



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
3300 NEWPORT BEWPORT BEACH
NEWPORT BEACH, CA 92685

RECEIVED BY
COMMUNITY

JUL 29 2014

Office of the Orange County Clerk-Recorder
Memorandum

DEVELOPMENT
CITY OF NEWPORT BEACH

SUBJECT: NOTICE OF EXEMPTION

The attached notice was received, filed and a copy was posted on 05/23/2014

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 ***

POSTED

MAY 23 2014

ORANGE COUNTY CLERK-RECORDER DEPARTMENT

BY: [Signature] DEPUTY

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



NO FEE

* \$ R 0 0 0 6 7 1 8 1 4 1 \$ *
201485000463 12:10 pm 05/23/14
292 11 Z01
0.00 50.00 0.00 0.00 0.00 0.00 0.00 0.00

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: Fire Rings - Ordinance Adding Municipal Code Section 11.08.060 (PA2012-071)

Project Applicant: City of Newport Beach, 100 Civic Center Drive, Newport Beach CA, 92660

Project Location – Specific: Those beach areas immediately adjacent to the Balboa Pier and the beach area immediately adjacent to the parking lot at Corona del Mar State Beach, east of the East Jetty at the entrance to the Newport Harbor.

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

Description of Nature, Purpose and Beneficiaries of Project:

The City is required to comply with the South Coast Air Quality Management District's (AQMD's) Rule 444 (Open Burning) by March 1, 2014. Therefore, the proposed ordinance would do the following: 1) Limit the types of fuel that can be used in beach fire rings to natural firewood (including charcoal), low-emission fire logs, and natural gas; 2) Define these fuels; and 3) Allow the City Manager or his or her designee to further limit the type of fuel solely to materials authorized by AQMD for a period of time, if doing so is required by Rule 444. If the City Manager does so, the ordinance requires notification to the public via signage.

receipt 45095

Name of Public Agency Approving Project: City of Newport Beach

FILED

Name of Person or Agency Carrying out Project: City of Newport Beach

MAY 23 2014

Exempt Status: (check one):

HUGH NGUYEN, CLERK-RECORDER

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));

BY: [Signature] DEPUTY

Categorical Exemption. State type and section number: Sections 15061(c)(2), 15061(c)(3), and 15378

Statutory Exemptions. State code number: _____

Reasons why project is exempt:

Prohibiting burning of wood in the City's fire rings where they are currently located and configured is mandated by the South Coast Air Quality Management District's Rule 444 and is not subject to the discretion of the City. The City's compliance with Rule 444 is therefore ministerial. Further, based upon the substantial evidence provided, allowing other types of fuel to be used which are not subject to Rule 444 will not cause significant impacts to the environment. It can be seen with certainty there is no possibility the activity may have a significant impact on the environment.

Lead Agency

Contact Person: Brenda Wisneski, Deputy CDD Director **Area Code/Telephone/Extension:** (949) 644-3297

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: James Campbell Date: May 23, 2014 Title: Principal Planner

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.

POSTED
MAY 23 2014
ORANGE COUNTY CLERK-RECORDER DEPARTMENT
BY: [Signature] DEPUTY

FILED
MAY 23 2014
HUGH NGUYEN, CLERK-RECORDER
BY: [Signature] DEPUTY



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

RECEIPT# **450951**
 STATE CLEARING HOUSE # (if applicable)
 N/A

SEE INSTRUCTIONS ON REVERSE, TYPE OR PRINT CLEARLY

LEAD AGENCY	City of Newport Planning Division	DATE	5-23-2014
COUNTY/STATE AGENCY OF FILING	County of Orange	DOCUMENT NUMBER	201405000463
PROJECT TITLE	Five Points - Ordinance Adding Municipal Code Section 11.09.06D		
PROJECT APPLICANT NAME	City of N.P. Beach	PHONE NUMBER	(714) 644-3297
PROJECT APPLICANT ADDRESS	100 Circle Ave 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) | \$3,029.75 | \$ | _____ |
| <input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND) | \$2,181.25 | \$ | _____ |
| <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 | \$ | 0 |
| <input checked="" type="checkbox"/> Project that is exempt from fees | | | |
| <input checked="" type="checkbox"/> Notice of Exemption (attach) | | | |
| <input type="checkbox"/> CDFW No Effect Determination (attach) | | | |
| <input type="checkbox"/> Other | | \$ | 0 |

PAYMENT METHOD:

- Cash
 Credit
 Check
 Other

TOTAL RECEIVED \$ 0

SIGNATURE	TITLE
X	Deputy

WHITE - PROJECT APPLICANT

YELLOW - CDFW/ASB

PINK - LEAD AGENCY

GOLDEN ROD - COUNTY CLERK