

MINUTE ITEM
This Calendar Item No. 29
was approved as Minute Item
No. 29 by the State Lands
Commission by a vote of 3
to 0 at its 4/26/89
meeting.

CALENDAR ITEM

A 28
S 17

29

04/26/89
WP 5116 PRC 5116
Martinez

AMENDMENT OF EXISTING DREDGING PERMITS

APPLICANT: Moss Landing Harbor District
P. O. Box 10
Moss Landing, CA 95039

AREA, TYPE LAND & LOCATION:
Granted, minerals reserved, lands in Moss
Landing Harbor, Monterey County.

TERMS OF ORIGINAL PERMITS:

Permit (1): Approved August 29, 1985.

Initial Period: Ten years effective
September 1, 1985.

Land Use: Dredge a maximum 1,000 cubic
yards of material annually
from an area in Moss Landing
Harbor. The spoils material
is to be used for public beach
replenishment when determined
by the Regional Water Quality
Control Board to be suitable
for such use. The remainder
of the material is to be
disposed of at Corps of
Engineers approved Disposal
Site SF-12 (see Exhibit A-1).

Royalty: No Charge.

Compliance
With CEQA: On August 29, 1985, the State
Lands Commission was informed
that the maintenance dredging
activity authorized by

-1-

(ADDED pgs. 165-165.12)

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CALENDAR ITEM NO. 29 (CONT'D)

Permit (1) was categorically exempt from the requirements of CEQA under Class 4, Maintenance Dredging 14' C.A.C. 15304 (g).

Permit (2) Approved February 6, 1989.

Initial Period: Six years effective
February 1, 1989

Land Use: Dredge a maximum 14,500 cubic yards of material from an area in Moss Landing Harbor over the term of the permit. The material is to be disposed of at Corps of Engineers approved Disposal Site SF-14 (see Exhibit A-2).

Royalty: No Charge.

Compliance With CEQA: On February 6, 1989, the State Lands Commission made a finding that a Negative Declaration was prepared by Moss Landing Harbor District and adopted by Monterey County for the dredging and disposal activity authorized by Permit (2) and that the Commission had reviewed and considered the information contained therein and found that the project, as approved, would not have a significant effect on the environment.

PROPOSED AMENDMENT:

The applicant is requesting that Permit (1) be amended to increase the volume by 30,000 cubic yards annually. The increase in the volume of material to be removed is necessary to maintain navigability which is currently impaired by an increased silting rate at docks A and B. The increased dredging will not take the depth beyond the pre-existing maintenance level. Secondly, the applicant is requesting that

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CALENDAR ITEM NO. 29 (CONT'D)

Permit (2) be amended to allow material to be disposed of at SF-12 as well as SF-14 (see Exhibit A-3).

All other terms and conditions of the two permits will remain unchanged.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

Filing and Processing Fees have been received.

STATUTORY AND OTHER REFERENCES

P.R.C. Div. 6, Parts 1 and 2; Div. 13.
C.A.C. Title 2, Div. 3; Title 14, Div. 6.

AB 884: 09/24/89.

OTHER PERTINENT INFORMATION:

1. The two permits previously issued to the applicant are adjacent to each other and entirely within Moss Landing Harbor.

The amended permits will authorize the dredging of a maximum 200,500 cubic yards of material over the remaining term of the permits. Under the amended permit, a volume of 14,500 cubic yards will be authorized to be removed from Area 2 (Exhibit A-2) over the life of the permit, and the annual volume to be dredged from Area 1 (Exhibit A-1) shall not exceed 31,000 cubic yards. The amended permit will allow for material to be disposed of at SF-12 and SF-14 when determined not to be suitable for public beach replenishment by the Regional Water Quality Control Board.

The material has been analyzed for the applicant by Harding Lawson Associates as required by the Regional Water Quality Control Board and have been found suitable for beach replenishment.

2. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370, et. seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is staff's opinion that the project, as proposed, is

CALENDAR ITEM NO. 29 (CONT'D)

consistent with its use classification.

3. The California Coastal Commission, a "functional equivalent agency" under Section 21080.5 of the CEQA has:
 - a. served as the lead agency under CEQA;
 - b. considered the project described therein; and
 - c. found that the project, as proposed, will not have a significant effect on the environment under Section 15252 of the CEQA Guidelines. The State Lands Commission may use the environmental analysis made by the California Coastal Commission in its consideration of this project.

Authority: Sections 21083 and 21087 of the CEQA.

4. The County of Monterey has previously issued a Coastal Development Permit authorizing the project.

APPROVALS OBTAINED:

County of Monterey.
California Coastal Commission.
United States Army Corps of Engineers.

EXHIBITS:

- A. Vicinity and Site Maps.
- B. Dredging Permit Amendment.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE CALIFORNIA COASTAL COMMISSION, A FUNCTIONAL EQUIVALENT AGENCY, UNDER SECTION 21080.5 OF THE CEQA HAS CONSIDERED THE PROPOSED PROJECT AND DETERMINED IT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
2. FIND THAT THE COMMISSION HAS CONSIDERED THE INFORMATION CONTAINED IN THE ENVIRONMENTAL ANALYSIS PREPARED BY THE CALIFORNIA COASTAL COMMISSION AND CONCURS WITH THE CONCLUSIONS AND FINDINGS THEREIN, 14 CAL. CODE REGS. SECTION 15253.

CALENDAR ITEM NO. 29 (CONT'D)

3. AUTHORIZE STAFF TO ISSUE TO THE MOSS LANDING HARBOR DISTRICT THE DREDGING PERMIT AMENDMENT ATTACHED AS EXHIBIT "B". SAID AMENDMENT SHALL INCREASE THE MAXIMUM COMBINED TOTAL VOLUME BY 30,000 CUBIC YARDS ANNUALLY. ADDITIONALLY, SAID AMENDMENT SHALL AUTHORIZE MATERIAL DREDGED FROM ALL AREAS AUTHORIZED UNDER THE PERMIT TO BE DISPOSED OF AT CORPS OF ENGINEERS APPROVED SITES SF-12 AND SF-14 WHEN NOT SUITABLE FOR BEACH REPLENISHMENT. SUCH AMENDED ACTIVITY IS CONTINGENT UPON APPLICANT'S COMPLIANCE WITH APPLICABLE PERMITS, RECOMMENDATIONS OR LIMITATIONS ISSUED BY FEDERAL, STATE AND LOCAL GOVERNMENT AGENCIES.

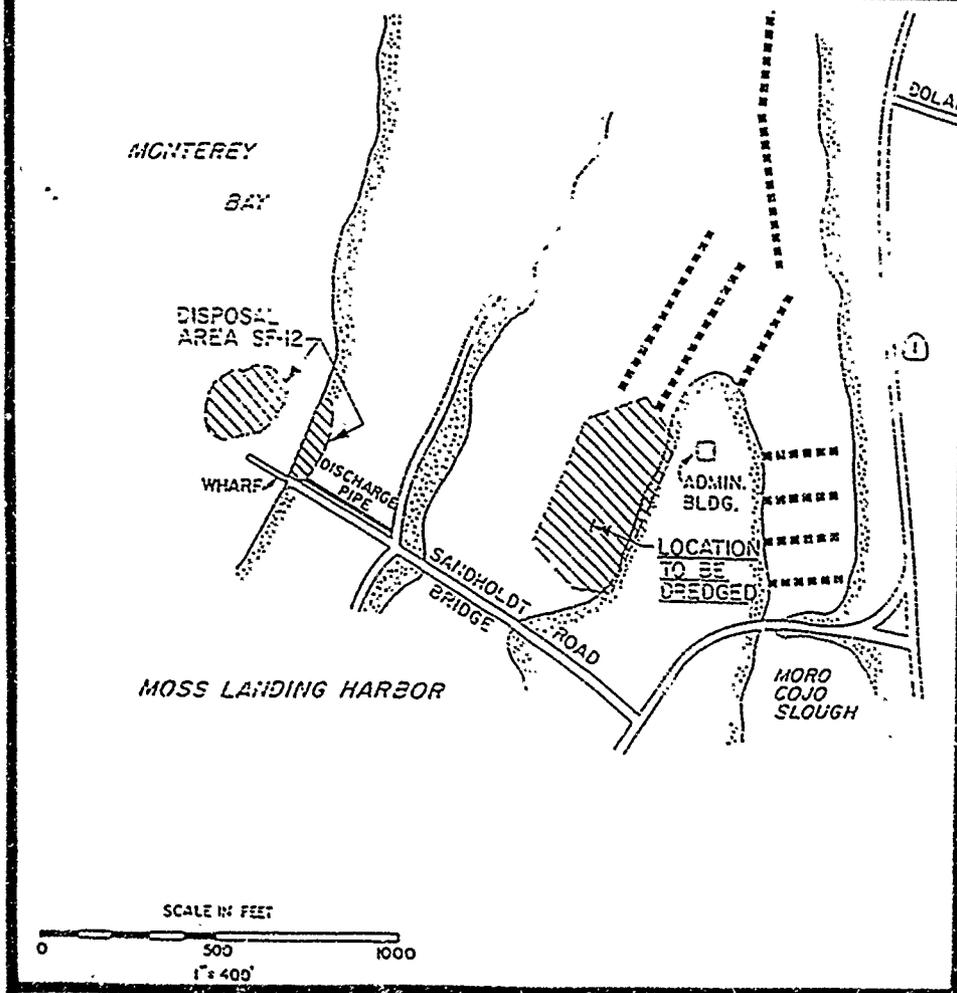
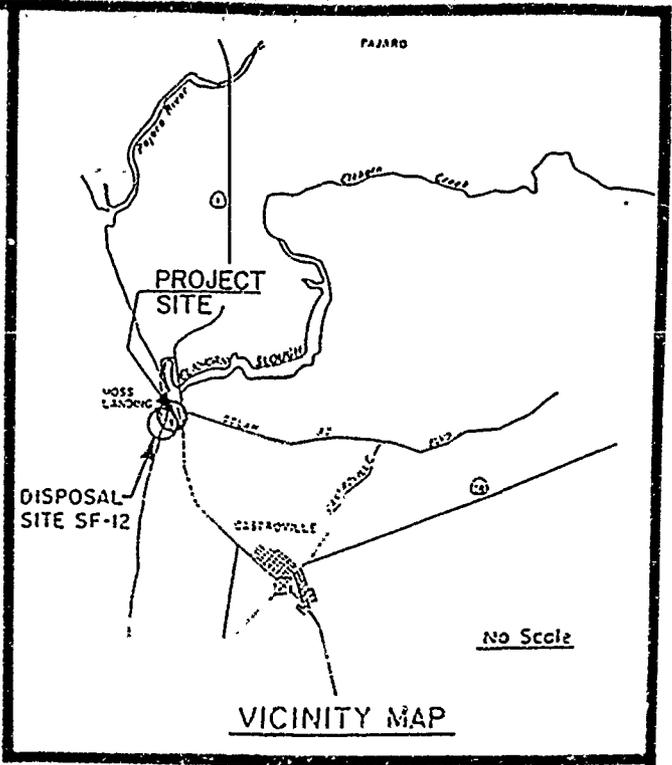


EXHIBIT "A-1"

MOSS LANDING HARBOR DISTRICT

PERMIT (I)

PRC 5116

MOSS LANDING HARBOR

MONTEREY COUNTY



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r.d. 6/89: 5

7305

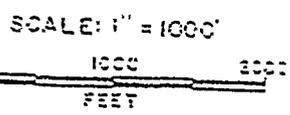
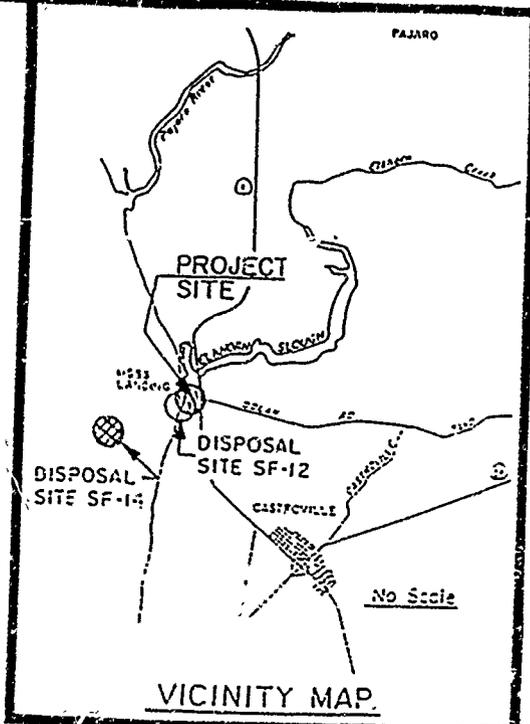
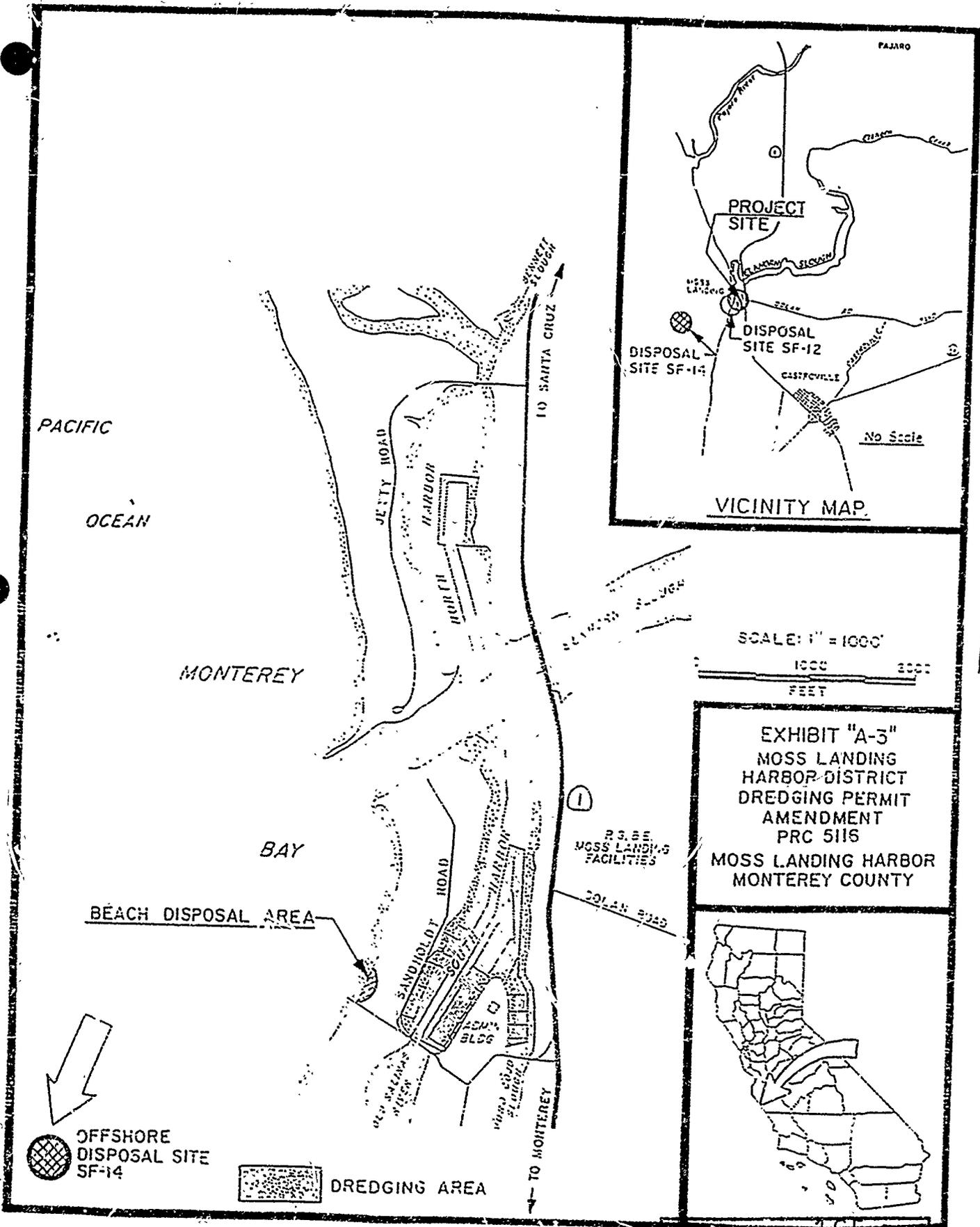


EXHIBIT "A-3"
 MOSS LANDING HARBOR DISTRICT
 DREDGING PERMIT
 AMENDMENT
 PRC 5115
 MOSS LANDING HARBOR
 MONTEREY COUNTY



OFFSHORE
 DISPOSAL SITE
 SF-14

DREDGING AREA

April 27, 1989

File Ref.: PRC 5116

AMENDMENT TO DREDGING PERMITS

WHEREAS, Dredging Permit PRC 5116 was issued to the Moss Landing Harbor District, effective September 1, 1985 through August 30, 1995, granting permission to perform maintenance dredging in a portion of Moss Landing Harbor, Monterey County with the spoils being used for public beach replenishment, when feasible, or deposited at the U. S. Army, Corps of Engineers approved offshore Disposal Site S.F.-12; and

WHEREAS, Dredging Permit PRC 5116(A) was issued to the Moss Landing Harbor District, effective February 1, 1989 through January 31, 1995, granting permission to dredge in a portion of Moss Landing Harbor, Monterey County with the spoils being deposited at the U. S. Army, Corps of Engineers approved offshore Disposal Site S.F.-14; and

WHEREAS, Moss Landing Harbor District has asked the State Lands Commission to increase the dredge volume of Dredging Permit PRC 5116 and to add authorization to dispose at U. S. Army, Corps of Engineers approved offshore Disposal Site S.F.-12 to Dredging Permit PRC 5116(A); and

NOW, THEREFORE, in consideration of the foregoing premises and the mutual covenants contained herein, and other consideration the receipt and adequacy of which is hereby acknowledged, the Parties hereby amend Dredging Permits PRC 5116 and PRC 5116(A) in the following respects.

1. Paragraph 1 of Dredging Permit PRC 5116, effective September 1, 1985 through August 30, 1995 is amended to read as follows:

Pursuant to your application dated June 5, 1985, you are hereby granted permission to dredge a maximum of 31,000 cubic yards per year for a maximum of 200,500 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 tide and submerged lands in Moss Landing Harbor, Monterey County, as described and designated respectively in Exhibits "A" and "B" attached hereto, which are by this reference expressly made a part hereof. Said permission includes the right to deposit said material at a harbor district-owned beach, westerly across the peninsula from the harbor and at the Corps of Engineers approved disposal site, S.F. 12, at Sandholdt Pier; and

- 2. Paragraph 1 of Dredging Permit PRC 5116(A), effective February 1, 1989 through January 31, 1995, is amended to read as follows:

Pursuant to your request received December 19, 1988 and by the authorization of the State Lands Commission in February, 1989 you are hereby granted permission to dredge, during the term of the permit a maximum 14,500 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 granted, mineral reserve, lands in Moss Landing Harbor, Monterey County as designated in Exhibit "A" attached hereto, which is by this reference expressly made a part hereof. Said permission includes the right to dispose of dredge spoils offshore at the Corps of Engineers/EPA approved disposal sites SF-12 and SF-14.

- 3. All other terms and conditions of the permits shall remain unmodified and in full force and effect.

STATE OF CALIFORNIA
STATE LANDS COMMISSION

W. M. THOMPSON, Chief
Extractive Development Program

Date

ACCEPTED:

By _____

Title _____

Date _____

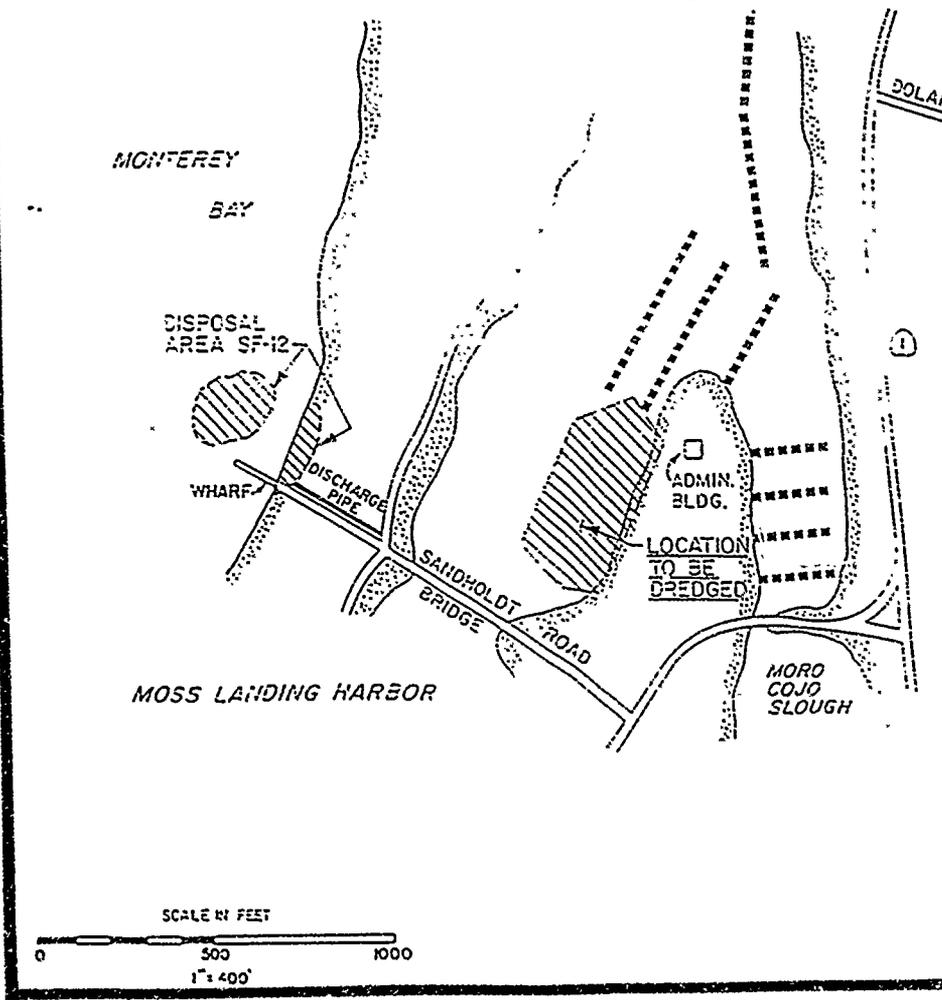
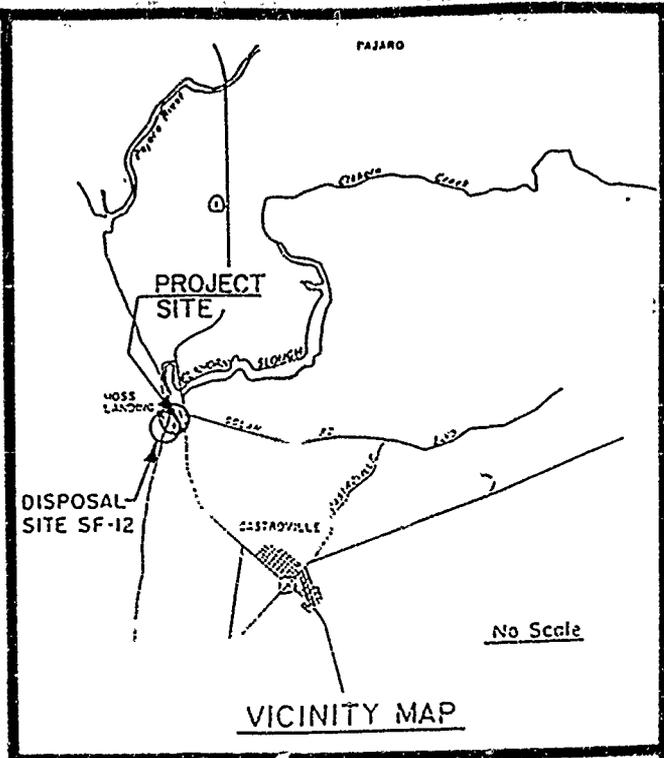


EXHIBIT "A-1"
 MOSS LANDING
 HARBOR DISTRICT
 PERMIT (I)
 PRC 5116
 MOSS LANDING HARBOR
 MONTEREY COUNTY



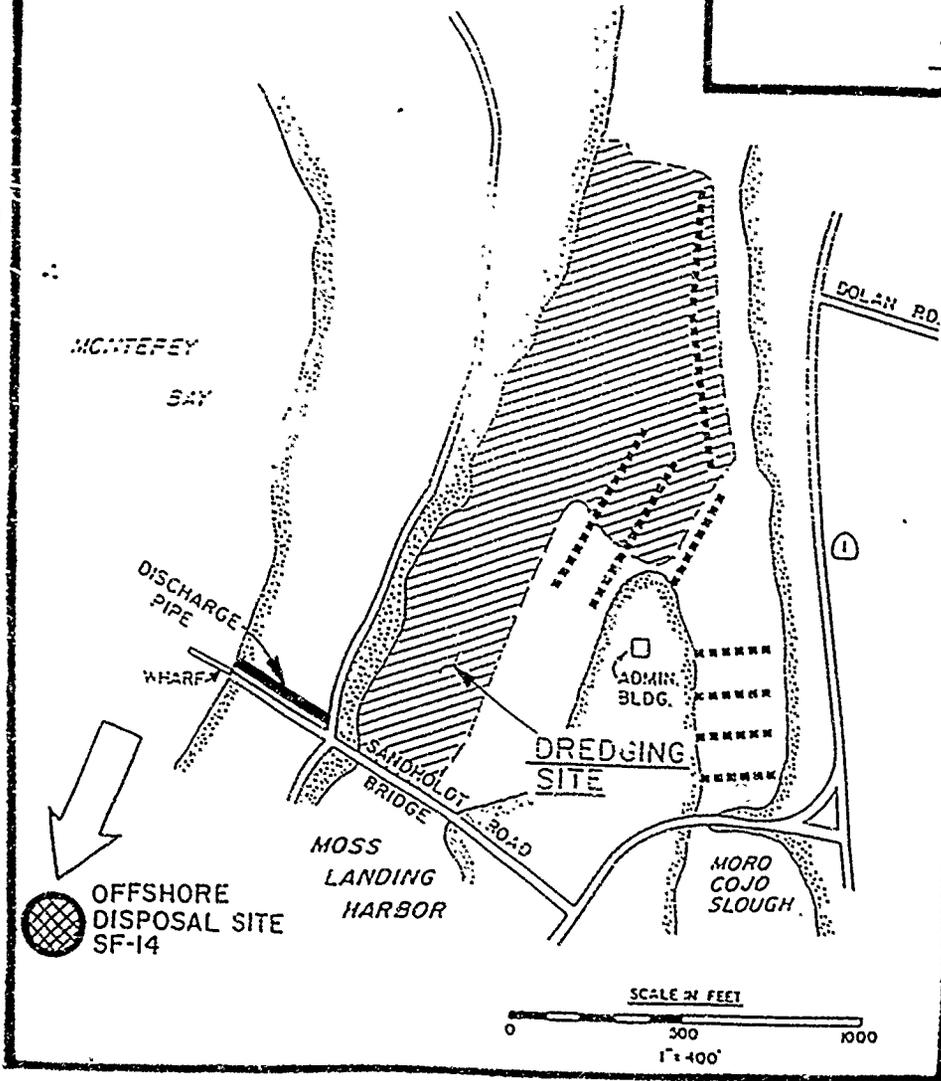
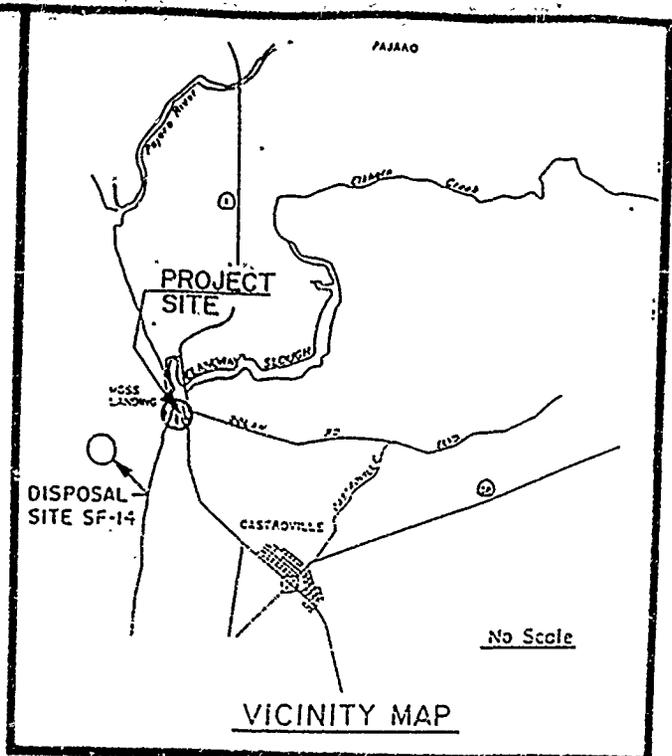


EXHIBIT "A-2"
 MOSS LANDING HARBOR DISTRICT
 PERMIT (2)
 PRC 5116
 MOSS LANDING HARBOR
 MONTEREY COUNTY



PACIFIC

OCEAN

MONTEREY

BAY

BEACH DISPOSAL AREA

OFFSHORE DISPOSAL SITE SF-14

DREDGING AREA

TO SANTA CRUZ

TO MONTEREY

R.G. BE MOSS LANDING FACILITIES

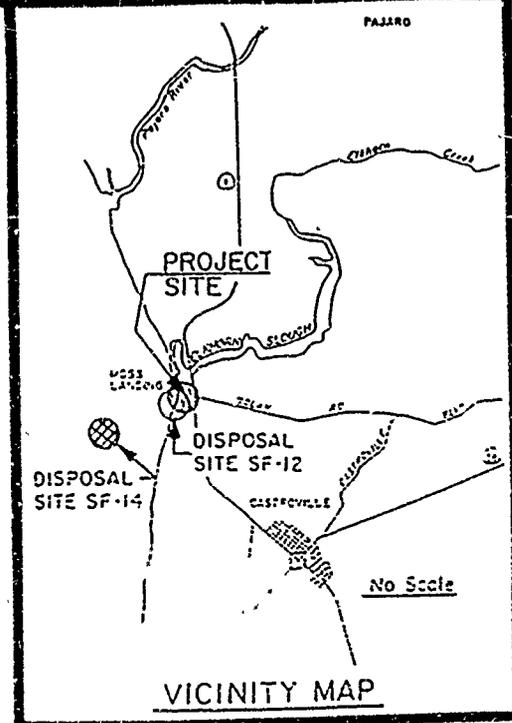
SOLAR ROAD

JETTY ROAD

SANDHOLDY ROAD

OLD WALKWAY

WINDY RIDGE



SCALE 1" = 1000'

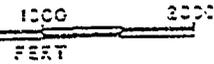


EXHIBIT "A-3"
MOSS LANDING HARBOR DISTRICT
DREDGING PERMIT AMENDMENT
PRC 5116
MOSS LANDING HARBOR
MONTEREY COUNTY



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