

MINUTE ITEM
This Calendar Item No. 57
was approved as Minute Item
No. 57 by the State Lands
Commission by a vote of 3
to 0 at its 7/10/89
meeting.

CALENDAR ITEM

A 35

57

07/10/89
W 24296 PRC 7323
Martinez

S 18

MAINTENANCE DREDGING PERMIT

APPLICANT: Santa Barbara County Flood Control
And Water Conservation District
Attn: John L. Fertig, Jr.
123 E. Anapamu Street
Santa Barbara, California 93101

AREA, TYPE LAND AND LOCATION: Sovereign Lands at the mouth of Goleta Slough,
Santa Barbara County.

LAND USE: The purpose of the project is to periodically
cut a channel through a naturally created
sandpit to maintain the tidal prism in Goleta
Slough. The frequency and location of the
excavation is determined by the movement of
lateral sand in the Pacific Ocean as the
deposition of sand closes the mouth.
Excavation is performed by dozers pushing the
sand perpendicular to the channel alignment.
No material is removed from the site. A
maximum volume of 50,000 cubic yards will be
displaced annually.

TERM OF PROPOSED PERMIT:
Initial period: One year commencing July 11,
1989.
Royalty: No charge because the project
is for public benefit.

CALENDAR ITEM NO. 57 (CONT'D)

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

Filing fee has been received.

STATUTORY AND OTHER REFERENCES:

- A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.
- B. Cal. Code Regs.: Title 2, Div. 3;
Title 14, Div. 6.

AB 884: N/A.

OTHER PERTINENT INFORMATION:

1. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 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.
2. The California Coastal Commission, a "functional equivalent agency" under Section 21080.5 of the CEQA has:
 - a. served as the lead agency under CEQA;
 - b. considered the project described therein; and
 - c. found that the project, as proposed, will not have a significant effect on the environment.

Under Section 15252 of the CEQA Guidelines, the State Lands Commission may use the environmental analysis made by the California Coastal Commission in its consideration of this project.

Authority: Section 21083 and 21087 of the CEQA.

No local approvals are required.

FURTHER APPROVALS REQUIRED:

United States Army Corps of Engineers,
California Coastal Commission - South Central
Coast Region, Department of Fish and Game,
United States Fish and Wildlife Service.

EXHIBITS:

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

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE CALIFORNIA COASTAL COMMISSION, A FUNCTIONAL EQUIVALENT AGENCY UNDER SECTION 21080.5 OF THE CEQA, HAS CONSIDERED THE PROPOSED PROJECT AND DETERMINED IT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
2. FIND THAT THE COMMISSION HAS CONSIDERED THE INFORMATION CONTAINED IN THE ENVIRONMENTAL ANALYSIS PREPARED BY THE CALIFORNIA COASTAL COMMISSION AND CONCURS WITH THE CONCLUSIONS AND FINDINGS THEREIN, 14 CAL. CODE REGS. SECTION 15253.
3. AUTHORIZE STAFF TO ISSUE TO THE SANTA BARBARA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT THE DREDGING PERMIT ATTACHED AS EXHIBIT "B". SAID PERMIT SHALL ALLOW DREDGING A MAXIMUM 50,000 CUBIC YARDS OF MATERIAL FOR ONE YEAR FROM THE MOUTH OF GOLETA SLOUGH, SANTA BARBARA COUNTY, COMMENCING JULY 11, 1989. THE EXCAVATED MATERIAL WILL NOT BE REMOVED FROM THE SITE BUT WILL BE PLACED PERPENDICULAR TO THE CHANNEL ALIGNMENT. NO ROYALTY SHALL BE CHARGED BECAUSE THE PROJECT IS FOR THE PUBLIC BENEFIT. SUCH AUTHORIZED ACTIVITY IS CONTINGENT UPON THE APPLICANT'S COMPLIANCE WITH APPLICABLE PERMITS, RECOMMENDATIONS AND LIMITATIONS ISSUED BY FEDERAL, STATE AND LOCAL GOVERNMENT AGENCIES.

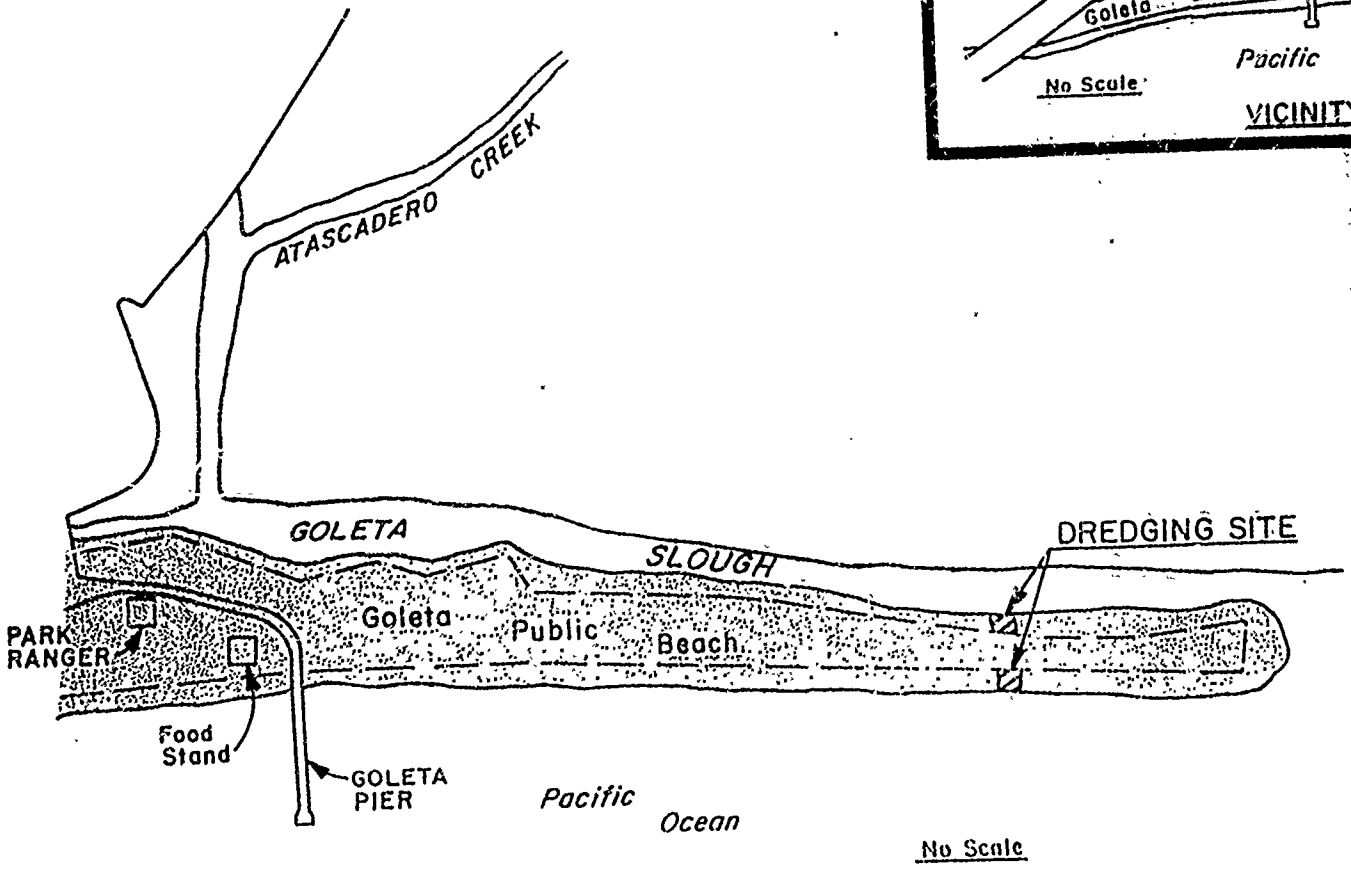
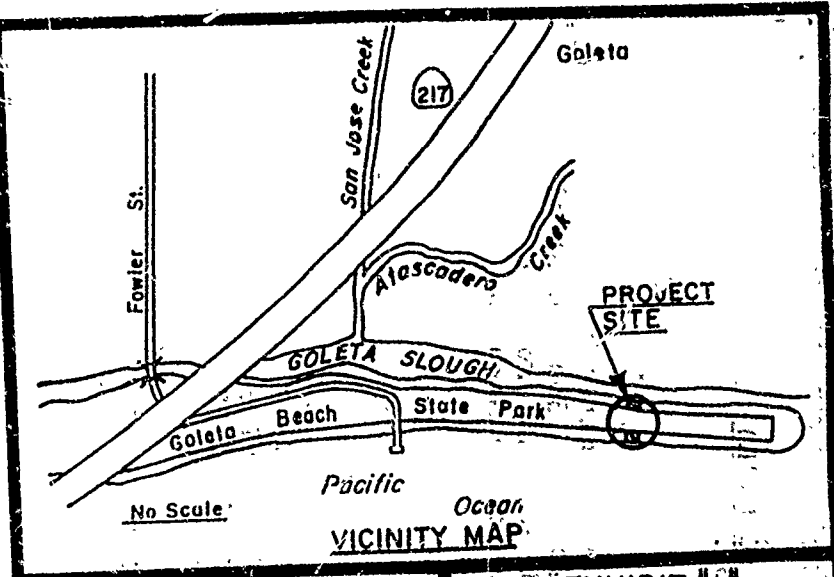


EXHIBIT "A"
APPLICATION FOR
'DREDGING' PERMIT
SANTA BARBARA COUNTY
FLOOD CONTROL
& WATER CONSERVATION
DISTRICT
W24296
GOLETA SLOUGH
SANTA BARBARA
COUNTY



MAP SITE PAGE
 2507
 005

"B"

STATE LANDS COMMISSION

1807 13TH STREET
SACRAMENTO, CALIFORNIA 95814



July 11, 1989

File Ref.: W 24296

Santa Barbara County Flood Control
& Water Conservation District
Attn: John L. Fertig, Jr.
123 E. Anapamu Street
Santa Barbara CA 93101

Gentlemen:

Pursuant to your request and by the authorization of the State Lands Commission in July 1989 you are hereby granted permission to dredge, during the term of the permit a maximum 50,000 cubic yards annually of sand, silt, clay and gravel, excluding all other minerals, including but not limited to oil, gas and geothermal from an area of sovereign lands at the mouth of Goleta Slough, Santa Barbara 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 the material perpendicular to the channel alignment. No material is to be removed from the site.

No royalty shall be paid for material disposed of as approved. 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 July 11, 1989 through July 10, 1990.

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: _____, Date: _____

Title: _____

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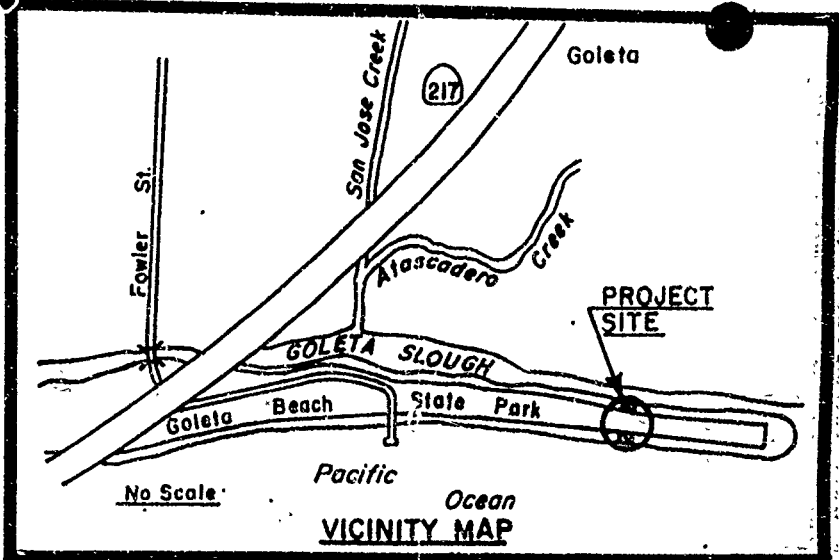
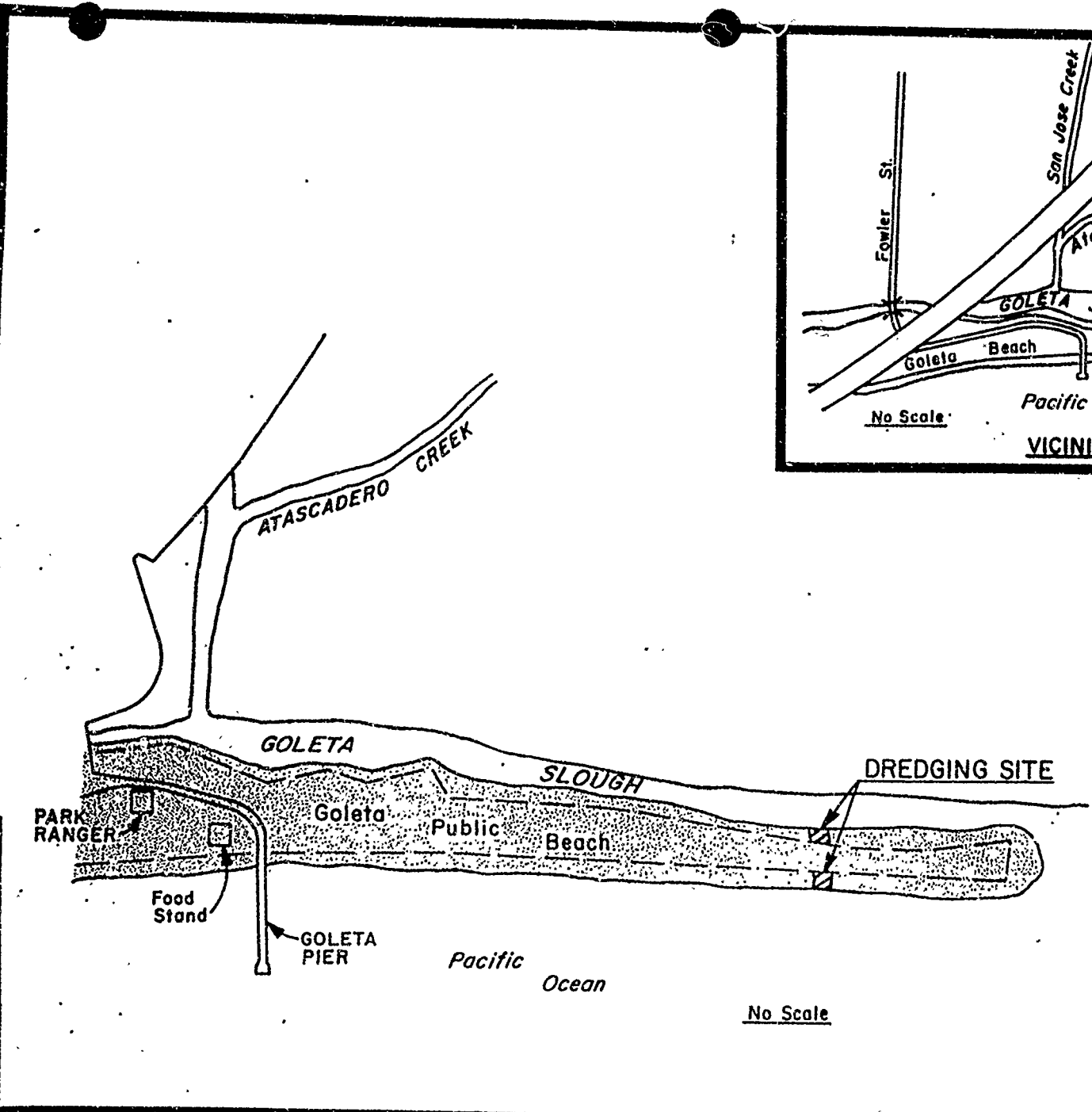


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