

MINUTE ITEM

This Calendar Item No. C33 was approved as Minute Item No. 33 by the California State Lands Commission by a vote of 3 to 0 at its 11/07/97 meeting.

**CALENDAR ITEM
C33**

A 1 11/07/97
PRC7995 W 25370
S 2 J. Ludlow

DREDGING AND DISPOSAL LEASE

APPLICANTS:

City of Eureka
Harvey M. Rose, City Manager
531 K Street
Eureka, California 95501

Humboldt Bay Harbor Recreation
and Conservation District
David M. Hull, Chief Executive Officer
P.O. Box 1030
Eureka, California 95502

AREA, LAND TYPE, AND LOCATION:

Granted sovereign lands in Humboldt Bay, Eureka, Humboldt County, and ungranted sovereign lands in the tidal zone along the ocean shoreline of the Samoa Peninsula, as shown on the attached Exhibit A.

AUTHORIZED USE:

Dredge 67,000 cubic yards of material from nine locations along the City of Eureka's waterfront and deposition of all dredged material, including 120,000 cubic yards of material removed from the Woodley Island Marina, for a total of 187,000 cubic yards along the ocean shoreline of Samoa Peninsula.

LEASE TERM:

One year, beginning November 1, 1997.

CONSIDERATION:

Public use and benefit; with the State reserving the right at any time to set a monetary rent if the Commission finds such action to be in the State's best interest. A minimum royalty of \$0.25 per cubic yard shall be charged for any dredged material sold for commercial purposes or used for private benefit.

OTHER PERTINENT INFORMATION:

1. On September 11, 1997, the California Coastal Commission granted Permit # 1-96-061 to the City of Eureka and Permit # 1-96-062 to the Humboldt Bay Harbor Recreation and Conservation District for this project under its certified program (14 California Code of Regulations 15251 (c)).
2. Staff has reviewed the documents and determined that the conditions, as specified in Title 14, California Code of Regulations, section 15253 (b),

CALENDAR ITEM NO. C33 (CONT'D)

have been met for the Commission to use the environmental analysis document certified by the CCC as a Negative Declaration equivalent in order to comply with the requirements of the CEQA.

3. The application was filed jointly on behalf of the City of Eureka and the Humboldt Bay Harbor Recreation and Conservation District. The applicants were recipients of legislative grants by the State of California, State Lands Commission for the administration of tide and submerged lands in Humboldt Bay. Minerals are reserved in the City's legislative grant. The City proposes to dredge a maximum of 67,000 cubic yards of material from nine separate areas along the Eureka waterfront. The District proposes to dredge a maximum of 120,000 cubic yards of material from the Woodley Island Marina. The District's legislative grant reserved minerals, but excluded sand, gravel and inert earth, and therefore, the District is not required to obtain a dredging lease for the material removed from the Woodley Island Marina. Both the City and the District are required to obtain a lease for the material deposition area.
4. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 6370, 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.

APPROVALS OBTAINED:

1. Humboldt Bay Harbor, Recreation and Conservation District
2. Humboldt County
3. California Department of Transportation
4. North Coast Regional Water Quality Control Board
5. California Coastal Commission

FURTHER APPROVALS REQUIRED:

U.S. Army Corps of Engineers and California State Lands Commission

EXHIBIT:

- A. Site and Location Map

PERMIT STREAMLINING ACT DEADLINE:

March 10, 1998

CALENDAR ITEM NO. C33 (CONT'D)

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT AN ENVIRONMENTAL ANALYSIS DOCUMENT [CALIFORNIA COASTAL COMMISSION (CCC) PERMIT NOS. 1-96-061 AND 1-96-062] WAS ADOPTED FOR THIS PROJECT BY THE CCC UNDER ITS CERTIFIED PROGRAM [TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15251 (c)], AND THAT THE CALIFORNIA STATE LANDS COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION THEREIN AND CONCURS IN THE CCC'S DETERMINATION.

SIGNIFICANT LANDS INVENTORY FINDING:

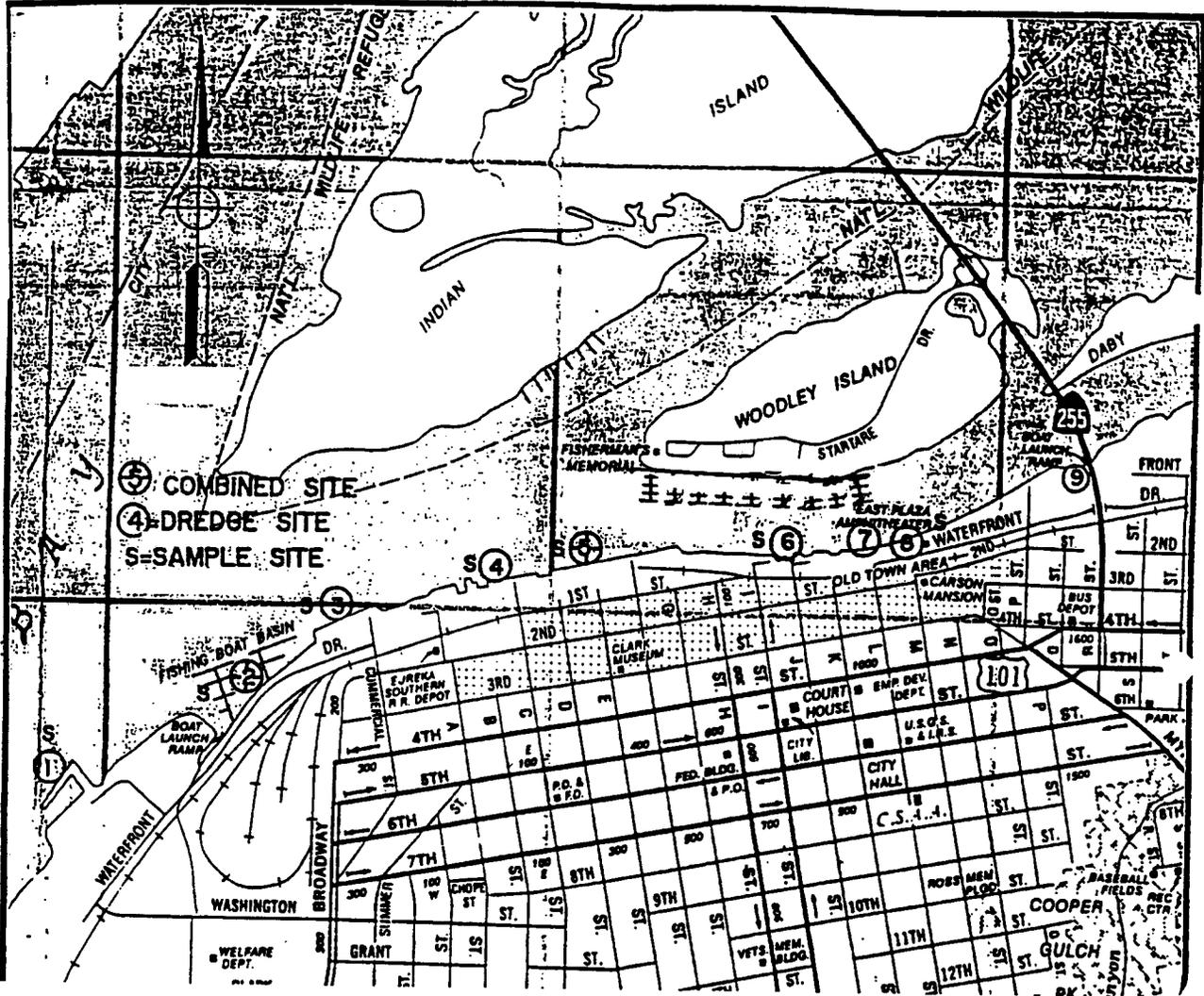
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE THE ISSUANCE OF A DREDGING AND DISPOSAL LEASE TO THE CITY OF EUREKA AND THE HUMBOLDT BAY HARBOR RECREATION AND CONSERVATION DISTRICT BEGINNING NOVEMBER 1, 1997, FOR A TERM OF ONE YEAR, FOR DREDGING FROM NINE LOCATIONS LOCATED IN HUMBOLDT BAY, AND DEPOSITION IN THE TIDAL ZONE ALONG THE OCEAN SHORELINE OF THE SAMOA PENINSULA, AS SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; SUCH PERMITTED ACTIVITY IS CONTINGENT UPON APPLICANTS' COMPLIANCE WITH APPLICABLE PERMITS, RECOMMENDATIONS, OR LIMITATIONS ISSUED BY FEDERAL, STATE AND LOCAL GOVERNMENTS; CONSIDERATION BEING THE PUBLIC USE AND BENEFIT; WITH THE STATE RESERVING THE RIGHT AT ANY TIME TO SET A MONETARY RENT IF THE COMMISSION FINDS SUCH ACTION TO BE IN THE STATE'S BEST INTEREST; A MINIMUM ROYALTY OF \$0.25 PER CUBIC YARD SHALL BE CHARGED FOR ANY DREDGED MATERIAL SOLD FOR COMMERCIAL PURPOSES OR USED FOR PRIVATE BENEFIT.

NO SCALE

SITE MAP



NO SCALE

LOCATION



Exhibit A
 W 25307
 Humboldt Bay
 Maintenance Dredging
 HUMBOLDT COUNTY
 Sheet 1 of 2



This Exhibit is solely for purposes of generally defining the lease premises, and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

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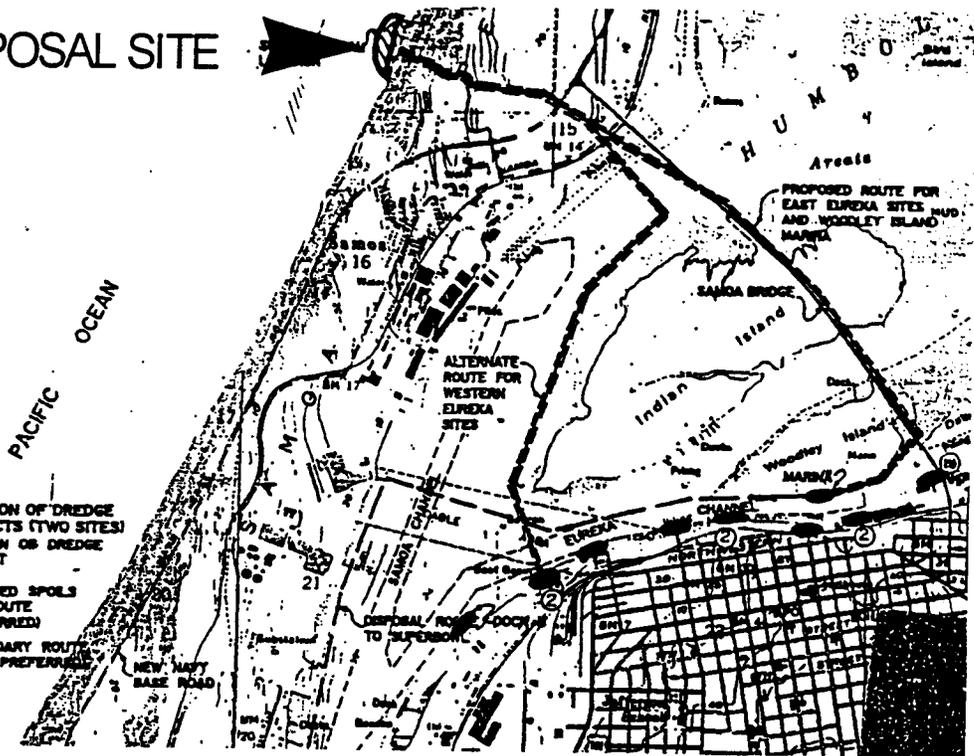
NO SCALE

SITE MAP

SURF DISPOSAL SITE



- ② LOCATION OF DREDGE PROJECTS (TWO SITES)
- LOCATION OF DREDGE PROJECT
- PROPOSED SPOILS LINE ROUTE (PREFERRED)
- - - SECONDARY ROUTE (LEAST PREFERRED)



NO SCALE

LOCATION

SITE

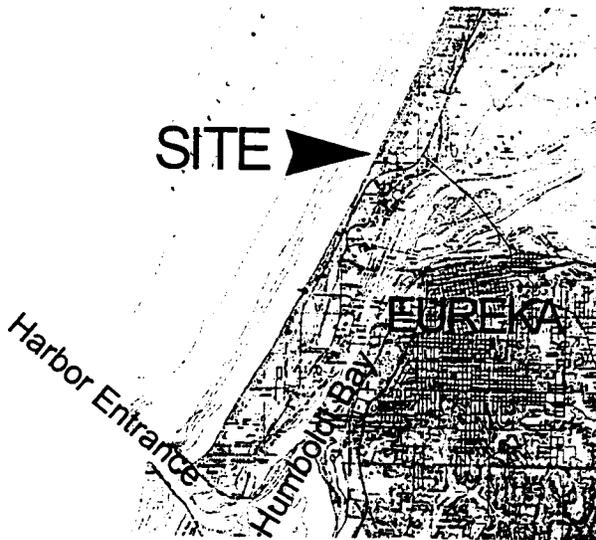


Exhibit A
W 25307

Humboldt Bay
Maintenance Dredging
HUMBOLDT COUNTY
Sheet 2 of 2



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