

**MINUTE ITEM**

This Calendar Item No. C22 was approved as Minute Item No. 22 by the California State Lands Commission by a vote of 3 to 0 at its 11/07/97 meeting.

**CALENDAR ITEM  
C22**

A 4  
S 2

11/07/97  
PRC4941 WP 4941.9  
M. Howe

**DREDGING LEASE**

**LESSEE:**

Exxon Company U.S.A.  
3400 East Second Street  
Benicia, California 94510-1097

**AREA, LAND TYPE, AND LOCATION:**

Granted minerals reserved sovereign lands in Carquinez Strait, at the Benicia Refinery located in the city of Benicia, Solano County.

**AUTHORIZED USE:**

Maintenance dredge a maximum of 80,000 cubic yards of material annually to maintain a navigable depth. Dredged materials will be disposed of at the United States Army Corps of Engineers approved Carquinez Strait Disposal Site (SF-9).

**LEASE TERM:**

Five years, beginning January 1, 1998.

**CONSIDERATION:**

No royalty as the project involves aquatic disposal of dredged material; \$0.25 per cubic yard will be charged for any material used for private benefit or commercial sale purposes.

**OTHER PERTINENT INFORMATION:**

1. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorically exempt project. The project is exempt under Class 4, Minor Alteration to Land; Title 14, California Code of Regulations, section 15304(g).

Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300.

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2. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 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:**

Regional Water Quality Control Board

**FURTHER APPROVALS REQUIRED:**

United States Army Corps of Engineers; San Francisco Bay Conservation and Development Commission; California State Lands Commission.

**EXHIBIT:**

- A. Location and Site Map

**RECOMMENDED ACTION:**

IT IS RECOMMENDED THAT THE COMMISSION:

**CEQA FINDING:**

FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 4, MINOR ALTERATION TO LAND; TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15304 (g).

**SIGNIFICANT LANDS INVENTORY FINDING:**

FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

**AUTHORIZATION:**

AUTHORIZE ISSUANCE TO EXXON COMPANY U.S.A. OF A FIVE YEAR DREDGING LEASE, BEGINNING JANUARY 1, 1998; FOR DREDGING A MAXIMUM OF 80,000 CUBIC YARDS OF MATERIAL ANNUALLY AT THE BENICIA REFINERY TO MAINTAIN A NAVIGABLE DEPTH. DREDGED MATERIALS WILL BE DISPOSED OF AT THE UNITED STATES ARMY CORPS OF ENGINEERS APPROVED CARQUINEZ STRAIT DISPOSAL SITE (SF-9). SUCH PERMITTED ACTIVITY IS CONTINGENT UPON APPLICANT'S COMPLIANCE WITH

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APPLICABLE PERMITS, RECOMMENDATIONS, OR LIMITATIONS ISSUED BY FEDERAL, STATE AND LOCAL GOVERNMENTS. NO ROYALTY SHALL BE CHARGED AS THE PROJECT INVOLVES AQUATIC DISPOSAL OF DREDGED MATERIAL; \$0.25 PER CUBIC YARD SHALL BE CHARGED FOR ANY MATERIAL USED FOR PRIVATE BENEFIT OR COMMERCIAL SALE PURPOSES.

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