

MINUTE ITEM:
This Calendar Item No. C28
was approved as Minute Item
No. C28 by the State Lands
Commission by a vote of 3
0 at its 06/11/90
meeting.

CALENDAR ITEM

A 29
S 14

C 2 8

06/11/90
W 24542 PRC 7406
Fong

PUBLIC AGENCY PERMIT - HAZARD REMOVAL

APPLICANT: California Department of Fish and Game
213 Beach Street
Morro Bay, California 93442

AREA, TYPE LAND AND LOCATION:
A parcel of sovereign land in the Morro Bay,
San Luis Obispo County.

LAND USE: Removal of sunken and abandoned vessels.

TERMS OF PROPOSED PERMIT:
Initial period: One year beginning June 13,
1990.

CONSIDERATION: The public health and safety; 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.

BASIS FOR CONSIDERATION:
Pursuant to 2 Cal. Code Regs. 2003.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:
Filing fee and processing costs waived in
consideration for the public benefit to be
derived from this project.

STATUTORY AND OTHER REFERENCES:
A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.
B. Cal. Code Regs.: Title 2, Div. 3;
Title 14, Div. 6.

(ADDED 06/08/90)

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AB 884: 12/02/90.

OTHER PERTINENT INFORMATION:

1. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Code Regs. 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorically exempt project. The project is exempt under Class 4. Minor Attention to Land, 2 Cal. Code Regs 2905(d) (3).

Authority: P.R.C. 21084, 14 Cal. Code Regs. 15300, and 2 Cal. Code Regs. 2905.

2. A local contractor in Morro Bay, Associated Pacific, has approached the Department of Fish and Game (DFG) with an offer to remove sunken abandoned vessels from the Morro Bay estuary. These vessels pose a hazard not only to navigation, but are a source of pollution to the waters of the bay and, consequently, to the oysters within adjacent mariculture leases administered by DFG. The proposed sunken vessel removal will be conducted by barge and marine crane without charge to the State. The abandoned vessels will be transferred to land within the city limits of the City of Morro Bay. From there, the debris will be transferred to city dump trucks for landside storage and disposal. To the greatest extent feasible, recyclable materials will be salvaged. The project is proposed to occur in the latter part of June 1990. This activity will be coordinated with a clean-up program of human-introduced debris within the bay at the T-piers within the grant to the City of Morro Bay.

The planned clean-up project has received the support of the City of Morro Bay, the local administrator of the California Conservation Corps, the Friends of the Estuary, divers from local dive shops in the county, and the Cal Poly State University Dive Club.

(ADDED 05/08/90)

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3. Pursuant to Harbors and Navigation Code Section 522, DFG has documented the abandonment of the sunken vessels to be removed. Based upon a listing prepared by the Department of Fish and Game, staff has contacted the owners of the abandoned, sunken vessels. The owners of record have no objection to the removal of their vessels. Also staff has determined that the vessels have no historic or other unique value based upon oral testimony of the owners of record.
4. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 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:

None

FURTHER APPROVALS REQUIRED:

United States Army Corps of Engineers

EXHIBITS:

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

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. CODE REGS. 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 4, MINOR ALTERATION TO LAND, 2 CAL. CODE REGS. 2905(d)(3).
2. FIND THAT THE SUNKEN ABANDONED VESSELS LOCATED WITHIN MORRO BAY POSE A HEALTH AND SAFETY HAZARD TO THE PEOPLE OF THE STATE OF CALIFORNIA, AS WELL AS HAZARD TO NAVIGATION AND THAT THE REMOVAL OF THE ABANDONED VESSELS FROM THE WATERS OF MORRO BAY IS IN THE BEST INTEREST OF THE STATE.

(ADDED 06/08/90)

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2. FIND THAT THE SUNKEN ABANDONED VESSELS LOCATED WITHIN MORRO BAY POSÉ A HEALTH AND SAFETY HAZARD TO THE PEOPLE OF THE STATE OF CALIFORNIA, AS WELL AS HAZARD TO NAVIGATION AND THAT THE REMOVAL OF THE ABANDONED VESSELS FROM THE WATERS OF MORRO BAY IS IN THE BEST INTEREST OF THE STATE.

3. AUTHORIZE ISSUANCE TO THE CALIFORNIA STATE DEPARTMENT OF FISH AND GAME OF A ONE-YEAR PUBLIC AGENCY PERMIT BEGINNING JUNE 13, 1990; IN CONSIDERATION OF THE PUBLIC HEALTH AND SAFETY 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; FOR HAZARD REMOVAL ON THE LAND SHOWN ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

(ADDED 06/08/90)

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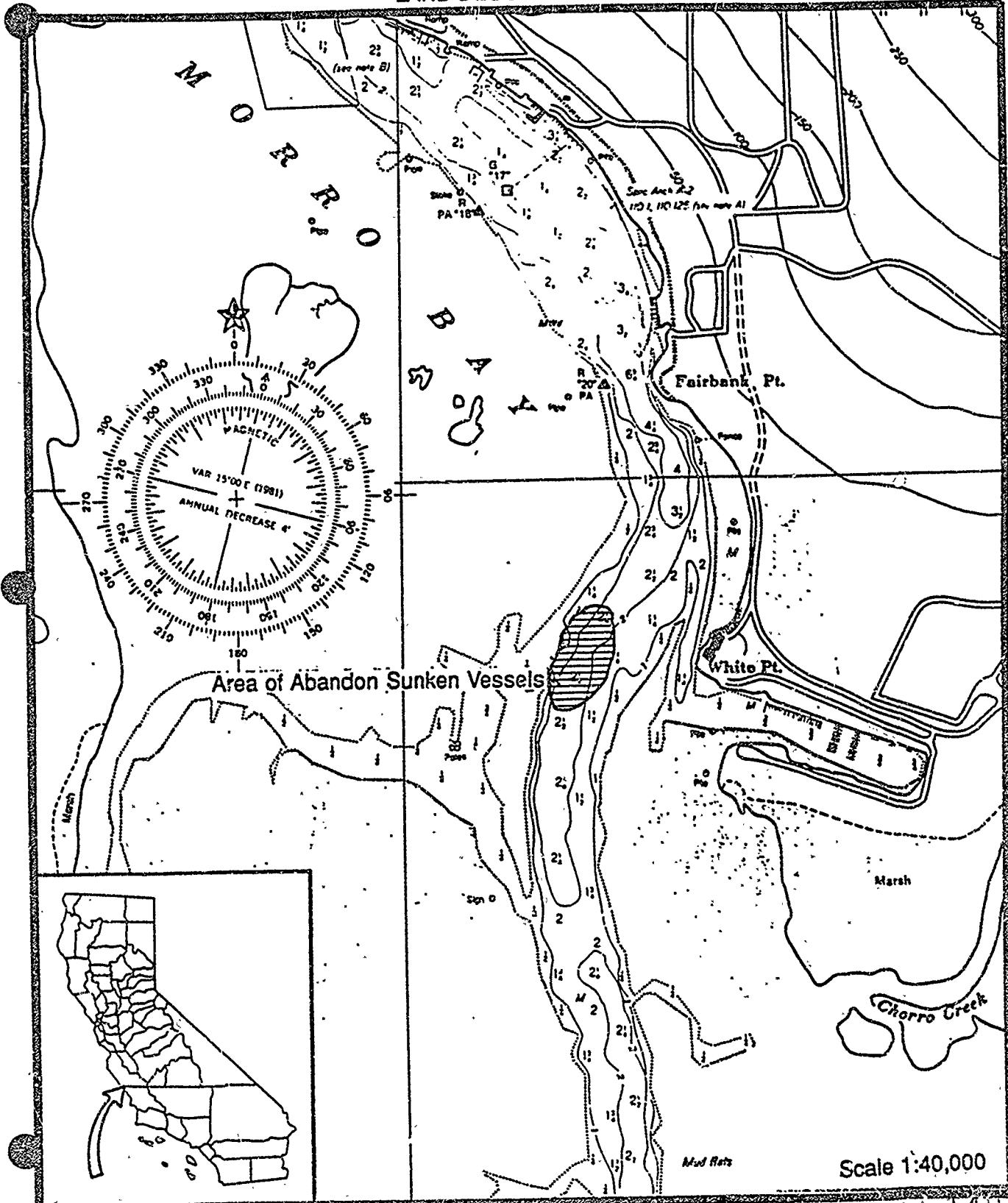
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EXHIBIT "A"

LAND DESCRIPTION

W 24542



PREPARED MAY 29, 1990 BY LLB.

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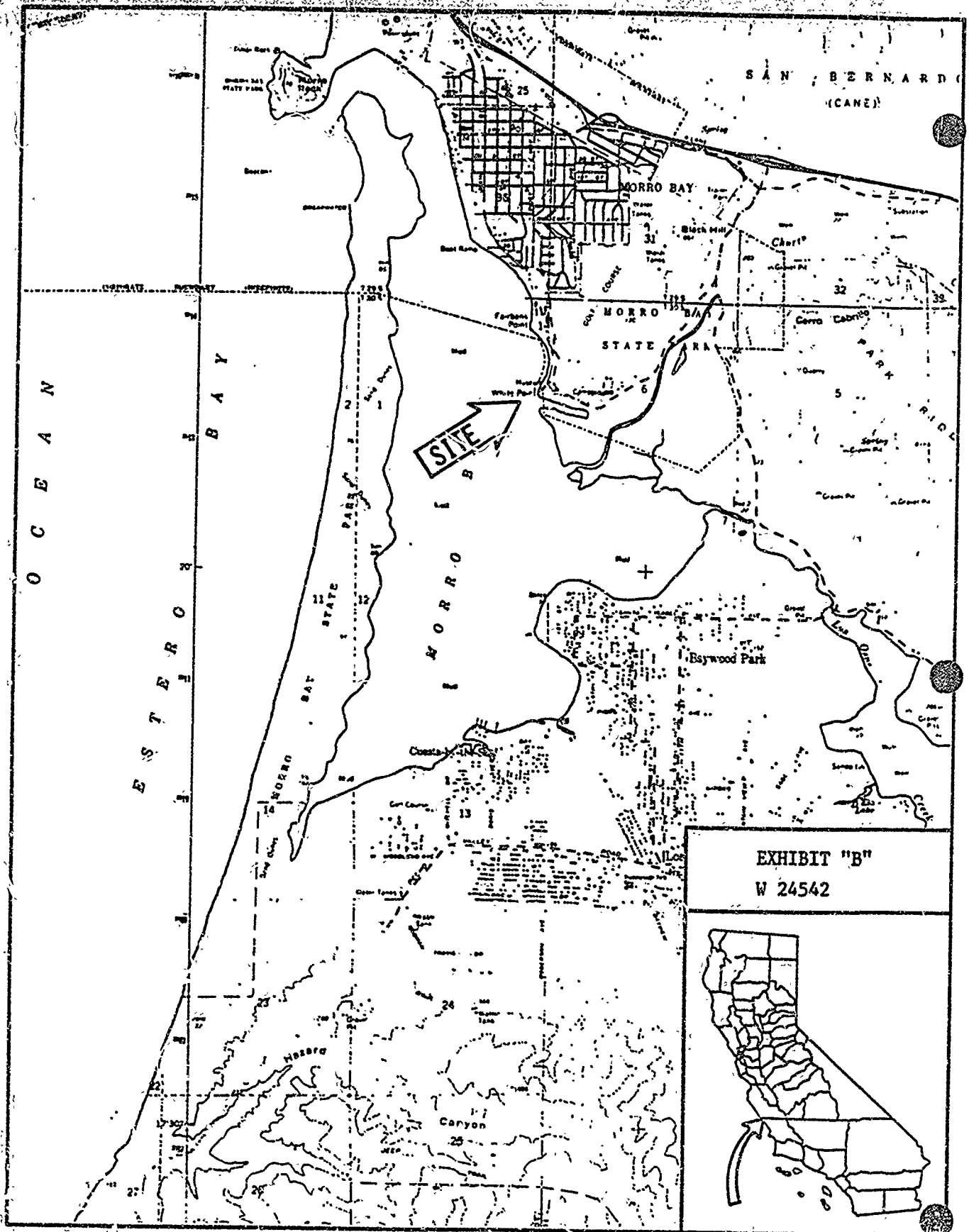


EXHIBIT "B"
W 24542



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