

MINUTE ITEM

This Calendar Item No. 27
was approved as Minute Item
No. 27 by the State Lands
Commission by a vote of 2
to 0 at its 9/26/85
meeting.

CALENDAR ITEM

A 2

27

09/26/85

S 2

WP 4901

PRC 4901

Martinez

AMENDMENT TO EXISTING DREDGING PERMIT
FROM A MAXIMUM OF 25,000 CUBIC YARDS TO
A MAXIMUM OF 37,000 CUBIC YARDS

APPLICANT: Union Oil Company of California
1150 Canal Boulevard
Richmond, California 94804

AGENT: H. V. Anderson Engineers
124 Paul Drive
San Rafael, California 94923

ARLA TYPE LAND AND LOCATION
Granted tide and submerged lands (minerals
reserved) in Humboldt Bay, Humboldt County.

PROPOSED LAND USE:
Dredge an increased amount of 12,600 cubic
yards in addition to the 25,000 cubic yards
originally permitted under PRC 4901 for a
maximum of 37,600 cubic yards of minerals other
than oil, gas and geothermal for maintenance of
navigable depth (-37' feet MLLW) at the Union
marine terminal with offshore disposal at the
approved Corps of Engineers "SF-3" as shown on
Exhibit "B 2"

TERMS OF ORIGINAL PERMIT
Initial Period: Ten years commencing
January 1, 1981.
Land Use: Dredge a maximum of
25,000 cubic yards of minerals
other than oil, gas and
geothermal with dredge

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CALENDAR ITEM NO. 27 (CONT'D)

material to be deposited at the approved onshore disposal site as shown on Exhibit "B-1".

Consideration: A royalty of \$0.25 per cubic yard, with a five-year royalty review.

PROPOSED AMENDMENT:

Increase the permitted dredging volume of 25,000 cubic yards by an additional 12,600 cubic yards to reflect current siltation rates, and disposal of material 1.5 kilometers offshore near the south jetty at approved Corps of Engineers disposal site "SF-3".

Consideration: A royalty of \$0.25 per cubic yard for material placed on the approved upland site;

A royalty of \$0.15 per cubic yard for material placed at the approved offshore disposal site.

All other terms and conditions of the existing permit are to remain unchanged.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

Applicant is owner of the upland.

Filing fee has been received

STATUTORY AND OTHER REFERENCES:

P.R.C.: Div. 6, Parts 1 and 2; Div. 13.

Cal. Adm. Code: Title 2, Div. 3; Title 14, Div. 6.

OTHER PERTINENT INFORMATION:

1. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. Based

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CALENDAR ITEM NO. 27 (CONT'D)

upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed is consistent with its use classification.

2. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Adm. Code 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorical exempt project. The project is exempt under Class 4(g), maintenance dredging where the spoil is deposited in a spoil area authorized by all applicable state and federal regulatory agencies, 14 Cal. Adm. Code 15104.

Authority: P.R.C. 21084 and 14 Cal. Adm. Code 15300.

APPROVALS OBTAINED:

California Coastal Commission, North Coast
Region United States Army Corps of Engineers,
San Francisco District.

FURTHER APPROVALS REQUIRED:

Humboldt Bay Harbor and Recreation and
Conservation District.

AB 884: N/A.

EXHIBITS:

- A. Vicinity Map
- B-1. Dredge Site and Onshore Disposal Site
- B-2. Offshore Disposal Site.
- C. Amendment.
- D. Dredging Permit, PRC 4901.
- E. Calendar Item 35 (12/16/80).

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. ADM. CODE 15061 AS A CATEGORICAL EXEMPT PROJECT, CLASS 4 MAINTENANCE DREDGING, 14 CAL. ADM. CODE 15104.

CALENDAR ITEM NO. 27 (CONT'D)

2. FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO P.R.C. 6370, ET SEQ.

3. AUTHORIZE STAFF TO ISSUE TO UNION OIL COMPANY OF CALIFORNIA THE DREDGING PERMIT AMENDMENT ON FILE IN THE OFFICES OF THE COMMISSION. SAID AMENDMENT SHALL ALLOW DREDGING AN INCREASED AMOUNT OF 12,500 CUBIC YARDS OF MATERIAL IN ADDITION TO THE 25,000 CUBIC YARDS ORIGINALLY PERMITTED UNDER PRC 4901, AND OFFSHORE DISPOSAL OF MATERIAL AT THE UNITED STATES ARMY CORPS OF ENGINEERS APPROVED DISPOSAL SITE SF-3, OR AT THE APPROVED ONSHORE SITE. A ROYALTY OF \$0.25 PER CUBIC YARD SHALL BE CHARGED FOR MATERIAL PLACED ON THE UPLANDS, AND \$0.15 PER CUBIC YARD FOR MATERIAL PLACED AT THE OFFSHORE DISPOSAL SITE. SUCH AMENDED ACTIVITY IS CONTINGENT UPON APPLICANT'S COMPLIANCE WITH APPLICABLE PERMITS, RECOMMENDATIONS OR LIMITATIONS ISSUED BY FEDERAL, STATE AND LOCAL GOVERNMENT AGENCIES.

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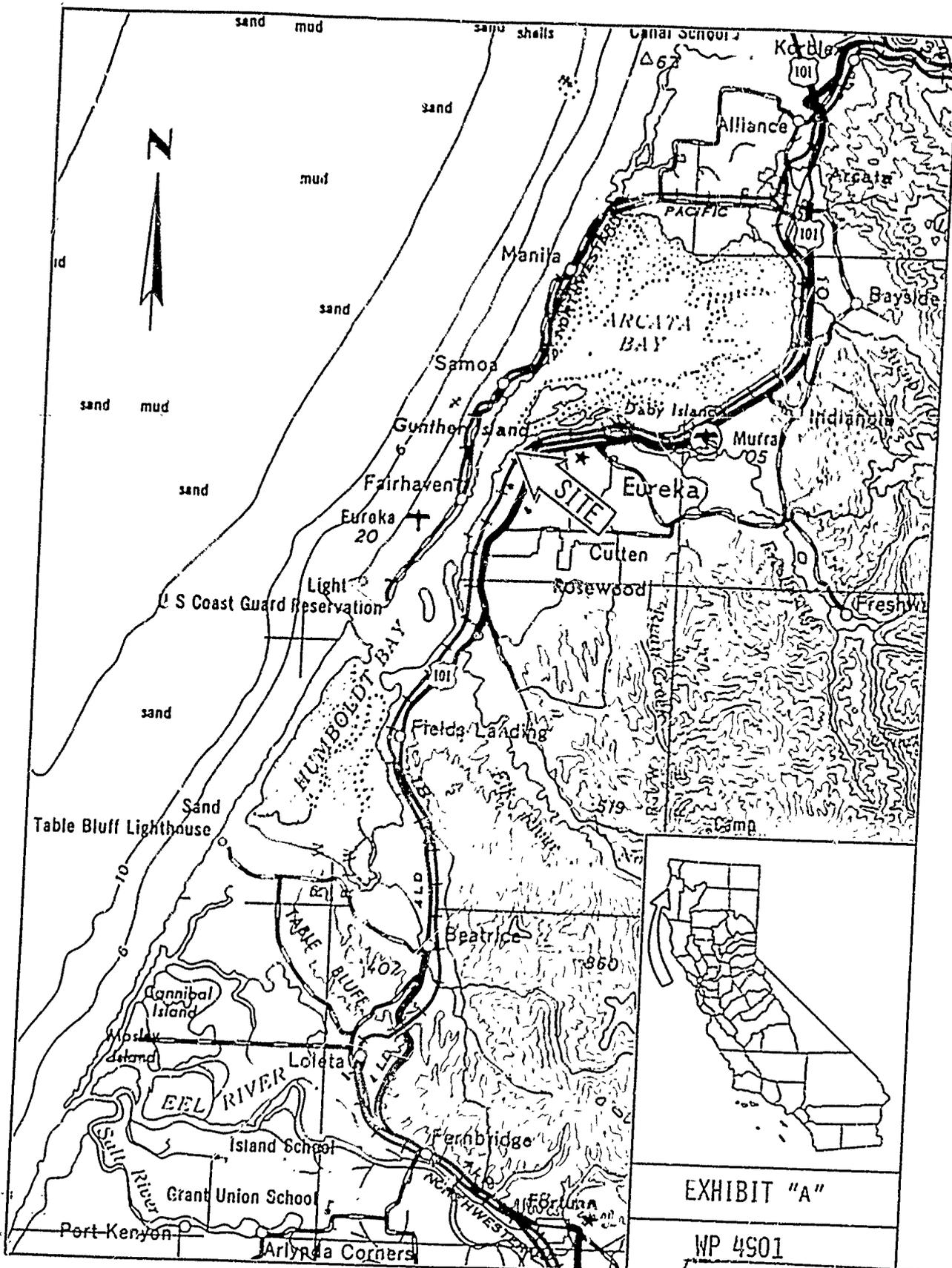
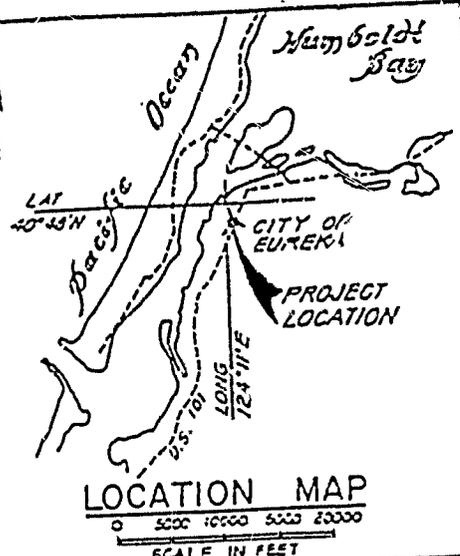


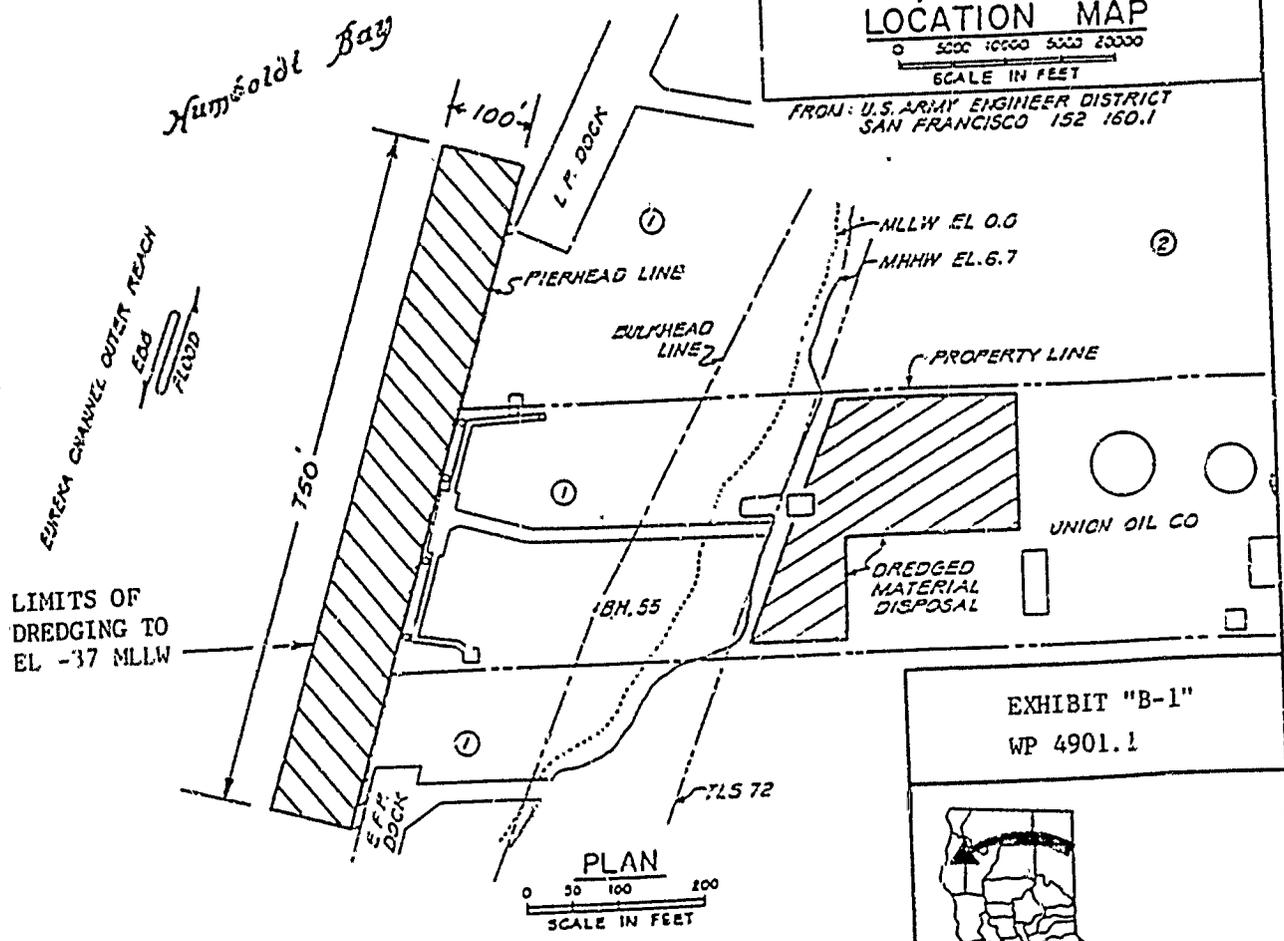
EXHIBIT "A"

WP 4901

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FROM: U.S. ARMY ENGINEER DISTRICT
SAN FRANCISCO 152 160.1



- APPROVED UPLAND DISPOSAL SITE
- DREDGE AREA



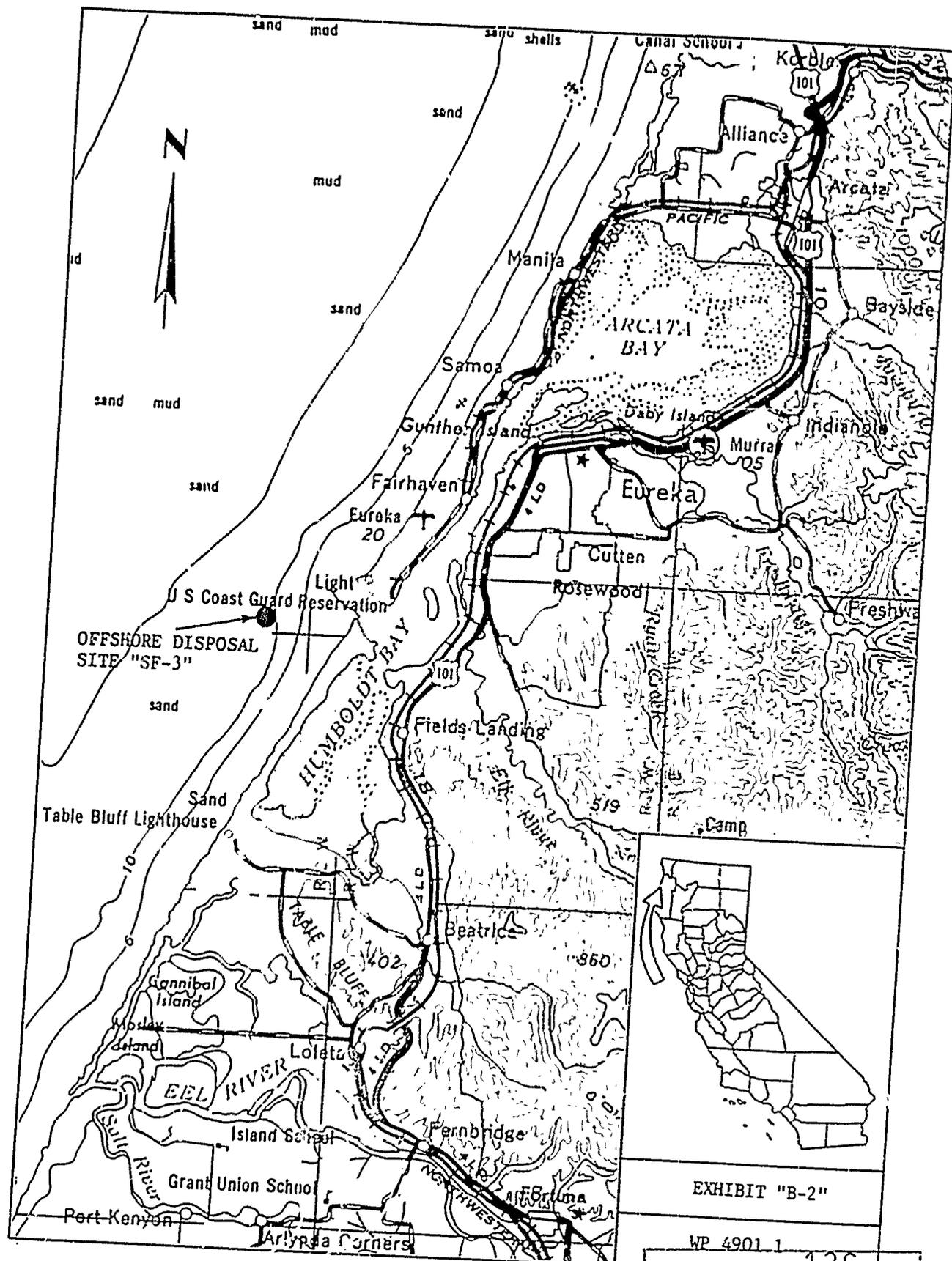


EXHIBIT "B-2"

WP 4901 1

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EXHIBIT "C"

October 1, 1985

File Ref: PRC 4901.1
WP 4901

AMENDMENT TO DREDGING PERMIT

WHEREAS, Dredging Permit PRC 4901.1 was issued to Union Oil Company of California, effective January 1, 1981 to December 31, 1990, granting permission to perform maintenance dredging in Humboldt Bay, Humboldt County with spoils to be deposited at an approved upland site; and

WHEREAS, Union has requested permission from the State Lands Commission to increase the volume to be dredged and allow disposal at an approved offshore site; and

WHEREAS, paragraphs one and two of Dredging Permit PRC 4901.1 read:

Pursuant to your application dated November 13, 1980, and by the authorization of the State Lands Commission on December 16, 1980, you are hereby granted permission to dredge a maximum of 25,000 cubic yards of sand and gravel excluding all other minerals including but not limited to oil, gas and geothermal, 7500 cubic yards initially and three increments of approximately 5000 cubic yards each at three year intervals from an area of granted tide and submerged lands in Humboldt Bay, Humboldt County, as described and designated respectively in Exhibits "A" and "B" attached hereto, which are by this reference expressly made a part hereof. Said permission includes the right to deposit said material upon privately owned uplands as approved by all applicable regulatory agencies.

A royalty of \$0.25 per cubic yard will be assessed for material removed from State-owned land and placed on private property or used for any private or commercial benefit. Said permission is

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given on the condition that all dredging and spoils deposition shall be done in accordance with all applicable Federal, State and local government laws, rules and regulations. Said permission shall be effective from January 1, 1981 through December 31, 1990, with the State reserving the right to review and adjust the royalty rate on the fifth anniversary of the permit.

WHEREAS, the parties hereto desire to modify paragraphs one and two of Dredging Permit PRC 4901.1, as hereinafter provided:

NOW, THEREFORE, the parties hereto agree as follows:

Pursuant to your application dated August 9, 1985, and by the authorization of the State Lands Commission on September 26, 1985, you are hereby granted permission to dredge, during the term of the permit, a maximum of 37,600 cubic yards of sand and gravel, excluding all other minerals, including, but not limited to, oil, gas and geothermal, from an area of granted tide and submerged lands in Humboldt Bay, Humboldt County, as described and designated, respectively, in Exhibits "A" and "B" attached hereto, which are by this reference expressly made a part hereof. Said permission includes the right to deposit said material upon privately-owned uplands and at the Corps of Engineers offshore disposal site "SF-3", as approved by all applicable regulatory agencies.

A royalty of \$0.25 per cubic yard shall be paid for material removed from State-owned land and placed on private property or used for any private or commercial benefit, and a royalty of \$0.15 per cubic yard shall be paid for material placed at the approved offshore site. Said permission is given on the condition that all dredging and spoils deposition shall be done in accordance with all applicable Federal, State, and local government laws, rules, and regulations. Said permission shall be effective from October 1, 1985 through September 30, 1995, with the State reserving the right to review and adjust the royalty rate on the fifth anniversary of the permit.

Except as herein modified, all other terms and conditions of the permit shall remain in effect.

STATE OF CALIFORNIA
STATE LANDS COMMISSION

W. M. THOMPSON, Chief
Extractive Development Program

DATE

ACCEPTED:

UNION OIL COMPANY OF CALIFORNIA

BY _____

TITLE _____

DATE _____

Mailed in Triplicate

Attachments: EXHIBITS "A" & "B"

0264L

CALENDAR PAGE	139
APPROVE DATE	2-9-5

Except as herein modified, all other terms and conditions of the permit shall remain in effect.

STATE OF CALIFORNIA
STATE LANDS COMMISSION

W. M. THOMPSON, Chief
Extractive Development Program

DATE

ACCEPTED:

UNION OIL COMPANY OF CALIFORNIA

BY _____

TITLE _____

DATE _____

Mailed in Triplicate

Attachments: EXHIBITS "A" & "B"

0264L

CALENDAR PAGE	139
DATE	2/95

EXHIBIT "A"

LAND DESCRIPTION

WP 4901

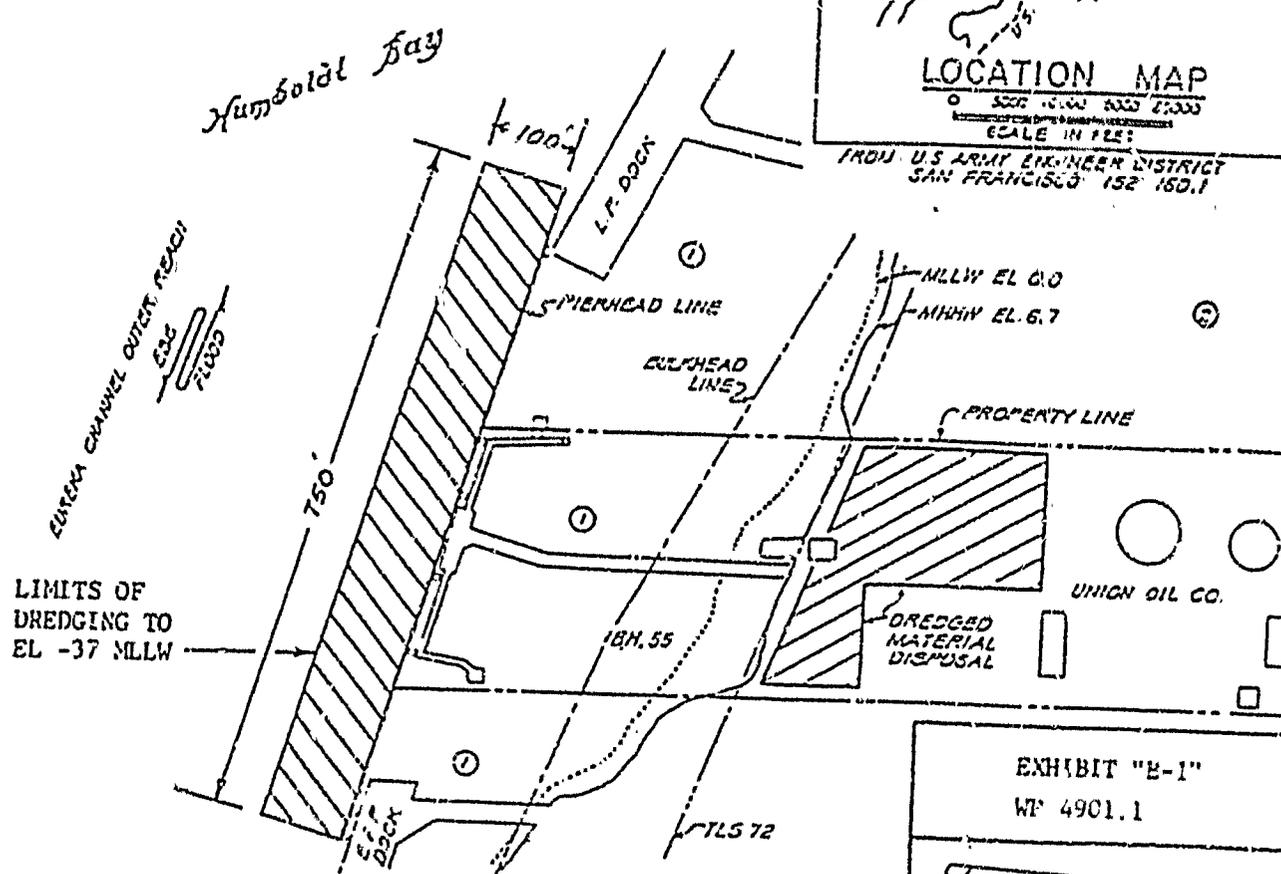
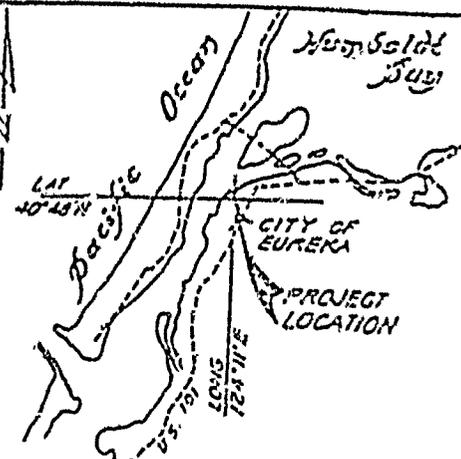
A parcel of submerged land to be dredged in Humboldt Bay, Humboldt County, California, lying between the pierhead line and the easterly channel line, said parcel is located northwesterly between Points "A" and "B" of the following described line:

COMMENCING at Pierhead Station No. 11 as said station is shown on Sheet 3 of that certain map entitled "Harbor Lines for Humboldt Harbor and Bay California" dated August 1, 1957, file No. 5-4-8 in the San Francisco office of the Army Corps of Engineers, thence along the pierhead line as shown upon said map S 17°08'30"W 205 feet, more or less to Point "A"; thence continuing along said pierhead line S 17°08'30"W 720 feet, more or less, to Point "B"; the northerly and southerly boundaries of said parcel extend N 72°51'30" from said Points "A" and "B" to an intersection with the easterly channel line as shown upon said map.

END OF DESCRIPTION

PREPARED NOVEMBER 24, 1980 BY TECHNICAL SERVICES UNIT, ROY MINNICK,
SUPERVISOR.

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PLAN

0 50 100 150

SCALE IN FEET

APPROVED UPLAND DISPOSAL SITE

DREDGE AREA

EXHIBIT "E-1"

WF 4901.1



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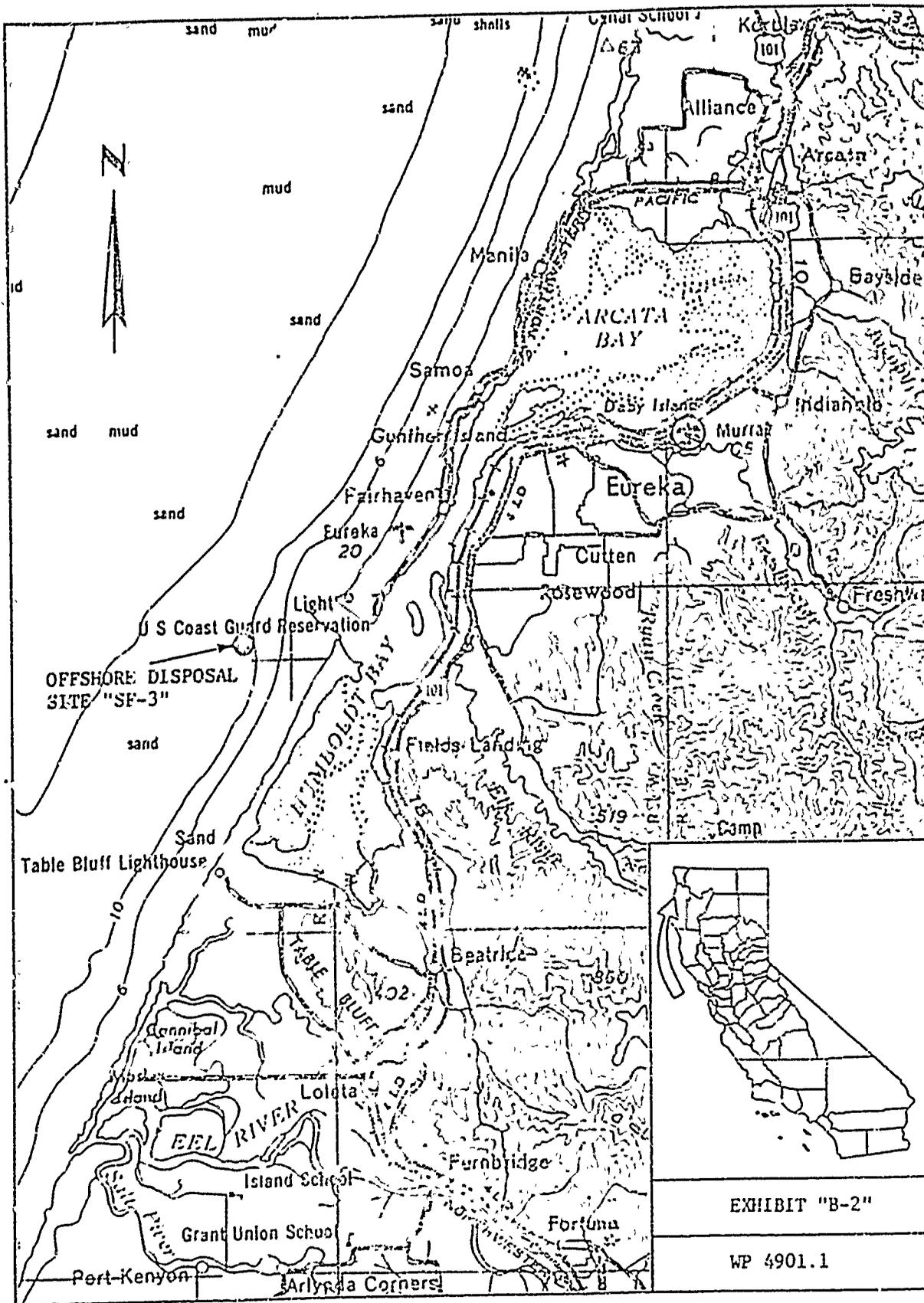


EXHIBIT "B-2"

WP 4901.1

PLATE PAGE	142
FIGURE PAGE	2798

STATE LANDS COMMISSION
100 OCEANGATE — SUITE 300
LONG BEACH, CALIFORNIA 90802
TELEPHONE:



EXHIBIT "D"

December 30, 1980

File Ref: PRC 4901.1

WP 4901

Union Oil Company of California
One California Building
San Francisco, California 94111

Gentlemen:

Pursuant to your application dated November 13, 1980, and by the authorization of the State Lands Commission on December 16, 1980, you are hereby granted permission to dredge a maximum of 25,000 cubic yards of sand and gravel excluding all other minerals including but not limited to oil, gas and geothermal, 7500 cubic yards initially and three increments of approximately 5000 cubic yards each at three year intervals from an area of granted tide and submerged lands in Humboldt Bay, Humboldt County, as described and designated respectively in Exhibits "A" and "B" attached hereto, which are by this reference expressly made a part hereof. Said permission includes the right to deposit said material upon privately owned uplands as approved by all applicable regulatory agencies.

A royalty of \$0.25 per cubic yard will be assessed for material removed from State-owned land and placed on private property or used for any private or commercial benefit. Said permission is given on the condition that all dredging and spoils deposition shall be done in accordance with all applicable Federal, State and local government laws, rules and regulations. Said permission shall be effective from January 1, 1981 through December 31, 1990, with the State reserving the right to review and adjust the royalty rate on the fifth anniversary of the permit.

The permission to dredge the above-described lands is based upon information presently available to the State Lands Commission, and is given without survey or title determination. Such permission shall not be con-

struck as fixing State land boundaries nor as necessarily establishing the extent of the State's claim to property in the area. The State warrants neither the title to the demised premises nor any right you may have to possession or quiet enjoyment of the same.

It is hereby agreed that the operations authorized under this permit shall be performed with diligence, in a good and workmanlike manner, and with the use of due care and safety precautions.

It is further agreed that you shall submit reports substantiating the volume of materials dredged and any royalties due to the Commission on a quarterly basis, on forms supplied by the Commission (Form 30.9 NC). It is agreed that you shall submit said forms on or before the twenty-fifth (25th) day of the month following the end of each permit quarter, together with payment for the royalty due on the volume removed during that quarter. The first permit quarter shall be the first three months following the effective date of this permit, and every three month period thereafter shall be a permit quarter.

It is hereby agreed that, pursuant to Public Resources Code Section 6224, any installments of royalty accruing under the provisions of this permit that are not paid when due shall be subject to a five percent (5%) penalty and shall bear interest at the rate of one percent (1%) per month from the date when the same was payable by the terms hereof.

It is agreed that you shall furnish the Commission with copies of final surveys or copies of any computations used as a basis to verify dredge volumes within twenty-five (25) days of completion of the activity authorized hereunder.

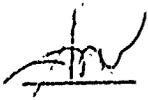
It is agreed that you shall indemnify, save harmless and, at the option of the State of California, defend said State, its officers, agents and employees, against any and all claims, demands, causes of action, or liability of any kind which may be asserted against or imposed upon the State of California or any of its officers, agents or employees by any third person or entity, arising out of or connected with the issuance of this permit, operations hereunder, or the use by you or your agents, employees or contractors, of the above described lands.

Without limiting the generality of the foregoing, such indemnification shall include any claim, demand, cause of action or liability of any kind asserted against the

State of California or any of its officers agents or employees arising out of or connected with any alleged or actual violation by you, your agents, employees or contractors of the property or contractual rights of any third person or entity. It is agreed that that you shall, at the option of the Commission, procure and maintain liability insurance for the benefit of the State in an amount satisfactory to the Commission.

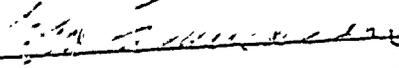
You agree to comply with the terms and conditions hereof, and you further agree that any violation thereof shall constitute grounds for termination of this permit and shall allow the Commission to pursue any other remedy available to it under the law. It is further agreed that this permit may be suspended, modified or terminated whenever the State Lands Commission deems such action to be in the best interests of the State, and that no such action by the Commission shall be deemed to be a basis for any claim or cause of action for damages against the State or any officer, employee or agency thereof.

STATE OF CALIFORNIA
STATE LANDS COMMISSION

THIS COPY	
APPROVED:	
Section Head	
L. J. ...	

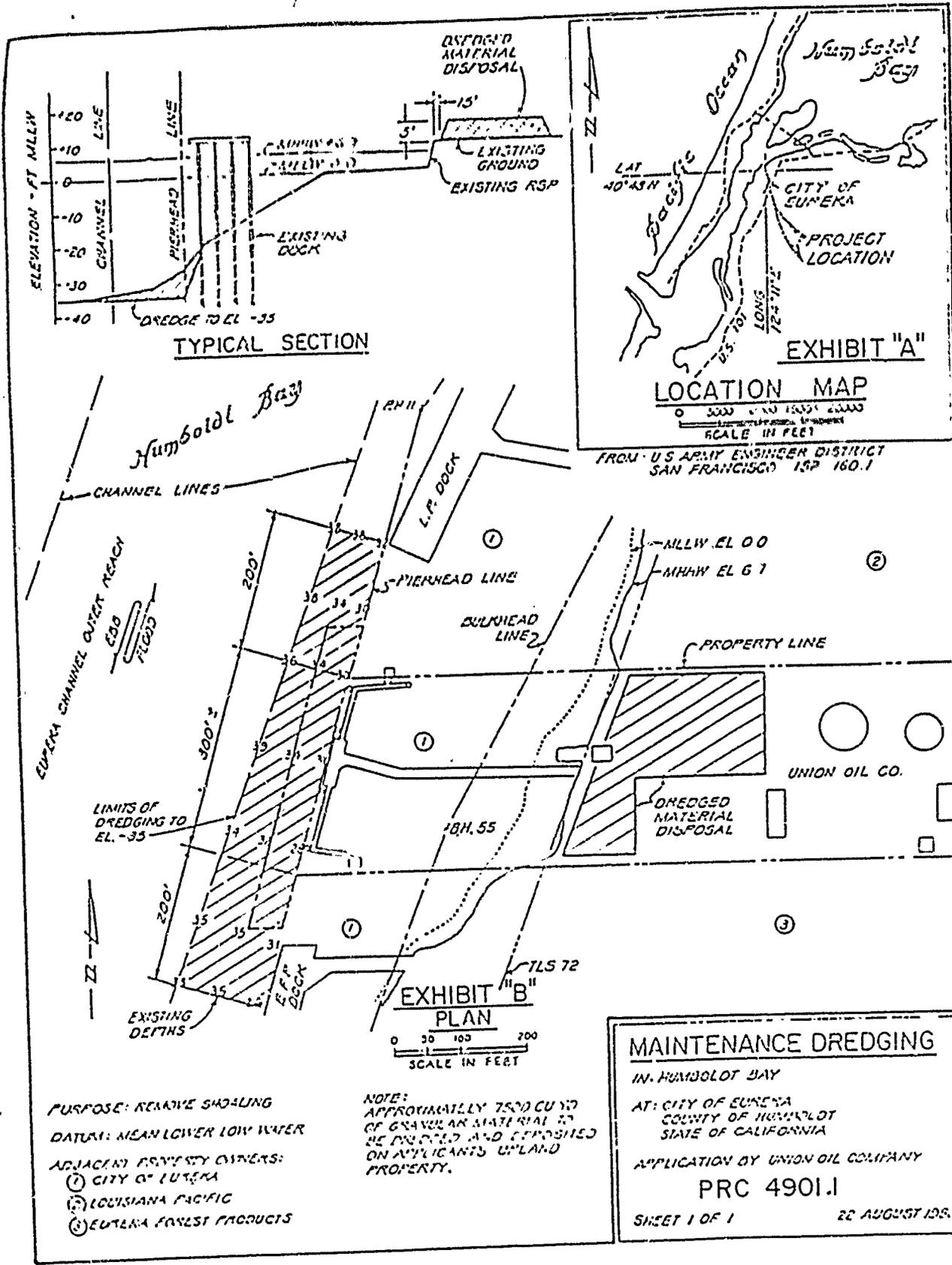
2/c - Curtis
DONALD J. EVERITTS, Chief
Energy and Mineral Resources
Development

1-6-81
DATE _____

ACCEPTED:
UNION OIL COMPANY OF CALIFORNIA
BY 
TITLE MANAGER, MAINTENANCE & CONSTRUCTION
DATE 1-6-81

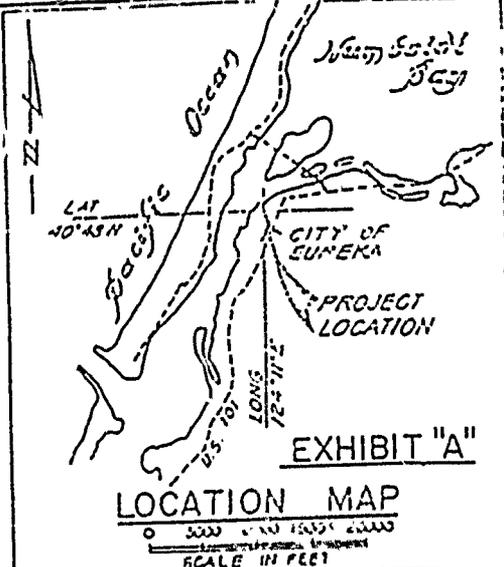
Mailed in Triplicate
Attachment: EXHIBITS "A" & "B"

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MINUTE PAGE 3801



ELEVATION - FT MLLW

TYPICAL SECTION



LOCATION MAP

EXHIBIT "A"

EXHIBIT "B" PLAN

SCALE IN FEET

PURPOSE: REMOVE SHOALING
 DATUM: MEAN LOWER LOW WATER
 ADJACENT PROPERTY OWNERS:
 (1) CITY OF EUREKA
 (2) LOUISIANA PACIFIC
 (3) EUREKA FOREST PRODUCTS

NOTE:
 APPROXIMATELY 7500 CU YD
 OF GRAVEL AND MATERIAL TO
 BE DREDGED AND DEPOSITED
 ON APPLICANT'S UP-LAND
 PROPERTY.

MAINTENANCE DREDGING
 IN HUMBOLDT BAY
 AT: CITY OF EUREKA
 COUNTY OF HUMBOLDT
 STATE OF CALIFORNIA
 APPLICATION BY UNION OIL COMPANY
PRC 4901.1
 SHEET 1 OF 1 22 AUGUST 1983

PLANT PAGE 146
 SHEET PAGE 2002

MINUTE ITEM

This Calendar Item No. 35 was approved as Minute Item No. 35 by the State Lands Commission by a vote of 2 to 0 at its 12-16-80 meeting.

EXHIBIT "E"

CALENDAR ITEM

35 1.

12 '80
NP 4901
PRC 4901

DREDGING PERMIT

APPLICANT: Union Oil Company
of California
One California Building
San Francisco, California 94111

AREA, TYPE LAND AND LOCATION: Granted tide and submerged lands (minerals reserved) in Humboldt Bay, Humboldt County.

LAND USE: Dredge a maximum of 25,000 cubic yards of minerals other than oil, gas and geothermal, 7,500 cubic yards initially and three increments of approximately 5,000 cubic yards each at 3-year intervals. for maintenance of navigable depth (-35' MLLW) at applicant's wharf.

TERMS OF PROPOSED PERMIT:
Initial period: 10 years from January 1, 1981.

CONSIDERATION: Royalty \$9.25 per cubic yard. Royalty Review at 5th anniversary.

PREREQUISITE TERMS, FEES AND EXPENSES:
Applicant is owner of upland.

Filing fee and processing costs have been received.

STATUTORY AND OTHER REFERENCES:

- A. P.R.C.: Div. 6, Parts 1 & 2; Div. 13; Div. 20.
- B. Cal. Adm. Code: Title 2, Div. 3; Title 14, Div. 6.

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S 2

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CALENDAR ITEM NO. 35 (CONTD)

OTHER PERTINENT INFORMATION:

1. This project is situated on State land identified as possessing significant environmental values pursuant to P.R.C. 6370.1, and is classified in a use category, Class C, which authorizes Multiple Use.

Staff review indicates that there will be no significant effect upon the identified environmental values. This is an existing facility for which no adverse comments have been received.

2. This project is exempt from CEQA because it consists of maintenance dredging with spoils deposited in an area approved by all applicable regulatory agencies.

Authority: Cal. Adm. Code, Title 14,
Div. 6, Ch. 3, Sec. 15104
(Class 4).

3. Staff has prepared a permit document which includes all the above provisions. Said document is on file in the offices of the State Lands Commission.

FURTHER APPROVALS REQUIRED:

United States Army Corps of Engineers;
California Coastal Commission, North Coast
Region; Regional Water Quality Control
Board, North Coast; Humboldt Bay Harbor,
and Recreation and Conservation District.

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

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL DOCUMENT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH DOCUMENT IS NOT REQUIRED UNDER THE PROVISION OF P.R.C. 21084, 14 CAL. ADM. CODE 15106 ET SEQ., AND 2 CAL. ADM. CODE 2907 (CATEGORICALLY EXEMPT - MAINTENANCE DREDGING).

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CALENDAR ITEM NO. 27 (CONTD)

2. DETERMINE THAT THE PROJECT IS CONSISTENT WITH THE PROVISIONS OF ARTICLE 6.5, OF TITLE 2, OF THE CAL. ADM. CODE.
3. FIND THAT GRANTING OF THE PERMIT WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1, OF THE P.R.C.
4. AUTHORIZE THE STAFF TO ISSUE TO UNION OIL COMPANY OF CALIFORNIA, THE DREDGING PERMIT ON FILE IN THE OFFICES OF THE COMMISSION. SAID PERMIT SHALL BE ISSUED IN CONSIDERATION OF A ROYALTY FOR DREDGED MATERIALS OF \$0.25 PER CUBIC YARD PLACED ON PRIVATE PROPERTY, SOLD, OR USED FOR PRIVATE OR COMMERCIAL BENEFIT. SAID PERMIT SHALL BE FOR A PERIOD OF TEN YEARS BEGINNING JANUARY 1, 1981, AND SHALL ALLOW THE DREDGING OF A MAXIMUM OF 25,000 CUBIC YARDS OF MINERALS OTHER THAN OIL, GAS AND GEOTHERMAL FROM AN AREA OF GRANTED TIDE AND SUBMERGED LANDS IN HUMBOLDT BAY, HUMBOLDT COUNTY. SAID AREA IS DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE EXPRESSLY MADE A PART HEREOF. THE MATERIAL DREDGED SHALL BE DEPOSITED IN A DISPOSAL SITE APPROVED BY ALL APPLICABLE REGULATORY AGENCIES.

EXHIBIT "A"

LAND DESCRIPTION

WP 4901

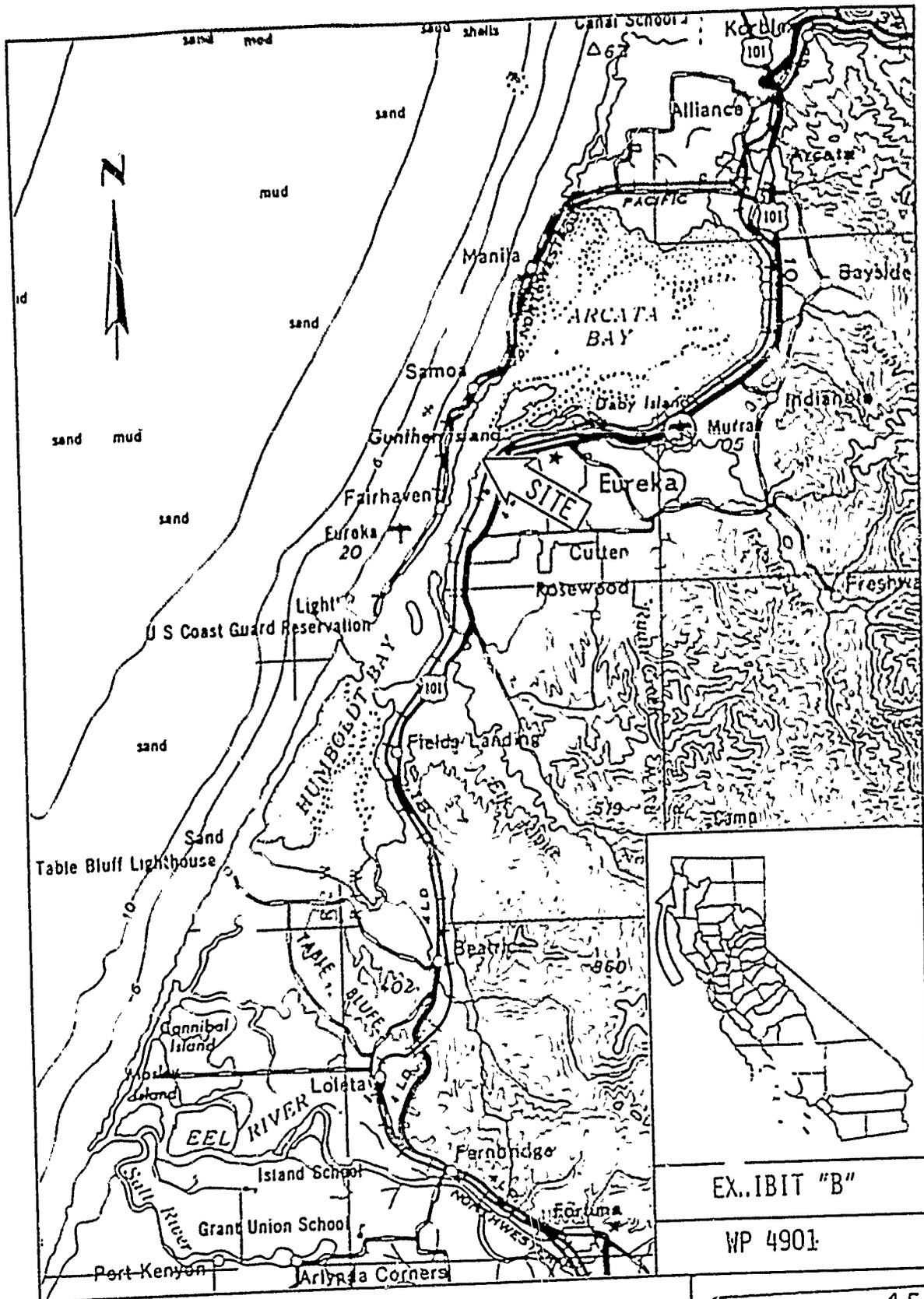
A parcel of submerged land to be dredged in Humboldt Bay, Humboldt County, California, lying between the pierhead line and the easterly channel line, said parcel is located northwesterly between Points "A" and "B" of the following described line:

COMMENCING at Pierhead Station No. 11 as said station is shown on Sheet 3 of that certain map entitled "Harbor Lines for Humboldt Harbor and Bay California" dated August 1, 1957, file No. 5-4-8 in the San Francisco office of the Army Corps of Engineers, thence along the pierhead line as shown upon said map S 17°08'30"W 205 feet, more or less to Point "A"; thence continuing along said pierhead line S 17°08'30"W 720 feet, more or less, to Point "B"; the northerly and southerly boundaries of said parcel extend N 72°51'30" from said Points "A" and "B" to an intersection with the easterly channel line as shown upon said map.

END OF DESCRIPTION

PREPARED NOVEMBER 24, 1980 BY TECHNICAL SERVICES UNIT, ROY MINNICK,
SUPERVISOR.

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EX..IBIT "B"

WP 4901

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