CALENDAR ITEM

C17

A 33 04/06/11

PRC 8009.9

S 15 M. Clark

DREDGING LEASE

APPLICANT:

Port San Luis Harbor District
P.O. Box 249
Avila Beach, CA 93424

AREA, LAND TYPE, AND LOCATION:

Legislatively granted sovereign lands, with minerals reserved to the State, in San Luis Obispo Bay, near the city of Avila Beach, San Luis Obispo County.

AUTHORIZED USE:

Dredge a maximum of 250,000 cubic yards of material per year from the Port San Luis Harbor to maintain a navigable depth. The dredged material will be used for beach replenishment on lands granted to the Port San Luis Harbor District.

LEASE TERM:

Two years, beginning December 11, 2010. Expires December 10, 2012 to run concurrently with the California Coastal Commission permit.

CONSIDERATION:

No monetary consideration will be charged as the project will result in a public benefit. Dredged material may not be sold.

OTHER PERTINENT INFORMATION:

1. The Applicant is the Trustee of the legislatively granted sovereign lands, pursuant to Chapter 647, Statues of 1955 and as amended, with minerals reserved to the State.

2. On December 16, 2002, the Commission authorized a Dredging Lease to the Port San Luis Harbor District (Port) to dredge approximately 250,000 cubic yards of material from the Port San Luis Harbor, with all dredged material to be used for beach replenishment purposes. On September 13, 2007, the Commission

authorized an amendment of the lease to restrict the sale of dredged material and to extend the lease term. The Applicant has now applied for a new Dredging Lease.

3. Within the grant, the Port operates a sport launch, mobile hoist, and Hartford Pier skiff hoist that provide both commercial and recreational vessels with launch, hoist and fueling services. Without continuous maintenance dredging, these facilities would silt in. Dredging allows the Port to control harbor depths for safe ingress and egress as well as reduce the effects of wave and surge along the shoreline and the above mentioned facilities. The Port proposes to dredge approximately 250,000 cubic yards of material from the harbor by hydraulic suction. The dredged material will then be transported via barge, pipeline, or truck to one of six approved disposal sites for beach replenishment. These sites include Lighthouse Beach, West Bluff Beach, Jetty and Nearshore Disposal site, Fisherman's Beach, Olde Port Beach and Avila Beach. The project proposes no new construction and all dredged material will remain within or adjacent to lands granted to the Port.

5. On December 16, 2008, the California Coastal Commission (CCC) granted Permit 3-08-038 for this project under its certified regulatory program (Title 14, California Code of Regulations, section 15251 (c)).Staff has reviewed the document and determined that the conditions, as specified in Title 14, California Code of Regulations, section 15253 (b), 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 CEQA.

6. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370, et seq., but such activity will not affect those significant lands. Base upon the staff's consultation with the persons nomination 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, California Coastal Commission, Regional Water Quality Control Board.

EXHIBITS:

A. Site and Location Map
B. Disposal Site Map

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that an environmental analysis document, California Coastal Commission (CCC) permit 3-08-038, 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:

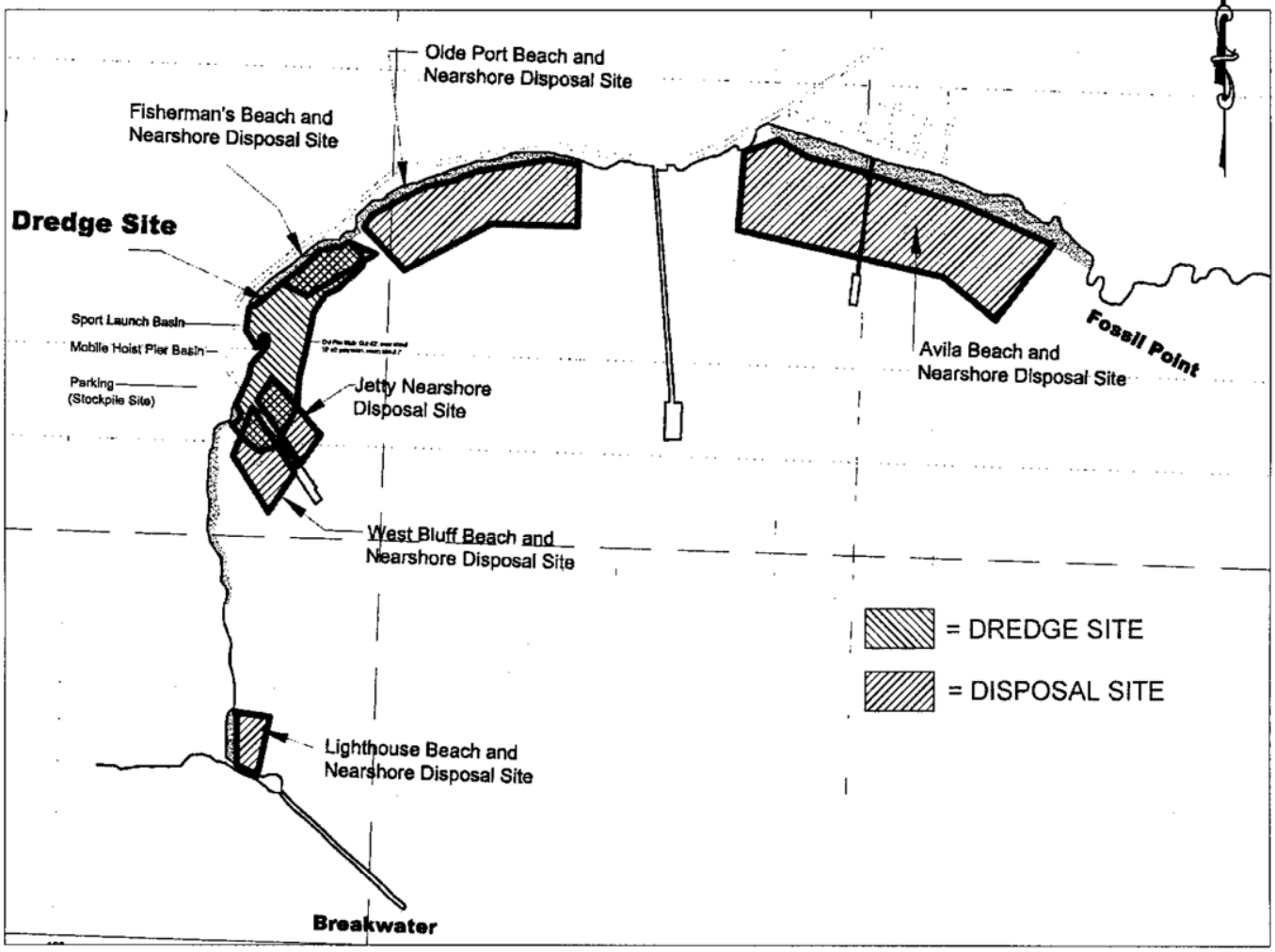
Find that this activity is consistent with the use classification designated by the Commission for the land pursuant to Public Resources Code sections 6370, et seq.

AUTHORIZATION:

Authorize the Issuance of a Dredging Lease to Port San Luis Harbor District beginning December 1, 2010, for a term of two years to run concurrently with California Coastal Commission permit, to dredge a maximum of 250,000 cubic yards of material annually to be used for beach replenishment at preapproved disposal sites shown on Exhibit A and as described on Exhibit B 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 monetary consideration will be charged as the project will result in a public benefit; dredged material may not be sold.

NO SCALE

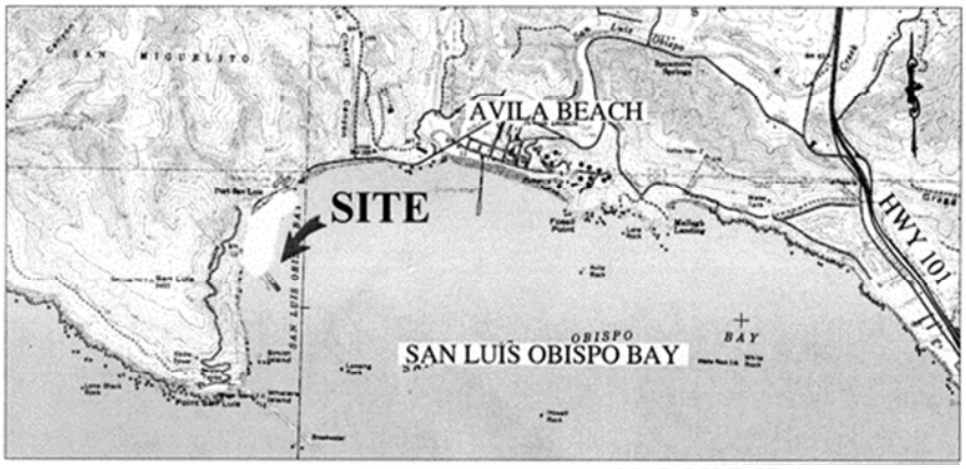
SITE



San Luis Obispo Bay

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties 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

WP 8009.9
PORT SAN LUIS HARBOR DIST
DREDGING LEASE
SAN LUIS OBISPO COUNTY

MJF 03/14/11

EXHIBIT B

WP 8009

LAND DESCRIPTION

Seven (7) parcels of tide and submerged lands lying in the bed of San Luis Obispo Bay, San Luis Obispo County, State of California, being more particularly described as follows:

Parcel 1 (Avila Beach and Nearshore Disposal Site)

BEGINNING at a point have coordinates CCS83 (Zone 5) N(y)=2260604 feet, E(x)=5746059 feet (Latitude=N 35°10'25.32", Longitude=W 120°43'46.10") thence in a clockwise direction through the following nine (9) points:

(1) N(y)=2260833 feet, E(x)=5745787 feet;
(2) N(y)=2261058 feet, E(x)=5745497 feet;
(3) N(y)=2261555 feet, E(x)=5743327 feet;
(4) N(y)=2262380 feet, E(x)=5743395 feet;
(5) N(y)=2262510 feet, E(x)=5743762 feet;
(6) N(y)=2262328 feet, E(x)=5744073 feet;
(7) N(y)=2262221 feet, E(x)=5744487 feet;
(8) N(y)=2261842 feet, E(x)=5745681 feet;
(9) N(y)=2261399 feet, E(x)=5746672 feet;

thence continuing to the POINT OF BEGINNING.

Parcel 2 (Olde Port Beach and Nearshore Disposal Site)

BEGINNING at a point have coordinates CCS83 (Zone 5) N(y)=2261589 feet, E(x)=5741622 feet (Latitude=N 35°10'33.87", Longitude=W 120°44'39.86") thence in a clockwise direction through the following nine (9) points:

(1) N(y)=2261617 feet, E(x)=5740711 feet;
(2) N(y)=2261127 feet, E(x)=5739783 feet;
(3) N(y)=2261578 feet, E(x)=5739352 feet;
(4) N(y)=2261713 feet, E(x)=5739432 feet;
(5) N(y)=2262008 feet, E(x)=5739998 feet;
(6) N(y)=2262075 feet, E(x)=5740305 feet;
(7) N(y)=2262178 feet, E(x)=5740551 feet;
(8) N(y)=2262299 feet, E(x)=5741321 feet;
(9) N(y)=2262241 feet; E(x)=5741633 feet;

thence continuing to the POINT OF BEGINNING.

Parcel 3 (Fisherman's Beach and Nearshore Disposal Site)

BEGINNING at a point have coordinates CCS83 (Zone 5) N(y)=2261297 feet, E(x)=5739476 feet (Latitude=N 35°10'30.40", Longitude=W 120°45'05.60") thence in a clockwise direction through the following seven (7) points:

(1) N(y)=2260854 feet, E(x)=5738744 feet;
(2) N(y)=2260988 feet, E(x)=5738478 feet;
(3) N(y)=2261127 feet, E(x)=5738671 feet;
(4) N(y)=2261331 feet, E(x)=5738874 feet;
(5) N(y)=2261368 feet, E(x)=5739038 feet;
(6) N(y)=2261367 feet, E(x)=5739107 feet;
(7) N(y)=2261423 feet, E(x)=5739183 feet;

thence continuing to the POINT OF BEGINNING.

Parcel 4 (Jetty Nearshore Disposal Site)

BEGINNING at a point have coordinates CCS83 (Zone 5) N(y)=2259375 feet, E(x)=5738895 feet (Latitude=N 35°10'11.24", Longitude=W 120°45'11.96") thence in a clockwise direction through the following three (3) points:

(1) N(y)=2259073 feet, E(x)=5738687 feet;
(2) N(y)=2259745 feet, E(x)=5738220 feet;
(3) N(y)=2259985 feet, E(x)=5738373 feet;

thence continuing to the POINT OF BEGINNING.

Parcel 5 (West Bluff Beach and Nearshore Disposal Site)

BEGINNING at a point have coordinates CCS83 (Zone 5) N(y)=2258971 feet, E(x)=5738617 feet (Latitude=N 35°10'07.17", Longitude=W 120°45'15.18") thence in a clockwise direction through the following three (3) points:

(1) N(y)=2258556 feet, E(x)=5738339 feet;
(2) N(y)=2259158 feet, E(x)=5737963 feet;
(3) N(y)=2259665 feet, E(x)=5738167 feet;

thence continuing to the POINT OF BEGINNING.

Parcel 6 (Lighthouse Beach and Nearshore Disposal Site)

BEGINNING at a point have coordinates CCS83 (Zone 5) N(y)=2256379 feet, E(x)=5738358 feet (Latitude=N 35°09'41.47", Longitude=W 120°45'17.44") thence in a clockwise direction through the following six (6) points:

(1) N(y)=2255756 feet, E(x)=5738224 feet;
(2) N(y)=2255864 feet, E(x)=5738006 feet;
(3) N(y)=2255996 feet, E(x)=5738008 feet;
(4) N(y)=2256097 feet, E(x)=5738000 feet;
(5) N(y)=2256314 feet, E(x)=5738009 feet;
(6) N(y)=2256430 feet, E(x)=5737992 feet;

thence continuing to the POINT OF BEGINNING.

Parcel 7 (Dredge Site)

BEGINNING at a point have coordinates CCS83 (Zone 5) N(y)=2261423 feet, E(x)=5739183 feet (Latitude=N 35°10'31.57", Longitude=W 120°45'09.18") thence in a clockwise direction through the following thirty-four (34) points:

(1) N(y)=2261325 feet, E(x)=5739294 feet;
(2) N(y)=2261217 feet, E(x)=5739345 feet;
(3) N(y)=2261153 feet, E(x)=5739327 feet;
(4) N(y)=2260932 feet, E(x)=5739078 feet;
(5) N(y)=2260872 feet, E(x)=5738949 feet;
(6) N(y)=2260680 feet, E(x)=5738817 feet;
(7) N(y)=2260320 feet, E(x)=5738741 feet;
(8) N(y)=2259982 feet, E(x)=5738661 feet;
(9) N(y)=2259670 feet, E(x)=5738643 feet;
(10) N(y)=2259369 feet, E(x)=5738481 feet;
(11) N(y)=2259254 feet, E(x)=5738433 feet;
(12) N(y)=2259210 feet, E(x)=5738238 feet;
(13) N(y)=2259307 feet, E(x)=5738109 feet;
(14) N(y)=2259476 feet, E(x)=5737958 feet;
(15) N(y)=2259555 feet, E(x)=5738042 feet;
(16) N(y)=2259623 feet, E(x)=5738042 feet;
(17) N(y)=2259700 feet, E(x)=5737993 feet;
(18) N(y)=2260002 feet, E(x)=5738130 feet;
(19) N(y)=2260130 feet, E(x)=5738159 feet;
(20) N(y)=2260310 feet, E(x)=5738313 feet;
(21) N(y)=2260391 feet, E(x)=5738330 feet;
(22) N(y)=2260439 feet, E(x)=5738323 feet;
(23) N(y)=2260450 feet, E(x)=5738294 feet;
(24) N(y)=2260423 feet, E(x)=5738254 feet;
(25) N(y)=2260336 feet, E(x)=5738249 feet;

(26) N(y)=2260315 feet, E(x)=5738214 feet;
(27) N(y)=2260497 feet, E(x)=5738098 feet;
(28) N(y)=2260730 feet, E(x)=5738132 feet;
(29) N(y)=2260783 feet, E(x)=5738248 feet;
(30) N(y)=2260988 feet, E(x)=5738478 feet;
(31) N(y)=2261127 feet, E(x)=5738671 feet;
(32) N(y)=2261331 feet, E(x)=5738874 feet;
(33) N(y)=2261368 feet, E(x)=5739038 feet;
(34) N(y)=2261367 feet, E(x)=5739107 feet;

thence continuing to the POINT OF BEGINNING.

EXCEPTING THEREFROM any lands lying landward of the Ordinary High Water Mark of said bay.

END OF DESCRIPTION

PREPARED 3/17/11 BY THE CALIFORNIA STATE LANDS COMMISSION BOUNDARY UNIT

LICENSED LAND SURVEYOR
STEVE C. LEHMAN
Exp. 12/31/11
No. 7377
STATE OF CALIFORNIA