

**CALENDAR ITEM
C17**

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04/06/11
PRC 8009.9
M. Clark

DREDGING LEASE

APPLICANT:

Port San Luis Harbor District
P.O. Box 249
Avila Beach, CA 93424

AREA, LAND TYPE, AND LOCATION:

Legislatively granted sovereign lands, with minerals reserved to the State, in San Luis Obispo Bay, near the city of Avila Beach, San Luis Obispo County.

AUTHORIZED USE:

Dredge a maximum of 250,000 cubic yards of material per year from the Port San Luis Harbor to maintain a navigable depth. The dredged material will be used for beach replenishment on lands granted to the Port San Luis Harbor District.

LEASE TERM:

Two years, beginning December 11, 2010. Expires December 10, 2012 to run concurrently with the California Coastal Commission permit.

CONSIDERATION:

No monetary consideration will be charged as the project will result in a public benefit. Dredged material may not be sold.

OTHER PERTINENT INFORMATION:

1. The Applicant is the Trustee of the legislatively granted sovereign lands, pursuant to Chapter 647, Statutes of 1955 and as amended, with minerals reserved to the State.
2. On December 16, 2002, the Commission authorized a Dredging Lease to the Port San Luis Harbor District (Port) to dredge approximately 250,000 cubic yards of material from the Port San Luis Harbor, with all dredged material to be used for beach replenishment purposes. On September 13, 2007, the Commission

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authorized an amendment of the lease to restrict the sale of dredged material and to extend the lease term. The Applicant has now applied for a new Dredging Lease.

3. Within the grant, the Port operates a sport launch, mobile hoist, and Hartford Pier skiff hoist that provide both commercial and recreational vessels with launch, hoist and fueling services. Without continuous maintenance dredging, these facilities would silt in. Dredging allows the Port to control harbor depths for safe ingress and egress as well as reduce the effects of wave and surge along the shoreline and the above mentioned facilities. The Port proposes to dredge approximately 250,000 cubic yards of material from the harbor by hydraulic suction. The dredged material will then be transported via barge, pipeline, or truck to one of six approved disposal sites for beach replenishment. These sites include Lighthouse Beach, West Bluff Beach, Jetty and Nearshore Disposal site, Fisherman's Beach, Olde Port Beach and Avila Beach. The project proposes no new construction and all dredged material will remain within or adjacent to lands granted to the Port.

5. On December 16, 2008, the California Coastal Commission (CCC) granted Permit 3-08-038 for this project under its certified regulatory program (Title 14, California Code of Regulations, section 15251 (c)). Staff has reviewed the document and determined that the conditions, as specified in Title 14, California Code of Regulations, section 15253 (b), have been met for the Commission to use the environmental analysis document certified by the CCC as a Negative Declaration equivalent in order to comply with the requirements of CEQA.

6. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370, et seq., but such activity will not affect those significant lands. Base upon the staff's consultation with the persons nomination 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.

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APPROVALS OBTAINED:

United States Army Corps of Engineers, California Coastal Commission,
Regional Water Quality Control Board.

EXHIBITS:

- A. Site and Location Map
- B. Disposal Site Map

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that an environmental analysis document, California Coastal Commission (CCC) permit 3-08-038, was adopted for this Project by the CCC under its certified program (Title 14, California Code of Regulations, section 15251 (c)), and that the California State Lands Commission has reviewed and considered the information therein and concurs in the CCC's determination.

SIGNIFICANT LANDS INVENTORY FINDING:

Find that this activity is consistent with the use classification designated by the Commission for the land pursuant to Public Resources Code sections 6370, et seq.

AUTHORIZATION:

Authorize the Issuance of a Dredging Lease to Port San Luis Harbor District beginning December 1, 2010, for a term of two years to run concurrently with California Coastal Commission permit, to dredge a maximum of 250,000 cubic yards of material annually to be used for beach replenishment at preapproved disposal sites shown on Exhibit A and as described on Exhibit B attached and by this reference made a part hereof; such permitted activity is contingent upon applicant's compliance with applicable permits, recommendations, or limitations issued by federal, state and local governments; No monetary consideration will be charged as the project will result in a public benefit; dredged material may not be sold.