MINUTE ITEM
This Calendar Item No. C19
was approved as Minute Item
No. 19 by the State Lands
Commission by a vote of 3
to 0 at its 11-9-93
meeting.

CALENDAR ITEM

C19

A 17

S 5

11/09/93
W 24559
J. Ludlow
PRC 7724

DREDGING LEASE

APPLICANT:
Dutra Construction Company, Inc.
P.O. Box 338
750 River Road
Rio Vista, CA 94571

AREA, TYPE LAND AND LOCATION:
Tide and submerged lands in Mormon Slough (Mormon Channel) just south of the Stockton Deep Water Channel in the City of Stockton, San Joaquin County.

LAND USE:
Dredge a maximum 25,000 cubic yards of accumulated material to restore boat and barge access to the applicant's property. The dredged material will be deposited on a 309,000 square foot upland site belonging to the applicant.

TERMS OF PROPOSED PERMIT:
Permit Period:
Three years beginning November 9, 1993.

Royalty:
$0.25 per cubic yard for material disposed of at the upland sight as proposed.

A minimum $0.25 per cubic yard for any material used for private benefit or commercial sale purposes.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:
Filing fee and processing fee have been received.

STATUTORY AND OTHER REFERENCES:
A. P.R.C.: Div. 6, Parts 1 and 2: Div. 13.

B. Cal Code Regs.: Title 3, Div. 3:
Title 14, Div. 6.

AB 884:
01/26/94

OTHER PERTINENT INFORMATION:

1. A Finding of No Significant Impact (FONSI) was prepared and adopted for this project by the United States Army Corps of Engineers. The document was circulated through the State Clearing House (ND/FONSI 630, SCH 93092031) for pubic review as broadly as State and local law may require and notice was given meeting the standards in 14 Cal. Code Regs. 15072(a). Therefore, pursuant to 14 Cal. Code Regs. 15225, the staff recommends the use of the federal FONSI in place of a Negative Declaration.

2. The applicant proposes to perform maintenance dredging in the Mormon Channel to a previously permitted U.S. Army Corps of Engineers depth of -16.0 feet. The purpose of the dredging is to restore boat and barge access to the applicant's property. The dredged material will be deposited on a 309,000 square foot upland site belonging to the applicant.

3. The California Water Quality Control Board, Central Valley has reviewed the results for sediment testing prepared by MEC Analytical Systems, Inc. in March, 1993, and determined that no significant threat to water quality should result from this activity.

4. No dredging will occur during the months of August and September due to the normal drop of dissolved oxygen in the Port of Stockton and limited flows in the San Joaquin River during those months.

5. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 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.

APPROVALS OBTAINED:

United States Army Corps of Engineers, Water Quality Control Board, Dept. of Fish and Game (one year)

APPROVALS REQUIRED:
State Lands Commission

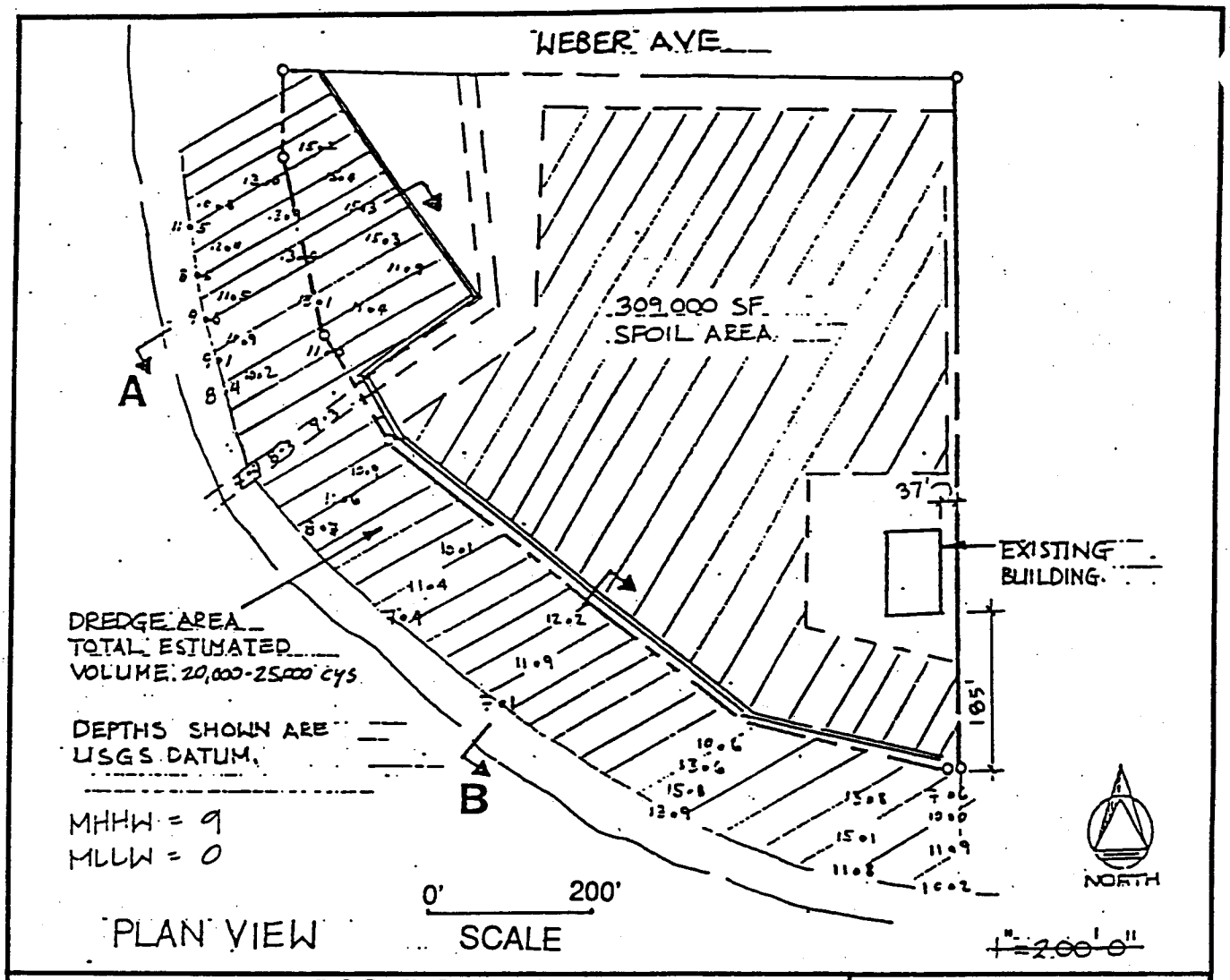
EXHIBITS:
A: Vicinity and Site Map
B: FONSI

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE FINDING OF NO SIGNIFICANT IMPACT PREPARED AND ADOPTED FOR THIS PROJECT BY THE UNITED STATES ARMY CORPS OF ENGINEERS MEETS THE REQUIREMENTS OF THE CEQA. THEREFORE PURSUANT TO 14 CAL. CODE REGS. 15225, ADOPT SUCH FEDERAL DOCUMENT FOR USE IN PLACE OF A NEGATIVE DECLARATION.

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 ISSUANCE TO DUTRA CONSTRUCTION COMPANY, INC. A THREE (3)-YEAR DREDGING LEASE BEGINNING NOVEMBER 9, 1993. THE LEASE SHALL ALLOW DREDGING A MAXIMUM VOLUME OF 25,000 CUBIC YARDS OF MATERIAL FROM THE MORMON CHANNEL, CITY OF STOCKTON, SAN JOAQUIN COUNTY, WITH THE DREDGED MATERIALS BEING DEPOSITED AT THE APPLICANT'S ADJACENT UPLAND SITE. A ROYALTY OF $0.25 PER CUBIC YARD SHALL BE CHARGED FOR MATERIAL PLACED AT THE APPROVED UPLAND DISPOSAL SITE. SUCH PERMITTED ACTIVITY IS CONTINGENT UPON THE APPLICANT'S COMPLIANCE WITH APPLICABLE PERMITS, RECOMMENDATIONS, OR LIMITATIONS ISSUED BY FEDERAL, STATE, AND LOCAL GOVERNMENT AGENCIES.



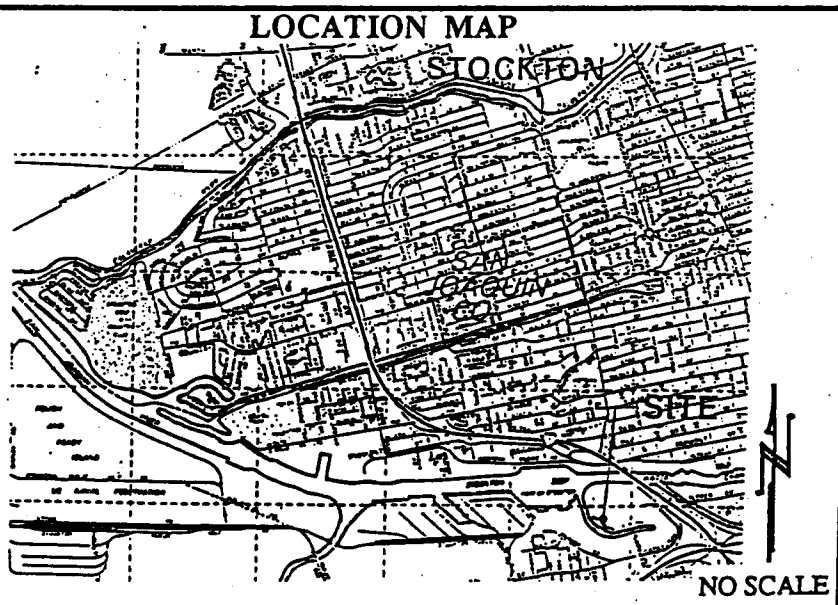


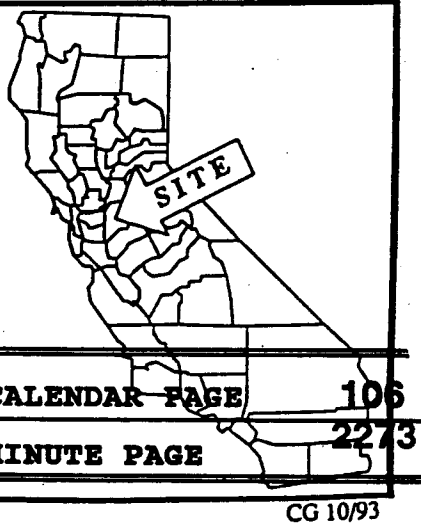
EXHIBIT "A"

W 24559

Dredging Permit Application

Dutra Construction Co. Inc.

SAN JOAQUIN COUNTY



This Exhibit is solely for purposes of generally defining the lease premises, and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

CG 10/93

EXHIBIT "B"

STATE OF CALIFORNIA

PETE WILSON, *Governor*

STATE LANDS COMMISSION

LEO T. McCARTHY, *Lieutenant Governor*
GRAY DAVIS, *Controller*
THOMAS W. HAYES, *Director of Finance*

EXECUTIVE OFFICE
1807 - 13th Street
Sacramento, CA 95814-7187

CHARLES WARREN
Executive Officer

September 10, 1993
File: W 24559
ND/FONSI 630
SCH No. 93092031

NOTICE OF PUBLIC REVIEW OF A PROPOSED FINDING OF NO SIGNIFICANT IMPACT, PREPARED BY THE U.S. ARMY CORPS OF ENGINEERS, IN PLACE OF A NEGATIVE DECLARATION

(SECTION 15073 CCR)

A Finding of No Significant Impact, in place of a Negative Declaration, has been prepared pursuant to the requirements of the California Environmental Quality Act (Section 21000 et seq., Public Resources Code), the State CEQA guidelines (Section 15000 et seq., Title 14, California Code Regulations), and the State Lands Commission Regulations (Section 2901 et seq., Title 2, California Code Regulations) for a project currently being processed by the staff of the State Lands Commission.

The document is attached for your review. Comments should be addressed to the State Lands Commission office shown above with attention to the undersigned. All comments must be received by October 13, 1993.

Should you have any questions or need additional information, please call the undersigned at (916) 445-7134.

Judy Ludlow (LL)

JUDY LUDLOW
Division of Land Management

Attachment

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STATE OF CALIFORNIA

PETE WILSON, *Governor*

STATE LANDS COMMISSION

LEO T. McCARTHY, *Lieutenant Governor*
GRAY DAVIS, *Controller*
THOMAS W. HAYES, *Director of Finance*

EXECUTIVE OFFICE
1807 - 13th Street
Sacramento, CA 95814-71(

CHARLES WARREN
Executive Officer

PROPOSED FINDING OF NO SIGNIFICANT IMPACT, PREPARED BY THE U.S. ARMY CORPS OF ENGINEERS, IN PLACE OF NEGATIVE DECLARATION

File: W 24559
ND/FONSI 630
SCH No. 93092031

Project Title:	Mormon Channel Maintenance Dredging
Proponents:	Dutra Construction Company, Inc.
Project Location:	Mormon Channel, Mile 0.10, APN 145-190-008, City of Stockton, San Joaquin County.
Project Description:	Maintenance dredging of up to 25,000 cubic yards of accumulated material form the Channel to restore boat and barge access to the applicant's property. The applicant proposes to dredge to a previously permitted depth of -16.0 and deposit the dredged material on a 309,000 sq. ft. upland site belonging to the applicant.
Contact Person:	Judy Ludlow Telephone: 916/445-7134

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

Based upon the attached Initial Study, it has been found that:

/ X / this project will not have a significant effect on the environment.

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

May 3, 1993

ENVIRONMENTAL ASSESSMENT

APPLICATION NUMBER: 199200875

1. The Proposed Action: The applicant proposes to maintenance dredge, to a previously permitted depth of -16.0 feet, about 20,000 to 25,000 cubic yards of accumulated material from Mormon Channel and deposit it on the upland onto a spoil area.

2. Purpose and Need for the Project: The purpose of the proposed work is to restore boat and barge access to the applicant's property.

3. Environmental Impact: It appears that no adverse environmental impacts will occur from this proposed work as long as no dredging is accomplished during the months of August and September. The spoil area does not contain any wetlands.

4. Coordination: Public Notice No. 199200875 was issued for a 30 day period. A copy of the notice and the mailing list is attached. Responses to the notice are as follows:

January 11, 1993 - Environmental Protection Agency - No comments.

January 11, 1993 - National Marine Fisheries Service - No objections.

January 12, 1993 - Eleventh Coast Guard District - Request applicant notify them in writing at least two weeks before commencing construction to give them an opportunity to notify the maritime community of activities affecting navigation.

January 28, 1993 - Resources Agency of California - State Lands Commission states that a permit is required from them.

January 29, 1993 - U.S. Fish & Wildlife Service - Is unable to provide an in-depth review but does not mean that they have no objection to permit issuance.

April 26, 1993 - Regional Water Quality Control Board - They have reviewed the sampling test results and determined that no significant threat to water quality should result as long as no dredging occurs during the months of August and September.

Summary: A condition will be added to the permit that no dredging shall occur during the months of August and September.

FINDING OF NO SIGNIFICANT IMPACT

APPLICATION NUMBER: 199200875

I have reviewed the environmental assessment for this project and I find that there are no significant impacts that would result from the proposed action. Therefore, we will not prepare an environmental impact statement.

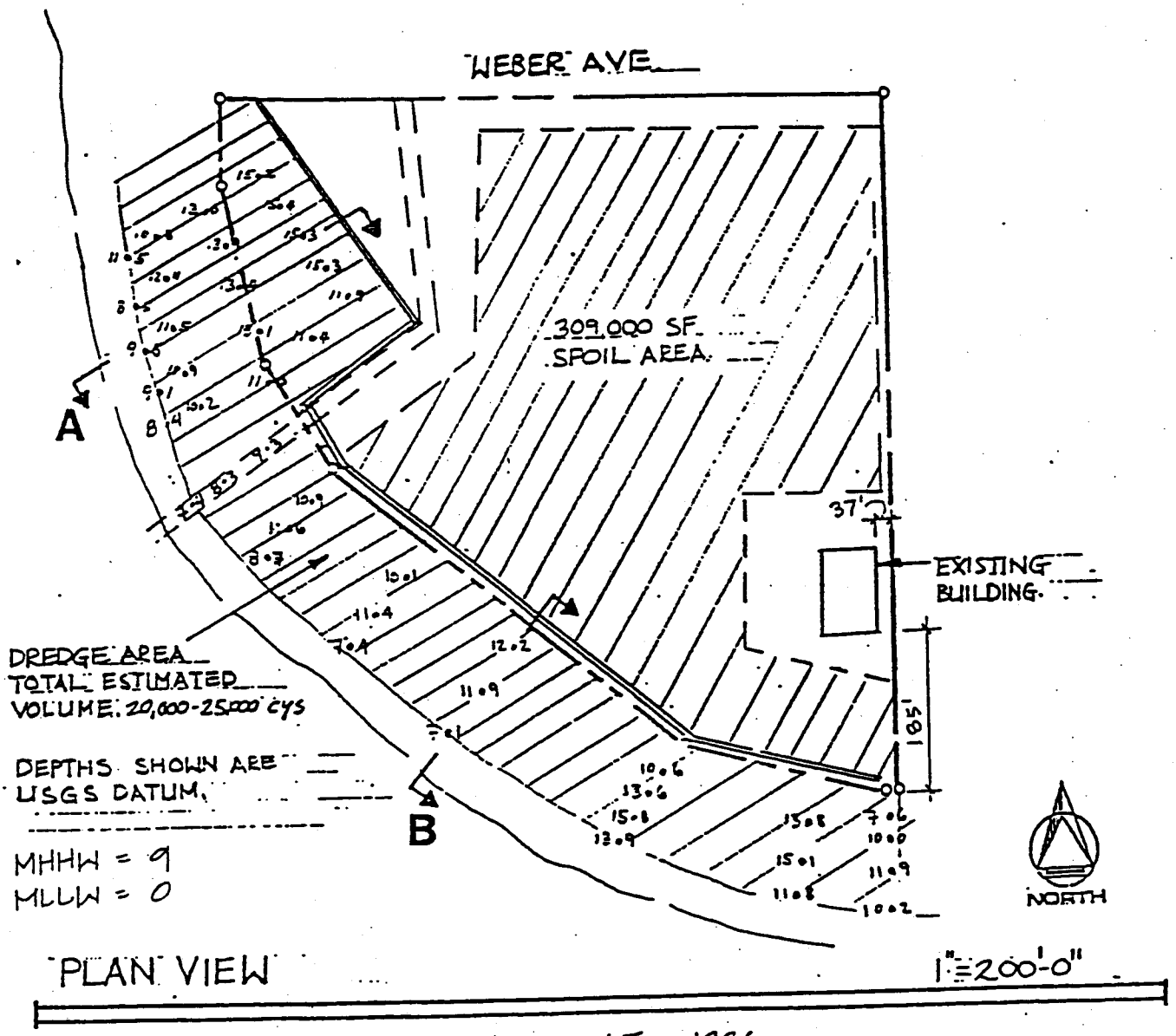
STATEMENT OF FINDINGS

I have considered all of the available information relative to this application and I find that issuing this permit "as conditioned" is not contrary to the public interest.

Date: 5/24/93 Phyllis Petras
Phyllis Petras
Project Manager

Date: 5/27/93 Tom Coe
Tom Coe
Reviewing Official

Date: 5/29/93 Art Champ
Art Champ
Approving Official



PRIOR US ARMY CORPS DREDGING PERMIT - 1986
87,000 CY

PURPOSE: RESTORE BOAT AND BARGE ACCESS

DATUM: USGS

ADJACENT PROPERTY OWNERS:
1. TOPEKA-SANTA FE RAILROAD
2. COUDERT BROTHERS

Agent : DCC Engineering Co., Inc.
P.O. Box 488, Rio Vista, CA 94571

DUTRA LEASING COMPANY
STOCKTON PROPERTY

Post Office Box 338
Rio Vista, CA 94571

PLAN VIEW AND QUANTITIES

PROPOSED MAINTENANCE DREDGING

LOCATION : MORMON CHANNEL

COUNTY OF : SAN JOAQUIN
STATE OF : CALIFORNIA

SCALE:

SHEET 1 OF 2 10/01/92

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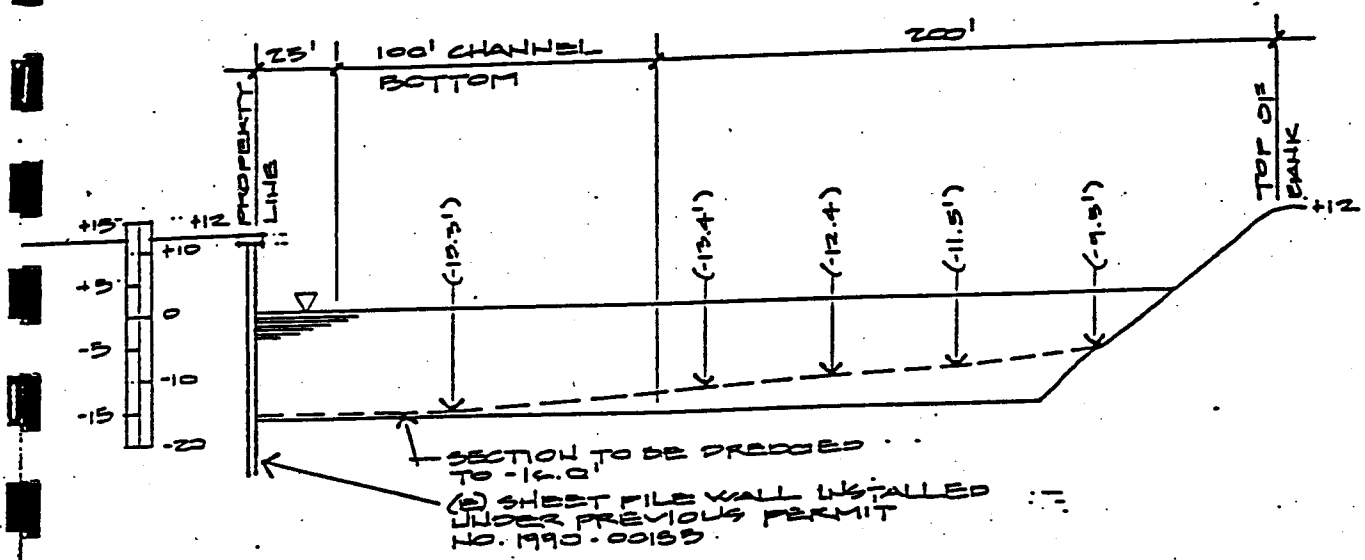
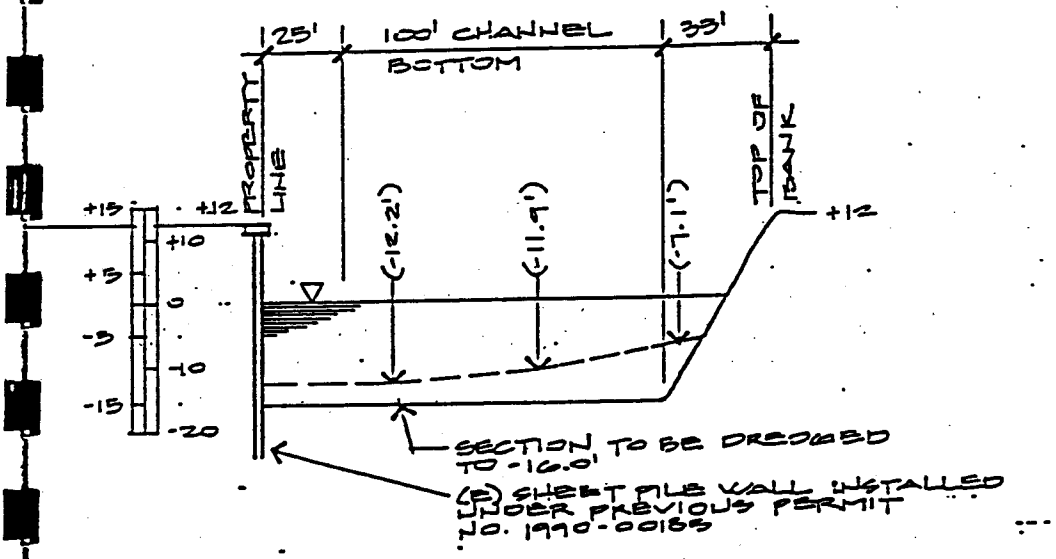
1992 00875



SECTION A



SECTION B

ALL DATUM USED IS USGS

COE DATUM = USGS +3.5

PURPOSE: RESTORE BOAT AND BARGE ACCESS
DATUM: USGS

ADJACENT PROPERTY OWNERS:
1. TOPEKA-SANTA FE RAILROAD
2. COUDERT BROTHERS

Owners Agent : DCC Engineering Co., Inc.
P.O. Box 488, Rio Vista, CA 94571
(707) 374-6111

DUTRA LEASING COMPANY
STOCKTON PROPERTY
Post Office Box 338
Rio Vista, CA 94571

SECTIONS

PROPOSED MAINTENANCE DREDGING

LOCATION : MORMON CHANNEL

COUNTY OF : SAN JOAQUIN
STATE OF : CALIFORNIA

SCALE: 1" 30' HORIZ
1" 30 VERT

SHEET 2 OF 2

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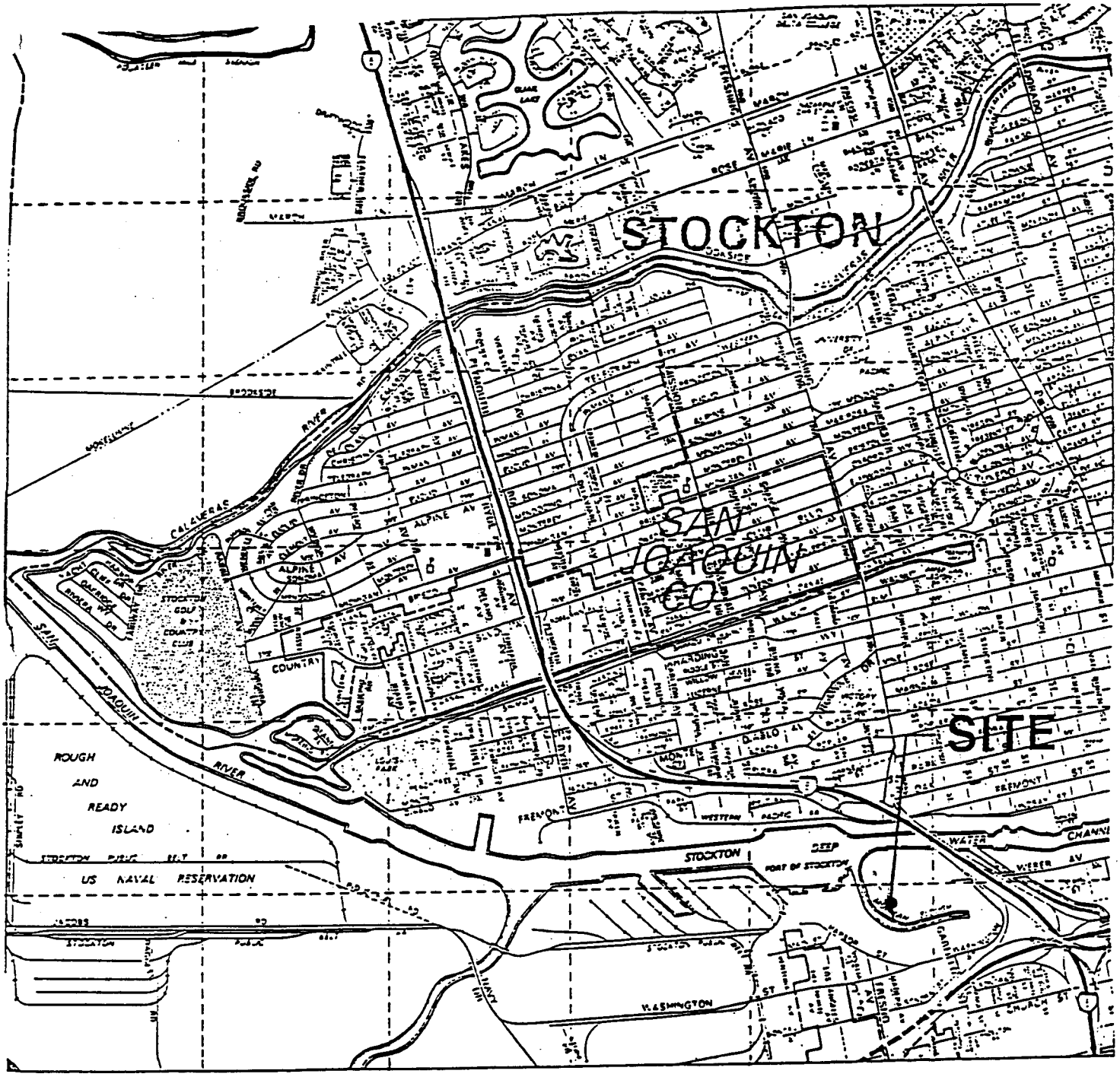
09/21/92



1 INCH TO ½ MILE

MILES 0 ¼ ½ ¾ 1 2

KILOMETERS 0 1 2 3 1 2

FEET 0 1000 2000 5000 10000

SCALE OF ARTERIAL MAPS
1 INCH TO 5 MILES

0 1 2 5 10 MILES

0 1 2 5 10 KILOMETERS

VICINITY MAP

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