MINUTE ITEM

22

09/14/88
PRC 6485
Martinez

SOUTHWEST MARINE, INC.

Calendar Item 22, attached, was pulled from the agenda prior to the meeting.

Attachment: Calendar Item 22.

CALENDAR ITEM

A 79 C22 09/14/88

S 40 PRC 6446

Martinez

AMENDMENT OF DREDGING PERMIT
FOR EXTENSION OF TIME

APPLICANT: Southwest Marine, Inc.
P. O. Box 13308
San Diego, California 92113-0308

AREA, TYPE LAND AND LOCATION:
Ungranted sovereign lands in San Diego Bay at the Southwest Marine Shipyard, San Diego County.

LAND USE: Dredge a maximum 184,000 cubic yards of minerals other than oil, gas and geothermal to allow for deeper draft vessels and larger drydocks. The spoils will be disposed of offshore at EPA approved disposal site "L.A.5.".

This project requiring a dredging permit is a small portion of a larger project involving the removal of a total 410,000 cubic yards, some of which includes granted lands without minerals reserved.

TERMS OF ORIGINAL PERMIT:

Initial Period: One year commencing June 23, 1983.

Approved Extension: Four years commencing June 23, 1984.

Royalty: $0.15 per cubic yard for material disposed at the approved offshore site, as provided in the original lease.

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PROPOSED AMENDMENT:

Extend the expiration date of June 22, 1988 one year to June 22, 1989.

The one-year extension is requested because 100,000 cubic yards of material remain to be removed to provide pierside ship berthing depth clearance and dispose of recently silted-in bottom material which has drifted in from adjacent Port of San Diego main channel dredging operations.

All other terms and conditions of the existing permit are to remain unchanged.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

Filing fee has been received.

STATUTORY AND OTHER REFERENCES:

A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.

B. Cal. Adm. Code: Title 2, Div. 3; Title 14, Div. 6.

AB 884: N/A.

OTHER PERTINENT INFORMATION:

1. On June 23, 1983, the SLC made a finding that EIR (SCH 82112405), which was prepared for this project by the Port of San Diego and certified by the San Diego Board of Supervisors in compliance with the requirements of CEQA, was reviewed and considered prior to approval of the project.

   At that time, the State Lands Commission also made a finding that changes or alterations had been required in or incorporated into the project to mitigate or avoid the significant environmental effects identified in the EIR.

2. Additionally a finding was made that the project was consistent with the use classification designated for the land pursuant to P.R.C. 6370, et. seq.

3. After reviewing the request for the one year extension to the existing authorization, and consulting with all agencies and interested parties previously involved with the environmental analysis cited above, staff believes that there are no circumstances associated with the project, nor changes in the environment or the project's effects on the environment which are not addressed in the existing EIR (SCH 82112405).

APPROVALS REQUIRED:

United States Army Corps of Engineers and Regional Water Quality Control Board

EXHIBITS:

A. Vicinity and Site Maps.
B. Amendment.

IT IS RECOMMENDED THAT THE COMMISSION:

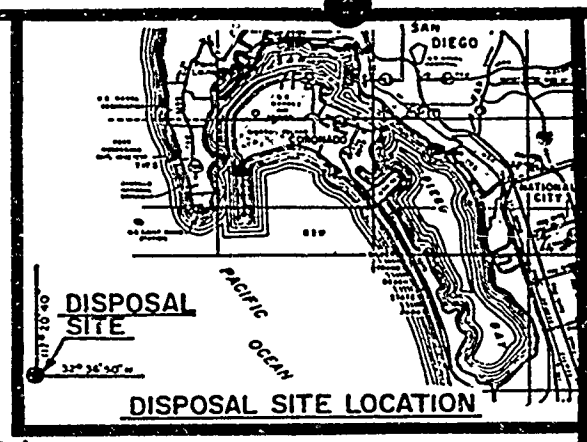
1. FIND THAT AN EIR WAS PREPARED AND ADOPTED FOR THIS PROJECT BY THE PORT OF SAN DIEGO, THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN, AND THAT SAID INFORMATION REMAINS GERMANE TO THE PROPOSED ACTIVITY.

2. INCORPORATE BY REFERENCE HEREIN, THE FINDINGS MADE BY THE PORT OF SAN DIEGO PURSUANT TO SECTION 15091 OF THE CEQA GUIDELINES.

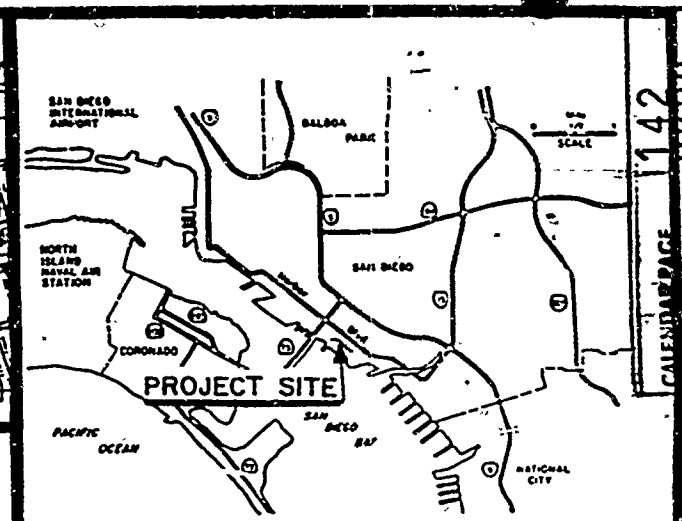
3. INCORPORATE BY REFERENCE HEREIN, THE FINDINGS MADE BY THE STATE LANDS COMMISSION PURSUANT TO SECTION 15096(h) OF THE CEQA GUIDELINES AS CONTAINED IN CALENDAR ITEM 25, JUNE 25, 1983.

4. DETERMINE THAT THE PROJECT, AS APPROVED, WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.

5. AUTHORIZE STAFF TO ISSUE TO SOUTHWEST MARINE THE DREDGING PERMIT AMENDMENT ATTACHED AS EXHIBIT "B". SAID AMENDMENT SHALL CHANGE THE EXPIRATION DATE OF JUNE 22, 1988 TO JUNE 22, 1989. SUCH AMENDED ACTIVITY IS CONTINGENT UPON APPLICANT'S COMPLIANCE WITH APPLICABLE PERMITS, RECOMMENDATION OR LIMITATIONS ISSUED BY FEDERAL, STATE AND LOCAL GOVERNMENT AGENCIES.



DISPOSAL SITE LOCATION



VICINITY MAP

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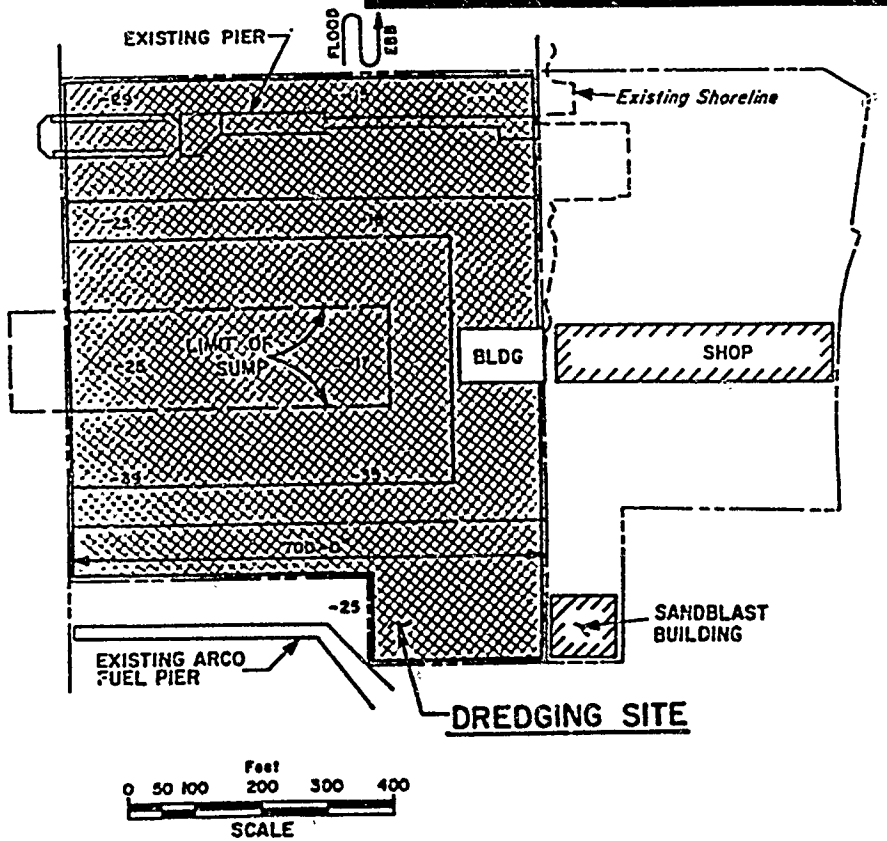

EXHIBIT "A"
APPLICATION FOR
DREDGING PERMIT
SOUTHWEST MARINE INC.
PRC 6446
SAN DIEGO BAY
SAN DIEGO COUNTY

N

R.O. 8/88

EXHIBIT "B"

August 10, 1988

File Ref.: PRC 6446

AMENDMENT TO DREDGING PERMIT

WHEREAS, Dredging Permit PRC 6446 was issued to Southwest Marine, Inc., effective June 23, 1983 to June 22, 1984 and Dredging Permit Amendment PRC 6446 was issued to extend the expiration date to June 22, 1988, granting permission to perform dredging in San Diego Bay at Southwest Marine Shipyard, San Diego County with spoils to be deposited offshore at EPA approved disposal site "LA-5"; and

WHEREAS, Southwest Marine, Inc. has requested permission from the State Lands Commission to extend the expiration date one year;

NOW, THEREFORE, the parties hereto agree that paragraph two of Dredging Permit PRC 6446 which reads as follows:

A royalty of $0.15 per cubic yard will be assessed for material removed from State-owned land and placed at the EPA approved disposal site and a royalty of $0.25 per cubic yard shall be paid for material placed on private property or 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 June 23, 1983 through June 22, 1988.

Shall be amended to read:

A royalty of $0.15 per cubic yard will be assessed for material removed from State-owned land and placed at the EPA approved disposal site and a royalty of $0.25 per cubic yard shall be paid for material placed on private property or 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 June 23, 1983 through June 22, 1989.

Except as herein modified, all other terms and conditions of the permit shall remain in effect.

STATE OF CALIFORNIA
STATE LANDS COMMISSION

_____
W. M. THOMPSON, Chief
Extractive Development Program

_____
Date

ACCEPTED: SOUTHWEST MARINE, INC.

By_____

Title_____

Date_____