



State of California - Department of Fish and Wildlife
2024 ENVIRONMENTAL DOCUMENT FILING FEE
CASH RECEIPT
 DFW 753.5a (REV. 01/01/23) Previously DFG 753.5a

RECEIPT NUMBER:
 30 — 07/15/2024 — 0600
 STATE CLEARINGHOUSE NUMBER (if applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY CITY OF NEWPORT BEACH	LEAD AGENCY EMAIL	DATE 07/15/2024
COUNTY/STATE AGENCY OF FILING Orange	DOCUMENT NUMBER 202485000608	

PROJECT TITLE

ORDINANCE NO. 2024-15 AND RESOLUTION NOS. 2024-46 & 2024-47; HARBOR COMMISSION RECOMMEN...

PROJECT APPLICANT NAME CITY OF NEWPORT BEACH	PROJECT APPLICANT EMAIL	PHONE NUMBER (949) 644-3236
PROJECT APPLICANT ADDRESS 100 CIVIC CENTER DRIVE	CITY NEWPORT BEACH	STATE CA
		ZIP CODE 92660

PROJECT APPLICANT (Check appropriate box)

- Local Public Agency
 School District
 Other Special District
 State Agency
 Private Entity

CHECK APPLICABLE FEES:

- | | | | |
|---|------------|----|------|
| <input type="checkbox"/> Environmental Impact Report (EIR) | \$4,051.25 | \$ | 0.00 |
| <input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND) | \$2,916.75 | \$ | 0.00 |
| <input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW | \$1,377.25 | \$ | 0.00 |
|
 | | | |
| <input checked="" type="checkbox"/> Exempt from fee | | | |
| <input checked="" type="checkbox"/> Notice of Exemption (attach) | | | |
| <input type="checkbox"/> CDFW No Effect Determination (attach) | | | |
| <input type="checkbox"/> Fee previously paid (attach previously issued cash receipt copy) | | | |

- | | | | |
|---|----------|----|------|
| <input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only) | \$850.00 | \$ | 0.00 |
| <input type="checkbox"/> County documentary handling fee | | \$ | |
| <input type="checkbox"/> Other | | \$ | |

PAYMENT METHOD:

- Cash
 Credit
 Check
 Other
 TOTAL RECEIVED \$ 0.00

SIGNATURE X	AGENCY OF FILING PRINTED NAME AND TITLE CARINA HERRERA, DEPUTY
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ORANGE COUNTY
CLERK-RECORDER
CEQA FILING COVER SHEET

30-0715|2024-0600

Recorded in Official Records, Orange County
Hugh Nguyen, Clerk-Recorder



NO FEE

* \$ R 0 0 1 5 0 4 4 9 5 2 \$ *

202485000608 11:36 am 07/15/24

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0.00 50.00 0.00 0.00 0.00 0.00 0.00 0.00

Complete and attach this form to each CEQA Notice filed with the County Clerk-Recorder

TYPE OR PRINT CLEARLY

Project Title

ORDINANCE NO. 2024-15 AND RESOLUTION NOS. 2024-46 & 2024-47; HARBOR
COMMISSION RECOMMENDATIONS AND ALTERNATIVE RECOMMENDATIONS FOR RENTAL
RATES FOR MOORINGS

Check Document being Filed:

- Environmental Impact Report (EIR)
- Mitigated Negative Declaration (MND) or Negative Declaration (ND)
- Notice of Exemption (NOE)
- Other (Please fill in type):

FILED

JUL 15 2024

ORANGE COUNTY CLERK-RECORDER DEPARTMENT

BY: C.H. DEPUTY

FILED IN THE OFFICE OF THE ORANGE
COUNTY CLERK-RECORDER ON July 15, 2024

Posted for 30 days

DEPUTY CARINA HERRERA

Filing fees are due at the time a Notice of Determination/Exemption is filed with our office. For more information on filing fees and No Effect Determinations, please refer to California Code of Regulations, Title 14, section 753.5.

Notice of Exemption

To: County Clerk County of Orange Public Services Division Santa Ana, CA 92702	From: City of Newport Planning Division 100 Civic Center Drive P.O. Box 1768 Newport Beach, CA 92658-8915 (949) 644-3200
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Project Title: Ordinance No. 2024-15 and Resolution Nos. 2024-46 & 2024-47: Harbor Commission Recommendations and Alternative Recommendations for Rental Rates for Moorings

Project Applicant: City of Newport Beach, 100 Civic Center Drive, Newport Beach CA 92660
Attention: Lauren Wooding Whitlinger (949) 644-3236

Project Location – Specific: Newport Harbor, Newport Beach CA

Project Location – City: Newport Beach **Project Location – County:** Orange

Description of Nature, Purpose and Beneficiaries of Project: The City of Newport Beach manages the tidelands in Newport Harbor, which includes parts of the harbor used for docking boats (called mooring fields) located beyond the pierhead lines, and areas on the shore for onshore moorings. For exclusive use of the harbor to moor a vessel, the City Council sets fair market value rent for these moorings. On July 9, 2024, the City Council adopted Resolution No. 2024-47 setting fair market value of rent for moorings located upon tidelands in Newport Harbor and introduced Ordinance No. 2024-15 amending Sections 17.60.010, 17.60.020, 17.60.040, and 17.60.045 of the Newport Beach Municipal Code (NBMC) revising the permit requirements and rules related to transferability for mooring permits and licenses in Newport Harbor.

Name of Public Agency Approving Project: City of Newport Beach

Name of Person or Agency Carrying out Project: City of Newport Beach, 100 Civic Center Drive, Newport Beach CA 92660

FILED

Exempt Status: (check one):

JUL 15 2024

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number:** Class 1: Existing Facilities (Section 15301) and Class 2: Replacement and Reconstruction (Section 15302)
- Statutory Exemptions. State code number:** Sections 15060(c)(2), 15060(c)(3), and 15061(b)(3)

ORANGE COUNTY CLERK-RECORDER DEPARTMENT

BY: C.H DEPUTY

Reasons why project is exempt: The the setting of fair market value rent for moorings located upon tidelands introduction and adoption of this ordinance is not subject to the California CEQA pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Division 6, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

Alternatively, the setting of fair market value rent for moorings and amending regulations for of mooring permits and licenses located upon tidelands is entitled to a Class 1 Categorical Exemption pursuant to Section 15301 (Existing Facilities) and Class 2 Categorical Exemption pursuant to Section 15302 (Replacement or Reconstruction) of the CEQA Guidelines. The resolution and ordinance is exempt under Section 15301 because the mooring permits and licenses contemplates the continued use of existing facilities, with no expansion of the proposed use. Section 15302 exempts projects that involve the replacement or reconstruction of existing structures and facilities where the new structure

will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced. Mooring equipment requires intermittent replacement that would occur regardless of whether the ordinance is adopted. Nothing in the ordinance specifies a wholesale replacement of a permittee's equipment with the City's equipment at the time of conversion from a permit to a license. The Harbormaster is left with the discretion to replace the permittee's equipment with the City's equipment at an interval that coincides with the equipment's normal replacement interval. Since the mooring equipment requires intermittent replacement and the replacement of that equipment would occur on the same site and serve the same purpose, this ordinance is exempt under Section 15302.

Lastly, the setting of fair market value rent and amending regulations for mooring permits and licenses for moorings located upon tidelands is not a project under CEQA Regulation Section 15061(b)(3) because it has no potential for causing a significant effect on the environment.

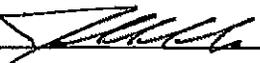
Lead Agency

Contact Person/Title: Jaime Murillo, Deputy Community Development Director

Contact Phone No./Ext: (949) 644-3209

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature:  **Title:** Deputy Community Development Director **Date:** 7/15/24

Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

04/04/2019

FILED

JUL 15 2024

ORANGE COUNTY CLERK-RECORDER DEPARTMENT

BY: C.H DEPUTY