

MINUTE ITEM

5/25/67

9. DREDGING PERMIT, SAN FRANCISCO BAY, ALAMEDA COUNTY; CITY OF BERKELEY -  
W.O. 6478, P.R.C. 3762.9.

After consideration of Calendar Item 49 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE EXECUTIVE OFFICER IS AUTHORIZED TO ISSUE A PERMIT TO THE CITY OF BERKELEY TO DREDGE APPROXIMATELY 43,000 CUBIC YARDS OF MATERIAL, WITHOUT PAYMENT OF ROYALTY, FROM AN AREA OF STATE TIDE AND SUBMERGED LANDS IN SAN FRANCISCO BAY, FOR USE IN CONSTRUCTING THE BERKELEY MARINE PARK, AND TO PLACE THE DREDGED MATERIAL WITHIN DIKED AREAS TO BE USED FOR RECREATIONAL PURPOSES. THE AREA TO BE DREDGED IS DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

THE CONSIDERATION FOR THE ISSUANCE OF THIS PERMIT WILL BE THE PUBLIC BENEFIT.

Attachment

Calendar Item 49 (2 pages)

49.

APPLICATION FOR DREDGING PERMIT, TIDE AND SUBMERGED LANDS, SAN FRANCISCO BAY, ALAMEDA COUNTY; CITY OF BERKELEY - W.O. 6478.

An application has been received from the City of Berkeley for a permit to dredge approximately 43,000 cubic yards of material from the south sailing basin of the Berkeley Marina for the purpose of constructing a public beach, a public park, and public parking facilities as part of the Berkeley Marine Park development program. The dredged material will be deposited upon State tideland areas granted to the City of Berkeley. Certain spoils from excavation of the Trans-Bay Tube and stipulated for public use also will be used for fill material. The dredge and disposal areas are within a State legislative grant to the City of Berkeley (Stats. 1913, Ch. 347, with amendments) that reserved the minerals to the State of California.

Section 6303 of the Public Resources Code provides that when an applicant has a permit from any authorized public agency, the Commission may grant the privilege of removing or extracting material from tide and submerged lands owned by the State for the improvement of navigation, upon such terms and conditions and for such consideration as will be for the best interests of the State.

The San Francisco Bay Conservation and Development Commission has issued two permits which authorize the proposed dredging and filling. The U. S. Corps of Engineers, according to the applicant, has indicated that no permit from the Corps would be required as all dredging to be done is shoreward of the established bulkhead line.

The Department of Fish and Game has reviewed the application and has no objection to its issuance.

The Department of Parks and Recreation, Division of Beaches and Parks states that the proposed dredging will not interfere with the recreational use of lands littoral to the tidelands or submerged lands insofar as that Department is concerned.

The Department of Water Resources has determined that the proposed work would not adversely affect possible subsurface waters of value, and therefore it does not oppose issuance of the permit.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE EXECUTIVE OFFICER TO ISSUE A PERMIT TO THE CITY OF BERKELEY TO DREDGE APPROXIMATELY 43,000 CUBIC YARDS OF MATERIAL, WITHOUT PAYMENT OF ROYALTY, FROM AN AREA OF STATE TIDE AND SUBMERGED LANDS IN SAN FRANCISCO BAY, FOR USE IN CONSTRUCTING THE BERKELEY MARINE PARK, AND TO PLACE THE DREDGED MATERIAL WITHIN DIKED AREAS TO BE USED FOR RECREATIONAL PURPOSES. THE AREA TO BE DREDGED IS DESCRIBED ON EXHIBIT "A" ATTACHED BY REFERENCE MADE A PART HEREOF.

THE CONSIDERATION FOR THE ISSUANCE OF THIS PERMIT WILL BE THE PUBLIC BENEFIT.

Attachment: Exhibit "A"

EXHIBIT "A"

Three parcels of submerged land in San Francisco Bay in the City of Berkeley, California, being more particularly described as follows:

Parcel 1

Beginning at the intersection of the northerly boundary line of University Avenue and the westerly boundary line of Lot No. 5 as said Lot is shown on "Map No. 4 Salt Marsh and Tidelands, Situate in the County of Alameda", dated 1872 and prepared by the Board of Tideland Commissioners; the abovementioned westerly boundary of Lot 5 is also shown as a portion of the Grant Boundary on a "Map of the Grant to the City of Berkeley, Chapter 2180, Statutes of 1961", on file as Serial No. AU 122380 in Map Book 43 at page 13A, Alameda County records; thence from the point of beginning along the westerly line of Lot 5, S. 17° 17' 53" E. 580.00 feet to the true point of beginning of this description; thence leaving the westerly boundary of Lot 5, S. 76° 47' 36" W. 1,400.00 feet, S. 13° 12' 24" E. 580.00 feet, N. 76° 47' 36" E. 1,400.00 feet, and N. 13° 12' 24" W. 580.00 feet to the true point of beginning; containing 18.64 acres more or less.

Parcel 2

Beginning at the intersection of the northerly boundary line of University Avenue and the westerly boundary line of Lot 5 hereinbefore-mentioned in Parcel 1 above; thence along said boundary line of Lot 5, S. 17° 17' 53" E. 171.86 feet; thence leaving said boundary S. 78° 06' 59" W. 1,430.67 feet and N. 87° 56' 04" W. 453.04 feet, to a point for convenience called "point A" being the true point of beginning of this description; thence N. 04° 29' 29" W. 760.00 feet, S. 87° 56' 04" E. 150.00 feet, S. 04° 29' 29" E. 760.00 feet and N. 87° 56' 04" W. 150.00 feet to the true point of beginning; containing 2.60 acres more or less.

Parcel 3

Beginning at "point A" hereinbefore-mentioned in Parcel 2 above; thence N. 04° 29' 29" W. 737.20 feet and N. 16° 06' 41" W. 300.00 feet to the true point of beginning of this description; thence S. 73° 53' 19" W. 250.00 feet, N. 16° 06' 41" W. 112.23 feet, N. 27° 25' 52" W. 230.00 feet, N. 73° 53' 19" E. 250.00 feet, S. 27° 25' 52" E. 230.00 feet, and S. 16° 06' 41" E. 112.23 feet to the true point of beginning; containing 1.94 acres more or less.

The total acreage of the above-described parcels is 23.18 acres.

The basis of bearings of the above-described parcels is the California coordinate system Zone 3.