

MINUTE ITEM
Calendar item No. C18
was approved as Minute Item
No. 18 by the State Lands
Commission by a vote of 3
to 0 at its 5/5/92
meeting.

CALENDAR ITEM

C 1 8

A 70
S 37

05/05/92
W 24826 PRC 7624
Dugal

DREDGING PERMIT

Applicant:

Swales Anchorage
2888 Bayshore Drive
Newport Beach, California 92663

AREA, TYPE LAND AND LOCATION:

Granted mineral reservation lands in Newport Bay, City of
Newport Beach, Orange County.

LAND USE:

Dredge a maximum of 2,235 cubic yards of material to
maintain a navigable depth at Swale's Anchorage Marina,
Newport Harbor, Newport Bay. The dredged material will be
disposed of offshore at the Corps/EPA-approved disposal site
"LA-3"

TERMS OF PROPOSED PERMIT:

Initial period:
One (1) year beginning May 5, 1992.

Royalty:

No charge for material disposed of offshore at the
approved Corps/EPA disposal site LA-3.

A royalty of \$0.25 per cubic yard for any material used
for private benefit or commercial sale purposes.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

Filing fee and processing costs have been received.

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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:

10/27/92.

OTHER PERTINENT INFORMATION:

1. Recent storm activity has created a need for maintenance dredging to maintain a navigable depth. A portion of the slips utilized for the mooring of private boats cannot be used due to an accumulation of silt from recent storms.
2. The contractor proposes to conduct the dredging in two phases. The first phase will consist of removing 1,000 cubic yards of material from the marina, as depicted on Exhibit "A". The second phase will consist of removing 1,235 cubic yards of material from the marina, as depicted on Exhibit "A-1". The total volume of material removed will not exceed 2,235 cubic yards.
3. 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 made by the California Coastal Commission in its consideration of this project.

Authority: Sections 21083 and 21087 of the CEQA.

APPROVALS OBTAINED:

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

CALENDAR ITEM NO. C 1 8 (CONT'D)

EXHIBIT:

- A. Vicinity and Site Map.
- A-1. 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 SWALES ANCHORAGE THE DREDGING PERMIT ON FILE IN THE OFFICE OF THE STATE LANDS COMMISSION. THE PERMIT SHALL ALLOW DREDGING A MAXIMUM OF 2,235 CUBIC YARDS OF MATERIAL FROM NEWPORT HARBOR, NEWPORT BAY, CITY OF NEWPORT BEACH, ORANGE COUNTY, FOR ONE YEAR BEGINNING MAY 5, 1992. THE DREDGED MATERIAL WILL BE DISPOSED OF AT THE APPROVED OFFSHORE DISPOSAL SITE, LA-3. NO ROYALTY SHALL BE CHARGED FOR MATERIAL DISPOSED OF AT THE APPROVED OFFSHORE DISPOSAL SITE. A ROYALTY FEE OF \$0.25 PER CUBIC YARD SHALL BE CHARGED FOR MATERIAL USED FOR PRIVATE BENEFIT OR COMMERCIAL SALE PURPOSES. THE PERMITTED ACTIVITY IS CONTINGENT UPON THE APPLICANT'S COMPLIANCE WITH APPLICABLE PERMITS, RECOMMENDATIONS, OR LIMITATIONS ISSUED BY FEDERAL, STATE, AND LOCAL AGENCIES.

PHASE I

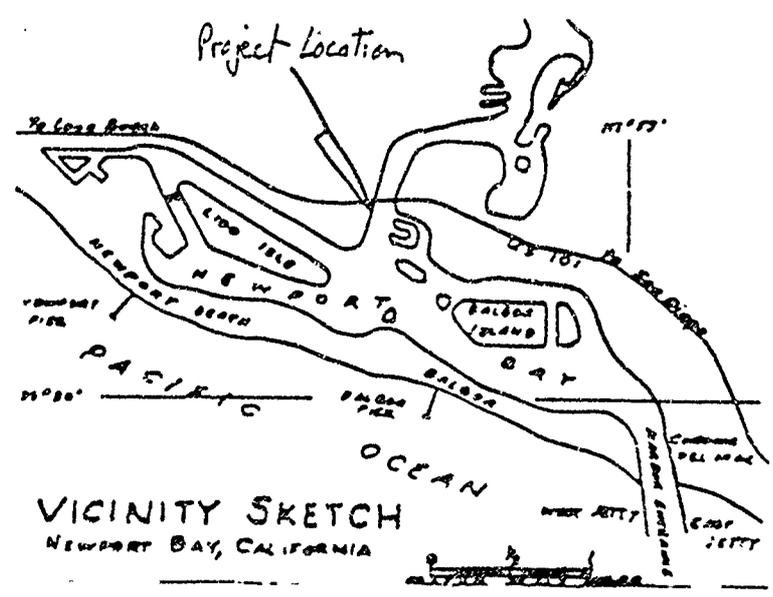
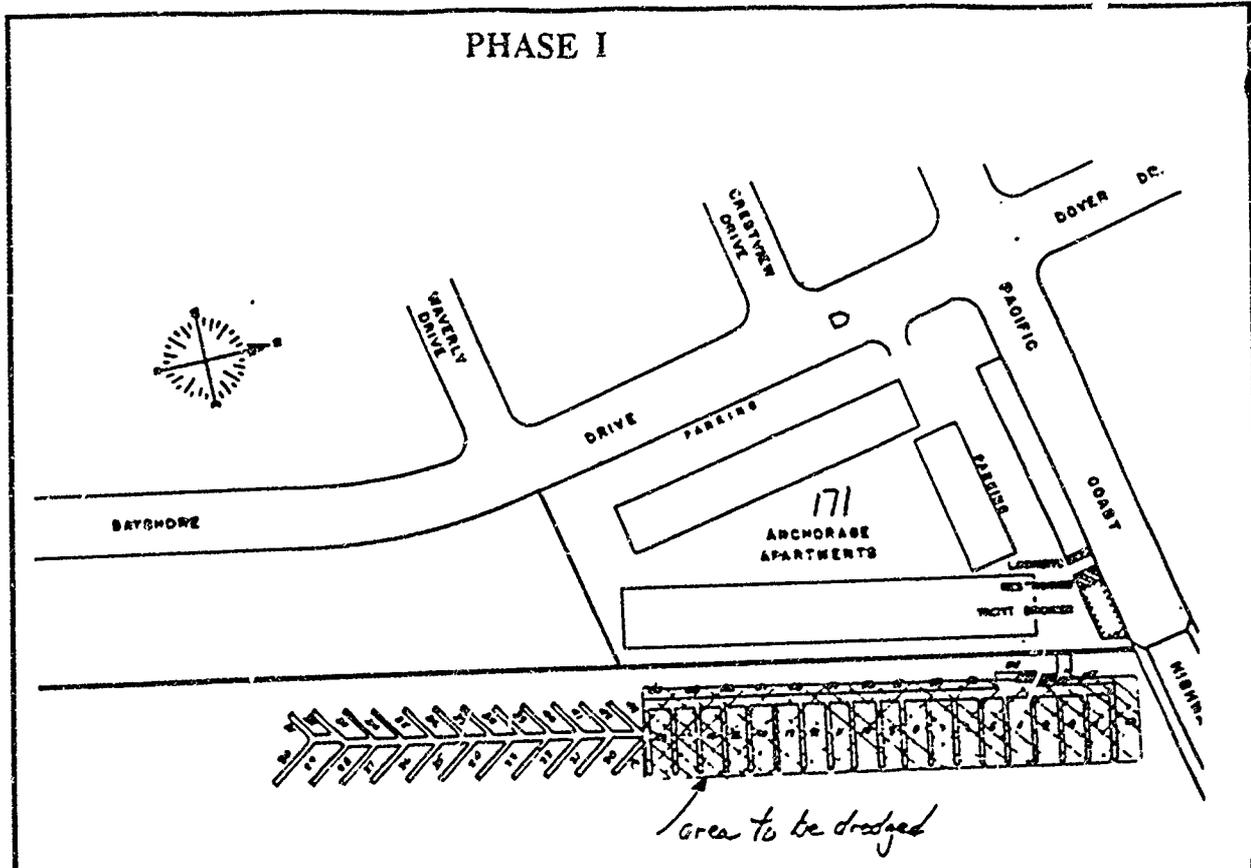


EXHIBIT "A"
 Application for
 Dredging Permit
 W 24826
 Swales Anchorage
 Newport Bay
 ORANGE COUNTY

SITE

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