

MINUTE ITEM
This Calendar Item No. C17 was approved as
Minute Item No. 17 by the California State Lands
Commission by a vote of 3 to 0 at its
06/20/05 meeting.

**CALENDAR ITEM
C17**

A 78
S 39

06/20/05
PRC 8611.9 G10-08/W26085
J. Lucchesi

DREDGING LEASE

APPLICANT:

San Diego Unified Port District
P.O. Box 120488
San Diego, CA 92112-0488

AREA, LAND TYPE, AND LOCATION:

Legislatively granted filled tide and submerged lands, with minerals reserved to the State, at the Tenth Avenue Marine Terminal, City of San Diego, San Diego County.

AUTHORIZED USE:

Excavate approximately 2,000 cubic yards of material in order to facilitate railroad pavement and track improvements in support of maritime operations at the Tenth Avenue Marine Terminal. The Port District represents that the excavated material will either be re-used/re-compacted at the project site or be disposed of at an approved upland Class III landfill disposal site. If the material is to be disposed at any other approved site, applicant shall notify CSLC of such.

LEASE TERM:

Five years, beginning June 21, 2005.

CONSIDERATION:

No monetary consideration will be charged. The excavated material will not be sold. The project will result in a public benefit.

OTHER PERTINENT INFORMATION:

1. The subject project will be located on filled tide and submerged lands legislatively granted to the San Diego Unified Port District, pursuant to Chapter 67, Statutes of 1962, as amended, with minerals reserved to the State. A portion of the project will be

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located upland, on property beyond the Port's jurisdiction.

2. Consistent with Section 30.5 of Chapter 67, Statutes of 1962, as added by Chapter 399, Statutes of 1996, the Port District notified Commission staff of the proposed capital expenditure of \$430,000.00 on lands adjacent to Port trust lands. This represents the estimated portion of the total project cost to perform pavement and railroad improvements beyond the Port's jurisdiction. The total project cost is \$1,300,000.00.
3. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulation, section 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorically exempt project as a categorically exempt project. The project is exempt under Class 2, Replacement or Reconstruction (Railroad Improvements); Title 14, California Code of Regulations, section 15302 and Class 3, New Construction of Small Structures (Catch Basin); Title 14, California Code of Regulations, section 15303.

Authority: Public Resource Code section 21804 and Title 14, California Code of Regulations, section 15300.

4. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Codes section 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.

APPROVALS OBTAINED:

San Diego Unified Port District

FURTHER APPROVALS REQUIRED:

None

EXHIBIT:

- A. Location and Site Map

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PERMIT STREAMLINING ACT DEADLINE:

N/A

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 2, REPLACEMENT OR RECONSTRUCTION (RAILROAD IMPROVEMENTS); TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15302 AND CLASS 3, NEW CONSTRUCTION OF SMALL STRUCTURES (CATCH BASIN); TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15303.

SIGNIFICANT LANDS INVENTORY FINDING:

FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTION 6370, ET SEQ.

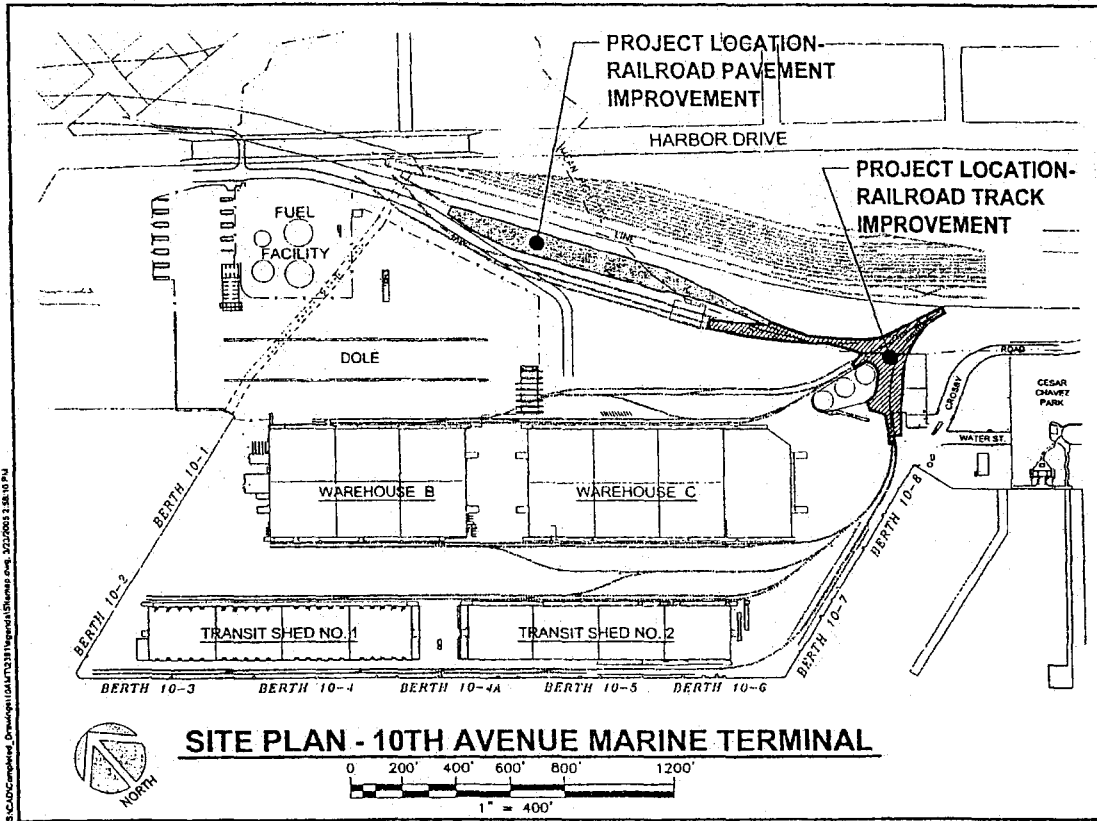
AUTHORIZATION:

AUTHORIZE THE ISSUANCE OF A DREDGING LEASE, AS CONDITIONED, TO SAN DIEGO UNIFIED PORT DISTRICT BEGINNING JUNE 21, 2005, FOR A TERM OF FIVE YEARS, FOR THE EXCAVATION OF APPROXIMATELY 2,000 CUBIC YARDS, FROM THE LANDS SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; THE DREDGED MATERIAL MAY BE RE-USED/RE-COMPACTED AT THE PROJECT SITE OR MAY BE DISPOSED AT AN APPROVED UPLAND CLASS III LANDFILL DISPOSAL SITE; IF MATERIAL IS TO BE DISPOSED OF AT ANY OTHER APPROVED SITE, APPLICANT SHALL NOTIFY CSLC OF SUCH; SUCH PERMITTED ACTIVITY IS CONTINGENT UPON APPLICANT'S COMPLIANCE WITH APPLICABLE PERMITS, RECOMMENDATIONS, OR LIMITATIONS ISSUED BY FEDERAL, STATE AND LOCAL GOVERNMENTS. NO MONETARY

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CONSIDERATION WILL BE CHARGED. THE DREDGED MATERIAL WILL NOT BE SOLD. THE PROJECT WILL RESULT IN A PUBLIC BENEFIT.

NO SCALE



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Exhibit A
Location and Site Map

LOCATION AND SITE MAP
 G10-08/W26085
 Dredging Lease
 Tenth Avenue Marine Terminal
 San Diego Unified Port District



This Exhibit is solely for purpose of generally defining the project area, is based on unverified information provided by lessee or other parties, and is not intended to be, nor shall it be construed as, a waiver or limitation of any state interest in the subject or any other property.

J.L. 06/20/05

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