

Notice of Determination

Appendix D

To:

Office of Planning and Research
For U.S. Mail:
P.O. Box 3044
Sacramento, CA 95812-3044
Street Address:
1400 Tenth St., Rm 113
Sacramento, CA 95814

County Clerk

County of: Orange
Address: 12 Civic Center Plaza, Room 101
Santa Ana, CA 92701

From:

Public Agency: City of Newport Beach
3300 Newport Blvd. P.O. Box 1768 Newport
Beach, CA 92658-8915

Contact: Patrick Alford, Planning Manager
Phone: (949) 644-3235

Lead Agency (if different from above):

Address:

Contact: TOM DALY, CLERK-RECORDER

Phone: DEPUTY

FILED
JUL 25 2012

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

State Clearinghouse Number (if submitted to State Clearinghouse): 2009031061

Project Title: Newport Banning Ranch Project

Project Applicant: Newport Banning Ranch LLC; 1300 Quail St., Ste. 100, Newport Beach, CA 92660 Attn. Michael A. Mohler

Project Location (include county): The Project site is approximately 401 acres (ac). Approximately 40 ac within the incorporated boundary of the City of Newport Beach, and approximately 361 ac in unincorporated Orange County within the City's Sphere of Influence. North of West Coast Highway; south of 19th Street; east of the Santa Ana River. Lat/Long: 33/39,9 N/117/56,45.

Project Description:

The Project allows for 1,375 residential dwelling units (du); 75,000 square feet (sf) of commercial uses; a 75-room resort inn with ancillary resort uses; approx. 51.4 gross ac of parks; and approx.252.3 gross ac of permanent open space. The existing surface oil production activities located throughout the property would be consolidated into approx. 16.5 ac. The remaining oil production facilities would be abandoned/reabandoned, remediated for development, and/or remediated and restored as open space. The Project includes a vehicular and non-vehicular circulation system including a pedestrian and bicycle bridge across West Coast Highway.

This is to advise that the City of Newport Beach approved the following resolutions on July 23, 2012: Resolution No. 2012-58 certifying Final Environmental Impact Report No. ER 2009-002 (SCH No. 2009031061) and making certain findings and determinations thereto; Resolution No. 2012-59 approving General Plan Amendment No. GP 2008-008 and adopting a Statement of Overriding Considerations; and Resolution No. 2012-60 approving Master Development Plan No. MP2008-001, Tentative Tract Map No. NT2008-003, Affordable Housing Implementation Plan No. AH2008-001, Traffic Study No. TS2008-002; and Findings and Statement of Overriding Considerations. The City has made the following determinations regarding the above-described Project:

- 1. The project [X] will [] will not] have a significant effect on the environment.
2. [X] 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.
3. Mitigation measures [X] were [] were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [X] was [] was not] adopted for this project.
5. A statement of Overriding Considerations [X] was [] was not] adopted for this project.
6. Findings [X] were [] were not] made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at:

City of Newport Beach Community Development Dept., 3300 Newport Blvd., Newport Beach, CA 92658-8915

Signature (Public Agency): Title: Planning Manager

Date: July 24, 2012 Date Received for filing at OPR:

303581662.1

Authority cited: Section 21083, Public Resources Code.
Reference Section 21000-21174, Public Resources Code.

Recorded in Official Records, Orange County
Tom Daly, County Recorder



201285000716 8:38 am 07/25/12
256 82 Z02

TOM DALY, CLERK-RECORDER
DEPUTY

JUL 25 2012

POSTED

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