

MINUTE ITEM  
This Calendar Item No. C16  
was approved as Minute Item  
No. 16 by the State Lands  
Commission by a vote of 2  
to 0 at its 6/30/88  
meeting.

CALENDAR ITEM

A 74  
S 38

C 16

06/30/88  
WP 6986 PRC 6986  
Martinez

MAINTENANCE DREDGING PERMIT

APPLICANT: City of Oceanside  
Attn: Ronald Beckman  
320 N. Horne Street  
Oceanside, California 92054

AREA, TYPE LAND AND LOCATION:  
Ungranted sovereign lands at Oceanside Harbor,  
City of Oceanside, San Diego County.

PROPOSED LAND USE:  
Dredge a maximum 300,000 cubic yards of  
minerals other than oil, gas and geothermal  
from the entrance of Oceanside Harbor to  
maintain a navigable channel and assure safe  
navigation.

The dredged material will be used to replenish  
a severely eroded public beach located south of  
the Oceanside Public Pier on lands granted to  
the City of Oceanside.

TERMS OF PROPOSED PERMIT:  
Initial Period: One year commencing July 1,  
1988.

Royalty: No royalty shall be charged  
for spoils placed at the  
approved disposal site  
maintained for public use and  
benefit.

A royalty of \$0.25 per cubic  
yard will be charged for  
spoils placed on private  
property or sold for  
commercial benefit.

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

STATUTORY AND OTHER REFERENCES:  
P.R.C.: Div. 6, Parts 1 and 2; Div. 14.  
Cal. Adm. Code: Title 2, Div. 3, Title 14,  
Div. 6.

AB 884: 11/07/88.

OTHER PERTINENT INFORMATION:

1. A Finding of No Significant Impact (FONSI) was prepared and adopted for this project by the United States Army, Corps of Engineers. The document was circulated for public review as required by State and local laws, and notice was given meeting the standards in 14 Cal. Adm. Code 15072(a). Therefore, pursuant to 14 Cal. Adm. Code 15225, the staff recommends the use of the Federal FONSI in place of a Negative Declaration.

APPROVALS OBTAINED:

U.S. Army Corps of Engineers.  
San Diego County Air Pollution Control  
Disturbance Permit.  
California Coastal Commission.

EXHIBITS: A. Vicinity and Site Map.  
B. Permit.  
C. FONSI.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT THE FINDING OF NO SIGNIFICANT IMPACT (FONSI) PREPARED AND ADOPTED FOR THIS PROJECT BY THE UNITED STATES ARMY CORPS OF ENGINEERS MEETS THE REQUIREMENTS OF THE CEQA AND THEREFORE, PURSUANT TO 14 CAL. ADM. CODE 15225, ADOPT SUCH FEDERAL DOCUMENT FOR USE IN PLACE OF A NEGATIVE DECLARATION.
2. DETERMINE THAT THE PROJECT, AS APPROVED, WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.

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CALENDAR ITEM NO. C 1 6 (CONT'D)

3. AUTHORIZE STAFF TO ISSUE TO THE CITY OF OCEANSIDE THE DREDGING PERMIT ATTACHED AS EXHIBIT "B". SAID PERMIT SHALL AUTHORIZE DREDGING A MAXIMUM 300,000 CUBIC YARDS OF MATERIAL AT THE ENTRANCE OF OCEANSIDE HARBOR AND DISPOSAL AT THE APPROVED PUBLIC BEACH SITE. NO ROYALTY SHALL BE CHARGED FOR SPOILS PLACED AT THE APPROVED DISPOSAL SITE AND USED FOR PUBLIC BENEFIT PURPOSES. A ROYALTY OF \$0.25 PER CUBIC YARD SHALL BE CHARGED FOR SPOILS PLACED ON PRIVATE PROPERTY OR SOLD FOR COMMERCIAL BENEFIT. SUCH ACTIVITY IS CONTINGENT UPON APPLICANT'S COMPLIANCE WITH APPLICABLE PERMITS, RECOMMENDATIONS OR LIMITATION ISSUED BY FEDERAL, STATE AND LOCAL GOVERNMENT AGENCIES.

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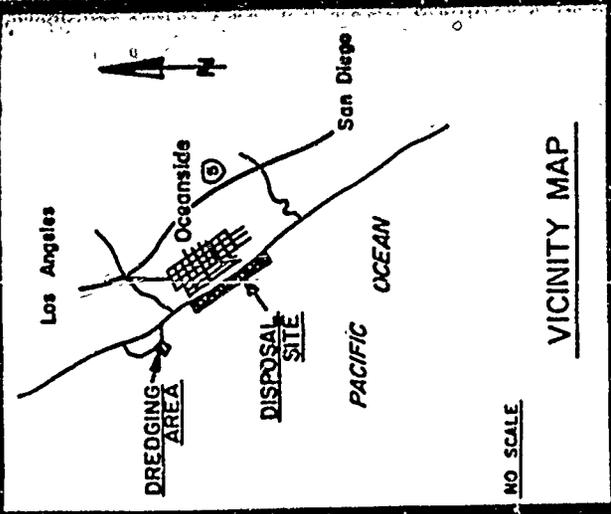
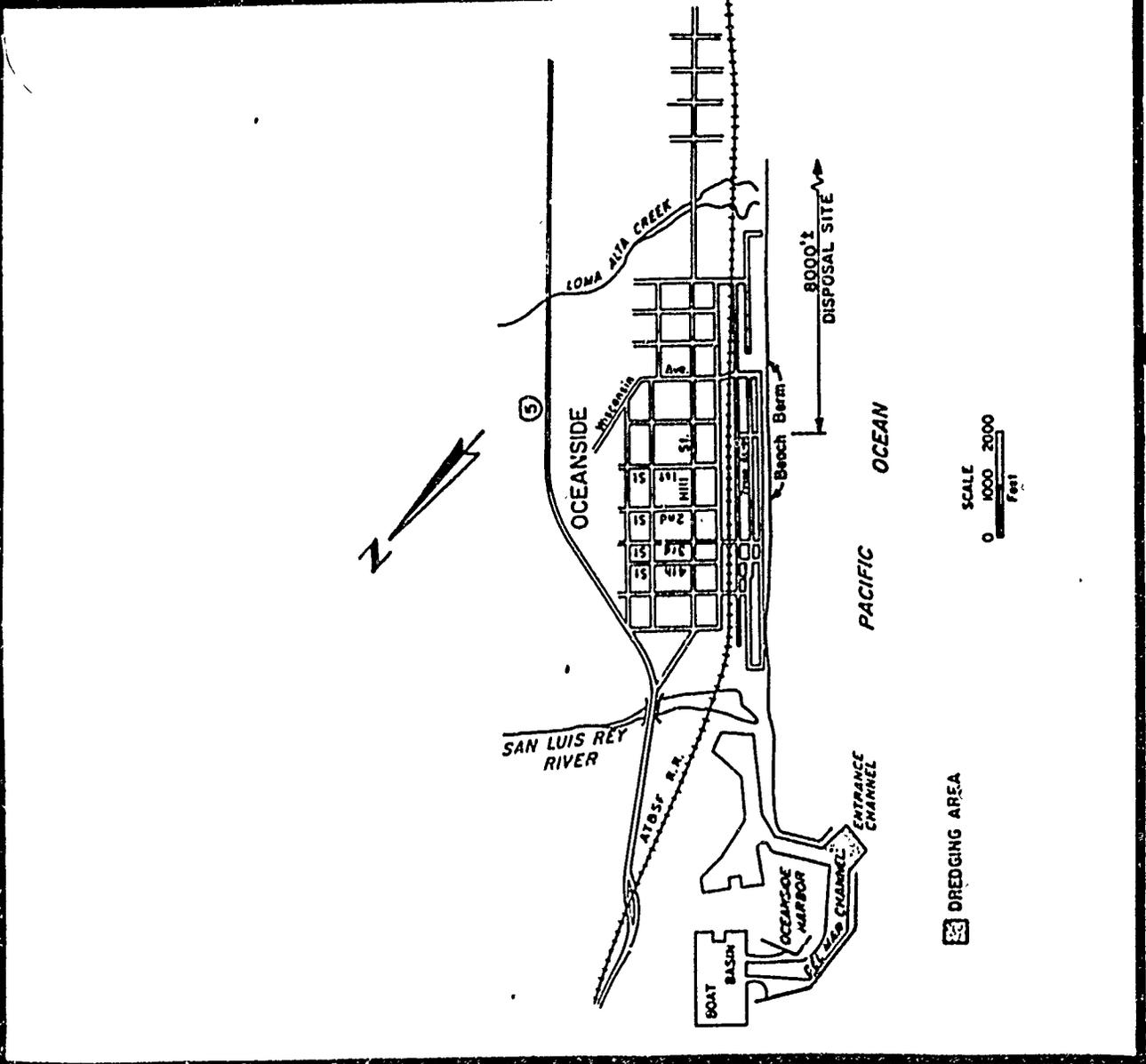


EXHIBIT "R"  
 APPLICATION FOR  
 DREDGING  
 CITY OF OCEANSIDE  
 (APPLICANT)  
 WP 6986  
 SAN DIEGO COUNTY



4/88



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STATE LANDS COMMISSION  
1807 13TH STREET  
SACRAMENTO, CALIFORNIA 95814



July 1, 1988

File Ref.: WP 6986

City of Oceanside  
Attn: Ronald Beckman  
320 N. Horne Street  
Oceanside CA 92054

Gentlemen:

Pursuant to your application received April 7, 1988 and by the authorization of the State Lands Commission in June, 1988 you are hereby granted permission to dredge, during the term of the permit a maximum 300,000 cubic yards of sand, silt, clay and gravel, excluding all other minerals, including but not limited to oil, gas and geothermal from an area of ungranted sovereign lands at Oceanside Harbor, San Diego County as designated in Exhibit "A" attached hereto, which is by this reference expressly made a part hereof. Said permission includes the right to deposit dredge spoils at the public beach located south of the Oceanside Public Pier on lands granted to the City of Oceanside.

No royalty shall be paid for material placed at the approved disposal site and used for public benefit. A royalty of \$0.25 per cubic yard shall be paid for any material used for any private or commercial benefit. Said permission is given on the condition that all dredging and spoils deposition shall be done in accordance with all applicable Federal, State, and local government laws, rules, and regulations. Said permission shall be effective from July 1, 1988 through June 30, 1989.

It is hereby agreed that the operations authorized under this permit shall be performed with diligence, in a good and workmanlike manner, and with the use of due care and safety precautions.

It is further agreed that you shall submit copies of reports or contracts with the dredging operator substantiating the volume of materials dredged and any royalties due to the Commission on a quarterly basis, on forms supplied by the Commission (Form 30.9NC). It is agreed that you shall submit said forms on or before the fifteenth (15th) day of the month following the end of each permit quarter, together with payment for the royalty due on the volume removed during that quarter. The first permit quarter shall be the first three months following the effective date of this permit, and every three-month period thereafter shall be a permit quarter.

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It is hereby agreed that, pursuant to Public Resources Code Section 6224, any installments of royalty accruing under the provisions of this permit that are not paid when due shall be subject to a five percent (5%) penalty and shall bear interest at the rate of one and one-half percent (1½%) per month from the date when the same was payable by the terms hereof.

It is agreed that you shall furnish the Commission with copies of final surveys or copies of any other computations used as a basis to verify dredge volumes within twenty-five (25) days of completion of the activity authorized hereunder.

It is agreed that you shall indemnify, save harmless and at the option of the State of California, defend said State, its officers, agents and employees, against any and all claims, demands, causes of action, or liability of any kind which may be asserted against or imposed upon the State of California or any of its officers, agents or employees by any third person or entity, arising out of or connected with the issuance of this permit, operations hereunder, or the use by you or your agents, employees or contractors, of the above-described lands.

Without limiting the generality of the foregoing, such indemnification shall include any claim, demand, cause of action or liability of any kind asserted against or imposed upon the State of California or any of its officers, agents or employees, arising out of or connected with any alleged or actual violation by you, your agents, employees or contractors of the property or contractual rights of any third persons or entity. It is agreed that you shall, at the option of the Commission, procure and maintain liability insurance for the benefit of the State in an amount satisfactory to the Commission.

You agree to comply with the terms and conditions hereof, and you further agree that any violation thereof shall constitute grounds for termination of this permit and shall allow the Commission to pursue any other remedy available to it under the law. It is further agreed that this permit may be suspended, modified or terminated, whenever the State Lands Commission deems such action to be in the best interests of the State, and that no such action by the Commission shall be deemed to be a basis for any claim or cause of action for damages against the State or any officer, employee or agency thereof.

STATE OF CALIFORNIA  
STATE LANDS COMMISSION

\_\_\_\_\_  
W. M. THOMPSON, Chief  
Extractive Development Program

Date: \_\_\_\_\_

ACCEPTED:

BY: \_\_\_\_\_, TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

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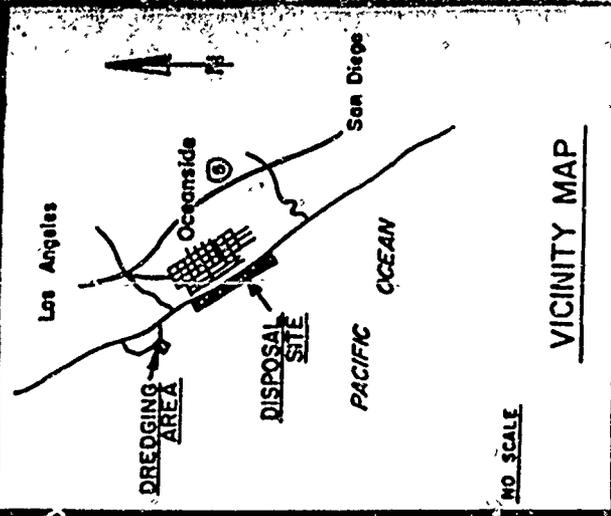
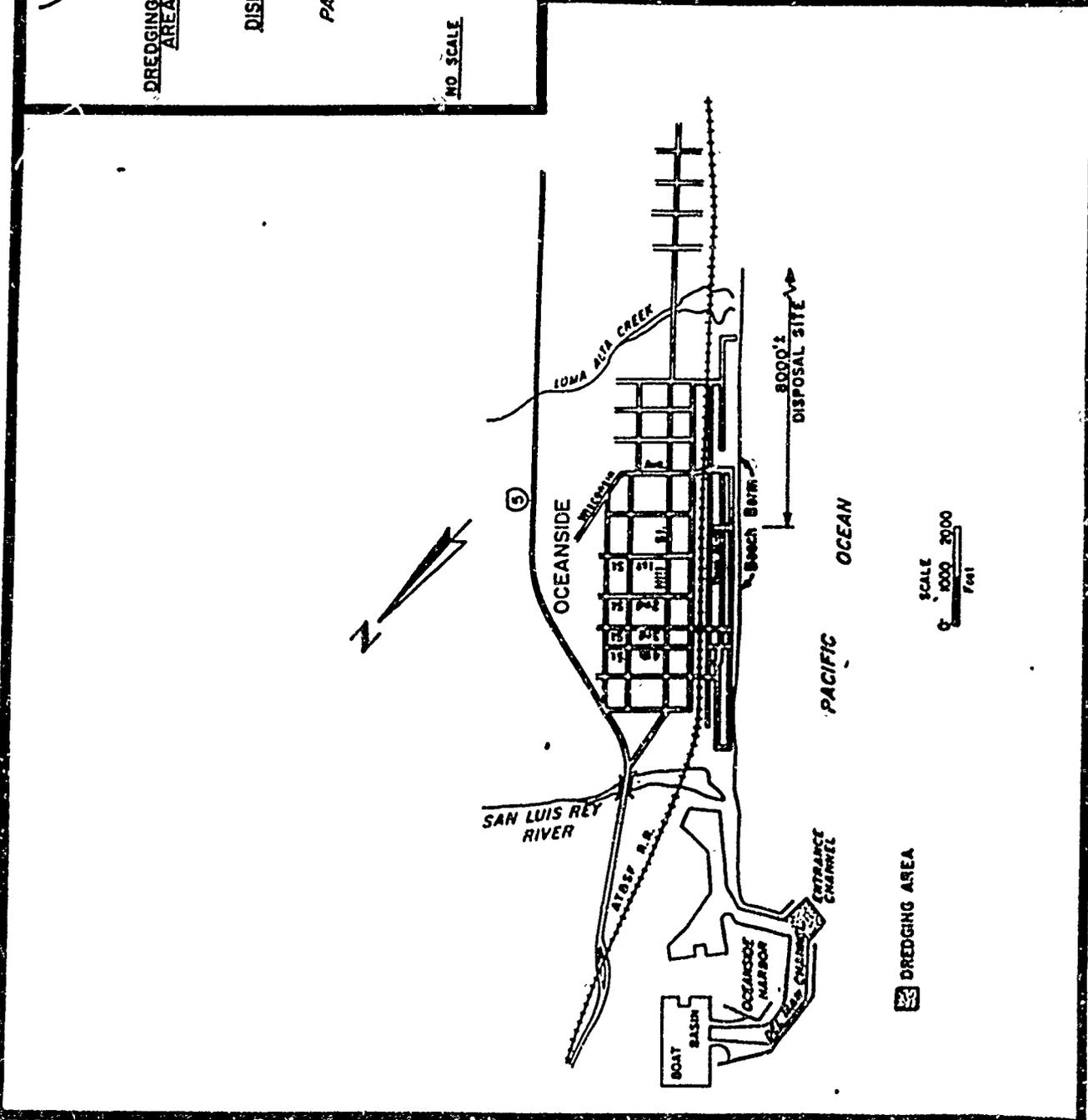
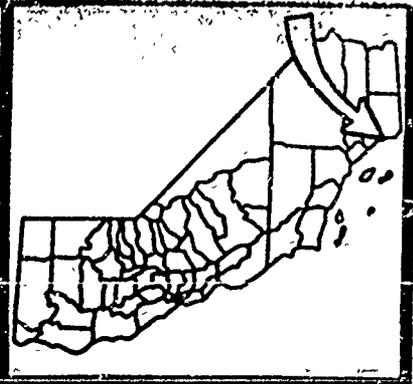


EXHIBIT "R"

APPLICATION FOR  
DREDGING  
CITY OF OCEANSIDE  
(APPLICANT)  
WP 6986  
SAN DIEGO COUNTY



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EXHIBIT "C"

DEPARTMENT OF THE ARMY  
LOS ANGELES DISTRICT CORPS OF ENGINEERS  
FINDING OF NO SIGNIFICANT IMPACT  
OCEANSIDE HARBOR MAINTENANCE DREDGING  
SAN DIEGO COUNTY, CALIFORNIA

I have reviewed the attached Environmental Assessment prepared for the proposed maintenance dredging of Oceanside Harbor, San Diego County, California. The proposed project includes the dredging of approximately 300,000 cubic yards of littoral drift material from the entrance and navigational channels in order to maintain authorized channel configurations and assure continued safe navigability within the harbor (Figure 1). All dredge material will be discharged on the beaches of Oceanside south of the Oceanside Pier. The dredging activities will be accomplished through the use of a hydraulic dredge and scheduled from February 15 to June 30, 1988.

Significant resources potentially affected by the proposed project include marine ecological and land resources. These impacts have been minimized due to the environmental constraints and special conditions outlined in the attached Environmental Assessment. I have considered the available information contained in the assessment and it is my determination that the impacts resulting from the proposed project will not have a significant effect on the existing environment or the quality of the human environment. Therefore, preparation of an Environmental Impact Statement (EIS) is not required.

DATE \_\_\_\_\_

TADAHIKO ONO  
Colonel, Corps of Engineers  
District Engineer

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