

**CALENDAR ITEM
C21**

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S 2

02/22/13
PRC 5202.9
R. Collins

AMENDMENT OF DREDGING LEASE

LESSEE:

Crescent City Harbor District
101 Citizen's Dock Road
Crescent City, CA 95531

AREA, LAND TYPE, AND LOCATION:

Legislatively-granted sovereign land, with minerals reserved to the State, in the Crescent City Harbor, Pacific Ocean, near Crescent City, Del Norte County.

AUTHORIZED USE:

Dredge a maximum of 502,000 cubic yards of sediment from the Crescent City Harbor Inner and Outer Boat Basin, resulting from the March 11, 2011 tsunami, from September 1, 2011 through December 31, 2012 and maintenance dredge a maximum of 100,000 cubic yards of sediment annually from January 1, 2013, through July 31, 2020, for navigation and harbor maintenance purposes. Suitable dredge material to be used for beach replenishment with other dredge material and debris to be disposed of at the U.S. Army Corps of Engineers' aquatic Humboldt Open Ocean Disposal site.

LEASE TERM:

Ten years, beginning August 1, 2010.

CONSIDERATION:

No monetary consideration will be charged as the project will result in a public benefit. Dredged material may not be sold.

PROPOSED AMENDMENT:

Authorize the extension of the dredging period for the 502,000 cubic yards of tsunami sediment from December 31, 2012 to December 31, 2015, effective January 1, 2013. All other terms and conditions of the lease shall remain in effect without amendment.

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OTHER PERTINENT INFORMATION:

1. The Applicant is the Trustee of legislatively-granted sovereign land, pursuant to Chapter 510, Statutes of 1963 and as amended, with minerals reserved to the State.
2. On September 1, 2011, the Commission authorized a Dredging Lease to the Crescent City Harbor District (District) to dredge a maximum of 502,000 cubic yards of sediment from the Crescent City Harbor Inner and Outer Boat Basin, resulting from the March 11, 2011 tsunami, from September 1, 2011 to December 31, 2012. In addition, the Commission authorized a 10 year lease for annual maintenance dredging of a maximum of 100,000 cubic yards of sediment from January 1, 2013 through July 31, 2020, for navigation and harbor maintenance purposes. Suitable dredge material to be used for beach replenishment with other dredge material and debris to be disposed of at the U. S. Army Corps of Engineers' aquatic Humboldt Open Ocean Disposal site.
3. The Crescent City Harbor District encountered delays while securing regulatory permits from the U. S. Army Corps of Engineers and the California Coastal Commission and was not able to complete tsunami related dredging prior to December 31, 2012. Dredging the Inner and Outer Boat Basin is critical to the restoration of the full functioning of the Crescent City Harbor.
4. The staff recommends that the Commission find that this activity is exempt from the requirements of CEQA as a statutorily exempt project. The project is exempt because it involves emergency repairs to public service facilities necessary to maintain service.

Authority: Public Resources Code section 21080, subdivision (b)(2) and California Code of Regulations, Title 14, section 15269, subdivision (b).

5. This activity involves lands which have NOT been identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et seq.; however, the Commission has declared that all lands are "significant" by nature of their public ownership (as opposed to "environmentally significant"). Since such declaration of significance is not based upon the requirements and criteria of Public Resources Code section 6370 et seq., use classifications for such lands have not been designated. Therefore, the finding of the project's consistency with the

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use classification as required by California Code of Regulations, Title 2, section 2954 is not applicable.

EXHIBITS:

- A. Land Description
- B. Site and Location Map

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that the activity is exempt from the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15061 as a statutorily exempt project pursuant to Public Resources Code section 21080, subdivision (b)(2) and California Code of Regulations, Title 14, section 15269, subdivision (b), emergency repairs to public service facilities necessary to maintain service.

AUTHORIZATION:

Authorize the Amendment of Dredging Lease No. PRC 5202.9 to the Crescent City Harbor District to extend the time to dredge a maximum of 502,000 cubic yards of tsunami sediment from December 31, 2012 to December 31, 2015, from legislatively-granted sovereign land, with minerals reserved to the State, in the Crescent City Harbor Inner and Outer Boat Basins as described in Exhibit A and shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof effective January 1, 2013; all other terms and conditions of the lease will remain in effect without amendment.

EXHIBIT A

PRC 5202.9

LAND DESCRIPTION

A parcel of tide and submerged lands granted to the Crescent City Harbor District pursuant to Chapter 1510 of Statutes 1963, approved July 13, 1963, and filed with the Secretary of State July 16, 1963, County of Del Norte, State of California, more particularly described as follows:

BEGINNING at a point with CCS83, Zone 1 (2007.00) coordinates of North (Y) = 2,526,349.54 feet, East (X) = 5,966,723.40 feet, said point lying distant S 50°57'22" E 3,441.79 feet from Station 1 as shown on that map of the Grant to the Crescent City Harbor District, on file in Book 4, Page 219 of Maps, Official Records of said County; thence along the following 41 courses:

- 1) S 37°39'27" W 259.07 feet;
- 2) N 55°14'11" W 121.25 feet;
- 3) N 85°59'30" W 40.07 feet;
- 4) S 3°48'38" E 30.68 feet;
- 5) S 49°57'15" E 137.14 feet;
- 6) S 34°45'49" W 477.52 feet;
- 7) S 38°14'08" W 600.28 feet;
- 8) S 51°45'52" E 28.67 feet;
- 9) N 39°31'54" E 109.30 feet;
- 10) S 54°54'35" E 79.90 feet;
- 11) S 37°06'37" W 255.41 feet;
- 12) N 50°36'28" W 83.58 feet;
- 13) N 36°01'25" E 78.59 feet;
- 14) N 51°25'37" W 29.35 feet;
- 15) S 38°14'08" W 258.00 feet;
- 16) N 48°34'05" W 95.24 feet;
- 17) N 36°37'57" E 75.78 feet;
- 18) N 53°50'27" W 286.57 feet;
- 19) S 74°29'24" W 78.15 feet;
- 20) N 32°28'25" W 149.48 feet;
- 21) N 74°11'31" W 61.69 feet;
- 22) N 32°28'25" W 554.62 feet;
- 23) N 78°26'57" W 489.89 feet;
- 24) N 11°33'03" E 445.32 feet;
- 25) N 46°00'15" E 1,096.23 feet;
- 26) S 43°59'45" E 274.38 feet;
- 27) N 35°27'21" E 53.67 feet;
- 28) N 43°59'45" W 776.78 feet;
- 29) N 46°00'15" E 1,032.44 feet;

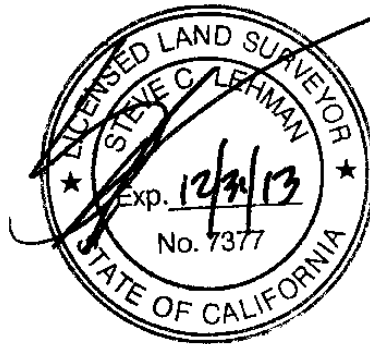
- 30) S 43°59'45" E 705.93 feet;
- 31) S 46°00'15" W 791.20 feet;
- 32) S 43°59'45" E 248.52 feet;
- 33) S 35°27'21" W 272.22 feet;
- 34) S 48°16'49" E 92.69 feet;
- 35) N 36°26'34" E 24.29 feet;
- 36) S 55°09'41" E 213.50 feet;
- 37) N 35°55'00" E 138.35 feet;
- 38) S 49°34'37" E 36.77 feet;
- 39) N 45°36'48" E 46.57 feet;
- 40) S 79°21'11" E 40.62 feet;
- 41) S 54°46'31" E 737.83 feet to the POINT OF BEGINNING.

EXCEPTING THEREFROM any portion lying landward of the Ordinary High Water Mark of 1948 as shown in Boundary Line Agreement 135 on file at the Sacramento Office of the California State lands Commission.

The BASIS OF BEARINGS of this description is the California Coordinates System of 1983, Zone 1 (2007.00). All distances are grid distances.

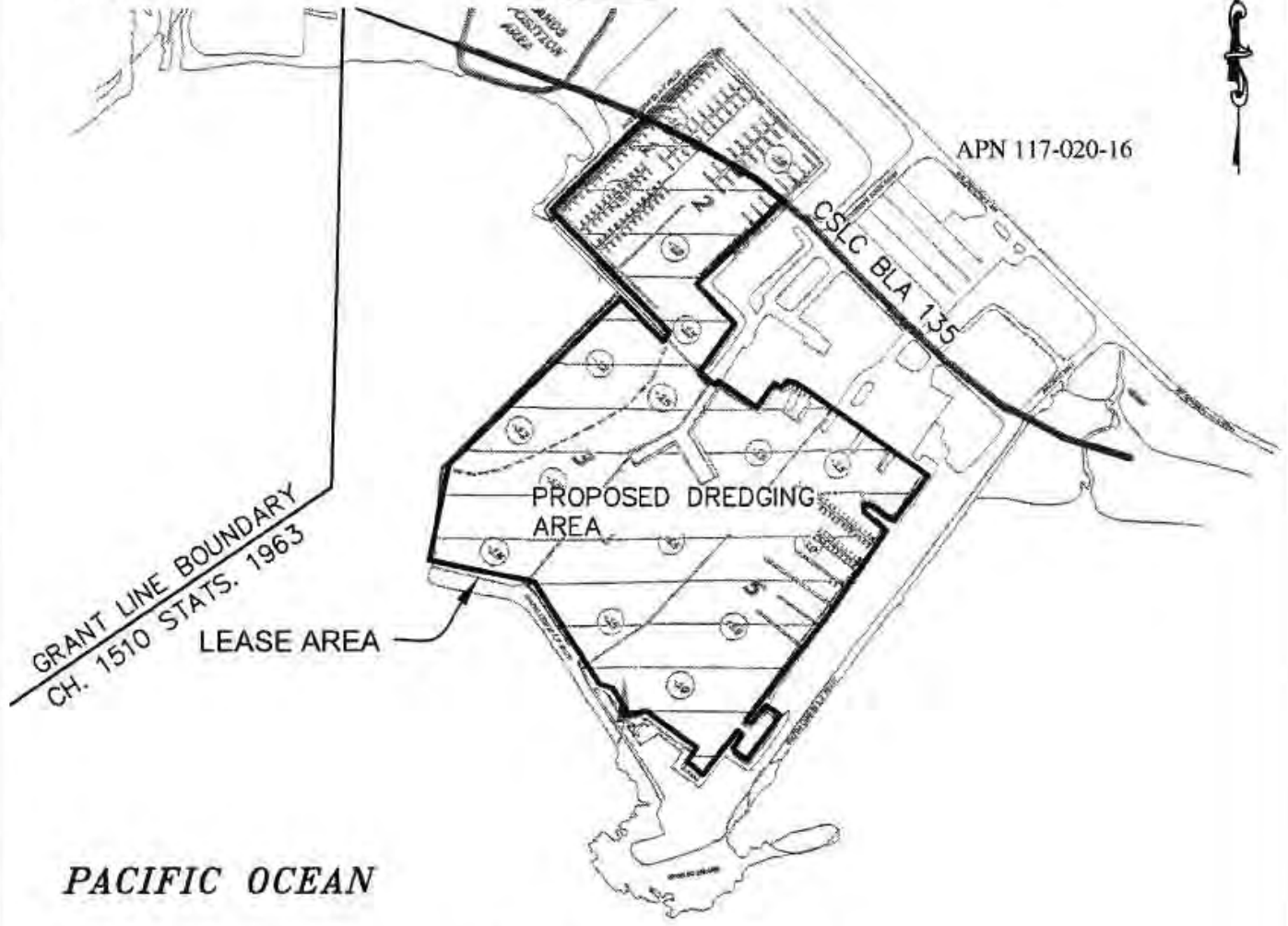
END OF DESCRIPTION

Prepared 08/02/2011 by the California State Lands Commission Boundary Unit.



NO SCALE

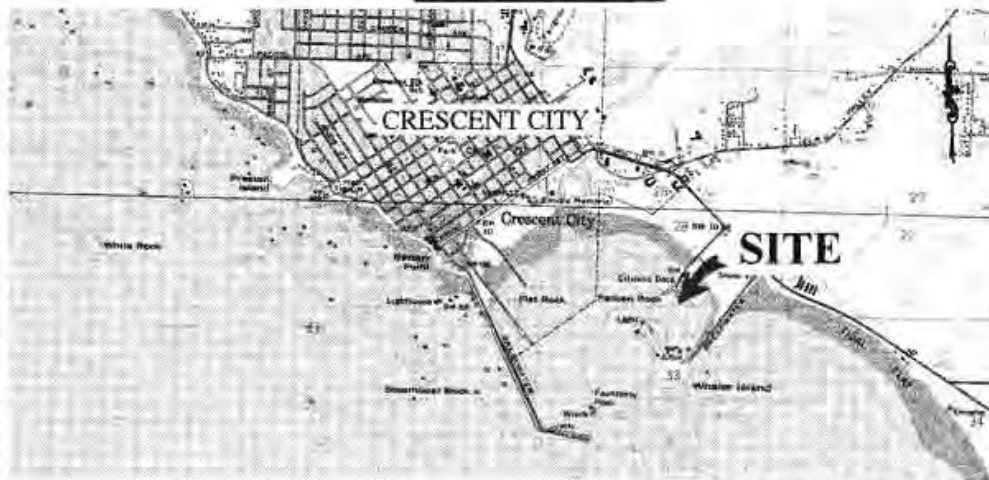
SITE



101 CITIZEN'S DOCK ROAD

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

PRC 5202.9
 CRESCENT CITY HARBOR
 DISTRICT
 APN 117-020-16
 DREDGING LEASE
 DEL NORTE COUNTY



This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the 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.

DJF 08/01/11