**MINUTE ITEM**

This Calendar Item No. C02 was approved as Minute Item No. 02 by the California State Lands Commission by a vote of 2 to 0 at its 11-13-03 meeting.

# CALENDAR ITEM
# C02

A 4

S 2

11/13/03
PRC 5096.9
D. Oetzel

## DREDGING LEASE

**APPLICANT**:
Benicia Port Terminal Company
P.O. Box 315
Benicia, CA 94510

**AREA, LAND TYPE, AND LOCATION**:
Sovereign lands in the Carquinez Strait at the Benicia Port Terminal Dock, city of Benicia, Solano County.

**AUTHORIZED USE**:
Dredge a maximum of 90,000 cubic yards of material annually over five years to maintain a navigable depth. Dredged materials will be disposed of at United States Army Corps of Engineers designated disposal site SF-9 (Carquinez Strait).

**LEASE TERM**:
Five years, beginning November 13, 2003

**CONSIDERATION**:
No royalty will be charged; $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 Alterations 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.

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, United States Corps of Engineers.

**FURTHER APPROVALS REQUIRED**:
San Francisco Bay Conservation and Development Commission.

**EXHIBIT:**
A. Location and Site Map

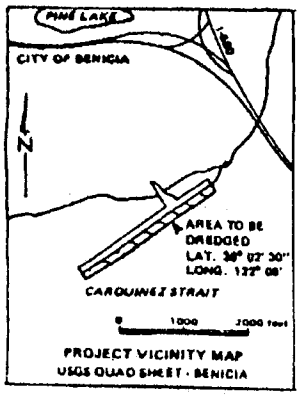
**RECOMMENDED ACTION**:
IT IS RECOMMENDED THAT THE COMMISSION:

**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 ALTERATIONS 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 BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

**AUTHORIZATION:**
AUTHORIZE THE ISSUANCE OF A DREDGING LEASE TO BENICIA PORT TERMINAL COMPANY, BEGINNING NOVEMBER 13, 2003, AND EXTENDING THROUGH

NOVEMBER 12, 2008, FOR DREDGING A MAXIMUM OF 90,000 CUBIC YARDS OF MATERIAL ANNUALLY FROM THE CARQUINEZ STRAIT AT THE BENICIA PORT TERMINAL DOCK AS SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF. DREDGED MATERIALS WILL BE DISPOSED OF AT THE U.S ARMY CORPS OF ENGINEERS DESIGNATED DISPOSAL SITE SF-9 (CARQUINEZ STRAIT). SUCH PERMITTED ACTIVITY IS CONTINGENT UPON APPLICANT'S COMPLIANCE WITH APPLICABLE PERMITS, RECOMMENDATIONS, OR LIMITATIONS ISSUED BY FEDERAL, STATE AND LOCAL GOVERNMENTS. NO ROYALTY SHALL BE CHARGED, AS THE PROJECT WILL RESULT IN A PUBLIC BENEFIT; $0.25 PER CUBIC YARD SHALL BE CHARGED FOR ANY MATERIAL USED FOR PRIVATE BENEFIT OR FOR COMMERCIAL SALE PURPOSES.



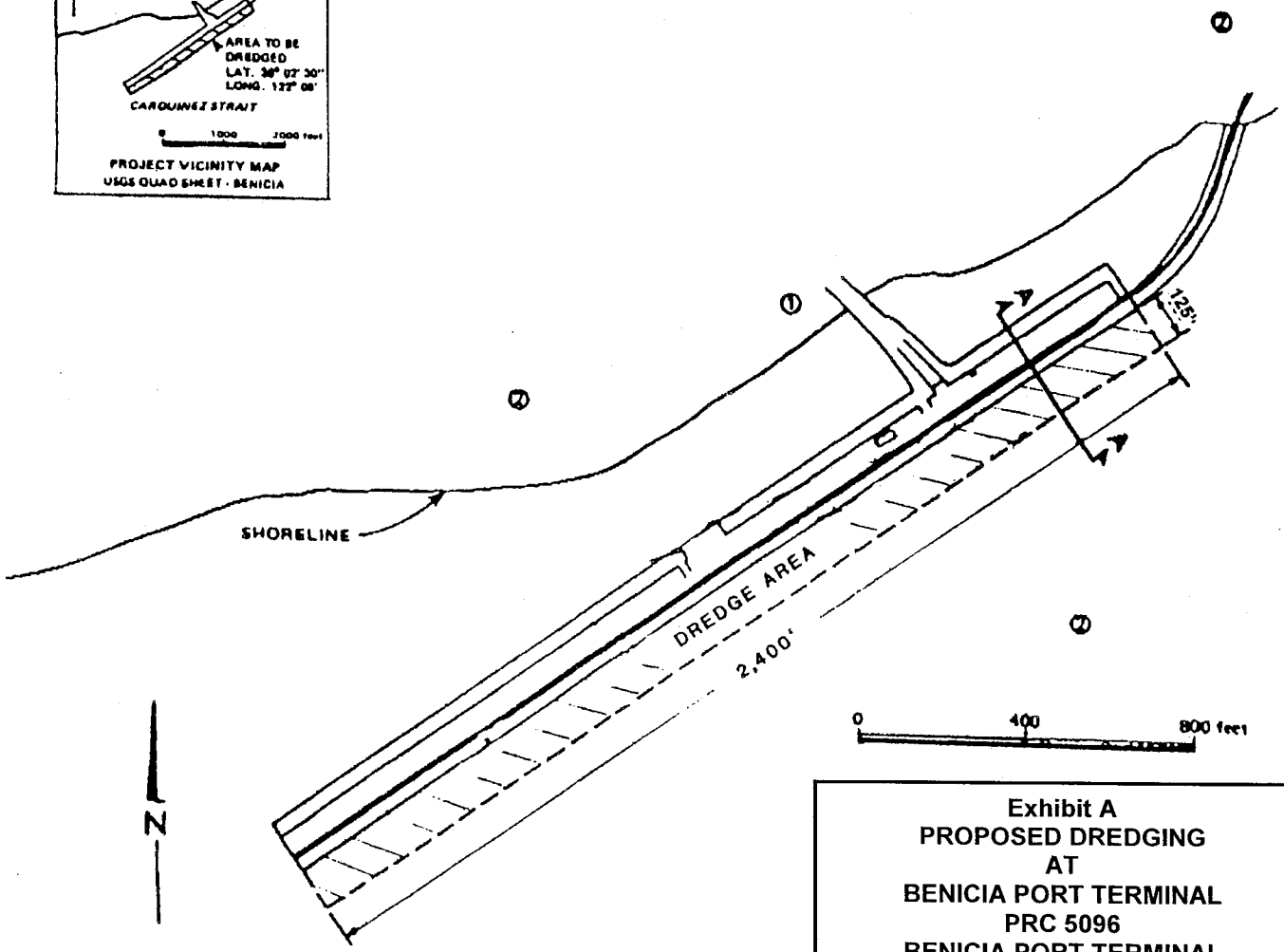




**Exhibit A**
**PROPOSED DREDGING**
**AT**
**BENICIA PORT TERMINAL**
**PRC 5096**
**BENICIA PORT TERMINAL**
**(APPLICANT)**

This exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties, 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