MINUTE ITEM
This Calendar Item No. C46 was approved as Minute Item No. 46 by the California State Lands Commission by a vote of 3 to 0 at its 11/07/97 meeting.

CALENDAR ITEM
C46

A 78 | 11/07/97
PRC7999 | W 25409
S 35 | J. Smith

DREDGING LEASE

APPLICANT:
San Diego Unified Port District
P.O. Box 488
San Diego, California 92112-0488

AREA, LAND TYPE, AND LOCATION:
Filled granted sovereign lands adjacent to San Diego Bay, National City, San Diego County.

AUTHORIZED USE:
Excavate a maximum of 18,000 cubic yards of material in conjunction with replacement of the existing shoreline protection system at the National City Marine Terminal. The excavated material will be used as on-site fill and/or deposited at an upland site.

LEASE TERM:
One year, beginning October 1, 1997.

CONSIDERATION:
No royalty as the project will result in public benefit. $0.25 per cubic yard shall be charged for any material used for private benefit or commercial sale purposes.

OTHER PERTINENT INFORMATION:

1. Applicant is the trustee of the adjacent legislatively granted tide and submerged lands.

2. The project involves excavating a maximum of 18,000 cubic yards of material from both granted and ungranted sovereign lands. This calendar item addresses that portion of the project which is located on granted sovereign lands. Calendar Item C47, which recommends an amendment to Lease No. PRC 7987.1, addresses the excavation from ungranted sovereign lands.

3. A Mitigated Negative Declaration was prepared and adopted for this project by the San Diego Unified Port District. The California State Lands Commission's staff has reviewed such document. A Mitigation Monitoring Program was adopted by the San Diego Unified Port District.

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:

United States Army Corps of Engineers; Regional Water Quality Control Board

EXHIBITS:

A. Location and Site Map.
B. Resolution 97-172.
C. Notice of Determination.
D. Mitigation Monitoring and Reporting Program.

PERMIT STREAMLINING ACT DEADLINE:

February 8, 1998.

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

A MITIGATED NEGATIVE DECLARATION WAS PREPARED AND ADOPTED FOR THIS PROJECT BY THE SAN DIEGO UNIFIED PORT DISTRICT. THE CALIFORNIA STATE LANDS COMMISSION'S STAFF HAS REVIEWED SUCH DOCUMENT. A MITIGATION MONITORING PROGRAM WAS ADOPTED BY THE SAN DIEGO UNIFIED PORT DISTRICT. ADOPT THE MITIGATION MONITORING PROGRAM AS CONTAINED IN EXHIBIT D, ATTACHED HERETO.

SIGNIFICANT LANDS INVENTORY FINDING:

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.

AUTHORIZATION:

AUTHORIZE THE ISSUANCE OF A DREDGING LEASE TO THE SAN DIEGO UNIFIED PORT DISTRICT BEGINNING OCTOBER 1, 1997, FOR A TERM OF ONE YEAR, FOR EXCAVATION OF A MAXIMUM OF 18,000 CUBIC YARDS OF MATERIAL FROM FILLED SOVEREIGN LANDS, BOTH GRANTED AND UNGRANTED, IN CONJUNCTION WITH THE REPLACEMENT OF THE EXISTING SHORELINE PROTECTION SYSTEM AT THE NATIONAL CITY MARINE TERMINAL WITH EXCAVATED MATERIAL. TO BE USED AS ON-SITE FILL AND/OR DEPOSITED AT AN UPLAND SITE; ON THE LANDS SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; SUCH PERMITTED ACTIVITY IS CONTINGENT UPON APPLICANT'S COMPLIANCE WITH APPLICABLE PERMITS, RECOMMENDATIONS, OR LIMITATIONS ISSUED BY FEDERAL, STATE AND LOCAL GOVERNMENTS; NO ROYALTY AS THE PROJECT WILL RESULT IN A PUBLIC BENEFIT; $0.25 PER CUBIC YARD SHALL BE CHARGED FOR ANY MATERIAL USED FOR PRIVATE BENEFIT OR COMMERCIAL SALE PURPOSES.

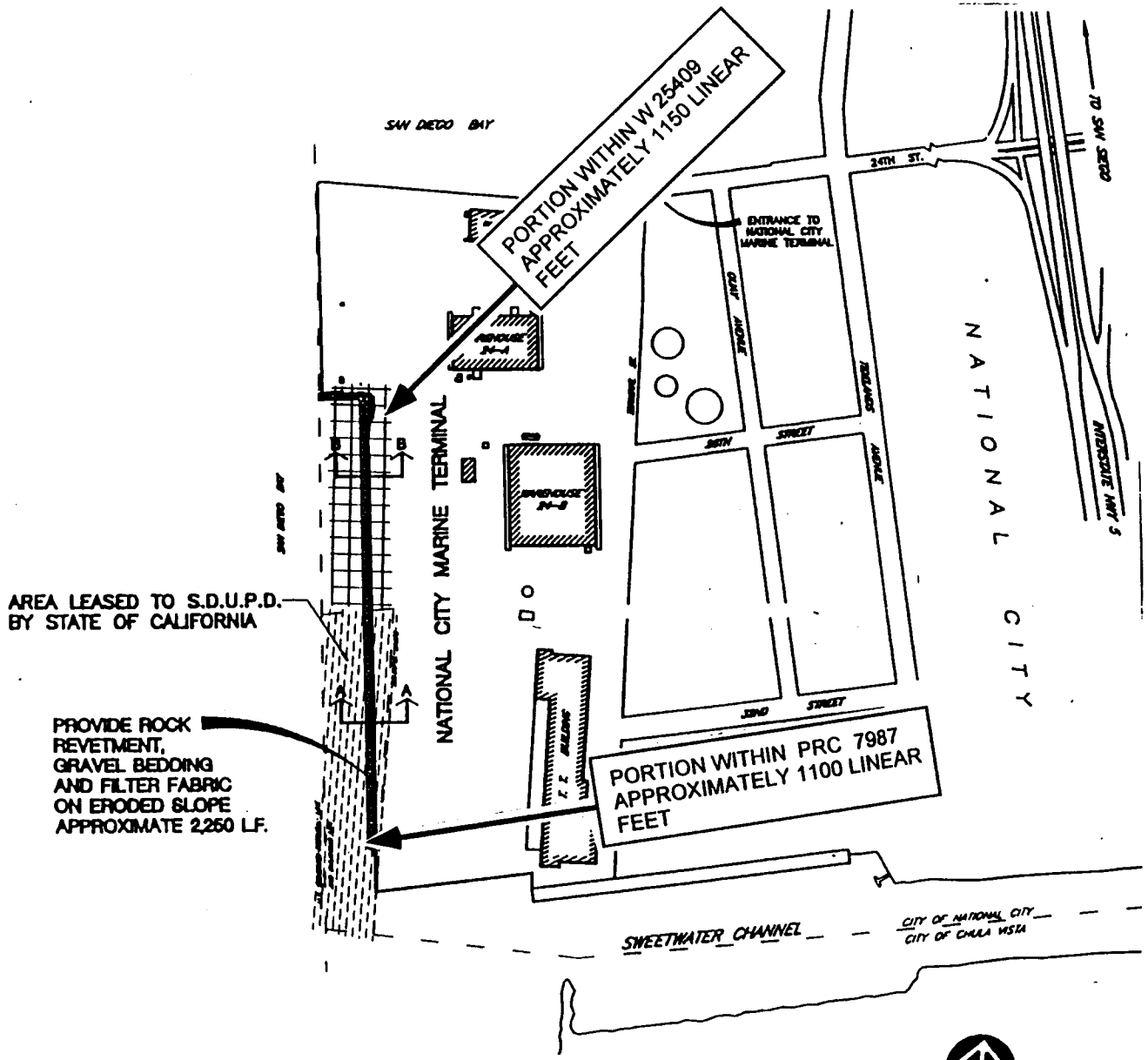

EXHIBIT "A"
SITE MAP
W 25409 - WP 7987
DREDGING LEASE
PORT OF SAN DIEGO
SAN DIEGO, CA.

Re Adoption of Final Mitigated Negative]
]
Declaration for Replacement of Existing]
]
Shoreline Protection System at the]
]
National City Marine Terminal .....]
]

RESOLUTION 97-172

WHEREAS, it has been determined that the existing shoreline protection located at the National City Marine Terminal has become ineffective and significant erosion has occurred due to winter storms, wind and tidal action; and

WHEREAS, the San Diego Unified Port District desires to replace the existing shoreline protection system along the southerly portion of the west bank of the National City Marine Terminal; and

WHEREAS, the proposed project consists of the replacement of existing shoreline protection along the west facing slope on a portion of the National City Marine Terminal and will encompass approximately 2,250 linear feet of revetment along the westerly face of the terminal; the work will include excavating, grading, filling and compacting the slope face, excess material will be disposed of off tidelands, gravel filter material will be installed on filter fabric, rock revetment will be placed on the filter, and the embankment will produce a straight shoreline with a Two (2) to One (1) slope; certain areas along the meandering shoreline will be filled in and other areas will have soil removed to make a straight line; the proposed project involves the excavation of approximately 11,578 cubic yards of material above the mean high tide line, approximately 3,066 cubic yards of material will be used for fill above the mean high tide line, approximately 5,725 cubic yards of material will be excavated below the mean high tide line and approximately 5,725 cubic yards of material will used for fill below the mean high tide line, no additional land will be created and there will be no net loss of intertidal habitat; the work will also include relocating a chain link fence and modifying storm drain systems; and

WHEREAS, pursuant to the California Environmental Quality Act, the Resources Agency Guidelines, and Port District procedures, the Port District has prepared a Final Mitigated Negative Declaration for Replacement of Existing Shoreline Protection System at the National City Marine Terminal, National City, California, and said Final Mitigated Negative Declaration is before the Board of Port Commissioners for decision, review and consideration, NOW, THEREFORE,

BE IT RESOLVED by the Board of Port Commissioners of the San Diego Unified Port District, as follows:

1. The Final Mitigated Negative Declaration for the project entitled "Replacement of Existing Shoreline Protection System at the National City Marine Terminal, National City, California", including without limitation the initial study and public comments, on file in the office of the Port District Clerk as Document No. 36231, has been reviewed and considered and based upon the whole record the Board finds and determines that the project, as designed, mitigated and projected will not have a significant effect on the environment and that no mitigation measures beyond those already incorporated into the project and included in the Final Mitigated Negative Declaration are necessary, and further finds and determines that in light of the whole record there is no substantial evidence that the project as designed, mitigated and projected may have a significant effect on the environment. Said Final Mitigated Negative Declaration is therefore hereby adopted and approved.

2. This action constitutes final environmental approval and for that purpose only the Port District approves the proposed project, and the Executive Director or his authorized representative is authorized and directed to file, in accordance with law, a Notice of Determination with the Secretary for Resources and the San Diego County Clerk.

ADOPTED this 29th day of July, 1997.

SW
7/25/97

San Diego Unified Port District

Office of the Clerk

CERTIFICATION OF VOTE

Passed and adopted by the Board of Port Commissioners of the San Diego Unified Port District on July 29, 1997, by the following vote:

Commissioners	Yeas	Nays	Excused	Absent	Abstained
Susan Lew	X				
David Malcolm			X		
J. Michael McDade	X				
Patricia McQuater	X				
Paul H. Speer	X				
Frank J. Urtasun	X				
Jess Van Deventer	X				

AUTHENTICATED BY:

J. M. McDade
Chair of the Board of Port Commissioners

CHRISTINE M. STEIN
Clerk of the San Diego Unified Port District

By: Mary Sue Kuemon
Deputy Clerk

(Seal)

Resolution Number: 97-172
or
Ordinance Number:

Adopted: 07/29/97

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UPD Form 022 (Rev. 0

RECEIVED
AUG 11 1997
PORT OF SAN DIEGO
ENVIRONMENTAL MANAGEME

Notice of Determination

97107965

Appendix H

To: X Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

X County Clerk
County of San Diego, Records Division
1600 Pacific Highway, Room 260
San Diego CA 92101

From: (Public Agency)
San Diego Unified Port District
P.O. Box 488, San Diego CA 92112

Subject:
Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

Replacement of Existing Shoreline Protection System at National City Marine Terminal
Project Title

SCH #97061009
State Clearinghouse Number
(If submitted to Clearinghouse)

Ralph T. Hicks
Lead Agency Contact Person

(619) 686-6435
Area Code/Telephone/Extension

National City Marine Terminal, National City, San Diego County, California
Project Location (include county)

Project Description:

The proposed project includes excavating, grading, filling, and compacting the slope face. Any excess material will be disposed of off tidelands. A gravel filter material will be installed on filter fabric, and rock revetment will be placed on top of the filter. The embankment will provide a straight shoreline with a 2:1 slope.

This is to advise that the San Diego Unified Port District ☐ Lead Agency ☐ Responsible Agency has approved the above described project on July 29, 1997 (Date) and has made the following determinations regarding the above described project:

1. The project [☐ will [X] will not] have a significant effect on the environment.
2. ☐ An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
   [X] A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [[X] were ☐ were not] made a condition of the approval of the project.
4. A statement of Overriding Considerations [☐ was [X] was not] adopted for this project.
5. Findings [[X] were ☐ were not] made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval is available to the General Public at:
San Diego Unified Port District 3165 Pacific Highway San Diego California

Signature (Public Agency)
Ralph T. Hicks

7/30/97
Date

Director, Planning & Env'l Mgmt
Title

Date received for filing at OPR:

FILED
AUG 1 1997
STATE CLEARINGHOUSE

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Revised October 1989

A. Mitigation Monitoring and Reporting Program

Impact	Mitigation Measure	Responsible for Implementation	Signoff
Placing fill material within the intertidal zone.	Excavating fill material within the intertidal zone.	The Port's Engineering Department will survey the shoreline and compare the volume of material excavated to the volume of material used for fill to ensure no net loss of the intertidal zone.	
Increased turbidity in the Bay during construction.	Siltation controls will be required if turbidity is visible in the project area during in-water construction activities.	The Port's Engineering Specifications will require turbidity monitoring and siltation controls if necessary. The Port's Environmental Department will perform turbidity monitoring 3 times per week during construction. The Port's Construction Inspector will confirm by reporting and documenting, that siltation controls were implemented when required.	

The initial study analysis supports the finding that the proposed project as mitigated would not have a significant adverse effect on the environment.

V. FINDING

The proposed project as mitigated will have no significant adverse effects related to land, air, water, minerals, flora, fauna, noise or objects of historic or aesthetic significance, nor will the project otherwise have a potentially significant adverse impact (de minimis impact) on the environment.

VI. DOCUMENTATION

The attached Environmental Assessment/Initial Study documents the reasons to support the above finding.