

MINUTE ITEM
This Calendar Item No. C47 was approved as
Minute Item No. 47 by the California State Lands
Commission by a vote of 3 to 0 at its
6-27-00 meeting.

**CALENDAR ITEM
C47**

A 73
S 38

June 27, 2000
PRC 7320.9 WP 7320.9
J. Smith

AMENDMENT OF LEASE

LESSEE:

County of Orange
34551 Puerto Place
Dana Point, California 92629

AREA, LAND TYPE, AND LOCATION:

Granted sovereign lands in Dana Point Harbor, Dana Point, Orange County.

AUTHORIZED USE:

Dredge a maximum of 51,000 cubic yards of sediment to maintain navigation, with material to be used for beach replenishment at Swim Beach and San Juan Capistrano County Beach or deposited at the EPA-approved offshore disposal site/LA-3.

LEASE TERM:

Two years, beginning April 1, 1998.

CONSIDERATION:

No royalty as the project will result in public benefit; however, \$0.25 per cubic yard shall be charged for any material used for private benefit or commercial sale purposes.

PROPOSED AMENDMENT:

The expiration date of Lease No. PRC 7320.9 is extended to May 25, 2001. All other terms and conditions of the lease shall remain in effect without amendment.

OTHER PERTINENT INFORMATION:

1. Applicant is the trustee of the legislatively granted tide and submerged lands.
2. Due to the difficulty in obtaining bids for this dredging project, the County was unable to complete the dredging of Dana Point Harbor within the

CALENDAR PAGE	0255
MINUTE PAGE	8628

CALENDAR ITEM NO. **C47** (CONT'D)

current lease term. The County is requesting that the lease term be extended to May 25, 2001, to coincide with the expiration date of the U.S. Army Corps of Engineers Permit.

3. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 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 Alteration to Land; Title 14, California Code of Regulations, section 15304.

Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300.

4. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 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.

EXHIBIT:

- A. Location and site map.

PERMIT STREAMLINING ACT DEADLINE:

June 9, 2000

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 4, MINOR ALTERATION TO LAND; TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15304.

SIGNIFICANT LANDS INVENTORY FINDING:

FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE

CALENDAR PAGE	0256
MINUTE PAGE	8639

CALENDAR ITEM NO. C47 (CONT'D)

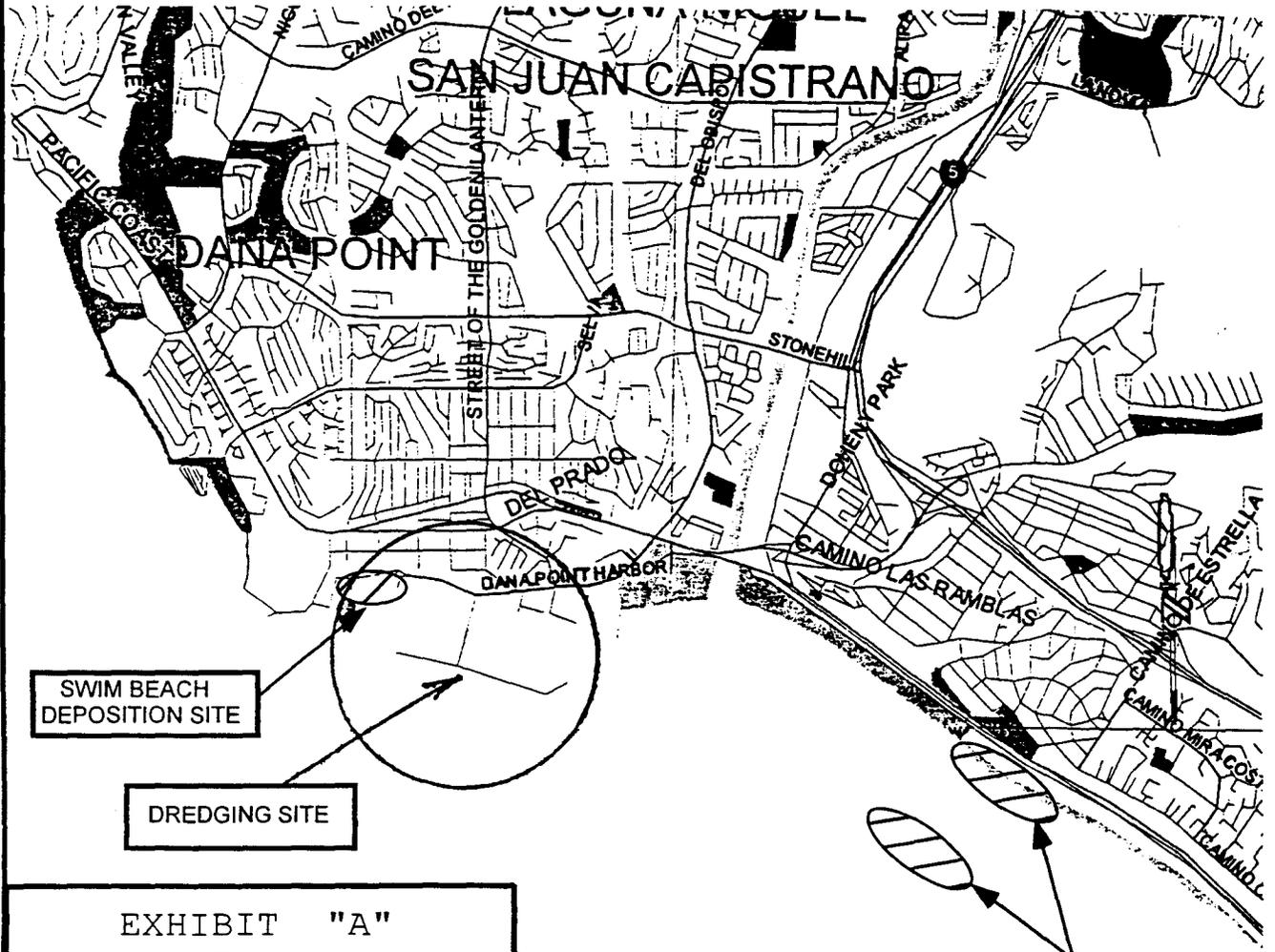
LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370,
ET SEQ.

AUTHORIZATION:

AUTHORIZE THE AMENDMENT OF LEASE NO. PRC 7320.9, A
DREDGING LEASE, OF GRANTED SOVEREIGN LANDS WITH
MINERALS RESERVED, SHOWN ON EXHIBIT A ATTACHED AND BY
THIS REFERENCE MADE A PART HEREOF, EFFECTIVE APRIL 1,
2000, TO EXTEND THE EXPIRATION DATE OF THE LEASE TO
MAY 25, 2001; ALL OTHER TERMS AND CONDITIONS OF THE LEASE
WILL REMAIN IN EFFECT WITHOUT AMENDMENT.

CALENDAR PAGE	0257
MINUTE PAGE	8630

This Exhibit is solely for purposes of generally defining the lease premises 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.



SWIM BEACH
DEPOSITION SITE

DREDGING SITE

CAPISTRANO BEACH
DEPOSITION SITES

EXHIBIT "A"
SITE MAP
WP 7320.9

DANA POINT HARBOR
ORANGE COUNTY, CA.



CALENDAR PAGE 0258
MINUTE PAGE 8631