

MINUTE ITEM  
This Calendar Item No. C20  
was approved as Minute Item  
No. C20 by the State Lands  
Commission by a vote of 2  
to 0 at its 10/29/90  
meeting.

MINUTE ITEM

C20

10/29/90  
PRC 4975  
Martinez

DREDGING PERMIT

Charles Warren, Executive Officer, presented Calendar Items 17, 20, 21, and 22, all pertaining to permits for dredging and deposition of dredged spoils. Mr. Warren reported that he agreed with the Bay Planning Coalition and with the consent of the Applicants themselves, that the mitigation fee would be collected, but would be held in trust in the event the Bay Planning Coalition could convince the Commission to abandon its present policy.

The Commission voted 2-0 to approve the items subject to the conditions.

Attachment: Calendar Item C20.

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MINUTE ITEM  
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was approved as Minute Item  
No. 020 by the State Lands  
Commission by a vote of 2  
to 0 at its 10/29/90  
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CALENDAR ITEM:

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10/29/90  
PRC 4975  
Martinez

DREDGING PERMIT

APPLICANT: Unocal  
San Francisco Refinery  
1380 San Pablo Avenue  
Rodeo, California 94572

AREA, TYPE LAND AND LOCATION:  
Tide and submerged lands in San Pablo Bay at  
Davis Point, Contra Costa County.

LAND USE: Dredge a maximum 90,000 cubic yards for the  
purpose of maintaining a navigable depth at the  
Applicant's existing marine terminal. The  
Applicant has proposed disposal of the dredged  
material at the Corp's EPA-approved Carquinez  
Strait Disposal Site SF-9.

TERMS OF PROPOSED PERMIT:

Initial Period: One year beginning  
October 29, 1990.

Royalty: No charge for aquatic  
disposal. A charge of 0.25  
per cubic yard for any  
material sold or used for  
commercial purposes.

Additional Fee: A fee of \$0.25 per cubic yard  
for any dredged material  
disposed of at any site in  
San Francisco Bay, including  
but not limited to SF-9, to  
offset cost of studies  
necessary to develop non-Bay  
disposal sites for future use.

CALENDAR ITEM NO. C 30 (CONT'D)

PREREQUISITE TERMS, FEES AND EXPENSES:

Filing and processing fees have been received.

STATUTORY AND OTHER REFERENCES:

A. P.R.C.: Div. 6, Parts 1 and 2, Div. 13.

B. Cal. Code Regs.: Title 2, Div. 3,  
Title 14, Div. 6.

AB 884:

04/21/91.

OTHER PERTINENT INFORMATION:

1. Water quality testing performed pursuant to the United States Army Corps of Engineers and California Regional Water Quality Control Board permitting requirements found the materials to be suitable for disposal at SF-9 as proposed.
2. Questions have been raised about continuing to dispose of dredged material in San Francisco Bay. It is anticipated the currently approved in-Bay sites will reach capacity within ten years. However, the current lack of suitable upland disposal sites or EPA/Corps approved offshore disposal sites severely limits the options available for disposal.

Through participation in the Federal/State Joint Long-Term Management Study being conducted to identify and evaluate site options for the disposal of material dredged from San Francisco Bay, the State Lands Commission has emphasized the need to focus on the selection of upland and ocean disposal site(s).

Identification and evaluation of alternate disposal sites will require numerous studies at a cost of several million dollars. Because in-Bay disposal contributes to the eventual obsolescence of in-Bay sites, and the need to develop other alternatives, a fee will be charged as a condition to the proposed permit to be deposited in a fund to offset the cost of needed studies.

CALENDAR ITEM NO. C 20 (CONT'D)

3. An environmental analysis document was prepared, circulated, and adopted for this project as a substitute for a Negative Declaration in a regulatory program of the SFBCDC which has been certified by the Secretary for Resources as meeting the requirements of P.R.C. 21080.5, which document concluded that the project, as defined, will have no significant environmental effects within the Commission's jurisdiction or special expertise.

The SFBCDC, as Lead Agency, consulted with the responsible agencies, as required by CEQA Guidelines Section 15253, and determined that the project, as approved, would not have a significant effect on the environment. The SFBCDC, as Lead Agency, approved the project on February 16, 1990. The staff of the State Lands Commission has reviewed the environmental analysis document and believes that the conditions have been met for the Commission, as Responsible Agency, to use the document as a substitute for a Negative Declaration as provided under CEQA Guidelines, Section 15253.

APPROVALS REQUIRED:

United States Army Corps of Engineers, SFBCDC,  
and Regional Water Quality Control Board.

EXHIBIT:

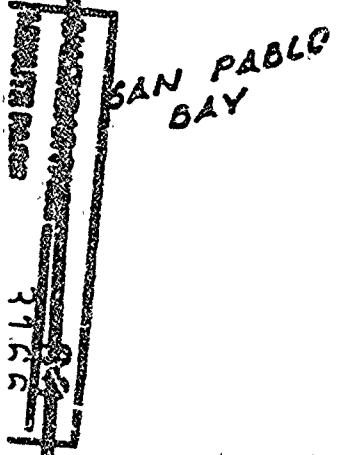
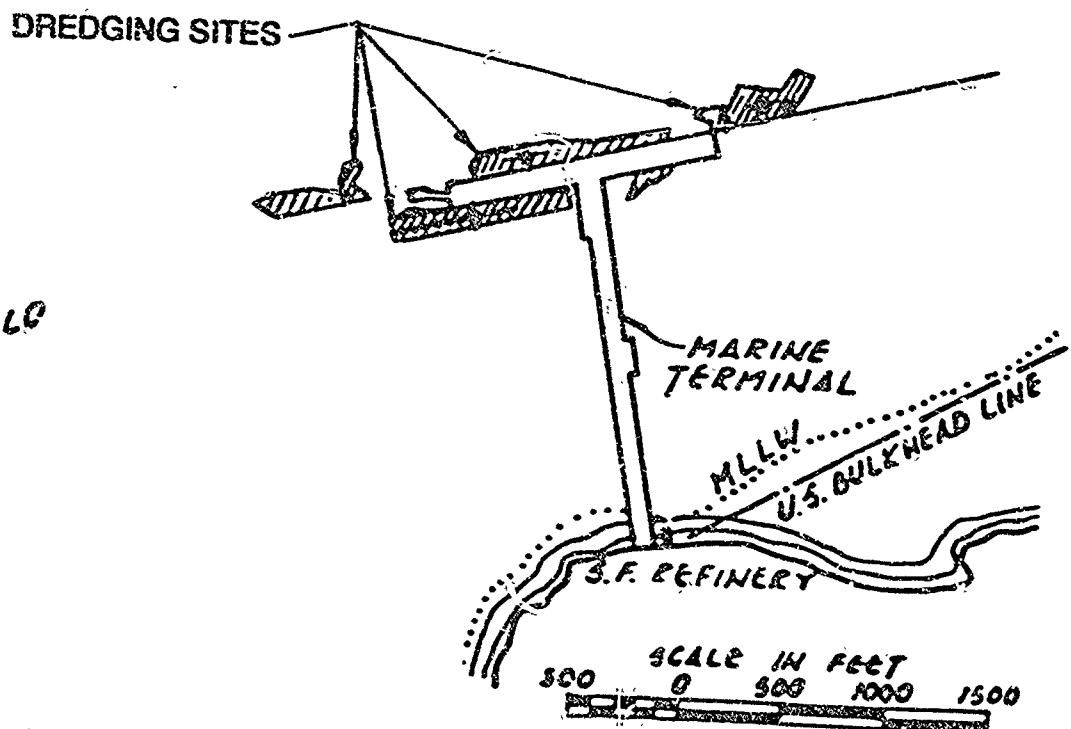
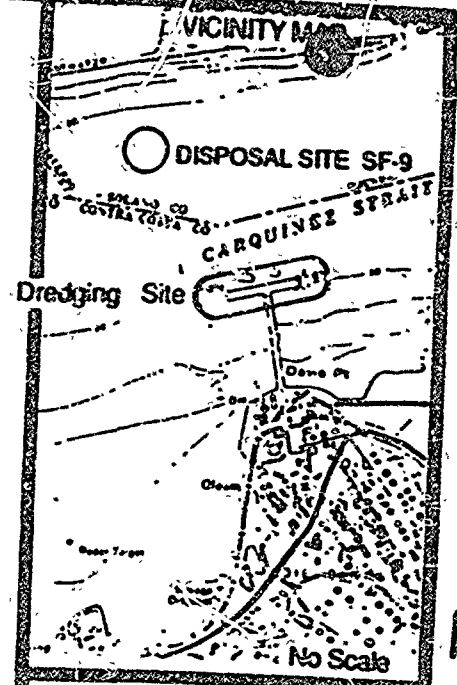
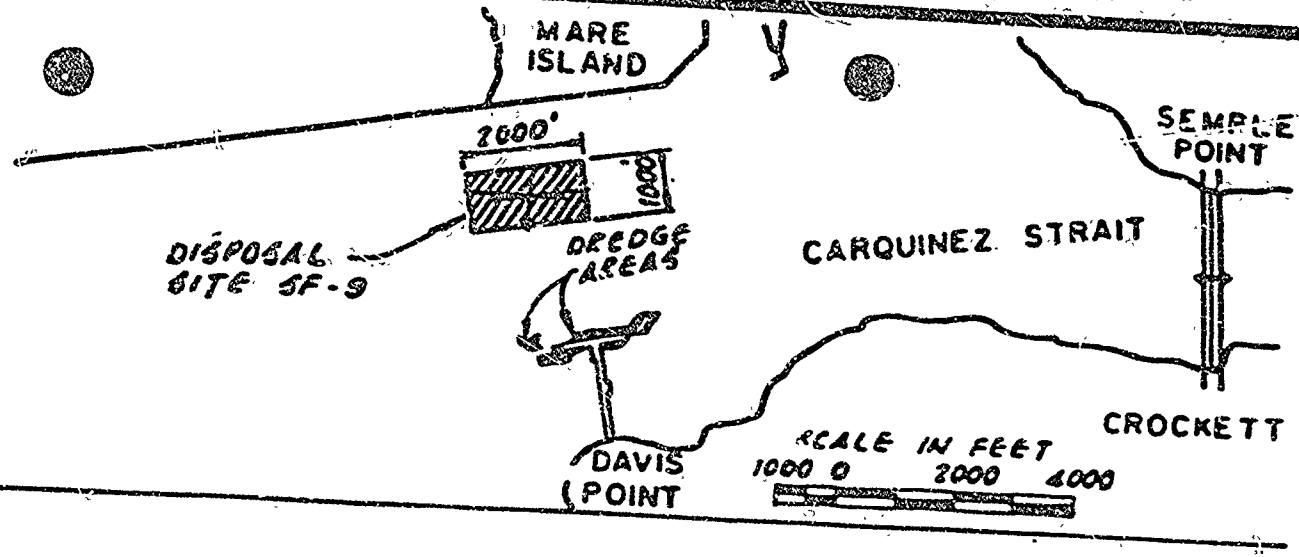
A. Vicinity and Site Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT AN ENVIRONMENTAL ANALYSIS DOCUMENT WAS PREPARED, CIRCULATED AND ADOPTED FOR THIS PROJECT BY THE SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION UNDER ITS CERTIFIED STATE REGULATORY PROGRAM [CEQA GUIDELINES SECTION 15251(h)], THAT THE CONDITIONS SPECIFIED IN GUIDELINES SECTION 15253 HAVE BEEN MET AND PURSUANT TO GUIDELINE SECTION 15253(a), THE COMMISSION, AS A RESPONSIBLE AGENCY, SHALL USE THAT ENVIRONMENTAL ANALYSIS DOCUMENT AS A SUBSTITUTE FOR A NEGATIVE DECLARATION.

2. FIND THAT THE COMMISSION HAS CONSIDERED THE INFORMATION CONTAINED IN THE ENVIRONMENTAL ANALYSIS DOCUMENT AND HAS DETERMINED THAT THE PROJECT, AS APPROVED, WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
3. AUTHORIZE STAFF TO ISSUE TO UNOCAL THE DREDGING PERMIT ON FILE IN THE OFFICE OF THE STATE LANDS COMMISSION. THE PERMIT SHALL ALLOW DREDGING A MAXIMUM 90,000 CUBIC YARDS OF MATERIAL FROM SAN PABLO BAY AT DAVIS POINT, CONTRA COSTA COUNTY FOR ONE YEAR BEGINNING OCTOBER 29, 1990. IT IS PREFERRED THAT DREDGED MATERIALS SHALL BE DISPOSED OF AT AN EPA/CORPS OF ENGINEERS APPROVED OFFSHORE OCEAN DISPOSAL SITE. IN THE ABSENCE OF AVAILABILITY OF SUCH SITES, THE MATERIAL MAY BE DISPOSED OF AT THE CORPS OF ENGINEERS CARQUINEZ STRAIT SITE. NO ROYALTY SHALL BE CHARGED FOR MATERIAL DISPOSED OF AT THE APPROVED AQUATIC SITE. A ROYALTY OF \$0.25 PER CUBIC YARD SHALL BE CHARGED FOR ANY MATERIAL SOLD OR USED FOR COMMERCIAL PURPOSES. A FEE OF \$0.25 WILL BE CHARGED FOR EACH CUBIC YARD OF DREDGED MATERIAL PLACED AT AN IN-BAY DISPOSAL SITE, TO BE PLACED IN A SEPARATE FUND TO OFFSET COSTS OF STUDIES NECESSARY TO IDENTIFY AND ANALYZE ALTERNATIVE DISPOSAL SITES. THE PERMITTED ACTIVITY IS CONTINGENT UPON THE APPLICANT'S COMPLIANCE WITH APPLICABLE PERMITS, RECOMMENDATIONS, AND LIMITATIONS ISSUED BY FEDERAL, STATE, AND LOCAL GOVERNMENT AGENCIES.





**EXHIBIT "A"**  
 Application For  
 Dredging Permit  
 UNOCAL  
 Contra Costa County  
 San Pablo Bay at Davis Point  
 PRC 4975



PREPARED SEPTEMBER 28, 1990 BY LLB.