

MINUTE ITEM

This Calendar Item No. C21
was approved as Minute Item
No. 21 by the State Lands
Commission by a vote of 3
to 0 at its 7/15/91
meeting.

CALENDAR ITEM

C 2 1

A 70

S 37

07/15/91
W 24732 PRC 7552
Martinez

MAINTENANCE DREDGING PERMIT

APPLICANT:

Ben Bukewihge
1014 Polaris Drive
Newport Beach, California 92660

AREA, TYPE LAND AND LOCATION:

Granted mineral reservation lands in Newport Bay, Orange
County (Statutes 1919, Chapter 526).

LAND USE:

Dredge a maximum 80 cubic yards of material to maintain a
navigable depth at an existing private boat dock. The
material will be used for replenishment of a public beach.

TERMS OF PROPOSED PERMIT:

Initial period:

One year beginning August 1, 1991.

Royalty:

No Charge for material used for beach replenishment
for public benefit.

\$0.25 per cubic yard for material used for private
benefit or sold.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

Filing and processing fees have been received.

STATUTORY AND OTHER REFERENCES:

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

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

AB 884:

09/16/91

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OTHER PERTINENT INFORMATION:

1. The California Coastal Commission (CCC), 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 herein; 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 conducted and determination made by the CCC in its consideration of this project.

Authority: Sections 21083 and 21087 of the CEQA.

APPROVALS OBTAINED:

United States Army Corps of Engineers, Regional Water Quality Control Board, the California Coastal Commission, County of Orange, and City of Newport Beach.

EXHIBIT:

- A. Vicinity and Site Map

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 THAT THE PROJECT, AS PROPOSED, 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 CONTAINED THEREIN, 14 CAL. CODE REGS., SECTION 15252.
3. AUTHORIZE STAFF TO ISSUE TO BEN BUKEWINGE, THE DREDGING PERMIT ON FILE IN THE OFFICE OF THE STATE LANDS COMMISSION. THE PERMIT SHALL ALLOW DREDGING A MAXIMUM 80 CUBIC YARD OF MATERIAL FROM NEWPORT BAY, ORANGE COUNTY, FOR ONE YEAR BEGINNING AUGUST 1, 1991. THE DREDGED MATERIAL WILL BE USED FOR PUBLIC BEACH REPLENISHMENT. NO ROYALTY SHALL BE CHARGED FOR MATERIAL USED FOR PUBLIC BEACH REPLENISHMENT. \$0.25 PER

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CUBIC YARD SHALL BE CHARGED FOR MATERIAL USED FOR PRIVATE BENEFIT OR SOLD. THE PERMITTED ACTIVITY IS CONTINGENT UPON THE APPLICANT'S OBTAINING OF AND COMPLIANCE WITH PERMITS, RECOMMENDATIONS, OR LIMITATIONS ISSUED BY FEDERAL, STATE, AND LOCAL GOVERNMENT AGENCIES INVOLVING THE SUBJECT PROPERTY.

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