

MINUTE ITEM

This Calendar Item No. C20 was approved as Minute Item No. 20 by the California State Lands Commission by a vote of 3 to 0 at its 02/05/07 meeting.

**CALENDAR ITEM
C20**

A 73
S 38

02/05/07
PRC 7320 WP 7320.9
G. Kato

DREDGING LEASE

APPLICANT:

County of Orange
24650 Dana Point Harbor Drive
Dana Point, CA 92629

AREA, LAND TYPE, AND LOCATION:

Sovereign and legislatively granted sovereign lands, with minerals reserved to the State, in Dana Point Harbor, near Dana Point, Orange County.

AUTHORIZED USE:

Dredge a maximum of 117,800 cubic yards of material to maintain navigation, with material to be used for beach replenishment at Capistrano Beach or deposited at the EPA-approved offshore disposal site/LA-3.

LEASE TERM:

Two years, beginning February 5, 2007.

CONSIDERATION:

No royalty will be charged as the project will result in a public benefit. The dredged material may not be sold.

OTHER PERTINENT INFORMATION:

1. Applicant is the trustee of the legislatively granted tide and submerged lands with minerals reserved to the State, pursuant to Chapter 321, Statutes of 1961, as amended.
2. Dredge material may be deposited at Baby Beach, which is located on sovereign lands granted to the Applicant and Capistrano Beach, which is sovereign land or at the EPA-approved offshore disposal site/LA-3, which is located in federal waters. The finer sediment will be sent to the LA3 Ocean site and the coarser material will be used as beach replenishment.

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3. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorically exempt project. The project is exempt under Class 4, Minor Alterations to Land; Title 14, California Code of Regulations, section 15304(g).

Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, 15300.

4. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 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:

County of Orange
California Department of Fish and Game

FURTHER APPROVALS REQUIRED:

U.S. Army Corps of Engineers
Regional Water Quality Control Board – San Diego Region
California Coastal Commission

EXHIBIT:

- A. Location and Site Map

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 4, MINOR ALTERATIONS TO LAND; TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15304(g).

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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 SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE THE ISSUANCE OF A DREDGING LEASE TO THE COUNTY OF ORANGE BEGINNING FEBRUARY 5, 2007, FOR A TERM OF TWO YEARS, FOR DREDGING A MAXIMUM OF 117,800 CUBIC YARDS OF MATERIAL TO MAINTAIN NAVIGATION WITH MATERIAL TO BE USED FOR BEACH REPLENISHMENT AT CAPISTRANO BEACH, OR DEPOSITED AT THE EPA-APPROVED OFFSHORE DISPOSAL SITE LA-3; AS SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; SUCH PERMITTED ACTIVITY IS CONTINGENT UPON APPLICANT'S COMPLIANCE WITH APPLICABLE PERMITS, RECOMMENDATIONS, OR LIMITATIONS ISSUED BY FEDERAL, STATE AND LOCAL GOVERNMENTS; NO ROYALTY WILL BE CHARGED AS THE PROJECT WILL RESULT IN A PUBLIC BENEFIT; THE DREDGED MATERIAL MAY NOT BE SOLD.

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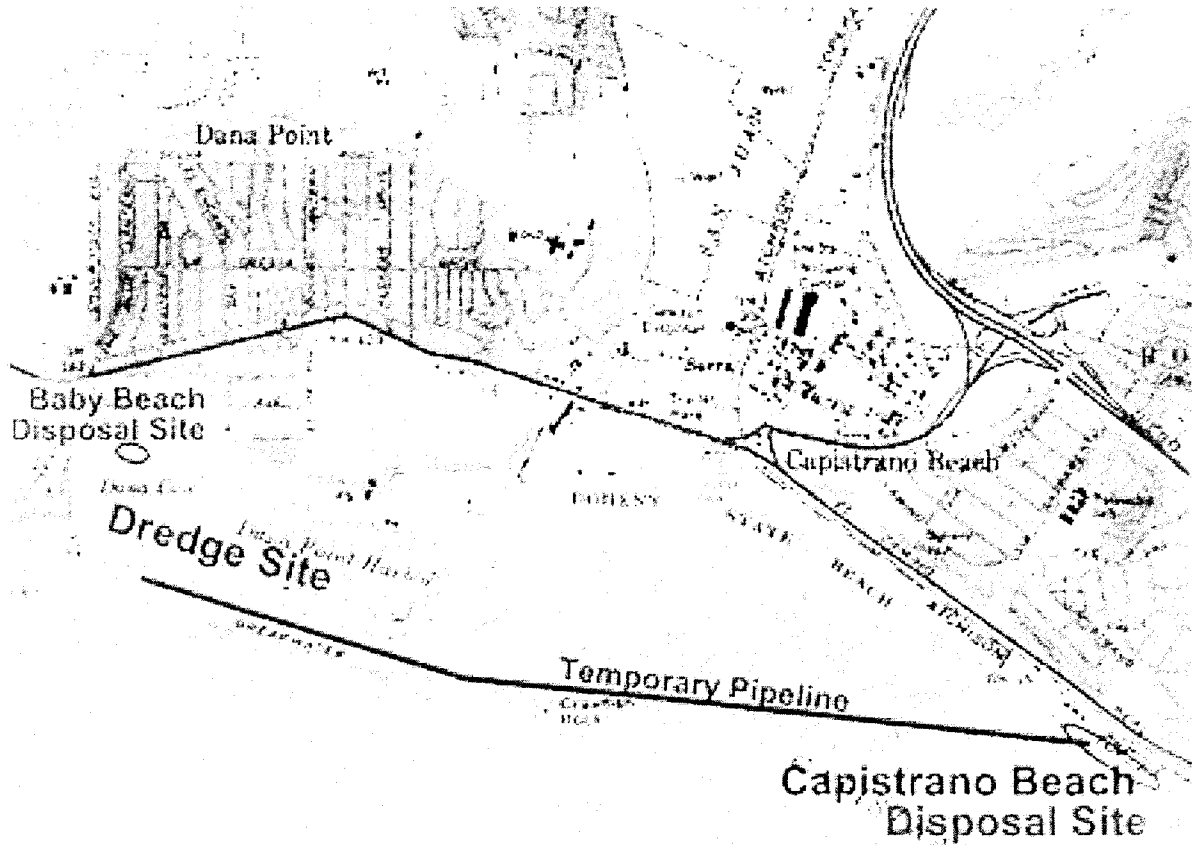
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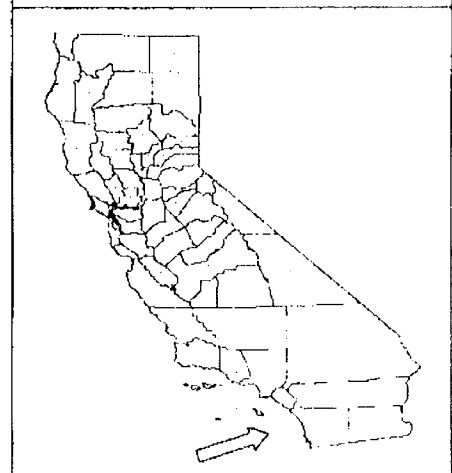
NO SCALE



Capistrano Beach
Disposal Site

Exhibit A
Location and Site Map

County of Orange
Dana Point Harbor
WP 7320.9



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

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