

**CALENDAR ITEM
C31**

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01/26/12

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W 26518

V. Caldwell

DREDGING LEASE

APPLICANT:

Georgia-Pacific Gypsum LLC
P.O. Box 460
801 Minaker Street
Antioch, California 94509

AREA, LAND TYPE, AND LOCATION:

Sovereign land in the San Joaquin River, adjacent to 801 Minaker Street, near the city of Antioch, Contra Costa County.

AUTHORIZED USE:

One-time maintenance dredge to remove a maximum of 700 cubic yards of accumulated sub-tidal bottom sediment to maintain a navigable depth; and disposal of material at an approved disposal site.

LEASE TERM:

Three years, beginning January 26, 2012.

CONSIDERATION:

No monetary consideration is due because the dredged material has no commercial resale value and its placement will result in a public benefit by protecting levees. The dredged material may not be sold.

SPECIFIC LEASE PROVISIONS:

Insurance:

Liability insurance in the amount of no less than \$1,000,000.

Other:

1. The in-water work window is August 1 through October 31.
2. Applicant will make all best efforts to control and minimize turbidity to protect marine resources and habitats from excessive siltation in the general vicinity of the project.

CALENDAR ITEM NO. **C31** (CONT'D)

OTHER PERTINENT INFORMATION:

1. Applicant owns the upland adjoining the lease premises.
2. On October 27, 2011, the Commission authorized lease No. PRC 1589.1, a General Lease – Industrial Use, to Georgia-Pacific Gypsum LLC (GP) for existing industrial docking and offloading facilities used in conjunction with an adjacent gypsum material manufacturing facility. The lease, expires on November 30, 2016. GP is now applying for a separate one-time Dredging Lease to provide for adequate keel clearance at the dock facilities for continued delivery of gypsum by ships at the offloading facility.
3. In 1995, the Commission authorized removal of a maximum 1,200 cubic yards of material. Since that time, shoaling has occurred at the dock location as a result of normal tidal influence in the San Joaquin River. Accumulation of sediment has thereby limited essential shipping access to the offloading dock facilities. The project proposes to deepen access at the ship berthing area to a consistent depth of minus 32 feet below Mean Lower Low Water. The volume of dredged material proposed for removal adjacent to the dock is approximately 600-700 cubic yards.
4. The sediment will be removed using a mechanical dredge with a closed dredge bucket. The dredged material will be placed on a barge with a long reach bucket excavator and transported three miles downstream to Winter Island where it will be offloaded and used for levee maintenance and repair. The placement site, Winter Island, was designated by the San Francisco Bay Regional Water Quality Control Board. Placement of the dredged material on the Island's levees will provide a public benefit by protecting interior freshwater habitat and wildlife. The barge has a capacity of three to four hundred cubic yards; therefore, two to three trips between the docking facility and the placement site will be necessary to complete the transport. The dredging operations are expected to take three days, with one day each for equipment mobilization and demobilization, for a total of five days.
5. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Cal. Code Regs., tit. 14, §15061), the staff has determined this activity is exempt from the requirements of CEQA as a categorically exempt project. The project is exempt under Class 4, Minor Alteration to Land; California Code of Regulations, Title 2, section 2905, subdivision (d)(4).

CALENDAR ITEM NO. **C31** (CONT'D)

Authority: Public Resources Code section 21084 and California Code of Regulations, Title 14, section 15300 and California Code of Regulations, Title 2, section 2905.

6. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et seq., but such activity will not affect those significant lands. 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 its use classification.

APPROVALS OBTAINED:

U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, National Marine Fisheries Services, Central Valley Regional Water Quality Control Board, San Francisco Bay Regional Water Quality Control Board, California State Parks Office of Historic Preservation, and Reclamation District 2122

EXHIBITS:

- A: Land Description
- B: Site and Location Map

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that the activity is exempt from the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15061 as a categorically exempt project, Class 4, Minor Alteration to Land; California Code of Regulations, Title 2, section 2905, subdivision (d)(4).

SIGNIFICANT LANDS INVENTORY FINDING:

Find that this activity is consistent with the use classification designated by the Commission for the land pursuant to Public Resources Code section 6370 et seq.

AUTHORIZATION:

Authorize the issuance of a three-year Dredging Lease to Georgia-Pacific Gypsum LLC beginning January 26, 2012, for a one-time maintenance dredge of a maximum of 700 cubic yards of sediment

CALENDAR ITEM NO. **C31** (CONT'D)

to maintain a navigable depth on lands as described in Exhibit A and shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof; and dredged material to be disposed of at an approved upland disposal site. Such permitted activity is contingent upon the Applicant's compliance with applicable permits, recommendations, or limitations issued by federal, State and local governments. No monetary consideration is due for the lease because the dredged material has no commercial resale value and its placement will result in a public benefit by protecting levees; the dredged material may not be sold for this purpose; and liability insurance in the amount of no less than \$1,000,000.

EXHIBIT A

W 25618

LAND DESCRIPTION

A 40 feet wide strip of submerged land situate in the bed of the San Joaquin River adjacent to Lot 1, Section 17 and Lot 4, Section 18, Township 2 North, Range 2 East, MDM as shown on the Official Township Plat approved December 24, 1862, County of Contra Costa, State of California, and lying 30 feet northerly and 10 feet southerly of the following describe centerline:

BEGINNING at a point at the center of the westerly end of an existing dock and having the approximate coordinates CCS83 Zone 3 (Epoch 1991.35) N(y)=2194869 feet E(x)=6190576 feet, thence S 85° 04' 19" E 780 feet more or less to the easterly end of said dock and the terminus of said strip.

Sidelines of said strips be lengthened or shortened so as to terminate at lines lying perpendicular to the beginning and terminus of said.

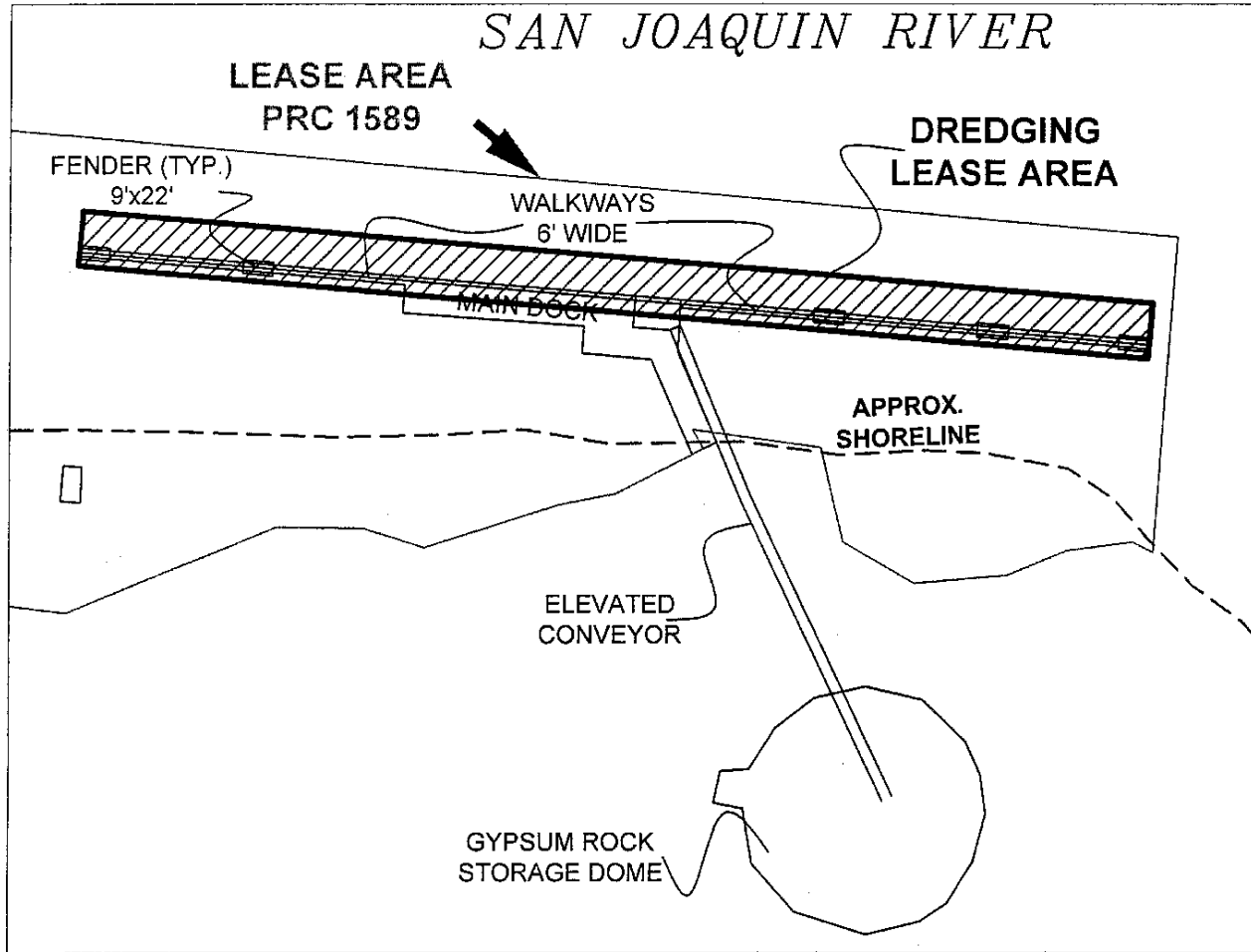
END OF DESCRIPTION

PREPARED 11/29/11 BY THE CALIFORNIA STATE LANDS COMMISSION BOUNDARY UNIT



NO SCALE

SITE



801 MINAKER DR.
ANTIOCH, CA

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

Exhibit B

W 25618
GEORGIA-PACIFIC
GYPSUM LLC.
DREDGING LEASE
CONTRA COSTA CO.

