

MINUTE ITEM

5. APPLICATION FOR DREDGING PERMIT, TIDE AND SUBMERGED LANDS, SOUTH BUCKLEY COVE, SAN JOAQUIN COUNTY; CITY OF STOCKTON - W.O. 5393; P.R.C. 3260.9.

Following presentation of Calendar Item 14 attached, Mr. W. M. Carlile, Jr., Deputy City Manager of the City of Stockton, explained in detail the use to which the area would be put.

The Executive Officer reported that the staff recommended that the permit be issued as in the public benefit and without the payment of any royalties.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED THE FOLLOWING RESOLUTION WAS ADOPTED:

THE COMMISSION:

1. DETERMINES THAT THE SUBJECT OPERATIONS ARE FOR THE IMPROVEMENT OF NAVIGATION OR RECLAMATION;
2. AUTHORIZES THE EXECUTIVE OFFICER TO ISSUE TO THE CITY OF STOCKTON A PERMIT TO DREDGE APPROXIMATELY 172,200 CUBIC YARDS OF MATERIAL FROM AN AREA OF STATE-OWNED TIDE AND SUBMERGED LANDS UNDERLYING SOUTH BUCKLEY COVE, DESCRIBED AS FOLLOWS:

ALL THAT PORTION OF THAT CERTAIN TIDE AND SUBMERGED LAND SITUATE, LYING AND BEING IN THE COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA, IN SECTION 36, T. 2 N., R. 5 E., M.D.B. & M., AND MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO WIT:

COMMENCING AT A POINT IN SECTION 36, T. 2 N., R. 5 E., M.D.B. & M., SAID POINT ALSO BEING U.S.E.D. MONUMENT NO. 37 D.W.; THENCE S. 87° 20' 27" E., A DISTANCE OF 368.28 FEET TO A POINT; THENCE N. 89° 41' E., A DISTANCE OF 405.66 FEET TO A POINT; THENCE N. 30° 33' W., A DISTANCE OF 346.44 FEET TO A POINT; THENCE N. 0° 07' E., A DISTANCE OF 392.00 FEET TO A POINT ON THE NORTH CHANNEL LINE OF STOCKTON DEEP WATER CHANNEL, SAID POINT ALSO BEING THE POINT OF BEGINNING OF THE FOLLOWING-DESCRIBED PORTION OF THAT CERTAIN TIDE AND SUBMERGED LAND; THENCE N. 11° 19' E., A DISTANCE OF 194.98 FEET TO A POINT; THENCE N. 10° 24' E., A DISTANCE OF 395.64 FEET TO A POINT; THENCE N. 2° 34' W., A DISTANCE OF 513.27 FEET TO A POINT; THENCE N. 16° 14' W., A DISTANCE OF 199.04 FEET TO A POINT; THENCE N. 87° 55' 31" E., A DISTANCE OF 395.56 FEET TO A POINT; THENCE S. 5° 24' E., A DISTANCE OF 528.23 FEET TO A POINT; THENCE S. 9° 39' W., A DISTANCE OF 716.99 FEET TO A POINT; THENCE S. 0° 12' E., A DISTANCE OF 314.81 FEET TO A POINT; THENCE S. 9° 21' E., A DISTANCE OF 73.11 FEET TO A POINT; THENCE S. 22° 42' E., A DISTANCE OF 311.14 FEET TO A POINT ON THE NORTH CHANNEL LINE OF STOCKTON DEEP WATER CHANNEL; THENCE N. 42° 27' W., MEANDERING DOWNSTREAM ALONG SAID NORTH CHANNEL LINE, A DISTANCE OF 361.35 FEET TO A POINT; THENCE N. 36° 44' W., MEANDERING DOWNSTREAM ALONG SAID NORTH CHANNEL LINE, A DISTANCE OF 425.03 FEET TO A POINT, SAID POINT AS HEREBEFORE REFERRED TO, THE POINT OF BEGINNING.

3. DETERMINES THAT THE CONSIDERATION FOR THE ISSUANCE OF THE PERMIT IS THE PUBLIC BENEFIT.

Attachment:

Calendar Item 14 (2 pages)

CALENDAR ITEM

14.

APPLICATION FOR DREDGING PERMIT, TIDE AND SUBMERGED LANDS, SOUTH BUCKLEY COVE, SAN JOAQUIN COUNTY; CITY OF STOCKTON - W.O. 5393.

An application has been received from the City of Stockton for a permit to dredge approximately 172,200 cubic yards of material from 1,006 acres more or less of State-owned tide and submerged lands underlying South Buckley Cove, San Joaquin County. This cove lies in the bed of the natural channel of the San Joaquin River adjacent to the Stockton Channel. Senate Bill 204, which would grant South Buckley Cove to the City of Stockton upon certain trust conditions, has been introduced in the 1965 session of the State Legislature. The dredged material will be deposited on City-owned property adjacent to South Buckley Cove. The disposal area is included in the City of Stockton's master plan for recreational development, and the development of the park site and other recreational facilities will be financed by the City of Stockton.

On August 8, 1957 (Minute Item 7, page 3376), the State Lands Commission authorized the Executive Officer to issue a lease, P.R.C. 1976.1, to the City of Stockton to be used for the construction and maintenance of a small craft harbor. On April 25, 1955 (Minute Item 5, page 8781), the Executive Officer was authorized to approve a sublease of P.R.C. 1976.1 between the City of Stockton and Jack Benton. A portion of the lands included in the lease overlap the western half of the area included in the subject application to dredge. The dredging will make the area more suitable for the small craft harbor that is to be developed under the terms of the Lease P.R.C. 1976.1.

Section 6303 of the Public Resources Code provides that the Commission may grant the privilege of depositing material upon, or removing or extracting material from, tide or submerged lands owned by the State for the improvement of navigation or reclamation upon such terms and conditions and for such consideration as will be for the best interests of the State.

The U. S. Corps of Engineers has issued a Department of the Army permit authorizing the conduct of dredging operations at the location described in the application.

Statements of nonobjection to the proposed dredging operations have been received from the Department of Fish and Game, the Division of Small Craft Harbors, and the Division of Beaches and Parks.

The Office of the Attorney General states that, should the Commission determine that subject operations are for the improvement of navigation or reclamation, it may, under the terms of Section 6303 of the Public Resources Code, issue the subject permit without competitive bidding, upon such terms and conditions and for such consideration as it finds to be in the best interests of the State, and, assuming that the Commission makes the aforesaid findings, that the application conforms with the applicable provisions of law and the rules and regulations of the State Lands Commission.

CALENDAR ITEM 14. (CONFD.)

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT THE SUBJECT OPERATIONS ARE FOR THE IMPROVEMENT OF NAVIGATION OR RECLAMATION;
2. AUTHORIZE THE EXECUTIVE OFFICER TO ISSUE TO THE CITY OF STOCKTON A PERMIT TO DREDGE APPROXIMATELY 172,200 CUBIC YARDS OF MATERIAL FROM AN AREA OF STATE-OWNED TIDE AND SUBMERGED LANDS UNDERLYING SOUTH BUCKLEY COVE, DESCRIBED AS FOLLOWS:

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3. DETERMINE THAT THE CONSIDERATION FOR THE ISSUANCE OF THE PERMIT IS THE PUBLIC BENEFIT, OR DETERMINE THE ROYALTY RATE TO BE PAID AS CONSIDERATION.