MINUTE ITEM
This Calendar Item No. C41 was approved as Minute Item No. 41 by the California State Lands Commission by a vote of 3 to 0 at its 9-3-99 meeting.

CALENDAR ITEM
C41

A 78

S 35

PRc 8109

09/03/99
W 25567
J. Smith

DREDGING LEASE

APPLICANT:

National Steel & Shipbuilding Company
28th Street and Harbor Drive
San Diego, California 92113

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in San Diego Bay, near San Diego, San Diego County.

AUTHORIZED USE:

Dredge a maximum 11,400 cubic yards of contaminated sediment from four areas with deposition of dredged material at an upland disposal site.

LEASE TERM:

Two years, beginning September 1, 1999.

CONSIDERATION:

No royalty will be charged as the project will result in a public benefit. However, a minimum of $0.25 per cubic yard will be charged for any material used for private benefit or commercial sale purposes.

OTHER PERTINENT INFORMATION:

1. Applicant has a right to use the lands adjoining the lease premises.

2. Applicant, at the request of the Regional Water Quality Control Board (RWQCB) initiated sediment testing in 1991 in conjunction with RWQCB concerns of elevated contaminant levels. In 1997, additional testing was conducted. Following that, the Applicant prepared a Remedial Action Plan that was approved by the RWQCB. Four areas have been identified and are shown on Exhibit A attached. A maximum of 11,400 cubic yards of sediment is expected to be removed. The dredge material will be transported by truck to the Lakeside Landfill in Lakeside, San Diego County.

3. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 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 30, Minor Actions to Prevent, Minimize, Stabilize, Eliminate the Release or Threat of Release of Hazardous Waste or Hazardous Substance; Title 14, California Code of Regulations, section 15330(e).

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

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:

Regional Water Quality Control Board; Port of San Diego.

EXHIBIT:

A. Location And Site Map

PERMIT STREAMLINING ACT DEADLINE:

September 24, 1999

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND 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 30, MINOR ACTIONS TO PREVENT, MINIMIZE, STABILIZE, ELIMINATE THE RELEASE OR THREAT OF RELEASE OF HAZARDOUS WASTE OR HAZARDOUS SUBSTANCE; TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15330(E).

SIGNIFICANT LANDS INVENTORY FINDING:

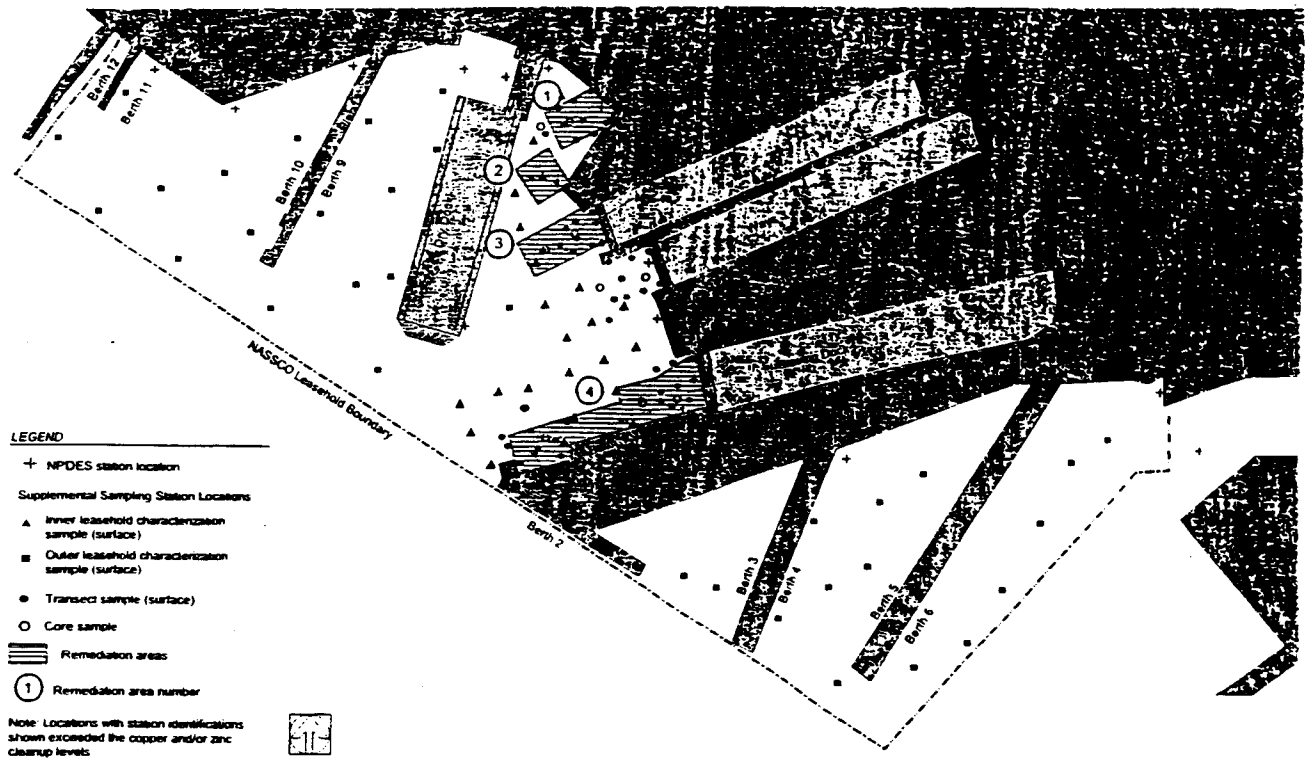
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR

THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE THE ISSUANCE OF A DREDGING LEASE TO NATIONAL STEEL & SHIPBUILDING COMPANY BEGINNING SEPTEMBER 1, 1999, FOR A TERM OF TWO YEARS, FOR DREDGING A MAXIMUM OF 11,400 CUBIC YARDS OF SEDIMENT ON THE LANDS SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; DEPOSITION OF DREDGED MATERIAL AT AN UPLAND LANDFILL; A MINIMUM OF $0.25 PER CUBIC YARD WILL BE CHARGED FOR ANY MATERIAL USED FOR PRIVATE BENEFIT OR COMMERCIAL SALE PURPOSES; SUCH PERMITTED ACTIVITY IS CONTINGENT UPON APPLICANT'S COMPLIANCE WITH APPLICABLE PERMITS, RECOMMENDATIONS, OR LIMITATIONS ISSUED BY FEDERAL, STATE AND LOCAL GOVERNMENTS.

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.



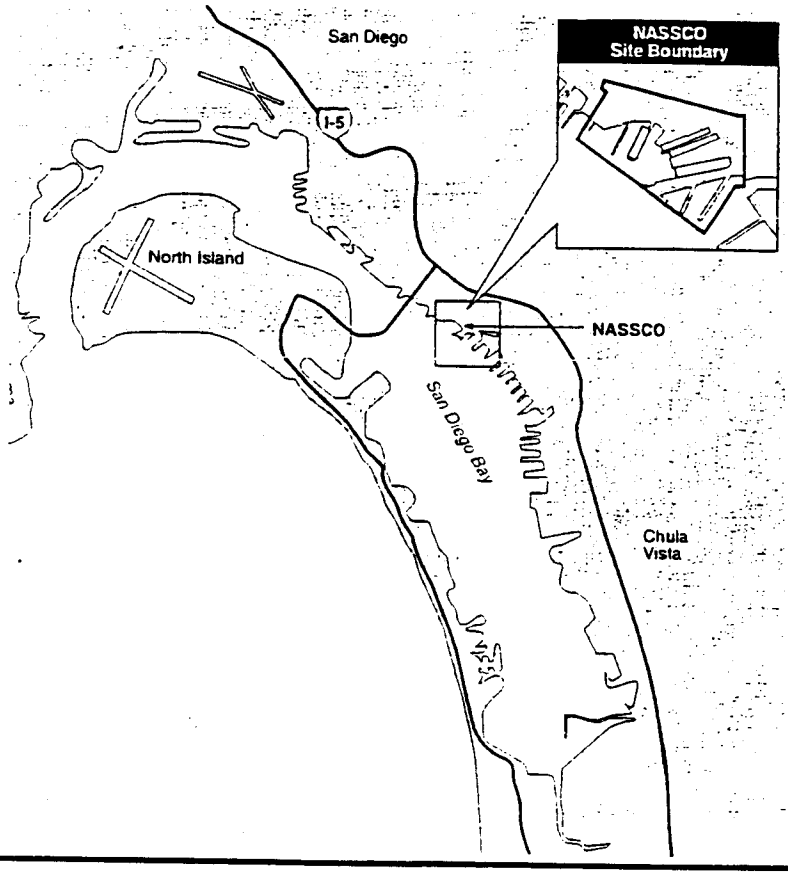


EXHIBIT "A"

LOCATION MAP
W 25567
DREDGING LEASE
NATIONAL STEEL &
SHIPBUILDING COMPANY
SAN DIEGO COUNTY

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