

**CALENDAR ITEM  
C49**

A 70  
S 35

03/25/08  
WP 7837  
G. Kato

**DREDGING LEASE**

**APPLICANT:**

County of Orange  
300 North Flower Street, 7<sup>th</sup> Floor  
Santa Ana, CA 92703

**AREA, LAND TYPE, AND LOCATION:**

Legislatively granted sovereign lands, with minerals reserved to the State, in Newport Dunes, Newport Bay, County of Orange.

**AUTHORIZED USE:**

Dredge a maximum of 177,000 cubic yards of material to maintain safe navigation, disposal of dredged material to be placed at EPA-approved LA-3 ocean disposal site. There will be no upland disposal of dredged material.

**LEASE TERM:**

Five years, beginning February 25, 2008.

**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 526, Statutes of 1919 and as amended.
2. Dredging is required to maintain safe navigation and will return the marina and surrounding area to design depth.
3. Area to be dredged will not include lands currently under lease to the Department of Fish and Game.

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4. Dredge material will be placed at the LA-3 ocean disposal site, located approximately four miles off shore of the Newport Harbor entrance. There will be no upland disposal.
5. A Mitigated Negative Declaration was prepared and adopted for this project by the County of Orange. The California State Lands Commission's staff has reviewed such document.
5. A Mitigation Monitoring Program was adopted by the County of Orange.
6. 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:**

United States Army Corps of Engineers  
Regional Water Quality Control Board – Santa Ana Region  
County of Orange

**FURTHER APPROVALS REQUIRED:**

California Coastal Commission

**EXHIBIT:**

- A. Site and Location Map

**RECOMMENDED ACTION:**

IT IS RECOMMENDED THAT THE COMMISSION:

**CEQA FINDING:**

FIND THAT A MITIGATED NEGATIVE DECLARATION AND A MITIGATION MONITORING PROGRAM WERE PREPARED AND ADOPTED FOR THIS PROJECT BY THE COUNTY OF ORANGE AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN. ADOPT THE MITIGATION MONITORING PROGRAM, FILED WITH THE CSLC.

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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 25, 2008, FOR A TERM OF FIVE YEARS, FOR DREDGING A MAXIMUM OF 177,000 CUBIC YARDS OF MATERIAL, TO MAINTAIN SAFE NAVIGATION, FROM NEWPORT DUNES, NEWPORT BAY, COUNTY OF ORANGE 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; AND THE DREDGED MATERIAL MAY NOT BE SOLD.