

MINUTE ITEM

This Calendar Item No. C36 was approved as
Minute Item No. 36 by the California State Lands
Commission by a vote of 3 to 0 at its
11-21-06 meeting.

**CALENDAR ITEM
C36**

A 6
S 3

11/21/06
PRC 7822.9
D. Oetzel

AMENDMENT OF DREDGING LEASE

APPLICANT/LESSEE:

Marin County, Department of Public Works
P.O. Box 4186
San Rafael, CA 94913

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in San Francisco Bay at the Paradise Cay development, Marin County.

AUTHORIZED USE:

Maintenance dredge a maximum of 20,000 cubic yards of material over ten years to maintain a navigable depth in the northern entrance channel. Dredged material will be disposed at the United States Army Corps of Engineers' designated disposal site SF-11 (Alcatraz). Dredged material may not be sold.

LEASE TERM:

Ten years, beginning August 8, 2005.

PROPOSED AMENDMENT:

To maintain a navigable depth, expand the existing dredging footprint of the northern entrance channel and add a dredging footprint for the southern entrance channel as shown on the attached Exhibit A and by this reference made a part hereof.

CONSIDERATION:

No royalty will be charged as the Project will result in a public benefit.

OTHER PERTINENT INFORMATION:

1. This project is part of a larger dredging project (195,000 cubic yards over ten years). No lease is required from the Commission for the dredging of

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175,000 cubic yards of material that will occur on land that is outside of State sovereign leasing jurisdiction.

2. On August 8, 2005, the Commission authorized the issuance of a ten-year Dredging Lease, Lease No. PRC 7822.9, to the County to maintenance dredge a maximum of 20,000 cubic yards of material from the lease premises. Due to silting that has occurred outside of the lease premises, the County has applied to amend the lease premises in order to dredge the north and south entrance channels. The amount of material to be dredged will not be increased; it will remain at the previously authorized level of 20,000 cubic yards.
3. Staff, pursuant to its delegation of authority, issued a non-objection letter on September 14, 2006, to allow the County to dredge prior to Commission consideration, because Marin County required dredging to occur prior to the scheduled meeting to remedy conditions posing an immediate threat to navigation.
- 4 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 2, California Code of Regulations, section 2905 (d)(4).

Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300 and Title 2, California Code of Regulations, section 2905.

5. 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 REQUIRED:

San Francisco Bay Conservation and Development Commission
United States Corps of Engineers
San Francisco Bay Regional Water Quality Control Board

CALENDAR ITEM NO. C36 (CONT'D)

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 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (d)(4) .

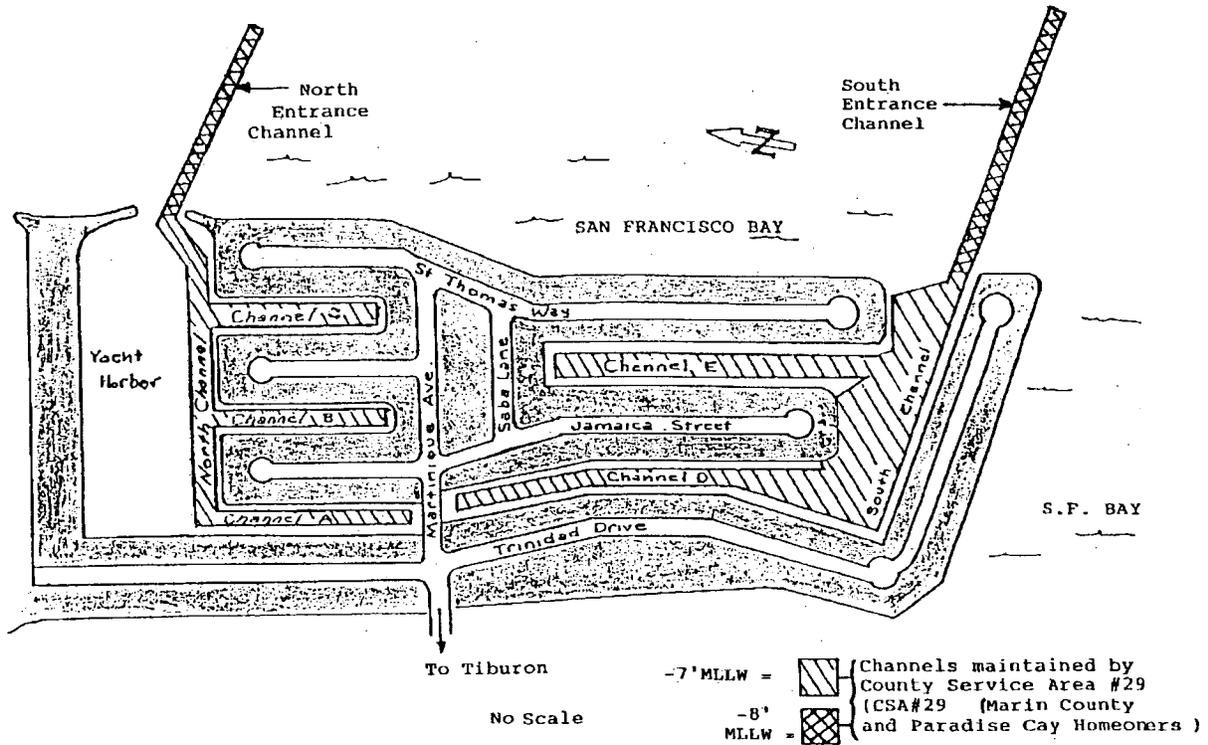
SIGNIFICANT LANDS INVENTORY FINDING:

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

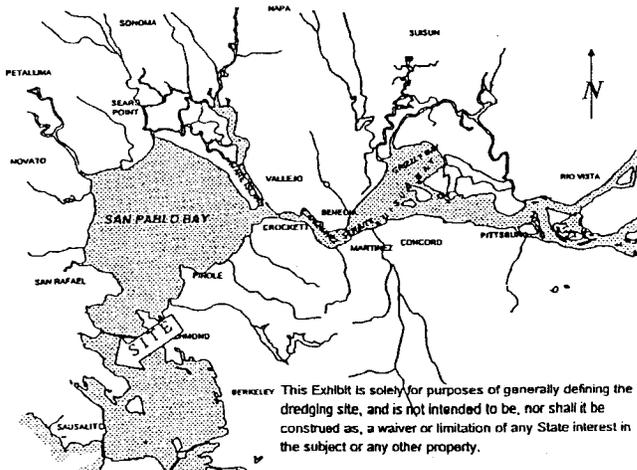
AUTHORIZATION:

AUTHORIZE THE AMENDMENT OF LEASE NO. PRC 7822.9 TO MAINTENANCE DREDGE THE AREA AS SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF. SUCH PERMITTED ACTIVITY IS CONTINGENT UPON APPLICANT'S COMPLIANCE WITH APPLICABLE PERMITS, RECOMMENDATIONS, OR LIMITATIONS ISSUED BY FEDERAL, STATE AND LOCAL GOVERNMENTS. ALL OTHER TERMS AND CONDITIONS OF THE LEASE WILL REMAIN IN EFFECT WITHOUT AMENDMENT.

SITE



LOCATION



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.

Map Source: USGS

Exhibit A

PRC 7822
MAINTENANCE DREDGING
COUNTY OF MARIN



000160

CALENDAR PAGE

002308

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DO 9/2006