

MINUTE ITEM

This Calendar Item No. ~~C47~~ was approved as Minute Item No. ~~47~~ by the California State Lands Commission by a vote of ~~2~~ to ~~0~~ at its 2/27/96 meeting.

**CALENDAR ITEM
C47**

A 70

S 35

02/27/96
WP 7837.9
J. Smith
PRC 7837.9

AMENDMENT TO DREDGING LEASE

LESSEE:

County of Orange
Harbors, Beaches and Parks
P.O. Box 4048
Santa Ana, California 92702-4048

AREA, TYPE LAND AND LOCATION:

Granted sovereign lands, with minerals reserved by the State, Newport Dunes, Orange County.

LAND USE:

Dredge a maximum 10,500 cubic yards of material to restore navigation at Newport Dunes Marina, Orange County.

LEASE TERM:

July 1, 1995 through June 30, 1996

CONSIDERATION:

Royalty:

No royalty shall be charged for dredged material as the project is a public benefit. A minimum of \$0.25 per cubic yard shall be charged for material used for private benefit or commercial sale purposes.

TERMS OF PROPOSED AMENDMENT:

Land Use:

Effective March 1, 1996, lessee is authorized to perform maintenance dredging of an additional 75,000 cubic yards of material to restore navigation at Newport Dunes Marina, Orange County.

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Lease Period:

Extend termination date of current lease to June 30, 1997.

All other terms and conditions of the lease remain in full force and effect.

APPLICANT STATUS:

Applicant is owner of upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

Filing and processing fees have been received.

STATUTORY AND OTHER REFERENCES:

- A. Public Resources Code, Div. 6, Parts 1 and 2; Div. 13.
- B. Cal. Code Regs.: Title 2, Div. 3; Title 14, Div. 6.
- C. Chapter 526, Statutes of 1919; Chapter 415, Statutes of 1975.

AB 884:

07/21/96

OTHER PERTINENT INFORMATION:

- 1. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Code Regs. 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorically exempt project. The project is exempt under Class 4, Minor Alteration to Land, 14 Cal. Code Regs. 15304 (g).

Authority: Public Resources Code Section 21084 and 14 Cal. Code Regs. 15300.

- 2. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code Sections 6370,

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et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

3. On July 6, 1995, the Commission authorized issuance of a one-year dredging lease (Lease No. PRC 7837.9) to the County to perform Phase I dredging (10,500 cubic yards) of the Newport Dunes Marina Maintenance Dredging Project. The County is now requesting authorization to amend Lease No. PRC 7837.9 to accommodate Phase II dredging (75,000 cubic yards). In order to complete Phase II dredging, the County is requesting that the lease term be extended one year to June 30, 1997.

APPROVALS OBTAINED:

California Coastal Commission (For Dredging Only)

FURTHER APPROVALS REQUIRED:

State Lands Commission; California Coastal Commission (For Deposition); U.S. Army Corps of Engineers; Regional Water Quality Control Board

EXHIBIT:

- A. Location and Site Map

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. CODE REGS. 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 4, MINOR ALTERATION TO LAND, 14 CAL. CODE REGS. 15304 (g).
2. FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

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3. AUTHORIZE ISSUANCE OF AN AMENDMENT EFFECTIVE MARCH 1, 1996, TO DREDGING LEASE NO. PRC 7837.9 TO: (1) ALLOW PHASE II MAINTENANCE DREDGING OF AN ADDITIONAL 75,000 CUBIC YARDS OF SEDIMENT TO MAINTAIN NAVIGATION WITH DEPOSITION TO BE AT THE EPA APPROVED LA-3 OFFSHORE DISPOSAL SITE; AND (2) EXTEND TERMINATION DATE ONE YEAR TO JUNE 30, 1997. ALL OTHER TERMS AND CONDITIONS OF LEASE NO. PRC 7837.9 REMAIN IN FULL FORCE AND EFFECT. SUCH PERMITTED ACTIVITY IS CONTINGENT UPON LESSEE'S COMPLIANCE WITH APPLICABLE PERMITS, RECOMMENDATIONS, OR LIMITATIONS ISSUED BY FEDERAL, STATE AND LOCAL GOVERNMENT AGENCIES.

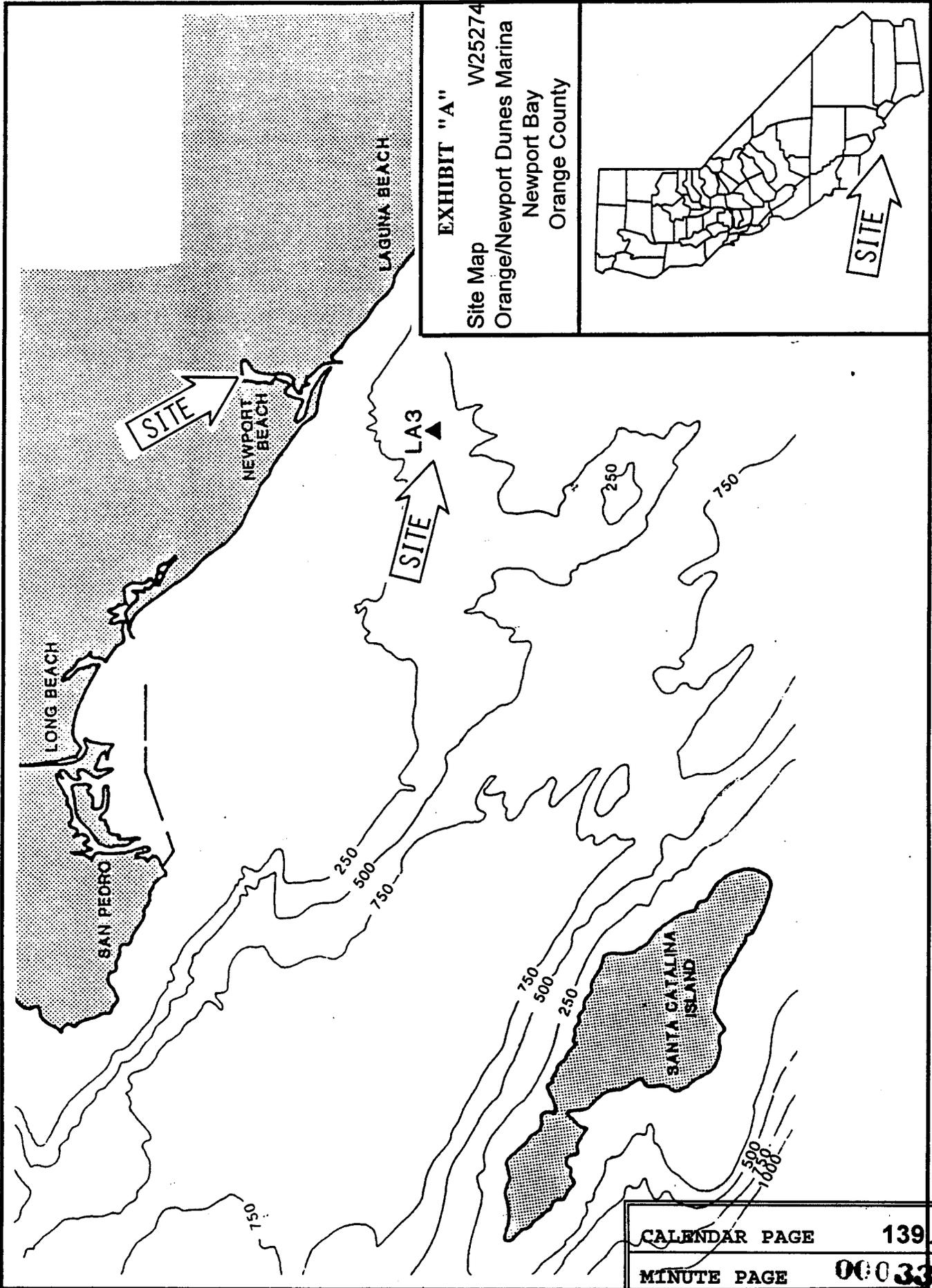
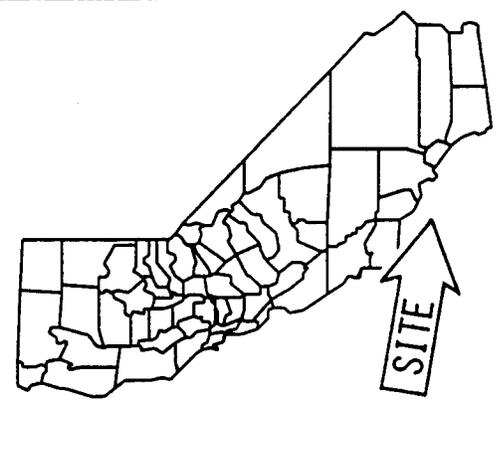


EXHIBIT "A"
 Site Map W25274
 Orange/Newport Dunes Marina
 Newport Bay
 Orange County



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