MINUTE ITEM

This Calendar Item No. C31 was approved as Minute Item No. 31 by the California State Lands Commission by a vote of 3 to Ø at its 10-20-03 meeting.

CALENDAR ITEM
C31

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10/20/03
PRC 7481.9
D. Oetzel

DREDGING LEASE

APPLICANT:

City of Emeryville
2200 Powell Street, 12th Floor
Emeryville, CA 94608

AREA, LAND TYPE, AND LOCATION:

Legislatively granted sovereign lands with minerals reserved to the State; located in the San Francisco Bay at the Emeryville City Marina, city of Emeryville, Alameda County.

AUTHORIZED USE:

Dredge a maximum of 393,388 cubic yards of material over ten years to maintain a navigable depth. Dredged materials will be disposed of at United States Corps of Engineers designated disposal site SF-11 (Alcatraz).

LEASE TERM:

Ten years, beginning October 20, 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:

City of Emeryville, Regional Water Quality Control Board

FURTHER APPROVALS REQUIRED:

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

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).

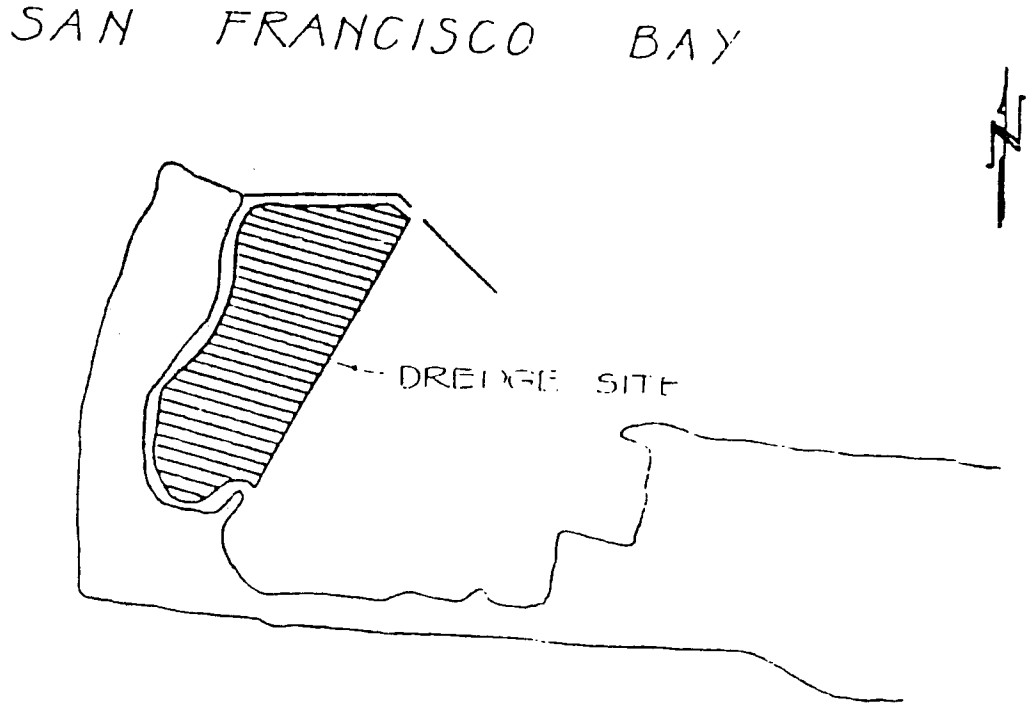
SIGNIFICANT LANDS INVENTORY FINDING:

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 CITY OF EMERYVILLE, BEGINNING OCTOBER 20, 2003, AND

EXTENDING THROUGH OCTOBER 19, 2013, FOR DREDGING A MAXIMUM OF 393,388 CUBIC YARDS OF MATERIAL FROM THE SAN FRANCISCO BAY AT THE EMERYVILLE CITY MARINA 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-11 (ALCATRAZ). 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.



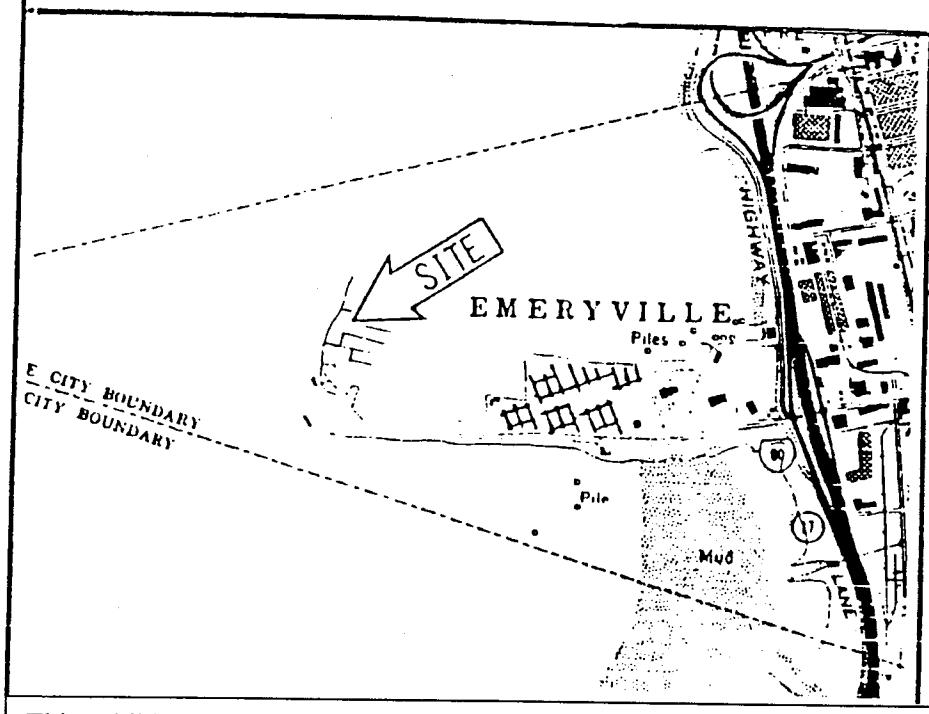


EXHIBIT "A"

APPLICATION FOR DREDGING PERMIT

CITY OF EMERYVILLE
PRC 7481

SAN FRANCISCO BAY
ALAMEDA COUNTY

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.