

MINUTE ITEM
This Calendar Item No. C24
was approved as Minute Item
No. 24 by the State Lands
Commission by a vote of 2
to 0 at its 9/14/88
meeting.

CALENDAR ITEM

A 58

C 24

09/14/88
W 24196 PRC 7244
Martinez

S 37

MAINTENANCE DREDGING PERMIT

APPLICANT: City of Huntington Beach
Dept. of Public Works
2000 Main Street
Huntington Beach, California 92648

AREA, TYPE LAND AND LOCATION:
Sovereign land in Huntington Harbor, Orange
County.

PROPOSED LAND USE:
Dredge a maximum 1,000 cubic yards of material
to maintain the design slope and bottom of
channels in Huntington Harbor. The dredged
material will be cast spread into the channel
to a maximum 1/2" thickness.

TERMS OF THE PROPOSED PERMIT:
Initial Period: One year beginning
September 14, 1988.
Royalty: No charge because project is
for public benefit.

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

STATUTORY AND OTHER REFERENCE:
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: 01/27/89.

CALENDAR ITEM NO. C 24 (CONT'D)

OTHER PERTINENT INFORMATION:

1. A Negative Declaration was prepared and adopted for this project by the County of Orange. The State Lands Commission staff has received such document and believes that it complies with the requirements of the CEQA.

APPROVALS REQUIRED:

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

EXHIBITS:

- A. Vicinity and Site Map.
- B. Permit.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT A NEGATIVE DECLARATION WAS PREPARED AND ADOPTED FOR THIS PROJECT BY THE COUNTY OF ORANGE AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.
2. DETERMINE THAT THE PROJECT, AS APPROVED, WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
3. AUTHORIZE STAFF TO ISSUE TO THE CITY OF HUNTINGTON BEACH THE DREDGING PERMIT ATTACHED AS EXHIBIT "B". SAID PERMIT SHALL ALLOW DREDGING A MAXIMUM 1,000 CUBIC YARDS OF MATERIAL IN HUNTINGTON HARBOR FOR ONE YEAR BEGINNING SEPTEMBER 14, 1988 WITH THE MATERIAL BEING SPREAD INTO THE CHANNEL TO A MAXIMUM 1/2" THICKNESS. NO ROYALTY SHALL BE CHARGED BECAUSE THE PROJECT IS FOR THE PUBLIC BENEFIT. SUCH PERMITTED ACTIVITY IS CONTINGENT UPON APPLICANT'S COMPLIANCE WITH APPLICABLE PERMITS, RECOMMENDATIONS OR LIMITATIONS ISSUED BY FEDERAL, STATE AND LOCAL GOVERNMENT AGENCIES.

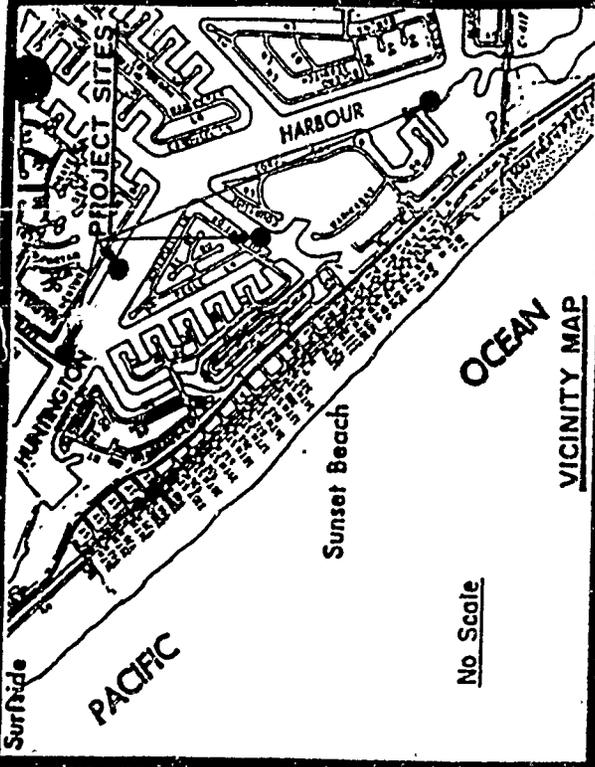
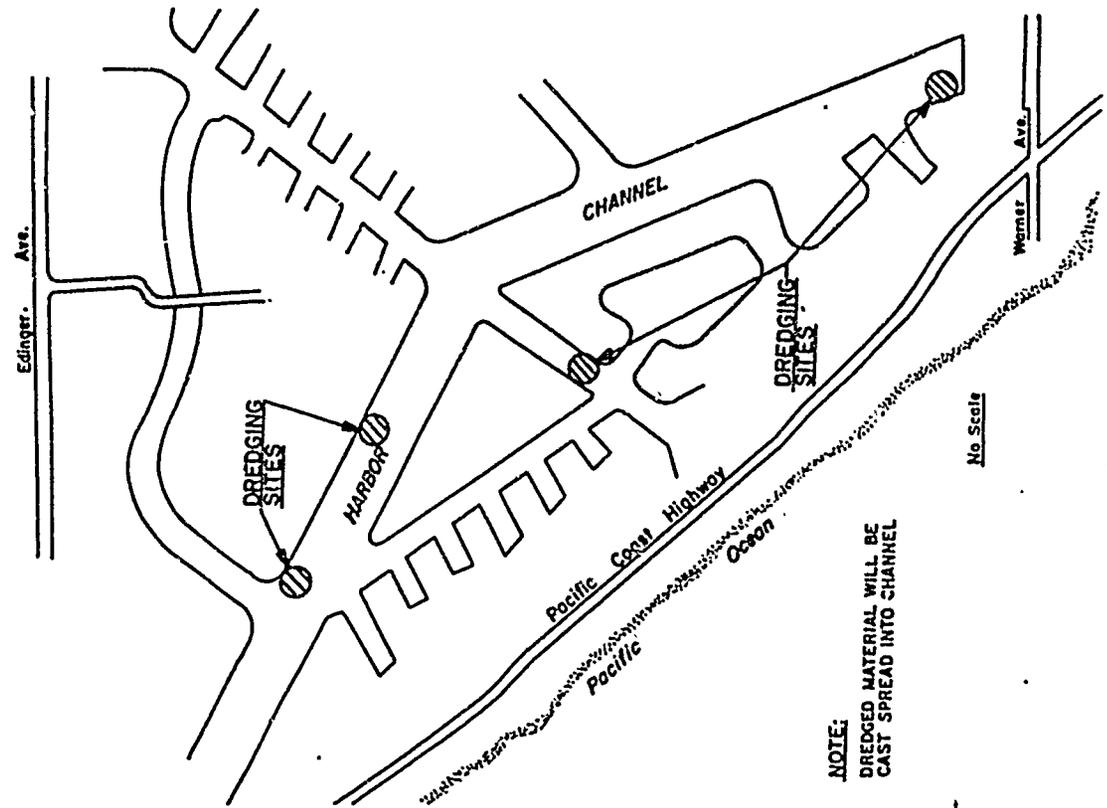


EXHIBIT "A"
 APPLICATION FOR
 DREDGING PERMIT
 CITY OF
 HUNTINGTON BEACH
 W24196
 HUNTINGTON HARBOR
 ORANGE COUNTY



R.O. 8/88



NOTE:
 DREDGED MATERIAL WILL BE
 CAST SPREAD INTO CHANNEL

STATE LANDS COMMISSION
1807 13TH STREET
SACRAMENTO, CALIFORNIA 95814



September 14, 1988

File Ref.: W 24196

City of Huntington Beach
Department of Public Works
2000 Main Street
Huntington Beach CA 92648

Gentlemen:

Pursuant to your request and by the authorization of the State Lands Commission in September, 1988 you are hereby granted permission to dredge, during the term of the permit a maximum 1,000 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 sovereign lands in Huntington Harbor, Orange County as designated in Exhibit "A" attached hereto, which is by this reference expressly made a part hereof. Said permission includes the right to cast spread the spoils into the Channel to a maximum 1/2" thickness.

No royalty shall be paid for material disposed of as approved. A royalty of \$0.25 per cubic yard shall be charged for any material used for private or commercial purposes. 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 September 14, 1988 through September 13, 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.

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.

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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 impounded 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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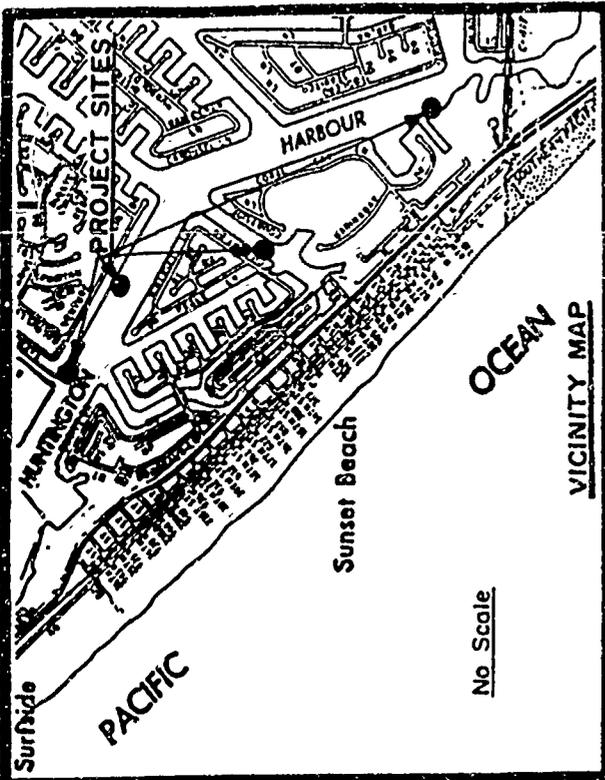


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