MINUTE ITEM
This Calendar Item No. C69 was approved as Minute Item No. 69 by the California State Lands Commission by a vote of 3 to 0 at its 2/27/98 meeting.

CALENDAR ITEM
C69

A 78

S 35

PRC8019

02/27/98
W 25450
J. Smith

DREDGING LEASE

APPLICANT:

Southwest Marine, Inc.
P.O. Box 13308
San Diego, California 92113

AREA, LAND TYPE, AND LOCATION:

Filled granted sovereign lands, minerals reserved, in San Diego Bay, city of San Diego, San Diego County.

AUTHORIZED USE:

Excavate 5,000 cubic yards of contaminated sediment in conjunction with the redevelopment of marine railways at the Southwest Marine Facility. Material will be transported to the La Paz County Landfill near Parker, Arizona.

LEASE TERM:

One year, beginning April 1, 1998.

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 lessee of the legislatively granted sovereign lands.

2. This project is Phase I of a two-phase sediment cleanup project being conducted by the Applicant. Phase I involves the removal of marine railways 1, 2 and 3 and 5,000 cubic yards of sediment underneath the rails. The sediment will be transported to a licensed solid waste disposal facility. The area will be backfilled with clean material and capped with asphalt. The second phase will involve the excavation of an additional 10,000 cubic yards of material from the Applicant's leasehold, and will require subsequent authorization by the Commission. Other heavy metal sediment cleanup programs such as this are planned for other sites

throughout San Diego Bay as part of the Bay Protection and Toxic Cleanup Program.

3. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff concurs with the lead agency, the Port of San Diego, 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; Title 14, California Code of Regulations, section 15304.

   Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300.

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.

FURTHER APPROVALS REQUIRED:

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

EXHIBIT:

A. Location and Site Map.

PERMIT STREAMLINING ACT DEADLINE:

April 24, 1998.

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

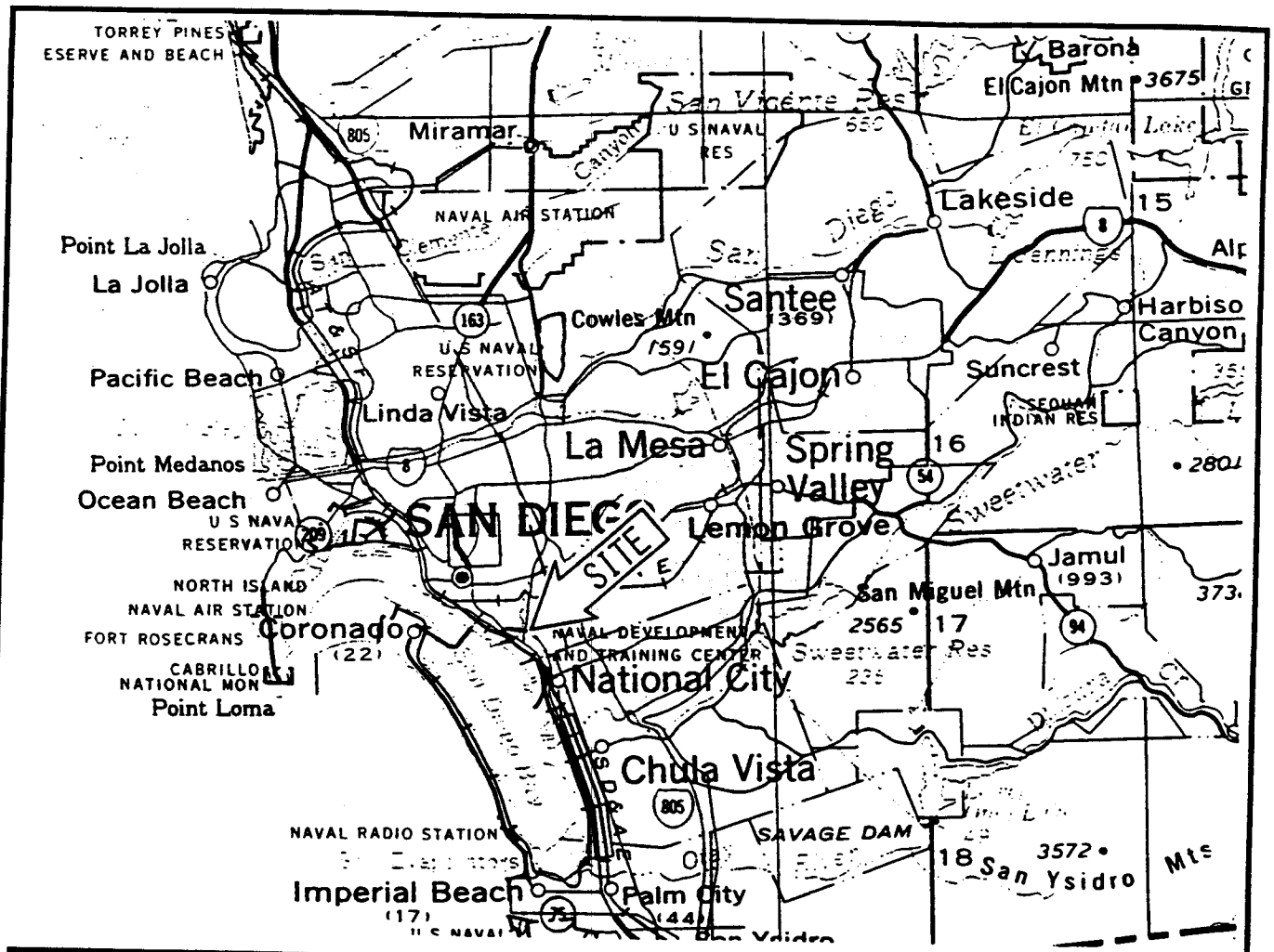
FIND THAT IT CONCURS WITH THE FINDING OF THE LEAD AGENCY, THE PORT OF SAN DIEGO, THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061, AS A CATEGORICALLY EXEMPT PROJECT, CLASS 4, MINOR ALTERATION TO LAND; TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15304.

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 LEASE TO SOUTHWEST MARINE, INC., BEGINNING APRIL 1, 1998, FOR A TERM OF ONE YEAR, FOR THE EXCAVATION OF 5,000 CUBIC YARDS OF MATERIAL FROM FILLED GRANTED SOVEREIGN LANDS WITH MATERIAL TO BE TRANSPORTED TO THE LA PAZ COUNTY LANDFILL NEAR PARKER, ARIZONA; 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.



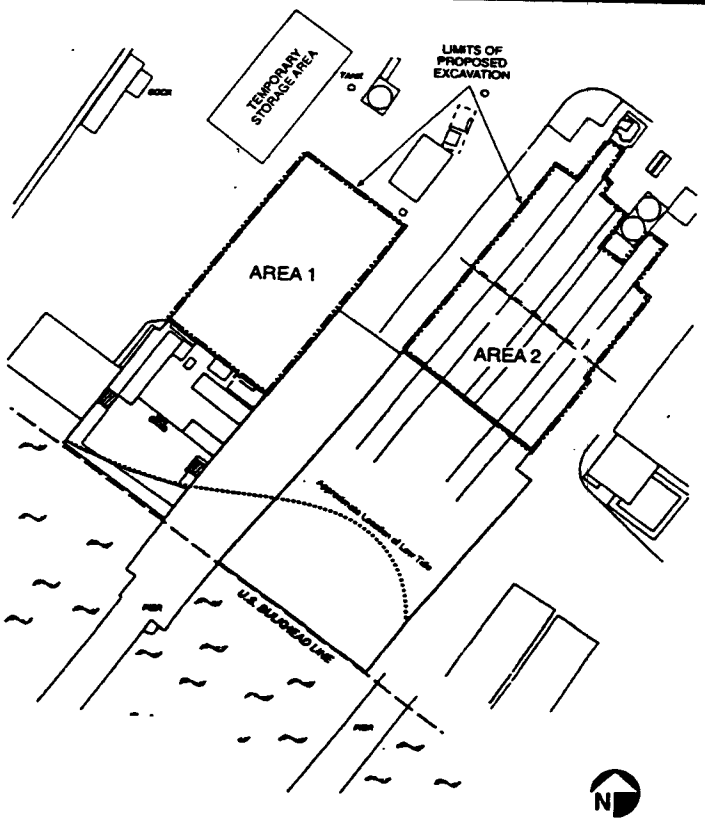
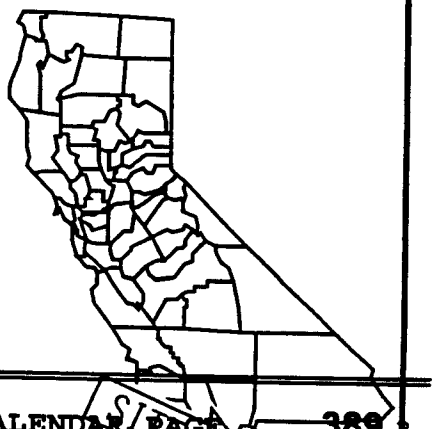


EXHIBIT "A"
SITE MAP
W25450
SOUTHWEST MARINE INC.
DREDGING LEASE
SAN DIEGO COUNTY, CA.



CALENDAR PAGE 389.3
MINUTE PAGE 003004

CNP 98