

MINUTE ITEM

This Calendar Item No. C22
was approved as Minute Item
No. 22 by the State Lands
Commission by a vote of 3
to 0 at its 1/31/85
meeting.

CALENDAR ITEM

A 4
S 2

C22

01/31/85
W 23104
PRC 6736
Graber

AMENDMENT TO EXISTING DREDGING PERMIT
FROM 15,000 CUBIC YARDS TO 21,000 CUBIC YARDS

APPLICANT: City of Vallejo
7 Harbor Way
Vallejo, California 94590

AREA, TYPE LAND, LOCATION:
Granted lands in the bed of Mare Island Strait,
Vallejo Municipal Marina, Solano County.

LAND USE: Dredge up to 21,000 cubic yards of material to
reestablish a navigational channel to the
launch ramp and docks in the marina.

RESUME OF PREVIOUS ACTION

The Commission on September 25, 1984,
authorized issuance of Dredging Permit PRC 6736
to the applicant, City of Vallejo, effective
October 1, 1984 for dredging of 15,000 cubic
yards of sediments from the Vallejo Municipal
Marina to reestablish a navigation access
channel to the launch ramp and docks in the
marina harbor. Spoils disposal is at the Corps
of Engineers approved disposal site S.F. 9 in
the Carquinez Strait with the \$0.15 royalty
waived as the project is in the public interest.

PROPOSED MODIFICATION:

Increase the permitted dredging volume of
15,000 cubic yards an additional 6,000 cubic
yards to 21,000 cubic yards to allow for an
underestimated initial amount brought on by
excessive siltation from last winter's floods
and activity at adjacent shipyards during
construction of a platform jacket. The boat

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traffic from the project caused silting up of adjacent harbors and dockage. All other terms and conditions of the existing permit, PRC 6736 are to remain unchanged.

CONSIDERATION: To facilitate continued dredging of the designated area by allowing for the 6,000 yard increase which will permit the removal of excessive siltation brought on by storms and excessive boat traffic which contributed to the siltation.

AB 884: N/A.

OTHER PERTINENT INFORMATION:

1. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370 et seq. Based upon 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.
2. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines, (14 Cal. Adm. Code 15061) the staff has determined the proposed increase is exempt from the requirements of CEQA as a categorical exemption under class 4(g), maintenance dredging with spoils deposition in areas approved by all applicable agencies, 14 Cal. Adm. Code 15061.

Authority: P.R.C. 21084 and 14 Cal. Adm. Code 15304.

3. All necessary application requirements have been fulfilled.

EXHIBITS:

- A. Vicinity Map.
- B. Site Map.
- C. Permit Copy.
- D. Calendar Item 38 (09/24/84).

CALENDAR ITEM NO. C 2 2 (CONT'D)

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. ADM. CODE 15061 AS A CATEGORICAL EXEMPT PROJECT CLASS 4(g), MAINTENANCE DREDGING WITH SPOILS DEPOSITION IN AREAS APPROVED BY ALL APPLICABLE REGULATORY AGENCIES 14 CAL. ADM. CODE 15304.

AUTHORITY: P.R.C. 21084 AND 14 CAL. ADM. CODE 15300.

2. FIND THAT THIS ACTIVITY, AS PROPOSED, IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO P.R.C. 6970 ET. SEQ.
3. AUTHORIZE THE INCREASE IN THE PERMITTED YARDAGE FROM 15,000 TO 21,000 CUBIC YARDS UNDER PRC 6736, ISSUED TO THE CITY OF VALLEJO, SUCH INCREASE BEING CONTINGENT UPON APPLICANTS COMPLIANCE WITH APPLICABLE PERMITS, RECOMMENDATIONS OR LIMITATIONS ISSUED BY FEDERAL, STATE AND LOCAL GOVERNMENTAL AGENCIES.

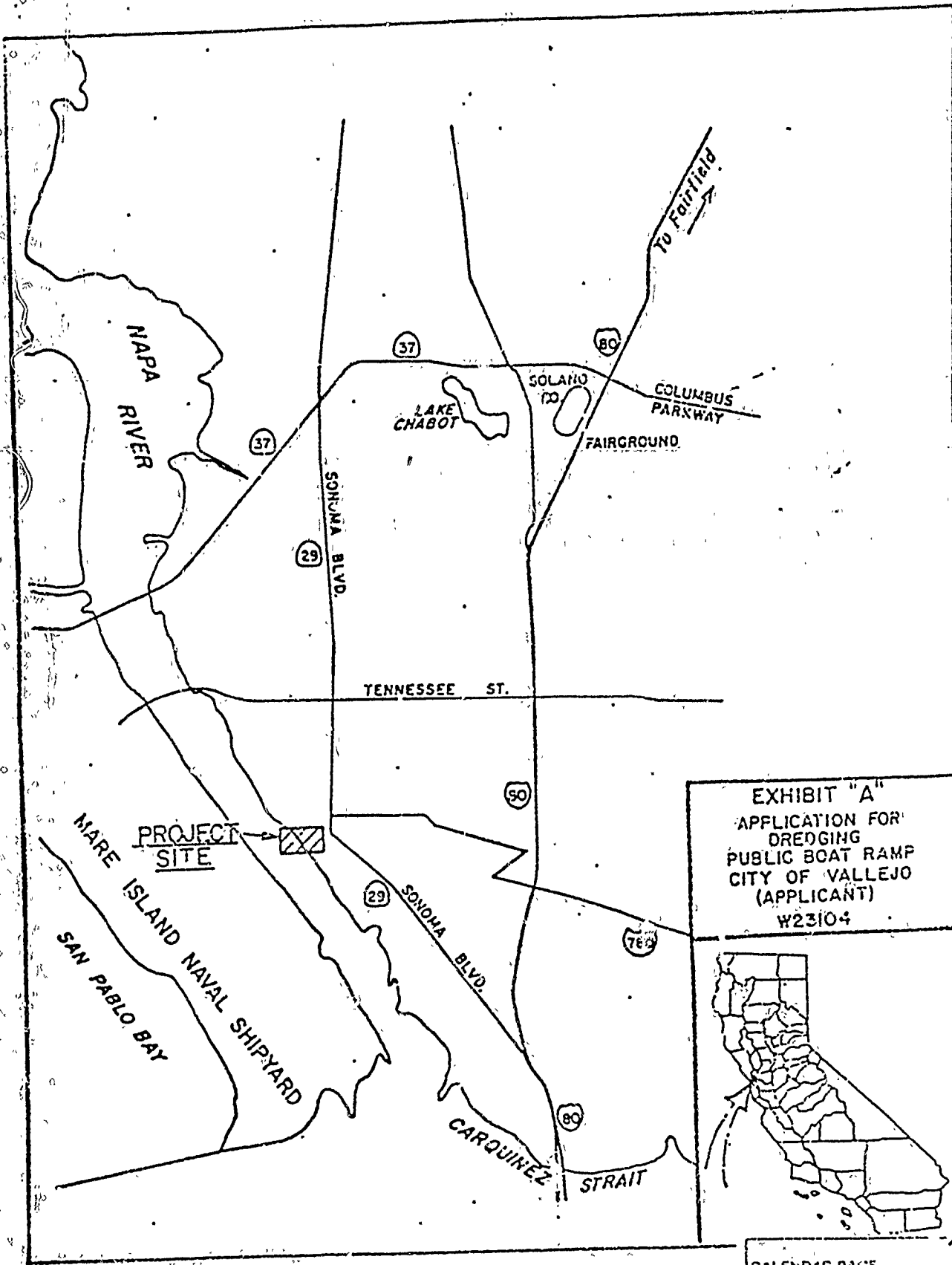


EXHIBIT "A"
 APPLICATION FOR
 DREDGING
 PUBLIC BOAT RAMP
 CITY OF VALLEJO
 (APPLICANT)
 W23104



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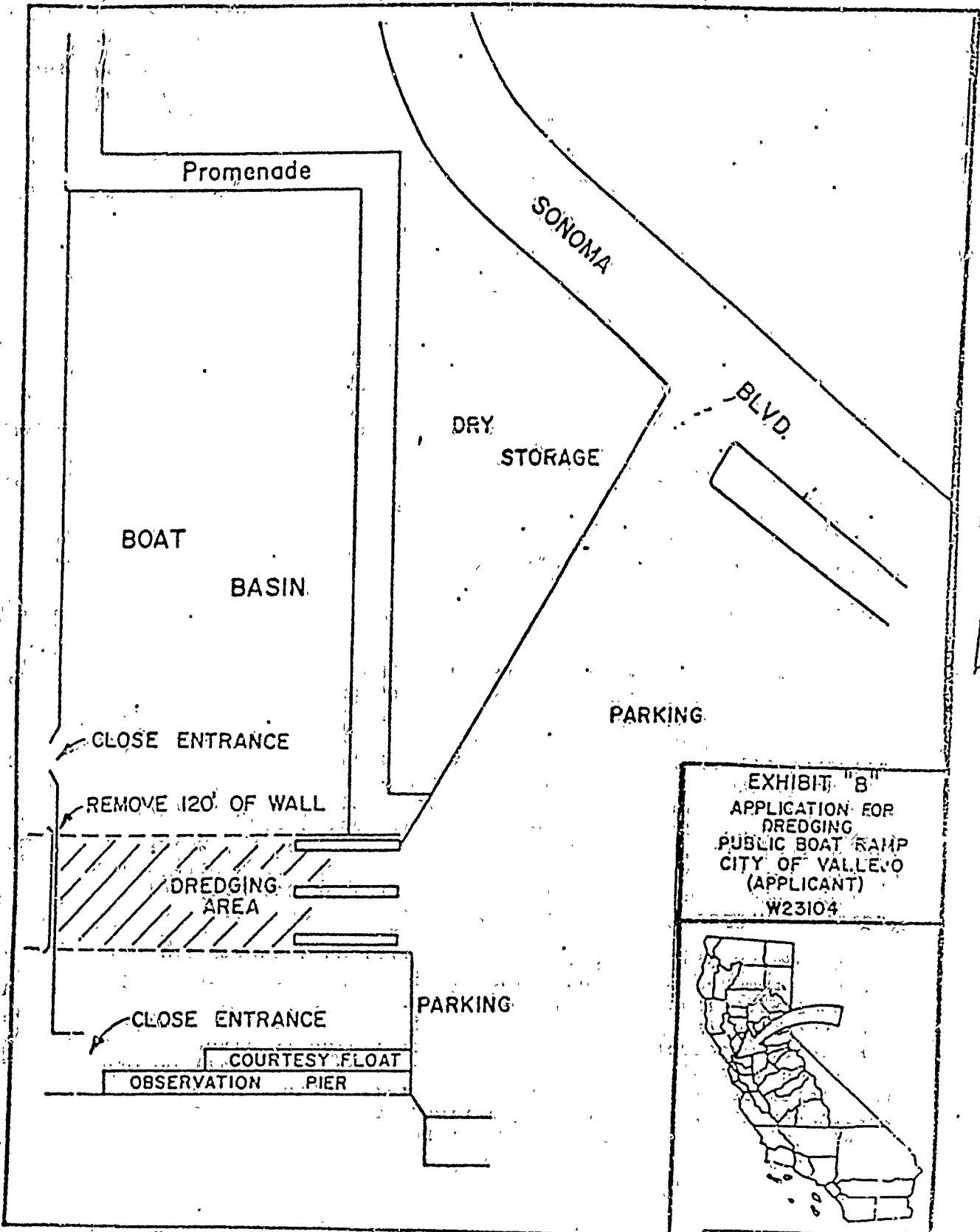


EXHIBIT "8"
 APPLICATION FOR
 DREDGING
 PUBLIC BOAT RAMP
 CITY OF VALLEJO
 (APPLICANT)
 W23104



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STATE OF CALIFORNIA
STATE LANDS COMMISSION

KENNETH CORY, Controller
LEO T. McCARTHY, Lieutenant Governor
JESSE R. HUFF, Director of Finance



August 16, 1984

GEORGE DEUKMEJIAN, Governor

EXECUTIVE OFFICE
1807 - 13th Street
Sacramento, California 95814
CLAIRE T. DEDRICK
Executive Officer

File Ref.: W 23104

City of Vallejo Marina
7 Harbor Way
Vallejo, California 94590

Attention: Mr. James M. Haussener

Dear Mr. Haussener:

Pursuant to your application dated June 21, 1984, and by the authorization of the State Lands Commission on September 27, 1984, you are hereby granted permission to dredge a maximum of 15,000 cubic yards of sand, silt, clay and gravel, excluding all other minerals including but not limited to oil, gas and geothermal to maintain the channel from of area of tide and submerged lands in the Vallejo Municipal Marina, City of Vallejo, Solano 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 Corps of Engineers Disposal Site SF 9 in The Carquinez Strait.

A royalty of \$0.15 per cubic yard will be assessed for material removed from State-owned land and placed at the Corps 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 October 1, 1984 through September 30, 1985.

EXHIBIT C

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August 16, 1984

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 same.

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 fifteenth (15th) 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. The first permit quarter shall be the first three months following the effective date of this permit, and every three-month period thereafter shall be a permit 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 and one-half percent (1-1/2%) 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.

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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 impounded 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

9-13-84
DATE

ACCEPTED:

BY Marion Furman
TITLE Marion Furman
DATE 20 August 1984

Mailed in Triplicate

Attachments: EXHIBITS "A" and "B"

Enclosures: 30.9 Forms

FILE COPY
APPROVED:
Section Head <u>TPM</u>
Special <u>Pete Marsh for J. Gray</u>

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CALENDAR ITEM

A 4

: 38

09/25/84

S 2

W 23104
Graber

APPROVAL OF A SIX MONTH DREDGING PERMIT
TO DREDGE 15,000 CUBIC YARDS OF MATERIAL
FROM LANDS LOCATED IN THE VALLEJO MUNICIPAL
MARINA, SOLANO COUNTY, CALIFORNIA

APPLICANT: City of Vallejo
7 Harbor Way
Vallejo, California 94590

AREA, TYPE LAND AND LOCATION:
Granted lands in the bed of Mare Island Strait,
Vallejo Municipal Marina; Solano County,
California.

LAND USE: Dredge up to 15,000 cubic yards of material to
re-establish a navigational channel to the
launch ramp and docks in the marina.

TERMS OF PROPOSED PERMIT:
Six months from October 1, 1984.

CONSIDERATION: A royalty of \$0.15 per cubic yard to be charged
for spoils placed at the Corps of Engineers
Disposal Site S.F. 9 in the Carquinez Strait,
will be waived as the project is in the public
interest. A royalty of \$0.25 per cubic yard
will be charged for spoils placed on private
property or sold for commercial benefit.

PREREQUISITE CONDITIONS:
Filing fee has been received.

STATUTORY AND OTHER REFERENCES:
A. P.R.C. 6303, 6370 and 21065.
B. 14 Cal. Adm. Code 15304(g) CEQA Guidelines,
2 Cal. Administrative Code 2905, 2901, and
2954.

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EXHIBIT D

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CALENDAR ITEM NO. (CONT'D)

OTHER AUTHORIZATION:

B.C.D.C., Fish and Game, Corps of Engineers.

AB 884:

02/06/85.

OTHER PERTINENT INFORMATION:

The City of Vallejo Municipal Marina has applied for a dredging permit to remove up to 15,000 cubic yards of material from the entrance channel and launch ramp at the Vallejo Municipal Marina. The material will be deposited at the Corps of Engineers Disposal Site S.F. 9 in the Carquinez Strait.

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.

Pursuant to the Commission's delegation of authority, and the State CEQA Guidelines, (14 Cal. Adm. Code 15061), the staff has determined the project is exempt from the requirements of CEQA as a categorical exemption under Class 4(g), maintenance dredging, with spoils deposition in areas approved by all applicable regulatory agencies, 14 Cal. Adm. Code 15304.

Authority: P.R.C. 21084 and 14 Cal. Adm. Code 15300.

EXHIBITS:

- A. Vicinity Map.
- B. Site Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. ADM. CODE 15061 AS A CATEGORICAL EXEMPT PROJECT CLASS (4(g) MAINTENANCE DREDGING, WITH SPOILS DEPOSITION IN AREAS APPROVED BY ALL APPLICABLE REGULATORY AGENCIES, 14 CALIFORNIA ADMINISTRATIVE CODE 15304.

2. FIND THAT THIS ACTIVITY AS PROPOSED IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO P.R.C. 6370, ET. SEQ.
3. AUTHORIZE THE STAFF TO ISSUE TO THE CITY OF VALLEJO, MUNICIPAL MARINA, THE DREDGING PERMIT ON FILE IN THE OFFICE OF THE COMMISSION. SAID PERMISSION SHALL BE ISSUED IN CONSIDERATION OF A ROYALTY OF \$0.15 PER CUBIC YARD TO BE CHARGED FOR SPOILS PLACED AT THE CORPS OF ENGINEERS DISPOSAL SITE S.F. 9, CARQUINEZ STRAIT, WITH SAID ROYALTY WAIVED IN CONSIDERATION OF THE PUBLIC BENEFIT, AND A ROYALTY OF \$0.25 PER CUBIC YARD FOR SPOILS PLACED ON PRIVATE PROPERTY OR SOLD FOR COMMERCIAL BENEFIT. SAID PERMIT SHALL BE FOR A PERIOD OF SIX MONTHS FROM OCTOBER 1, 1984 AND SHALL ALLOW FOR A MAXIMUM OF 15,000 CUBIC YARDS OF SAND, SILT, CLAY AND GRAVEL; EXCLUDING BUT NOT LIMITED TO, OIL, GAS AND GEOTHERMAL FROM AN AREA OF TIDE AND SUBMERGED LANDS IN VALLEJO MUNICIPAL MARINA IN THE COUNTY OF SOLANO, SAID ARE; AS DESCRIBED IN EXHIBITS "A" AND "B" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF. MATERIALS TO BE DREDGED SHALL BE DEPOSITED ON PUBLICLY OWNED DISPOSAL SITES APPROVED BY ALL APPLICABLE REGULATORY AGENCIES.