

MINUTE ITEM

This Calendar Item No. C18
was approved as Minute Item
No. 18 by the State Lands
Commission by a vote of 3
to 0 at its 3/26/87
meeting.

CALENDAR ITEM

C 18

A 2

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03/26/87
WP 5202 PRC 5202
Martinez

MAINTENANCE DREDGING PERMIT

APPLICANT: Crescent City Harbor District
101 Citizens Dock Road
Crescent City, California 95531

AREA, TYPE LAND AND LOCATION:
Granted, mineral reserve lands in Crescent City
Harbor at the United States Coast Guard
berthing facility, Del Norte County.

PROPOSED LAND USE:
Dredge a maximum 7,000 cubic yards of minerals
other than oil, gas and geothermal to maintain
a navigable depth. The material will be used
for beach nourishment by disposing it above the
high tide line and allowing it to flow into the
surf zone where it will be distributed over a
two-acre area between the Whaler Island groin
and the sand barrier causeway.

TERMS OF THE PROPOSED PERMIT:
Initial Period: One year commencing April 1,
1987.
Royalty: No royalty charged because
project is for the benefit of
public safety.

APPLICANT STATUS: Granted.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:
Filing fee has been received.

STATUTORY AND OTHER REFERENCES:
A. PRC: Div. 6, Parts 1 and 2; Div. 13.

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(ADDED 03/18/87)

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CALENDAR ITEM NO. 618 (CONT'D)

B. Cal. Adm. Code: Title 2, Div. 3; Title 14,
Div. 6.

AB 884: 08/24/87.

OTHER PERTINENT INFORMATION:

1. A Finding of No Significant Impact (FONSI) was prepared and adopted for this project by the United States Army Corps of Engineers, San Francisco District. The document was circulated for public review as broadly as State and local law may require and notice was given meeting the standards in 14 Cal. Adm. Code 15072(a). Therefore, pursuant to 14 Cal. Adm. Code 15225, the staff recommends the use of the federal FONSI in place of a Negative Declaration.

APPROVALS OBTAINED:

California Coastal Commission, and
United States Army Corps of Engineers.

EXHIBITS:

- A. Vicinity and Site Map.
- B. Permit.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE FINDING OF NO SIGNIFICANT IMPACT PREPARED AND ADOPTED FOR THIS PROJECT BY THE UNITED STATES ARMY CORPS OF ENGINEERS, SAN FRANCISCO DISTRICT MEETS THE REQUIREMENTS OF THE CEQA; AND ADOPT SUCH FEDERAL DOCUMENT FOR USE IN PLACE OF THE NEGATIVE DECLARATION PURSUANT TO 14 CAL. ADM. CODE 15225.
2. DETERMINE THAT THE PROJECT, AS APPROVED, WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
3. AUTHORIZE STAFF TO ISSUE TO CRESCENT CITY HARBOR DISTRICT THE DREDGING PERMIT ATTACHED AS EXHIBIT "B". SAID PERMIT SHALL ALLOW DREDGING A MAXIMUM VOLUME OF 7,000 CUBIC YARDS OF MATERIAL IN THE CRESCENT CITY HARBOR, AND DISPOSAL AT THE APPROVED SITE. NO ROYALTY SHALL BE CHARGED BECAUSE THE PROJECT IS FOR THE BENEFIT OF PUBLIC SAFETY. SUCH PERMITTED ACTIVITY IS CONTINGENT UPON APPLICANT'S COMPLIANCE WITH APPLICABLE PERMITS, RECOMMENDATIONS OR LIMITATIONS ISSUED BY FEDERAL, STATE AND LOCAL GOVERNMENT AGENCIES.

(ADDED 03/18/87)

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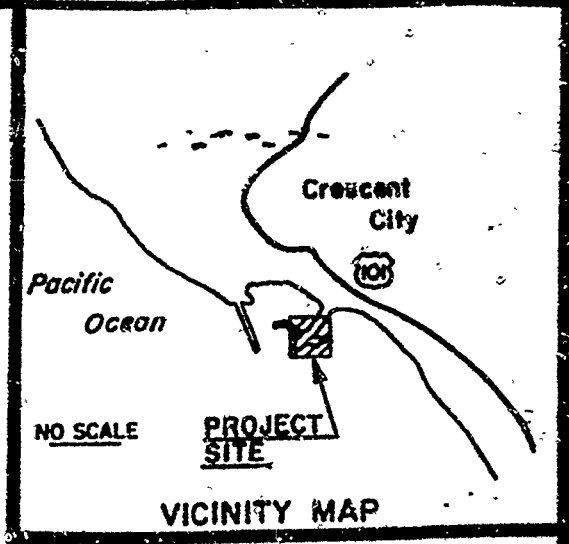
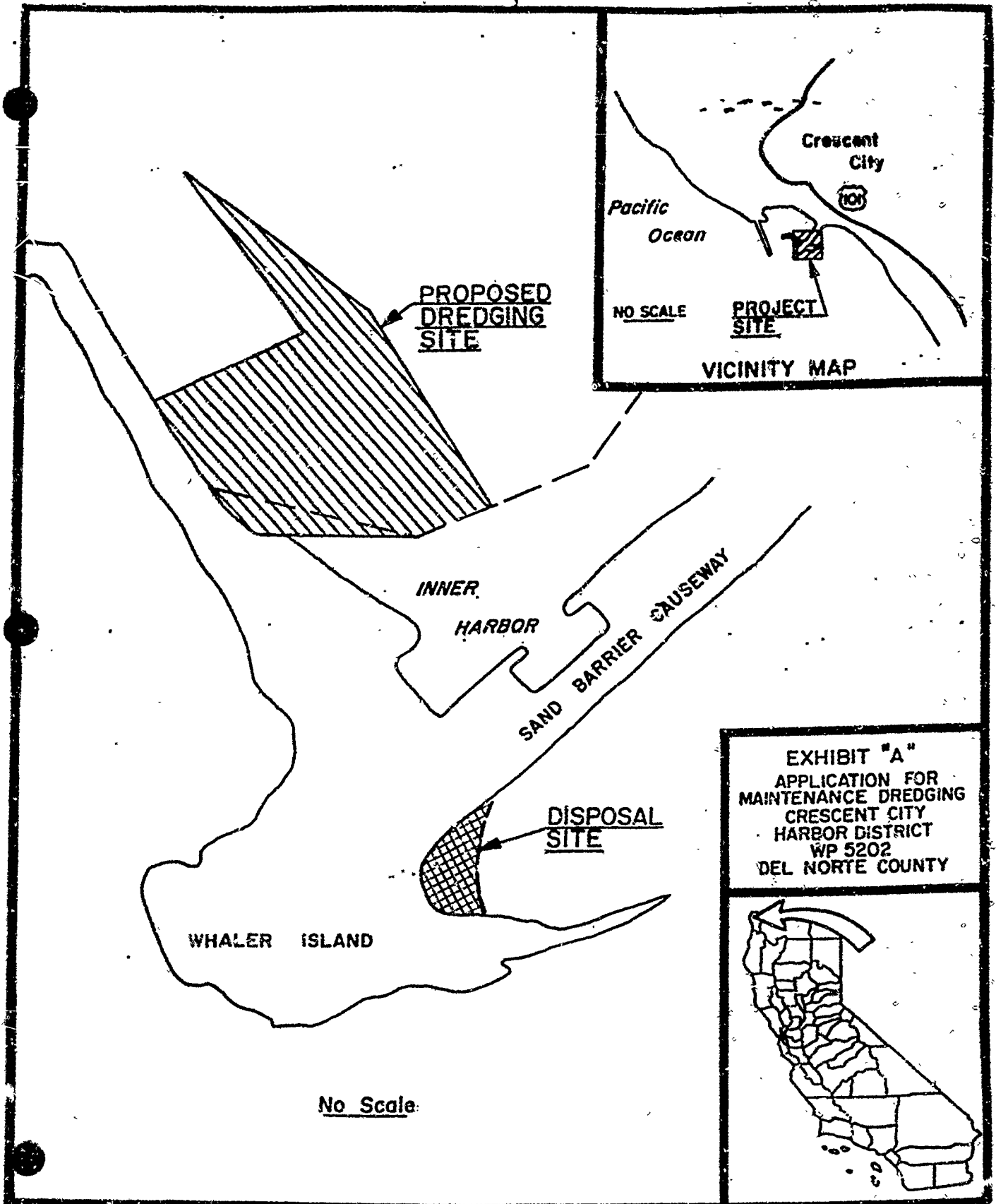


EXHIBIT "A"
 APPLICATION FOR
 MAINTENANCE DREDGING
 CRESCENT CITY
 HARBOR DISTRICT
 WP 5202
 DEL NORTE COUNTY



No Scale

RC 2/87

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"B"

STATE LANDS COMMISSION

1807 13TH STREET
SACRAMENTO, CALIFORNIA 95814



April 1, 1987

File Ref.: PKC 5202

Crescent City Harbor District
101 Citizens Dock Road
Crescent City CA 95531

Gentlemen:

Pursuant to your application dated January 28, 1987, and by the authorization of the State Lands Commission on March 26, 1987, you are hereby granted permission to dredge, during the term of the permit, a maximum of 7,000 cubic yards of sand, silt, clay, and gravel, excluding all other minerals, including, but not limited to, oil, gas, and geothermal from an area of granted, mineral reserve, lands in the Crescent City Harbor at the U. S. Coast Guard berthing facility, Del Norte County as designated in Exhibit "A" attached hereto, which is by this reference expressly made a part hereof. Said permission includes the right to deposit dredge spoils above and in the surf zone over a two-acre adjacent area above and in open coastal waters where the Whaler's Island groin meets the sand barrier causeway.

No royalty shall be paid for material placed at the approved disposal site. Royalty of \$0.25 per cubic yard shall be paid for any material used for any private or commercial benefit. Said permission is given on the condition that all dredging and spoils deposition shall be done in accordance with all applicable Federal, State, and local government laws, rules, and regulations. Said permission shall be effective from April 1, 1987 through March 31, 1988.

It is hereby agreed that the operations authorized under this permit shall be performed with diligence, in a good and workmanlike manner, and with the use of due care and safety precautions.

It is further agreed that you shall submit copies of reports or contracts with the dredging operator substantiating the volume of materials dredged and any royalties due to the Commission on a quarterly basis, on forms supplied by the Commission (Form 30.9NC). It is agreed that you shall submit said forms on or before the fifteenth (15th) day of the month following the end of each permit quarter, together with payment for the royalty due on the volume removed during that quarter. The first permit quarter shall be the first three months following the effective date of this permit, and every three-month period thereafter shall be a permit quarter.

It is hereby agreed that, pursuant to Public Resources Code Section 6224, any installments of royalty accruing under the provisions of this permit that are not paid when due shall be subject to a five percent (5%) penalty and shall bear interest at the rate of one and one-half percent (1½%) per month from the date when the same was payable by the terms hereof.

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It is agreed that you shall furnish the Commission with copies of final surveys or copies of any other computations used as a basis to verify dredge volumes within twenty-five (25) days of completion of the activity authorized hereunder.

It is agreed that you shall indemnify, save harmless and at the option of the State of California, defend said State, its officers, agents and employees, against any and all claims, demands, causes of action, or liability of any kind which may be asserted against or imposed upon the State of California or any of its officers, agents, or employees by any third person or entity, arising out of or connected with the issuance of this permit, operations hereunder, or the use by you or your agents, employees or contractors, of the above-described lands.

Without limiting the generality of the foregoing, such indemnification shall include any claim, demand, cause of action or liability of any kind asserted against or impounded upon the State of California or any of its officers, agents or employees, arising out of or connected with any alleged or actual violation by you, your agents, employees or contractors of the property or contractual rights of any third persons or entity. It is agreed that you shall, at the option of the Commission, procure and maintain liability insurance for the benefit of the State in an amount satisfactory to the Commission.

You agree to comply with the terms and conditions hereof, and you further agree that any violation thereof shall constitute grounds for termination of this permit and shall allow the Commission to pursue any other remedy available to it under the law. It is further agreed that this permit may be suspended, modified, or terminated, whenever the State Lands Commission deems such action to be in the best interests of the State, and that no such action by the Commission shall be deemed to be a basis for any claim or cause of action for damages against the State or any officer, employee or agency thereof.

STATE OF CALIFORNIA
STATE LANDS COMMISSION

W. M. THOMPSON, Chief
Extractive Development Program

DATE

ACCEPTED:

By: _____

Title: _____

Date: _____

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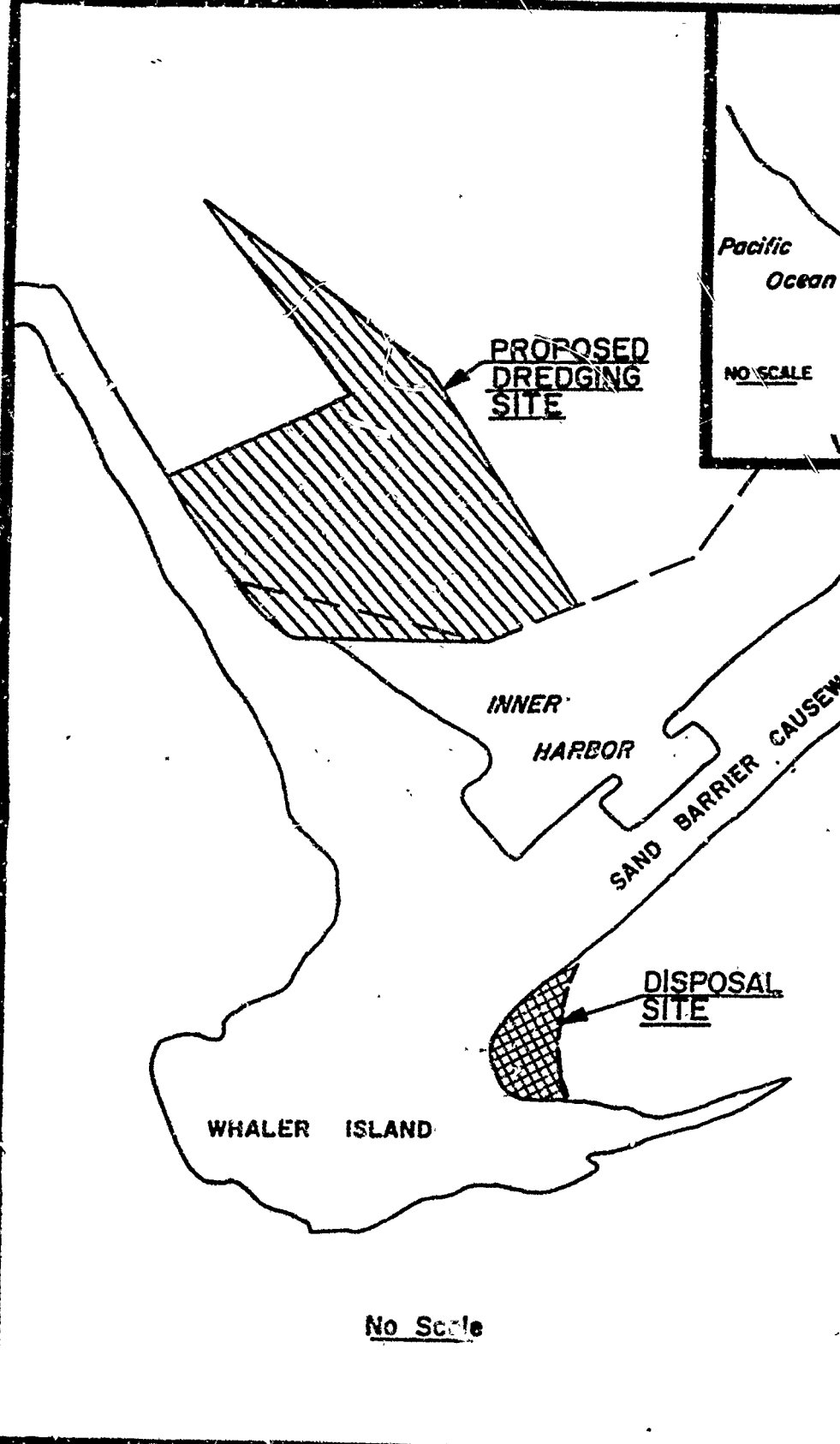
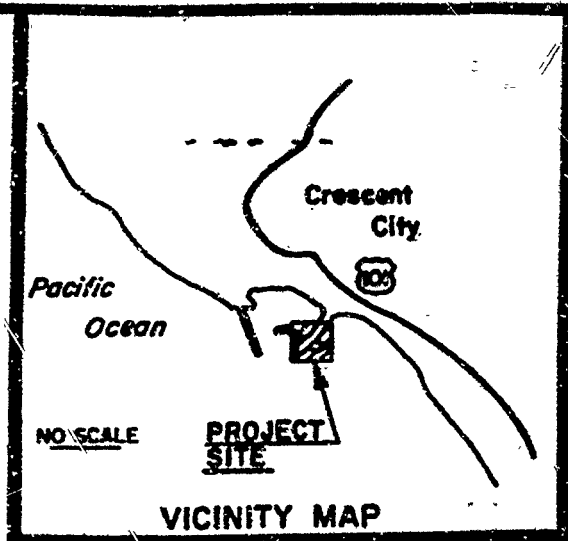


EXHIBIT "A"
APPLICATION FOR
MAINTENANCE DREDGING
CRESCENT CITY
HARBOR DISTRICT
WP 5202
DEL NORTE COUNTY



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