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CALENDAR ITEM

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APPROVAL OF A THREE-YEAR DREDGING PERMIT

APPLICANT: Leslie Salt Company, Inc.
P. O. Box 364
Newark, California 94560

AREA, TYPE LAND AND LOCATION: Tide and submerged lands in the beds of China, Napa and Dutchman Sloughs and the Napa River, Napa, Solano Counties.

LAND USE: Excavation by dredge of up to 20,000 cubic yards for maintenance and repair of nine eroded areas of levees along the above-mentioned Sloughs and River.

TERMS OF PROPOSED PERMIT: Three years from July 1, 1985 to June 30, 1988.

DREDGING FEE: A royalty of \$0.25 per cubic yard for materials placed on the landward side of the levees or if sold for commercial benefit. Imposition of a royalty for placement of dredge spoils on the landward side of the levees for private use is not evidence of nor does it constitute a waiver of State claims of sovereign ownership of all or part of these lands, whether on the inside or outside of the levees.

PREREQUISITE TERMS, FEE AND EXPENSES: Filing and Extractive Development fees have been received.

STATUTORY AND OTHER REFERENCES:
A. P.R.C. 6303, 6307, 21065.
B. 2 Cal. Adm. Code 2905, 2954.

(ADDED 07/16/85)

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APPROVALS OBTAINED:

United States Corps of Engineers, Napa County
Flood Control District, Solano County Public
Works.

AB 884:

08/13/85.

OTHER PERTINENT INFORMATION:

1. Leslie Salt Company, Inc. has applied to the State Lands Commission for a dredging permit to allow the removal of up to 20,000 cubic yards of material from the bed of the Napa, China, and Dutchman Sloughs and the Napa River to repair erosion at nine locations on the waterward side of the levees.
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 exemption under Class 2, replacement or reconstruction of existing structures and facilities, 14 Cal. Adm. Code, Section 15302.

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

3. This project involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370 et seq. Based upon the 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 the use classification.
4. Pursuant to the concerns expressed by the Bay Area Conservation and Development Commission (BCDC), United States Fish and Wildlife Service, and State of California Department of Fish and Game, the following conditions have been incorporated into the dredging permit:

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- A. No dredging shall be done between December 1 and July 31 of each year;
- B. Placement of fill must be limited to the eroded sites with benching at the foot of the levee compatible with BCDC requirements;
- C. No existing marsh vegetation shall be dredged;
- D. Prior to the start of the work, the applicant must develop and implement a levee revegetation plan acceptable to the United States Fish and Wildlife Service, State Department of Fish and Game, BCDC, and the State Lands Commission.

EXHIBITS: A. Area Location Map.
 B. Site Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

- 1. FIND THAT THIS ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. ADM. CODE 15061 AS A CATEGORICAL EXEMPT PROJECT, CLASS 2, REPLACEMENT OR RECONSTRUCTION OF EXISTING STRUCTURES AND FACILITIES. 14 CAL. ADM. CODE, 15302.
- 2. FIND THAT THIS ACTIVITY AS PROPOSED IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO P.R.C. 6370 ET SEQ.
- 3. FIND THAT AS A CONDITION TO ISSUANCE OF THE DREDGING PERMIT, THE FOLLOWING STIPULATIONS OF THE PERMIT MUST BE SATISFIED:
 - A. NO DREDGING SHALL BE DONE BETWEEN DECEMBER 1 AND JULY 31 OF EACH YEAR;
 - B. PLACEMENT OF FILL MUST BE LIMITED TO THE ERODED SITES WITH BENCHING AT THE FOOT OF THE LEVEE COMPATIBLE WITH BCDC REQUIREMENTS;
 - C. NO EXISTING MARSH VEGETATION SHALL BE DREDGED;

(ADDED 07/16/85)

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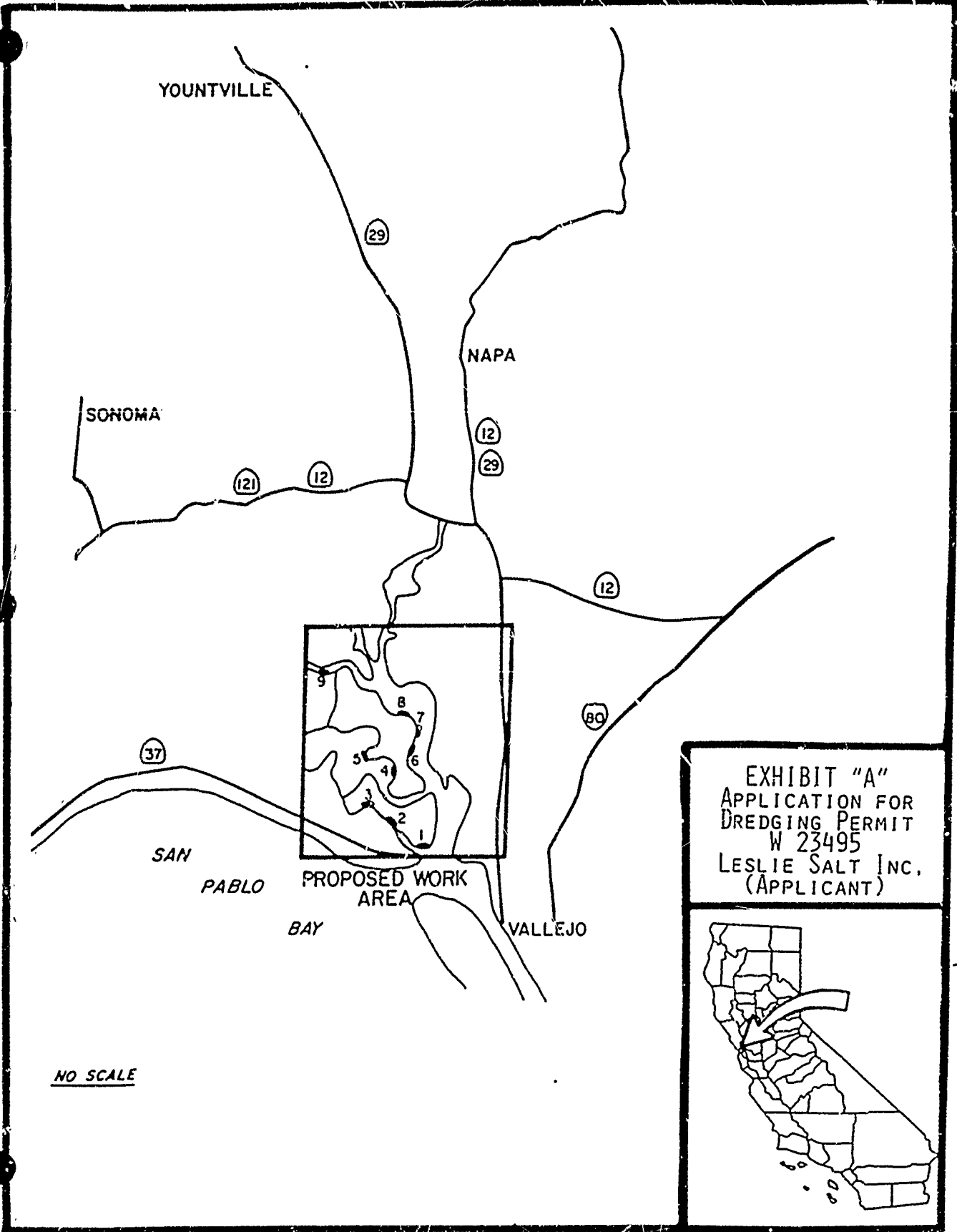
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- D. PRIOR TO THE START OF WORK, THE APPLICANT MUST DEVELOP AND IMPLEMENT A LEVEE REVEGETATION PLAN ACCEPTABLE TO THE UNITED STATES FISH AND WILDLIFE SERVICE, THE STATE DEPARTMENT OF FISH AND GAME, BCDC, AND THE STATE LANDS COMMISSION.
4. AUTHORIZE THE STAFF TO ISSUE TO LESLIE SALT COMPANY THE DREDGING PERMIT ON FILE IN THE OFFICE OF THE STATE LANDS COMMISSION; SAID PERMISSION SHALL BE ISSUED IN CONSIDERATION OF NO ROYALTY TO BE CHARGED FOR SPOILS PLACED ON THE WATERWARD SIDE OF THE LEVEE AND A ROYALTY OF \$0.25 PER CUBIC YARD FOR SPOILS PLACED ON THE LANDWARD SIDE OF THE LEVEE FOR PRIVATE USE AND BENEFIT OR SOLD FOR COMMERCIAL BENEFIT. SAID PERMIT SHALL ALLOW FOR A MAXIMUM OF 20,000 CUBIC YARDS OF SAND, SILT, CLAY AND GRAVEL; EXCLUDING ALL OTHER MATERIALS INCLUDING BUT NOT LIMITED TO OIL, GAS AND GEOTHERMAL FROM AN AREA OF TIDE AND SUBMERGED LANDS IN NAPA, CHINA, DUTCHMAN SLOUGHS AND THE NAPA RIVER, NAPA AND SOLANO COUNTIES AS DESCRIBED IN EXHIBITS "A" AND "B" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF. MATERIALS DREDGED AND NOT USED IN LEVEE REPAIRS SHALL BE DEPOSITED ON DISPOSAL SITES APPROVED BY ALL APPLICABLE REGULATORY AGENCIES.
5. FIND THAT IMPOSITION OF A FEE FOR PLACEMENT OF DREDGE SPOILS ON THE LANDWARD SIDE OF THE LEVEES FOR PRIVATE USE DOES NOT CONSTITUTE NOR IS IT EVIDENCE OF A WAIVER OF STATE CLAIMS OF SOVEREIGN RIGHTS IN PROPERTY LYING ON THE INSIDE OR THE OUTSIDE OF THE LEVEES.

(ADDED 07/16/85)
(REVISED 07/19/85)

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NO SCALE

EXHIBIT "A"
 APPLICATION FOR
 DREDGING PERMIT
 W 23495
 LESLIE SALT INC.
 (APPLICANT)



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