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: Newport Harbor CAD
Date: Friday, September 2, 2022 12:10:06 PM

Subject: #5-21-0640
Agenda W13b

My name is Chace Warmington. I am opposed to the proposal to bury material unsuitable for disposal in the open ocean and bury it in the Newport Beach Harbor.

Thank you for recording my opinion.
My best,

Chace

From: [I](#)
To: Revell.Mandy@Coastal
Subject: Newport Harbor CAD
Date: Friday, September 2, 2022 12:07:48 PM

William Macdonald
Subject: #5-21-0640
Agenda W13b

I am opposed to the proposal to bury material that is unsuitable for disposal in the open ocean and bury it in the Newport Beach Harbor.

Additional Points for Pausing:

1. Instead of cleaning up the contaminated material and disposing it on land, they plan to take the highly concentrated contaminated material in our residential recreational harbor out of the water and put it back into the water.

#2. Accepting the permit is premature as there is ongoing sediment sampling that has not been completed to give an accurate determination of the amount of material that is suitable or unsuitable for ocean disposal.

#3. Despite being a stated benefit of the plan, the CAD proposal doesn't guarantee the residents the ability to dispose of their unsuitable material in the CAD.

#4. The proposal includes a relocation of the boat anchorage for an undetermined time. The project is estimated to take 2 to 4 years.

#5. Despite having the City Council vote 6-1 to allow the Friends of Newport Harbor to proceed concurrently as an alternative to the CAD, there is no indication that the Coastal Commission is looking at the viable alternatives.

#6. The CAD proposal includes dredging on the weekends which is disruptive to recreational use and residents' lives when it is NOT necessary. We don't need little sabots and sailboats competing with tugs and dump scows on the weekends.

#7. They don't know how far down the contamination goes.

#8. There are still too many unknowns and the CA Coastal Commission needs to take more time to do its job to protect the health and well being of

the bay and its residents.

From: [Sinan Kanatsiz](#)
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: Newport Harbor CAD
Date: Friday, September 2, 2022 11:15:02 AM

Sinan Kanatsiz
Subject: #5-21-0640
Agenda W13b

"I am opposed to the proposal to bury material that is unsuitable for disposal in the open ocean and bury it in the Newport Beach Harbor."

From: [Jay and Donna Gallagher](#)
To: Revell.Mandy@Coastal
Subject: Newport Harbor CAD
Date: Friday, September 2, 2022 10:53:38 AM

Dear Sirs/Madames,

I am opposed to the proposed plan to bury material that is considered unsuitable for disposal in the open ocean and bury it in Newport Beach Harbor.

Thank you,
James Gallagher

From: [Mark Conzelman](#)
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: Newport Harbor CAD
Date: Friday, September 2, 2022 10:42:08 AM

Mark Conzelman
Opposed
#5-21-0640
Agenda W13B

A CAD is inappropriate for Newport Harbor because of it's residential and recreation intensity. It will substantially limit recreational access and enjoyment for years.

Quantity of toxic materials is grossly exaggerated due to failure to perform adequate test sites, resulting in a perceived need for a huge dump site. A CAD is a quick, cheap, temporary solution that will prevent future dredging.

A better solution frequently used in residential and recreational areas is a CFD. Repurposing toxic materials in a CFD would be more appropriate and provide an elegant permanent solution.

It could provide facilities for everyone to access and enjoy California's most intensely used recreational harbor.

Respectfully Submitted,
Mark Conzelman

Sent from my iPhone

From: [Nicole Nelson](#)
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: Newport Harbor CAD
Date: Friday, September 2, 2022 10:24:13 AM

My name is Nicole Nelson
Subject: # 5-21-0640
Agenda W13b

I am OPPOSED to the proposal to remove contaminated material which is unsuitable for disposal in the open ocean and bury it in the Newport Beach Harbor.

Sincerely,
Nicole Nelson
Newport Beach, CA

From: [Piper Benom](#)
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: Newport Harbor CAD
Date: Friday, September 2, 2022 10:14:39 AM

To whom it may concern:

Subject: #5-21-0640

Agenda W13b

I'm a resident of Newport Beach writing in opposition to the proposed plan to bury contaminated sediment in the Newport Beach Harbor. The plan to remove highly concentrated contaminated material from the water — and then put it back into the water in our residential /recreational harbor is reckless and unnecessary.

The commission has an obligation to take the time they need and look at viable alternatives to protect the health of Newport Bay and the safety of those of us who live here. Our Newport Beach City Council voted 6-1 to allow the Friends of Newport Harbor to proceed concurrently as an alternative to the CAD! There is still ongoing sampling of the sediment and far too many unknowns to move forward with the CAD plan at this time.

For the health of the Newport Bay I urge the commission to reject the permit.

Sincerely,

Piper Benom
Newport Beach
410-991-8162

From: [Kara Pitkin](#)
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: Newport Harbor CAD
Date: Friday, September 2, 2022 10:12:33 AM

Kara Bodine:
OPPOSED
Subject: #5-21-0640
Agenda W13b

I am opposed to the proposal to bury material that is unsuitable for disposal in the open ocean and bury it in the Newport Beach Harbor.

From: [constance_z](#)
To: Revell.Mandy@Coastal
Subject: Newport Harbor CAD
Date: Friday, September 2, 2022 10:11:54 AM

Subject line: Newport Harbor CAD
Subject: #5-21-0640
Agenda W13b

I am opposed to the proposal to bury material that is unsuitable for disposal in the open ocean and bury it in the Newport Beach Harbor.

Constance Esposito

From: [Vicki Carney](#)
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: Newport Harbor CAD
Date: Friday, September 2, 2022 9:57:37 AM

Vicki Carney
Subject: #5-21-0640
Agenda W13b

Coastal Commission,

I am opposed to burying material that is unsuitable for disposal in the open ocean and bury it in the Newport Beach Harbor. At a time where I keep hearing that we need to protect the environment, we should not be doing CAD. This is not good for CA residents. Please do not do this.

Thank you,
Vicki Carney

From: [Dianne Wells](#)
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: Newport Harbor CAD
Date: Friday, September 2, 2022 9:56:05 AM

Dianne B. Wells
Subject: #5-21-0640
Agenda W13b

I am opposed to the proposal to bury material that is unsuitable for disposal in the open ocean and bury it in the Newport Beach Harbor.

From: christophe@scdevelopment.net
To: [Revell, Mandy@Coastal](mailto:Revell_Mandy@Coastal)
Subject: Newport Harbor CAD
Date: Friday, September 2, 2022 9:51:04 AM
Attachments: [image001.png](#)

Christophe@SCdevelopment.net

Subject: Newport Harbor CAD

Christophe Killian

Subject: #5-21-0640

Agenda W13b

I am opposed to the proposal to bury material that is unsuitable for disposal in the open ocean and bury it in the Newport Beach Harbor. I have been sailing in the Harbor at five points from the time I was 4 years old. I have spent over 2,000 hours competing or practicing in Newport Harbor. Newport Harbor is one of the greatest sailing venues in the entire country when it comes to turning out the best sailors. The complexity of the wind shifts and current creates an environment of sailing difficulty that creates some of the greatest sailing minds in the world. The CAD would ruin this for the foreseeable future.

The location of the CAD is the primary sailing venue for the Harbor with the majority of races cutting directly through it. Shutting down this section of the Harbor would take the majority of our racing area away. This will stifle the growth of new sailors and certainly lower Newport Harbor's status as a sailing powerhouse. Sailing is one of the purest sports in existence. The feeling of calm and freedom is unmatched in any other activity. I hope we do not rob our future generations of this amazing pass time. Do not ruin my Harbor.

Truly,

Christophe Killian

Acquisitions Associate

SC Development

C: (714)-809-2279

2151 Michelson Dr., Ste. 140

Irvine, CA 92612

www.scdevelopment.net



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From: [KATHY THIEDE](#)
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: Newport Harbor CAD
Date: Friday, September 2, 2022 9:40:15 AM

Kathy Thiede
Subject: #5-21-0640
Agenda W13b

I am opposed to the proposal to bury material that is unsuitable for disposal in the open ocean and bury it in the Newport Beach Harbor. Definitely not a good idea.

Sent from my iPhone

From: [Karla Worsdell](#)
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: Newport Harbor CAD
Date: Friday, September 2, 2022 9:18:20 AM

Karla Worsdell
Subject: #5-21-0640
Agenda W13b

To: The California Coastal Commission

I am opposed to the proposal to bury material that is unsuitable for disposal in the open ocean and bury it in the Newport Beach Harbor.

I am horrified that this is even being considered as an option.

Karla Worsdell

From: [judy.mann](#)
To: Revell.Mandy@Coastal
Subject: Newport Harbor CAD
Date: Friday, September 2, 2022 9:03:15 AM

Subject line: Newport Harbor CAD

I am opposed to the proposal to bury material that is unsuitable for disposal in the open ocean and bury it in the Newport Beach Harbor.

JUDY MANN
Subject: #5-21-0640
Agenda W13b

From: [Pamela A Conner](#)
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: Newport Harbor CAD
Date: Friday, September 2, 2022 8:58:48 AM

Pamela Conner
Subject: #5-21-0640
Agenda W13b

"I am opposed to the proposal to bury material that is unsuitable for disposal in the open ocean and bury it in the Newport Beach Harbor."

Sent from my iPhone

From: [Linda Worley](#)
To: [Revell, Mandy@Coastal](#)
Cc: [Patricia Thompson](#)
Subject: Newport Harbor CAD
Date: Friday, September 2, 2022 8:46:23 AM

Linda Worley (Fountain Valley, CA resident)

Subject: #5-21-0640
Agenda W13b

"I am vehemently opposed to the proposal to bury material that is unsuitable for disposal in the open ocean and bury it in the Newport Beach Harbor."

Sincerely,
Linda Worley

From: [Robin Sanders](#)
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: Newport Harbor CAD
Date: Friday, September 2, 2022 8:44:26 AM

Robin Sanders
Subject: #5-21-0640
Agenda W13b

Dear Mandy,

I am opposed to the proposal to bury material that is unsuitable for disposal in the open ocean and bury it in the Newport Beach Harbor.

Thank you for your consideration.

From: [Taylor Collery](#)
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: Newport Harbor CAD
Date: Friday, September 2, 2022 8:41:27 AM

Taylor Collery
Subject: #5-21-0640
Agenda W13b

Hi,

I am opposed to the proposal to bury material that is unsuitable for disposal in the open ocean and bury it in the Newport Beach Harbor. This will have an impact for generations, we do not want our residential waters contaminated, do not make that mistake.

-Taylor

From: [Sandy MacDougall](#)
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: Newport Harbor CAD, Subject: #5-21-0640 Agenda W13b
Date: Friday, September 2, 2022 11:09:53 AM

"I am opposed to the proposal to bury material that is unsuitable for disposal in the open ocean and bury it in the Newport Beach Harbor."

Sandy MacDougall
President
Mortgage Vintage
C: 949.632.6145
Sandy@mortgagevintage.com
Cal DRE: 01007035
260 Newport Center Dr.
Newport Beach, Ca 92660

From: [Juliet Scholz](#)
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: Newport Harbor CAD
Date: Friday, September 2, 2022 1:54:36 PM

I am opposed to the proposal to bury contaminated materials that is unsuitable for disposal in the open ocean and bury it in the Newport Beach Harbor where public recreation and residential homes are nearby.

Juliet Scholz
Subject: # 5-21-0640
Agenda W13b

From: [Mia Alexis](#)
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: NEWPORT HARBOR CAD
Date: Friday, September 2, 2022 1:17:52 PM

Marc and Mia Alexis
Subject: #5-21-0640
Agenda W13b

We, Marc and Mia Alexis of Newport Beach, are opposed to the proposal to bury material that is unsuitable for disposal in the open ocean and bury it in the Newport Beach Harbor. This plan sounds dangerous, irresponsible and utterly ridiculous. As longtime water sport enthusiasts in the Newport Bay, we are horrified of even the suggestion of such a plan for the disposal of toxic sludge in the middle of the bay.

Sent from my iPhone

From: [Barbara Riggs](#)
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: Newport harbor CAD/dumping #5-21-0640
Date: Friday, September 2, 2022 12:53:02 PM

Newport harbor CAD)

Subject: #5-21-0640
Agenda W13b

I am opposed to the proposal to bury material that is unsuitable for disposal in the open ocean and bury it in the Newport Beach Harbor!!

From: [Cate Heck](#)
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: Newport harbor concerns
Date: Friday, September 2, 2022 12:01:08 PM

Mandy,

I am opposed to the proposal to bury material that is unsuitable for disposal in the open ocean and bury it in the Newport Beach Harbor.

Thank you.

Cate Heck

--

Blessings to you!

Cate Heck

From: [Seth Christian](#)
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: Newport Harbor Proposed CAD plan/hearing
Date: Friday, September 2, 2022 12:43:49 PM

Mandy,

My family and I are very concerned about and opposed to the proposal to bury contaminate that is unsuitable in the open ocean in our harbor where my children often swim. I have seen alternatives that I believe would be far more environmentally safe and do not believe the city of Newport Beach has appropriately considered these alternatives and that the public is largely unaware of the current proposal.

I believe at the very least the current scheduled hearing should be postponed for more public awenesss of both the current plan and potential alternatives.

Thank you for your consideration.

Sincerely,

-Seth

Seth Christian
949-413-3925

From: [Shana Conzelman](#)
To: [SouthCoast@Coastal](#); [Revell.Mandy@Coastal](#)
Subject: No CAD in Newport Harbor Application 5-21-0640
Date: Tuesday, August 30, 2022 6:26:44 PM

Shana Conzelman
Opposed
Application 5-21-0640
Agenda W13b

Commissioners,

When I think of the Coastal Commission and our California coastal waters I feel a sense of comfort that you and I should hold common ground. I guess what I'm saying is that I should feel a sense of support when the subject matter is based on the purity of our coastal waters. I was convinced that the ludicrous idea of placing a huge CAD in Newports recreational, residential, pristine anchorage would never make it past those who are mandated to care as much as I do about preserving this bay.

I have spent the last four years going to every meeting, asking questions and trying to make sense of why anyone would consider taking toxic/unsuitable sediment from one area of the bay and placing it in this object called a CAD would even come close to the promise they made to clean up the bay. First, moving 'unsuitable for ocean disposal' materials from one area to another is not a clean up. Taking our clean anchorage sediment and providing 'deposition of clean sandy sediments along nearshore ocean beaches' is not beach replenishment as promised to the Newport Peninsula. And for the real kicker in the process of doing all of this digging up and dumping those contaminated sediment particles will be spread through the pluming process. The waters that you and I respect, the plant life disruption, the wildlife will all suffer and spread these contaminants even further.

The clear alternative to clean up our bay should be a

CDF, Confined Disposal Facility. Properly mitigated, contaminated sediment placed on land is a permanent solution. There are viable options for this type of disposal that were never properly vetted. There is a specific alternative that has been researched and preliminary assessments made and funded by private citizens because they too desire to be prudent and do the long term, generational solution.

You, as a Coastal Commissioner and I as a very conscientious native Californian have an obligation to stand up for what is right. I respectfully ask you to consider that the supposed experts pushing this agenda are pushing from a personal gain perspective. While some may consider this human nature, we must protect 'nature' as she can not protect herself. Placing a 47' deep, 590' x 590' wide hole in the middle of the Newport Harbor anchorage and filling it with unsuitable sediment for travelers from all over the world to drag their anchors through is a recipe for disaster.

I hope my heartfelt desire resonates throughout this request, please do not approve the application for Coastal Permit **5-21-0640**.

Respectfully submitted by: Shana Conzelman

From: [Lauren Chase](#)
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: OCCK Comment Letter: CDP App. 5-21-0640, Item 13b, 09/07/22 Meeting
Date: Friday, September 2, 2022 10:18:00 AM
Attachments: [2022.09.02 OCCK Letter CDP 5-21-0640 Item 13b.pdf](#)

Good morning,

On behalf of Orange County Coastkeeper, please see attached comment letter for the above-referenced item. If you have any questions or would like to discuss, please don't hesitate to reach out. Thank you in advance for your consideration and thank you for all of your great work along our coasts.

For clean water,

Lauren Chase
Staff Attorney
lauren@coastkeeper.org
Orange County Coastkeeper
Inland Empire Waterkeeper
Coachella Valley Waterkeeper
Living on sacred Acjachemen and Tongva lands

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From: chieflockard@gmail.com
To: Brownsey_Donne@Coastal; SouthCoast@Coastal; Revell_Mandy@Coastal
Cc: Hart_Caryl@Coastal; Turnbull-Sanders_Effie@Coastal; Aminzadeh_Sara@Coastal; Escalante_Linda@Coastal; mike.wilson@coastal.ca.gov; Katie.Rice@coastal.ca.gov; Padilla_Stephen@Coastal; Meagan.Harmon@coastal.ca.gov; Roberto.Uranga@coastal.ca.gov; Groom_Carole@Coastal; Mann_Zahirah@Coastal; Rivas_Rick@Coastal
Subject: Oppose CAD in Newport Harbor Application 5-21-0640
Date: Wednesday, August 31, 2022 11:56:04 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
Importance: High

Dennis Lockard

OPPOSED

Application 5-21-0640

Agenda W13b

**THIS COMMUNICATION IS BEING SENT TO COSTAL COMMISSION STAFF VIA
EMAIL IN ACCORDANCE WITH EX-PARTE PROCEDURES**

Dear Chairman Brownsey and Costal Commission Members,

Thanks for the important work you do to protect one of the greatest natural resources in California, our State tidelands, waterways and tidelands. The Coastal Commission has the authority and responsibility to ensure our coastlines are maintained and preserved.

To that goal the removal of contaminated materials within the harbor of Newport Beach in conjunction with Federally authorized (and funded) dredging is a noble cause. The presence of contaminated materials in the bay poses a concern that should be addressed. The contaminated soil that will be disturbed by these dredging operations should be **removed from the bay to prevent any future exposure to the known hazard.**

As stated in the application those contaminants include (*on page 21*):

The proposed project includes dredging of sediments contaminated with elevated concentrations of chemicals including pesticides, polychlorinated biphenyls (PCBs) and/or mercury within Lower Newport Harbor,

Unfortunately, the **City of Newport Beach** selected **Anchor QEA** as the consultant team responsible for determining the **best method for remediation** of these contaminated soils. **Anchor QEA, a company specializing in Confined Aquatic Disposal (CAD) and monitoring** (see exhibits for this application). **It is in the best interest of current and future company revenues for Anchor QEA to propose a**

CAD for the contract to design and build the CAD, and receive the continuing revenues for monitoring the CAD in perpetuity (section 3A;2b of the application).

The Commission should find the application incomplete in accordance with section IV; C, in that the alternates analysis has been proved incomplete.

The project application states (on page 18):

The proposed CAD and disposal project must be examined for consistency with Section 30233 of the Coastal Act. Under this section, dredging and filling of open coastal waters, including disposal of dredged materials, is limited to those cases where the proposed project is an allowable use, is the least damaging feasible alternative, and where mitigation measures are provided to minimize environmental impacts. As stated, the dredging of the federal channels in the Newport Harbor has been permitted separately. This project is an allowable use pursuant to Section 30233(a)(2), -(4), and -(6), as components of the project achieve numerous goals for the overall functionality of Newport Harbor.

The alternatives listed in the report are:

1. No CAD construction
2. Upland Trucking of Material to Landfill
3. Reduced Dredging, and Smaller CAD
4. Alternative (CAD) Location within Newport Harbor

It is important to note three of the four alternatives deal with CAD construction. Further, none of the alternatives explored in the report reflect local public comments demanding the scope of the CAD project alternatives include (on land) Confined Disposal Facility (CDF) adjacent to the bay. The CDF would provide greater protection to the bay by **removing the contaminated soil from the bay,** and provide a permanent solution that would not require continual, annual inspection and maintenance.

Based on this information, and the incomplete application filed by the applicant we respectfully request you deny this application.

The application, does not meet the conditions of approval that are stated in the staff report (on page 20):

The Commission finds that the proposed dredging and fill associated with the proposed project is associated with allowable uses and is the **least environmentally-damaging feasible alternative** for disposal of Lower Newport Harbor contaminated sediments, which includes feasible mitigation measures.

Please stand with the residents of Newport Beach and the citizens of California and demand:

- the City provide a comprehensive review of the alternatives to constructing a CAD in Newport Bay;
- consultants selected by the City to evaluate all the alternatives for the disposal of contaminated soil be a independent firm that will not construct or profit from any form of mitigation selected.

The City of Newport Beach has, over the years, gradually continued to increase the City's control of the harbors and beaches of Newport Beach. This effort, appears to be to increase regulatory control, and revenues from associated tideland activities. The application before you, 5-21-0640, Agenda item W13b is an extension of the control and future revenue source for the City.

Please deny this current application and require the City to return to the Coastal Commission a revised complete, comprehensive report that identifies all remediation alternatives and have support of the community for the recommended mitigation method.

Kindest Regards, Dennis Lockard

From: [Julie Reynolds](#)
To: PublicPortalComments@coastal.ca.gov; SouthCoast@Coastal; Revell.Mandy@Coastal
Cc: [jrprsocal](#)
Subject: OPPOSED - A5-21-0640 - W13B - J REYNOLDS
Date: Friday, September 2, 2022 8:21:32 AM
Attachments: [OPPOSED - A5-21-0640 W13B - J Reynolds - 9.1.22.pdf](#)

Julie Reynolds
OPPOSED
A5-21-0640
W13B

Dear California Coastal Commission & Ms Mandy Revell:

I am opposed to the approval of current plans to construct a Confined Aquatic Disposal Facility (CAD) in the middle of the Newport Beach harbor at the Anchorage site where dredged sediment unsuitable for open ocean disposal can be dumped and capped with a final 3-foot thick layer of sand.

Please pause your plans to adopt the current CAD plan for these and other reasons:

- Boats regularly drop heavy anchors into the sediment at the bottom of the Newport Harbor Anchorage site and drag them until they're secured. These actions will disturb the sediment again when the anchor is pulled up. Sediment will also be disturbed by propeller thrust during anchoring and idling. The dredged sediment will drift to public beaches adjacent to the anchorage site and to homes lining the harbor, putting all sea life at risk, along with our residents and visitors who swim, SUP, kayak and jet ski in the harbor daily.
- The CAD proposal includes dredging on the weekends which is disruptive to recreational use and residents' lives when it is NOT necessary. We don't need little sabots with children, SUPs, kayaks and sailboats competing with tugs and dump scows on the weekends.
- Accepting the current plan is premature since the ongoing sediment sampling isn't complete and there is still no accurate determination of the amount of material that must be disposed.
- The proposal includes a relocation of the boat anchorage for an undetermined time. To where? Plus, the project is estimated to take 2 to 4 years.

Please don't 'sweep the dirt under the rug' so to speak. Those of us who live here

believe the current CAD plan is a recipe for disaster.

I am opposed **OPPOSED to the current proposal A5-21-0640 W13B** and urge the California Coastal Commission to pause the approval of the current proposal until a better alternative for moving the contaminated sediment is identified.

Thank you for your kind consideration

Best,

Julie Reynolds

818.264.5594

jrprsocal@gmail.com

From: [Anne Parzick](#)
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: Opposition to Newport Harbor CAD
Date: Friday, September 2, 2022 2:11:34 PM

Subject: #5-21-0640
Agenda W13b

Hi! I am a Newport Beach resident, and I wanted to register my opposition to the proposed plan to bury contaminated sediment in the Newport Beach harbor. It is unnecessary and potentially dangerous. There are still too many unknowns to proceed with the plan; I think the Commission, at the very least, needs to take the time needed to ensure the safety of the harbor and its residents. The city council even voted 6-1 to allow the Friends of Newport Harbor to proceed concurrently as an alternative.

As a side note, I'm astonished that the Commission is even considering taking contaminated material from the water and putting it BACK into the water! Please make the right decision and reject the permit.

Thanks,
Anne Parzick

From: [Deborah Lorentzen](#)
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: opposition to the CAD plan
Date: Friday, September 2, 2022 12:14:04 PM

deborah Lorentzen
subject:#5-21-0640
agenda W13b

I am OPPOSED to bury material that is unsuitable for disposal
in the ocean and bury it in the NEWPORT BEACH HARBOR!!!!

From: [Deborah Lorentzen](#)
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: opposition to the CAD plan
Date: Friday, September 2, 2022 12:23:22 PM

I am opposed to the proposal to bury material that is unsuitable for the disposal in the open ocean and bury it in the NEWPORT BEACH HARBOR!!

Respectfully,
Deborah lorentzen resident of Newport Beach

From: [Bobbie Howe](#)
To: [SouthCoast@Coastal](#)
Cc: [Revell, Mandy@Coastal](#)
Subject: permit 5-21-0640
Date: Monday, August 29, 2022 3:16:46 PM
Attachments: [App 5-21-0640.pdf](#)

See attached.

I am OPPOSED TO application 5-21-0640.

Agenda W13b

Bobbie Howe Previti

BKH DESIGN GROUP LLC

phone 805 698 9014

address 5780 Fleet Street suite 225 Carlsbad ca 92008

bobbiehowe@gmail.com

From: paul@scdevelopment.net
To: [Revell, Mandy@Coastal](mailto:Revell_Mandy@Coastal)
Subject: Please Don't Contaminate Everyone's Harbor - No On Newport Harbor CAD
Date: Friday, September 2, 2022 9:38:33 AM

Subject: #5-21-0640

Agenda W13b

The Newport Harbor is a beautiful recreational resource for the millions of residents that live in Riverside, San Bernardino, Orange, and Los Angeles Counties. People from all over Southern California come to Newport Harbor to enjoy the controlled marine activities that the Harbor offers such as fishing, sailing, paddle boarding, etc. The proposal to take contaminated material out of one portion of the Harbor and relocate it to another area of the Harbor, while only encapsulating it with a minimal amount of protection, is short sighted and will create a problem in the future for the Harbor. Please do not approve the proposed plan and allow for permanent solutions to be evaluated. Thank you.

Paul Conzelman

From: bmardian@pienvironmental.com
To: SouthCoast@Coastal
Cc: Revell.Mandy@Coastal; [Jennifer Novak](#)
Subject: Public Comment on September 2022 Agenda Item Wednesday 13b - Application No. 5-21-0640 (City of Newport Beach, Newport Beach)
Date: Thursday, September 1, 2022 2:17:20 PM
Attachments: [W13B_Mardian.pdf](#)

Good afternoon. I am submitting comments to the Commission to urge for the reconsideration/deferment of Agenda item W13b, the City of Newport Beach proposal to build contaminated storage site in lower Newport Bay. As described in the attached comment letter there are a few underlying fundamental problems with this project as proposed.

I believe I speak for many concerned citizens, interested parties, and stakeholders in the Bay when I say that for a project of this magnitude to be considered (and moreover approved), there must be a substantial amount of technical justification, unfettered transparency, and proof through actions and data that EVERY effort technically and scientific possible was expended to find other alternatives to in-bay disposal, which will occur near people's homes and in REC-1 harbor that neighbors an MPA.

Based on the EIR analysis performed during CEQA, the sediment chemistry dataset, the May 2022 supplemental to the application, and the special conditions identified in the staff report, this project does not meet the technical standard required to permit this effort.

Very Respectfully,
Brent

Brent Mardian
Senior Marine Scientist
Pi Environmental, LLC
O:760.593.3141
C:805.705.5632

Dear Commissioners,

On the subject of the proposed Newport Beach Confined Aquatic Disposal project (application No. 5-21-0640), **the City application for a Coastal Development Permit must be delayed and/or be re-evaluated in CEQA to preserve consistency with section 30230 and the protection of marine resources.** This does not stop the USACE from contracting, or dredging the material that is slated for either offshore or nearshore placement outside the areas identified for placement in the CAD. The dredging under the 404 can continue, just not CAD construction.

Section 30230 of the Coastal Zone Management Act states: “Marine resources shall be maintained, enhanced, and where feasible, restored. *Special protection* shall be given to areas and *species of special biological or economic significance*. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.”

According to the 2019 Newport Beach Economic Contribution to the Orange County Economy Report produced by the City, Newport Beach accounts for 15% of all property tax revenue generated by the county’s incorporated cities (over \$72 million dollars), making it the largest property tax revenue generator among the county’s cities. Further, the City generates over \$42 billion in additional economic output. Needless to say, Newport Beach *is* undoubtedly an *area of economic significance*.

Hydraulically connected to the largest recreational harbor in southern California, Upper Newport Bay serves as a home and breeding grounds for a variety of bird and plant species, fish, and benthic animals that are dependent upon the health of the Bay for survival. These wetlands are designated as a state marine conservation area (SMCA) and therefore, Marine Protected Area (MPA). The MPA extends as far south as the Pacific Coast Highway Bridge, which is less than ½ mile from the proposed CAD location. Upper and lower Newport Bay cannot be disconnected, are physically linked, and are not mutually exclusive.

Now that both the *biological and economic significance* of Newport Bay have been established, the Coastal Commission is obligated to apply *special protections* for Newport Bay, and hold any project that could impact this area to an extremely high permit approval standard.

Special Condition 2 is inconsistent with Section 30230

The clean material to be used to sequester the contaminants of the CAD is singularly the most important part of the design. Not only should it be identified where this clean material is coming from pre permitting, but also provided in a transparent process so homeowners and stakeholders can have an accurate understanding of what will be containing the unsuitable material. Even the City recognizes the importance of the clean cap material to this plan, as demonstrated by this quote from Mr. Chris Miller from the City of Newport Beach in the 5 December 2109 Newport Beach Independent, ‘Capping is the most critical part of this concept’. The residents and stakeholders of Newport Beach deserve concrete reassurances and data that show the City has a plan and material identified, and will not engage in an ad-hoc approach to contaminant containment or contaminant dredging.

Fortunately, the City is currently resampling the RGP-54 areas and collecting the data necessary to identify clean cover material as well as to identify potential dredge material areas it plans on seeking disposal suitability in the CAD. An undeniable opportunity exists to fill the two unidentified sediment data gaps, clean cover material and project areas from the RGP that will be included in the CAD.

As a sampling and analysis plan (SAP) prepared by the City has been approved by the USACE and EPA (July of 2022), the City has been authorized to resample the RGP-54 areas, if they have not already. There is no reason for the Coastal Commission to rush a CDP approval right now, under a special condition or otherwise, and permit critical parts of this engineered sediment containment option to be deferred to a later date. The data necessary for transparency and to complete the design can be provided to the agencies and for public review in the short-term depending on when the sampling is completed.

Infeasible CEQA Alternatives

The City of Newport Beach Public Works argued unsuccessfully in 2018 that this CAD effort was a continuation of dredging from 2012, and was therefore exempt from CEQA. Fortunately, City attorneys disagreed, or else there would have been zero transparency in this process and no stopping the contaminated storage site in the middle of lower Newport Bay.

While argued at the time, the alternatives of no-dredging and limited dredging as proposed in the City's EIR are infeasible. These are federal navigation channels, and under a federal requirement to be maintained. As all the dredging is now being performed under the 404 program, they cannot be options available to the City and meet the CEQA definition of a feasible alternative. By dredging under the 404 program, the City may have alleviated the sediment TMDL DDT compliance requirement that it hold its residents in the RGP-54 area too, but it also precludes the consideration of those 'dredge' based EIR alternatives presented initially by the City and continued into the supplemental to the application submitted in May. This significant structural change to this program should require the City return to CEQA an re-analyze available sediment management alternatives.

It is inconsistent for the City to provide new information for volumes and design changes to the CAD, and allow the subtraction of 30% of the available alternatives to go uncorrected. Minus the two infeasible alternatives (no and limited dredging) and the City provided the citizens and stakeholders of the Bay the current CAD, smaller CADs, an alternative location for a CAD, or a ridiculously expensive upland disposal option that offloads near restaurants in the Rhine Channel, that event the City is quoted as saying is 'likely infeasible.'

Insufficient Sediment Testing Data

When it comes to sediment sampling, there are multiple ways to perform a sediment characterization depending on the goal. If you are concerned about chemistry, and therefore suitability, you blend (i.e., composite) sediment from multiple cores and submit the singular sample. By mixing good and bad sediment from multiple cores, it usually has the effect of diluting out contaminants, reducing overall concentrations, and aids in attaining offshore/nearshore disposal suitability. If however, the composite sampling approach shows elevated chemistry levels, the next step is to analyze the cores used to make

the composite, and identify hot spots (i.e., core locations) that may be the driver of the increased chemical concentrations.

But hot spot identification and analysis of the cores that made the composite is not the end point in sediment investigations. Generally, once a hot spot has been determined, a second characterization will be performed to bracket the area of contamination, and delineate the contamination vertically in the sediment column and spatially around the hot spot areas. By doing so, patterns in both the spatial distribution and vertical extent of the contamination become more readily identifiable. This information is then used to design and implement more elegant sediment management solutions, and aids in the overall reduction of volumes that may need an engineered solution.

The City analyzed a composite sample for each dredge areas, and then analyzed the cores that made up the composite sample. But since 2019, the City has not engaged in any further efforts to delineate or attempts to reduce volumes with additional field collected data. The low-resolution sampling approach conducted by the City yields very few data points for agency review, and maximizes the volume of material to be managed.

For example, in Newport Channel 1, the City characterization provides 3 samples (a composite and the two cores that made up the composite) and results in over 47,000 CY (44%) of the material determined unsuitable for ocean or nearshore disposal and needing disposal in the CAD. Because the samples were not split vertically, the limited testing data lacks the resolution necessary to identify vertical gradients in chemical concentrations, leading to a determination that everything from the surface to the bottom of the dredge prism is considered unsuitable. When in reality, unsuitable chemical concentrations may be concentrated in the top foot or two, as suggested in the Staff report.

A similar story in Main Channel North 2, where there is one sample above the negotiated mercury limit of 1.5 mg/kg, and two adjacent samples well below the current threshold of 1 mg/kg. Therefore, the singular sample above the mercury offshore limit (2.2 mg/kg) is not a representative indicator of the levels of contaminants in that dredge area, especially given the spatial distance between samples and the lack of vertical characterization. This sample yields over 20,000 CY of unsuitable material.

The intellectual justification and environmental due diligence necessary to recommend a sediment management alternative as significant as the first CAD ever in a residential harbor, particularly in Newport Bay, has not been done to satisfy the requirements of section 30230 in this biologically sensitive and economically important area. This project has not met a technical excellence standard that should accompany a permit approval for in-bay disposal within a REC-1 system.

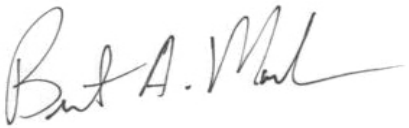
The City needs to further delineate these contaminated areas and ensure every attempt to reduce dredge volumes and construction related impacts to the Bay have been taken. The more dredging and in-bay disposal, the more disturbance.

Between the lack of alternatives investigated during the CEQA process, the lack of sediment testing data, and the lack of a fully designed engineered solution that clearly identifies the sequestration material, this permit application and project leaves significant questions unanswered, and should be delayed and/or reconsidered in CEQA, and revisited when the City has completed the planning and design of the engineered alternative, to provide stakeholders sufficient information to understand the direct and indirect consequences and impacts associated with the CAD alternative.

Thank you for the opportunity to submit on this project. We recognize the Commission and staff are entrusted with the authority to hold public agencies and the federal government to a high standard of approval, and hope that in light of the shortcomings of this project, that the Commission will have the commitment and courage to stand-up for Newport Bay and require additional analysis and investigation.

Please help the homeowners, stakeholders, and the countless users of the Bay preserve the decades of effort that has been done to keep the waters of the bay clean, swimmable, and fishable, and help Newport Bay remain the jewel of southern California.

Respectfully

A handwritten signature in black ink, appearing to read "Brent A. Mardian". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Brent Mardian
Owner/Senior Marine Scientist
Pi Environmental, LLC
Cell: 805.705.5632
Office: 760.593.3141

From: [Tenorio, Claudia@Waterboards](mailto:Tenorio.Claudia@Waterboards)
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Cc: [Zaher, Maher@Waterboards](mailto:Zaher.Maher@Waterboards)
Subject: Public Notice Opportunity Draft WQC Lower Newport Bay Confined Aquatic Disposal Construction Project (302021-09)
Date: Friday, September 2, 2022 2:15:26 PM
Attachments: [302021-09 PN.pdf](#)

Hi Mandy,

Please find attached the public notice for the opportunity to comment of the draft Water Quality Certification for the Lower Newport Bay Confined Aquatic Disposal Construction Project.

Thank you,

Claudia Tenorio
Senior Environmental Scientist (Supervisory)
Regional Planning Programs Section
Santa Ana Regional Water Quality Control Board

From: [Jennifer Novak](#)
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Cc: [Schwing, Karl@Coastal](mailto:Schwing.Karl@Coastal)
Subject: Question regarding City of Newport Beach's CDP Application
Date: Friday, September 2, 2022 11:00:05 AM
Attachments: [PastedGraphic-3.png](#)

Mandy,

During our call yesterday, we discussed the fact that the Coastal Commission has one year from the application in which to act and that deadline was coming up. Could I confirm the date that the Commission believes is its last day to act?

Regards,
Jennifer F. Novak

Law Office of Jennifer F. Novak
500 Silver Spur Road, Suite 206
Rancho Palos Verdes, California 90275
(310) 693-0775 office
(626) 487-9762 cell
www.jfnovaklaw.com



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From: [Christy Shepherd](#)
To: [Revell, Mandy@Coastal](mailto:Revell.Mandy@Coastal)
Subject: Subject line: Newport Harbor CAD (Your Name) Subject: #5-21-0640 Agenda W13b
Date: Friday, September 2, 2022 9:37:06 AM

W13b

"I am opposed to the proposal to bury material that is unsuitable for disposal in the open ocean and bury it in the Newport Beach Harbor."

Sincerely,
Christiane Shepherd

Sent from my iPhone

From: [William A Loveland](#)
To: [Revell, Mandy@Coastal](#)
Cc: [William A Loveland](#)
Subject: Subject line: Newport Harbor CAD
Date: Friday, September 2, 2022 9:05:22 AM

William A. Loveland
Subject: #5-21-0640
Agenda W13b

I am opposed to the proposal to bury material that is unsuitable for disposal in the open ocean and bury it in the Newport Beach Harbor.

William A. Loveland