

MINUTE ITEM

This Calendar Item No. 25
was approved as Agenda Item
No. 25 by the State Lands
Commission by a vote of 3
to 0 at its 9/29/77
meeting.

CALENDAR ITEM

25.

9/77
W 40073
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PRC 5394

DREDGING PERMIT

APPLICANT: City of Benicia
250 East L Street
Benicia, California 94510

PROPOSED DREDGING:
The proposed dredging of approximately 60,000 cubic yards of material is necessary to facilitate construction of the Benicia Marina by the City of Benicia. 5,000 cubic yards of this amount will be dredged from an area within Carquinez Strait under the jurisdiction of the State Lands Commission. (See Exhibit "A", attached and by reference made a part hereof); Solano County.

OWNERSHIP: The dredge area involves tide and submerged lands under jurisdiction of the State Lands Commission. The remainder of the project area and all structures involved are on lands granted to the City of Benicia. (Chap. CXXVI, stats. 1868.)

SPOILS PLACEMENT: The dredged spoils are to be disposed of in an approved spoils area in Carquinez Strait.

PURPOSE: In conjunction with the proposed construction of the Benicia Marina by the City of Benicia.

CONSIDERATION: Public Benefit. No royalty required for material returned to State-owned lands.

ENVIRONMENTAL IMPACT CONSIDERATION: The applicant, the City of Benicia, acting as lead agency, prepared and circulated an Environmental Impact Report (No. 75071465) which covers the marina project. The City certified that the Environmental Impact Report for the project was prepared pursuant to the provisions of the California Environmental Quality Act of '970, as amended; that the project will have a significant

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effect on the environment; however, the project design has been substantially altered to mitigate or avoid the significant environmental effects as identified in the final E.I.R.

Part of the project is situated on State land identified as possessing significant environmental values, pursuant to Public Resources Code 6370.1, and is classified in a significant use category, Class C: Multiple Use.

TERM: Permit term to be from September 29, 1977 through December 31, 1978.

APPROVALS OBTAINED:

1. San Francisco Bay Conservation and Development Commission.
2. Department of Fish and Game.

FURTHER APPROVALS REQUIRED:

1. U.S. Army Corps of Engineers (pending).
2. California Regional Water Quality Control Board (Certification pending).

EXHIBITS:

- A. Dredge Area Description.
- B. Location Map.
- C. E.I.R. Summary.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL IMPACT REPORT HAS BEEN PREPARED FOR THIS PROJECT AND CERTIFIED BY THE CITY OF BENICIA BY NOTICE OF DETERMINATION DATED OCTOBER 23, 1975.
2. CERTIFY THAT THE INFORMATION CONTAINED IN THE ENVIRONMENTAL IMPACT REPORT HAS BEEN CONSIDERED BY THE COMMISSION.
3. DETERMINE THAT THE PROJECT WILL HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT, HOWEVER, SUCH EFFECT IS MITIGATED BY ALTERATIONS IN THE ORIGINAL PROJECT DESIGN AS IDENTIFIED IN THE FINAL E.I.R.

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4. AUTHORIZE THE ISSUANCE TO THE CITY OF BENICIA OF A PERMIT TO DREDGE APPROXIMATELY 5,000 CUBIC YARDS OF MATERIAL FROM AN AREA OF STATE TIDE AND SUBMERGED LANDS IN CARQUINEZ STRAIT, SUCH DREDGE AREA BEING DESCRIBED IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.
5. DETERMINE THAT SUCH DREDGING IS TO BE PERMITTED WITHOUT ROYALTY REQUIREMENTS PROVIDING THAT THE DREDGED MATERIAL IS RETURNED TO STATE-OWNED LANDS IN AN APPROVED SPOILS AREA WITHIN CARQUINEZ STRAIT. THE PERMIT IS TO BE EFFECTIVE SEPTEMBER 29, 1977 THROUGH DECEMBER 31, 1978; SUBJECT TO THE MAINTENANCE OF PERMITS ISSUED BY THE U.S. DEPARTMENT OF ARMY CORPS OF ENGINEERS, THE STATE WATER RESOURCES CONTROL BOARD, THE DEPARTMENT OF FISH AND GAME, AND THE SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION, AND ALL OTHER REQUIREMENTS, RECOMMENDATIONS, OR LIMITATIONS AS SET BY STATE, FEDERAL OR LOCAL GOVERNMENT.

Attachment: Exhibit "A"

EXHIBIT "A"

W 40073

A parcel of tide and submerged land lying in the bed of Carquinez Strait, County of Solano, State of California, described as follows:

COMMENCING at a point marking the intersection of the centerline of "B" Street with the southeastern line of East 2nd Street as said "B" Street and East 2nd Street are shown on the Official Map of the City of Benicia filed in Book 1 of Maps at Page 123 in the Office of the County Recorder of Solano County, California. Thence, from the said point of commencement along the southeasterly extension of said centerline of "B" Street S 60° 00' 11" E, 680.49 feet; thence S 29° 59' 49" W, 370.19 feet to a point on the Benicia Waterfront Line as said Benicia Waterfront Line is described in Chapter 216 of Statutes at Page 206 enacted by the State Legislator of 1868 and the POINT OF BEGINNING; thence along said Benicia Waterfront Line of 1868 S 60° 00' 11" E, 390.05 feet; thence leaving said line S 04° 10' 00" W, 92.00 feet; thence N 85° 50' 00" W, 400.00 feet; thence N 04° 10' 00" E, 160.89 feet to a point on said Benicia Waterfront Line; thence along said line N 29° 59' 49" E, 112.28 feet to the point of beginning.

END OF DESCRIPTION

Prepared

Frank T. Carr

Checked

A. H. Kunnecke

Reviewed

A. H. Kunnecke

Date

3/22/77