

Minute Item  
Calendar Item No. 30  
was approved as Minute Item  
No. 30 by the State Lands  
Commission by a vote of 3  
to 0 at its 5/32/87  
meeting.

CALENDAR ITEM

A 28

30

05/28/87

W 23960 PRC 7088

S 17

Martinez

DREDGING PERMIT

APPLICANT: Pacific Gas and Electric Company  
Attn: Jayne Battey  
P. O. Box 81171  
Salinas, California 93912

AREA, TYPE LAND AND LOCATION:  
Granted, mineral reserve, lands in Moss Landing  
Harbor at the existing cooling water intake  
channels to Units 1-5 and Units 6-7 of  
Moss Landing Power Plant, Monterey County.

PROPOSED LAND USE:

Dredge a maximum 20,400 cubic yards of minerals  
other than oil, gas and geothermal to improve  
the efficiency of the plants cooling water  
systems. The material will be disposed of at  
the United States Army Corps of Engineers  
approved offshore Disposal Site S.F. 12.

TERMS OF THE PROPOSED PERMIT:

Initial period: One years beginning June 1,  
1987.

Royalty: No royalty for material  
disposed at the approved  
offshore site.

APPLICANT STATUS:

Applicant is owner of upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

Filing fee and processing costs been received.

CALENDAR ITEM NO. 30 (CONT'D)

STATUTORY AND OTHER REFERENCES:

- A. Public Resources Code: Div. 6, Parts 1 and 2; Div. 13
- B. Cal. Adm. Code: Title 2, Div. 3; Title 14, Div 6.

AB 884: 11/09/87.

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 Moss Landing Harbor District has determined that this activity is exempt from the requirements of the CEQA as a categorical exempt project under Class 4(g) maintenance dredging where the spoil is deposited in an area authorized by all applicable State and Federal regulatory agencies, 14 Cal. Adm. Code 15104.

Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal Adm. Code 15061), staff concurs.

APPROVALS OBTAINED:

Moss Landing Harbor District, United States Army Corps of Engineers, California Coastal Commission, California Regional Water Quality Control Board.

EXHIBITS:

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

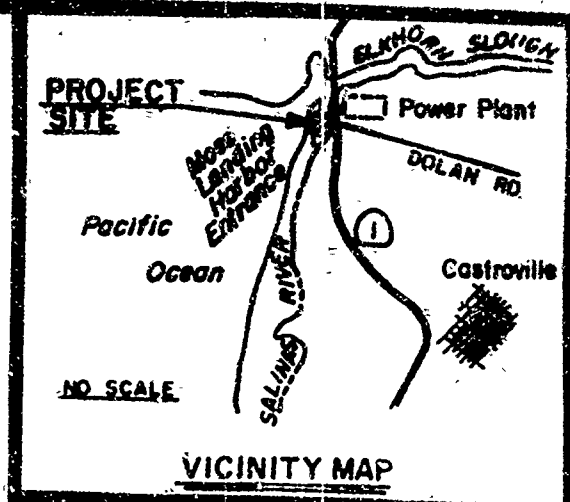
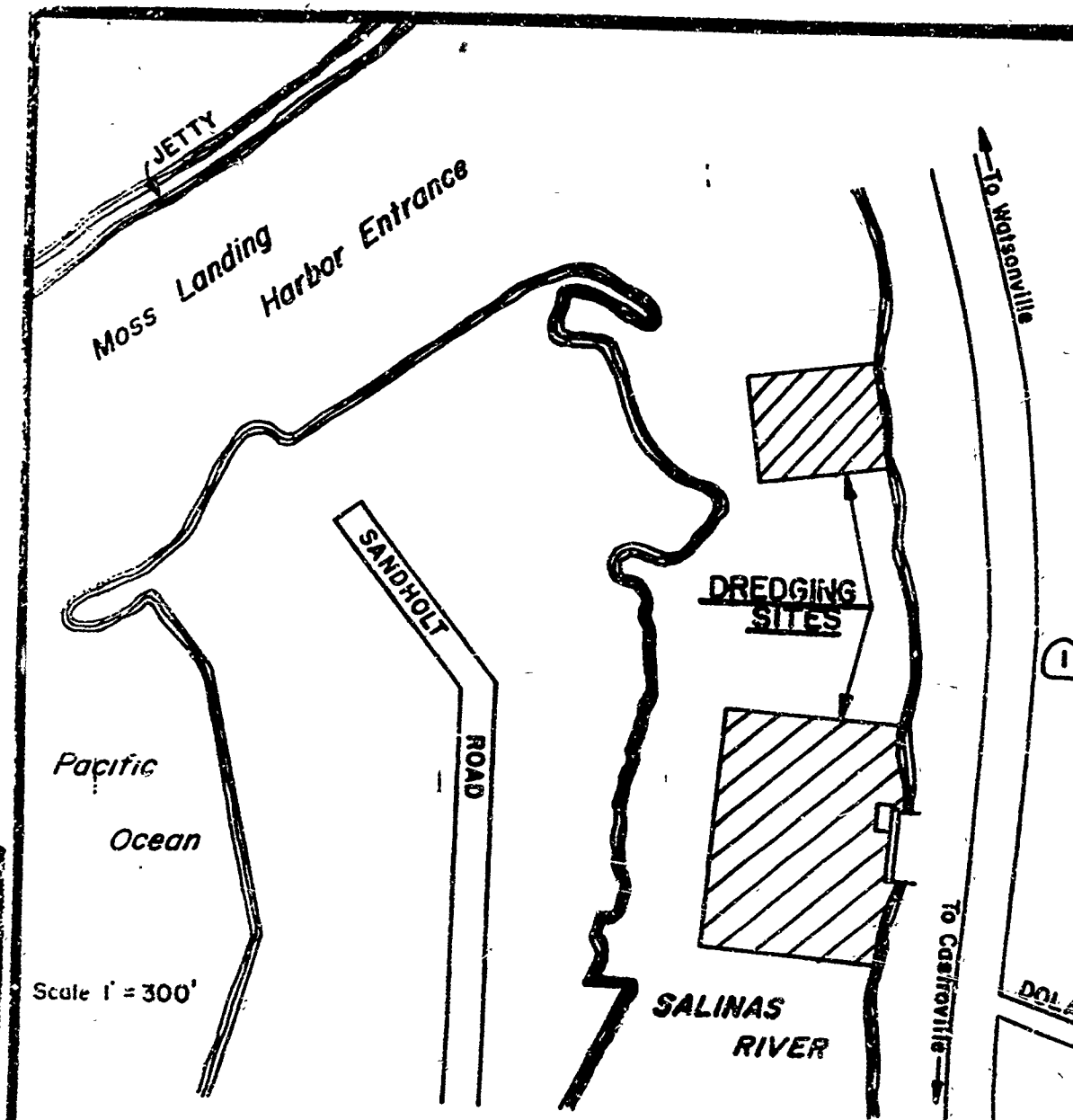
IT IS RECOMMENDED THAT THE COMMISSION:

1. CONCUR WITH MOSS LANDING HARBOR DISTRICT'S DETERMINATION THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. ADM. CODE 15061 AS A CATEGORICAL EXEMPT PROJECT, CLASS 4 MAINTENANCE DREDGING, 14 CAL. ADM. CODE 15104.

CALENDAR ITEM NO. 30 (CONT'D)

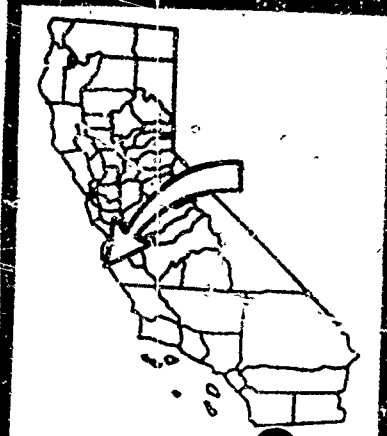
2. FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO P.R.C. 6370, ET SEQ..
3. AUTHORIZE STAFF TO ISSUE TO PACIFIC GAS AND ELECTRIC COMPANY THE DREDGING PERMIT ATTACHED AS EXHIBIT "B". SAID PERMIT SHALL ALLOW DREDGING A MAXIMUM VOLUME OF 20,400 CUBIC YARDS OF MATERIAL IN MOSS LANDING HARBOR AND DISPOSAL AT THE APPROVED OFFSHORE SITE. SUCH PERMITTED ACTIVITY IS CONTINGENT UPON APPLICANT'S COMPLIANCE WITH APPLICABLE PERMITS, RECOMMENDATIONS OR LIMITATIONS ISSUED BY FEDERAL, STATE AND LOCAL GOVERNMENT AGENCIES.

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P.G. & E.  
Power Plant

EXHIBIT "A"  
APPLICATION FOR  
DREDGING PERMIT  
PACIFIC GAS &  
ELECTRIC CO.  
W 23960  
MOSS LANDING  
MONTEREY COUNTY



RO 4/87

## EXHIBIT "B"

STATE OF CALIFORNIA STATE LANDS COMMISSION

GEORGE DEUKMEJIAN, Governor

## STATE LANDS COMMISSION

1807 13TH STREET  
SACRAMENTO, CALIFORNIA 95814

June 1, 1987

File Ref.: W 23960

Pacific Gas and Electric Company  
P. O. Box 81171  
Salinas CA 93912

Gentlemen:

Pursuant to your application dated April 6, 1987, and by the authorization of the State Lands Commission on May 28, 1987, you are hereby granted permission to dredge, during the term of the permit, a maximum of 20,400 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 Moss Landing Harbor, Monterey 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 at the approved Corps of Engineers Site S.F. 12.

No royalty shall be paid for material placed at the approved offshore disposal site. A 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 June 1, 1987 through May 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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June 1, 1987

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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