MINUTE ITEM
This Calendar Item No. C14
was approved as Minute Item
No. 14 by the State Lands
Commission by a vote of 3
to 0 at its May 3, 1995
meeting.

CALENDAR ITEM
C14

A 4

S 2

05/03/95
WP 4941
Howe
PRC4941

MAINTENANCE DREDGING LEASE

APPLICANT:
Exxon Company U.S.A.
Benicia Refinery
3400 East Second Street
Benicia, California 94510

AREA, TYPE LAND AND LOCATION:
Granted mineral reserved sovereign lands in Carquinez Strait, at Benicia Refinery located in Solano County.

LAND USE:
Maintenance dredge a maximum 80,000 cubic yards annually of material at Benicia Refinery in order to maintain safe operating depths during all tidal conditions. Dredged sediments will be disposed of at the Carquinez Strait Disposal Site (SF-9).

TERMS OF THE PROPOSED LEASE:
Lease period:
June 1, 1995 through December 4, 1997.

Royalty:
No royalty will be charged for aquatic disposal. A royalty of $0.25 per cubic yard will be charged for spoils sold for commercial purposes.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:
Filing and processing costs 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:
N/A

OTHER PERTINENT INFORMATION:

1. The San Francisco Bay Conservation and Development Commission (SFBCDC), a "functional equivalent agency" under Section 21080.5 of the CEQA has:

   a. Served as the lead agency under CEQA;

   b. considered the project described herein; and

   c. found that the project, as proposed, will not have a significant effect on the environment.

   Under Section 15252 of the CEQA Guidelines, the State Lands Commission may use the environmental analysis made by the SFBCDC in its consideration of this project.

   Authority: Sections 21083 and 21087 of the CEQA.

2. The Activity which is the subject of this Calendar Item 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:

SLC, SFBCDC (through October 1995), and the United States Army Corps of Engineers.

FURTHER APPROVALS NEEDED:

SFBCDC (November 1995 through December 4, 1997), and Regional Water Quality Control Board.

EXHIBIT:

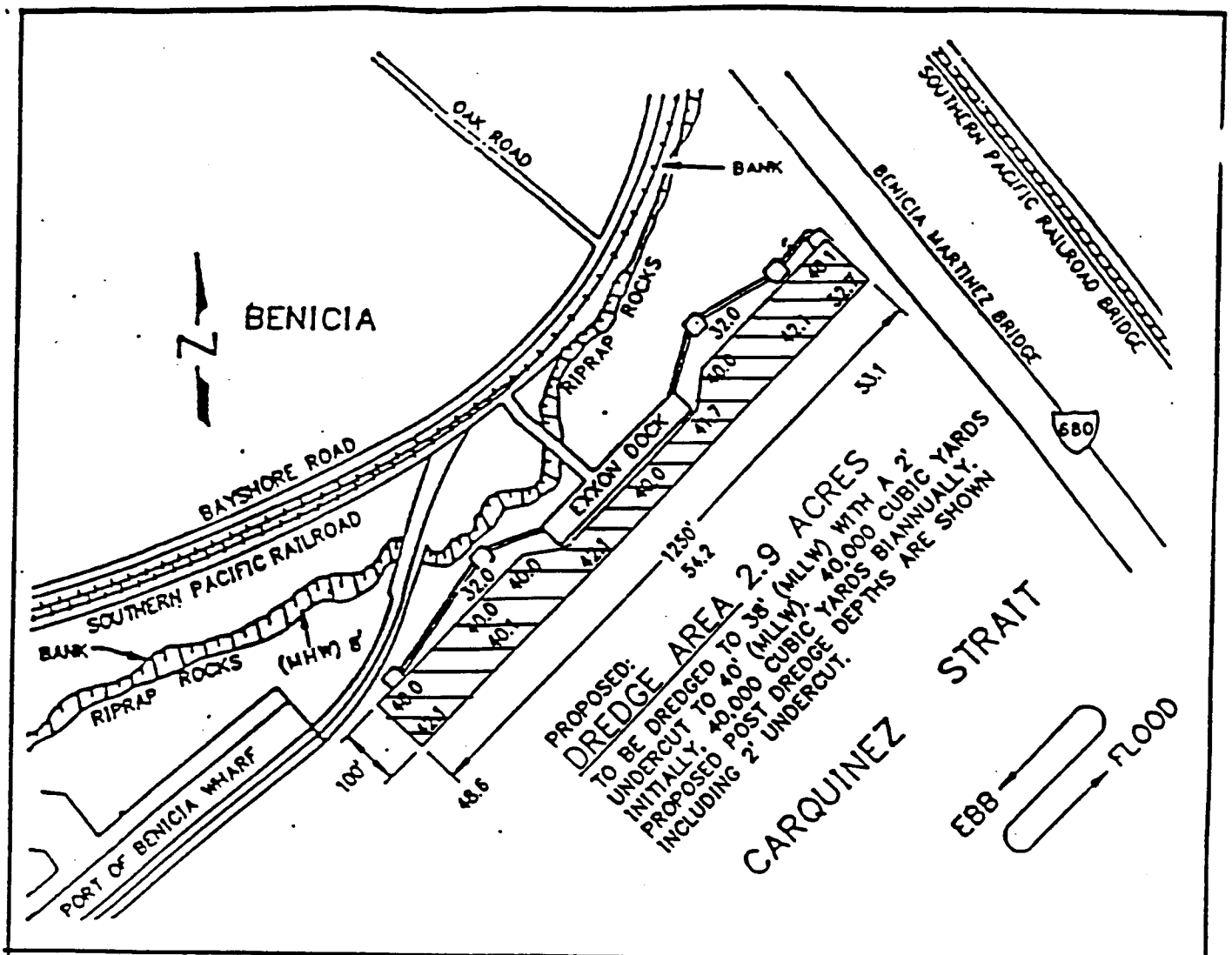
A. Site and Location Map

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE SFBCDC, A FUNCTIONAL EQUIVALENT AGENCY UNDER SECTION 21080.5 OF THE CEQA HAS CONSIDERED THE PROPOSED PROJECT AND DETERMINED THAT THE PROJECT, AS PROPOSED, WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.

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 OF A DREDGING LEASE TO THE EXXON COMPANY U.S.A. EFFECTIVE JUNE 1, 1995 THROUGH DECEMBER 4, 1997. SAID LEASE SHALL ALLOW DREDGING A MAXIMUM OF 80,000 CUBIC YARDS OF MATERIAL ANNUALLY FROM GRANTED MINERAL RESERVED STATE SOVEREIGN LANDS AT BENICIA REFINERY, SOLANO COUNTY, WITH DISPOSAL AT THE CARQUINEZ STRAIT DISPOSAL SITE (SF-9), AS AUTHORIZED. SUCH PERMITTED ACTIVITY IS CONTINGENT UPON APPLICANT'S COMPLIANCE WITH APPLICABLE PERMITS, RECOMMENDATIONS, OR LIMITATIONS ISSUED BY FEDERAL, STATE AND LOCAL GOVERNMENTS.



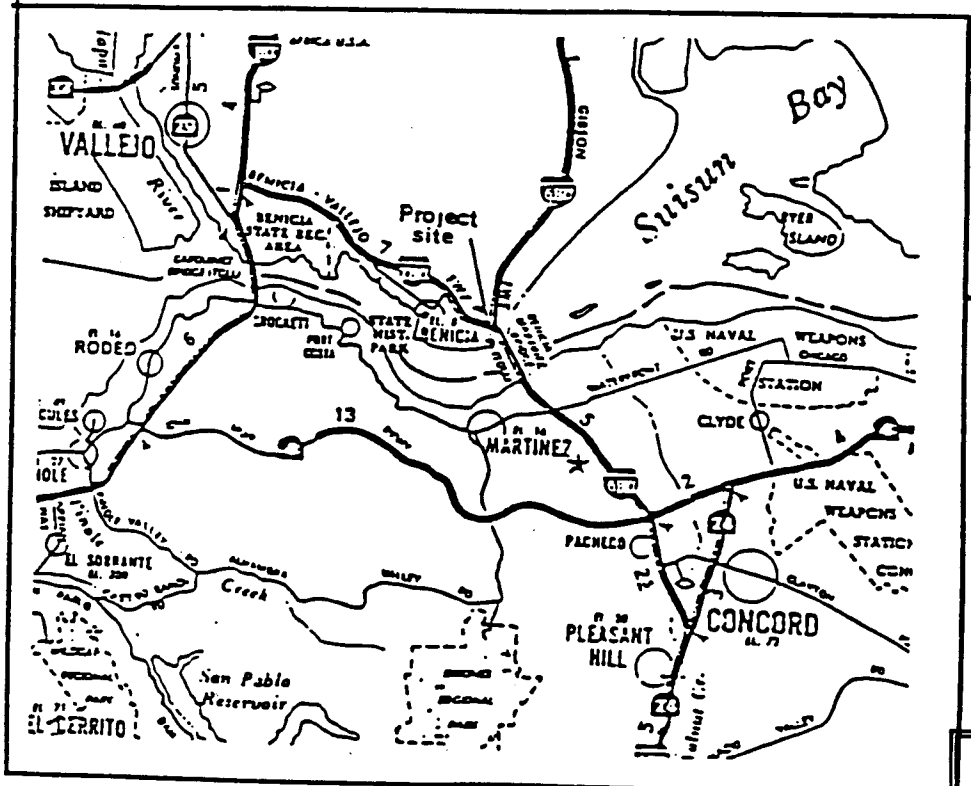


EXHIBIT "A"
Application for
Dredging Permit
W4941
Exxon Company USA
Carquinez Strait
SOLANO COUNTY