

MINUTE ITEM

This Calendar Item No. C11
was approved as Minute Item
No. 11 by the State Lands
Commission by a vote of 2
to 0 at its 3/27/86
meeting.

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CALENDAR ITEM

C11 ◀

03/27/86
WP 5069 PRC 5069
Martinez

DREDGING PERMIT

PERMITTEE: Leslie Salt Company
Attn: Mark Vaughn
P. O. Box 364
Newark, California 94560

AREA, TYPE LAND AND LOCATION:
Tide and submerged lands in the Napa River,
Napa County.

LAND USE: Dredge a maximum 60,000 cubic yards of minerals
other than oil, gas and geothermal for
maintenance of a navigable depth to facilitate
the movement of barges entering and leaving the
barge channel of the applicant's Napa Salt
Plant with spoils disposal at the adjacent
upland.

TERMS: One year commencing April 1, 1986.

CONSIDERATION: \$0.25 per cubic yard of material placed on the
approved privately-owned upland site or sold
commercially.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:
Filing fee and expense deposit have 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.

CALENDAR ITEM NO. C11 (CONT'D)

OTHER PERTINENT INFORMATION:

1. This activity involves lands identified as possessing significant environmental values pursuant to PRC 6370 et seq. Based 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: PRC 21084 and 14 Cal. Adm. Code 15300.

APPROVALS OBTAINED:

United States Army Corps of Engineers, Napa County Department of Public Works, and San Francisco Bay Conservation and Development Commission.

AB 884: 08/05/86.

EXHIBITS: A. Vicinity and Site Map.
B. Permit.

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

CALENDAR ITEM NO. C11 (CONT'D)

3. AUTHORIZE STAFF TO ISSUE TO LESLIE SALT COMPANY THE DREDGING PERMIT ON FILE IN THE OFFICES OF THE COMMISSION. SAID AMENDMENT SHALL AUTHORIZE DREDGING A MAXIMUM 60,000 CUBIC YARDS OF MATERIAL IN THE NAPA RIVER AND DISPOSAL AT THE APPROVED UPLAND SITE AT A ROYALTY OF \$0.25 PER CUBIC YARD. SUCH PERMITTED ACTIVITY IS CONTINGENT UPON THE APPLICANT'S COMPLIANCE WITH APPLICABLE PERMITS, RECOMMENDATIONS OR LIMITATIONS ISSUED BY FEDERAL, STATE AND LOCAL AGENCIES.

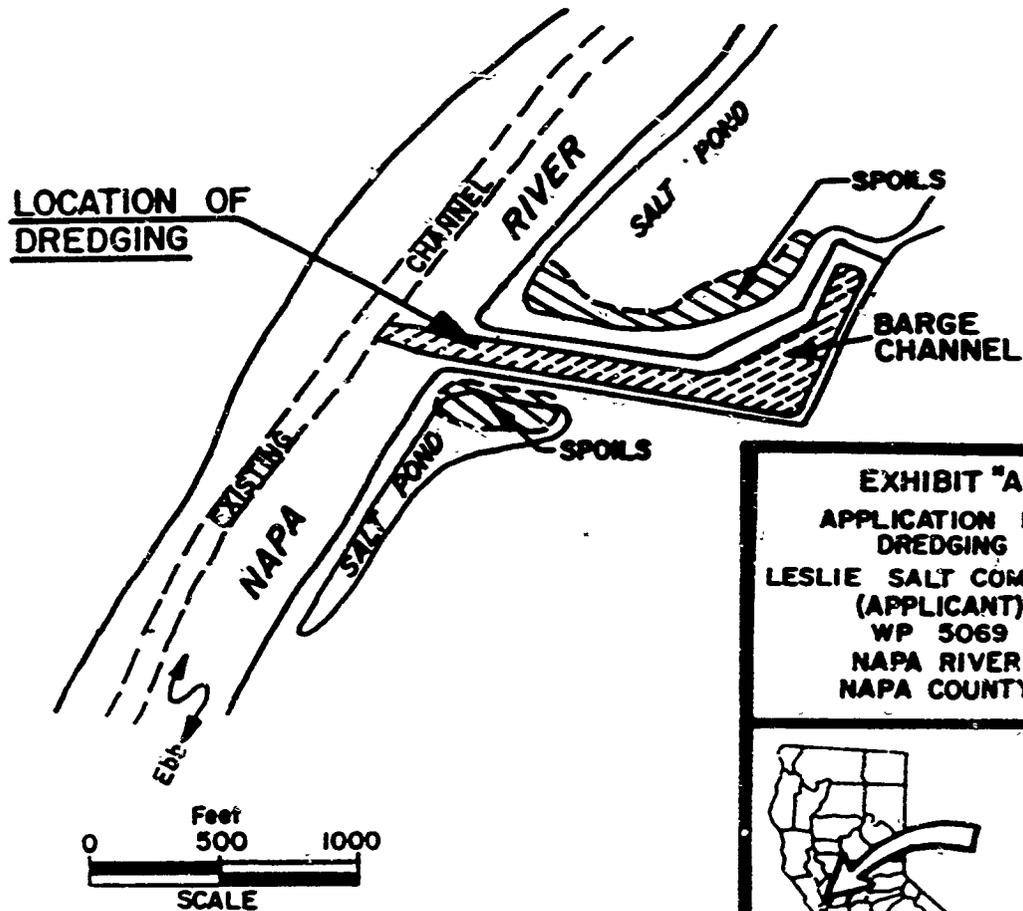
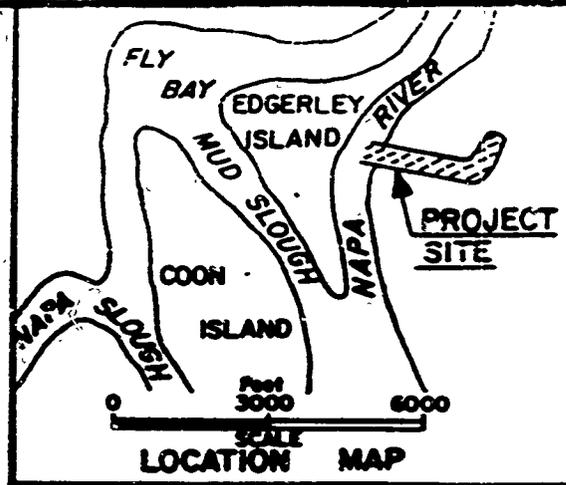


EXHIBIT "A"
APPLICATION FOR
DREDGING
LESLIE SALT COMPANY
(APPLICANT)
WP 5069
NAPA RIVER
NAPA COUNTY



R.O. 2/86

STATE LANDS COMMISSION
1807 13TH STREET
SACRAMENTO, CALIFORNIA 95814

EXHIBIT "B"

February 26, 1986

File Ref: WP 5069

Leslie Salt Company
Attn: Mark Vaughn
P.O. Box 364
Newark, California 94560

Gentlemen:

Pursuant to your application dated January 15, 1986, and by the authorization of the State Lands Commission on March 27, 1986 you are hereby granted permission to dredge, during the term of the permit, a maximum of 60,000 cubic yards of sand, silt, clay and gravel, excluding all other minerals, including but not limited to, oil, gas and geothermal from an area of tide and submerged lands in the Napa River, Napa County, as designated in Exhibit "A" attached hereto, which are by this reference expressly made a part hereof. Said permission includes the right to deposit dredge spoils at the adjacent upland site.

A royalty of \$0.25 per cubic yard shall be paid for material placed at the approved disposal site 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 April 1, 1986 through March 31, 1987.

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 copies of reports or contracts with the dredging operator 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 fifteenth (15th) 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 and one-half percent (1-1/2%) 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 other 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 or impounded upon 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 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

Leslie Salt Company

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February 26, 1986

State, and that no such action by the Commission shall be deemed to be a basis for any claim or cause of action or damages against the State or any officer, employee or agency thereof.

STATE OF CALIFORNIA
STATE LANDS COMMISSION

W. M. THOMPSON, Chief
Extractive Development Program

DATE

ACCEPTED:

BY _____

TITLE _____

DATE _____

Mailed in Triplicate

Attachments: EXHIBITS "A" and "B"

01991

SEARCHED	INDEXED	50
SERIALIZED	FILED	735

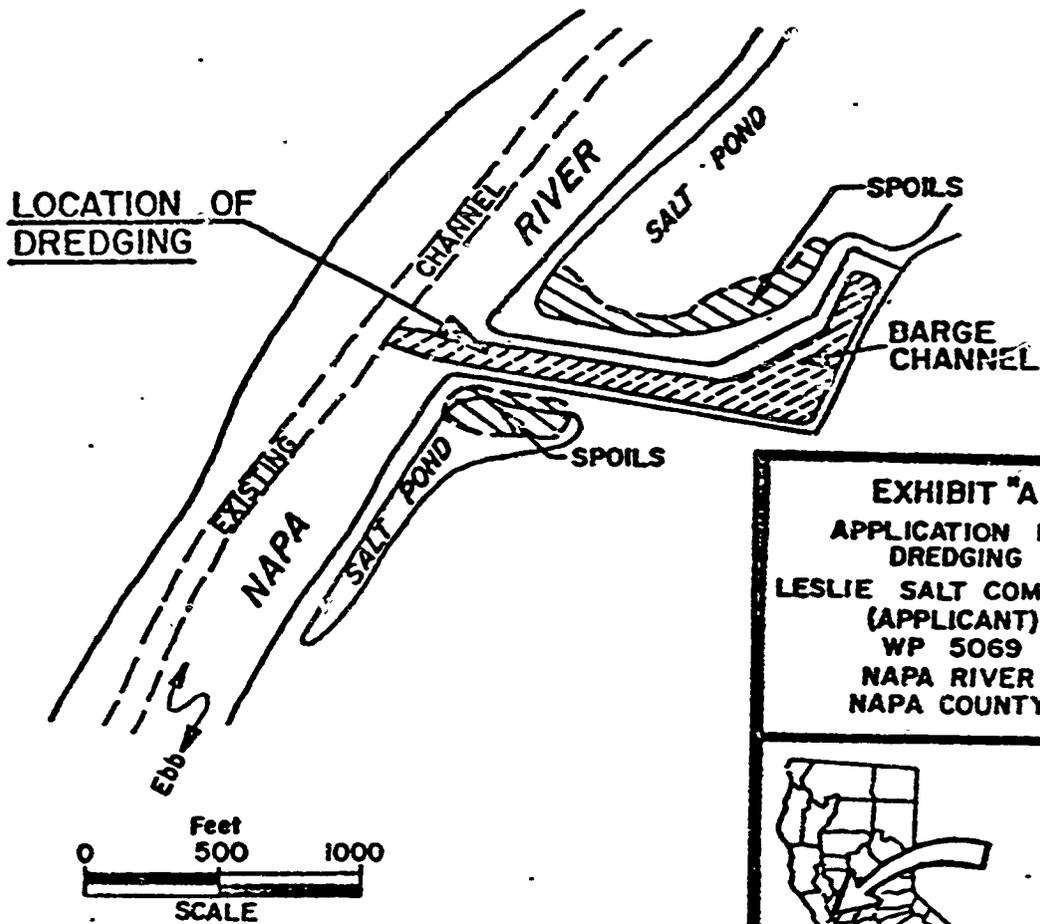
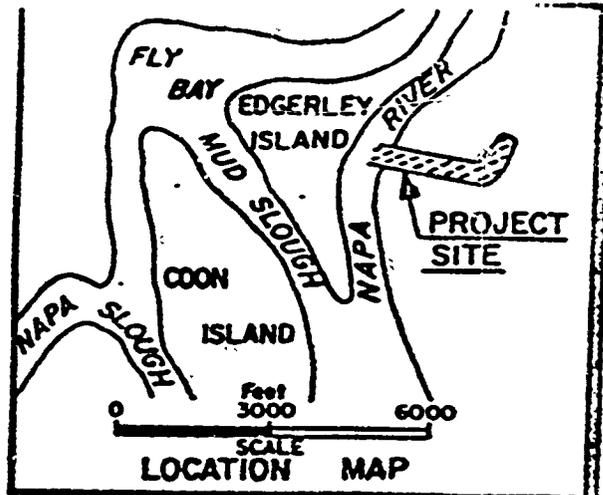


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