

RESOLUTION NO. 2010-118**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF NEWPORT BEACH APPROVING THE NEWPORT
BANNING RANCH WATER SUPPLY ASSESSMENT.**

WHEREAS, Newport Banning Ranch, LLC, (NBR) has submitted an application to the City for approval of a General Plan Amendment, Planned Community Development Plan, Master Development Plan and Tentative Tract Map for the development of the 401 acre Newport Banning Ranch site which proposes the preservation of approximately 252 acres of open space and development of up to 1,375 residential dwelling units, 75,000 square feet of commercial area, a 75 room resort inn, and approximately 52 acres of parks (proposed project).

WHEREAS, an Environmental Impact Report (EIR) is being prepared by the City in accordance with the provisions of California Environmental Quality Act (CEQA) to evaluate the environmental impacts associated with the proposed project.

WHEREAS, California Senate Bill 610 (SB 610), adopted in 2001, requires that a Water Supply Assessment be prepared for proposed projects of more than 500 residential dwelling units evaluating water supplies that will be available to the project over a 20 year period to include an evaluation of water supply availability during a normal year as well as during single dry-year and multiple dry-year events.

WHEREAS, a Water Supply Assessment must consider existing demands as well as reasonably foreseeable planned future water demands and must use information contained in adopted Urban Water Management Plans as required by the State Urban Water Management Act.

WHEREAS, the City provides water to its customers with a mix of pumped water from the Orange County Groundwater Basin and imported water supplies from the Metropolitan Water District of Southern California (MWD) and will be the water service provider to the Newport Banning Ranch site pursuant to final approval of the proposed project.

WHEREAS, the City has an adopted 2005 Urban Water Management Plan which anticipated a larger Newport Banning Ranch project than is proposed by NBR.

WHEREAS, the City has prepared the Newport Banning Ranch Water Supply Assessment using information contained in the City's adopted 2005 Urban Water Management Plan which concludes that, there will be adequate water supplies to meet the demands of the proposed Newport Banning Ranch project, which was assumed to be a larger project than is currently proposed by NBR, as well as existing and planned development within the City and that no water shortages will occur.

WHEREAS, the Newport Banning Ranch Water Supply Assessment been prepared in accordance with the requirements of the provisions of SB 610 and all other applicable provisions of the state Water Code, and will act as a supporting technical study document to the Draft EIR for the proposed project and will be included as an appendix to the Draft EIR as required by CEQA.

WHEREAS, the adoption by the City of the Newport Banning Ranch Water Supply Assessment is not a final action on a project that is subject to CEQA; however, if subject to CEQA would be considered categorically exempt from review pursuant to CEQA Guidelines Section 15307, Class 7 (Actions by Regulatory Agencies for Protection of Natural Resources).

WHEREAS, the Newport Beach City Council has reviewed and considered the Newport Banning Ranch Water Supply Assessment to be implemented pursuant to this Resolution, as well as the updated information provided in the accompanying staff report.

NOW, THEREFORE BE IT RESOLVED:

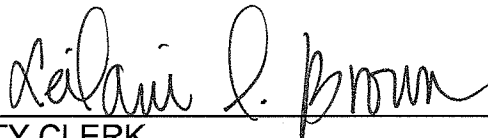
The City Council hereby approves the September 2010 Newport Banning Ranch Water Supply Assessment prepared by AECOM.

ADOPTED this 12th day of October 2010.



MAYOR

ATTEST:


CITY CLERK

STATE OF CALIFORNIA }
COUNTY OF ORANGE }
CITY OF NEWPORT BEACH } ss.

I, Leilani I. Brown, City Clerk of the City of Newport Beach, California, do hereby certify that the whole number of members of the City Council is seven; that the foregoing resolution, being Resolution No. 2010-118 was duly and regularly introduced before and adopted by the City Council of said City at a regular meeting of said Council, duly and regularly held on the 12th day of October, 2010, and that the same was so passed and adopted by the following vote, to wit:

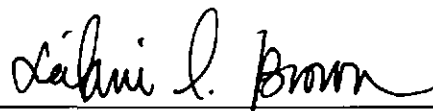
Ayes: Selich, Rosansky, Henn, Webb, Daigle, Mayor Curry

Noes: Gardner

Absent: None

Abstain: None

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the official seal of said City this 13th day of October, 2010.



City Clerk
Newport Beach, California

(Seal)

