

MINUTE ITEM
This Calendar Item No. 50
was approved as Minute Item
No. 50 by the State Lands
Commission by a vote of 3
to 0 at its 8/10/88
meeting.

CALENDAR ITEM

A 35

50

08/10/88

PRC 6342

Martinez

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MAINTENANCE DREDGING PERMIT

PERMITTEE:

United States Air Force
Attn.: Ronald D. Oliverio, Colonel
4392 ASW/CC
Vandenberg AFB, California 93437-5000

AGENT:

United States Air Force
Headquarters Space Division/DEV
Attn.: Bob Mason
P. O. Box 92960
Los Angeles, California 90009-2960

AREA, TYPE LAND AND LOCATION:

Ungranted sovereign lands at Point Arguello
south of Vandenberg Air Force Base,
Santa Barbara County.

LAND USE:

Dredge a maximum 6,000 cubic yards of minerals
other than oil, gas and geothermal to maintain
a navigational depth to accommodate barge usage
at the Pt. Arguello Coast Guard Station harbor
facility. All dredged material is to be
trucked to the Pt. Pedernales approved upland
disposal site which is an abandoned borrow site
located along the coastal bluffs.

TERMS:

One year commencing July 5, 1988.

ROYALTY:

No royalty shall be charged for material placed
at the approved disposal site because the
project is for public benefit.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

Filing fee has been received.

CALENDAR ITEM NO. 50 (CONT'D)

STATUTORY AND OTHER REFERENCES:

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

AB 884: 01/24/89.

OTHER PERTINENT INFORMATION:

1. NASA requested that the United States Air Force dredge the Shuttle harbor located at Vandenberg to allow removal of three Shuttle external tanks stored there for return by ocean going barge to Louisiana.

The urgency of completing the dredging immediately was created by the "shelf-life" of the Shuttle tanks. NASA advised that it would be necessary to remove the first tank by August 15, 1988 to accommodate an August 1989 launch date before the "shelf-life" expires. The barge required to transport the tanks needs 30 days to arrive at Vandenberg and would not be released until assurance was given that the necessary navigational depth had been obtained.

Pursuant to the authority granted to the Executive Officer for the issuance of dredging permits of 10,000 cubic yards or less, the United States Air Force received Administration's approval to perform the maintenance dredging on the ungranted sovereign lands at Pt. Arguello south of Vandenberg Air Force Base, Santa Barbara County.

2. 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 as a categorical exempt project. The project is exempt under Class 4, Maintenance Dredging, 14 Cal. Adm. Code 15304(g).

CALENDAR ITEM NO. 50 (CONT'D)

Authority: PRC 21084 and 14 Cal. Adm.
Code 15300.

3. The proposed project is consistent with the use classification designated for land pursuant to P.R.C. 6370 et. seq.
4. A charge of \$0.25 per cubic yard shall be assessed for spoil material that is deposited on private property or sold commercially.

OTHER APPROVALS OBTAINED:

United States Army Corps of Engineers.
California Coastal Commission.

EXHIBITS:

- A. Location Map.
- B. Permit.

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 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 4, MAINTENANCE DREDGING, 14 CAL. ADM. CODE 15304(g).
2. FIND THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
3. AUTHORIZE AND RATIFY THE ISSUANCE OF A MAINTENANCE DREDGING PERMIT TO THE UNITED STATES AIR FORCE IN THE FORM ATTACHED AS EXHIBIT "B". SAID PERMIT SHALL AUTHORIZE DREDGING TO A MAXIMUM OF 6,000 CUBIC YARDS FROM AN AREA OF TIDE AND SUBMERGED LANDS IN THE PACIFIC OCEAN AT PT. ARGUELLO, SANTA BARBARA COUNTY. NO ROYALTY SHALL BE CHARGED FOR SPOILS PLACED AT THE APPROVED DISPOSAL SITE AT PT. PEDERNALES AS SAID DISPOSAL IS IN THE PUBLIC BENEFIT.

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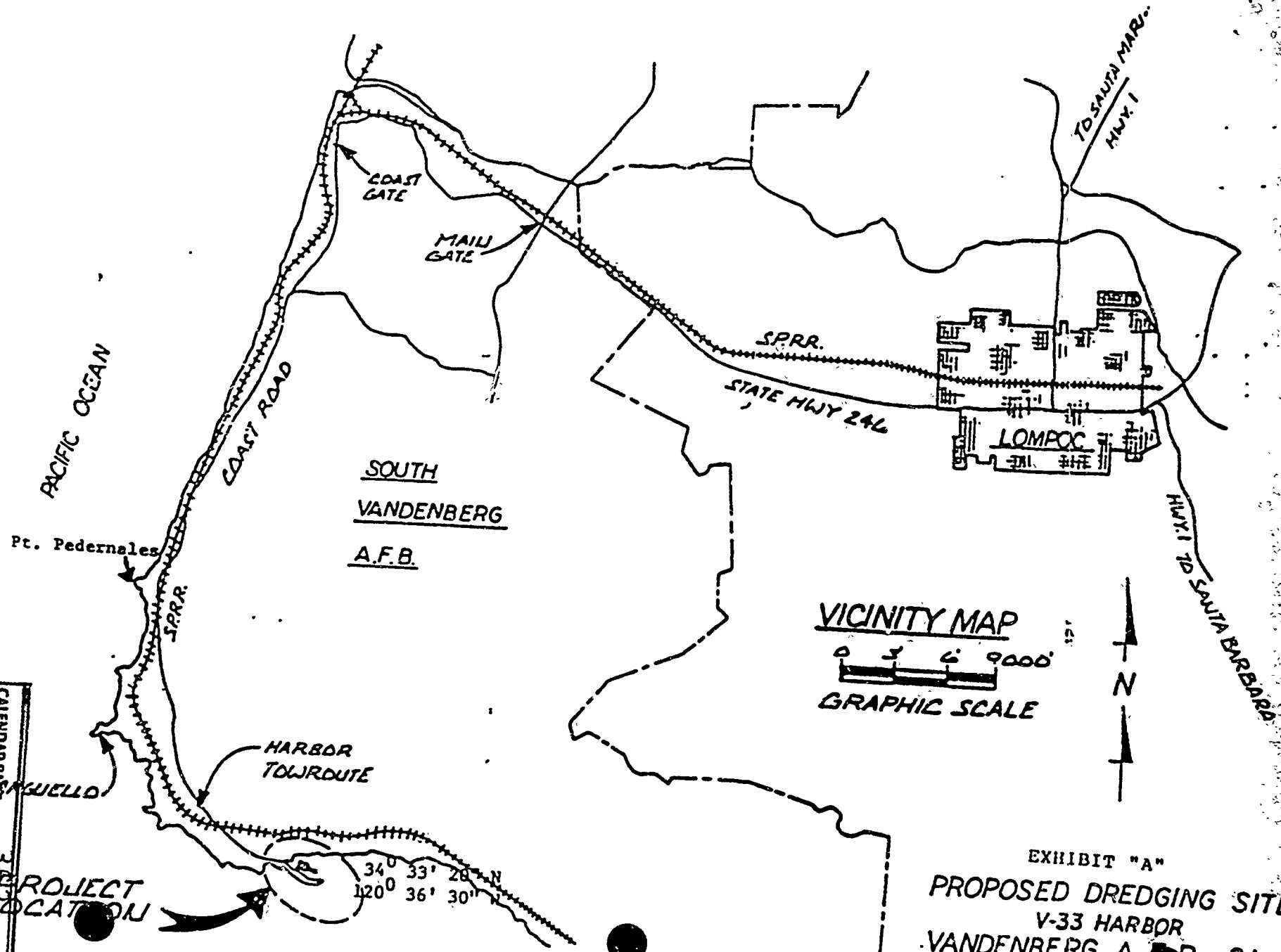


EXHIBIT "A"
PROPOSED DREDGING SITE
V-33 HARBOR
VANDENBERG A.F.B. CA.
Santa Barbara Co.
January 22, 1988

"B"

STATE OF CALIFORNIA—STATE LANDS COMMISSION

STATE LANDS COMMISSION

1807 13TH STREET
SACRAMENTO, CALIFORNIA 95814

GEORGE DEUKMEJIAN, Governor



July 5, 1988

File Ref.: PRC 6342.9

U. S. Air Force
Attn: Ronald D. Oliverio, Colonel
4392 ASW/CC
Vandenberg AFB CA 93437-5000

Gentlemen:

Pursuant to your application dated June 23, 1988 you are hereby granted permission to dredge during the term of the permit a maximum 6,000 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 tide and submerged lands in the Pacific Ocean at Pt. Arguello, 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 dredge spoils at the approved Pt. Pedernales disposal site.

No royalty shall be paid for material placed at the approved disposal site because the project is for public benefit. 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 July 5, 1988 through July 4, 1989.

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.

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July 5, 1988

It is hereby agreed that, pursuant to Public Resources Code Section 6224, any instaliments 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.

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



CLAIRE T. DEDRICK, Executive Officer

DATE: 7/5/88

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July 5, 1988

ACCEPTED:

BY *Loran F. Huber*
LORAN F. HUBER, GM-15

TITLE: Deputy Dir of Acquisition Civil Engineering

DATE: _____

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