

MINUTE ITEM

This Calendar Item No. 17
was approved as Minute Item
No. 17 by the State Lands
Commission by a vote of 3
to 0 at its 1/23/84
meeting.

CALENDAR ITEM

17

1/23/84
PRC 6342.9
Grabex/
Marsh

MODIFICATION AMENDMENT MAINTENANCE
DREDGING PERMIT PRC 6342.9

APPLICANT: U. S. Air Force Headquarters
Space Division
AD/DE P. O. Box 92960
Worldway Postal Center
Los Angeles, California 90009

AREA, TYPE LAND AND LOCATION:
Ungranted sovereign lands at the Point
Arguello Coast Guard Station, six miles
south of Vandenberg Air Force Base, Santa
Barbara County.

RESUME OF PREVIOUS ACTION:
The Commission on October 28, 1981 authorized
issuance of Dredging Permit PRC 6342.9
to the applicant, U.S.A.F. Headquarters,
Space Division, effective November 1, 1982
through to October 31, 1983 for dredging
of 55,000 cubic yards of sediment at the
Old Boat House site of the United States
Coast Guard Point Arguello Rescue Station.
Spoils disposal to be at an E.P.A. approved
disposal site 12 miles south west of the
construction site in the Pacific Ocean
(34° 30' 40" N, 120° 5' 24" W) beyond the
three mile limit.

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PROPOSED MODIFICATION:

1. Extend the effective date of the dredging permit PRC 6342.9 from October 31, 1983 to September 1, 1984, to allow continued dredging of the project which has experienced delays.
2. All other conditions and terms of the existing permit PRC 6342.9 are to remain unchanged.

CONSIDERATION: To avoid delays to the project which is in the public interest the permit will be extended.

OTHER PERTINENT INFORMATION:

1. A Negative Declaration (ND 318) covering the previously approved dredging project for which Dredging Permit PRC 6342.9 was issued was prepared by Commission staff, circulated and reviewed through the State Clearinghouse and certified by the Commission on September 24, 1982. At that time it was determined that the project would not have a significant effect on the environment. There have been no significant changes in the environmental consequences of the project. The proposed amendment extends the time for the applicant to complete the project. All other aspects of the project, including the amount to be dredged, will remain as stipulated in ND 318 and Dredging Permit PRC 6342.9.
2. Pursuant to the Commission's delegation of authority, staff has determined that the proposed extension of the permit is exempt from the requirements of the CEQA under the general rule that CEQA applies only to activities which have the potential for causing a significant effect on the environment and that this action does not have that potential.
3. All necessary application requirements have been fulfilled.

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AB 884: N/A.

EXHIBITS: A. Vicinity Map.
B. Site Map.
C. Permit Copy.
D. Calendar Item C19.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THIS ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. ADM. CODE 15061, UNDER THE GENERAL RULE THAT CEQA APPLIES ONLY TO PROJECTS WHICH HAVE THE POTENTIAL FOR CAUSING A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
2. AUTHORIZE THE EXTENSION OF THE DREDGING PERMIT DATE OF PRC 6342.9 TO THE U.S.A.F. HEADQUARTERS SPACE DIVISION FROM OCTOBER 31, 1983 TO SEPTEMBER 1, 1984; SUCH EXTENSION BEING CONTINGENT UPON APPLICANT'S COMPLIANCE WITH APPLICABLE PERMITS, RECOMMENDATIONS, OR LIMITATIONS ISSUED BY FEDERAL, STATE, AND LOCAL GOVERNMENTAL AGENCIES.

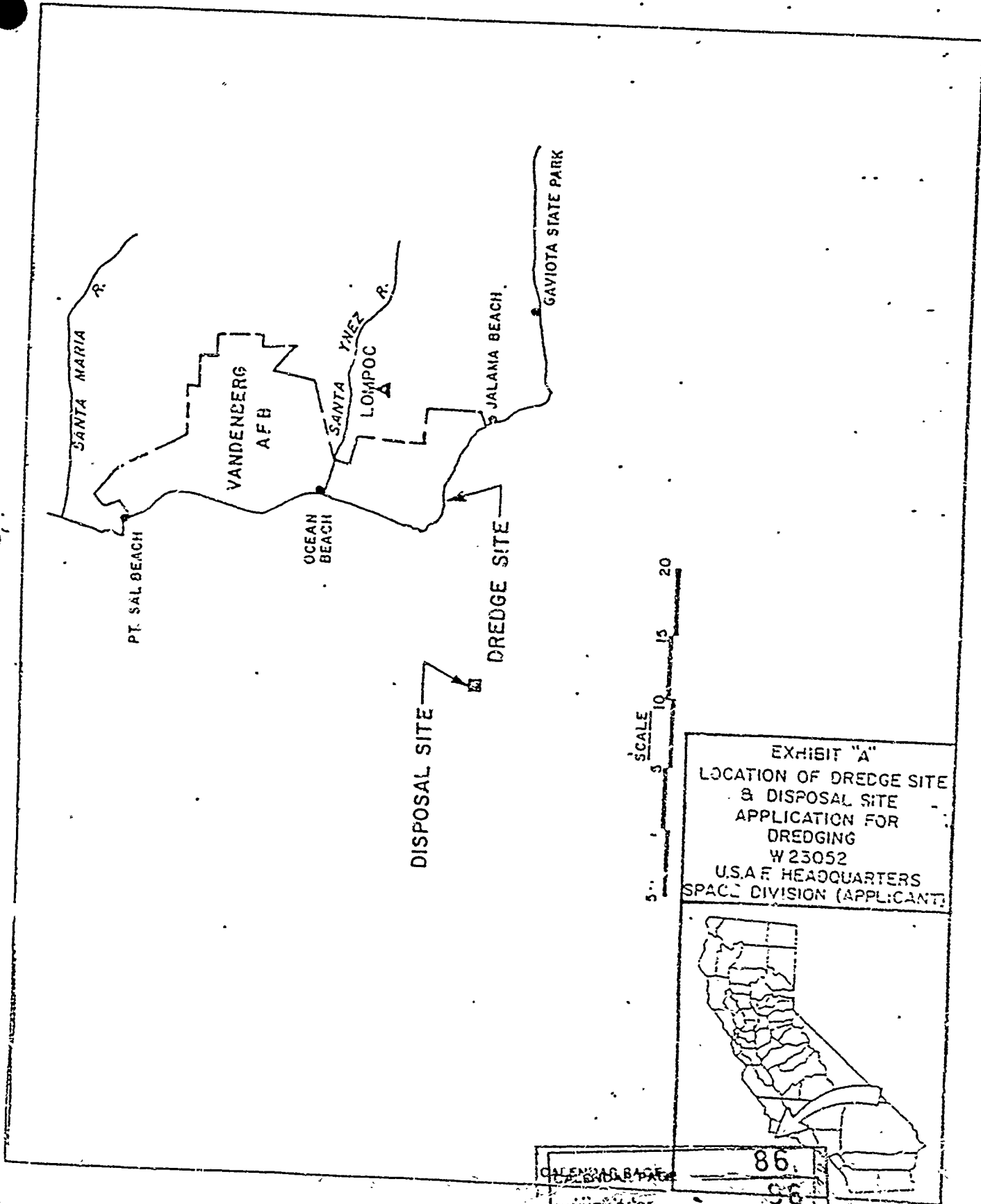


EXHIBIT "A"
LOCATION OF DREDGE SITE
& DISPOSAL SITE
APPLICATION FOR
DREDGING
W 23052
U.S.A.F. HEADQUARTERS
SPACE DIVISION (APPLICANT)

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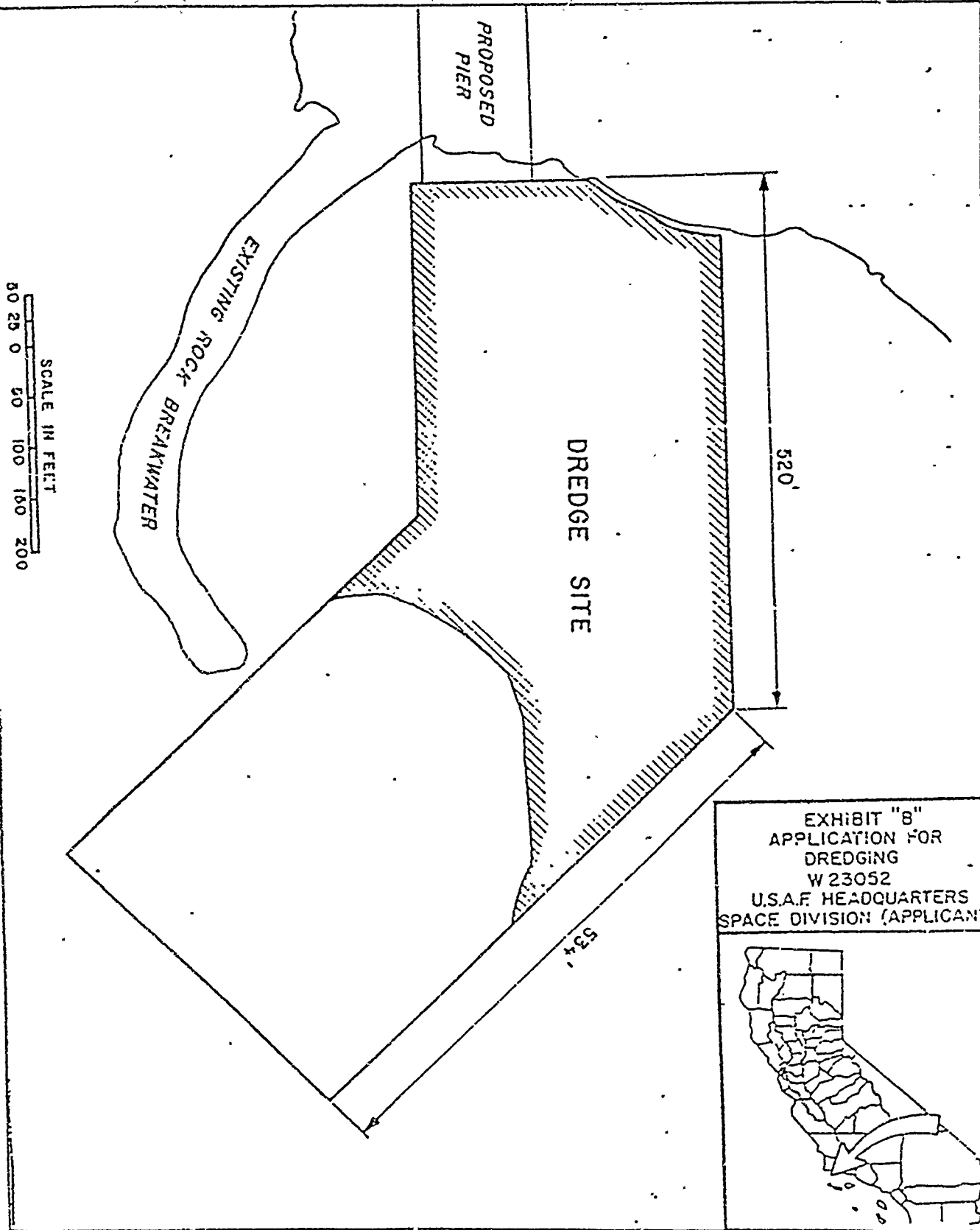
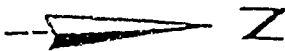


EXHIBIT "B"
 APPLICATION FOR
 DREDGING
 W 23052
 U.S.A.F HEADQUARTERS
 SPACE DIVISION (APPLICANT)



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STATE LANDS COMMISSION

KENNETH CORY, Controller
 MIKE CURB, Lieutenant Governor
 MARY ANN GRAVES, Director of Finance

EXECUTIVE OFFICE
 1807 - 13th Street
 Sacramento, California 95814

CLAIRE T. DEDRICK
 Executive Officer



October 21, 1982

File Ref. W 23052

Headquarters Space Division
 S.P./D.E.
 P. O. Box 92960
 Worldway Postal Center
 Los Angeles AFS
 Los Angeles, California 90009
 Attention: Lt. Col. Wooten

Gentlemen:

Pursuant to your application dated August 17, 1982, you are hereby granted permission to dredge a maximum of 55,000 cubic yards of sand, silt, clay and gravel, excluding all other minerals, including but not limited to oil, gas and geothermal from an area of submerged lands in Point Arguello, Coast Guard Station, Santa Barbara County, as described and designated respectively in Exhibits "A" and "B" attached hereto, which are by this reference expressly made a part hereof. Said permission includes the right to deposit said material at the EPA approved disposal site $34^{\circ}30'40''N$, $120^{\circ}5'24''W$ in the Pacific Ocean.

No royalty will be assessed for material removed from State-owned land and placed at the EPA disposal site; and a royalty of \$0.25 per cubic yard shall be paid for material placed on private property or used for any private or commercial benefit. Said permission is given on the condition that all dredging and spoils deposition shall be done in accordance with all applicable Federal, State and local government laws, rules and regulations. Said permission shall be effective from November 1, 1982 until October 31, 1983.

The permission to dredge the above-described lands is based upon information presently available to the State Lands Commission, and is given without survey or title determination. Such permission shall not be construed as fixing State land boundaries nor as necessarily establishing the extent of the State's claim to property in the area. The State warrants neither the title to the demised premises nor any right you may have to possession or quiet enjoyment of the

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EXHIBIT "C"

It is hereby agreed that the operations authorized under this permit shall be performed with diligence, in a good and workmanlike manner, and with the use of due care and safety precautions.

It is further agreed that you shall submit reports substantiating the volume of materials dredged and any royalties due to the Commission on a quarterly basis, on forms supplied by the Commission (Form 30.9 NC). It is agreed that you shall submit said forms on or before the twenty-fifth (25th) day of the month following the end of each permit quarter, together with payment for the royalty due on the volume removed during that quarter.

It is hereby agreed that, pursuant to Public Resources Code Section 6224, any installments of royalty accruing under the provisions of this permit that are not paid when due shall be subject to a five percent (5%) penalty and shall bear interest at the rate of one percent (1%) per month from the date when the same was payable by the terms hereof.

It is agreed that you shall furnish the Commission with copies of final surveys or copies of any other computations used as a basis to verify dredge volumes within twenty-five (25) days of completion of the activity authorized hereunder.

It is agreed that you shall indemnify, save harmless and, at the option of the State of California, defend said State, its officers, agents and employees, against any and all claims, demands, causes of action, or liability of any kind which may be asserted against or imposed upon the State of California or any of its officers, agents or employees by any third person or entity, arising out of or connected with the issuance of this permit, operations hereunder, or the use by you or your agents, employees or contractors, of the above described lands.

Without limiting the generality of the foregoing, such indemnification shall include any claim, demand, cause of action or liability of any kind asserted against or imposed upon the State of California or any of its officers, agents or employees arising out of or connected with any alleged or actual violation by you, your agents, employees or contractors of the property or contractual rights of any third person or entity. It is agreed that you shall at the option of the Commission procure and maintain liability insurance for the benefit of the State in an amount satisfactory to the Commission.

You agree to comply with the terms and conditions hereof, and you further agree that any violation thereof shall constitute grounds for termination of this permit and shall allow the Commission to pursue any other remedy available to it under the law. It is further agreed that this permit may be suspended, modified or terminated whenever the State Lands Commission deems such action to be in the best interests of the State, and that no such action by the Commission shall be deemed to be a basis for any claim or cause of action for damages against the State or any officer, employee or agency thereof.

STATE OF CALIFORNIA
STATE LANDS COMMISSION

W. M. Thompson
W. M. THOMPSON, Chief
Extractive Development Program

DATE

ACCEPTED:

BY John P. Starnan, Col USAF

TITLE Director of Civil Engineering

DATE 4 Nov 82

Mailed in Triplicate

Enclosures: EXHIBITS "A" and "B"

30.9 FORMS

FILE COPY	
APPROVED:	
Section Head	<u>[Signature]</u>
Legal (AEG)	<u>Jill Frey</u>

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CALENDAR ITEM

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10/28/82

W 23052

Graber

pac 6342.9

DREDGING PERMIT

APPLICANT: US Air Force Headquarters
Space Division
AD/DE P.O. Box 92960
Worldway Postal Center
Los Angeles, California 90009

AREA, TYPE LAND AND LOCATION:
Ungranted sovereign lands at the point
Arguello Coast Guard Station, six miles
south of Vandenberg Air Force Base, Santa
Barbara County.

LAND USE: Dredge 55,000 cubic yards of sediment at
the old boat house site for construction
of a facility to be used for landing barges
carrying space shuttle craft engines.

Spoils to be deposited at an E.P.A. authorized
disposal site located 12 miles southwest
of the construction site (34° 30' 40" N,
120° 51' 24" W) in the Pacific Ocean beyond
the three mile limit. No royalty will be
charged for spoils disposed of at sea or
placed on public property. A royalty of
\$0.25 per cubic yard of dredged material
will be charged for spoils deposited on
private property or sold.

PREREQUISITE TERMS, FEES AND EXPENSES:
Filing, extractive development and dredging
fees have been received.

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EXHIBIT "D "

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STATUTORY AND OTHER REFERENCES:

- A. P.R.C.: Div. 6, Parts 1 and 2, Div. 13, Div. 20.
- B. Cal. Adm. Code: Title 2, Div. 3, Title 14.

AB 884: 8/27/83.

OTHER PERTINENT INFORMATION:

1. Determine that an Initial Study/Negative Declaration was prepared for the project by the State Lands Commission dated September 24, 1982.
2. All necessary application requirements have been fulfilled.
3. This project is situated on State lands identified as possessing significant environmental values pursuant to P.R.C. 6370.1, and is classified in use category Class B, Limited Use.
4. Royalty for material disposed of at sea will be waived in consideration of the public benefit of the US Air Force project.

EXHIBITS:

- A. Land Description Map.
- B. Site Map.
- C. Negative Declaration/Initial Study.

IT IS RECOMMENDED THAT THE COMMISSION:

1. CERTIFY THAT A NEGATIVE DECLARATION (ND 318) HAS BEEN PREPARED FOR THE PROJECT BY THE STATE LANDS COMMISSION AND THAT THE DOCUMENT WAS CIRCULATED AND REVIEWED THROUGH THE STATE CLEARINGHOUSE AND PERTINENT AGENCIES PRIOR TO THE APPROVAL OF THE PROJECT.
2. DETERMINE THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
3. FIND THAT GRANTING OF THE PERMIT WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1 OF THE P.R.C.
4. AUTHORIZE THE STAFF OF THE STATE LANDS COMMISSION TO ISSUE TO THE US AIR FORCE HEADQUARTERS, SPACE DIVISION,

CALENDAR ITEM No. 79 (CONTD)

THE DREDGING PERMIT ON FILE IN THE OFFICES OF THE COMMISSION, SAID PERMIT SHALL BE ISSUED IN CONSIDERATION OF THE PUBLIC BENEFIT WITH NO ROYALTY CHARGED FOR SPOILS PLACED ON AN E.P.A. AUTHORIZED DISPOSAL SITE LOCATED 12 MILES SOUTHWEST OF THE CONSTRUCTION SITE; SAID PERMIT SHALL BE FOR A PERIOD OF ONE YEAR BEGINNING NOVEMBER 1, 1982 AND SHALL ALLOW THE DREDGING OF A MAXIMUM OF 55,000 CUBIC YARDS OF MATERIALS OTHER THAN OIL, GAS AND GEOTHERMAL FROM AN AREA OF SOVEREIGN LANDS IN THE POINT ARGUELLO COAST GUARD STATION HARBOR SOUTH OF VANDENBERG AIR FORCE BASE, SANTA BARBARA COUNTY, CALIFORNIA. SAID AREA IS SHOWN IN EXHIBITS "A" AND "B" ATTACHED HERETO AND BY THIS REFERENCE EXPRESSLY MADE A PART HEREOF. THE MATERIAL DREDGED SHALL BE DEPOSITED IN A DISPOSAL SITE APPROVED BY THE E.P.A. AND ALL OTHER APPLICABLE REGULATORY AGENCIES; THE COMPLETE PERMITS ARE CONTAINED IN FILE W 23052 LOCATED IN THE COMMISSION OFFICES.