

MINUTE ITEM

This Calendar Item No. C22
was approved as Minute Item
No. 22 by the State Lands
Commission by a vote of 3
to 0 at its 5/29/80
meeting.

CALENDAR ITEM

C22.

5/80
W 40142
Gonzalez

CERTIFICATION OF NEGATIVE DECLARATION
EIR ND 261

APPLICANT: State Lands Commission
1807-13th Street
Sacramento, CA 95814

TYPE OF LAND: Tide and submerged land.

AREA AND LOCATION:

110 acres North of Middle Ground Island,
Suisun Bay, Solano and Contra Costa Counties,
North of Port Chicago.

PROPOSAL:

The proposal involves hydraulically dredging
sand at the rate of 100,000 cubic yards
per year with a diesel-powered dredge and
off-loading at various points as needed.
The State lands will be leased pursuant
to competitive public bid.

PREREQUISITE TERMS:

1. 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 environ-
ment. Therefore, in compliance with
subsection (c) of Section 2901, a Negative
Declaration was prepared and filed
with the State Clearinghouse.
2. The State Clearinghouse acknowledged
receipt of the Negative Declaration
and has completed the required review.

EXHIBIT:

- A. Negative Declaration.

A 4, 7

S 31

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CALENDAR ITEM NO. C22(CONTD)

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.
2. CERTIFY THAT NEGATIVE DECLARATION NO. 261 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.

EXHIBIT A

STATE OF CALIFORNIA

EDMUND G. BROWN JR., Governor

STATE LANDS COMMISSION

KENNETH CORY, Controller
MILTON E. BROWN, Lieutenant Governor
~~XXXXXXXXXXXX~~ Director of Finance
MARY ANN GRAVES



EXECUTIVE OFFICE
1807 - 13th Street
Sacramento, California 95814

WILLIAM F. NORTHRUP
Executive Officer

EIR ND 261

File Ref.: W 40142

NEGATIVE DECLARATION

Project Applicant: State Lands Commission
1807-13th Street
Sacramento, CA 95814

Project Location: North of Middle Ground Island, Suisun Bay,
Solano and Contra Costa Counties, North of Port Chicago

Project Description: Hydraulic dredging of sand and gravel at
the rate of 100,000 cubic yards per year with a diesel powered
hopper dredge and off-loading at various points.

This NEGATIVE DECLARATION is prepared pursuant to the requirements
of the California Environmental Quality Act (Section 21000 et. seq.
of the Public Resources Code), the State EIR Guidelines (Section
15000 et. seq., Title 14, of the California Administrative Code),
and the State Lands Commission regulations (Section 2901 et. seq.
of California Administrative Code).

Based upon the attached Initial Study, it has been found that:

- the project will not have a significant effect on the environment.
- the attached mitigation measures will avoid potentially significant effects.

Contact Person: Ted T. Fukushima
(916)322-7813

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NORTH MIDDLE GROUND

COMMENTS RECEIVED FROM REVIEW OF INITIAL STUDY CHECKLIST

- 1. United States Coast Guard,
Twelfth Coast Guard District
- 2. The Resources Agency of California
Department of Parks and Recreation

COMMENT:

These two agencies reviewed the proposed project and had no comment to make.

- 3. The Resources Agency of California
Department of Conservation - Division of Mines and Geology

COMMENT:

"EXHIBIT 'A', land description for the proposed lease area, should be changed to correctly indicate the location as being in Solano County rather than Contra Costa County."

RESPONSE:

Certain references to the "Main Channel" of Suisun Bay in early legislation concerning the county boundaries and natural and man-made changes in this channel position make it unclear whether the project parcel lies wholly in Solano or Contra Costa County or partially in both. The environmental document will be circulated to both counties for review.

COMMENT:

"Initial Study Checklist, Section II, A, No. 5: Lease terms should stipulate that dredging operations be undertaken in such manner as to not cause increased or accelerated erosion along the exposed shoreline of Middle Ground Island."

RESPONSE:

The nearest possible approach to Middle Ground Island by a dredging vessel drawing eight feet of water and remaining within the proposed lease area is 600 yards. It is doubtful that dredging at this point would contribute to erosion of the island.

COMMENT:

"Section II, No. II: The lease terms should also stipulate that material should be dredged uniformly from the entire acreage of the lease area so as to not create channels, troughs or borrows on the bay and river bottom."

RESPONSE:

The extraction method depends on the operation plan and equipment used by the successful bidder. Any bottom effects from dredging a volume of sand from this dynamically complex area are believed to be minor, local and transitory.

COMMENT:

"Initial Study, Section 9 and 10: The lead agency for the project should encourage early contact between the County and applicants or potential lessees to determine what the County will require for and in a reclamation plan under the 1975 Surface Mining and Reclamation Act, including the possibility of an assessment of the cumulative impacts of individual mining operations in the area."

RESPONSE:

The lease includes as a standard provision the requirement that the lessee comply with all valid laws, rules and regulations of federal, state and local governments. This will require the lessee to obtain any necessary permits and approval of a reclamation plan, if required, from the local lead agency.

4. The Resources Agency of California
California Regional Water Quality Control Board

COMMENT:

"Our letter of February 5, 1980 objected to the preparation of the Negative Declaration and requested that a draft Environmental Impact Report be prepared with sufficient information to provide erosion control plan and mitigation measures on the proposed subject project. Your letter of February 20, 1980 clarified that the proposed project would involve only dredging over submerged lands and no uplands dredging in Suisun Bay would be involved. We therefore remove our objection and concur with your decision that a Negative Declaration will be adequate for the subject dredging project."

NO RESPONSE NECESSARY

5. Department of the Army
Corps of Engineers

COMMENT:

"The proposed dredging project will require Department of the Army authorization under Section 10 of the River and Harbor Act and may require authorization under Section 404 of the Clean Water Act."

RESPONSE:

The lease includes as a standard provision the requirement that the lessee comply with all valid laws, rules and regulations of federal, state and local governments and agencies.

COMMENT:

"On page 2 of your Initial Study, you mention that the threespine stickleback is found in the area of Middle Ground Island. The threespine unarmored stickleback is Federally listed as being endangered/threatened. Adverse impacts on this species as well as other endangered species must be avoided."

RESPONSE:

(United States Department of Interior, Fish and Wildlife Service)

"...In regard to the presence of the listed endangered three-spine stickleback in Suisun Bay. There are three subspecies of threespine stickleback in California, only one of which is listed as endangered by the U. S. Fish and Wildlife Service. The listed subspecies, known vernacularly as the unarmored threespine stickleback (Gasterosteus aculeatus williamsoni), is not found in the Suisun Bay. It is limited to the headwaters of the Santa Clara River, Los Angeles County, and San Antonio Creek, Santa Barbara County. Therefore, the proposed dredging in Suisun Bay will not affect this listed species. We have reviewed the distribution of other listed species around Suisun Bay and have also determined that this project will not detrimentally influence their livelihood."

COMMENT:

"Corps Regulations (CFR) 320.4 strongly discourage any unnecessary work which adversely modifies or destroys wetlands (i.e., tide and submerged lands)."

RESPONSE:

Applications for sand and gravel leases with the State Lands Commission indicate industry's need for development of this resource using the lower energy-intensive method of extraction by dredging. The initial study and comments from reviewing agencies indicate that no adverse effects or destruction of wetlands will occur.

COMMENT:

"...Avoidance of sites listed on the National Register of Historic Places, as well as those that retain cultural resource integrity if any."

RESPONSE:

There are no sites listed on the National Register of Historic Places for the lease area in Suisun Bay.

COMMENT:

"...Navigational hazards that could be caused during sand dredging."

RESPONSE:

The following will be incorporated into the lease binding the successful bidder:

1. Dredging operations shall not occur on weekends or holidays to prevent conflicts with the recreational use of the area;
2. Dredging operations shall comply with the Operating Procedures for the Vessel Traffic Safety System of San Francisco Bay, monitored by the U. S. Coast Guard, to avoid any hazard to commercial or military navigation;

END OF COMMENTS RECEIVED

NORTH MIDDLE GROUND

Mailing List

Persons Contacted for Review of Initial Study Checklist

Mr. Tim Haddad
Solano County Planning Department
Courthouse
Fairfield, CA 94533

Mr. Rod Chisholm
Chief, Environmental Branch
Department of the Army
Corps of Engineers
San Francisco District
100 McAllister Street
San Francisco, CA 94102

Commander G.A. Bachtell
12 Coast Guard District (dpl)
630 Sansome Street
San Francisco, CA 94126

William Sweeney
United States Fish and Wildlife Service
2800 Cottage Way
Sacramento, CA 95825

Mr. James Davis
California Division of Mines & Geology
1416 Ninth Street
Sacramento, CA 95814

Mr. Patrick Kwok
Regional Water Quality Control Board
San Francisco Bay Region
1111 Jackson Street
Room 6040
Oakland, CA 94607

Mr. Walter Dahlstrom
Dept. of Fish and Game
Marine Resources Lab
411 Burgess Drive
Menlo Park, CA 94025

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NORTH MIDDLE GROUND

Mailing List Pg. 2

Mr. Donald Lollock
Department of Fish and Game
Environmental Services Branch
1416 Ninth Street
Sacramento, CA 95814

Mr. Robert Batha
San Francisco Bay Conservation &
Development Commission
30 Van Ness Avenue
San Francisco, CA 94102

Mr. James M. Doyle, Supervisor
Dept. of Parks and Recreation
Environmental Review Section
P.O. Box 2390
Sacramento, CA 95811

Mr. Thomas C. Austin, Executive Officer
California Air Resources Board
P.O. Box 2815
Sacramento, CA 95814

Mr. James T. Allen
The Reclamation Board
Dept. of Water Resources
1416 Ninth Street
Sacramento, CA 95814

Mr. Douglas W. Sprague
State Mining & Geology
1416 Ninth St., Rm. 1326-1
Sacramento, CA 95814

Mr. Nicholas Del Cioppo
Department of Parks and Recreation
Office of Historic Preservation
P.O. Box 2390
Sacramento, CA 95811

STATE LANDS COMMISSION

KENNEYN CORY, Controller
 MIKE B. LIEUTENANT GOVERNOR
 RICHARD T. SILBERMAN, Director of Finance
 MAJ. ANN GRAVES



ROMULO G. BROWN JR., Governor

EXECUTIVE OFFICE
 1807 - 15th Street
 Sacramento, California 95814

WILLIAM F. NORTHROP
 Executive Officer

File Ref.: W 40142INITIAL STUDY CHECKLISTI. BACKGROUND INFORMATION

- A. Applicant: State Lands Commission
100 OceanGate, Suite 300
Long Beach, CA 90802
(213) 590-5201
- B. Checklist Date: 12 / 10 / 79
- C. Contact Person: Alexander E. Gonzalez
 Telephone: (213) 590-5220
- D. Purpose: Commercial dredging of sand under authorization of
a Competitive Bid Mineral Extraction Lease.
- E. Location: North of Middle Ground Island, Suisun Bay, Contra Costa
and Solano Counties, north of Port Chicago. See attached
Exhibits A, B and C.
- F. Description: The proposal involves hydraulically dredging
sand at the rate of 100,000 cubic yards per year with
a diesel powered dredge and off-loading at various points.

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G. Persons Contacted: _____

See Attached Mailing List

II. ENVIRONMENTAL IMPACTS
(Explain all "yes" and "maybe" answers)

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
A. <u>Earth</u> . Will the proposal result in:			
1. Unstable earth conditions or in changes in geologic substructures?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Disruptions, displacements, compaction, or overcovering of the soil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Change in topography or ground surface relief features?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. The destruction, covering, or modification of any unique geologic or physical features?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. Any increase in wind or water erosion of soils, either on or off the site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Changes in deposition or erosion of beach sands, or changes in siltation, deposition or erosion which may modify the channel of a river or stream or the bed of the ocean or any bay, inlet, or lake?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Exposure of people or property to geologic hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
B. <u>Air</u> . Will the proposal result in:			
8. Substantial air emissions or deterioration of ambient air quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Yes Maybe No

- 9. The creation of objectionable odors?
- 10. Alteration of air movement, moisture or temperature, or any change in climate, either locally or regionally?

C. Water. Will the proposal result in:

- 11. Changes in the currents, or the course or direction of water movements, in either marine or fresh waters?
- 12. Changes in absorption rates, drainage patterns, or the rate and amount of surface water runoff?
- 13. Alterations to the course or flow of flood waters?
- 14. Change in the amount of surface water in any water body?
- 15. Discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen or turbidity?
- 16. Alteration of the direction or rate of flow of ground waters?
- 17. Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations?
- 18. Substantial reduction in the amount of water otherwise available for public water supplies?
- 19. Exposure of people or property to water related hazards such as flooding or tidal waves?

D. Plant Life. Will the proposal result in:

- 20. Change in the diversity of species, or number of any species of plants (including trees, shrubs, grass, crops, and aquatic plants)?
- 21. Reduction of the numbers of any unique, rare or endangered species of plants?
- 22. Introduction of new species of plants into an area, or in a barrier to the normal replenishment of existing species?

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Yes Maybe No

23. Reduction in acreage of any agricultural crop?

E. Animal Life. Will the proposal result in:

24. Change in the diversity of species, or numbers of any species of animals (birds, land animals including reptiles, fish and shellfish, benthic organisms, or insects)?

25. Reduction of the numbers of any unique, rare or endangered species of animals?

26. Introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals?

27. Deterioration to existing fish or wildlife habitat?

F. Noise. Will the proposal result in:

28. Increase in existing noise levels

29. Exposure of people to severe noise levels?

G. Light and Glare. Will the proposal result in:

30. The production of new light or glare?

H. Land Use. Will the proposal result in:

31. A substantial alteration of the present or planned land use of an area?

I. Natural Resources. Will the proposal result in:

32. Increase in the rate of use of any natural resources?

33. Substantial depletion of any nonrenewable resources?

J. Risk of Upset. Will the proposal result in:

34. The involvement of a risk of an explosion or the release of hazardous substances (including, but not limited to, oil, pesticides, chemicals, or radiation) in the event of an accident or upset condition?

K. Population. Will the proposal result in:

35. The alteration, distribution, density, or growth rate of the human population of the area?

Yes Maybe No

L. Housing. Will the proposal result in:

36. Affecting existing housing, or create a demand for additional housing?

M. Transportation/Circulation. Will the proposal result in:

37. Generation of substantial additional vehicular movement?

38. Affecting existing parking facilities, or create a demand for new parking?

39. Substantial impact upon existing transportation systems?

40. Alterations to present patterns of circulation or movement of people and/or goods?

41. Alterations to waterborne, rail, or air traffic?

42. Increase in traffic hazards to motor vehicles, bicyclists, or pedestrians?

N. Public Services. Will the proposal have an effect upon, or result in a need for new or altered governmental services in any of the following areas:

43. Fire protection?

44. Police protection?

45. Schools?

46. Parks and other recreational facilities?

47. Maintenance of public facilities, including roads?

48. Other governmental services?

O. Energy. Will the proposal result in:

49. Use of substantial amounts of fuel or energy?

50. Substantial increase in demand upon existing sources of energy, or require the development of new sources of energy?

Yes Maybe No

P. Utilities. Will the proposal result in a need for new systems, or substantial alterations to the following utilities:

- 51. Power or natural gas?
- 52. Communication systems?
- 53. Water?
- 54. Sewer or septic tanks?
- 55. Storm water drainage?
- 56. Solid waste and disposal?

Q. Human Health. Will the proposal result in:

- 57. Creation of any health hazard or potential health hazard (excluding mental health)?
- 58. Exposure of people to potential health hazards?

R. Aesthetics. Will the proposal result in:

- 59. The obstruction of any scenic vista or view open to the public, or will the proposal result in the creation of an aesthetically offensive site open to public view?

S. Recreation. Will the proposal result in:

- 60. An impact upon the quality or quantity of existing recreational opportunities?

T. Archaeological/Historical. Will the proposal result in:

- 61. An alteration of a significant archaeological or historical site, structure, object, or building?

U. Mandatory Findings of Significance.

- 62. Does the project have the potential to degrade the quality of the environment reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or limit important examples of the major periods of California history or prehistory?

- | | <u>Yes</u> | <u>Maybe</u> | <u>No</u> |
|--|--------------------------|--------------------------|-------------------------------------|
| 63. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 64. Does the project have impacts which are individually limited, but cumulatively considerable? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 65. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

III. DISCUSSION OF ENVIRONMENTAL EVALUATION

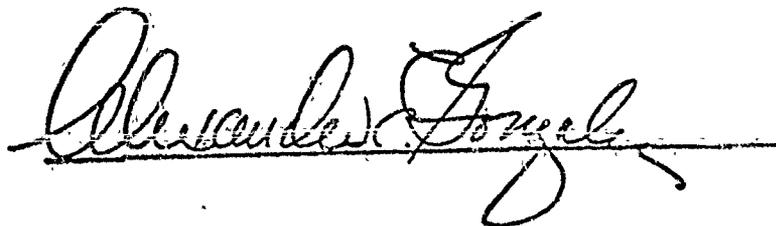
See Attached Initial Study, W 40142, for Discussion. For Additional Information, Comments and Responses for a Similar Dredging Project W 40165, are Attached.

IV. DETERMINATION

On the basis of this initial evaluation:

- I find the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A **NEGATIVE DECLARATION** will be prepared.
- I find the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.

Date: 12/21/79



For The State Lands Commission

RECEIVED
STATE LANDS
COMMISSION
LONG BEACH
MAY 5 8 25 AM '80

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982

EXHIBIT "A"

NORTH MIDDLE GROUND

W 40142

A parcel of State-owned sovereign land in the bed of Suisun Bay, Contra Costa County, California, said parcel described as follows:

COMMENCING at the corner common to Sections 4, 5, 8, and 9, T2N, R1W, MDM, thence along the following six (6) courses:

1. North 1,320.00 feet;
2. N 30° E 78.54 feet;
3. East 1,320.00 feet;
4. N 1° W 4,200.00 feet;
5. East 2,700.00 feet; and
6. North 3,992.62 feet to the POINT OF BEGINNING; thence the following four courses:
 7. North 1,157.38 feet;
 8. West 4,149.97 feet;
 9. South 1,157.38 feet; and
 10. East 4,149.97 feet to the point of beginning

END OF DESCRIPTION

Prepared Carlos Medina

Checked Arnold B. Zimmerman

Reviewed [Signature]

Date 10/25/79

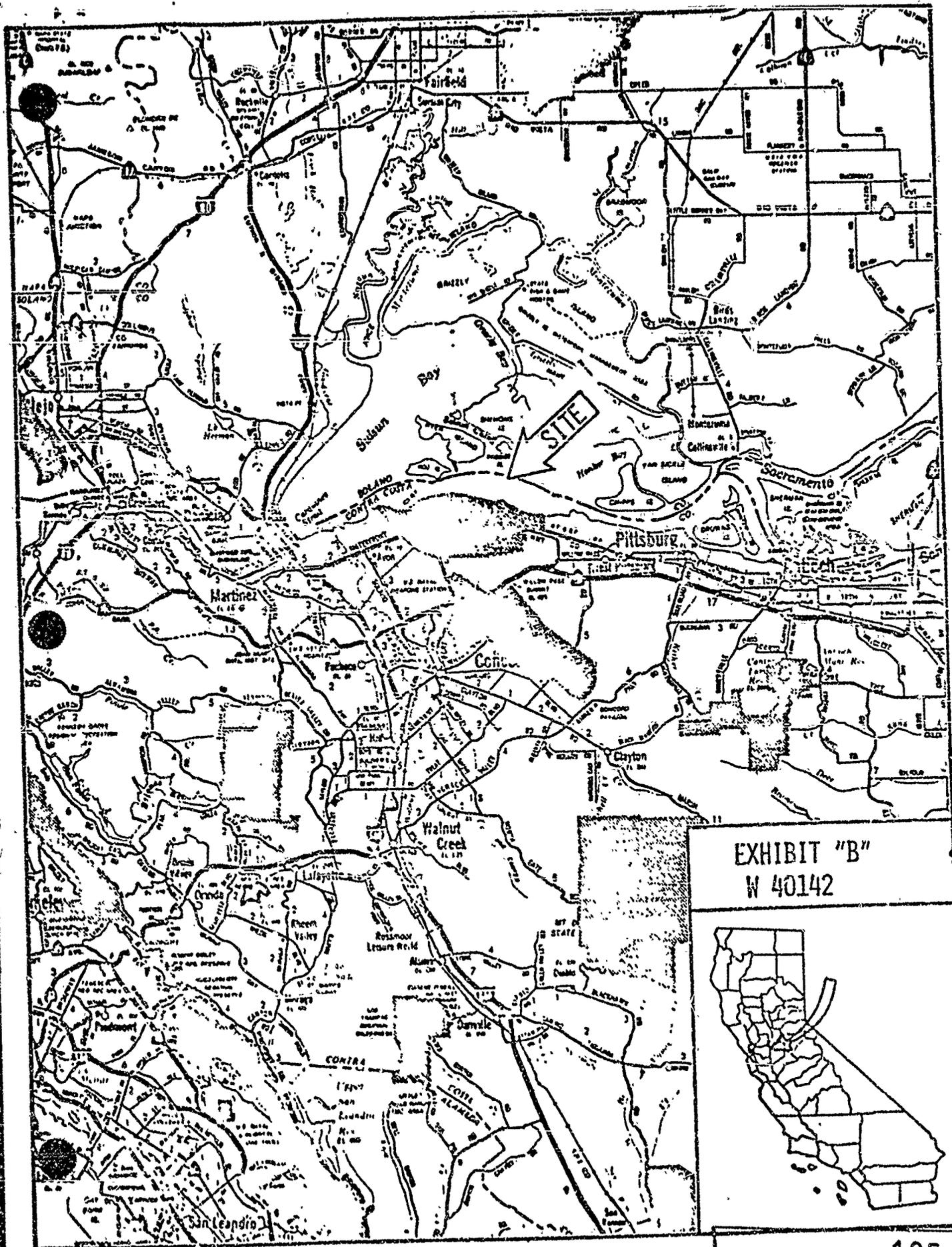


EXHIBIT "B"
W 40142



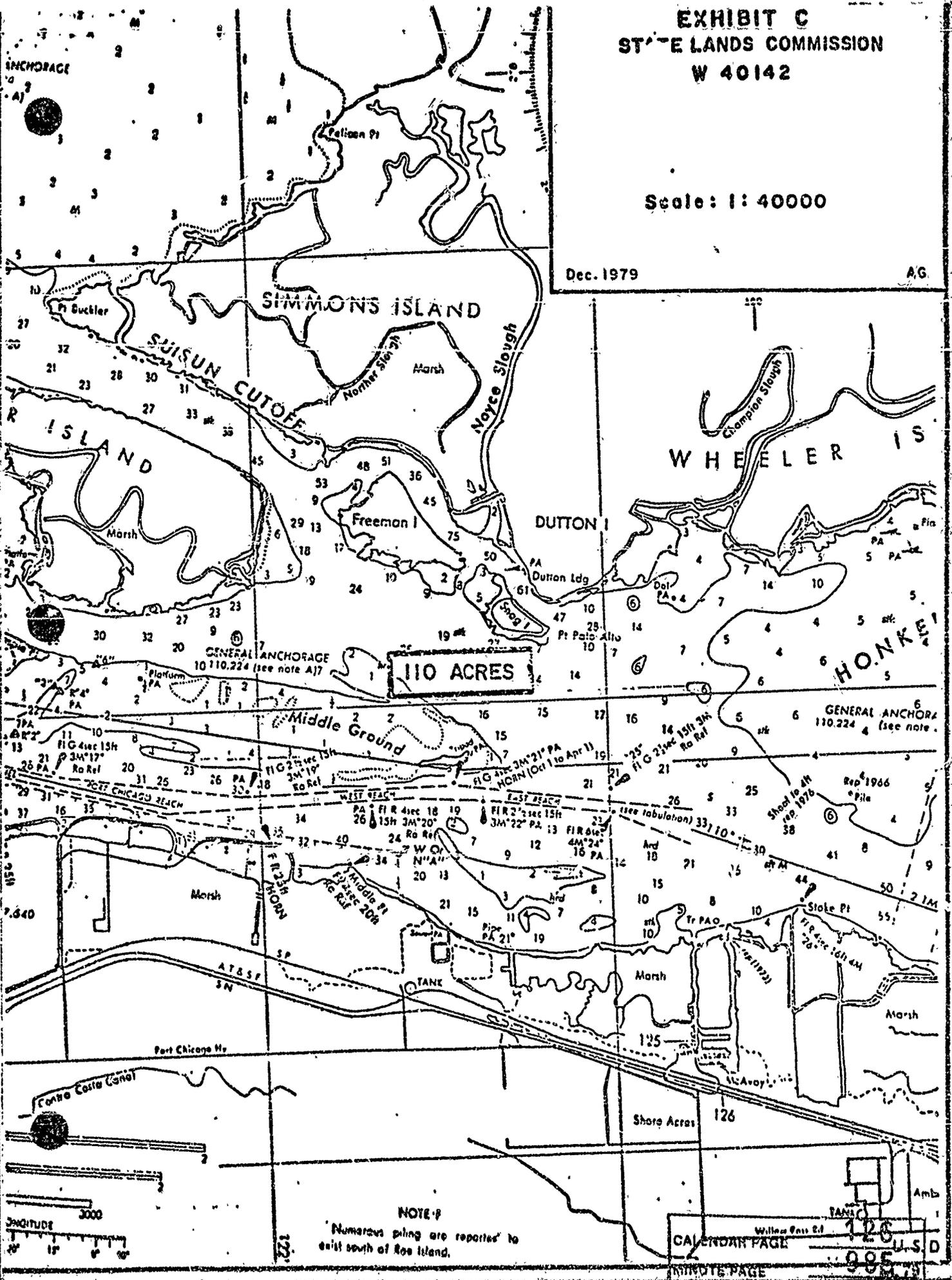
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EXHIBIT C
STATE LANDS COMMISSION
W 40142

Scale: 1:40000

Dec. 1979

AG



110 ACRES

GENERAL ANCHORAGE
 10 110.224 (see note A17)

GENERAL ANCHORAGE
 110.224 (see note 4)

NOTE #
 Numerous pilings are reported to
 exist south of Roe Island.

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