

MINUTE ITEM
This Calendar Item No. 33
was approved as Minute Item
No. 33 by the State Lands
Commission by a vote of 3
to 0 at its 10/23/86
meeting.

CALENDAR ITEM
33

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10/23/86
PRC 6722
Frey

RESOLUTION OF DISPUTED DREDGING ROYALTIES

On August 21, 1984, the State Lands Commission (Commission) authorized the issuance of a dredging permit to Steckler Pacific. A royalty of \$0.15/cu. yd. was charged for spoils dumped in United States Army Corps of Engineers sites. Steckler Pacific questioned the Commission's royalty policy in such cases stating that the spoils were of no value and unmarketable. The Commission agreed to review its dredging policy and to refund the royalties paid by Steckler Pacific if the Commission changed its policy in this regard. Pursuant to the permit and the Commission's direction Steckler Pacific deposited the spoils in a United States Army Corps of Engineers site and placed royalties in an escrow account pending the Commission's review of its policies.

On September 25, 1986, the Commission accepted a staff recommendation that no royalty be charged on spoils dumped at United States Army Corps of Engineers sites on the basis that deposition at such sites indicated that no value existed for the spoils. Pursuant to that finding and the Commission's August 1984 action, staff recommends that the disputed royalties in the amount of \$13,014 be returned to Steckler Pacific.

AB 884: N/A..

OTHER PERTINENT INFORMATION:

1. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Adm. Code 15061), the staff has determined that this activity is exempt from the requirements of the CEQA because the activity is not a "project" as defined by CEQA and the State CEQA Guidelines.

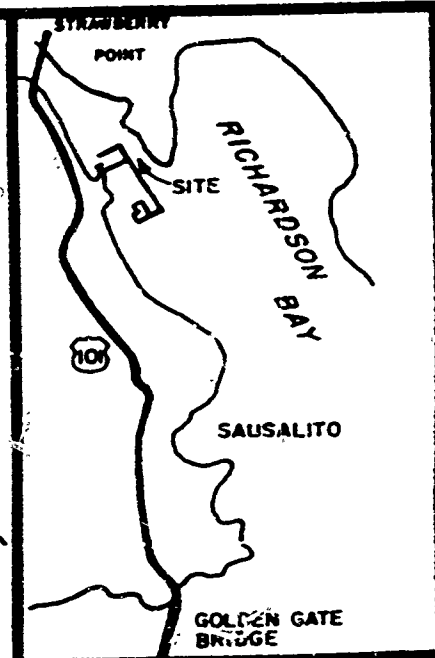
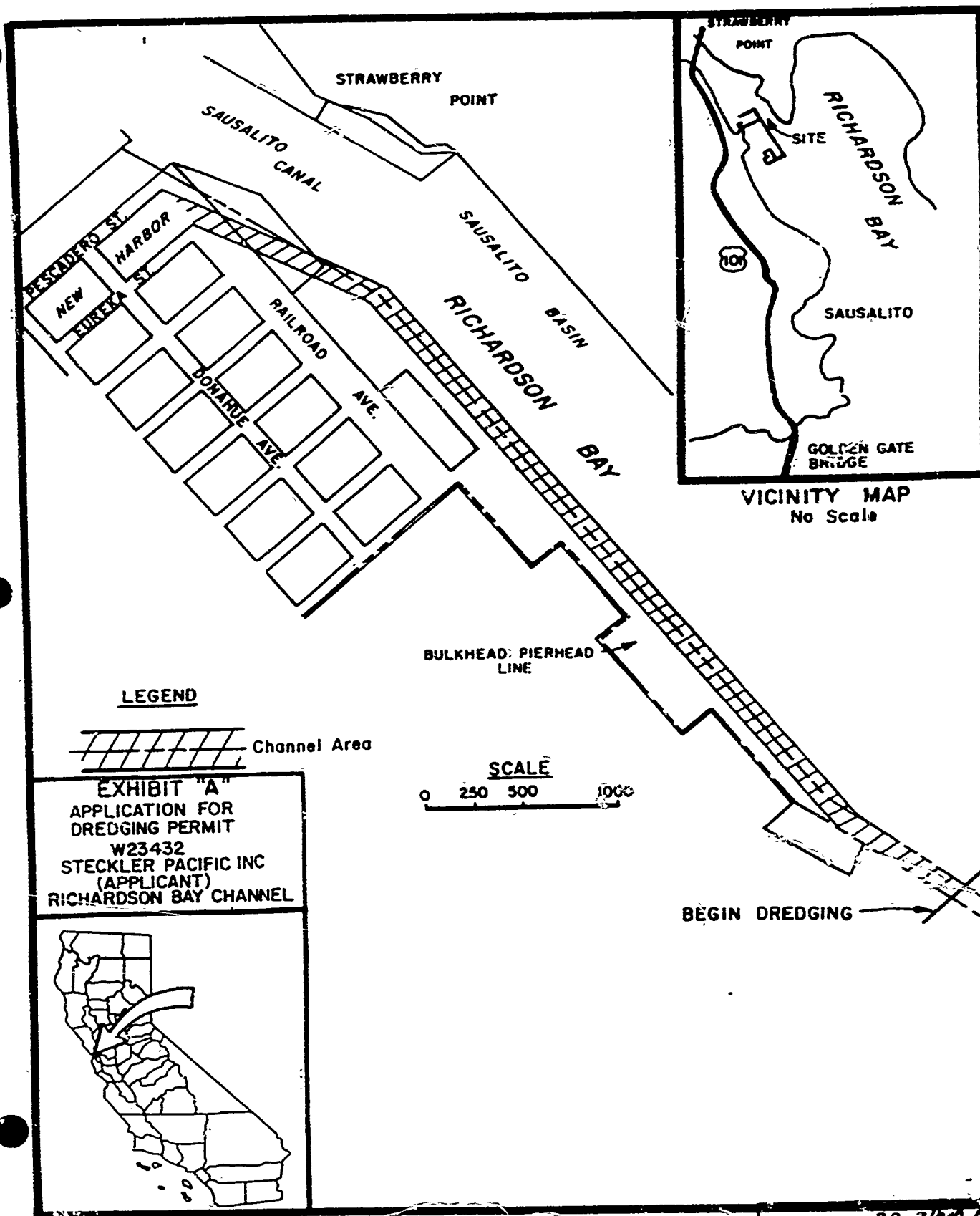
Authority: P.R.C. 21065 and 14 Cal. Adm. Code 15378

CALENDAR ITEM NO. **33** (CONT'D)

EXHIBIT: A. Location Map.

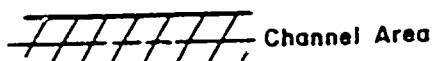
IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. ADM. CODE 15061 BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY P.R.C. 21065 AND 14 CAL. ADM. CODE 15378.
2. AUTHORIZE THE REFUND TO STECKLER PACIFIC OF \$13,014 IN DISPUTED DREDGING ROYALTIES PURSUANT TO THE COMMISSION'S ACTION TAKEN ON AUGUST 21, 1984.



VICINITY MAP
No Scale

LEGEND



Channel Area

EXHIBIT "A"
APPLICATION FOR
DREDGING PERMIT
W23432
STECKLER PACIFIC INC
(APPLICANT)
RICHARDSON BAY CHANNEL

