

MINUTE ITEM

3/25/71
EWC

30. APPLICATION FOR DREDGING PERMIT AND PIPELINE LEASE, TIDE AND SUBMERGED LANDS AND GRANTED LANDS IN NORTH HUMBOLDT BAY BETWEEN SAMOA AND EUREKA, HUMBOLDT COUNTY; HUMBOLDT BAY MUNICIPAL WATER DISTRICT - W 8927.

During consideration of Calendar Item 28 attached, the Executive Officer read into the record the following telegram of March 25, 1971, from Dr. Rudolph Becking of Arcata, California:

"NOTIFIED TODAY OF POSSIBILITY STATE LANDS COMMISSION MAY GRANT A LEASE FOR WORK ORDER 8927 TO HUMBOLDT BAY MUNICIPAL WATER DISTRICT. WOULD LIKE TO COMMENT AFTER STUDY OF ENVIRONMENTAL IMPACT REPORT BY INDEPENDENT AGENCY PLUS REQUEST COMPARATIVE TECHNICAL AND FINANCIAL ANALYSIS OF OVERLAND (SIC) ALTERNATIVE WHICH ARE MORE ECONOMICALLY JUSTIFIED AND EQUALLOGICAL (SIC) SOUND THAN UNDERWATER PIPELINE."

State Senator Randolph Collier appeared and recommended approval of the application.

It was noted that several people claimed that they had not had sufficient time in which to review the environmental impact report. Therefore, action was deferred on Calendar Item 28, and a meeting scheduled for Thursday, April 1, 1971, at 9:00 a.m., in Sacramento, to permit completion of required notification procedures and the opportunity for full public review of the environmental impact report.

Attachment:

Calendar Item 28 (3 pages)

SUPPLEMENTAL CALENDAR ITEM

3/71
W 8927
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28.

APPLICATION FOR DREDGING PERMIT AND PIPELINE LEASE

APPLICANT: Humboldt Bay Municipal Water District.

LOCATION: A 250 ft. wide strip of tide and submerged, and granted lands in North Humboldt Bay between Samoa and Eureka, Humboldt County; containing approximately 5.57 acres under the jurisdiction of the State Lands Commission.

PURPOSE: The dredging of materials and the installation of a potable water pipeline.

AMOUNT OF DREDGED MATERIAL:
100,000 cubic yards.

CONSIDERATION OF DREDGING PERMIT:
\$0.10 per cubic yard.

DISPOSITION OF DREDGED MATERIAL:
At most 12,000 cubic yards to be deposited on private property on Samoa peninsula, the remainder to be returned to the trench after placement of the pipeline.

TERMS OF PIPELINE LEASE:
Initial period: 49 years, from April 1, 1971.

CONSIDERATION OF PIPELINE LEASE:
No charge (the public use and benefit), with the State reserving the right at any time to set a monetary rental if the Commission finds such action to be in the State's best interest.

PREREQUISITE ITEMS:
U. S. Army Corps of Engineers permit issued.
Applicant is permittee of upland.

STATUTORY AND OTHER REFERENCES:
a. Public Resources Code: Div. 6, Parts 1 and 2.
b. Administrative Code: Title 2, Div. 3, Articles 1 & 2 as amended effective May 10, 1969.

OTHER PERTINENT INFORMATION:
1. The annual rental value of the pipeline lease site is estimated to be \$300.00.
2. A U. S. Corps of Engineers permit has been issued, dated February 9, 1971, and to be effective upon proper execution and return, through December 31, 1974.

SUPPLEMENTAL CALENDAR ITEM 28. (CONTD.)

3. Pursuant to Section 6371 of the Public Resources Code, an Environmental Impact Report has been prepared and is on file in the office of the Commission and available for public review. The report concludes that the proposed project will have no significant adverse effect on the environment.
4. The proposal was circularized to 15 federal, state and local agencies; no adverse comments were received.
5. The proposal involves dredging and stockpiling of material on private property, installation of the pipeline, and return of that portion of the stockpiled material necessary to refill the trench. The remainder of the stockpiled materials will remain on private land. There is no rental for the ongoing pipeline lease; a royalty of 10 cents per cubic yard will be charged for that portion of the dredged materials not returned to the trench. The applicant states that the pipeline placement should be completed in about 30 days.
6. This project is under review by the Office of the Attorney General, pursuant to Section 6818 of the Public Resources Code.

EXHIBITS:

- | | |
|---------------------------------|-------------------------|
| A. Land description. | B. Location map. |
| C. Environmental impact report. | D. Proposed lease form. |

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT IN ACCORDANCE WITH ENVIRONMENTAL IMPACT REPORT NO. 7, ON FILE IN THE STATE LANDS COMMISSION AND BY REFERENCE MADE A PART HEREOF, THAT A LEASE AS RECOMMENDED HEREIN WILL NOT HAVE SIGNIFICANT DETRIMENTAL ENVIRONMENTAL EFFECT.
2. SUBJECT TO APPROVAL BY THE ATTORNEY GENERAL, PURSUANT TO SECTION 6818, PUBLIC RESOURCES CODE, AUTHORIZE THE ISSUANCE TO HUMBOLDT BAY MUNICIPAL WATER DISTRICT OF A DREDGING PERMIT EFFECTIVE THROUGH DECEMBER 31, 1974, TO DREDGE 100,000 CUBIC YARDS OF MATERIAL, OF WHICH NOT TO EXCEED 12,000 CUBIC YARDS SHALL BE SUBJECT TO A ROYALTY RATE OF TEN CENTS PER CUBIC YARD FOR ALL MATERIAL NOT RETURNED TO THE EXCAVATION SITE; AND OF A 49-YEAR PIPELINE LEASE FROM APRIL 1, 1971, IN CONSIDERATION OF THE PUBLIC USE AND BENEFIT, WITH STATE RESERVING THE RIGHT AT ANY TIME TO SET A MONETARY RENTAL IF THE COMMISSION FINDS SUCH ACTION TO BE IN THE STATE'S BEST INTEREST, FOR THE INSTALLATION OF A WATER PIPELINE ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

Lessee: Humboldt Bay Municipal Water District

A 250 foot wide strip of submerged land in Humboldt Bay located in Sections 29 and 32, T. 5 N., R. 1 W., H.B.M., the centerline of said strip being described as follows:

BEGINNING at a point on said centerline from which U.S. Army Engineers bulkhead Station 64 bears N. 38° 53' 11" E., 427.25 feet, said Station 64 is shown on Humboldt Bay Harbor Lines map, approved August 1, 1957, File No. 5-4-8, Sheet 5 of 5; thence from said point of beginning S. 57° 41' 53" E., 2232.36 feet to the end of the herein described centerline.

EXCEPTING that portion of said strip lying in the Legislative Grant area described in Chapter 225, Statutes of 1945, State of California.

ALSO EXCEPTING that portion of said strip lying above the ordinary low water mark.