

MINUTE ITEM

This Calendar Item No. C08
was approved as Minute Item
No. 8 by the State Lands
Commission by a vote of 2
to 0 at its 11-5-91
meeting.

CALENDAR ITEM

C 0 8

A 9

S 3

11/05/91
PRC 7432
Martinez

DREDGING PERMIT

PERMITTEE:

Strawberry Recreation District
Attn: Robert Alan
1299 - 4th Street, Suite 502
San Rafael, California 94901

AREA, TYPE LAND AND LOCATION:

Granted mineral reservation lands in Richardson Bay, Marin County.

LAND USE:

Dredge a maximum 35,000 cubic yards of material for the purpose of maintaining a navigable depth of a previously dredged channel. The project is a portion of a larger dredging project consisting of the removal of a total 200,000 cubic yards including lands not under Commission jurisdiction. The applicant has proposed disposal of the dredged material at the Corps/EPA approved Alcatraz Disposal Site SF-11.

TERMS OF THE PROPOSED PERMIT:

Initial period:

One year beginning November 6, 1991.

Royalty:

No royalty shall be charged for material disposed at the aquatic disposal site as proposed.

\$0.25 per cubic yard shall be charged for any material sold or used for commercial or private benefit.

Additional fee:

A fee of \$0.25 per cubic yard for any dredged material disposed of at any site in San Francisco Bay,

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including but not limited to SF 11, to offset the cost of studies necessary to develop non-Bay disposal sites for future use.

PREREQUISITE TERMS, FEES AND EXPENSES:

Filing and processing fees have been received.

STATUTORY AND OTHER REFERENCES:

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

AB 884:

05/10/92

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 materials 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. It is anticipated the currently approved in-Bay sites will reach capacity within ten years. However, the current lack of suitable upland disposal sites or EPA/Corps approved offshore disposal sites 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 upland and ocean disposal site(s). This need has also been expressed by concurrence with San Francisco Bay Conservation and Development Commission (SFBCDC) and its proposed legislation to authorize the San Francisco Bay Regional Dredging Plan.

Identification and evaluation of alternate disposal sites will require numerous studies at a cost of several million dollars. Because ongoing in-Bay disposal contributes to the eventual obsolescence of in-Bay sites, and the need to develop other

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alternatives, a fee will be charged as a condition to the proposed permit to be deposited in a fund to offset the cost of needed studies.

3. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Code Regs. 15025), the staff has prepared a proposed Negative Declaration identified as ND 508, State Clearinghouse No. 90030298. Such proposed Negative Declaration was prepared and circulated for public review pursuant to provisions of CEQA.

Based upon the Initial Study, the proposed Negative Declaration, and the comments received in response thereto, there is no substantial evidence that the project, as proposed, will have a significant effect on the environment. (14 Cal. Code Regs. 15074[b])

4. The material has been identified as suitable for disposal at SF-11 by the National Marine Fisheries Service (NMFS). The dredging shall be conducted within the time periods established by NMFS and specified by SFBCDC and the Corps of Engineers.
5. A minimum of 15 channel pilings will be installed bayward of the northeast corner and the southeast corner of the habitat island to divert boat traffic from the seal handout area on the habitat island and away from the Richardson Bay Audubon Sanctuary to the east. Signs shall be posted on the markers to warn boaters away from the area. The sign shall be posted in accordance with SFBCDC permit requirements.
6. Dredging along the eastern boundary of the navigation channel adjacent to the habitat island containing the seal handout site, as well as dredging adjacent to the marsh areas located north of the island, shall be no closer than 15 feet to any existing wetland vegetation on shore. No dredged surface shall be steeper than a 4:1 slope, as required by the SFBCDC.

APPROVALS REQUIRED:

United States Army Corps of Engineers, SFBCDC, Regional Water Quality Control Board, Department of Boating and Waterways, and County of Marin.

EXHIBITS:

- A. Vicinity and Site Map.
- B. Proposed Negative Declaration.

IT IS RECOMMENDED THAT THE COMMISSION:

1. CERTIFY THAT A NEGATIVE DECLARATION, ND 508, STATE CLEARINGHOUSE NO. 90030298, WAS PREPARED FOR THIS PROJECT PURSUANT TO THE PROVISIONS OF CEQA AND THAT THE COMMISSION HAS ADOPTED, REVIEWED, AND CONSIDERED THE INFORMATION CONTAINED THEREIN.
2. ADOPT THE PROPOSED NEGATIVE DECLARATION AND DETERMINE THAT THE PROJECT, AS APPROVED, WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
3. AUTHORIZE STAFF TO ISSUE TO STRAWBERRY RECREATION DISTRICT THE DREDGING PERMIT ON FILE IN THE OFFICE OF THE STATE LANDS COMMISSION. SAID PERMIT SHALL ALLOW DREDGING A MAXIMUM VOLUME OF 35,000 CUBIC YARDS OF MATERIAL FROM RICHARDSON BAY, MARIN COUNTY, FOR ONE YEAR BEGINNING NOVEMBER 6, 1991. IT IS PREFERRED THAT DREDGED MATERIALS SHALL BE DISPOSED OF AT AN EPA/CORPS OF ENGINEERS APPROVED OFFSHORE OCEAN DISPOSAL SITE OR AN UPLAND SITE. IN THE ABSENCE OF AVAILABILITY OF SUCH SITES, THE MATERIAL MAY BE DISPOSED OF AT THE CORPS OF ENGINEERS ALCATRAZ DISPOSAL SITE. NO ROYALTY SHALL BE CHARGED FOR MATERIAL DISPOSED AT THE AQUATIC SF-11 SITE AS PROPOSED. A \$0.25 PER CUBIC YARD SHALL BE CHARGED FOR MATERIAL SOLD OR USED FOR PRIVATE OR COMMERCIAL PURPOSES. A FEE OF \$0.25 PER CUBIC YARD SHALL BE CHARGED FOR MATERIAL DISPOSED OF IN-BAY, TO BE PLACED IN A SEPARATE FUND TO OFFSET COSTS OF STUDIES NECESSARY TO IDENTIFY AND ANALYZE ALTERNATIVE DISPOSAL SITES. SUCH PERMITTED ACTIVITY IS CONTINGENT UPON PERMITTEE'S COMPLIANCE WITH APPLICABLE PERMITS, RECOMMENDATIONS, AND LIMITATIONS ISSUED BY FEDERAL, STATE, AND LOCAL GOVERNMENT AGENCIES.

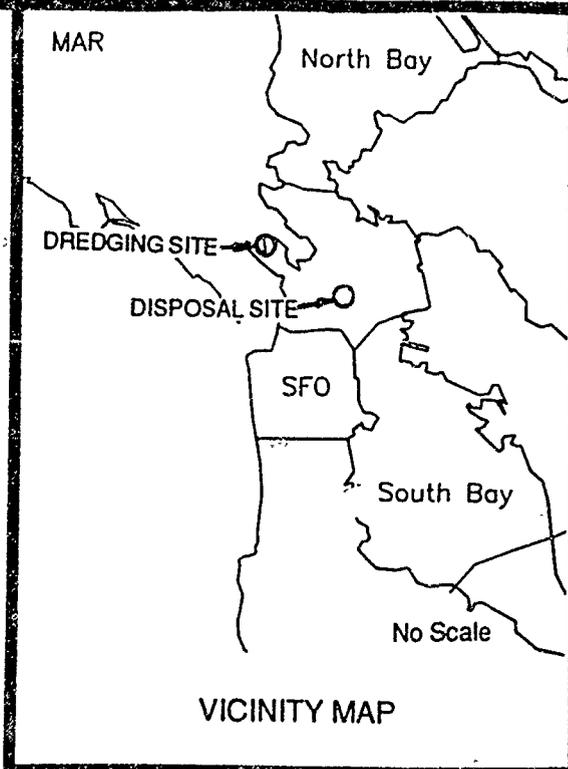
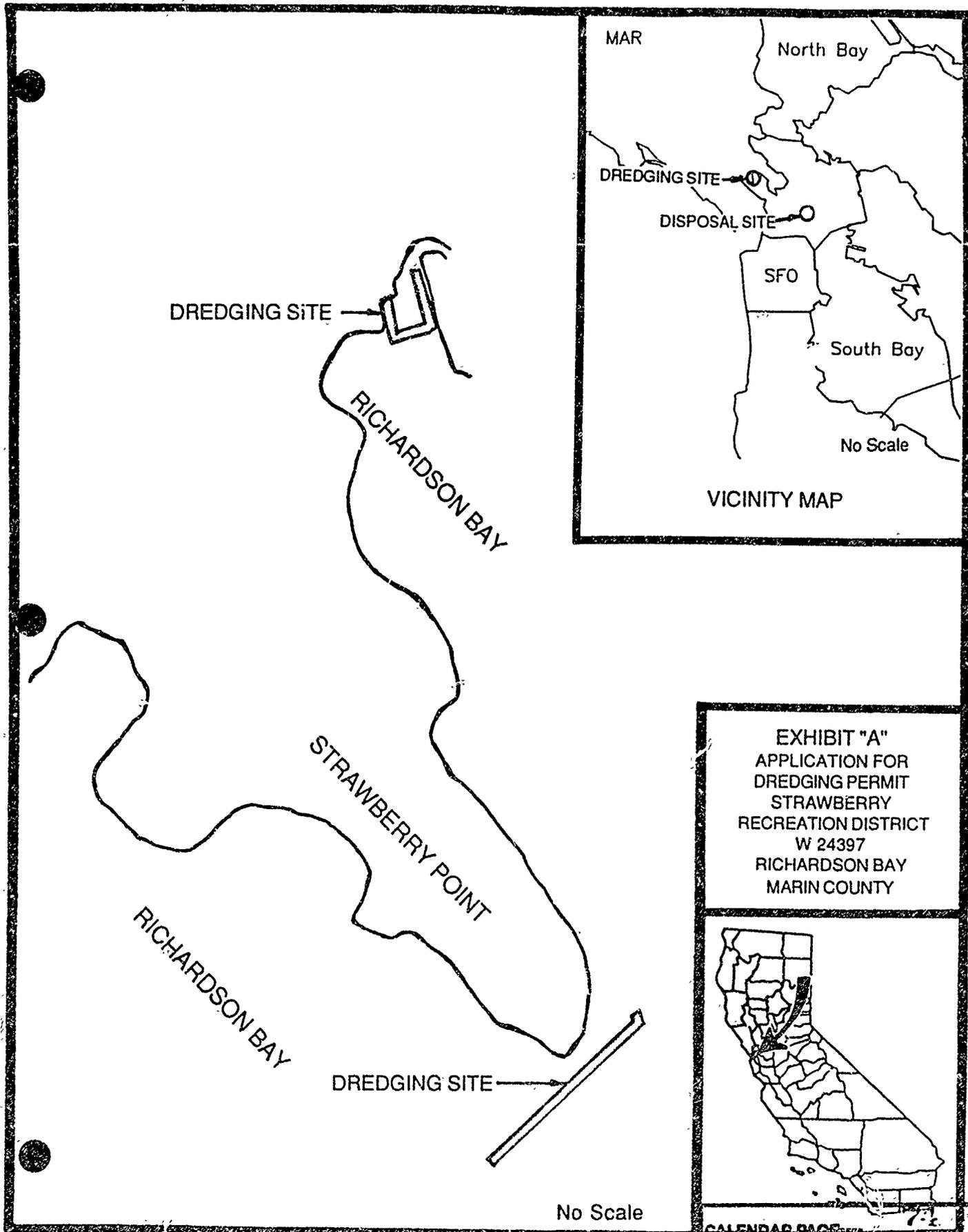


EXHIBIT "A"
 APPLICATION FOR
 DREDGING PERMIT
 STRAWBERRY
 RECREATION DISTRICT
 W 24397
 RICHARDSON BAY
 MARIN COUNTY



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(ADDED 11/04/91)

EXHIBIT "B"

STATE OF CALIFORNIA - STATE LANDS COMMISSION

GEORGE DEUKMEJIAN, Governor

STATE LANDS COMMISSION
1807 13TH STREET
SACRAMENTO, CALIFORNIA 95814



PROPOSED NEGATIVE DECLARATION

EIR ND 508

File Ref.: W 24397

SCH#: 90030298

Project Title: Strawberry Lagoon Dredging Project

Project Proponent: Strawberry Recreation District

Project Location: Richardson Bay at Strawberry Lagoon, Marin County

Project Description: Maintenance dredging to remove 35,000 cubic yards of material over a one-year period for the purpose of maintaining a navigable depth.

Contact Person: LUIS MARTINEZ

Telephone: (916) 322-6375

This document is prepared pursuant to the requirements of the California Environment Quality Act (Section 21000 et seq., Public Resources Code), the State CEQA Guidelines (Section 15000 et seq., Title 14, California Administrative Code), and the State Lands Commission regulations (Section 2901 et seq., Title 2, 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.

mitigation measures included in the project will avoid potentially significant effects.

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PROJECT DETAILS

Strawberry Recreation District has submitted an application for a maintenance dredging permit for the removal of 35,000 cubic yards of material over a one-year period from a small craft channel across the mudflats of Richardson Bay at Strawberry Lagoon, Marin County for the purpose of maintaining a navigable depth.

The channel through Strawberry Spit is considered to have a long-term beneficial effect of diverting boat traffic away from the Seal Haul-out located just north of the breach in spit. The proposed Strawberry Lagoon inner channel dredging should enhance this benefit as well. It is believed that the increased tidal action resulting from the maintenance dredging is likely to reduce sedimentation in the area. The project is likely to improve circulation on the Lagoon side of the habitat island.

The proposal will divert boat traffic behind the seal haul-out because of the channel improvement and by the placement of navigation signs at the diversion point. Boats operating within the Lagoon will be constrained to a speed of 5 mph and confined to a specific area. It is believed the project will result in a decrease rather than increase in boat traffic.

Dredging at the project site will be restricted to daylight hours and halted during low tide. Fish and Game, U. S. Fish and Wildlife Service and the National Marine Fisheries review of the project will determine windows on the project to avoid significant impacts on the seal haul-out and herring runs as well as any other sportfishing seasons.

The use of silencers on equipment used at the site will minimize noise to the level of existing boat traffic. Less than 5% of the project will be within 100 meters of any seal haul-out.

To minimize turbidity in Strawberry Lagoon there will be no slurry transfer of material or overflow of sediment laden water. The material will be dredged using a floating clamshell crane and bottom dump barges with disposal at a Corps/EPA approved disposal site. Suction dredging will not be used.

The narrow winding channel will naturally limit the size and number of vessels used. Therefore, the specific fleet configuration will be determined by the dredging contractor. Temporary mooring piles will be used for equipment staging and then removed.

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Stability of a dredged cut can be established through a variety of mechanisms, most of them natural. The proposed dredging has the original channel depth for its design grade and hence will introduce no additional instability to the upland areas. The initial cut will have vertical sides which collapse to a natural slope within days of excavation. For the majority of the proposed project equilibrium will occur at a 4 to 1 slope.

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INITIAL STUDY

Introduction

Strawberry Recreation District has submitted an application for a maintenance dredging permit for the removal of 35,000 cubic yards of material over a one-year period from a small craft channel across the mudflats of Richardson Bay at Strawberry Lagoon, Marin County. The dredging is required to maintain a navigable depth.

The dredged channel is to be a "box cut." 60 feet wide to the original design depth of -6 feet MLLW. A 1-foot overcut will be allowed.

STATE LANDS COMMISSION

September, 1989

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DREDGING SITE

RICHARDSON BAY

STRAWBERRY POINT

RICHARDSON BAY

DREDGING SITE

No Scale

MAR

North Bay

DREDGING SITE

DISPOSAL SITE

SFO

South Bay

No Scale

VICINITY MAP

EXHIBIT "A"
APPLICATION FOR
DREDGING PERMIT
STRAWBERRY
RECREATION DISTRICT
W 24397
RICHARDSON BAY
MARIN COUNTY



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ENVIRONMENTAL IMPACT ASSESSMENT CHECKLIST - PART II

Form 13.20 (7/82)

File Ref.: W 24397

I. BACKGROUND INFORMATION

A. Applicant: Strawberry Recreation Dist.
Attn: Stephen Kaufmann
1299 - 4th Street, Suite 502
San Rafael CA 94901

B. Checklist Date: 9/14/89

C. Contact Person: Linda Martinez, Dredging Coordinator
Telephone: (916) 322-6375

D. Purpose: Maintain navigable depth.

E Location: Richardson Bay at Strawberry Lagoon, Marin County.

F Description Maintenance dredging with aquatic disposal at the Corps approved disposal site SF-11. Approximately 200,000 cubic yards will be removed of which 35,000 cu. yds. will be removed from lands under the jurisdiction of the State Lands Commission.

G Persons Contacted:

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

A. Earth. Will the proposal result in:

Yes Maybe No

- 1. Unstable earth conditions or changes in geologic substructures?
2. Disruptions, displacements, compaction, or overcovering of the soil?
3. Change in topography or ground surface relief features?
4. The destruction, covering, or modification of any unique geologic or physical features?
5. Any increase in wind or water erosion of soils, either on or off the site?
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?
7. Exposure of all people or property to geologic hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards?

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		Yes	Maybe	No
B. Air. Will the proposal result in:				
1.	Substantial air emissions or deterioration of ambient air quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2.	The creation of objectionable odors?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3.	Alteration of air movement, moisture or temperature, or any change in climate, either locally or regionally?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
C. Water. Will the proposal result in:				
1.	Changes in the currents, or the course or direction of water movements, in either marine or fresh waters?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2.	Changes in absorption rates, drainage patterns, or the rate and amount of surface water runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3.	Alterations to the course or flow of flood waters?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4.	Change in the amount of surface water in any water body?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5.	Discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen or turbidity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6.	Alteration of the direction or rate of flow of ground waters?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7.	Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8.	Substantial reduction in the amount of water otherwise available for public water supplies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9.	Exposure of people or property to water-related hazards such as flooding or tidal waves?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10.	Significant changes in the temperature, flow or chemical content of surface thermal springs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
D. Plant Life. Will the proposal result in:				
1.	Change in the diversity of species, or number of any species of plants (including trees, shrubs, grass, crops, and aquatic plants)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2.	Reduction of the numbers of any unique, rare or endangered species of plants?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3.	Introduction of new species of plants into an area, or in a barrier to the normal replenishment of existing species?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4.	Reduction in acreage of any agricultural crop?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
E. Animal Life. Will the proposal result in:				
1.	Change in the diversity of species, or number of any species of animals (birds, land animals including reptiles, fish and shellfish, benthic organisms, or insects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2.	Reduction of the numbers of any unique, rare or endangered species of animals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3.	Introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4.	Deterioration to existing fish or wildlife habitat?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
F. Noise. Will the proposal result in:				
1.	Increase in existing noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2.	Exposure of people to severe noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
G. Light and Glare. Will the proposal result in:				
1.	The production of new light or glare?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
H. Land Use. Will the proposal result in:				
1.	A substantial alteration of the present or planned land use of an area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
I. Natural Resources. Will the proposal result in:				
1.	Increase in the rate of use of any natural resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2.	Substantial depletion of any nonrenewable resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

J. *Risk of Upset.* Does the propo. result in:

Yes Maybe No

- 1. 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 conditions?
- 2. Possible interference with emergency response plan or an emergency evacuation plan?

K. *Population.* Will the proposal result in:

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

L. *Housing.* Will the proposal result in:

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

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

- 1. Generation of substantial additional vehicular movement?
- 2. Affecting existing parking facilities, or create a demand for new parking?
- 3. Substantial impact upon existing transportation systems?
- 4. Alterations to present patterns of circulation or movement of people and/or goods?
- 5. Alterations to waterborne, rail, or air traffic?
- 6. 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:

- 1. Fire protection?
- 2. Police protection?
- 3. Schools?
- 4. Parks and other recreational facilities?
- 5. Maintenance of public facilities, including roads?
- 6. Other governmental services?

O. *Energy.* Will the proposal result in:

- 1. Use of substantial amounts of fuel or energy?
- 2. Substantial increase in demand upon existing sources of energy, or require the development of new sources?

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

- 1. Power or natural gas?
- 2. Communication systems?
- 3. Water?
- 4. Sewer or septic tanks?
- 5. Storm water drainage?
- 6. Solid waste and disposal?

Q. *Human Health.* Will the proposal result in:

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

R. *Aesthetics.* Will the proposal result in:

- 1. 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:

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

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T. Cultural Resources.

Yes, Maybe No

- 1. Will the proposal result in the alteration of or the destruction of a prehistoric or historic archeological site?
- 2. Will the proposal result in adverse physical or aesthetic effects to a prehistoric or historic building, structure, or object?
- 3. Does the proposal have the potential to cause a physical change which would affect unique ethnic cultural values?
- 4. Will the proposal restrict existing religious or sacred uses within the potential impact area?

U. Mandatory Findings of Significance.

- 1. 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 eliminate important examples of the major periods of California history or prehistory?
- 2. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?
- 3. Does the project have impacts which are individually limited, but cumulatively considerable?
- 4. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

III. DISCUSSION OF ENVIRONMENTAL EVALUATION (See Comments Attached)

II.A.2. - Subtidal bay sediments that have naturally accumulated over the past 30 years contributing to a shallow depth of a small craft channel across the mudflats of Richardson Bay will be removed.

IV. PRELIMINARY 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: . . . / . . . / . . .

For the State Lands Commissioner PAGE 33
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