

**CALENDAR ITEM
C16**

A 78
S 35

06/18/02
WP 7898.9
J. Lucchesi

DREDGING LEASE

APPLICANT:

San Diego Unified Port District
P.O. Box 120488
San Diego, CA 92112-0488

AREA, LAND TYPE, AND LOCATION:

Legislatively granted sovereign lands, with minerals reserved to the State, at the National City Marina, in San Diego Bay, city of San Diego, San Diego County.

AUTHORIZED USE:

Dredge maximum of 830,000 cubic yards in conjunction with construction of the National City Marina, which involves three phases. Phase I has been completed and included the excavation of 14,000 cubic yards of material. Phase II includes excavation of a maximum of 206,000 cubic yards to be placed at a yet to be determined upland construction site. Phase III includes excavating a maximum of 624,000 cubic yards of dredged material to be disposed of at United States Army Corps of Engineers ocean disposal site LA-5.

LEASE TERM:

Five years, ending August 29, 2007, to coincide with the United States Army Corps of Engineers' permit.

CONSIDERATION:

A minimum of \$0.25 per cubic yard shall be charged for any material used for private benefit or commercial sale purposes.

OTHER PERTINENT INFORMATION:

1. Lessee is the Trustee of the Legislatively granted sovereign lands, pursuant to Chapter 67, Statutes of 1962, as amended, with minerals reserved to the State.

CALENDAR ITEM NO. **C16** (CONT'D)

2. Lease No. PRC 7898.9 was authorized by the Commission on August 21, 1996, allowing for dredging a maximum of 638,000 cubic yards. An amendment extending the lease term to August 29, 2002, was authorized on January 29, 1999. Phase I included dredging a maximum of 14,000 cubic yards, which has been completed. Phase II included dredging anywhere from zero to 206,000 cubic yards. To date, within Phase II, approximately 22,000 cubic yards have been excavated.

3. An EIR, SCH#93041020, and Addendum #1, dated October 2001, were prepared and certified for this project by the San Diego Unified Port District. The Commission staff reviewed such documents and Mitigation Monitoring Program adopted by the lead agency. Findings were made in conformance with the State CEQA Guidelines (Title 14, California Code of Regulations, section 15091 and 15096(h) and are available in the Sacramento office of the State Lands Commission.

4. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code 6370, et seq. Based upon 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; San Diego Unified Port District.

FURTHER APPROVALS REQUIRED:

United States Army Corps of Engineers.

EXHIBITS:

- A. Location and Site Map

PERMIT STREAMLINING ACT DEADLINE:

N/A

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CALENDAR ITEM NO. C16 (CONT'D)

CEQA FINDING:

FIND THAT AN EIR AND ADDENDUM #1, DATED OCTOBER 2001 WERE PREPARED AND CERTIFIED FOR THIS PROJECT BY THE SAN DIEGO UNIFIED PORT DISTRICT AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.

FIND THAT THE COMMISSION ADOPTED THE FINDINGS MADE IN CONFORMANCE WITH TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTIONS 15091 AND 15096(h) AND THE MITIGATION MONITORING PROGRAM AT ITS AUGUST 21, 1996 COMMISSION MEETING.

FIND THAT THE COMMISSION HEREGY RE-ADOPTS THE FINDINGS MADE IN CONFORMANCE WITH TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTIONS 15091 AND 15096(h) AND THE MITIGATION MONITORING PROGRAM AVAILABE IN THE SACRAMENTO OFFICE OF THE COMMISSION.

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 THE SAN DIEGO UNIFIED PORT DISTRICT FOR A TERM OF FIVE YEARS, ENDING AUGUST 29, 2007, FOR DREDGING A MAXIMUM OF 830,000 CUBIC YARDS FROM 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; \$0.25 PER CUBIC YARD SHALL BE CHARGED FOR ANY MATERIAL USED FOR PRIVATE BENEFIT OR COMMERCIAL SALE PURPOSES.