

MINUTE ITEM
This Calendar Item No. 41
was approved as Minute Item
No. 41 by the State Lands
Commission by a vote of 3
to 0 on 3/27/90
meeting.

CALENDAR ITEM

A 9
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41

03/27/90
WP 6708
Martinez

Maintenance Dredging Permit

APPLICANT: Golden Gate Bridge
Highway and Transportation Dist.
P. O. Box 9000 Presidio Station
San Francisco, CA 94129

AREA, TYPE LAND AND LOCATION:
Ungranted sovereign lands in the natural
channel of Corte Madera Creek at the Larkspur
Ferry Terminal, Marin County.

LAND USE: Dredge a maximum 100,000 cubic yards of
sediment for the purpose of maintaining a
navigable depth for ferries going to and from
the Larkspur Ferry Terminal. The Applicant has
proposed disposal of the dredged material at
the Corps of Engineers' approved Alcatraz
Aquatic Disposal Site SF-11.

TERMS OF THE PROPOSED PERMIT:
Initial Period: One year commencing April 1,
1990.

Royalty: \$0.25 per cubic yard.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:
Filing fee has been received.

STATUTORY AND OTHER REFERENCES:
A. P.R.C.: Div. 6, Parts 1 and 2; Div 13.
B. 14 Cal. Code Regs.: Title 2, Div. 3;
Title 14, Div. 6.

AB 884: 04/25/90.

(REVISED pgs. 327-329, 332)

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OTHER PERTINENT INFORMATION:

1. Water quality testing performed pursuant to the Corps of Engineers and California Regional Water Quality Control Board permitting requirements found the material to be suitable for disposal at SF-11 as proposed.
2. Questions have been raised about continuing to dispose of dredged material in San Francisco Bay. However, the current lack of an EPA/Corps-approved offshore disposal site severely limits the options available for disposal.

Through participation in the Federal/State Joint Long-Term Management Study being conducted to identify and evaluate site options for the disposal of material dredged from San Francisco Bay, the State Lands Commission has emphasized the need to focus on the selection of ocean disposal site(s). This need has also been expressed by concurrence with San Francisco Bay Conservation and Development Commission (SFBCDC) in its development of legislation to authorize the San Francisco Bay Regional Dredging Plan.

Given the necessity of the proposed dredging in order to maintain navigability for the public ferry system, and the time constraints imposed in the interest of protecting the fishery resources, staff recommends authorization of the proposed dredging and disposal.

3. An environmental analysis document was prepared, circulated, and adopted for this project as a substitute for a Negative Declaration in a regulatory program of the SFBCDC which has been certified by the Secretary for Resources as meeting the requirements of P.R.C. 21080.5, which document concluded that the project, as defined, will have no significant environmental effects within the Commission's jurisdiction or special expertise.

CALENDAR ITEM NO. 41 (CONT'D)

The SFBCDC, as Lead Agency, consulted with the responsible agencies, as required by CEQA Guidelines Section 15253, and determined that the project, as approved, would not have a significant effect on the environment. The SFBCDC, as Lead Agency, approved the project on February 15, 1990. The staff for the State Lands Commission has reviewed the environmental analysis document and believes that the conditions have been met for the Commission, as Responsible Agency, to use the document as a substitute for a Negative Declaration as provided under CEQA Guidelines, Section 15253.

4. No local agency approvals are required.

APPROVALS REQUIRED:

SFBCDC.
Corps of Engineers.
Regional Water Quality Control Board.

EXHIBITS:

- A. Vicinity and Site Map.
B. Dredging Permit.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT AN ENVIRONMENTAL ANALYSIS DOCUMENT WAS PREPARED, CIRCULATED, AND ADOPTED FOR THIS PROJECT BY THE SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION UNDER ITS CERTIFIED STATE REGULATORY PROGRAM [CEQA GUIDELINES SECTION 15251(h)], AND THAT THE CONDITIONS SPECIFIED IN GUIDELINES SECTION 15253 HAVE BEEN MET; AND THAT PURSUANT TO GUIDELINE SECTION 15253(a), THE COMMISSION, AS A RESPONSIBLE AGENCY, SHALL USE THAT ENVIRONMENTAL ANALYSIS DOCUMENT AS A SUBSTITUTE FOR A NEGATIVE DECLARATION.
2. FIND THAT THE COMMISSION HAS CONSIDERED THE INFORMATION CONTAINED IN THE ENVIRONMENTAL ANALYSIS DOCUMENT AND HAS DETERMINED THAT THE PROJECT, AS APPROVED, WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.

CALENDAR ITEM NO. 41 (CONT'D)

3. AUTHORIZE STAFF TO ISSUE TO GOLDEN GATE BRIDGE, HIGHWAY AND TRANSPORTATION DIST. THE DREDGING PERMIT ATTACHED AS EXHIBIT "B". SAID PERMIT SHALL ALLOW DREDGING A MAXIMUM VOLUME OF 100,000 CUBIC YARDS OF MATERIAL FOR ONE YEAR COMMENCING APRIL 1, 1990 FROM THE NATURAL CHANNEL OF CORTE MADERA CREEK AT LARKSPUR FERRY TERMINAL, MARIN COUNTY. IT IS PREFERRED THAT DREDGED MATERIALS SHALL BE DISPOSED OF AT THE CORPS OF ENGINEERS APPROVED OFFSHORE OCEAN DISPOSAL SITE. IN THE ABSENCE OF AVAILABILITY OF SUCH SITES, THE MATERIAL MAY BE DISPOSED OF AT THE CORPS OF ENGINEERS' ALCATRAZ DISPOSAL SITE. A ROYALTY OF \$0.25 PER CUBIC YARD SHALL BE CHARGED FOR THE DREDGED MATERIAL. SUCH PERMITTED ACTIVITY IS CONTINGENT UPON APPLICANT'S COMPLIANCE WITH APPLICABLE PERMITS, RECOMMENDATIONS, OR LIMITATIONS ISSUED BY FEDERAL, STATE AND LOCAL GOVERNMENT AGENCIES.

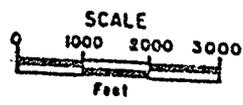
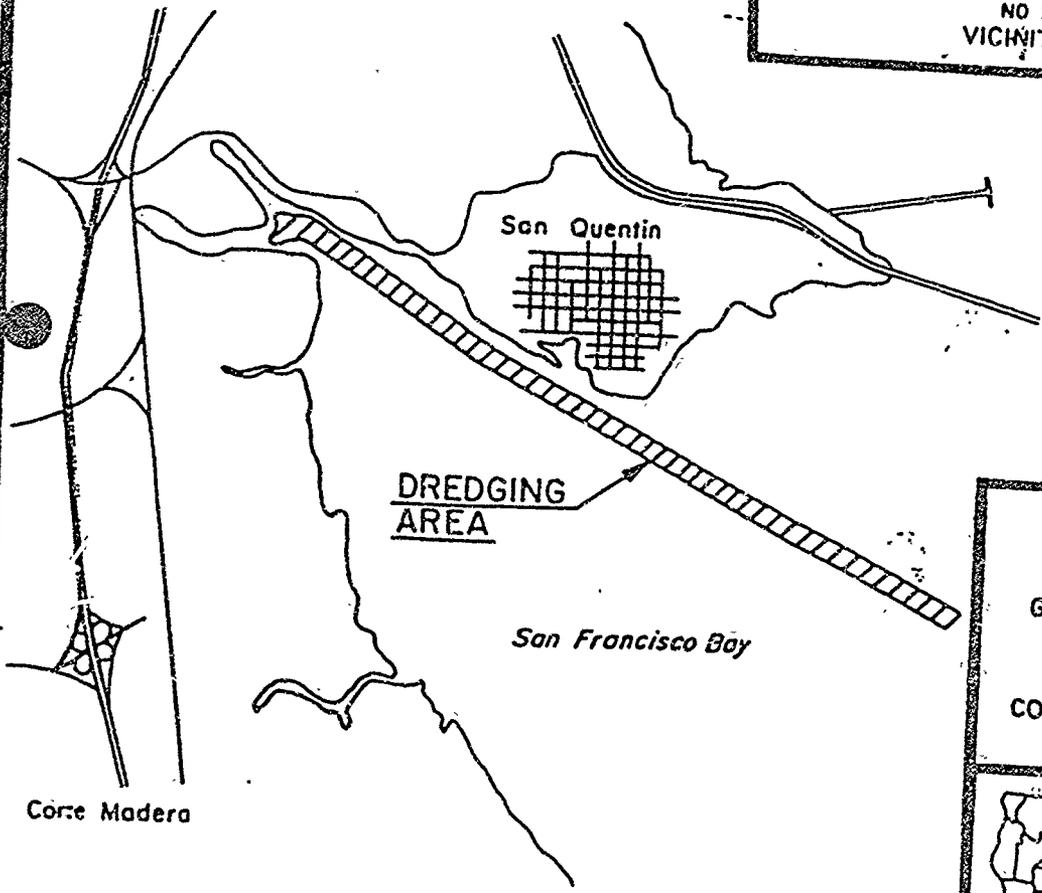
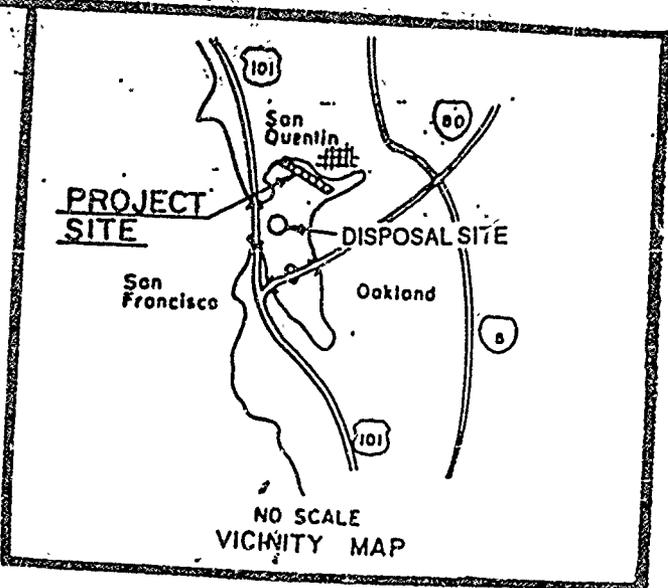


EXHIBIT "A"
 APPLICATION FOR
 DREDGING PERMIT
 GOLDEN GATE BRIDGE
 HIGHWAY &
 TRANSIT DISTRICT
 WP 6708
 CORTE MADERA CREEK
 MARIN COUNTY



STATE LANDS COMMISSION
1807 13TH STREET
SACRAMENTO, CALIFORNIA 95814.



April 1, 1990

File Ref.: WP 6708

Golden Gate Bridge
Highway and Transportation Dist.
Box 9000 Presidio Station
San Francisco CA 94129

Gentlemen:

Pursuant to your application received September 25, 1989 and by the authorization of the State Lands Commission in March, 1990 you are hereby granted permission to dredge, during the term of the permit a maximum 100,000 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 ungranted sovereign lands in Corte Madera Creek at the Larkspur Ferry Terminal, Marin County as designated in Exhibit "A" attached hereto, which is by this reference expressly made a part hereof. Said permission includes the right to deposit dredge spoils at the Corps of Engineers approved Alcatraz Aquatic Disposal Site SF-11.

A royalty of \$0.25 per cubic yard shall be paid for material placed at the approved disposal 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 April 1, 1990 through March 31, 1991.

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 30.9NC). 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.

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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 (1½%) 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 persons 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 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

W. M. THOMPSON, Chief
Extractive Development Program

Date: _____

ACCEPTED: By: _____, Title: _____

Date: _____

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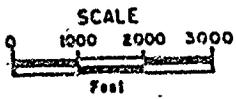
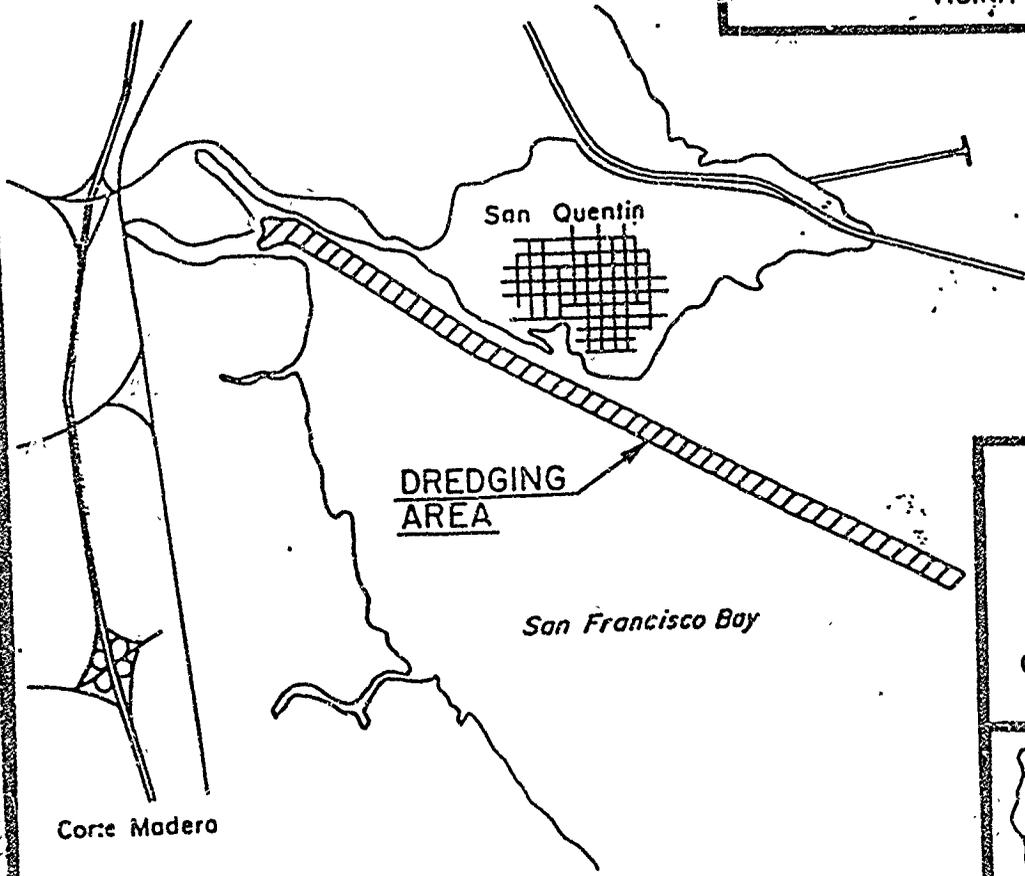
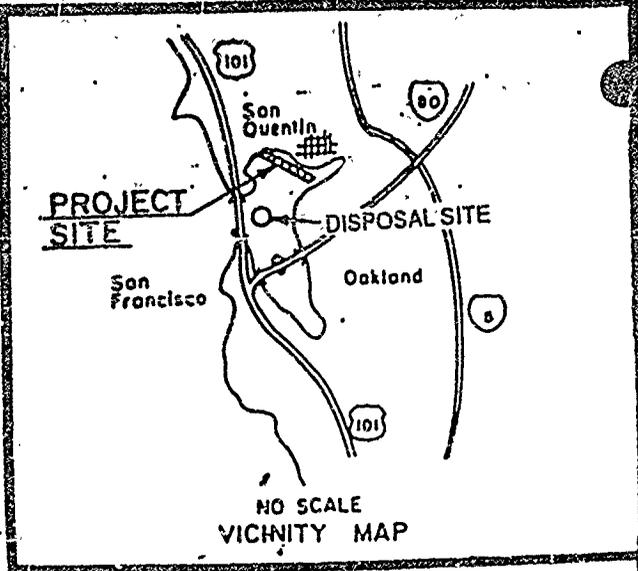


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