



Tom Daly  
Orange County 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/](http://www.oc.ca.gov/recorder/)  
PHONE (714) 834-5284 FAX (714) 834-2500

RECEIVED BY

COMMUNITY

NOV 05 2012

DEVELOPMENT  
CITY OF NEWPORT BEACH

CITY OF NEWPORT BEACH  
3300 NEWPORT BEWPORT BEACH  
NEWPORT BEACH, CA 92685

Office of the Orange County Clerk-Recorder  
**Memorandum**

SUBJECT: NOTICE OF DETERMINATION - EIR - PRIOR FILING

The attached notice was received, filed and a copy was posted on 09/19/2012

**It remained posted for 30 (thirty) days.**

Tom Daly  
Orange County Clerk - Recorder  
In and for the County of Orange

By: Tanna White

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 \*\*\*

POSTED

SEP 19 2012

TOM DALY, CLERK-RECORDER

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



NO FEE

\* \$ R 0 0 0 5 1 6 3 0 8 2 \$ \*

201285000889 9:37 am 09/19/12

107 12 Z01

0.00 50.00 0.00 0.00 0.00 0.00 0.00 0.00

By \_\_\_\_\_ DEPUTY



CITY OF NEWPORT BEACH  
3300 Newport Boulevard  
P.O. Box 1768  
Newport Beach, CA 92658-8915  
(949) 644-3200

# NOTICE OF DETERMINATION

<b>To:</b> <input type="checkbox"/> Office of Planning and Research P.O. BOX 3044 Sacramento, CA 95812-3044	<b>From:</b> City of Newport Beach Planning Division 3300 Newport Boulevard P.O. Box 1768 Newport Beach, CA 92658-8915
<input checked="" type="checkbox"/> County Clerk, County of Orange Public Services Division Santa Ana, CA 92702	Date received for filing at OPR/County Clerk:

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

<b>Project Name and Activity Number:</b>	Marina Park Coastal Land Use Plan Amendment PA2012-079	<b>Applicant and Contact Information:</b>	City of Newport Beach 3300 Newport Boulevard, Newport Beach, CA 92658 Patrick Alford, 949-644-3235
<b>State Clearinghouse Number</b>	<b>Lead Agency Contact Person</b>	<b>Area Code/Telephone/Extension</b>	
2008051096	Patrick Alford	949/644-3235	
<b>Project Location (include county):</b>	1600 West Balboa Boulevard, Newport Beach, CA 92658 Orange County		
<b>Project Description:</b> Amend Coastal Land Use Plan Policy 4.4.2-7 to allow a 71-foot tall landmark tower feature at the City's previously approved Marina Park Project.			
This is to advise that the City of Newport Beach has approved the above described project on <u>September 11, 2012</u> and has made the following determinations regarding the above described project: (Date)			
<ol style="list-style-type: none"> <li>The City is [ <input checked="" type="checkbox"/> Lead Agency <input type="checkbox"/> Responsible Agency] for the project.</li> <li>The project [ <input type="checkbox"/> will <input checked="" type="checkbox"/> will not] have a significant effect on the environment.</li> <li><input checked="" type="checkbox"/> A previously certified Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA. <input type="checkbox"/> A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.</li> <li>Mitigation measures [ <input type="checkbox"/> were <input checked="" type="checkbox"/> were not] made a condition of the approval of the project.</li> <li>A mitigation reporting or monitoring plan [ <input type="checkbox"/> was <input checked="" type="checkbox"/> was not] adopted for this project.</li> <li>A Statement of Overriding Considerations was previously adopted for the EIR (State Clearinghouse No. 2008051096). A Statement of Overriding Considerations [ <input type="checkbox"/> was <input checked="" type="checkbox"/> was not] adopted for this project because no new significant impacts were identified.</li> <li>Findings were previously adopted for the EIR (State Clearinghouse No. 2008051096). Findings [ <input type="checkbox"/> were <input checked="" type="checkbox"/> were not] made pursuant to the provisions of CEQA for this project because no new significant impacts or alternatives were identified.</li> </ol>			

The final EIR and record of project approval is available for review at the City of Newport Beach Planning Division located at 3300 Newport Boulevard, Newport Beach, CA 92658-8915; 949/644-3200

Patrick Alford, Planning Manager

September 17, 2012

FILED  
SEP 19 2012

TOM DALY, CLERK-RECORDER  
By \_\_\_\_\_ DEPUTY

FILED

POSTED

SEP 19 2012

SEP 19 2012



CITY OF NEWPORT BEACH

3300 Newport Boulevard  
P.O. Box 1768  
Newport Beach, CA 92658-8915  
(949) 644-3200

# NOTICE OF DETERMINATION

<input type="checkbox"/> Office of Planning and Research P.O. BOX 3044 Sacramento, CA 95812-3044	<b>From:</b> City of Newport Beach Planning Department 3300 Newport Boulevard P.O. Box 1768 Newport Beach, CA 92658-8915
<input checked="" type="checkbox"/> County Clerk, County of Orange Public Services Division Santa Ana, CA 92702	\$2,792.25 Fish & Game Environmental Filing Fee  "Exempt from recording fees pursuant to Government Code Section 6103"

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

<b>Project Name:</b>	Marina Park Project	<b>Applicant:</b>	City of Newport Beach
<b>State Clearinghouse Number</b>	<b>Lead Agency Contact Person</b>	<b>Area Code/Telephone/Extension</b>	
SCH#: 2008051096	Rosalinh Ung, Associate Planner	(949) 644-3208	

**Project Location (include county):** The project site is located in the City of Newport Beach, Orange County, on the Balboa Peninsula between Balboa Boulevard and Newport Bay and between 15<sup>th</sup> Street on the east and 19<sup>th</sup> Street on the west.

**Project Description:**  
The project site encompasses approximately 10.45 acres and presently supports the Marina Park mobile home park, Girl Scout House, community center, Las Arenas Park, the Southern California Edison parcel, Veteran's Park, tennis courts, an alley, sidewalks, the 19th Street restroom, beach, and the portion of the project site within Newport Bay. The proposed project includes three phases. In Phase 1 the mobile home park would be demolished and converted to open space with coastal access improvements. Phase 2 would convert the open space to turf. Phase 3 would consist of the construction of a Multi-Purpose Building at the Balboa Center Complex (0.23 acres), a Sailing Program Building at the Balboa Center Complex (0.25 acres), a new Girl Scout House (0.16 acres), parking areas (1.47 acres), park (4.89 acres) with tennis and basketball courts, beach (1.75 acres), and marina basin (1.67 acres). The public park would provide for passive and active areas. The passive areas include an open lawn area and a water feature. The active areas include a children's play area, tennis courts, and basketball courts. The public short-term visiting vessel marina would accommodate visiting vessels for up to 30 days. Utility hook-ups are proposed to be available for the marina. Bathrooms and laundry areas are proposed adjacent to the marina. The Balboa Center Complex would include rooms for educational classes, sailing classes, and community events, and would have a café situated on the second story. The existing bathroom on the public beach adjacent to 19th Street would be reconstructed.

This is to advise that the **City of Newport Beach** has approved the above described project on May 11, 2010 and has made the following determinations regarding the above described project: (Date)

1. The City of Newport Beach is the Lead Agency.
2. The project will have a significant effect on the environment.
3. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
4. Mitigation measures were made a condition of the approval of the project.
5. A mitigation reporting and monitoring plan was adopted for this project.
6. A Statement of Overriding Considerations was adopted for this project.
7. Findings were made pursuant to the provisions of CEQA.

FILED  
MAY 12 2010

TOM DALY, CLERK-RECORDER  
DEPUTY

This is to certify that the environmental document with comments and responses and record of project approval is available to the General Public for review at the City of Newport Beach Planning Department located at 3300 Newport Boulevard, Newport Beach, CA 92658-8915; 949/644-3200

*Rosalinh Ung*  
Rosalinh Ung, Associate Planner Date 5/11/2010

POSTED

MAY 12 2010

TOM DALY, CLERK-RECORDER

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

2792.25  
201085000625 10.44 am 05/12/10  
175 OR03 Z02

399598

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State of California—The Resources Agency  
DEPARTMENT OF FISH AND GAME  
**2010 ENVIRONMENTAL FILING FEE CASH RECEIPT**

RECEIPT# **399598**  
STATE CLEARING HOUSE # (if applicable)  
**208051096**

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY

LEAD AGENCY City of Newport Beach DATE 5-17-2010  
 COUNTY/STATE AGENCY OF FILING County of Orange DOCUMENT NUMBER 20108500675  
 PROJECT TITLE Marina Park Project  
 PROJECT APPLICANT NAME City of Newport Beach PHONE NUMBER 949/444-3311  
 PROJECT APPLICANT ADDRESS 3300 Newport Beach CITY Newport STATE CA ZIP CODE 92658  
 PROJECT APPLICANT (Check appropriate box):  
 Local Public Agency     School District     Other Special District     State Agency     Private Entity

CHECK APPLICABLE FEES:

- Environmental Impact Report (EIR) - \$2,792.25 \$ 2,792.25
- Mitigated/Negative Declaration (ND)(MND) \$2,010.25 \$ \_\_\_\_\_
- Application Fee Water Diversion (State Water Resources Control Board Only) \$850.00 \$ \_\_\_\_\_
- Projects Subject to Certified Regulatory Programs (CRP) \$949.50 \$ \_\_\_\_\_
- County Administrative Fee \$50.00 \$ \_\_\_\_\_
- Project that is exempt from fees
  - Notice of Exemption
  - DFG No Effect Determination (Form Attached)
- Other \_\_\_\_\_ \$ 2,792.25

PAYMENT METHOD:

- Cash     Credit     Check     Other \_\_\_\_\_

TOTAL RECEIVED \$ 2,792

SIGNATURE X \_\_\_\_\_ TITLE Deputy

WHITE - PROJECT APPLICANT    YELLOW - DFG/ASB    PINK - LEAD AGENCY    GOLDEN ROD - COUNTY CLERK    FG 753.5a (Rev. 11/09)

**POSTED**

**SEP 19 2012**

TOM DALY, CLERK-RECORDER

By [Signature] DEPUTY

**FILED**

**SEP 19 2012**

TOM DALY, CLERK-RECORDER

By [Signature] DEPUTY

Orange County  
Clerk/Recorder's Office  
Tom Daly

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

County

Finalization: 20100000112260  
5/12/10 10:44 am  
175 OR03

**POSTED**

**SEP 19 2012**

TOM DALY, CLERK-RECORDER

By

DEPUTY

Item	Title	Count
1	Z02	1
Fish & Game: Env Impact Report		
Document ID	Amount	
DOC# 201085000625	2792.25	
Time Recorded 10:44 am		

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Total	2792.25
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Payment Type	Amount
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Check tendered	2792.25
# 109553	

Amount Due	0.00
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**FILED**

**SEP 19 2012**

TOM DALY, CLERK-RECORDER

By

DEPUTY

THANK YOU  
PLEASE RETAIN THIS RECEIPT  
FOR YOUR RECORDS  
[www.ocrecorder.com](http://www.ocrecorder.com)



State of California—The Resources Agency  
 DEPARTMENT OF FISH AND GAME  
**2012 ENVIRONMENTAL FILING FEE CASH RECEIPT**

RECEIPT# **430877**  
 STATE CLEARING HOUSE # (if applicable)  
**2008051096**

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY

LEAD AGENCY City of Newport Beach DATE 9-19-12  
 COUNTY/STATE AGENCY OF FILING OC Recorder DOCUMENT NUMBER 201285000889  
 PROJECT TITLE Amend Coastal Land UPP 4.4.2-7 to allow 71-74. Tall Roadmark  
 PROJECT APPLICANT NAME City of Newport Beach PHONE NUMBER 714 320 1000  
 PROJECT APPLICANT ADDRESS 3300 Newport Bl. CITY Newport Beach STATE Cal ZIP CODE 92658

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)	<i>per receipt # 399598</i>	\$2,919.00	\$ _____
<input type="checkbox"/> Mitigated/Negative Declaration (ND)(MND)		\$2,101.50	\$ _____
<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)		\$992.50	\$ _____
<input type="checkbox"/> County Administrative Fee	<i>Cert. # 201085000625</i>	\$50.00	\$ _____
<input type="checkbox"/> Project that is exempt from fees			
<input type="checkbox"/> Notice of Exemption			
<input type="checkbox"/> DFG No Effect Determination (Form Attached)			
<input type="checkbox"/> Other _____			\$ <u>0</u>

PAYMENT METHOD:  
 Cash     Credit     Check     Other \_\_\_\_\_  
 TOTAL RECEIVED \$ 0

SIGNATURE X *[Signature]* TITLE Clerk

Orange County  
Clerk/Recorder's Office  
Tom Daly

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

County

Finalization: 20120000261443  
9/19/12 9:37 am  
107 12

Item	Title	Count
1	Z01	1
EIR Administrative Fee		
Document ID		Amount
DOC# 201285000889		50.00
Time Recorded 9:37 am		
Total		0.00
Payment Type		Amount

NO FEE	50.00
Amount Due	0.00

THANK YOU  
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Orange County  
Clerk/Recorder's Office  
Tom Daly

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

County

Finalization: 20120000261443  
9/19/12 9:37 am  
107 12

Item	Title	Count
1	Z01	1
EIR Administrative Fee		
Document ID		Amount
DOC# 201285000889		50.00
Time Recorded 9:37 am		
Total		0.00
Payment Type		Amount

NO FEE	50.00
Amount Due	0.00

THANK YOU  
PLEASE RETAIN THIS RECEIPT  
FOR YOUR RECORDS  
[www.ocrecorder.com](http://www.ocrecorder.com)