

MINUTE ITEM

This Calendar Item No. 6.
was approved as Minute Item
6 by the State Lands
Commission by a vote of 3
to 0 at its 7-17-79
meeting.

CALENDAR ITEM

6.

7/79
W 40107
Gonzalez

AUTHORIZATION TO OFFER MINERAL EXTRACTION LEASE

AREA, TYPE LAND AND LOCATION:
Approximately 474 acres of tide and submerged
lands in the bed of Carquinez Straits,
Solano and Contra Costa Counties.

OTHER PERTINENT INFORMATION:

1. This project is an authorization to offer for competitive public bid a lease for extraction of sand and gravel from Bulls Head Bar, Solano and Contra Costa Counties.
2. The State Lands Commission's Staff in accordance with Article 10, Section 2905 (b) of the Cal. Adm. Code, has conducted an Initial Study and has concluded that the project will not have a significant effect on the environment. Therefore, in compliance with subsection (c) of Section 2905, a Negative Declaration was prepared and filed with the State Clearinghouse.
3. The Negative Declaration was circulated to responsible agencies and agencies having jurisdiction by law and none of the agencies had comments.
4. The proposed lease is for a primary term of 5 years with the option to renew for 1 period of 5 years.
5. The royalty shall be according to the following schedule:
 $R = (0.10 W (Y)) B$
Where R = Royalty in dollars and cents paid to the State, and
W = Weighted average lease quarter sales price, f.o.b. the dock, per cubic yard, and
Y = Total lease quarter cubic yardage sold.

A 4, 8, 10, 11, 12

S 4, 7, 9

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B = Bid factor which shall be no less than 1.0.
The annual minimum extraction volume shall be 50,000 cubic yards. The minimum royalty per cubic yard shall not be less than \$0.30.

6. In accordance with Section 6818 of the P.R.C., the Director of Parks and Recreation was notified of the proposed lease and has determined that the project will not interfere with recreational use of the littoral lands.
7. Prerequisite Items:
 - A. Area is known to contain commercially valuable sand and gravel deposits.
 - B. Project is situated on tidelands identified as possessing significant environmental values pursuant to P.R.C. Section 6370.1 and is classified in a use category, Class C, which authorizes Multiple Use. Staff has coordinated this project with those agencies concerned with the use of this site and has determined that there will be no significant effect on the identified environmental values.
 - C. Pursuant to Division 13 of the P.R.C. Negative Declaration No. 240, SCH 79040205 has been prepared by the State Lands Commission staff. The report concludes that the proposed mineral extraction lease would not have a significant effect on the environment.

EXHIBITS:

- A. Parcel Description.
- B. Location Map.
- C. ND 240.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN EIR HAS NOT BEEN PREPARED FOR THIS PROJECT BUT THAT A NEGATIVE DECLARATION HAS BEEN PREPARED BY THE COMMISSION'S STAFF.

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2. CERTIFY THAT NEGATIVE DECLARATION NO. 240 HAS BEEN COMPLETED IN COMPLIANCE WITH CEQA OF 1970, AS AMENDED, AND THE STATE GUIDELINES; AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.
3. DETERMINE THAT THE PROPOSED PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
4. DETERMINE THAT THE ACTION PROPOSED ON THE SUBJECT PROJECT DOES NOT UNREASONABLY INTERFERE WITH THE MAINTENANCE OR USE OF THE LAND INVOLVED FOR RECREATIONAL PURPOSES OR PROTECTION OF SHORE PROPERTIES.
5. CLASSIFY THOSE SUBMERGED LANDS SITUATED IN CARQUINEZ STRAITS AND DESCRIBED IN EXHIBIT "A" AS LANDS CONTAINING COMMERCIALY VALUABLE MINERAL DEPOSITS.
6. APPROVE THE PROPOSAL, NOTICE OF INTENTION TO OFFER AND FORM OF LEASE ON FILE IN THE OFFICE OF THE COMMISSION, AND BY REFERENCE MADE A PART HEREOF.
7. AUTHORIZE THE OFFERING, PURSUANT TO COMPETITIVE PUBLIC BIDDING, OF THE AREA OF SUBMERGED LAND SITUATED IN THE BED OF CARQUINEZ STRAITS, PARTIALLY IN CONTRA COSTA COUNTY AND SOLANO COUNTY, MORE PARTICULARLY DESCRIBED IN EXHIBIT "A".

EXHIBIT "A"

LAND DESCRIPTION.

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Two parcels of tide and submerged land in the State-Owned bed of Carquinez Straits, Solano and Contra Costa Counties, California, said parcels described as follows:

PARCEL NO. 1

BEGINNING AT A POINT from which USC & GS Triangulation Station "Suisun Pt. 2" bears south 2,500 feet, thence from said point of beginning the following five courses:

1. N 65° E 4,000.00 feet;
2. North 3,000.00 feet;
3. S 65° W 6,000.00 feet;
4. S 13° 12' 11" E 2,777.59 feet;
5. N 65° E 1,300.00 feet to the point of beginning, said parcel containing approximately 350 acres.

EXCEPTING THEREFROM any portion of the above-described parcel lying westerly of the easterly edge of a strip 125.00 feet in width, lying immediately adjacent to and westerly of the following described line:

Beginning at a point from which USC & GS Triangulation Station "Suisun Point 2" bears N 38° 54' 02" W 74.62 feet; thence from said point of beginning N 29° 05' 78" W 5,379.03 feet to the end of said strip.

PARCEL NO. 2

COMMENCING at USC & GS Triangulation Station "Iron" on the Amorco Wharf; thence N 65° 10' W 800.00 feet to the POINT OF BEGINNING of the herein described parcel of land; thence the following five courses:

1. N 59° 27' 34" E 1,200.00 feet;
2. N 30° 32' 26" W 2,000.00 feet;
3. S 59° 27' 34" W 2,700.00 feet;
4. S 30° 32' 26" E 2,000.00 feet;
5. N 59° 27' 34" E 1,500.00 feet to the point of beginning, said parcel containing approximately 124 acres.

END OF DESCRIPTION

Prepared

[Signature]

Checked

[Signature]

Reviewed

[Signature]

Date

January 24, 1979

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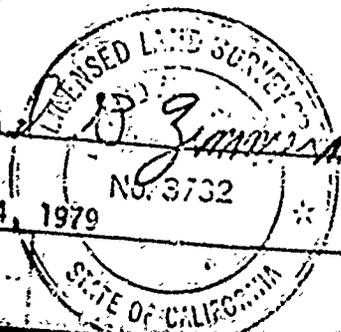


EXHIBIT "B"
STATE LANDS COMMISSION

Proposed Sand Extraction Lease

SOLANO & CONTRA COSTA COUNTIES

July 1979

AEG

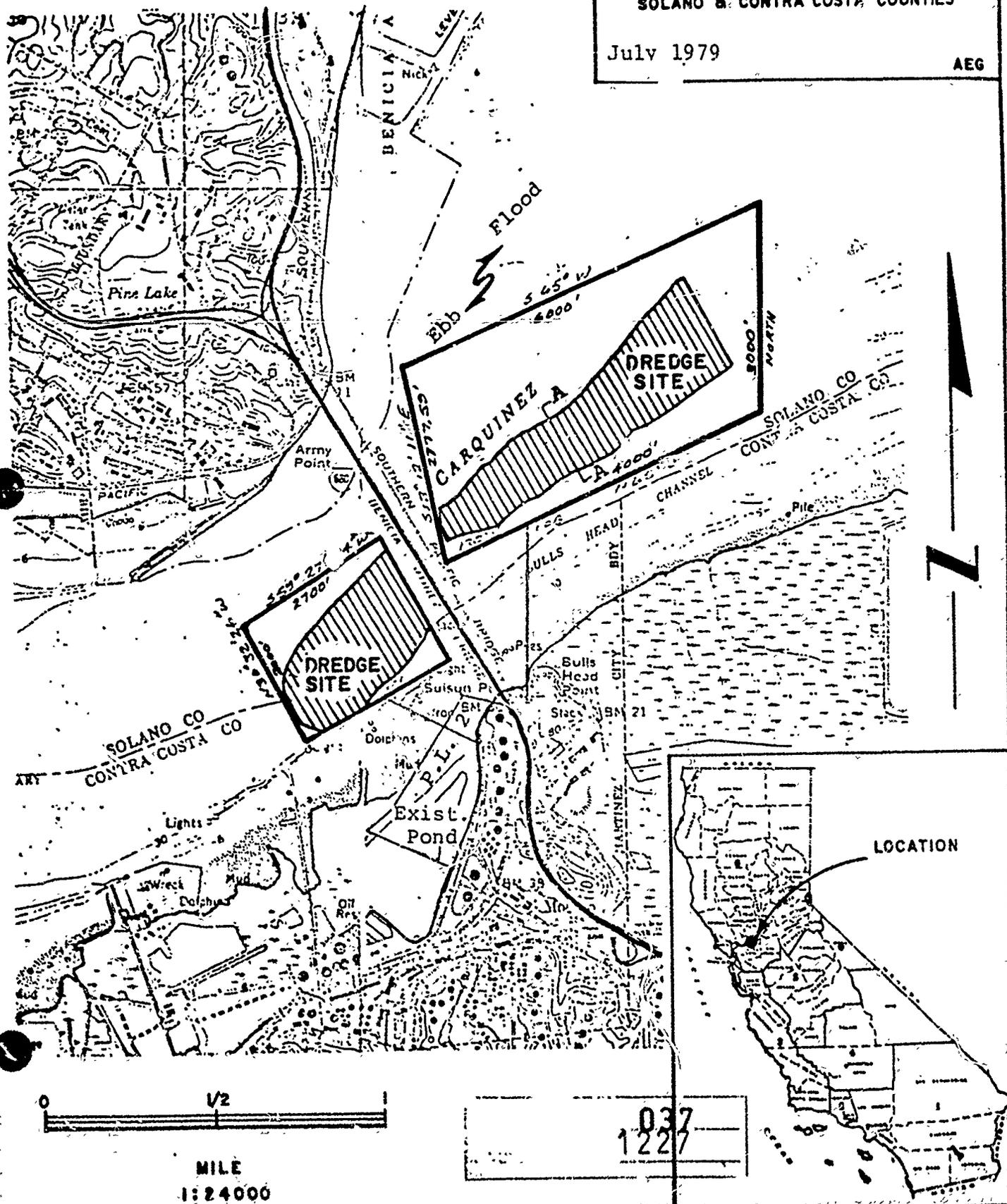


EXHIBIT "C"

STATE OF CALIFORNIA
STATE LANDS COMMISSION
NEGATIVE DECLARATION

File Ref.: W 40107

February 5, 1979

This Negative Declaration is prepared pursuant to Section 15083, California Administrative Code, Title 14, Division 6, and is based upon an Initial Study pursuant to Sections 15080 and 15066 thereof.

An application has been received by the State Lands Commission for a mineral extraction lease, to be issued by competitive bid. The proposed lease area contains approximately 474 acres of tide and submerged lands in the bed of Carquinez Straits, Solano and Contra Costa Counties. (See attached Exhibits A and B for property description and location map).

The applicant proposes to hydraulically dredge sand from Bulls Head Bar and pump the sand to an established onshore receiving site through a submerged pipeline, positioned on the river bottom when in use. The proposed operation will not create either permanent or adverse environmental effects and will not have any economic effect on the area.

The Initial Study was prepared by the staff of the State Lands Commission, utilizing data compiled by the staff of the Commission and incorporating information supplied by the applicant. The Initial Study was finalized after solicitation of comments from all known concerned agencies and groups.

It is felt that any Environmental Impacts will have only short-term effects and will be temporary and insignificant. No permanent or adverse effects are foreseeable. Therefore it has been determined that the proposed sand extraction will not have significant effect on the environment.

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December 20, 1978

INITIAL STUDY

1. Project and Its Location:

An application has been received from Mr. Olin Jones to extract sand from two parcels of tide and submerged lands, located in Suisun Bay and Carquinez Strait, east and west of the Benicia-Martinez Bridge, as illustrated in Exhibit "A".

2. Statement of the Objectives Sought by the Proposed Project:

The applicant proposes to reclaim sand for commercial purposes from Bulls Head Bar, under the authorization of a California State Lands Commission lease, thus improving navigability in the Bulls Head Bar area.

3. General Description of the Project:

The proposed operation will consist of hydraulically dredging sand from Bulls Head Bar, using a diesel-powered dredge, and pumping the sand to an established onshore site through a submerged pipeline, positioned on the river bottom when in use. No structures will be placed on the leased State lands.

4. Description of the Environmental Setting:

Bulls Head Bar is located on the western extremity of the Roe Island-Middle Ground bar complex. This mid-channel bar complex extends from Suisun Bay to the Carquinez Strait, six miles to the west. Typical depths encountered range from 34 feet in the adjacent Bulls Head Shipping Channel to exposed shoals near the axis of the bar structure.

The prevailing winds are from the west during most of the year. Suisun Bay typically receives 14 to 20 inches of rain per year, usually between October and May. The mean tidal range for the Bulls Head Bar area is 4.3 feet.

Estuarine fauna supported in the Bulls Head Bar area include the following types of waterfowl: Pintail duck, shoveler, widgeon, mallard, scaup, teal and gadwall. According to a California Department of Fish and Game survey, other wildlife resources in the Bulls Head Bar area include the following anadromous fish: Pacific lamprey, green sturgeon, white sturgeon, American shad, king salmon, steelhead rainbow trout and striped bass. Other fish known to inhabit the area include: the threadfin shad, pond smelt, surf smelt, carp, starry flounder, three spine stickleback, Pacific tomcod and the white catfish. Invertebrates found in this region include colonial hydroids, isopods, opossum shrimp and bay shrimp.

The waste and discharge requirements for hydraulic sand dredging operations in Suisun Bay at Middle Ground have been adopted by the Regional Water Quality Control Board. These requirements will be adhered to by the lease operator.

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Minor amounts of contaminants may become resuspended in solution during the dredging operation, but these should have minimal impacts on the water quality of the area.

5. Significant Environmental Effects of the Project:

The project is restricted to sand removal and will have a minor short-term impact, but there will be no long-term adverse impacts on any aspect of the present environment. The major impact will be beneficial since the dredging will control the growth of shoals in the vicinity of Bulls Head Bar. These shoals presently pose a navigational hazard to commercial and recreational vessels, and provide a source area of detritus responsible for sedimentation in the adjacent Bulls Head Shipping Channel.

The dredging operations will be conducted in accordance with all Water Quality Control Board requirements and all onshore receiving operations will be restricted to existing industrial areas. Turbidity will be minimal as the dredge will remove all disturbed sediment into the suction pipe. The spoils will then be conducted from the dredge to a shore-based receiving site via submerged pipeline. This temporary pipeline will lie on the river bottom and will not pose any interference with boating traffic. The pipeline will be bolted at flanged joints so that leaks will not occur. Discharge turbidity at the receiving site will be monitored and controlled by the use of spillways and long retention times in the settling ponds before discharge. No changes will be induced in population concentration, land use (other than improvement of navigation and recreation), or the scenic quality of the leased land.

6. Any Significant Environmental Effects Which Cannot Be Avoided If the Proposal Is Implemented:

Localized and temporary noise in the immediate vicinity of the periodic dredge operations. Since the dredge equipped with mufflers may be operating several thousand feet from the shoreline, and since the shoreline property is industrial rather than residential, this impact will be of minor consequence.

7. Mitigation Measures Proposed to Minimize the Significant Environmental Effects:

Engine noise will be reduced by mufflers and the exhaust system will be maintained in good condition. By complying with the existing Regional Water Quality Control Board requirements, significant adverse impacts to the environment should not occur.

8. Alternatives to the Proposed Action:

One alternative is to transport sand via barge from another location. Barging is considered less desirable due to increased energy consumption involved in loading, transporting and unloading the sand.

Another alternative is "No Project". Since sand is used extensively in the construction industry, this "No Project" alternative could result in additional sand extraction from private lots and quarries. Quarrying has significant impacts upon the land: large scars left in the landscape pose a significant visual impact. Considerable wildlife habitat is removed, and the rate of erosion and downstream sedimentation is enhanced. An increased level of particulate matter may be unleashed to the air, and the possibility of surface and

groundwater degradation may result. The remnants of quarrying also pose a liability to public safety and limit future land use.

The proposed project is a reasonable alternative for delivery of construction sand to an established onshore facility.

9. The Relationship Between Local Short-term Uses of Man's Environment and the Maintenance and Enhancement of Long-term Productivity:

The methods utilized to complete this project are such that there will be no cumulative or long-range effects which could impact the environment. Sand removal will not cause any irreversible adverse change. Implementation of this project would control the development of shoals, thus enhancing navigation in the area.

10. Any Irreversible Environmental Changes Which Would Be Involved in the Proposed Action Should It Be Implemented:

No irreversible changes will occur. The sand resource is replenished by sediment transported from the Sacramento and San Joaquin drainage areas, as evidenced by the maintenance dredging program conducted by the Army Corps of Engineers in the adjacent Bulls Head Shipping Channel.

11. The Growth-Inducing Impact of the Proposed Action:

There will not be any significant growth-inducing impact of the proposed action as the sand has been and continues to be processed and sold at the established onshore site.

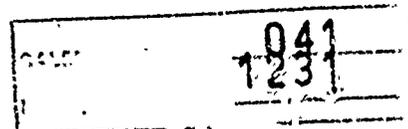
12. Energy Conservation:

The proposed operation will eliminate fuel consumption expended for loading, transporting and unloading barges.

The diesel engines for dredge operation will be maintained and will operate at optimum conditions for minimum fuel consumption.

13. Organizations and Persons Consulted:

Data was compiled by the staff of the State Lands Commission using their expertise and using information gathered by the applicant.



Comments Received Through the Commenting Procedure:

I. San Francisco Bay Conservation and Development Commission.

Comments: Although the Commission has not had the opportunity to review the proposed project, the staff has evaluated it under the McAteer-Petris Act, the B.C.D.C. law, and the San Francisco Bay Plan. We have the following comments:

1. B.C.D.C. Permit Required. The project is located within the Commission's Bay jurisdiction. Any removal of materials from the Bay will require a permit from the Commission. The Executive Director may grant administratively permits to dredge 100,000 cubic yards or less of material. Any greater amount requires review and approval by the full Commission. The initial study should indicate the amount of material to be dredged and over what time period the dredging would occur.

Response: The applicant proposes to dredge 100,000 cubic yards of sand and gravel annually. Dredging would occur over a 30-day period for operations utilizing a submerged pipeline, or 100 trips, using a 1000 cubic yard barge.

2. Other Agencies Approvals. Before a dredging application may be filed with the Commission, the applicant must have applied for a permit with the U. S. Army Corps of Engineers and Certification from the Regional Water Quality Control Board.

Response: The proposed Mineral Extraction Lease will be contingent upon the lessee's compliance with the laws and local ordinances applicable to the lessee's operations, as stipulated by all Federal, State and Local agencies including the U. S. Army Corps of Engineers, Regional Water Quality Control Board, San Francisco Bay Conservation and Development Commission, Contra Costa and Solano Counties.

II. U.S. Army Corps of Engineers

Comments: The potential for dredge-induced turbidity, impacts on other water uses in the vicinity, the economic impacts, and the impacts on aesthetic values, air quality, biological habitat and water traffic patterns should all be considered in your evaluation of the project.

Responses: The State Lands Commission is required and will consider all of the identified impacts in their evaluation and decision on issuance of a Mineral Extraction Lease. Turbidity impacts have been discussed in Section 5. Impacts on other water uses in the vicinity and water traffic patterns have been discussed in Sections 5, 9 and 10. Impacts on aesthetic values were discussed in Sections 5 and 6. As stated in Section 11, there will not be any significant growth-inducing economic

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impact... As stated in Section 5, the project is restricted to sand removal and will have a minor short-term impact, but there will be no long-term adverse impacts on any aspects of the present environment [including no long-term adverse impacts on air quality or the biological habitat].

III. United States Coast Guard.

Comments:

1. It is requested that the permit stipulate that the applicant take all necessary precautions to prevent damage to or undermining of the [Suisun Bay North Channel Light 2] light. If damage or undermining does occur, he should contact the Commander, Twelfth Coast Guard District Aids to Navigation Branch by the most expeditious means. The applicant is responsible for any and all damage to the light caused by his personnel or equipment. This also applies to the floating aids to navigation near the bridge.

Response: The lessee will be required to remain clear of all aids to navigation.

2. The applicant also proposes to float a pipeline into position across the main shipping channel then submerge it presumably to the bottom. I suggest that the applicant be specifically required to ensure that the pipeline is placed on the bottom. The actual operation of laying and removing the pipeline could block the deep draft channel for a considerable time. The applicant should be required to coordinate his plans with the Coast Guard Captain of the Port, San Francisco, the Inland Pilots Association and the U. S. Navy, so as to interfere with major shipping as little as possible. In addition, he should advise this office at least two weeks in advance, in writing, so that appropriate Local and Broadcast Notice to Mariners can be initiated.

Response: Each of these suggestions will be incorporated in the requirements of the lease.

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