

25. DREDGING PERMIT; TIDE AND SUBMERGED LAND IN THE CARQUINEZ STRAIT AT CROCKETT, CONTRA COSTA COUNTY; ANTONE DOWRELIO (DOWRELIO BOAT WORKS); W 9797; PRC 5068.

William F. Northrop, Executive Officer, explained the disposition of the spoils in this particular case was a rather novel disposition, in that rather than spoiling the dredged material at a regular disposal site, the applicant planned on using water dispersal.

He went on to explain the staff recommended a royalty of \$.10 per cubic yard for the dredged materials. Mr. Northrop stated concern about a further silting problem and said the staff was interested in studying where the silting was coming from.

A letter from Mr. Frank C. Boerger, Consulting Engineer, protesting the \$.10 per cubic yard royalty, was referred to by Mr. Northrop and is attached and by reference made a part hereof.

Mr. Boerger, appearing on behalf of Mr. Dowrelio and also as Chairman of the Marine Affairs & Navigation Conference Dredging Committee, gave background information on the operation of Mr. Dowrelio's business. He requested the royalty on this project be waived for two reasons: (1) based on economic hardship on Mr. Dowrelio and (2) the public benefit, in that there is a great deal of recreational boating in this area.

Carl D'Agostino, Chief Deputy Controller, expressed the concern of setting a precedent on the basis of economic hardship and also that this process would be putting the silt back into the system, relocating it elsewhere rather than removing it. He also said the Department of Fish and Game would be required to monitor the dredging project.

After considerable discussion on this matter, a motion was made and approved not to waive the royalty of \$.10 per cubic yard on the dredged materials.

Upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION:

1. DETERMINES THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS THE WORK IS MAINTENANCE DREDGING AND SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF 2 CAL. ADM. CODE 2907.
2. AUTHORIZES THE ISSUANCE OF A PERMIT TO ANTONE DOWRELIO TO DREDGE 30,000 CUBIC YARDS OF MATERIAL FROM A FIVE-ACRE

MINUTE ITEM NO. 25. (CONTD)

AREA OF TIDE AND SUBMERGED LANDS IN CARQUINEZ STRAIT AT CROCKETT, CONTRA COSTA COUNTY, SUCH AREA BEING DESCRIBED IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF; AT A ROYALTY RATE OF \$.10 PER CUBIC YARD, AND TO SPOIL SUCH DREDGE MATERIAL BY SUBAQUEOUS DISPERSAL IN THE CARQUINEZ STRAIT DOWNSTREAM FROM THE DREDGE AREA; EFFECTIVE OCTOBER 29, 1975, TO DECEMBER 31, 1976. SUCH PERMISSION TO BE CONDITIONAL TO THE REQUIREMENTS CONTAINED IN SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION PERMIT NO. M75-1, STATE WATER RESOURCES CONTROL BOARD CERTIFICATE OF CONFORMANCE NO. 75-39, AND TO THE ISSUANCE AND REQUIREMENTS THEREIN OF A PERMIT FROM THE U. S. ARMY CORPS OF ENGINEERS, AND ANY OTHER PERMITS, REQUIREMENTS OR LIMITATIONS AS SET OR AS MAY BE SET BY STATE, FEDERAL OR LOCAL GOVERNMENT.

Attachment:

Calendar Item 23 (4 pages)

Exhibit "A" (2 pages)

EXHIBIT "A"

CALIFORNIA
NEVADA
TEXAS
ALASKA
HAWAII
GUAM
WASHINGTON, D. C.



HARDING-LAWSON ASSOCIATES

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Consulting Engineers and Geologists

September 30, 1975

RICHARD S. HARDING
Civil Engineer
ROBERT T. LAWSON
Civil Engineer
GERALD M. DIAZ
Civil Engineer
KEITH H. BERGMAN
Civil Engineer
E. C. WINTERHALDER
Engineering Geologist
A. L. BUCHIGNANI
Civil Engineer
JEROME S. NELSON
Geophysicist

Mr. W. F. Northrup,
Executive Officer
State Lands Commission
1807 - 13th Street
Sacramento, California 95814

10/3/75
DJT
CFE
ADW
FILE W9787

Dear Mr. Northrup:

Re: Maintenance Dredging
Dowrelia Marina
Crockett, California

During the past several months since December 1974, various federal and state agencies have been considering the permitting of maintenance dredging at the Dowrelia Marina, Crockett, California. This marina is located on State lands that are subleased from C&H Sugar Company. Approximately 30,000 cubic yards of material must be removed from the marina in order for it to operate efficiently. The marina has been in operation for over 40 years and has provided an important service for recreational boaters and fishermen.

Permits to accomplish this important maintenance dredging have already been obtained from the Bay Conservation and Development Commission, the U.S. Army Corps of Engineers, and the San Francisco Bay Regional Water Quality Control Board. Certification of the project by the State Water Resources Control Board has been completed. The proposed method of disposal of the dredged material is an innovative technique not previously used in the Bay Area and involves subaqueous disposal through a diffuser system from a submerged pipeline. The system will cast the dredged materials into the normal stream flow to join other sediments that are moving with the current in the Carquinez Strait. Approval of this project by the Fish & Wildlife Service and by the U.S. Army Corps of Engineers was conditioned on establishing a monitoring program to determine the relative environmental effects of this method of disposal as compared with others currently in use. Approval of this project by the San Francisco Bay Regional Water Quality Control Board and by Region IX of the Environmental Protection Agency was based on the economic hardship that would occur if the standard methods of disposal, that is, transport by barge away from the marina, were used.

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STATE LANDS COMMISSION
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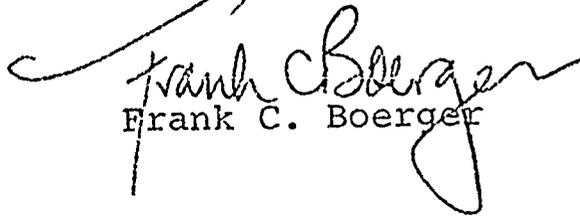
Mr. W. F. Northrup
Page 2 - September 30, 1975

It is my understanding that the staff of the State Lands Commission is currently preparing recommendations for the Commission for the October meeting. It is my further understanding that part of this recommendation will be to exercise an apparent new policy of requiring a 15¢/cubic yard royalty in connection with this project. The purpose of this letter is to request, in this specific case, relief from such a policy based on economic hardship to the operators of the marina. As mentioned before, the expenses connected with this dredging will cause a very great burden upon this operator, and if these expenses get too high, it could cause him to close down the operation. As your records will indicate, he is currently paying \$1391 per year to C&H Sugar as a sublease for the marina area. He is also paying \$762 per year to the State Lands Division for the restaurant that is established on part of the property.

Based on a consideration of the information presented here, it is hoped that your staff can recommend to the Commission that no royalty be assessed in connection with this project.

If there is any further information that you desire, I would be pleased to meet with you to discuss this matter further.

Sincerely,


Frank C. Boerger

FCB/jd

cc: Mr. Don Everitts
State Lands Division
100 Oceangate, Suite 300
Long Beach, California 90802

cc: California Marine Affairs and
Navigation Conference
World Trade Center, Room 303
San Francisco, California 94111

CALENDAR ITEM

10/75
RGN
W 9797

23.

DREDGING PERMIT

APPLICANT: Antone Dowrelia
(Dowrelia Boat Works)
Port Street
Crockett, California 94525

PROPOSED DREDGING:
To perform maintenance dredging (30,000 cubic yards) on approximately five acres (described on attached Exhibit "A") of tide and submerged land in the Carquinez Strait at Crockett, Contra Costa County, in Dowrelia Boat Works Marina. Area would be dredged to previously established 3 feet MLLW depth.

SPOILS PLACEMENT:
Carquinez Strait, downstream from dredge area (West of Carquinez Bridge).

OWNERSHIP: Dredge area is a portion of State Lease PRC 2546 (for warehouse and boating facilities) held by California and Hawaiian Sugar Refining Corporation, Limited. Applicant operates under a sublease from C & H previously approved by the Commission. Spoils area is State tide and submerged land.

PURPOSE: Regain navigability in area of Dowrelia Boat Works and to determine environmental effect of subaqueous diffusion of dredge spoils (see pertinent data).

CONSIDERATION: Royalty of \$0.10 per cubic yard for removal of State-owned minerals.

ENVIRONMENTAL IMPACT CONSIDERATION:
An Environmental Impact Report is not required. This project is within the purview of 2 Cal. Adm. Code 2907, Class 4, which exempts a maintenance dredging operation.

OTHER PERTINENT DATA:
1. In August, 1974, the applicant in cooperation with the Marine Affairs and Navigation Conference Dredging Committee, the Dredging

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CALENDAR ITEM NO. 23. (CONTD)

Contractors Association and the Corps of Engineers presented a request for approval to the California Regional Water Quality Control Board to undertake the dredging project using a subaqueous spoils discharge procedure. Considerable information is available on current dredging and spoiling techniques; however, no data has been documented on the environmental effects from dredging with subaqueous dispersal of spoils. The Committee's purpose would be to study the relative comparison of the impacts between the concentrated surface discharge of spoils and the proposed subaqueous dispersal of slurried spoils.

The proposed disposal technique, while causing relatively high localized turbidity, will minimize smothering in the disposal area when discharge occurs in currents with significant velocity.

In the proposed project, approximately 30,000 cubic yards of material would be dredged from Dowrelia's Marina using a small cutterhead suction dredge. The spoils from the dredging would be pumped through a discharge line to a point downstream from the marina (in Carquinez Strait) to a slotter diffuser section of pipe. The diffuser would be held perpendicular to the prevailing current at that point by use of anchors. This will promote maximum dispersion of spoils.

It is proposed to operate the dredge six or seven eight-hour days per week. At a dredging rate of 150 cubic yards per hour (1,200 cubic yards per day), the project would require approximately 30 days of dredging including downtime.

The Department of Fish and Game, Regional Water Quality Control Board and the State Lands Division will monitor and evaluate all significant effects from both the dredging and the discharge through the diffuser section during and after the project. Conclusions then could be drawn to evaluate the project with respect to the environmental impacts of the technique.

CALENDAR ITEM NO. 23. (CONTD)

2. Permits for the project have been issued by the San Francisco Bay Conservation and Development Commission (Permit No. M75-1) and the Water Resources Control Board (Certificate No. 75-39). The required U. S. Army Corps of Engineers permit has not as yet been issued; as such, the requested permit will be made conditional to the issuance of the Corps of Engineers permit.
3. Effective period of the requested permit shall be from October 29, 1975 to December 31, 1976.
4. Applicant, Antone Dowrelino, is a naturalized citizen (Documentation approved August 18, 1975).

EXHIBITS: A. Dredge area description.
 B. Location map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS THE WORK IS MAINTENANCE DREDGING AND SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF 2 CAL. ADM. CODE, SECTION 2907.
2. AUTHORIZE THE ISSUANCE OF A PERMIT TO ANTONE DOWRELIO TO DREDGE 30,000 CUBIC YARDS OF MATERIAL FROM A FIVE-ACRE AREA OF TIDE AND SUBMERGED LANDS IN CARQUINEZ STRAIT AT CROCKETT, CONTRA COSTA COUNTY, SUCH AREA BEING DESCRIBED IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF; AT A ROYALTY RATE OF \$0.10 PER CUBIC YARD, AND TO SPOIL SUCH DREDGE MATERIAL BY SUBAQUEOUS DISPERSAL IN THE CARQUINEZ STRAIT DOWNSTREAM FROM THE DREDGE AREA; EFFECTIVE OCTOBER 29, 1975, TO DECEMBER 31, 1976. SUCH PERMISSION TO BE CONDITIONAL TO THE REQUIREMENTS CONTAINED IN SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION PERMIT NO. M75-1, STATE WATER RESOURCES CONTROL BOARD CERTIFICATE OF CONFORMANCE, NO. 75-39, AND TO THE ISSUANCE AND REQUIREMENTS THEREIN OF A PERMIT FROM THE U. S. ARMY CORPS OF ENGINEERS, AND ANY OTHER PERMITS, REQUIREMENTS OR LIMITATIONS AS SET OR AS MAY BE SET BY STATE, FEDERAL OF LOCAL GOVERNMENT.

Attachment: Exhibit "A"

EXHIBIT "A"

W 9797

COMMENCING at a monument formerly set and marked by the California and Hawaiian Sugar Refining Corporation, Limited as Number 258, but since adopted by the United States Army Engineers as their Harbor Line Monument Number 33, and so marked by them on a brass plate set in the concrete filling of a six-inch pipe, and shown on that certain map entitled "Harbor Lines for Carquinez Strait, California", dated June 10, 1924, and marked File 4, Div. 4, Sheet 6, which said Harbor Line Monument and point of commencement is located 435.28 feet north and 254.71 feet east of the corner common to Sections 31 and 32, T 3 N, R 3 W, Sections 5 and 6, T 2 N, R 3 W, MDM, said corner common to said Sections 31, 32 5 and 6, being marked by a point in a bronze plate set in the top of a concrete pyramid approximately 10 feet high resting on piles driven into the earth; and running thence N 83° 15' 30" W 255.96 feet to a point; thence due N 145.66 feet to a point on the United States Bulkhead Line of 1888; thence N 89° 03' 15" W along the said United States Bulkhead line of 1888, 536.35 feet to the actual point of beginning of this description which point of beginning is 617.44 feet north and 536.28 feet west of the aforesaid Section Corner common to Sections 31 and 32 -- and Sections 5 and 6 and which point of beginning is also the beginning of that certain Tide Land lease from the State of California to the Matson Navigation Company dated February 20, 1937; and running thence due North 462.81 feet to a point in the waters of Carquinez Strait located on the United States Bulkhead line as shown on the aforesaid map entitled "Harbor Lines for Carquinez Strait, California"; thence N 87° 07' 22" West along the said United States Bulkhead Line 460.80 feet; thence due south 478.35 feet to a point in the aforesaid United States Bulkhead Line of 1888; thence S 89° 03' 15" East along the said Bulkhead Line of 1888, 460.29 feet more or less to the point of beginning, and containing 4.97 acres of land more or less.

END OF DESCRIPTION