

MINUTE ITEM

This Calendar Item No. 28
was approved as Minute Item
No. 28 by the State Lands
Commission by a vote of 3
to 0 at its 5-27-76
meeting.

CALENDAR ITEM

28.

5/76
W 9966
SCL
PRC 5132

RATIFICATION OF EMERGENCY DREDGING PERMIT

On May 3, 1976, Schnitzer Steel Products of California, Inc., applied to the State Lands Commission for an emergency dredging permit to dredge 2,000 cubic yards of material from lands within the grant to the City of Oakland in which the State Lands Commission has retained mineral interests. The dredge was for the purpose of removing a "hump" blocking access to pier six in the Port of Oakland. Unless said "hump" was removed, ships scheduled to arrive within the next month could not navigate to pier six and said ships would be forced to anchor in the bay, thereby causing a loss of revenue and the incurring of expenses for the payment of fees and penalties and for failure to provide dockage.

Schnitzer submitted with its application a check covering the \$25 filing fee and \$200 for royalties (at \$.10 per cubic yard) for the removal of the minerals. An emergency letter permit was issued to Schnitzer by R. S. Golden, Assistant Executive Officer. Said letter permit is attached as Exhibit "A" and hereby incorporated by references. This project is categorically exempt under CEQA Guidelines Section 2903 (d), Title 2, California Administrative Code.

EXHIBITS: A. Emergency Letter Permit.
B. Site Map.

IT IS RECOMMENDED THAT THE STATE LANDS COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL IMPACT REPORT NEED NOT BE PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF PUBLIC RESOURCES CODE 21172, 14 CALIFORNIA ADMINISTRATIVE CODE 15071, AND 2 CALIFORNIA ADMINISTRATIVE CODE 2903(D), (EMERGENCY PROJECTS).
2. RATIFY THE EXECUTION OF AN EMERGENCY DREDGING PERMIT ISSUED FOR THIS PROJECT SHOWN AS EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

(916) 322-4106

b/f: YC 76

May 7, 1976

Schnitzer Steel Products of
California, Inc.
Foot of Adeline Street
Oakland, California 94607

Gentlemen:

Pursuant to your request of May 3, 1976, the State Lands Commission authorizes Schnitzer Steel Products of California, Inc., to dredge 2000 cubic yards of materials located in the Port of Oakland owned by the State of California under the jurisdiction of the State Lands Commission subject to the following conditions:

- (1) The area to be dredged is described in Exhibit "A" attached hereto and incorporated by reference.
- (2) The dredging is for emergency maintenance purposes only that require the removal of a "hump" easterly of pier six, Port of Oakland, that presently prohibits access to the pier.
- (3) The spoils will be placed at the approved Alcatraz disposal site.
- (4) The Port of Oakland is the lead agency for this project and will issue a permit concluding that it has determined that this project is categorically exempt under the terms of CEQA.
- (5) All other necessary permits and approvals required by law shall be obtained prior to the commencement of the dredging.

Schuitzer Steel Products
of California, Inc.

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May 7, 1976

(6) Whether or not a bond or insurance is required, lessee shall indemnify, save harmless and at the option of the State, defend the State of California, its officers, agents and employees against any and all claims, demands, loss, action or liability of any kind which State of California, or any of its officers, agents or employees may sustain or incur or which may be imposed upon them or any of them arising out of or connected with the issuance of this lease, including, without in any way limiting the generality of the foregoing, any claim, demand, loss, or liability arising from any failure of title or any alleged violation of the property or contractual rights of any third person or persons in the leased lands.

The State Lands Division is in receipt of your check No. 11954 in the amount of \$325. The required fees of the State Lands Division for this project are a \$25 filing fee and \$200 royalty for the dredged material. The excess \$100 will be refunded.

Sincerely,

SCL/RSG:gu

R. S. GOLDIEN
Assistant Executive Officer

Attach.

cc: M. H. Choney
C. K. Fellows
Department of Water Resources
C. Fong
U.S. Army Corps of Engineers
San Francisco District

bcc: Jerry Coleman
George Ginn