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**CC-0005-25**

**(Linda Isle Community Association)**

**October 10, 2025**

## **EXHIBITS**

**Exhibit 1** – Location Map

**Exhibit 2** – Project Plans

**Exhibit 3** – Linda Isle Lagoon Eelgrass Distribution and Conservation Core

**Exhibit 4** – Project Conservation Commitments

# Exhibit 1



Figure 1. Regional Locator Map

Exhibit 2

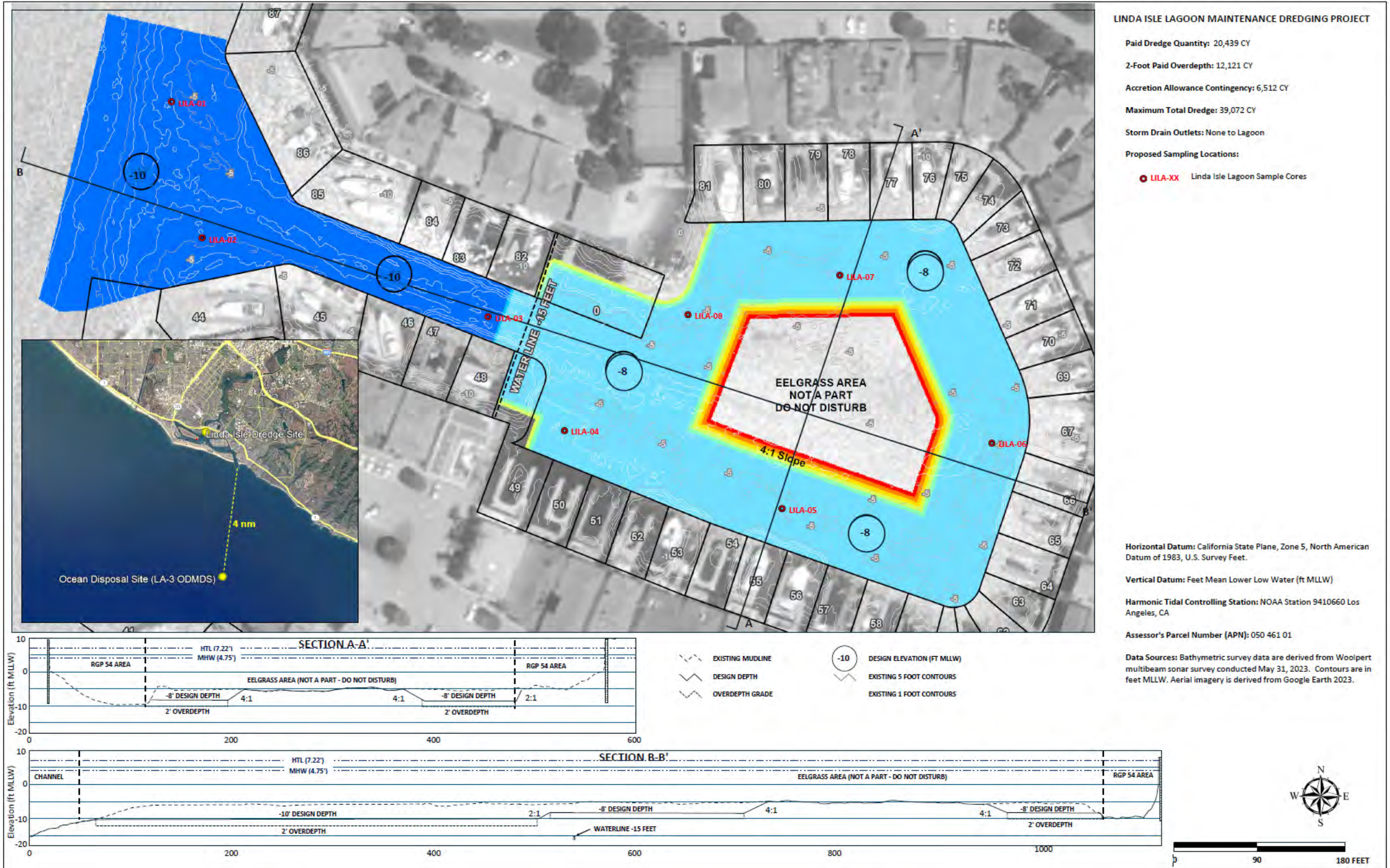


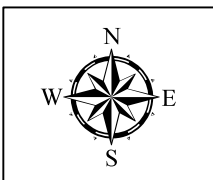
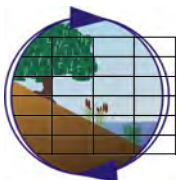
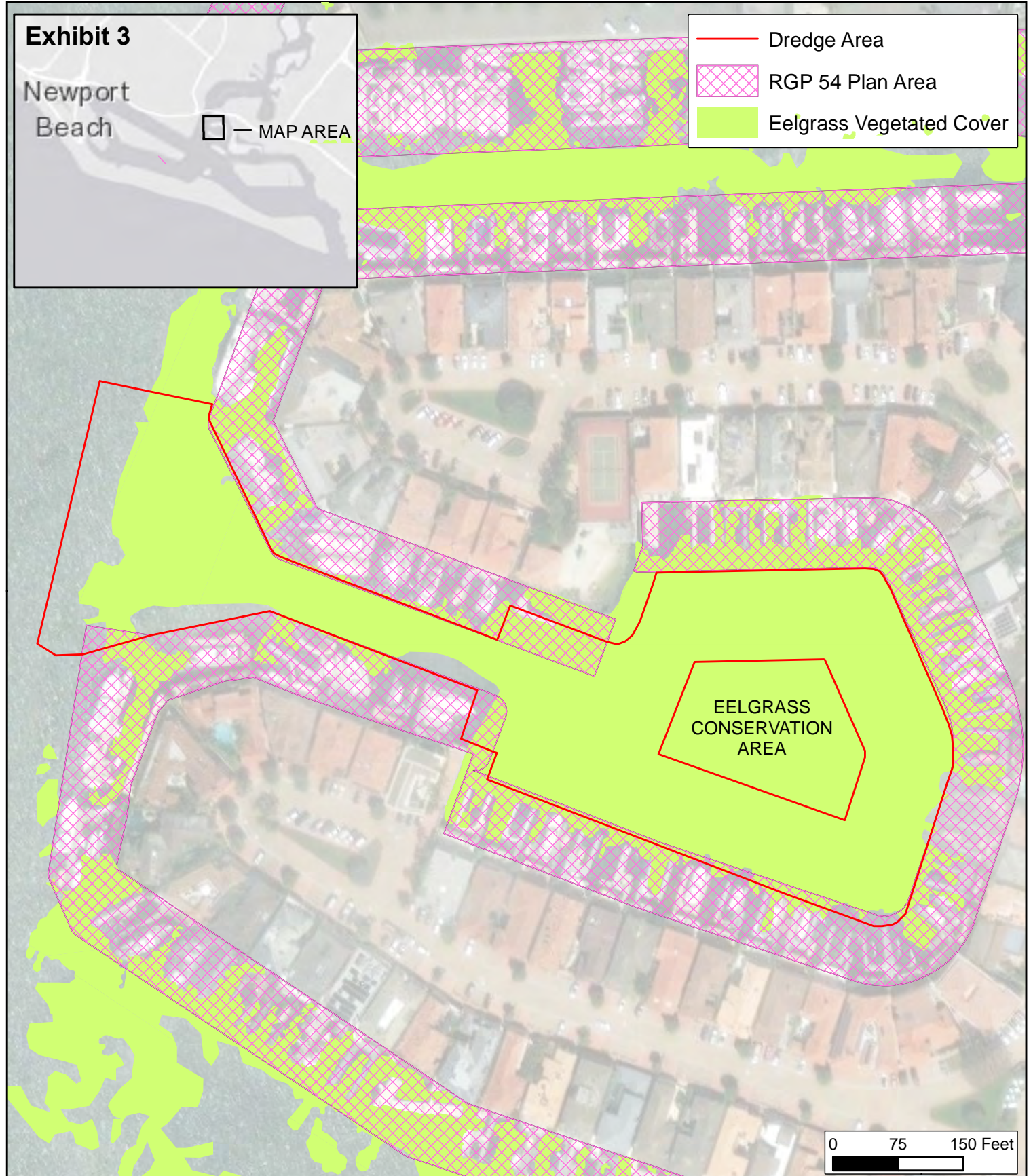
Figure 2. Dredge Plan and Proposed Sediment Sampling Locations

**Exhibit 3**

Newport  
Beach

MAP AREA

- Dredge Area
- RGP 54 Plan Area
- Eelgrass Vegetated Cover



**Linda Isle Lagoon Eelgrass - November 2024**  
Linda Isle Lagoon Maintenance Dredging  
Newport Beach, CA

**Figure 1**

# Exhibit 4

## Addendum to Linda Isle Lagoon Maintenance Dredging, Newport Beach, CA Project Conservation Commitments

September 16, 2025

In reviewing the details of the proposed action to conduct maintenance dredging within Linda Isle Lagoon, additional requests for clarification and supplemental conservation measures have been identified to support regulatory approvals and concurrences with the proposed actions. These have been developed by the applicant and are incorporated into the project description as follows:

### Work Details

- 1) Up to 39,072 cubic yards of soft sediment would be dredged and transported to the LA-3 ocean dredged material disposal site.
- 2) Daytime-only dredging operations with day and night towing and disposal at LA-3.
- 3) Work estimated to take up to 105 calendar days.
- 4) Approximately 156 trips to LA-3 with 3 scows per day making the transit round trip.

### General Commitments

1. At least 10 days prior to commencement of any dredging, a final dredge operation plan shall be submitted prior to the Permittee being issued a Notice to Proceed from the U.S. Army Corps of Engineers (USACE) Regulatory Division. The plan shall include an updated pre-dredge bathymetric map, description of dredging depths, and volumes to be dredged, a description of the dredging and disposal methods, equipment details, dates of commencement and expected length of project and the disposal plan, including the expected number of trips. The areas and volumes for dredging and disposal included within this plan shall not exceed those proposed and included above as "Work Details."
2. The final Sediment Sampling and Analysis Results and the Environmental Protection Agency's (EPA) suitability determination for LA-3 sediment disposal shall be provided to the USACE and Executive Director of the California Coastal Commission (CCC) at least 10 days prior to commencement of dredging. If results of bioaccumulation testing indicate sediment is not suitable for ocean disposal and/or the EPA does not concur with the proposed disposal at LA-3, the LICA will submit a supplemental consistency certification to the Executive Director for any project changes (such as a modified approach for dredged sediment disposal) not previously reviewed by the California Coastal Commission.
3. A post-dredge bathymetric map will be submitted within 60 calendar days of project completion showing the dredge footprint, actual area and depths dredged, including any over dredge depth, referenced to mean lower low water (MLLW), the total area of the eelgrass conservation core, and a statement of total volume of sediment dredged and discharged at LA-3 will be prepared to document that work did not exceed authorized limits. This shall be submitted to the USACE within a post-dredge report and copied to the Executive Director of the California Coastal Commission.
4. Environmental Awareness Training will be given to all relevant project staff prior to commencing dredging activities. Training will include protective measures, requirements and limits of all

permits and authorizations, spill prevention and response, water quality management, eelgrass protection requirements, site environmental best management practices (BMPs), and protected-species awareness including sighting and incident response, and ocean disposal transit and disposal obligations.

### **Turbidity & Water-Quality Controls**

5. Water Quality Monitoring shall be performed in accordance with the Santa Ana Regional Water Quality Control Board (RWQCB) 401 certification for the project to ensure compliance with the Santa Ana River Basin Plan. Monitored elements shall be oil and grease, dissolved oxygen, pH, and turbidity.
6. A turbidity curtain shall be deployed to control turbidity drift along the outside of the dredge area at the mouth of the lagoon.
7. Work shall use an environmental dredge bucket to minimize spillage. Scows shall not be overfilled to avoid spillage outside of the dredge area while being transported for sediment disposal.
8. Operational BMPs shall be employed to sustain water quality within limits established by the RWQCB. Adaptive measures such as reduction in dredging rate, modification of clamshell operation, adjustments of turbidity curtains, use of favorable tidal conditions, and temporary suspension of dredging to minimize spread of turbidity plumes shall be employed as needed to remain compliant with water quality standards.
9. Dredged material shall not leak or spill from the disposal vessel during transit to the ocean disposal site. The Contractor shall transport dredged material to the ocean disposal site only when weather and sea state conditions will not interfere with safe transportation and will not create risk of spillage, leak, or other loss of dredged material during transit. No disposal vessel trips shall be initiated when the National Weather Service has issued a gale warning for local waters during the time period necessary to complete disposal operations. Any spillage or unintended release of dredged material shall be reported to the Executive Director of the California Coastal Commission within 24 hours of the event along with information on the spill/release location and volume.

### **Eelgrass Protection Measures**

10. Eelgrass surveys for impact assessment shall be undertaken in accordance with the provisions of the California Eelgrass Mitigation Policy and Implementing Guidelines (National Marine Fisheries Service, 2014) for spatial and density changes and results shall be submitted to the Executive Director of the California Coastal Commission within 60 days of each survey completion. Surveys shall include: 1) a pre-dredge eelgrass survey; 2) a post-dredge eelgrass survey, including change analysis to quantify direct losses of eelgrass associated with the dredging; and 3) two subsequent annual surveys conducted during the high growth period to determine if indirect impacts occur as a result of dredging. Monitoring activities shall be carried out by independent third-party entities approved by the Executive Director of the California Coastal Commission.

11. The conservation core shall be protected during dredging by temporarily marking the boundaries with 2-inch PVC pipes extending vertically above the high tide line during dredging activities. Once dredging is completed, the marking posts shall be removed.
12. Information shall be distributed to the Linda Isle residents regarding the locations of the deeper perimeter navigation channel to minimize potential for propeller cuts and vessel grounding on the eelgrass conservation core. It is not intended that monumenting the boundaries would be required following dredging and shallow draft navigation over the conservation core would continue. Over the subsequent two annual eelgrass surveys, the core shall be assessed for any signs of vessel grounding or vessel propeller cuts to eelgrass and reporting of vessel grounding and propeller cuts shall be an explicit part of these annual eelgrass reports. Should vessel grounding be identified, installation of privately maintained shoal markers by the Linda Isle Community Association shall be discussed with the USACE, National Marine Fisheries Service (NMFS), and California Coastal Commission as a means of avoiding additional adverse impacts to eelgrass and protecting the conservation core.
13. Eelgrass impacts shall be restricted to not more than 3.17 acres of total impact and offsets shall be conducted in accordance with the Linda Isle Lagoon Eelgrass Comprehensive Management Plan (Merkel & Associates, Nov 2023) as integrated into the proposed dredging action as follows:
  - (a) As an element of the work to offset the unavoidable impacts to up to 3.17 acres of eelgrass, Linda Isle Community Association will fund *Caulerpa* eradication activities within Newport Bay as directed by the Southern California *Caulerpa* Action Team (SCCAT). The following provisions apply to the funding to be provided under the Linda Isle Lagoon Eelgrass Comprehensive Management Plan:
    - i. Prior to commencement of dredging, evidence shall be provided to the USACE, NMFS, and Executive Director of the California Coastal Commission that an amount of \$749,785 has been deposited by the Linda Isle Community Association into an escrow holding account. This account shall be maintained until the funds are fully used and no withdrawal of funds by the Linda Isle Community Association shall occur. Should eelgrass impacts exceed 3.17 acres, the additional impact shall be offset by additional contribution to the *Caulerpa* eradication funding on a pro rata basis of \$23,653 for every additional 0.10 acres of eelgrass impacts beyond 3.17 acres.
    - ii. Withdrawal of funds shall only occur by entities and in amounts approved by the SCCAT Agency representatives of the California Coastal Commission (CCC), Santa Ana RWQCB, California Department of Fish and Wildlife (CDFW), California State Lands Commission (CSLC), U.S. Fish and Wildlife Service (USFWS), NMFS, USACE, and City of Newport Beach. This payment is to offset impacts to up to 3.17 acre of eelgrass impacts through funding of SCCAT-directed *Caulerpa* eradication efforts within Newport Bay.
    - iii. The escrow account shall be invested in FDIC insured low-yield funds to fully cover escrow management costs. This will allow the full principal amount to be expended on *Caulerpa* eradication efforts. Any surplus interest generated beyond fee offsets that accrue to the account shall be expended on *Caulerpa* eradication and shall not be returned to the Linda Isle Community Association.

- iv. Expenditures from this escrow fund shall be directed by the SCCAT local, state, and federal agency representatives participating in regular or special meetings of the SCCAT and shall exclusively be used for the removal and eradication of marine plants of the *Caulerpa* genus from Newport Bay. Directed expenditures shall be recorded on an open ledger available to all SCCAT agency members, including but not limited to USACE, NMFS, USFWS, CCC, CDFW, CSLC, RWQCB, and City of Newport Beach, as well as agencies with regulatory or consultation roles on the Linda Isle maintenance dredging action.
- (b) An eelgrass conservation core area of no less than 0.71 acre within the central area of the lagoon shall not be dredged as part of the presently authorized activities. However, in accordance with the Linda Isle Lagoon Eelgrass Comprehensive Management Plan (Merkel & Associates 2023), this area may be subject to future dredging under a separate authorization from the Commission to maintain subtidal eelgrass habitat within the lagoon.

### **Control of *Caulerpa* Spread**

- 14. Prior to the start of dredging activities, Pre-dredging *Caulerpa* surveys of the entire Linda Isle lagoon and entrance channel shall be conducted in accordance with the *Caulerpa* Control Protocol (CCP, NMFS Version 5 – October 20, 2021). Surveys shall follow requirements for work in Infested systems with two surveys initiated not less than 60 days apart, prior to dredging, and at least one survey initiated within 45 days of commencement of dredging. Results of *Caulerpa* spp. surveys within the lagoon shall be submitted to the USACE, NMFS, the RWQCB, Executive Director of the CCC, CDFW, City of Newport Beach, and the SCCAT Steering Committee within seven days of survey completion and shall be reviewed and approved by the Executive Director of the CCC prior to initiation of dredging activities.
- 15. If *Caulerpa* is found during survey efforts, dredging or disposal of dredged material shall not proceed until a determination has been made by the Executive Director, in consultation with the other agencies and SCCAT, that dredging may proceed without risk of spread.
- 16. No dredging within 200 feet of any detected *Caulerpa* shall take place without prior authorization by the Executive Director, in consultation with SCCAT agencies.

### **Marine Mammal and Turtle Protection Measures**

- 17. Vessel speeds shall be limited to no more than 10 knots outside of the harbor for tugs towing scows to and from LA-3. In the bay, Contractor vessels shall be limited to no more than 5 knots. Speeds will be further reduced as needed for safety and upon encountering marine mammals or turtles in the area.
- 18. A qualified marine wildlife observer (MWO), with training in the identification of marine mammal and sea turtle species, and approved by the Executive Director of the Coastal Commission, shall be present during all in-water project activities, including dredging, offshore towing/transit, and disposal at LA-3. The MWO shall assure that all work vessels and dredging operations maintain a distance of at least 150 feet from any marine wildlife species whenever feasible. The MWO shall identify any scenarios that require an additional observer on any project vessel and, in these cases, make recommendations as to where they should be placed to

ensure complete coverage of the surrounding environment. If any sea turtle or marine mammal is observed within the immediate dredging zone (20-m radius), the operations will be paused until the animal has voluntarily cleared the area or has submerged and not been sighted for a 15-minute period (turtles) or 5 minutes (marine mammals).

19. During night transits to and from LA-3, the protected species observer shall be equipped with night vision equipment such as goggles, binoculars, or a monocular to allow for viewing the waters around the towing vessel and scow. Night-lighting required for project activities shall be shielded and directed to the immediate work area but must be bright enough to ensure the MWO can effectively monitor, maintain navigational safety, and sustain the minimum distance of 150 feet from any marine wildlife species whenever feasible.
20. The MWO shall maintain continuous visual watch and slow vessel speeds to 3 knots or slower during towing disposal/transit if marine mammals or sea turtles enter the immediate work area until clear (100-m radius). MWOs shall issue a stop work order if visibility is reduced to a degree that MWOs cannot perform observational duties. Operations may proceed once viewing conditions improve and MWOs are able to monitor effectively.
21. The MWO will document all observations and responses for marine mammals and turtles entering dredging or transiting safety zones. MWOs shall submit a daily sighting report to the Executive Director no later than noon the following day that shall be of sufficient detail to determine whether observable effects to marine mammals are occurring. Work shall stop and the Executive Director shall be notified within four hours, or as soon as practicable, if it is determined that any MWO monitoring requirements are unable to be effectively implemented. Should any instances of harm be identified, the USACE, NMFS, CCC, and the West Coast regional stranding network (562-980-3264) shall be notified as soon as feasible.
22. Lighting on the vessel is restricted to navigation lights, tow lights, and low intensity safety lights. Deck lights can be turned on for needed work light, but are generally not on during active towing. These are scaled to the vessel size and operations pursuant to USCG regulations. A spotlight will be available but will only be used for object inspection, or docking and close quarter illumination as needed.

### **Spill Prevention & Debris Management**

23. Work will be conducted in strict adherence to the final Oil Spill Prevention and Response Plan prepared by Pacific Dredge and Construction dated 9/2/25. No vessel refueling shall occur outside of designated fueling stations.
24. All construction materials shall be properly stored and contained so that these products will not spill or otherwise enter the coastal environment. No construction materials, debris, waste, oil or liquid chemicals shall be placed or stored where it may be subject to wave erosion and dispersion, stormwater, or where it may contribute to or come into contact with nuisance flow.
25. Any and all debris resulting from construction activities shall be removed from the site on a daily basis and disposed of at an appropriate location outside the coastal zone.

- 26.** The discharge of any hazardous materials into Newport Bay or any receiving waters shall be prohibited. Non-buoyant debris discharged into coastal waters will be recovered by divers as soon as possible after loss.
- 27.** Barges and other vessels shall avoid transit over the eelgrass conservation core to the maximum extent practicable during dredging operations. Where transit over eelgrass beds is unavoidable, such transit shall only occur during high tides when grounding and potential damage to eelgrass can be avoided.
- 28.** Machinery or construction materials not essential for project implementation shall be prohibited within the harbor at all times.