

MINUTE ITEM
This Calendar Item No. C16
was approved as Minute Item
No. 16 by the State Lands
Commission by a vote of 2
to 0 at its 9/27/90
meeting.

CALENDAR ITEM

A 70

C 1 6

09/27/90

S 37

WP 7334

PRC 7334

Martinez

AMENDMENT OF DREDGING PERMIT FOR EXTENSION OF TIME

APPLICANTS: Newport Dunes
Attn: David Cherashore
998 West Mission Bay Drive
San Diego, California 92109

County of Orange
Attn: Tom Rossmiller
10852 Douglass Road
Anaheim, California 92806

AREA, TYPE LAND AND LOCATION:

Granted, mineral reservation lands in Upper
Newport Bay, Orange County.

LAND USE:

Dredge a maximum 50,000 cubic yards of material
from upper Newport Bay to improve navigability
at the Newport Dunes Aquatic Park as part of
the Newport Dunes Redevelopment Project.

The dredge spoils will be disposed of on the
adjacent upland where they may eventually be
used in the redevelopment project, as needed,
and as testing by the Regional Water Quality
Control Board and United States Army Corps of
Engineers determines the material is suitable
for such uses.

TERMS OF ORIGINAL PERMIT:

Initial Period: One year beginning
September 1, 1989.

CALENDAR ITEM NO. C 1 6 CONT'D

Royalty: No charge because the project is for public benefit. A royalty of \$0.25 per cubic yard shall be charged for any material used for private benefit or commercial sale purposes.

TERMS OF PROPOSED PERMIT:

Initial Period: September 1, 1990 through February 28, 1991.

Royalty: No charge because the project is for public benefit.

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 24, Div. 6.

AB 884: 03/12/91.

OTHER PERTINENT INFORMATION:

1. The extension of time is required to complete the authorized dredging.
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 herein; 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: Sections 21083 and 21087 of the CEQA.

CALENDAR ITEM NO. C 16 CONT'D

APPROVALS OBTAINED:

United State Army Corps of Engineers, Regional
Water Quality Control Board, and California
Coastal Commission.

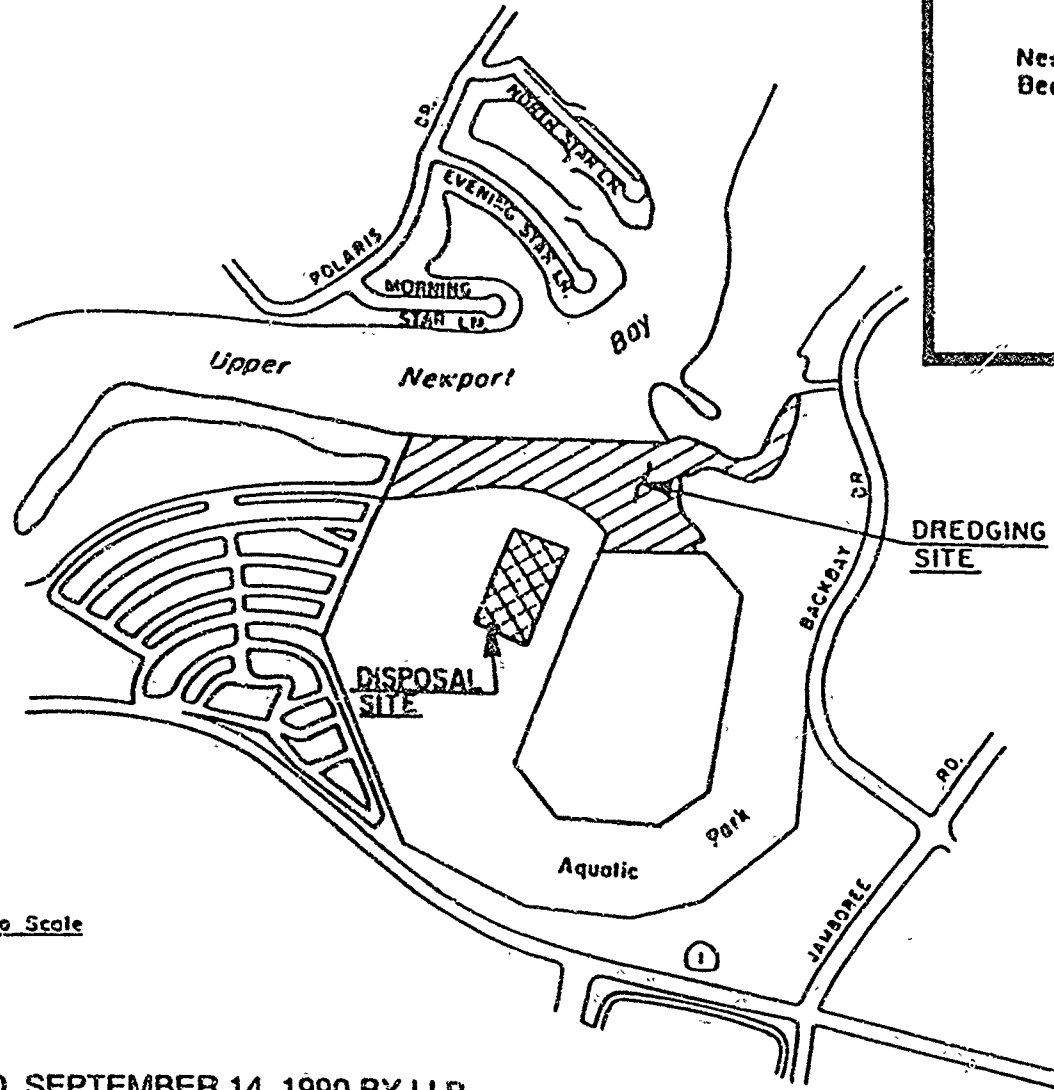
EXHIBIT:

A. Vicinity and Site Map.

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 CONTAINED THEREIN, 14 CAL. CODE REGS., SECTION 15253.
3. AUTHORIZE STAFF TO ISSUE TO NEWPORT DUNES/ORANGE COUNTY THE DREDGING PERMIT AMENDMENT ON FILE IN OFFICE OF THE STATE LANDS COMMISSION. SAID PERMIT SHALL ALLOW DREDGING A MAXIMUM 50,000 CUBIC YARDS OF MATERIAL FROM SEPTEMBER 1, 1990 THROUGH FEBRUARY 28, 1991, FROM UPPER NEWPORT BAY, ORANGE COUNTY. THE DREDGED SPOILS WILL BE DISPOSED OF ON THE ADJACENT UPLAND WHERE THEY MAY EVENTUALLY BE USED IN THE NEWPORT DUNES REDEVELOPMENT PROJECT. NO ROYALTY SHALL BE CHARGED BECAUSE THE PROJECT IS FOR PUBLIC BENEFIT. A ROYALTY OF \$0.25 PER CUBIC YARD SHALL BE CHARGED FOR MATERIAL USED FOR PRIVATE BENEFIT OR COMMERCIAL SALE PURPOSES. SUCH AUTHORIZED ACTIVITY IS CONTINGENT UPON THE APPLICANT'S COMPLIANCE WITH APPLICABLE PERMITS, RECOMMENDATIONS, AND LIMITATIONS ISSUED BY FEDERAL, STATE, AND LOCAL GOVERNMENT AGENCIES.

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2512



No Scale

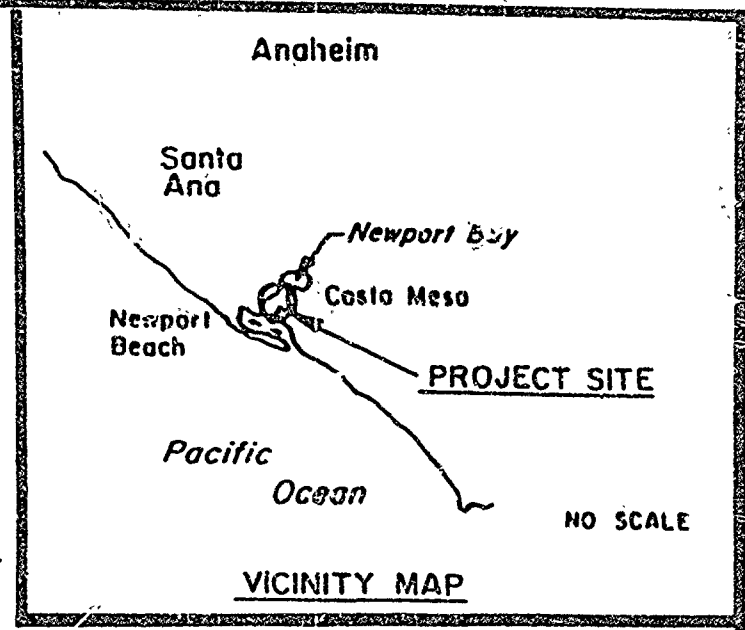


EXHIBIT "A"
 Application For Amendment of
 Maintenance Dredging Permit
 Newport Dunes &
 County of Orange
ORANGE COUNTY
 NP 7334



SUPERVISOR PAGE 24
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PREPARED SEPTEMBER 14, 1990 BY LLB.