



Hugh Nguyen
Clerk - Recorder

Orange County
Clerk-Recorder's Office
12 Civic Center Plaza, Room 106, P.O. Box 238, Santa Ana, CA 92702
web: www.oc.ca.gov/recorder/
PHONE (714) 834-2500 FAX (714) 834-5284

CITY OF NEWPORT BEACH
DEVELOPMENT

FEB 24 2016

COMMUNITY

RECEIVED BY

CITY OF NEWPORT BEACH
100 CIVIC CENTER DR PO BOX 1768
NEWPORT BEACH, CA 92658-8915

Office of the Orange County Clerk-Recorder
Memorandum

SUBJECT: NOTICE OF DETERMINATION - NEG. DEC. - PRIOR FILING

The attached notice was received, filed and a copy was posted on 12/18/2015

It remained posted for 30 (thirty) days.

Hugh Nguyen
Clerk - Recorder
In and for the County of Orange

By: Rose M. Solorio Deputy

Public Resource Code 21092.3

The notice required pursuant to Sections 21080.4 and 21092 for an environmental impact report shall be posted in the office of the County Clerk of each county *** in which the project will be located and shall remain posted for a period of 30 days. The notice required pursuant to Section 21092 for a negative declaration shall be so posted for a period of 20 days, unless otherwise required by law to be posted for 30 days. The County Clerk shall post notices within 24 hours of receipt.

Public Resource Code 21152

All notices filed pursuant to this section shall be available for public inspection, and shall be posted *** **within 24 hours of receipt** in the office of the County Clerk. Each notice shall remain posted for a period of 30 days.

*** Thereafter, the clerk shall return the notice to the local lead agency *** within a notation of the period it was posted. The local lead agency shall retain the notice for not less than nine months.

Additions or changes by underline; deletions by ***



CITY OF NEWPORT BEACH
 100 Civic Center Drive
 Newport Beach, CA 92660
 (949) 644-3200

NOTICE OF DETERMINATION

To: <input checked="" type="checkbox"/> Office of Planning and Research P.O. BOX 3044 Sacramento, CA 95812-3044 <input checked="" type="checkbox"/> County Clerk, County of Orange Public Services Division Santa Ana, CA 92702	From/Lead Agency: City of Newport Beach Planning Division 100 Civic Center Drive Newport Beach, CA 92660 Date received for filing at OPR/County Clerk-Recorder BY: <i>HUGH NGUYEN</i> HUGH NGUYEN, CLERK-RECORDER DEPUTY
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FILED

DEC 18 2015

Subject: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

Project Name: Balboa Marina West Recorded in Official Records, Orange County Hugh Nguyen, Clerk-Recorder 50.00 * \$ R 0 0 0 8 0 3 6 7 2 8 \$ * 201585001224 12:58 pm 12/18/15 230 SC4 Z01 0.00 50.00 0.00 0.00 0.00 0.00 0.00 0.00	Project Applicant: City of Newport Beach 100 Civic Center Drive Newport Beach, CA 92660 Contact: Patrick Alford (949) 644-3235 Project done in conjunction with: Irvine Company 550 Newport Center Drive Newport Beach, CA 92660 Contact: Dan Miller (949) 720-2609
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POSTED
 DEC 18 2015
 HUGH NGUYEN, CLERK-RECORDER
 DEPUTY

State Clearinghouse Number	Lead Agency Contact Person	Area Code/Telephone/Extension
<u>2014081044</u>	<u>Patrick Alford, Planning Program Manager</u>	<u>(949) 644-3235</u>

Project Location (include county):	City of Newport Beach, Orange County, CA, located south of East Coast Highway between the Coast Highway Bridge and Bayside Drive and east of the Lower Newport Bay channel. The Project site consists of 4.4 acres, of which 3.5 acres is comprised of land and 0.87 acres is comprised of water surface. The water-side portion of the site is located in the northern portion of Lower Newport Bay.
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Project Description: The Balboa Marina West project is comprised of a landside restaurant, expansion of the existing private marina and a new public transient dock. Mitigated Negative Declaration 2013-002 analyzed a proposal by the Project Applicants to reconfigure the arrangement of uses on the Project site to establish a new public boat dock in an area of Newport Harbor that currently lacks a public dock, and to improve the private Balboa Marina including its water-side and land-side areas. As analyzed, the new public boat dock would include a new gangway and approximately 12 public boat slips including eight (8) new boat slips and four (4) boat slips that would be relocated to the public dock from the existing private Balboa Marina. In the private Balboa Marina, 24 private boat slips accommodating a range of vessel sizes and a new gangway were proposed to be added. An Approval in Concept was issued for the water-side portion of the project on December 1, 2014.

The MND analyzed a 19,400 square foot marine commercial building with tuck under parking. The building was anticipated to house a restaurant with outdoor patio, marina restrooms and a yacht brokerage business displaced from the existing building that would be demolished. Following approval of the MND, the marine commercial building was reconfigured to eliminate the tuck-under parking and reduce the building height from approximately 35 feet to approximately 20 feet. The square footage was reduced by approximately 5,000 square feet, to 14,252 square feet with 9,030 square feet of net public area. A separate building housing private marina restrooms was included on the east of the project site near the marina gangways. The yacht

03-2015-1244

brokerage business displaced from the existing building that would be demolished will be relocated to an adjacent commercial office building. A Site Development Review was initiated to consider the Project as revised and the City concluded that the MND adequately analyzed the project impacts and no additional environmental review was warranted. The updated site plans for the land side and the water side project components are attached hereto.

This is to advise that the Planning Commission of the **City of Newport Beach** adopted Resolution No. 1958 approved ND 2013-002 for the above described project on October 2, 2014. The City Council of the **City of Newport Beach** adopted Resolution No. 2014-99, a Resolution of the City Council upholding and affirming the approval of ND 2013-002 pursuant to the California Environmental Quality Act, on November 25, 2014. The Harbor Resources Department of the **City of Newport Beach** issued an Approval in Concept (AIC) for the project on December 1, 2014. An updated AIC reflecting the revision to the waterside component of the project, relocating one proposed gangway and consolidating the single slip dock with the public dock was issued on December 15, 2015. The Planning Commission approved Minor Site Development Review No. SD2015-003 and Conditional Use Permit No. UP2015-030 on December 17, 2015 for the proposed landside development and upheld the following determinations regarding the above described project:

1. The City is the [**Lead Agency** Responsible Agency] for the project.
2. The project [will **will not**] have a significant effect on the environment.
3. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
 A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
4. Mitigation measures [**were** were not] made a condition of the approval of the project.
5. A mitigation monitoring program [**was** was not] adopted for this project.
6. A Statement of Overriding Considerations [was **was not**] adopted for this project.
7. Findings were [were **were not**] made pursuant to the provisions of CEQA for this project because an EIR was not required.

PREVIOUSLY FILED ON OCTOBER 3, 2014, DOCUMENT NO. 201485000914


The Mitigated Negative Declaration and entire record of project approval is available for review at the City of Newport Beach Planning Division located at 100 Civic Center Drive Newport Beach, CA 92660

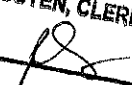


 Patrick Alford, Planning Program Manager

December 18, 2015

 Date

FILED
 DEC 18 2015
 HUGH NGUYEN, CLERK-RECORDER
 BY:  DEPUTY

POSTED
 DEC 18 2015
 HUGH NGUYEN, CLERK-RECORDER
 BY:  DEPUTY

LINE # / CURVE #	LENGTH	BEARING / CURVE DATA	RADIUS
C1	287.06'	S109°57'	1000.00'
C2	153.54'	S74°23'	1000.00'
C3	25.38'	S74°23'	1000.00'
C4	122.72'	S87°13'46"	1000.00'
C5	11.12'	S87°13'46"	1000.00'
C6	194.01'	S07°29'48"	1000.00'
C7	81.81'	S82°24'48"	1000.00'
C8	22.82'	S33°33'46"	1000.00'
C9	174.87'	S17°46'07"	1000.00'
C10	243.98'	S80°17'46"	1000.00'
C11	44.87'	S08°03'09"	1000.00'
C12	140.50'	S34°42'02"	1000.00'
C13	184.13'	S87°13'46"	1000.00'
C14	200.00'	S87°13'46"	1000.00'
C15	101.00'	S17°46'07"	1000.00'
C16	246.38'	S82°24'48"	1000.00'
C17	101.00'	S17°46'07"	1000.00'
C18	101.00'	S17°46'07"	1000.00'
C19	101.00'	S17°46'07"	1000.00'
C20	101.00'	S17°46'07"	1000.00'

LEGEND

NO. SURVEY POINT
 CONVEYOR MARK
 ADJACENT LINES
 TOP OF SLOPE
 TOP OF SLOPE
 CURVE BEGINNING
 CURVE ENDING

PARKING SUMMARY

TOTAL STANDARD PARKING SPACES: 189
 PARKING SPACES IN WET AREA: 5
 HANDICAP ACCESSIBLE SPACES: 6

SITE SUMMARY

LANDSCAPE: 222
 SWP: 804
 SWP: 804

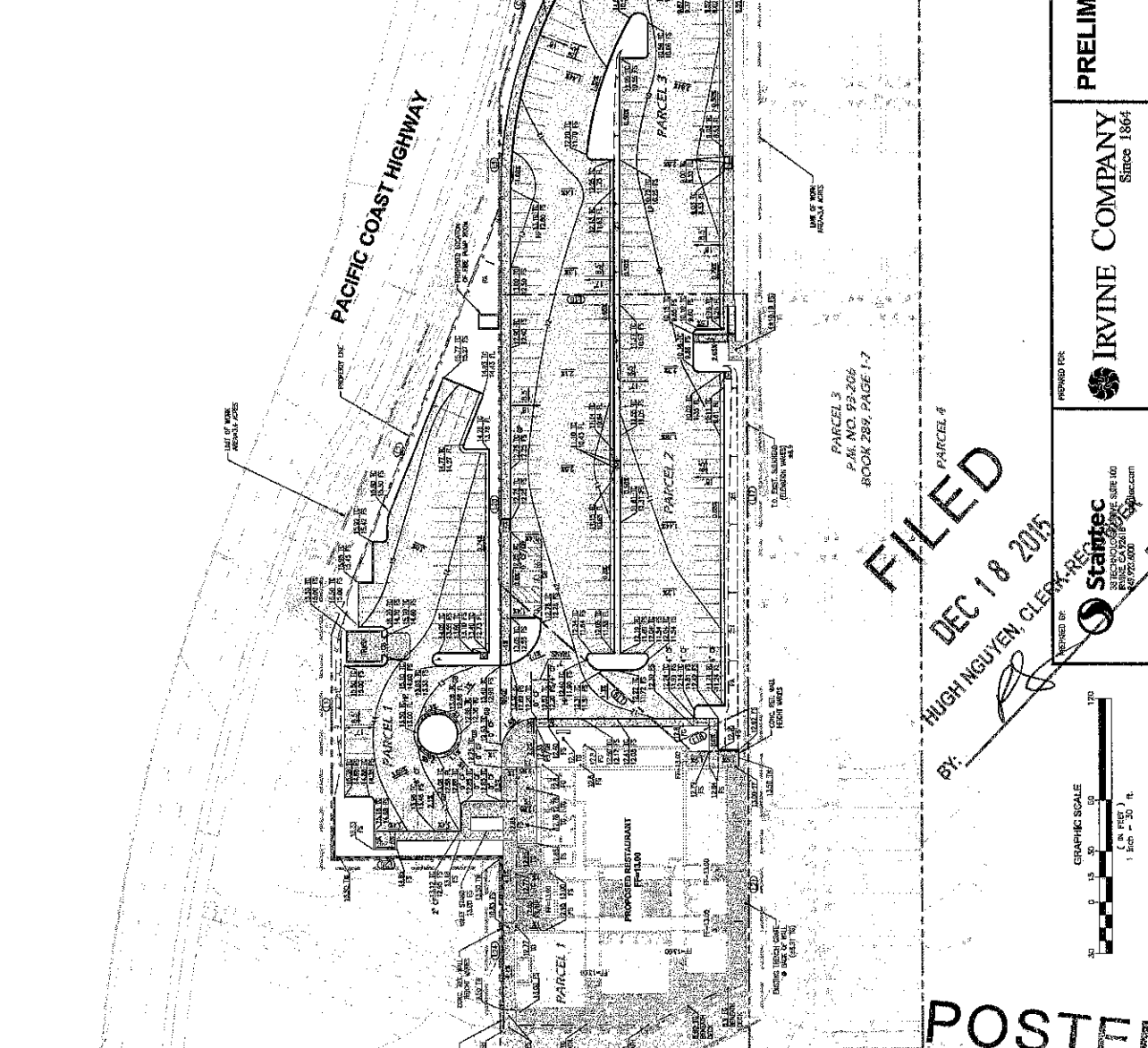
BUILDING / LOT COVERAGE

FOOTPRINT: 1
 2500 S.F.
 MAXIMUM: 1400 S.F.
 MINIMUM: 1400 S.F.
 MAXIMUM: 1400 S.F.
 MINIMUM: 1400 S.F.

PARCEL SUMMARY

PARCEL 1: 1.99 ACRES
 PARCEL 2: 0.75 ACRES
 PARCEL 3: 1.28 ACRES
 PARCEL 4: 1.28 ACRES
 PARCEL 5: 2.58 ACRES

YOUR PARCEL MAP NO. 95-228 AS SHOWN ON A MAP FILE IN BOOK 289, PAGE 1-7, INDICATES THE LOCATION OF PARCEL 5. THIS PARCEL MAP NO. 95-228 IS A COPY OF THE COUNTY RECORDS OF SAN DIEGO COUNTY, CALIFORNIA.

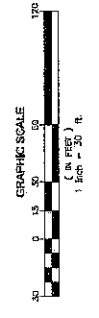


DATE: 11/24/2015
 SHEET: 01
 OF: 03

PRELIMINARY IMPROVEMENT PLAN
 BALBOA MARINA, NEWPORT BEACH CA

IRVINE COMPANY
 Since 1864

PROVIDED FOR:
 HUGH NGUYEN, CLERK-RECORDER
 3333 CALLE DE LOS ALAMOS, SUITE 100
 NEWPORT BEACH, CA 92660
 TEL: 949.440.8800
 FAX: 949.440.8801
 WWW.IRVINECOMPANY.COM



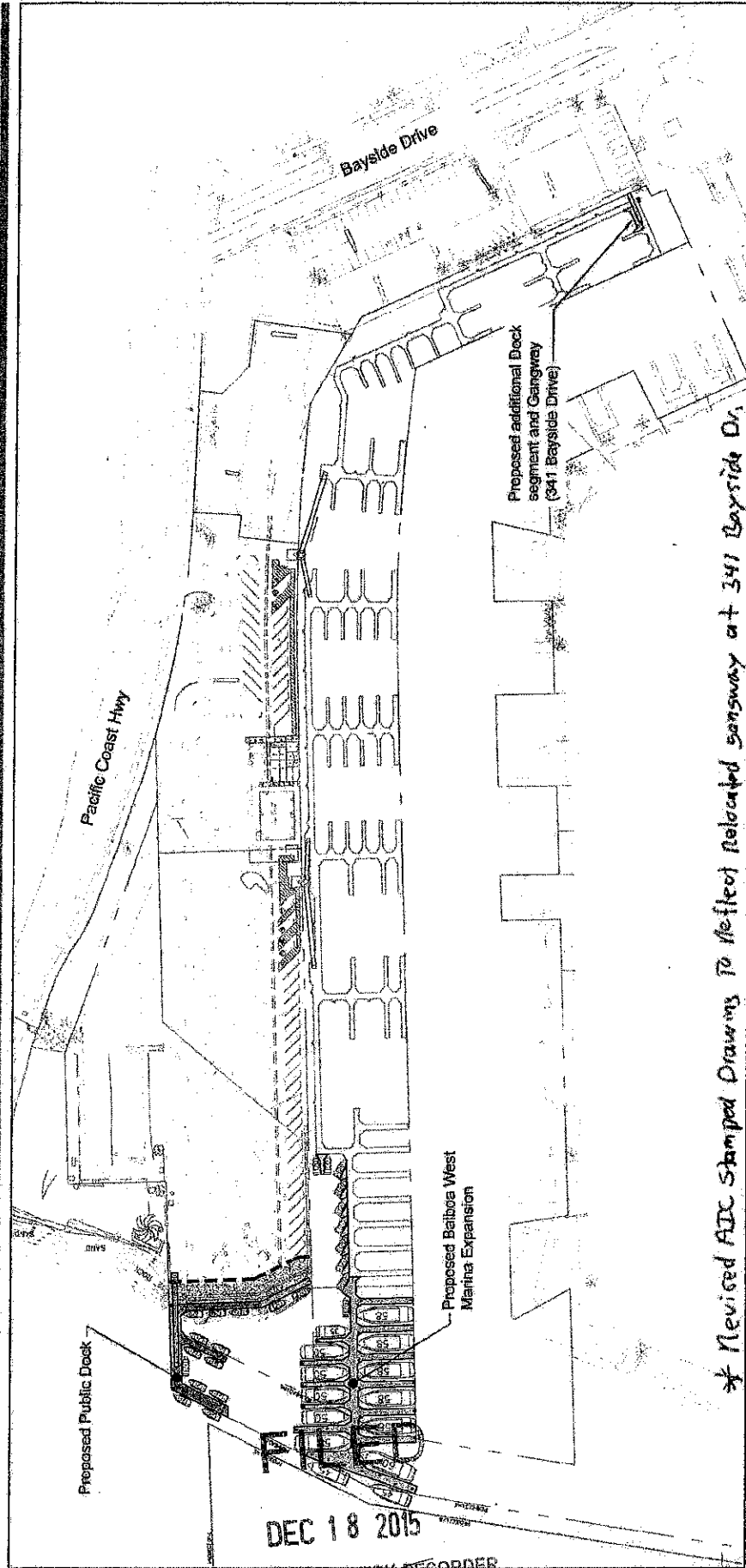
FILED
 DEC 18 2015
 HUGH NGUYEN, CLERK-RECORDER

POSTED

DEC 18 2015

HUGH NGUYEN, CLERK-RECORDER

BY: [Signature] DEPUTY



* Revised ADC Stamped Drawings To Reflect Relocated gangway at 341 Bayside Dr.

DEC 18 2015

SOURCE: Base map prepared from existing topographic survey, provided by Gill
 City Survey.
 HORIZONTAL DATUM: California State Plane, Zone VI, NAD83.
 VERTICAL DATUM: Mean Lower Low Water (MLLW).



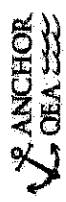
SEE LIST OF INSPECTION

- Eelgrass within 30' of project
- Eelgrass within 100' of area
- No Eelgrass in project area

Signature: *[Handwritten Signature]*
 Inspection Date & Time: 10/15/15

See Report Previously Submitted

CITY OF NEWPORT BEACH



[Handwritten Signature] 12/15/15

BY: *[Handwritten Signature]* DEPUTY
 HUGH NGUYEN, CLERK-RECORDING

BY: *[Handwritten Signature]* DEPUTY
 HUGH NGUYEN, CLERK-RECORDING

Site Plan
 Public Transit Dock and Marina Expansion
 City of Newport Beach / Irvine Company Joint Project



State of California - Department of Fish and Wildlife
2014 ENVIRONMENTAL FILING FEE CASH RECEIPT
DFW 753.5a (Rev. 09/13)

RECEIPT# 452431
STATE CLEARING HOUSE # (if applicable)
2014081044

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY

LEAD AGENCY: City of Newport Beach DATE: 10-3-14

COUNTY/STATE AGENCY OF FILING: Orange County Clerk Recorder DOCUMENT NUMBER: 201485000914

PROJECT TITLE: Balboa Marina West

PROJECT APPLICANT NAME: City of Newport Beach/Irvine Company PHONE NUMBER: 949.644.3235

PROJECT APPLICANT ADDRESS: 100 Civic Center Dr. 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)	\$3,029.75	\$	
<input checked="" type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)	\$2,181.25	\$	<u>2181.25</u>
<input type="checkbox"/> Application Fee Water Diversion (State Water Resources Control Board only)	\$850.00	\$	
<input type="checkbox"/> Projects Subject to Certified Regulatory Programs (CRP)	\$1,030.25	\$	
<input type="checkbox"/> County Administrative Fee	\$50.00	\$	
<input type="checkbox"/> Project that is exempt from fees		\$	
<input type="checkbox"/> Notice of Exemption (attach)		\$	
<input type="checkbox"/> CDFW No Effect Determination (attach)		\$	
<input type="checkbox"/> Other _____		\$	

PAYMENT METHOD: Cash Credit Check Other _____

TOTAL RECEIVED \$ 2181.25

SIGNATURE: Russella Diaz TITLE: Deputy

WHITE - PROJECT APPLICANT YELLOW - CDFW/ASB PINK - LEAD AGENCY GOLDEN ROD - COUNTY CLERK

POSTED

NOV 26 2014

HUGH NGUYEN, CLERK-RECORDER

BY: [Signature] DEPUTY

FILED

NOV 26 2014

HUGH NGUYEN, CLERK-RECORDER

BY: [Signature] DEPUTY

FILED

DEC 18 2015

HUGH NGUYEN, CLERK-RECORDER

BY: [Signature] DEPUTY

POSTED

DEC 18 2015

HUGH NGUYEN, CLERK-RECORDER

BY: [Signature] DEPUTY

Orange County
 Clerk-Recorder's Office
 Hugh Nguyen

630N Broadway Bldg. 12 Suite
 101
 Santa Ana, CA, 92701

County

Finalization: 20140000385905
 12/2/14 11:11 am
 7 SC4

Item	Title	Count
1	703	1
	Fish & Game: Neg Declaration	
	Document ID	Amount
DOC#	201486001125	2181.25
	Time Recorded 11:11 am	
Total		0.00
Payment Type		Amount
	NO FEE	2181.25
	Amount Due	0.00

THANK YOU
 PLEASE RETAIN THIS RECEIPT
 FOR YOUR RECORDS
www.ocrecorder.com



State of California—Natural Resources Agency
CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE
2015 ENVIRONMENTAL FILING FEE CASH RECEIPT

RECEIPT# 30-2015 1244
STATE CLEARING HOUSE # (If applicable) 2014081044

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY

LEAD AGENCY CITY OF NEWPORT BEACH			DATE 12/18/2015
COUNTY/STATE AGENCY OF FILING Orange			DOCUMENT NUMBER 201585001224
PROJECT TITLE BALBOA MARINA WEST			
PROJECT APPLICANT NAME IRVINE COMPANY/CITY OF NEWPORT BEACH			PHONE NUMBER (949) 644-3235
PROJECT APPLICANT ADDRESS 100 CIVIC CENTER DR.	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 checked="" type="checkbox"/> Environmental Impact Report (EIR) PREVIOUSLY FILED	\$3,069.75	\$	0.00
<input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)	\$2,210.00	\$	0.00
<input type="checkbox"/> Application Fee Water Diversion (State Water Resources Control Board only)	\$850.00	\$	0.00
<input type="checkbox"/> Projects Subject to Certified Regulatory Programs (CRP)	\$1,043.75	\$	0.00
<input checked="" type="checkbox"/> County Administrative Fee	\$50.00	\$	50.00
<input type="checkbox"/> Project that is exempt from fees			
<input type="checkbox"/> Notice of Exemption (attach)			
<input type="checkbox"/> CDFW No Effect Determination (attach)			
<input type="checkbox"/> Other _____		\$	_____

PAYMENT METHOD:

Cash
 Credit
 Check
 Other 201485000914
 TOTAL RECEIVED \$ _____ 50.00

SIGNATURE

x/nadia AlObaidi

PRINTED NAME AND TITLE

NADIA AL OBAIDI, DEPUTY CLERK