

**CALENDAR ITEM  
C03**

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09/01/11  
WP 5202.9  
M. Andersen

**DREDGING LEASE**

**APPLICANT:**

Crescent City Harbor District  
101 Citizen's Dock Road  
Crescent City, CA 95531

**AREA, LAND TYPE, AND LOCATION:**

Legislatively-granted sovereign land, with minerals reserved to the State, in the Crescent City Harbor, Pacific Ocean, near Crescent City, Del Norte County.

**AUTHORIZED USE:**

Dredge a maximum of 502,000 cubic yards of sediment from the Crescent City Harbor Inner and Outer Boat Basin, resulting from the March 11, 2011, tsunami, from September 1, 2011, through December 31, 2012. In addition, maintenance dredge a maximum of 100,000 cubic yards of sediment annually from January 1, 2013, through July 31, 2020, for navigation and harbor maintenance purposes. Suitable dredge material to be used for beach replenishment with other dredge material and debris to be disposed of at the United States Army Corps of Engineers' aquatic Humboldt Open Ocean Disposal site.

**LEASE TERM:**

Ten years, beginning August 1, 2010.

**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 legislatively-granted sovereign land, pursuant to Chapter 510, Statutes of 1963 and as amended, with minerals reserved to the State.

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2. On June 27, 2000, the Commission authorized a Dredging and Disposal Lease to the Crescent City Harbor District (District) to dredge approximately 100,000 cubic yards of material annually from the harbor with the dredged material to be disposed of at two approved disposal sites. That lease expired on July 31, 2010.
  
3. On March 11, 2011, a tsunami hit, depositing hundreds of thousands of cubic yards of sediment and debris into the Inner and Outer Boat Basin of the Crescent City Harbor (Harbor), destroying boats and facilities, and rendering the harbor largely unusable. On June 21, 2011, the District made a formal request to staff of the Commission for an initial dredging episode of up to 80,000 cubic yards of sediment to restore basic navigation within the harbor. On July 5, 2011, staff of the Commission authorized the emergency dredging activity pending formal Commission authorization. The District has now applied for a new dredging lease to continue short-term emergency dredging and for future annual maintenance dredging.
  
4. The Harbor is an active fishing port that caters to recreational boaters in the spring and summer months and commercial crab fishing boats in the fall and winter months. Dungeness crab fishing is a large percentage of the Del Norte County economy and without continuous maintenance dredging, the Harbor would silt in. Dredging allows the Harbor to control depths for safe ingress and egress, as well as reduce the effects of wave and surge along the shoreline. The District proposes to emergency dredge a maximum of 502,000 cubic yards of material from the Harbor beginning September 1, 2011 through December 31, 2012. The material to be removed will include sediment, sunken vessels, docks, and pilings that are hazardous to recreational and commercial boaters. In addition, the District is proposing to maintenance dredge a maximum of approximately 100,000 cubic yards of material annually for the remainder of the lease term. Combined, the requested dredge amounts will not only remove sediment and debris from the March tsunami, but also sediment from a 2006 tsunami, and thereby restore the Harbor to safe and navigable conditions. Sediment will be removed via suction dredge, and all other debris and material deposited in the Harbor as a result of the tsunami will require the use of a clamshell bucket. Suitable dredged material is to be utilized for beach replenishment with other dredged material and debris to be disposed of at the United

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States Army Corps of Engineers approved aquatic Humboldt Open Ocean Disposal site.

5. **For Short-Term Dredging of a Maximum of 502,000 Cubic Yards:** 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 CEQA as a statutorily exempt project. The project is exempt because it involves emergency repairs to public service facilities necessary to maintain service and a specific action to prevent or mitigate an emergency.

Authority: Public Resources Code sections 21080 (b) (2) and (4) and Title 14, California Code of Regulations, sections 15269 (b) and (c).

6. **For Maintenance Dredging of a Maximum of 100,000 Cubic Yards:** 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 CEQA as a categorically exempt project. The project is exempt under Class 4, Minor Alterations 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.

7. This activity involves lands which have NOT been identified as possessing significant environmental values pursuant to Public Resources Code sections 6370, et seq. However, the Commission has declared that all tide and submerged lands are "significant" by nature of their public ownership (as opposed to "environmentally significant"). Since such declaration of significance is not based upon the requirements and criteria of Public Resources Code sections 6370, et seq., use classifications for such lands have not been designated. Therefore, the finding of the project's consistency with the use classification as required by Title 2, California Code of Regulations, section 2954 is not applicable.

**FURTHER APPROVALS REQUIRED:**

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

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**EXHIBITS:**

- A. Site and Location Map
- B. Legal Description

**RECOMMENDED ACTION:**

It is recommended that the Commission:

**CEQA FINDING:**

**For Short-Term Dredging of a Maximum of 502,000 Cubic Yards:** Find that the activity is exempt from the requirements of CEQA pursuant to Title 14, California Code of Regulations, section 15061 as a statutorily exempt project pursuant to Public Resources Code section 21080 (b) (2) and Title 14, California Code of Regulations, section 15269 (b), emergency repairs to public service facilities necessary to maintain service and Public Resources Code section 21080 (b) (4) and Title 14, California Code of Regulations, section 15269 (c), specific actions necessary to prevent or mitigate an emergency.

**For Maintenance Dredging of a Maximum of 100,000 Cubic Yards:** Find that the activity is exempt from the requirements of CEQA pursuant to Title 14, California Code of Regulations, section 15061 as a categorically exempt project, Class 4, Minor Alterations 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 land pursuant to Public Resources Code section 6370, et seq.

**AUTHORIZATION:**

Authorize the Issuance of a Dredging Lease to the Crescent City Harbor District beginning August 1, 2010, for a term of 10 years, to dredge a maximum of 502,000 cubic yards of sediment from September 1, 2011, through December 31, 2012, and maintenance dredge a maximum of 100,000 cubic yards of sediment annually from January 1, 2013, through July 31, 2020, from the Harbor as 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

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governments; no monetary consideration will be charged as the project will result in a public benefit; dredged material may not be sold.