

MINUTE ITEM

This Calendar Item No. C16
was approved as Minute Item
No. 16 by the State Lands
Commission by a vote of 3
to 0 at its 5/5/92
meeting

CALENDAR ITEM

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S 3

C 1 6

05/05/92
PRC 7129
Dugal

AMENDMENT TO A GENERAL PERMIT - RECREATIONAL USE

PERMITTEE:

Marin Yacht Rowing Association, a
non-profit corporation
P. O. Box 768
Larkspur, California 94977

AREA, TYPE LAND AND LOCATION:

Tide and submerged lands in Corte Madera Creek, Marin
County.

LAND USE:

The current permit allows for installation and maintenance
of a dock, ramp and float utilized for competitive crew boat
rowing training. The applicant proposes to dredge a maximum
of 1,000 cubic yards of material annually from within the
permit area to maintain a navigable depth for the use of the
authorized structures. The proposal includes disposal of
the dredged material at the Corps of Engineers/EPA approved
Alcatraz Aquatic Disposal Site, SF-11.

TERMS OF ORIGINAL PERMIT:

Initial period:

Ten (10) years beginning September 1, 1987.

Public liability insurance:

Combined single limit coverage of \$300,000.

CONSIDERATION:

\$125 per annum, with the State reserving the right to
fix a different rental on each fifth anniversary of the
permit.

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Special:

Permittee must maintain non-profit status, or Lessor may immediately amend annual rental amount.

TERMS OF PROPOSED AMENDMENT:

Maintenance dredge a maximum volume of 1,000 cubic yards of material annually over the remaining term of the permit with disposal of the dredged material at the Corps/EPA approved Alcatraz Disposal Site SF-11.

Royalty:

No charge for material disposed of offshore at the approved disposal site. A royalty of \$0.25 per cubic yard for any material sold or used for commercial purposes.

Additional Fee:

\$0.25 per cubic yard for any dredged material disposed of at any site in San Francisco Bay, including, but not limited to, SF-11 to offset the cost of studies necessary to develop non-bay disposal sites for future use.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

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. On October 21, 1987, the Commission approved the issuance of a General Permit - Recreational Use, to Marin Rowing Association for the installation and maintenance of a dock, ramp, and float for the purpose of conducting competitive crew boat-rowing training. To date the structures have not been constructed.

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2. In order to maintain navigability within the permit area, the Rowing Association needs to conduct routine maintenance dredging on an annual basis and has requested that the Commission amend the Association's permit to allow such maintenance dredging.
3. 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.
4. An environmental analysis was prepared, circulated, and adopted for the maintenance dredging project through the regulatory program of the San Francisco Bay Conservation and Development Commission (SFBCDC) which has been certified by the Secretary for Resources as meeting the requirements of P. R. C. 21080.5(d)(3) as a functional equivalent action under the CEQA. The document concluded that the project, as defined, will have no significant environmental effects within the Commission's jurisdiction or special expertise.

The SFBCDC, as Lead Agency, consulted with the responsible agencies, as required by CEQA Guidelines Section 15253, and determined that the project, as approved, would not have a significant effect on the environment. The staff of the State Lands Commission has reviewed the SFBCDC's environmental analysis and believes that the conditions have been met for the Commission, as a Responsible Agency, to use the BCDC document as provided under CEQA Guidelines, Section 15253.

5. Questions have been raised about continuing disposal of dredged material in San Francisco Bay. It is anticipated the currently approved in-Bay sites will reach capacity within ten years. However, the current lack of suitable upland disposal sites or EPA/Corps-approved offshore disposal sites severely limits the options available for disposal.

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Through participation in the Federal/State Joint Long-Term Management Study being conducted to identify and evaluate site options for the disposal of material dredged from San Francisco Bay, the State Lands Commission has emphasized the need to focus on the selection of upland and ocean disposal site(s). This need has also been expressed by the San Francisco Bay Conservation and Development Commission (SFBCDC).

Identification and evaluation of alternate disposal sites will require numerous studies which have been estimated to cost several million dollars. As ongoing in-Bay disposal contributes to the eventual obsolescence of in-Bay sites and the need to develop other alternatives, a fee will be charged as a condition to the proposed permit to be deposited in a fund to offset the cost of needed studies.

APPROVALS OBTAINED:

United States Army Corps of Engineers and San Francisco Bay Conservation and Development Commission.

FURTHER APPROVALS REQUIRED:

None.

EXHIBIT:

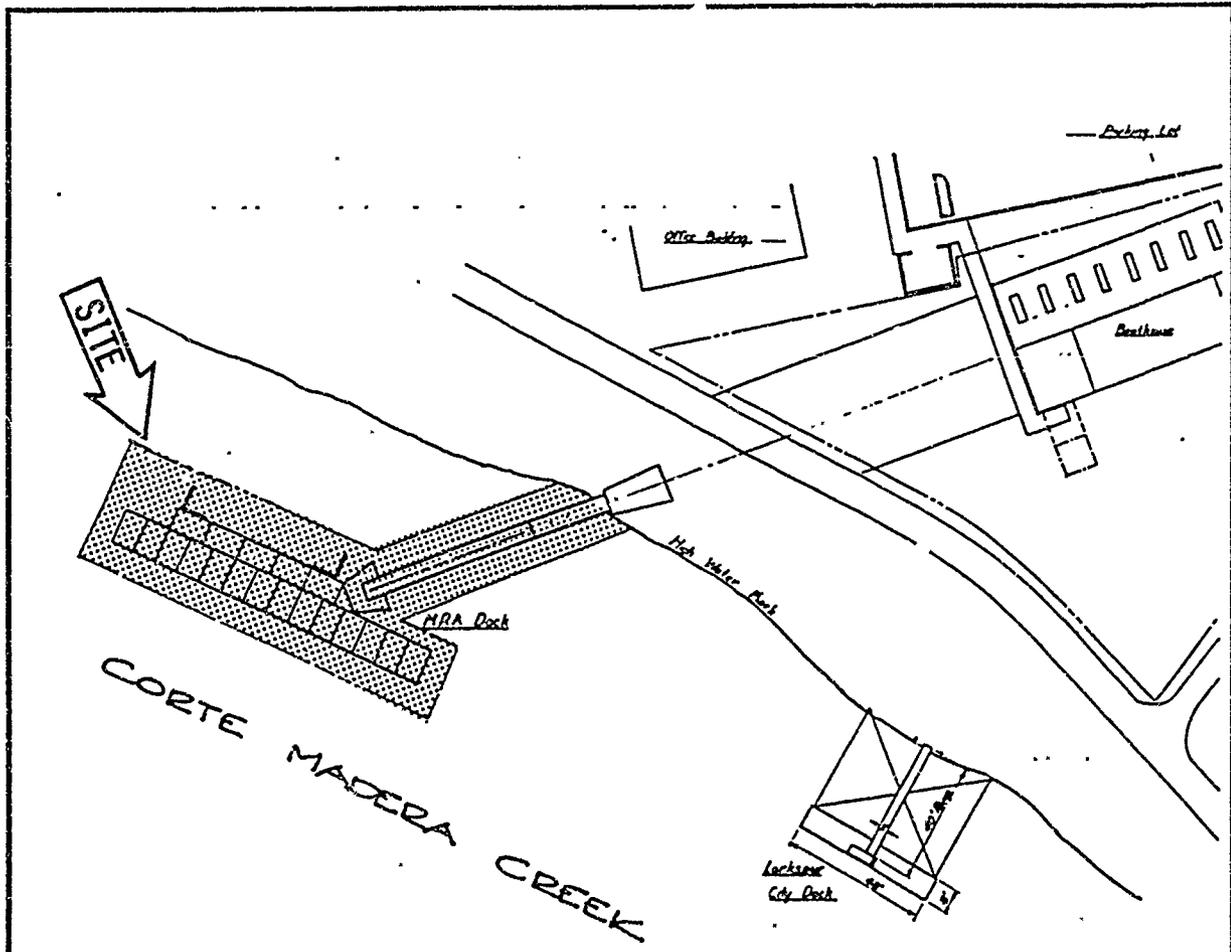
A. Location Map - Dredging Area.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT AN ENVIRONMENTAL ANALYSIS WAS PREPARED, CIRCULATED, AND ADOPTED FOR THE PROPOSED PROJECT BY THE SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION UNDER ITS CERTIFIED STATE REGULATORY PROGRAM (CEQA GUIDELINES SECTION 1525[h]). THE COMMISSION, AS A RESPONSIBLE AGENCY, HEREBY ADOPTS THAT ENVIRONMENTAL ANALYSIS AS PROVIDED UNDER CEQA GUIDELINES, SECTION 15253.
2. FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO P.R.C. 6370, ET SEQ.

CALENDAR ITEM NO. C 1 6 (CONT'D)

3. AUTHORIZE ISSUANCE TO MARIN YACHT ROWING ASSOCIATION, A NON-PROFIT CORPORATION, AN AMENDMENT TO PERMIT PRC 7129, EFFECTIVE MAY 5, 1992. THE AMENDMENT SHALL ALLOW DREDGING A MAXIMUM OF 1,000 CUBIC YARDS OF MATERIAL, ANNUALLY, OVER THE REMAINING TERM OF THE PERMIT TO MAINTAIN A NAVIGABLE DEPTH FROM TIDE AND SUBMERGED LANDS IN CORTE MADERA CREEK, MARIN COUNTY. IT IS PREFERRED THAT DREDGED MATERIALS BE DISPOSED OF AT AN APPROVED UPLAND DISPOSAL SITE OR EPA/CORPS OF ENGINEERS-APPROVED OFFSHORE OCEAN DISPOSAL SITE. IN THE ABSENCE OF AVAILABILITY OF SUCH SITES, THE MATERIAL MAY BE DISPOSED OF AT THE CORPS OF ENGINEERS/EPA APPROVED ALCATRAZ DISPOSAL SITE, SF-11. NO ROYALTY SHALL BE CHARGED FOR MATERIAL DISPOSED OF AS APPROVED. A ROYALTY OF \$0.25 PER CUBIC YARD SHALL BE CHARGED FOR ANY MATERIAL USED FOR PRIVATE BENEFIT OR COMMERCIAL SALE PURPOSES. A FEE OF \$0.25 WILL BE CHARGED FOR EACH CUBIC YARD OF DREDGED MATERIAL PLACED AT AN IN-BAY DISPOSAL SITE, INCLUDING SF-11. THIS MONEY WILL BE PLACED INTO A SEPARATE FUND TO OFFSET COSTS OF STUDIES NECESSARY TO IDENTIFY AND ANALYZE ALTERNATIVE DISPOSAL SITES. THE PERMITTED ACTIVITY IS CONTINGENT UPON THE APPLICANT'S COMPLIANCE WITH APPLICABLE PERMITS, RECOMMENDATIONS, AND LIMITATIONS ISSUED BY FEDERAL, STATE, AND LOCAL GOVERNMENT AGENCIES. ALL OTHER TERMS AND CONDITIONS OF THE PERMIT TO REMAIN IN FULL FORCE AND UNCHANGED.



SF-11 DISPOSAL SITE

EXHIBIT "A"
 Application for
 Dredging Permit
 PRC 7129
 Marin Rowing Association
 Cortes Madera Creek
 MARIN COUNTY

