



Hugh Nguyen
Clerk - Recorder

Orange County
Clerk-Recorder's Office
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CITY OF NEWPORT BEACH
3300 NEWPORT BEWPORT BEACH
NEWPORT BEACH, CA 92685

Office of the Orange County Clerk-Recorder
Memorandum

SUBJECT: NOTICE OF INTENT

The attached notice was received, filed and a copy was posted on 08/18/2014

It remained posted for 30 (thirty) days.

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

By: RASHAD SALAAM 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 ***

PA2012-103



CITY OF NEWPORT BEACH

COMMUNITY DEVELOPMENT

POSTED

August 15, 2014

AUG 18 2014

ORANGE COUNTY CLERK-RECORDER DEPARTMENT

Notice of Intent to Adopt Mitigated Negative Declaration for Balboa Marina West City of Newport Beach

BY  DEPUTY

Notice is hereby given that the City of Newport Beach has completed a Mitigated Negative Declaration for Balboa Marina West, a joint project by the City of Newport Beach and the Irvine Company. The Project applicants propose 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. The new public boat dock would include a 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. No boat launches or overnight tie-ups would be permitted at the new public dock. In the private Balboa Marina, 24 private boat slips accommodating a range of vessel sizes and a new gangway are proposed to be added. In the land-side area of the marina, the Project proposes to demolish the existing Balboa Marina parking lot and a 1,200 SF building located at 201 East Coast Highway. In their place, a reconfigured parking lot and a new 19,400 SF marine commercial building with tuck-under parking would be constructed. The building is anticipated to house a restaurant with outdoor patio, marina restrooms, and an office to accommodate the yacht brokerage business displaced from the existing building that would be demolished.

Development of the proposed project would require the following entitlements from the City of Newport Beach.

- Approval of Site Development Review by the Planning Commission for land-side development
- Approval of Conditional Use Permit by the Planning Commission (for a restaurant)
- Issuance of Approval in Concept (AIC) by Harbor Resources for water-side development
- Approval of temporary in-water staging location by Harbor Resources for dredging equipment
- Issuance of Grading Permit and Building Permit by Community Development Department
- Issuance of Harbor Development Permit by Harbor Resources

Only the AIC is on file with the City of Newport Beach at this time. No other applications for the above entitlements have been filed with the City of Newport Beach. Should the Planning Commission approve the Mitigated Negative Declaration (MND), it is anticipated that these applications will be filed with the City of Newport Beach following that action.

On the basis of the Initial Study, City staff has concluded that the Project would not have a significant unavoidable impact on the environment and has therefore recommended preparation of a MND. The MND reflects the independent judgment of City staff and recognizes project

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
 For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH #

Project Title: Balboa Marina West

Lead Agency: City of Newport Beach Community Development Dept.

Contact Person: Patrick J. Alford

Mailing Address: 100 Civic Center Drive

Phone: 949-644-3235

City: Newport Beach

Zip: CA

County: Orange

Project Location: County: Orange

City/Nearest Community: Newport Beach

Cross Streets: East Coast Highway/Bayside Drive

Zip Code: 92660

Longitude/Latitude (degrees, minutes and seconds): 117 °54 ' 12.13" N / 33 °36 ' 57.62" W Total Acres: 4.4

Assessor's Parcel No.: **See bottom of page

Section: 27 Twp.: 6S

Range: 10W

Base: San Bern.

Within 2 Miles: State Hwy #: East Coast Highway

Waterways: Upper and Lower Newport Bay, Pacific Ocean

Airports: N/A

Railways: N/A

Schools: Horace Ensign Intern.

Document Type:CEQA: NOP Draft EIRNEPA: NOIOther: Joint Document Early Cons Supplement/Subsequent EIR EA Final Document Neg Dec

(Prior SCH No.) _____

 Draft EIS Other: _____ Mit Neg Dec

Other: _____

 FONSI**Local Action Type:** General Plan Update Specific Plan Rezone Annexation General Plan Amendment Master Plan Prezone Redevelopment General Plan Element Planned Unit Development Use Permit Coastal Permit Community Plan Site Plan Land Division (Subdivision, etc.) Other: Harbor Dev. Perr**Development Type:** Residential: Units _____ Acres _____ Office: Sq.ft. _____ Acres _____ Employees _____ Commercial: Sq.ft. _____ Acres 3.5 Employees _____ Industrial: Sq.ft. _____ Acres _____ Employees _____ Educational: _____ Recreational: Marina/Boat Docks: 0.87 acres Water Facilities: Type _____ MGD _____ Transportation: Type _____ Mining: Mineral _____ Power: Type _____ MW _____ Waste Treatment: Type _____ MGD _____ Hazardous Waste: Type _____ Other: _____**Project Issues Discussed in Document:** Aesthetic/Visual Fiscal Recreation/Parks Vegetation Agricultural Land Flood Plain/Flooding Schools/Universities Water Quality Air Quality Forest Land/Fire Hazard Septic Systems Water Supply/Groundwater Archeological/Historical Geologic/Seismic Sewer Capacity Wetland/Riparian Biological Resources Minerals Soil Erosion/Compaction/Grading Growth Inducement Coastal Zone Noise Solid Waste Land Use Drainage/Absorption Population/Housing Balance Toxic/Hazardous Cumulative Effects Economic/Jobs Public Services/Facilities Traffic/Circulation Other: Greenhouse Gas**Present Land Use/Zoning/General Plan Designation:**

Balboa Marina/Commercial Recreation and Marine/Recreational and Marine Commercial

Project Description: (please use a separate page if necessary)

To construct a new public boat dock in Lower Newport Bay and improve and expand the existing Balboa Marina. The new public dock would include a gangway and 12 public boat slips including 8 new slips and 4 slips that would be relocated to the public dock from the existing private Balboa Marina. In the private Balboa Marina, 24 private boat slips and a new gangway are proposed. In the land-side area of the marina, the Project proposes to demolish the existing Balboa Marina parking lot and a 1,200 SF building located at 201 East Coast Highway. In their place, a reconfigured parking lot and 19,400 SF marine commercial building is proposed to house a yacht brokerage office, public restrooms, and a restaurant.

**050-451-01, 050-451-02, 050-451-03, 050-451-10, 050-451-55, 050-451-59, 050-451-060, 440-132-39, 440-132-51

Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.

Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with an "X".
If you have already sent your document to the agency please denote that with an "S".

- | | | | |
|----------------------------|---|---------------------------------------|---|
| <input type="checkbox"/> S | Air Resources Board | <input type="checkbox"/> | Office of Historic Preservation |
| <input type="checkbox"/> S | Boating & Waterways, Department of | <input type="checkbox"/> | Office of Public School Construction |
| <input type="checkbox"/> | California Emergency Management Agency | <input type="checkbox"/> | Parks & Recreation, Department of |
| <input type="checkbox"/> | California Highway Patrol | <input type="checkbox"/> | Pesticide Regulation, Department of |
| <input type="checkbox"/> S | Caltrans District #12 | <input type="checkbox"/> | Public Utilities Commission |
| <input type="checkbox"/> | Caltrans Division of Aeronautics | <input checked="" type="checkbox"/> X | Regional WQCB # _____ |
| <input type="checkbox"/> | Caltrans Planning | <input type="checkbox"/> | Resources Agency |
| <input type="checkbox"/> | Central Valley Flood Protection Board | <input type="checkbox"/> | Resources Recycling and Recovery, Department of |
| <input type="checkbox"/> | Coachella Valley Mtns. Conservancy | <input type="checkbox"/> | S.F. Bay Conservation & Development Comm. |
| <input type="checkbox"/> S | Coastal Commission | <input type="checkbox"/> | San Gabriel & Lower L.A. Rivers & Mtns. Conservancy |
| <input type="checkbox"/> | Colorado River Board | <input type="checkbox"/> | San Joaquin River Conservancy |
| <input type="checkbox"/> S | Conservation, Department of | <input type="checkbox"/> | Santa Monica Mtns. Conservancy |
| <input type="checkbox"/> | Corrections, Department of | <input checked="" type="checkbox"/> X | State Lands Commission |
| <input type="checkbox"/> | Delta Protection Commission | <input type="checkbox"/> | SWRCB: Clean Water Grants |
| <input type="checkbox"/> | Education, Department of | <input type="checkbox"/> | SWRCB: Water Quality |
| <input type="checkbox"/> | Energy Commission | <input type="checkbox"/> | SWRCB: Water Rights |
| <input type="checkbox"/> S | Fish & Game Region #5 | <input type="checkbox"/> | Tahoe Regional Planning Agency |
| <input type="checkbox"/> | Food & Agriculture, Department of | <input type="checkbox"/> | Toxic Substances Control, Department of |
| <input type="checkbox"/> S | Forestry and Fire Protection, Department of | <input type="checkbox"/> | Water Resources, Department of |
| <input type="checkbox"/> | General Services, Department of | <input type="checkbox"/> | Other: _____ |
| <input type="checkbox"/> | Health Services, Department of | <input type="checkbox"/> | Other: _____ |
| <input type="checkbox"/> | Housing & Community Development | | |
| <input type="checkbox"/> S | Native American Heritage Commission | | |

Local Public Review Period (to be filled in by lead agency)

Starting Date August 18, 2014 Ending Date September 17, 2014

Lead Agency (Complete if applicable):

Consulting Firm: <u>T&B Planning, Inc.</u>	Applicant: <u>(Joint) City of Newport Beach/Irvine Company</u>
Address: <u>17542 E. 17th Street, Suite 100</u>	Address: <u>100 Civic Center Drive/550 Newport Center Drive</u>
City/State/Zip: <u>Tustin, CA 92780</u>	City/State/Zip: <u>(Joint) Newport Beach, CA 92660</u>
Contact: <u>Tracy Zinn, AICP</u>	Phone: <u>949-644-3235/949-720-2609</u>
Phone: <u>714-397-4224</u>	

Signature of Lead Agency Representative:  Date: 8/13/14

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.