

MINUTE ITEM
This Calendar Item No. C18
was approved as Minute Item
No. 18 by the State Lands
Commission by a vote of 3
to 0 at its 10/23/86
meeting.

CALENDAR ITEM

C18

A 4

S 2

10/23/86
W 23859 PRC 7019
Martinez

MAINTENANCE DREDGING PERMIT

APPLICANT: City of Vallejo
555 Santa Clara
Vallejo, California 94590

AREA, TYPE LAND AND LOCATION:
Tide and submerged lands in Mare Island Strait
adjacent to the existing ferry landing,
Solano County.

PROPOSED LAND USE:
Dredge a maximum 30,000 cubic yards per year of
minerals other than oil, gas and geothermal for
one year. The dredged material will be
disposed of at the United States Army Corps of
Engineers Open Water Disposal Site SF 9 at the
Carquinez Strait. The purpose of the project
is to install a ferry landing adjacent to an
existing ferry landing, to provide additional
public access to the Bay and reduce vehicle
commuter traffic.

TERMS OF THE PROPOSED PERMIT:

Initial Period: One year commencing
November 1, 1986.

Royalty: No royalty for spoils placed
at the approved disposal site
because the project is by a
public agency for public
benefit.

APPLICANT STATUS:

Public agency.

CALENDAR ITEM NO. C18 (CONT'D)

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

Filing fee has been received.

STATUTORY AND OTHER REFERENCES:

- A. PRC: Div. 6, Parts 1 and 2; Div. 13.
- B. Cal. Adm. Code: Title 2, Div. 3; Title 14, Div. 6.

OTHER PERTINENT INFORMATION:

- 1. This activity involves lands identified as possessing significant environmental values pursuant to PRC 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 that this activity is exempt from the requirements of the CEQA as a categorical exempt project. The project is exempt under Class 14(g), Maintenance Dredging, 14 Cal. Adm. Code 15104.

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

APPROVALS OBTAINED:

City of Vallejo Redevelopment Agency,
United States Army Corps of Engineers, and
San Francisco Bay Area Conservation and
Development Commission.

AB 884: 03/05/87.

EXHIBITS:

- A. Vicinity
- B. Site Map.
- C. Permit.

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, 14 CAL. ADM. CODE 15104.
2. AUTHORIZE STAFF TO ISSUE TO THE CITY OF VALLEJO THE DREDGING PERMIT ATTACHED AS EXHIBIT "B". SAID PERMIT SHALL ALLOW DREDGING A MAXIMUM VOLUME OF 30,000 CUBIC YARDS OF MATERIAL PER YEAR FOR ONE YEAR FOR THE PURPOSE OF INSTALLING A FERRY LANDING WITH SPOILS TO BE DEPOSITED AT AN APPROVED CORPS DISPOSAL SITE. NO ROYALTY SHALL BE CHARGED FOR SPOILS DEPOSITED AS APPROVED BECAUSE THE PROJECT IS FOR THE PUBLIC BENEFIT. SUCH ACTIVITY IS CONTINGENT UPON APPLICANT'S COMPLIANCE WITH APPLICABLE PERMITS, RECOMMENDATIONS OR LIMITATIONS ISSUED BY FEDERAL, STATE AND LOCAL GOVERNMENT AGENCIES.

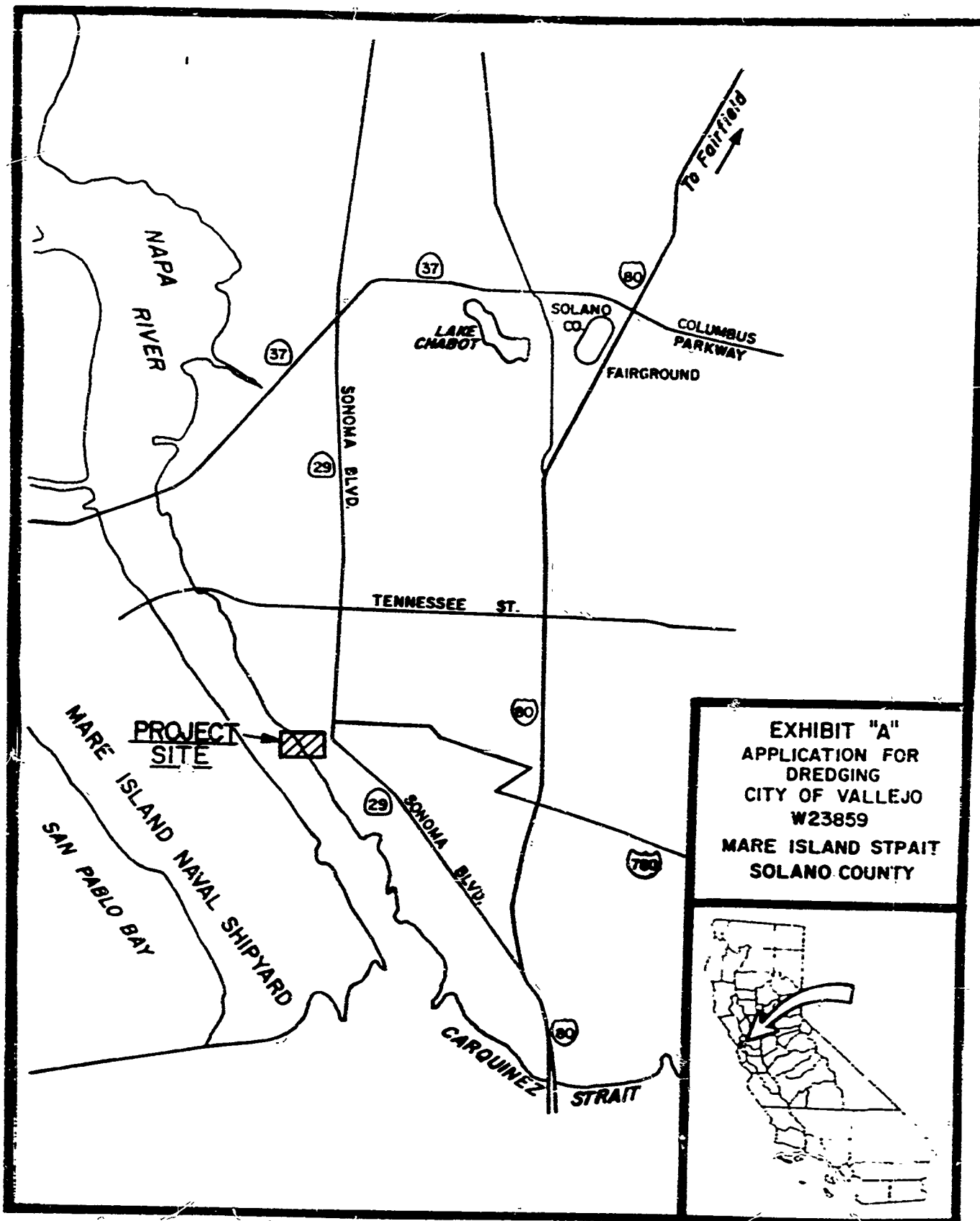


EXHIBIT "A"
APPLICATION FOR
DREDGING
CITY OF VALLEJO
W23859
MARE ISLAND STRAIT
SOLANO COUNTY



R.O. 10/86

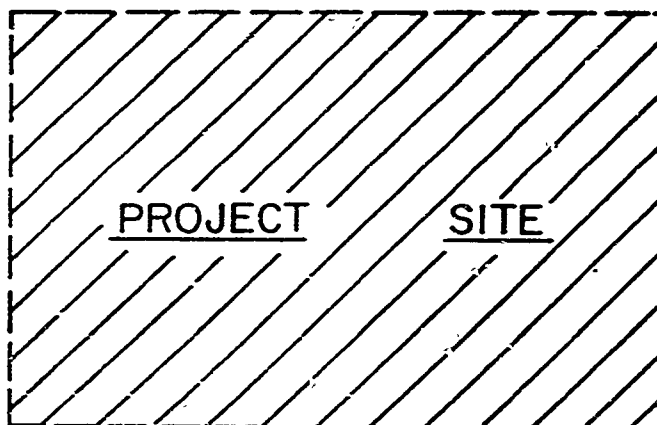
EXHIBIT "C"
APPLICATION FOR
DREDGING
CITY OF VALLEJO
W23859
MARE ISLAND STRAIT
SOLANO COUNTY



FERRY DOCK

PARKING

MARE ISLAND STRAIT



DOCK

Mare Island Way

BLDG

NO SCALE

EXHIBIT "C"

STATE OF CALIFORNIA

GEORGE DEUNMEJIAN, Governor

STATE LANDS COMMISSION
1807 13TH STREET
SACRAMENTO, CALIFORNIA 95814

November 1, 1986

File Ref: W 23859

City of Vallejo
555 Santa Clara
Vallejo, California 94590

Gentlemen:

Pursuant to your application dated July 29, 1986, and by the authorization of the State Lands Commission on October 23, 1986, you are hereby granted permission to dredge, during the term of the permit, a maximum of 30,000 cubic yards per year of sand, silt, clay and gravel, excluding all other minerals including, but not limited to, oil, gas and geothermal from an area of tide and submerged lands in Mare Island Strait in Solano County as designated in Exhibits "A" and "B" attached hereto, which are by this reference expressly made a part hereof. Said permission includes the right to dispose of dredge spoils at the U. S. Army Corps of Engineers Open Water Disposal Site S. F. 9.

No royalty shall be paid for material deposited at the approved disposal site. A royalty of \$0.25 per cubic yard shall be paid for any material 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 November 1, 1986 through October 31, 1987.

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.

November 1, 1986

It is further agreed that you shall submit copies of reports or contracts with the dredging operator 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.

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.

City of Vallejo

-3-

November 1, 1986

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, Chief
Extractive Development Program

DATE

ACCEPTED:

BY _____

TITLE _____

DATE _____

Mailed in Triplicate

Attachments: EXHIBITS "A" and "B"

0657L

CALLER PAGE	69
MINUTE PAGE	3551

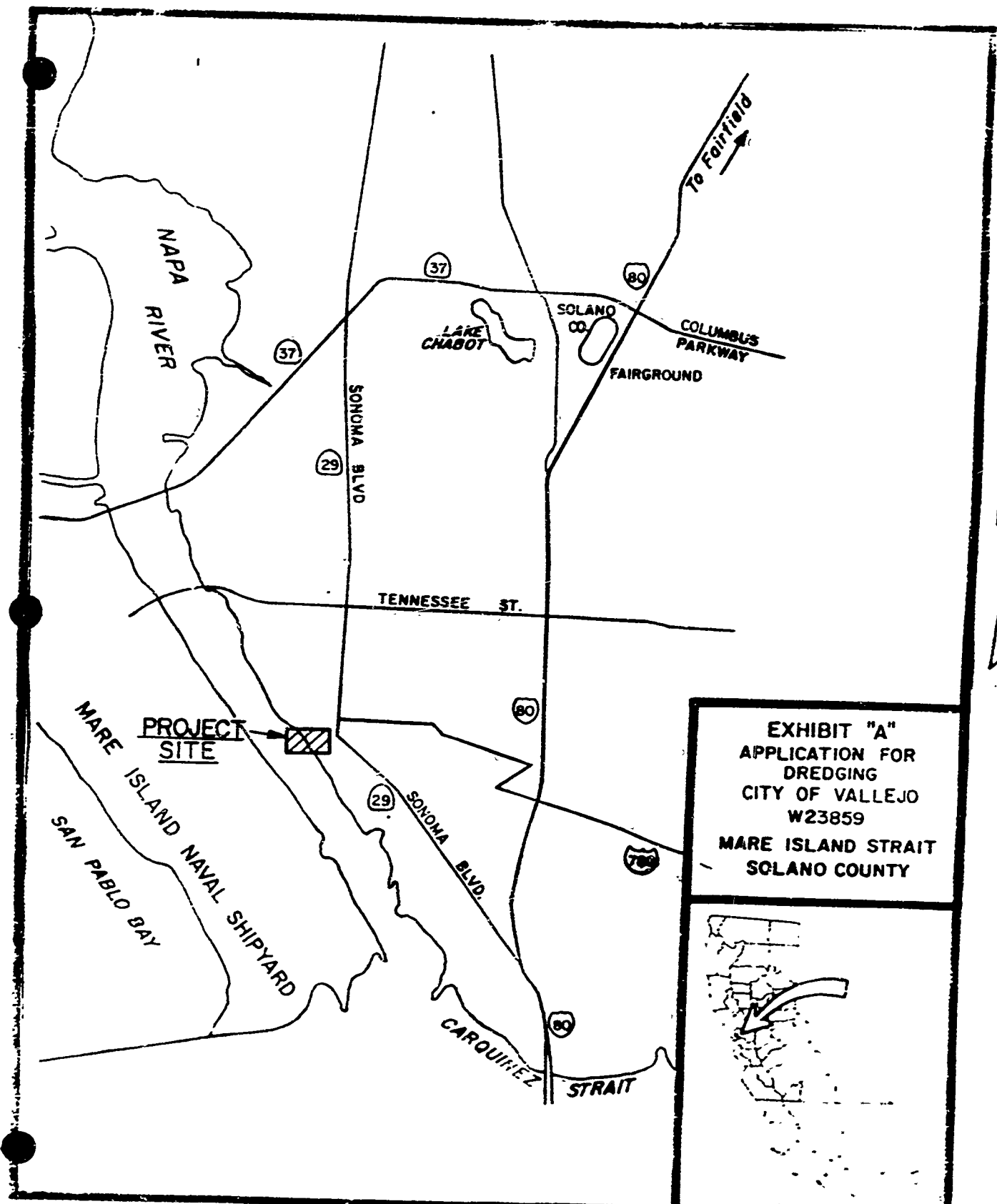


EXHIBIT "A"
APPLICATION FOR
DREDGING
CITY OF VALLEJO
W23859
MARE ISLAND STRAIT
SOLANO COUNTY



EXHIBIT B
APPLICATION FOR
DREDGING
CITY OF VALLEJO
W23859

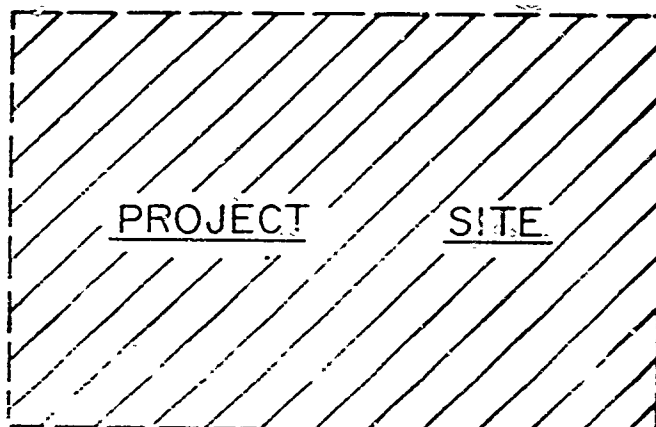
MARE ISLAND STRAIT
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FERRY DOCK

PARKING

MARE ISLAND STRAIT



DOCK

Mare Island Way

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NO SCALE