MINUTE ITEM

4. APPLICATION FOR DREDGING PERMIT, TIDE AND SUBMERGED LANDS, FALSE RIVER AND PIPER SLOUGH, CONTRA COSTA COUNTY; DEPARTMENT OF PARKS AND RECREATION, DIVISION OF BEACHES AND PARKS - W.O. 5011, P.R.C. 3102.9.

After consideration of Calendar Item 17 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE COMMISSION CONFIRMS THE EMERGENCY AUTHORIZATION GRANTED BY STAFF, AND THE EXECUTIVE OFFICER IS AUTHORIZED TO ISSUE TO THE DEPARTMENT OF PARKS AND RECREATION, DIVISION OF BEACHES AND PARKS, A PERMIT TO DREDGE APPROXIMATELY 25,000 CUBIC YARDS OF MATERIAL, WITHOUT PAYMENT OF ROYALTY, FROM AN AREA OF TIDE AND SUBMERGED LANDS IN THE BEDS OF FALSE RIVER AND PIPER SLOUGH, CONTRA COSTA COUNTY. THE AREA TO BE INCLUDED IN THE PERMIT IS DESCRIBED AS FOLLOWS:

> A PARCEL OF TIDE AND SUBMERGED LAND IN THE BED OF FALSE RIVER LYING BETWEEN FISHERMEN'S CUT AND SHORT SLOUGH, AND A PARCEL OF LAND IN THE BED OF PIPER SLOUGH LYING BETWEEN TAYLOR SLOUGH AND BETHEL HARBOR, CONTRA COSTA COUNTY.

THE PERMIT IS TO BE ISSUED FOR THE PERIOD FEBRUARY 4, 1964, THROUGH DECEMBER 31, 1966, AND IS TO BE SUBJECT TO THE FOLLOWING CONDITIONS:

1. NO DREDGED MATERIAL SHALL BE REMOVED CLOSER THAN FIFTY FEET FROM THE BASE OF THE LEVEE; AND

2. THE SIDE OF THE BORROW AREA NEAREST AND ADJACENT TO THE LEVEE SHALL BE SLOPED NO STEEPER THAN 1 ON 3.

Attachment
Calendar Item 17 (2 pages)

CALENDAR ITEM

17.

APPLICATION FOR DREDGING PERMIT, TIDE AND SUBMERGED LANDS, FALSE RIVER AND PIPER SLOUGH, CONTRA COSTA COUNTY; DEPARTMENT OF PARKS AND RECREATION, DIVISION OF BEACHES AND PARKS - W.O. 5011.

An application dated January 3, 1964 has been received from the Department of Parks and Recreation, Division of Beaches and Parks, for a permit to dredge approximately 25,000 cubic yards of material from an area of tide and submerged lands in the beds of False River and Piper Slough, adjacent to Frank's Tract State Recreation Area, for the purpose of repairing and widening the levee. The levee on which the material extracted will be deposited is located on property under the jurisdiction of the Department of Parks and Recreation, Division of Beaches and Parks.

Section 6303 of the Public Resources Code provides that: "The Commission may grant the privilege of...extracting material from...tide or submerged lands... for purposes connected with the erection or maintenance of structures...on such terms and conditions and for such consideration as will be for the best interests of this State."

The U. S. Corps of Engineers has issued a Department of the Army permit authorizing the conduct of the dredging operations in False River and Piper Slough at various locations along the dry portions of Frank's Tract.

The Reclamation Board has issued an order approving the proposed operations, subject to certain conditions, including the following: (1) no dredged material shall be removed closer than fifty feet from the base of the levee; and (2) the side of the borrow area nearest and adjacent to the levee shall be sloped no steeper than 1 on 3.

The Department of Fish and Game has been notified of the proposed operations. The application has been referred to the office of the Attorney General for review.

According to information submitted to the staff by telephone on February 4, 1964, a portion of the levee has been moved back in order to riprap the levee face. This work is in danger of being lost due to erosion; in addition, a number of leaks have developed in the levee which can be controlled only with dredged material. The contract operations would be held up until formal Commission approval is received late in February. Because of this emergency condition, authorization to proceed with dredging operations was requested, and was granted by the Assistant Executive Officer.

IT IS RECOMMENDED THAT THE COMMISSION CONFIRM THE EMERGENCY AUTHORIZATION GRANTED BY STAFF AND AUTHORIZE THE EXECUTIVE OFFICER TO ISSUE TO THE DEPARTMENT OF PARKS AND RECREATION, DIVISION OF BEACHES AND PARKS, A PERMIT TO DREDGE APPROXIMATELY 25,000 CUBIC YARDS OF MATERIAL, WITHOUT PAYMENT OF ROYALTY, FROM AN AREA OF TIDE AND SUBMERGED LANDS IN THE BEDS OF FALSE RIVER AND PIPER SLOUGH, CONTRA COSTA COUNTY. THE AREA TO BE INCLUDED IN THE PERMIT IS DESCRIBED AS FOLLOWS:

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2. THE SIDE OF THE BORROW AREA NEAREST AND ADJACENT TO THE LEVEE SHALL BE SLOPED NO STEEPER THAN 1 ON 3.