MINUTE ITEM

This Calendar Item No. C12
was approved as Minute Item
No. 12 by the State Lands
Commission by a vote of 2
to 0 at its 9-24-80
meeting.

CALENDAR ITEM

9/80
PRC 4975
Dorsey

C12.

MODIFICATION MAINTENANCE
DREDGING PERMIT PRC 4975.9

APPLICANT: Union Oil Company of California
San Francisco Refinery
Rodeo, California 94572

AREA, TYPE LAND AND LOCATION:
State-owned tide and submerged lands in San Pablo Bay at Davis Point, Contra Costa County.

RESUME OF PREVIOUS ACTION:
The Commission, on November 21, 1974, authorized issuance of dredging permit PRC 4975.9 to the applicant effective November 21, 1974 through December 31, 1979, for maintenance dredging of a maximum of 450,000 cubic yards of material at an annual rate of 90,000 cubic yards from the applicants wharf area at Davis Point, in San Pablo Bay, Contra Costa County, with spoils to be deposited in Corps of Engineers disposal sites. The project was determined to be exempt from the requirements of CEQA.

PROPOSED MODIFICATION:

1. Extend the effective date of Dredging Permit PRC 4975.9 retroactively from January 1, 1980, through December 31, 1989, for a maximum of 900,000 cubic yards at an average annual rate of 90,000 cubic yards.

2. Add an area approximately 100 x 150 feet at the refinery's cooling water inlet, to the areas to be dredged.

A 11

S 7

3. Assess a royalty of $0.15 per cubic yard for materials removed from State lands (not included within State Lease PRC 600.1) and deposited in United States Army Corps of Engineers disposal sites, and provide for adjustment of royalty rates on the fifth anniversary of the permit.

4. Incorporate a provision assessing statutory penalties for failure to pay accrued royalties when due.

5. Because of the extent of modifications proposed, the entire permit has been rewritten in current permit format.

CONSIDERATION: A royalty of $0.15 per cubic yard for materials removed from State lands (not included in Lease PRC 600.1) and spoiled into authorized disposal sites; a royalty of $0.25 per cubic yard in the event spoils are sold or placed on private property.

APPROVALS OBTAINED:

Applicant has obtained and will maintain permission for the proposed dredging from the following agencies:

United States Army Corps of Engineers, San Francisco Bay Conservation and Development Commission, and the Regional Water Quality Control Board

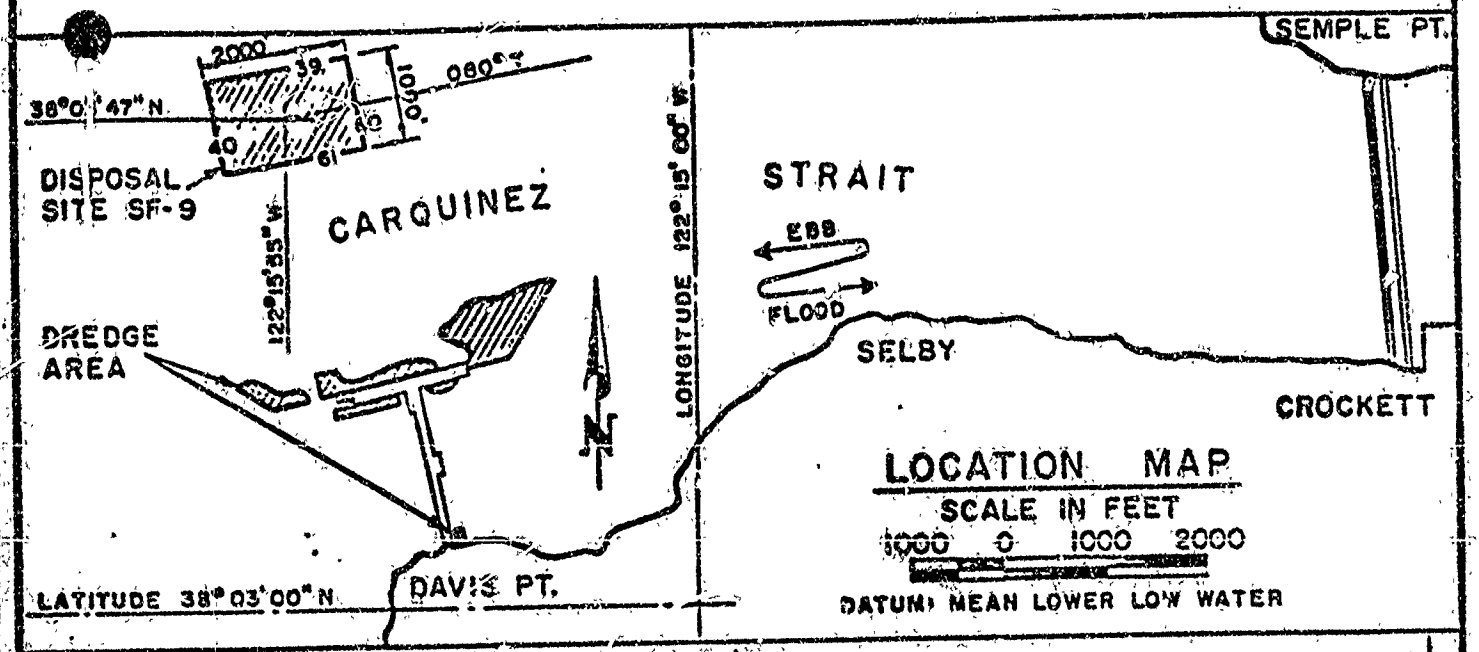
EXHIBITS: A. Land Description. B. Location Map.

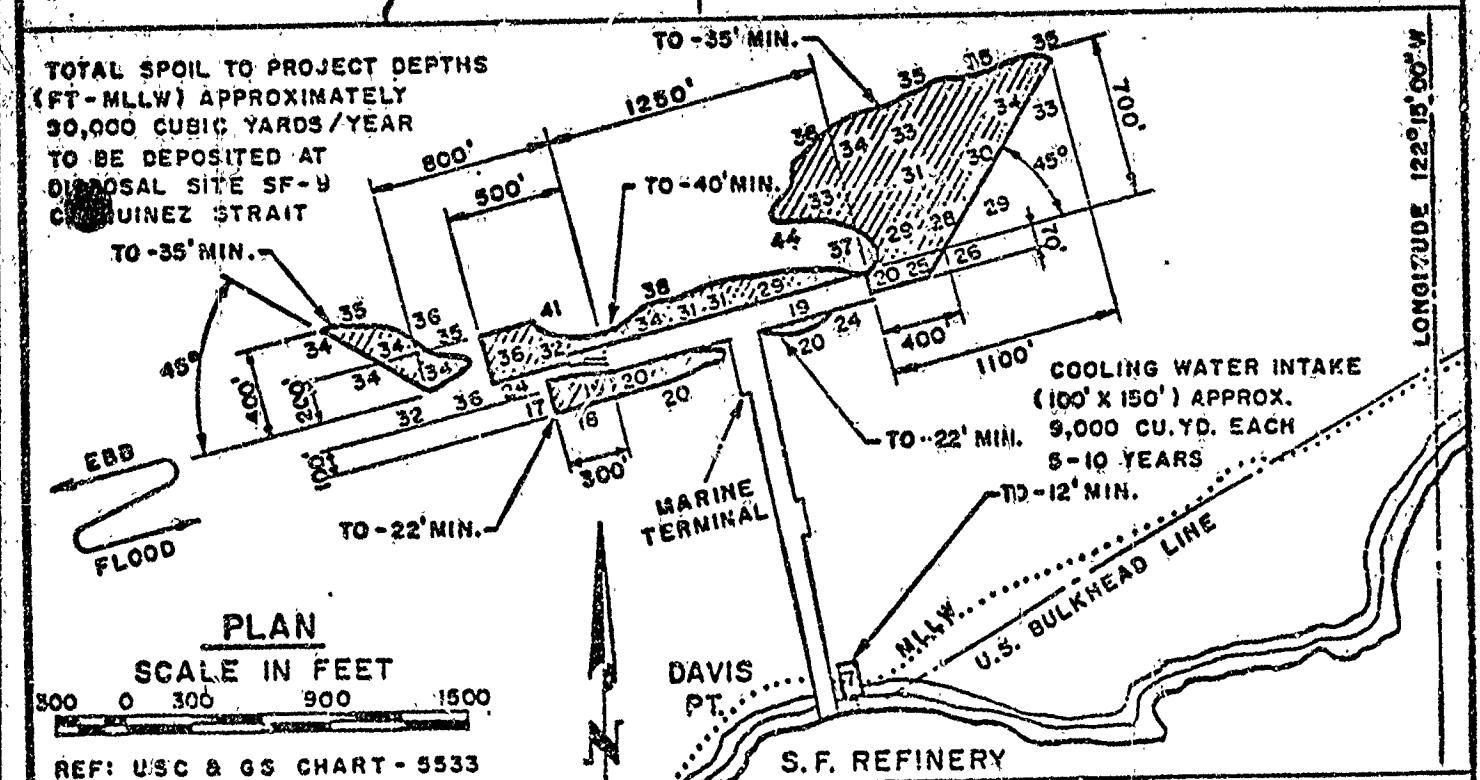
IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN EIR HAS NOT BEEN PREPARED FOR THIS PROJECT AS SUCH REPORT IS NOT REQUIRED UNDER PROVISIONS OF P.R.C. 21085, 14 CAL. ADM. CODE 15100 ET SEQ. AND 2 CAL. ADM. CODE 2907, CLASS 4, WHICH CATEGORICALLY EXEMPTS MAINTENANCE DREDGING OPERATIONS.

2. FIND THAT GRANTING OF THE PERMIT EXTENSION WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1 OF THE P.R.C.

3. AUTHORIZE THE EXTENSION OF DREDGING PERMIT PRC 4975.9 TO UNION OIL COMPANY OF CALIFORNIA FROM JANUARY 1, 1980 THROUGH DECEMBER 31, 1989, WITH AN AVERAGE ANNUAL MAXIMUM OF 90,000 CUBIC YARDS, AND WITH THE ADDITION OF A PARCEL AT THE REFINERY'S COOLING WATER INTAKE TO THE AREA TO BE DREDGED, AND PROVISIONS FOR PAYMENT OF ROYALTIES FOR MATERIALS REMOVED FROM STATE LANDS NOT INCLUDED WITHIN LEASE PRC 600.1; SUCH PERMISSION BEING CONTINGENT UPON APPLICANT'S COMPLIANCE WITH APPLICABLE PERMITS, RECOMMENDATIONS OR LIMITATIONS ISSUED BY FEDERAL, STATE AND LOCAL GOVERNMENTAL AGENCIES, AND WITH SPOILS TO BE DEPOSITED IN AN AUTHORIZED PUBLIC DISPOSAL SITE.





HISTORICAL DREDGING

in SAN PABLO BAY

at SAN FRANCISCO REFINERY

County CONTRA COSTA State CALIF.

Application by UNION OIL CO. of CALIF.

Sheet 2 of 2 by M.L.O. Date 10-10-79

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EXHIBIT A

FRC 4975.9

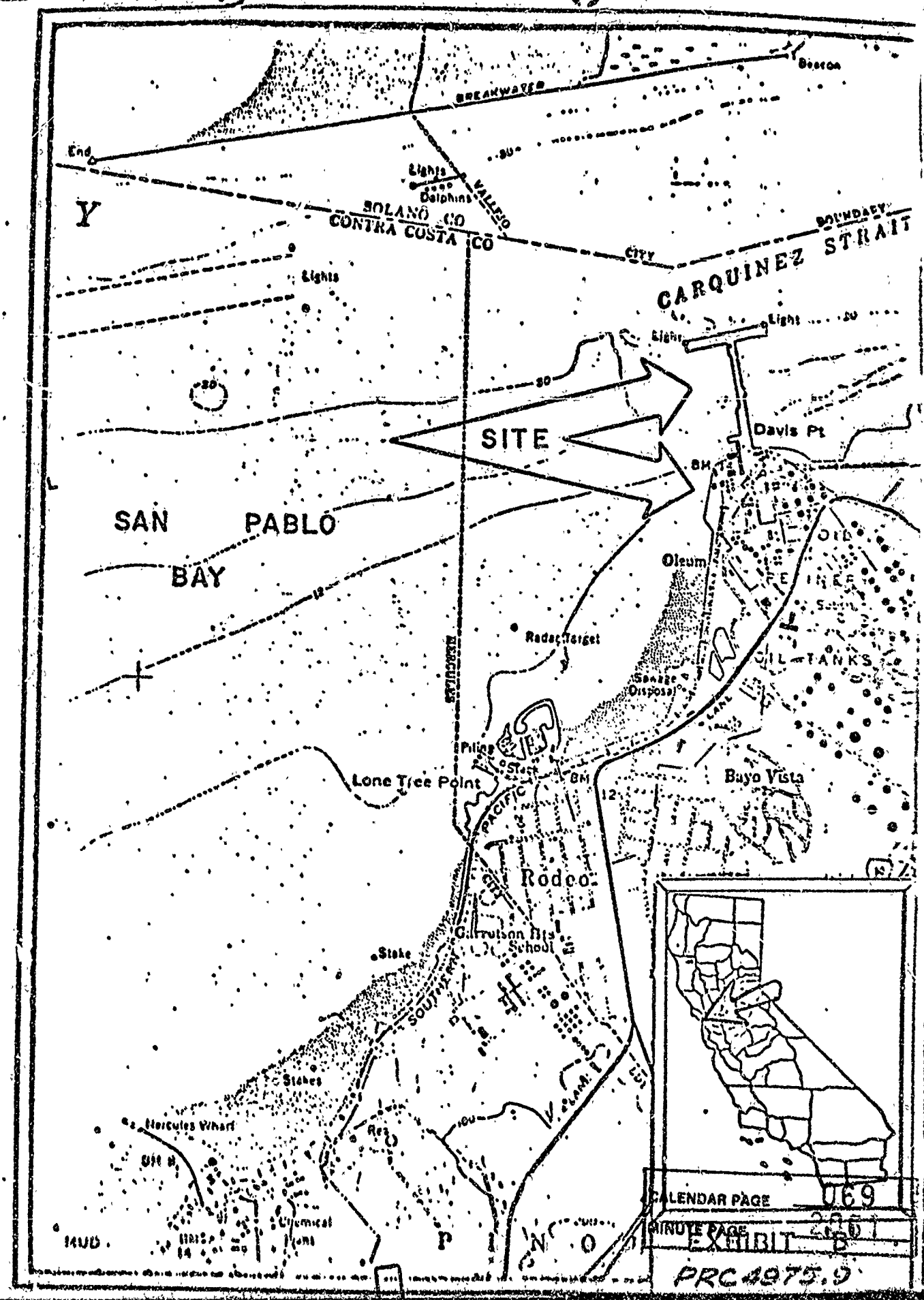

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EXHIBIT B
PRC 4975.9