MINUTE ITEM

This Calendar Item No. 31
was approved as Minute Item
No. 31 by the State Lands
Commission by a vote of 2
0 at its 8/26/80
meeting.

MINUTE ITEM

8/26/80
WP 5649
Dorsey
PRC 5649

31. DREDGING PERMIT

During consideration of this item, it was taken off the consent calendar and considered during the regular agenda.

Mr. Peter Dalquist, representing the County of Orange, Environmental Management Agency, appeared. Mr. Dalquist requested that the provision in the permit be deleted whereby the State reserves the right at any time to assess a royalty if the Commission finds such action to be in the State's best interest. However, after discussing this with the applicant, the following language was agreed upon and amended into the Permit:

> "The State reserves the right to assess a royalty of 25¢ per cubic yard for material placed on private property or used for any private or commercial property."

Upon motion duly made and carried, the resolution as presented in Calendar Item 31 attached was approved by a vote of 2-0.

Attachment:
Calendar Item 31

A 74
S 36

CALENDAR PAGE
MINUTE PAGE 1796

CALENDAR ITEM

31.

8/80
WP 5649
Dorsey

DREDGING PERMIT

APPLICANT: Orange County Environmental Management Agency
P. O. Box 4048
Santa Ana, California 92702

AREA, TYPE LAND AND LOCATION:
Sovereign and proprietary lands at the mouth of San Juan Creek within Doheny State Beach, Orange County.

LAND USE: Maintenance dredging of 80,000 cubic yards of minerals other than oil, gas and geothermal from San Juan Creek for restoration of flood control channel, with spoils to be deposited on Doheny State Beach for beach replenishment.

TERMS OF PROPOSED PERMIT:

Initial period: 1 year from August 1, 1980.

Special: Spoils deposition will be as directed by representatives of Department of Parks and Recreation.

CONSIDERATION: The public use and benefit, and the public health and safety.

PREREQUISITE TERMS, FEES AND EXPENSES:
Filing fee has been received.

A 74

S 36

STATUTORY AND OTHER REFERENCES:

A. P.R.C.: Div. 6, Parts 1 & 2.

B. Cal. Adm. Code: Title 2, Div. 3.

OTHER PERTINENT INFORMATION:

1. This project is situated on State land identified as possessing significant environmental values pursuant to P.R.C. 6370.1, and is classified in a use category, Class C, which authorizes Multiple Use.

   Staff review indicates that there will be no significant effect upon the identified environmental values. This is an existing facility for which no adverse comments have been received.

2. This project is exempt from CEQA because it is maintenance dredging with spoils to be deposited in an area approved by all applicable regulatory agencies.

   Authority: Cal. Adm. Code, Title 14, Div. 6, Ch. 3, Sec. 15104 (Class 4).

3. Staff has prepared a permit document which includes all the above provisions. Said document is on file in the Offices of the Commission.

APPROVALS OBTAINED:

Department of Parks & Recreation.

FURTHER APPROVALS REQUIRED:

United States Army Corps of Engineers,
Department of Fish & Game,
Coastal Commission,
Regional Water Quality Control Board.

EXHIBITS: A. Land Description. B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN EIR HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF P.R.C. 21084, 14 CAL. ADM. CODE 15100 ET SEQ., AND 2 CAL. ADM. CODE 2907.

2. DETERMINE THAT THE PROJECT IS CONSISTENT WITH THE PROVISIONS OF ARTICLE 6.5, OF TITLE 2, OF THE CAL. ADM. CODE.

3. FIND THAT GRANTING OF THE PERMIT WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1, OF THE P.R.C.

4. AUTHORIZE EXECUTION OF THE DREDGING PERMIT ON FILE IN THE OFFICES OF THE COMMISSION TO THE ORANGE COUNTY ENVIRONMENTAL MANAGEMENT AGENCY. SAID PERMIT SHALL BE ISSUED IN CONSIDERATION OF THE PUBLIC USE AND BENEFIT, AND THE PUBLIC HEALTH AND SAFETY WHICH WILL RESULT THEREFROM. SAID PERMIT SHALL BE EFFECTIVE FOR ONE YEAR FROM AUGUST 1, 1980, AND SHALL ALLOW THE DREDGING OF 80,000 CUBIC YARDS OF MINERALS OTHER THAN OIL, GAS AND GEOTHERMAL FROM TIDE AND SUBMERGED LANDS IN THE MOUTH OF SAN JUAN CREEK AND THE PACIFIC OCEAN AT DOHENY BEACH STATE PARK, ORANGE COUNTY. SAID AREA IS DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND BY REFERENCE EXPRESSLY MADE A PART HEREOF. THE MATERIALS DREDGED SHALL BE DEPOSITED ON THE ADJACENT STATE-OWNED BEACHES.

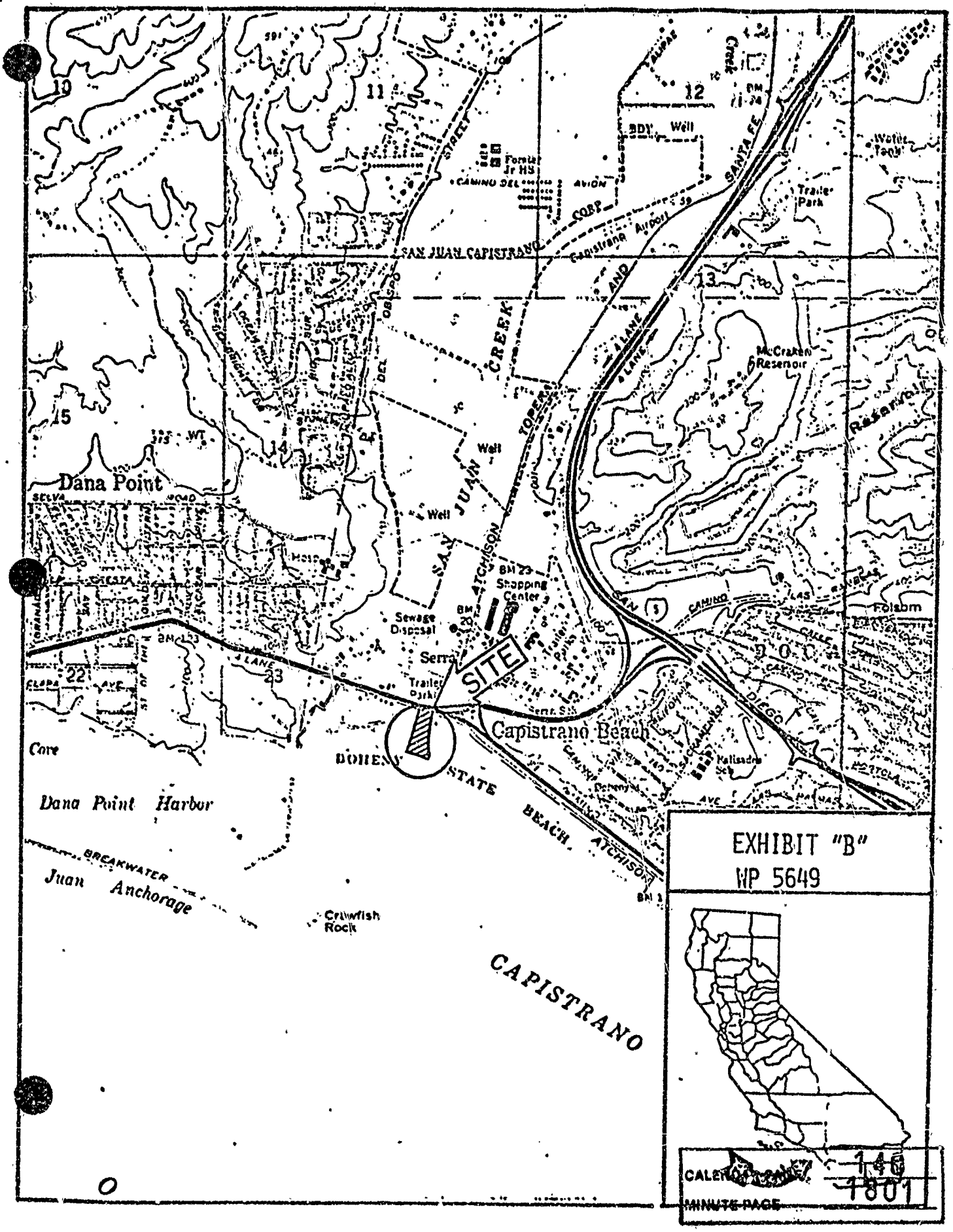
EXHIBIT "A"

LAND DESCRIPTION WP 5649

All that State-owned proprietary, sovereign, and Parks and Recreation land within the bed of San Juan Creek and westerly of the mean high tide line of the Pacific Ocean within the boundaries of Doheny State Beach, Orange County, California, as shown upon Exhibit "B" attached and made a part hereof.

END OF DESCRIPTION

PREPARED JULY 20, 1980 BY TECHNICAL SERVICES UNIT. ROY MINNICK, SUPERVISOR.



Dana Point
Dana Point Harbor
Juan Anchorage
Crawfish Rock
CAPISTRANO
Capistrano Beach
SITE
Serra
Sewage Disposal
Shopping Center
Trailer Park
McCraken Reservoir
Folsom
SAN JUAN CAPISTRANO
SAN JUAN CREEK
ATCHISON TOPEKA AND SANTA FE
Capistrano Airport
Forster Jr HS
CAMINO DEL AVION
BOHENY STATE BEACH
BREAKWATER
Cove
Well
Water Tank
Reservoir
N
EXHIBIT "B"
WP 5649
CALENDAR PAGE
MINUTE PAGE
140
1801