

MINUTE ITEM
This Calendar Item No. C18
was approved as Minute Item
No. C18 by the State Lands
Commission by a vote of 2
to 0 at its 10/29/90
meeting.

CALENDAR ITEM

C 1 8

A 9

S 3

10/29/90
W 24560 PRC 7467
Martinez

DREDGING PERMIT

APPLICANT: Marin County Flood Control and
Water Conservation District
P. O. Box 4186, Civic Center Branch
San Rafael, California 94913

AREA, TYPE LAND AND LOCATION:
Granted mineral preservation lands in Coyote
Creek at Mill Valley, Marin County.

LAND USE: Dredge a maximum 10,000 cubic yards of material
to maintain flood control capacity required by
the U.S. Army, Corps of Engineers. The
material will be stockpiled upland in
preparation for use as levee capping. Any
material found to be unsuitable for levee use
will be disposed of at an approved upland
county sanitary landfill site.

TERMS OF THE PROPOSED PERMIT:
Initial Period: Two years beginning
November 1, 1990.

Royalty: No charge because the project
is by a public agency for
public benefit.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:
Filing fee has been received.

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

CALENDAR ITEM NO. C 1 8 (CONT'D)

B. 14 Cal. Code Regs.: Title 2, Div. 3;
Title 24, Div. 6.

AB 884:

02/02/91.

OTHER PERTINENT INFORMATION:

1. The County of Marin has determined that the project is categorically exempt from the requirements of the California Environmental Quality Act.
2. Pursuant to the Commission's Delegation of authority and the State CEQA Guidelines (14 Cal. Code Regs. 15061), the staff has determined that the primary activity and its alternative are exempt from the requirements of the CEQA as categorically exempt projects. The proposed project is exempt under Class 4, Minor Alteration to Land, where minor dredging of material occurs for the purpose of rebuilding or repairing levees or other protective structures. Title 2, Division 3, Chapter 1, Cal Code Regs. 2905(d)(2). The alternative project is exempt under Class 4, Maintenance Dredging, where the spoil is deposited in a spoil area authorized by all applicable State and Federal regulatory agencies, 14 Cal. Code Regs. 15104(g).

APPROVALS REQUIRED:

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

EXHIBIT:

- A. Vicinity and Site Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. CODE REGS. 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 4, MAINTENANCE DREDGING 14 CAL. CODE REGS. 15104(g), AND/OR CLASS 4, MINOR ALTERATION TO LAND, WHERE MINOR DREDGING OF MATERIAL OCCURS FOR THE PURPOSE OF REBUILDING OR REPAIRING LEVEES OR OTHER PROTECTIVE STRUCTURES, TITLE 2, DIVISION 3, CHAPTER 1, CAL. CODE REGS. 2905(d)(2).

CALENDAR ITEM NO. C 1 8 (CONT'D)

2. AUTHORIZE STAFF TO ISSUE TO THE MARIN COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT THE DREDGING PERMIT ON FILE IN THE OFFICE OF THE STATE LANDS COMMISSION. THE PERMIT SHALL ALLOW DREDGING A MAXIMUM 10,000 CUBIC YARDS OF MATERIAL FOR TWO YEARS BEGINNING NOVEMBER 1, 1990 FROM COYOTE CREEK, MARIN COUNTY. THE DREDGED MATERIAL WILL BE USED FOR LEVEE CAPPING. IF FOUND TO BE UNSUITABLE FOR DISPOSAL AS PROPOSED, THE MATERIAL WILL BE DISPOSED OF AT AN APPROVED UPLAND COUNTY SANITARY LANDFILL SITE. NO ROYALTY SHALL BE CHARGED BECAUSE THE PROJECT IS BY A PUBLIC AGENCY FOR PUBLIC BENEFIT PURPOSES. A FEE OF \$0.25 PER CUBIC YARD SHALL BE CHARGED FOR MATERIAL USED FOR PRIVATE BENEFIT OR COMMERCIAL SALE PURPOSES. THE PERMITTED ACTIVITY IS CONTINGENT UPON THE APPLICANT'S COMPLIANCE WITH APPLICABLE PERMITS, RECOMMENDATIONS, AND LIMITATIONS ISSUED BY FEDERAL, STATE, AND LOCAL GOVERNMENT AGENCIES.

