

MINUTE ITEM

This Calendar Item No. 32  
was approved and carried  
No. 32 by the Commission  
Commission by a vote of 3  
to 0 on 2/24/77  
meeting

MINUTE ITEM

2/24/77  
GWC

32. DELEGATION OF AUTHORITY - DREDGING PERMITS - W 9977.

During consideration of Calendar Item 25 attached, Mr. William F. Northrop, Executive Officer, said that Senator Milton Marks carried legislation last year delegating to the Executive Officer the authority to approve dredging permits in order to speed up these applications. This item would authorize the same type of delegation limiting the volume to 10,000 cubic yards.

Mr. Sid McCausland, Commission-alternate, asked what percentage of permits would come under this procedure. Mr. A. D. Willard, Supervising Mineral Resources Engineer, replied about one-third. Mr. McCausland said that probably a second level of permits could be considered at a later date, and only major dredging permits would come before the full Commission. Mr. Northrop said that legislation is presently pending which would license dredgers so that they would report to the Commission on what and how much is being dredged.

Upon motion duly made and carried, the resolution as presented in Calendar Item 32 was adopted by a vote of 3-0.

Attachment: Calendar Item 32 (2 pages)

## DELEGATION OF AUTHORITY - DREDGING PERMIT

Approximately one-third of all dredging applications received by the State Lands Division are requests to dredge 10,000 cubic yards or less. Although dredging of such amounts are considered minor, full Commission review is presently required, involving full processing toward Commission approval. State Guidelines for the implementation of CEQA categorically exempts from its requirements. "Maintenance dredging where the spoil is deposited in a spoil area authorized by all applicable State and Federal regulatory agencies." "The Regulation of Dredging", a Resources Agency report mandated by Senate Bill 2418 (Marks), Chapter 1274, Statutes of 1974, stressed the need to speed up the issuance of dredging permits, and further pointed out that the State Lands Commission is in need of a procedure for processing a simple dredging project without going to the full Commission for review.

Executive Officer approval of a minor dredging permit (10,000 cubic yards or less) would cut the processing time of such application by two-thirds. Under this procedure a dredging permit could be issued in approximately two weeks from time of application, rather than the average two-month period by present procedures.

In view of the time involved in processing such permits to full Commission approval, it would appear expedient, yet in full compliance with all applicable law, to delegate the Executive Officer authorization to issue dredging permits involving 10,000 cubic yards or less, but only upon determination that the following conditions have been met:

1. That the proposed project is categorically exempt from the requirements of CEQA.
2. That the issuance of the permit will not have a significant effect on the environment.
3. That the project will have no significant effect upon the environmental characteristics identified pursuant to Section 6370.1 et seq., of the Public Resources Code.
4. That the dredging amount will not exceed 10,000 cubic yards.
5. That a charge per cubic yard be assessed for spoil material that is deposited on private property or otherwise lost to future State benefit.
6. That approval of the project will be contingent upon approval by all pertinent State, Federal, or local agencies

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7. That the Executive Officer report to the State Lands Commission on a monthly basis all those permits issued.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DELEGATE TO THE EXECUTIVE OFFICER AUTHORIZATION FOR ISSUANCE OF DREDGING PERMITS OF 10,000 CUBIC YARDS OR LESS FOR THE PURPOSE OF FACILITATING PROCESSING TIME FOR SUCH PERMITS, BUT EXPRESSLY SUBJECT TO THE FOLLOWING CONDITIONS:
- A. THAT THE PROPOSED PROJECT IS CATEGORICALLY EXEMPT FROM THE REQUIREMENTS OF CEQA.
  - B. THAT THE ISSUANCE OF THE PERMIT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
  - C. THAT THE PROJECT WILL HAVE NO SIGNIFICANT EFFECT UPON THE ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1 ET SEQ., OF THE PUBLIC RESOURCES CODE.
  - D. THAT THE DREDGING AMOUNT WILL NOT EXCEED 10,000 CUBIC YARDS.
  - E. THAT A CHARGE PER CUBIC YARD BE ASSESSED FOR THE SPOIL MATERIAL THAT IS DEPOSITED ON PRIVATE PROPERTY OR OTHERWISE LOST TO FUTURE STATE BENEFIT.
  - F. THAT APPROVAL OF THE PROJECT WILL BE CONTINGENT UPON APPROVAL BY ALL PERTINENT STATE, FEDERAL, OR LOCAL AGENCIES.
  - G. THAT THE EXECUTIVE OFFICER REPORT TO THE STATE LANDS COMMISSION ON A MONTHLY BASIS ALL THOSE PERMITS ISSUED.