

**CALENDAR ITEM
C40**

A	7	12/02/13
S	2	PRC 9072.9
		D. Oetzel

**RESCISSON OF APPROVAL OF LEASE NO. PRC 9072.9 - GENERAL LEASE -
DREDGING**

APPLICANT:

David Schneider
990 West Waterfront Drive
Eureka, CA 95501

AREA, LAND TYPE, AND LOCATION:

Sovereign lands granted to the City of Eureka, minerals reserved, adjacent to the Schneider Dock along the eastern shore of the North Humboldt Bay Channel in the City of Eureka at 990 West Waterfront Drive, Humboldt County.

AUTHORIZED USE:

Maintenance dredge a maximum of 6,000 cubic yards of material over the term of the lease within Humboldt Bay at the Schneider Dock to maintain a navigable depth. Dredged material will be disposed of at the Humboldt Waste Management Authority transfer station who will transport it to an approved landfill, or the material will be transported directly from the site to an approved landfill and/or other U.S. Army Corps of Engineers' approved disposal sites.

LEASE TERM:

10 years, beginning June 21, 2013.

CONSIDERATION:

No monetary consideration is due for the lease because there is no commercial benefit from the project and the dredged material may not be sold.

OTHER PERTINENT INFORMATION:

1. The purpose of the maintenance dredging is to restore and maintain sufficient draft depth for moorage and shipping operations to continue at the dock.
2. Built in 1994 by David Schneider, Schneider Dock is used in conjunction with the 16-acre Intermodal Facility for the storage, import and export of various types of cargo. Vessels from the U.S. Navy, National Oceanic and

CALENDAR ITEM NO. **C40** (CONT'D)

Atmospheric Administration (NOAA), U.S. Army Corps of Engineers, as well as local, regional and international traffic utilize the Schneider Dock & Intermodal Facility. No dredging has occurred since the dock was built, primarily due to its close proximity to the Humboldt Bay Channel. Following the authorization, the Applicant chose not to execute the dredging lease, as Chapter 104, Statutes of 2013 (Assembly Bill 727) will, under certain conditions, allow Applicant to dredge after January 1, 2014, without a CSLC lease. Staff recommends rescission of the General Lease – Dredging.

3. Staff recommends that the Commission find that the subject rescission of approval of a dredging lease does not have a potential for resulting in either a direct or a reasonably foreseeable indirect physical change in the environment, and is, therefore, not a project in accordance with the California Environmental Quality Act (CEQA).

Authority: Public Resources Code section 21065 and California Code of Regulations, title 14, sections 15060, subdivision (c)(3), and 15378.

EXHIBITS:

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

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that the subject rescission of approval of a dredging lease is not subject to the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15060, subdivision (c)(3), because the subject activity is not a project as defined by Public Resources Code section 2165 and California Code of Regulations, Title 14, section 15378.

AUTHORIZATION:

Authorize rescission of the approval described in Calendar Item C36 of the June 21, 2013 Commission meeting, authorizing the General Lease – Dredging to David Schneider to dredge a maximum of 6,000 cubic yards of material and to dispose of the dredged material at the Humboldt Waste Management Authority transfer station or at an U.S. Army Corps of Engineers' approved disposal site.

EXHIBIT A

PRC 9072.9

LAND DESCRIPTION

A parcel of tide and submerged land lying in the bed of the Humboldt Bay Channel and within the lands granted to the City of Eureka pursuant to Chapter 225, Statutes of 1945, County of Humboldt, State of California and more particularly described as follows:

BEGINNING at the point having CCS 83 Zone 1 coordinates of Northing (Y) = 2181068.52 feet and Easting (X) = 5956249.18 feet; thence the following four (4) courses:

- 1) North 61° 40' 30" West 60.72 feet;
- 2) North 25° 02' 06" East 361.46 feet;
- 3) North 37° 36' 06" East 190.39 feet;
- 4) South 61° 40' 07" East 50.78 feet;
- 5) South 28° 19' 34" West 548.76 feet to the point of beginning.

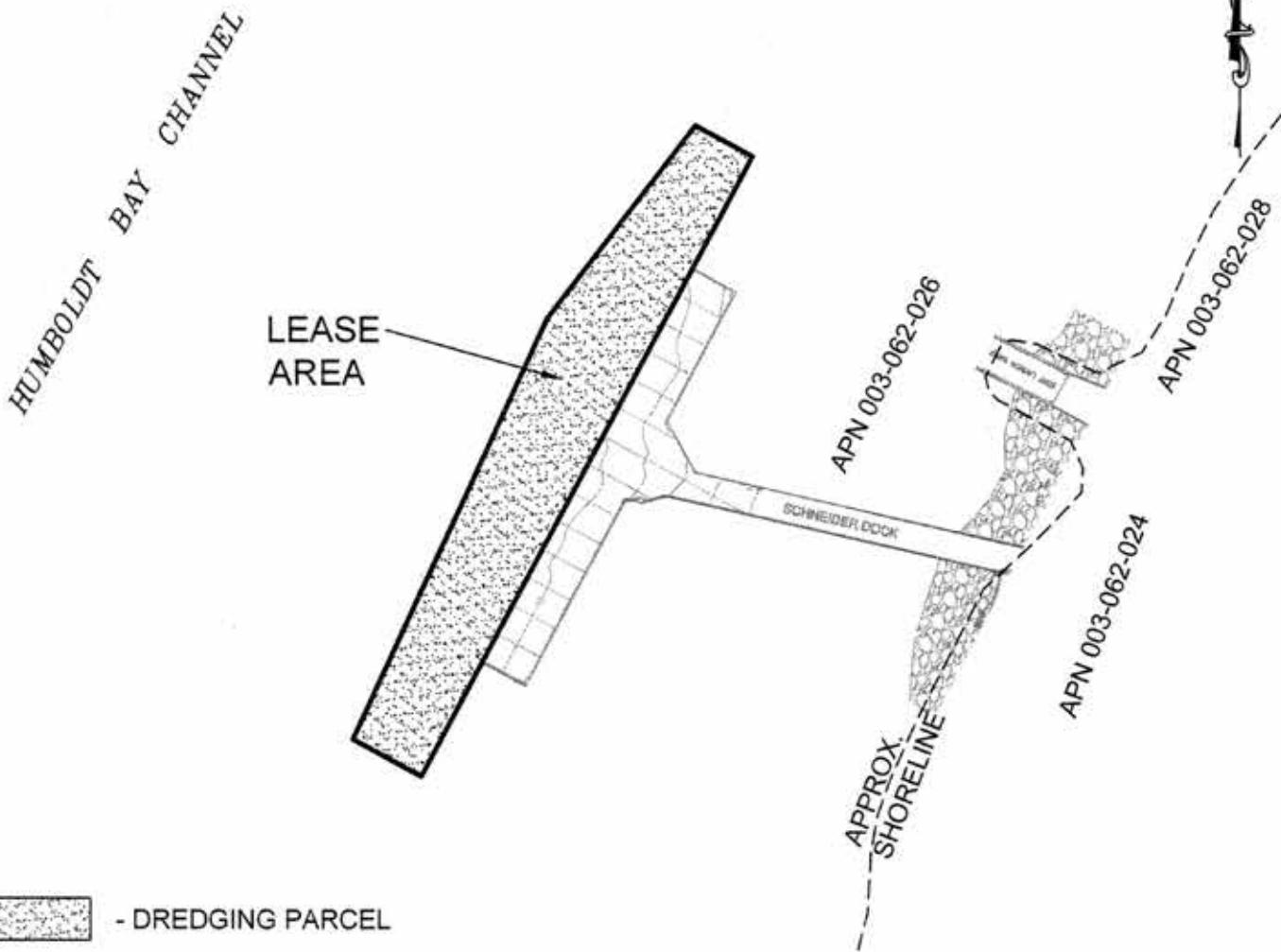
END OF DESCRIPTION

Prepared 05/08/13 by the California State Lands Commission Boundary Unit



NO SCALE

SITE

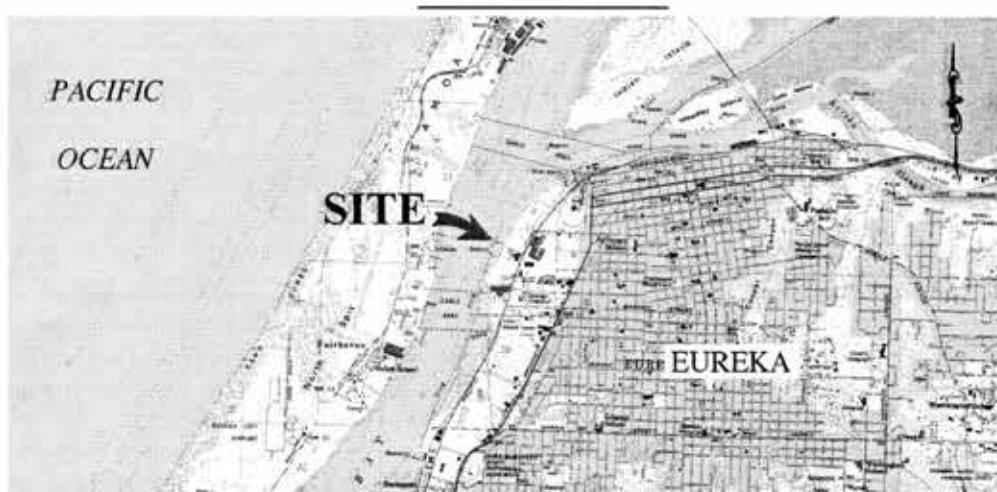


- DREDGING PARCEL

990 WEST WATERFRONT DRIVE, EUREKA

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

PRC 9072.9
SCHNEIDER DOCK
APNs 003-062-026, 024 & 028
GENERAL LEASE -
DREDGING
HUMBOLDT COUNTY



This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties 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.

TS 05/08/13