

MINUTE ITEM

3/23/67

3. APPLICATION FOR DREDGING PERMIT, TIDE AND SUBMERGED LANDS, SAN GABRIEL RIVER, LOS ANGELES COUNTY; LOS ANGELES COUNTY FLOOD CONTROL DISTRICT - W.O. 6490, P.R.C. 3728.9.

After consideration of Calendar Item 18 attached, and upon motion duly made and carried, the following resolution was adopted:

THE EXECUTIVE OFFICER IS AUTHORIZED TO ISSUE A PERMIT TO THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT TO DREDGE MATERIAL WITHOUT PAYMENT OF ROYALTY, FROM THOSE STATE LANDS LYING WITHIN THE BED OR MOUTH OF THE SAN GABRIEL RIVER BETWEEN THE PACIFIC OCEAN AND APPROXIMATELY 1000 FEET UPSTREAM AS SHOWN ON EXHIBIT "A" ON FILE IN THE OFFICE OF THIS DIVISION. BECAUSE OF BOUNDARY PROBLEMS AND CONFLICTING CLAIMS AS TO TITLE, THE PERMIT WILL BE ISSUED COVERING ONLY WHATEVER INTEREST THE STATE MAY HAVE AND WITHOUT PREJUDICE TO A FUTURE TITLE DETERMINATION. NO STATEMENT CONTAINED HEREIN MAY BE USED BY EITHER PARTY HERETO FOR THE PURPOSE OF ASSERTING TITLE IN ANY PENDING OR FUTURE ACTION CONCERNING TITLE TO ANY OF THE LANDS LYING WITHIN THE PROJECT AREA SHOWN ON EXHIBIT "A".

THE PERMITTEE IS TO USE ONLY MATERIAL CONTAINING LESS THAN FIVE PERCENT CLAY AND ORGANIC MATTER FOR OCEAN-BEACH REPLENISHMENT.

THE CONSIDERATION FOR THE ISSUANCE OF THIS PERMIT IS TO BE THE PUBLIC BENEFIT.

Attachment

Calendar Item 18 (2 pages)

APPLICATION FOR DREDGING PERMIT, TIDE AND SUBMERGED LANDS, SAN GABRIEL RIVER, LOS ANGELES COUNTY; LOS ANGELES COUNTY FLOOD CONTROL DISTRICT - W.O. 6490.

An application has been received from the Los Angeles County Flood Control District for a permit to dredge approximately 700,000 cubic yards of material from the bed of the San Gabriel River in the area from its mouth at the Pacific Ocean to approximately 1000 feet upstream of the Pacific Coast Highway (outlined in Exhibits "A" and "B"). It is proposed that the San Gabriel River from the Pacific Ocean to its confluence with Coyote Creek will be improved by dropping the invert from  $3\frac{1}{2}$  to 10 feet in order to provide proper flood-control protection for the areas serviced by this public facility.

Approximately 70,000 cubic yards of the material will be deposited on publicly owned beach lands northeasterly and adjacent to the Seal Beach pier and the remainder adjacent to the northerly most entrance jetty to Alamitos Bay on property of the City of Long Beach. The material which is unacceptable and thereby rejected by the City of Long Beach for fill will be disposed of on properties of the California Division of Highways and/or the U. S. Navy. The County Engineers are of the opinion that material not acceptable for beach replenishment has no value, will be difficult to dispose of, and that the payment of royalty should not be required.

Section 6303 of the Public Resources Code provides that when an applicant has a permit from the Federal Government, the Commission may grant the privilege of extracting material for flood control from river channels owned by the State upon such consideration as will be for the best interests of the State.

The U. S. Army Corps of Engineers will perform the federally appropriated dredging. No Department of the Army permit is required in this instance.

The Department of Fish and Game, the Division of Beaches and Parks, and the Department of Water Resources were notified of the proposed operations. The Department of Fish and Game states that the addition of muds into this area will adversely change the area's ecology and its recreational potential, and thereby recommends that only that dredge material containing less than five percent clay and organic matter be used for ocean-beach replenishment. The Division of Beaches and Parks reports that the proposed dredging will not interfere with recreational use of lands littoral to the tide or submerged lands involved. The Department of Water Resources does not object to the proposed operation.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE EXECUTIVE OFFICER TO ISSUE A PERMIT TO THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT TO DREDGE MATERIAL WITHOUT PAYMENT OF ROYALTY, FROM THOSE STATE LANDS LYING WITHIN THE BED OR MOUTH OF THE SAN GABRIEL RIVER BETWEEN THE PACIFIC OCEAN AND APPROXIMATELY 1000 FEET UPSTREAM AS SHOWN ON EXHIBIT "A" ON FILE IN THE OFFICE OF THIS DIVISION. BECAUSE OF BOUNDARY PROBLEMS AND CONFLICTING

CALENDAR ITEM 18. (CONTD.)

CLAIMS AS TO TITLE, THE PERMIT WILL BE ISSUED COVERING ONLY WHATEVER INTEREST THE STATE MAY HAVE AND WITHOUT PREJUDICE TO A FUTURE TITLE DETERMINATION. NO STATEMENT CONTAINED HEREIN MAY BE USED BY EITHER PARTY HERETO FOR THE PURPOSE OF ASSERTING TITLE IN ANY PENDING OR FUTURE ACTION CONCERNING TITLE TO ANY OF THE LANDS LYING WITHIN THE PROJECT AREA SHOWN ON EXHIBIT "A".

IT IS RECOMMENDED THAT THE PERMITTEE USE ONLY MATERIAL CONTAINING LESS THAN FIVE PERCENT CLAY AND ORGANIC MATTER FOR OCEAN-BEACH REPLENISHMENT.

THE CONSIDERATION FOR THE ISSUANCE OF THIS PERMIT IS TO BE THE PUBLIC BENEFIT.