MINUTE ITEM
This Calendar Item No. C39 was approved as Minute Item No. 39 by the California State Lands Commission by a vote of 3 to 0 at its 06/28/07 meeting.

CALENDAR ITEM
C39

A 6

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06/28/07
PRC 6459.9
D. Oetzel

DREDGING LEASE

APPLICANT:

Marin Yacht Club
24 Summit Avenue
San Rafael, CA 94901

AREA, LAND TYPE, AND LOCATION:

Granted sovereign lands with minerals reserved to the State in the San Rafael Creek, Marin County.

AUTHORIZED USE:

Maintenance dredge a maximum of 7,000 cubic yards of material over five years to maintain a navigable depth. Dredged material will be disposed of at the U.S. Army Corps of Engineers designated disposal site SF-10 (San Pablo Bay).

LEASE TERM:

Five years, beginning July 1, 2007.

CONSIDERATION:

No monetary consideration will be charged as the project will result in a public benefit. The dredged material may not be sold.

OTHER PERTINENT INFORMATION:

1. On June 19, 1998, the Commission authorized the issuance of a Dredging Lease to the Marin Yacht Club to dredge a maximum of 45,000 cubic yards of material over a five year lease term, commencing September 1, 1998. The lease expired August 31, 2003.

2. This project is part of a larger dredging project (16,000 cubic yards over five years). No lease is required from the Commission for the

dredging of 9,000 cubic yards of material that will occur on land that is outside of the State's leasing jurisdiction.

3. 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.

4. 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:

U.S. Army Corps of Engineers

APPROVALS REQUIRED:

Regional Water Quality Control Board
San Francisco Bay Conservation and Development Commission

EXHIBIT:

A. Location and Site Map

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

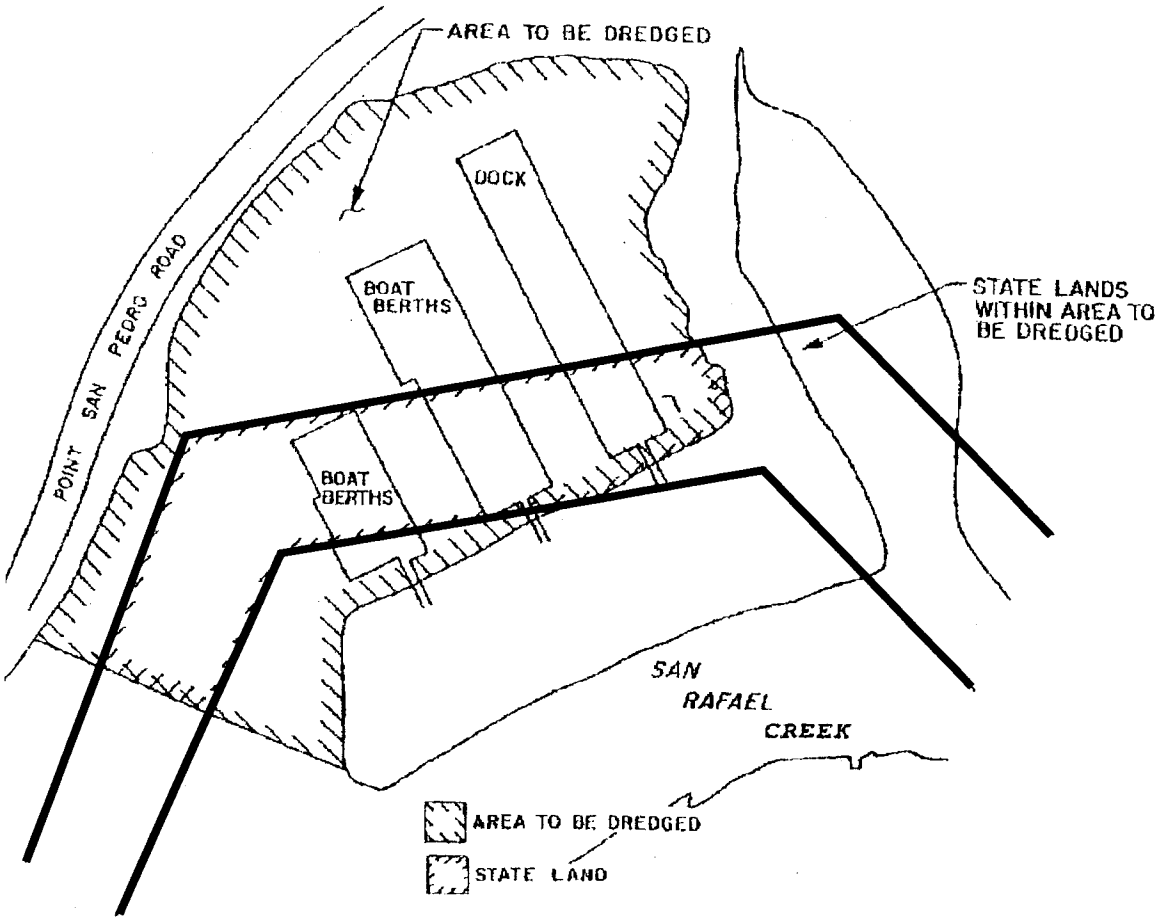
FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 4, MINOR ALTERATIONS TO LAND; TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15304(g).

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 FIVE YEAR DREDGING LEASE TO MARIN YACHT CLUB, BEGINNING JULY 1, 2007, FOR DREDGING A MAXIMUM OF 7,000 CUBIC YARDS OF MATERIAL FROM THE SAN RAFAEL CREEK AT THE MARIN YACHT CLUB AS SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF. DREDGED MATERIAL WILL BE DISPOSED OF AT THE U.S. ARMY CORPS OF ENGINEERS DESIGNATED DISPOSAL SITE SF-10 (SAN PABLO BAY). SUCH PERMITTED ACTIVITY IS CONTINGENT UPON APPLICANT'S COMPLIANCE WITH APPLICABLE PERMITS, RECOMMENDATIONS, OR LIMITATIONS ISSUED BY FEDERAL, STATE, AND LOCAL GOVERNMENTS. NO MONETARY CONSIDERATION WILL BE CHARGED AS THE PROJECT WILL RESULT IN A PUBLIC BENEFIT. THE DREDGED MATERIAL MAY NOT BE SOLD.



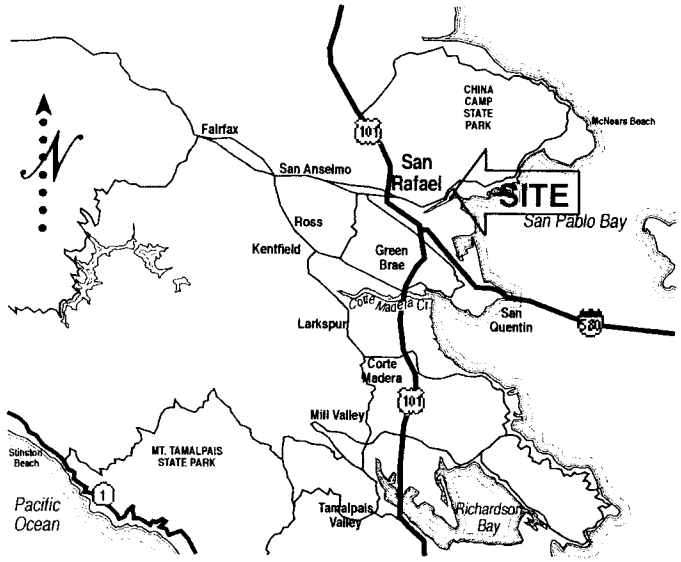


Exhibit A
DREDGING LEASE
Marin Yacht Club
WP 6459

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.