

MINUTE ITEM

This Calendar Item No. C06 was approved as
Minute Item No. C06 by the California State Lands
Commission by a vote of 3 to 0 at its
04-07-03 meeting.

**CALENDAR ITEM
C06**

A 6
S 3

PRC 6921

04/07/03
WP 6921
G.Kato

DREDGING LEASE

APPLICANT:

Bel Marin Keys Community Services District
4 Montego Key
Novato, CA 94949

AREA, LAND TYPE, AND LOCATION:

Sovereign lands located in Novato Creek near the city of Novato at Bel
Marin Keys, Marin County

AUTHORIZED USE:

Maintenance dredge a maximum of 65,000 cubic yards, over the duration
of the lease, from Novato Creek to maintain a navigable depth to allow
safe navigation between the community of Bel Marin Keys and San Pablo
Bay. Dredge material will be disposed at an United States Army Corps of
Engineers approved privately owned upland disposal site, known as the
Leveroni Parcel, and other United States Army Corps of Engineers
approved upland disposal sites.

LEASE TERM:

Ten (10) years, beginning April 8, 2003.

CONSIDERATION:

No royalty will be charged for dredged material as the project will result in
a public benefit; \$0.25 per cubic yard will be charged for any material used
for private benefit or commercial sale purposes.

OTHER PERTINENT INFORMATION:

1. This activity is part of a larger dredging project to maintenance dredge
a total of 420,000 cubic yards of material over a ten-year period. Initial
dredging will consist of 235,000 cubic yards from the North Lagoon,
5,000 cubic yards from the South Lagoon, located within Bel Marin
Community and 30,000 cubic yards from Novato Creek. The remaining

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150,000 cubic yards will be dredged over ten years. North Lagoon and South Lagoon are outside of the CSLC jurisdiction. Of the total volume to be dredged, 65,000 cubic yards is within the CSLC jurisdiction in Novato Creek.

2. Dredging within Novato Creek may occur during the months of September and October and possibly November (pursuant to consultation with the National Marine Fisheries Service) to avoid significant impacts to steelhead and the California clapper rail.
3. A Mitigated Negative Declaration and Mitigation Monitoring Program were prepared and adopted for this project by the Bel Marin Keys Community Services District on January 6, 2003 (SCH:2002102004). The California State Lands Commission's staff has reviewed such document.
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.

FURTHER APPROVALS REQUIRED:

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

EXHIBITS:

- A. Site and Location Map
- B. Notice of Determination

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT A MITIGATED NEGATIVE DECLARATION AND A MITIGATION MONITORING PROGRAM WERE PREPARED AND ADOPTED FOR THIS PROJECT BY THE BEL MARIN KEYS COMMUNITY SERVICES DISTRICT AND THAT THE

CALENDAR ITEM NO. C06 (CONT'D)

COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.

ADOPT THE MITIGATION MONITORING PROGRAM, AS CONTAINED ON FILE IN THE SACRAMENTO OFFICE OF THE CALIFORNIA STATE LANDS COMMISSION.

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 BEL MARIN KEYS COMMUNITY SERVICE DISTRICT, FOR A TERM OF 10 YEARS, BEGINNING APRIL 8, 2003, FOR DREDGING A MAXIMUM OF 65,000 CUBIC YARDS OVER THE TERM OF THE LEASE FROM NOVATO CREEK AT BEL MARIN KEYS, MARIN COUNTY, AS SHOWN ON EXHIBIT A, AND BY THIS REFERENCE MADE A PART HEREOF, TO MAINTAIN THE AREA AT ITS PERMITTED DEPTHS TO ALLOW FOR SAFE NAVIGATION BETWEEN THE COMMUNITY OF BEL MARIN KEYS AND SAN PABLO BAY. DISPOSAL OF DREDGE MATERIALS TO BE DISPOSED AT A UNITED STATES ARMY CORPS OF ENGINEERS APPROVED PRIVATELY OWNED UPLAND DISPOSAL SITE KNOWN AS THE LEVERONI PARCEL, AND OTHER UNITED STATES ARMY CORPS OF ENGINEERS APPROVED UPLAND DISPOSAL SITES. 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 FOR DISPOSAL OF DREDGED MATERIALS: \$0.25 PER CUBIC YARD SHALL BE CHARGED FOR ANY MATERIAL USED FOR PRIVATE BENEFIT OR COMMERCIAL SALE PURPOSES.

NO SCALE

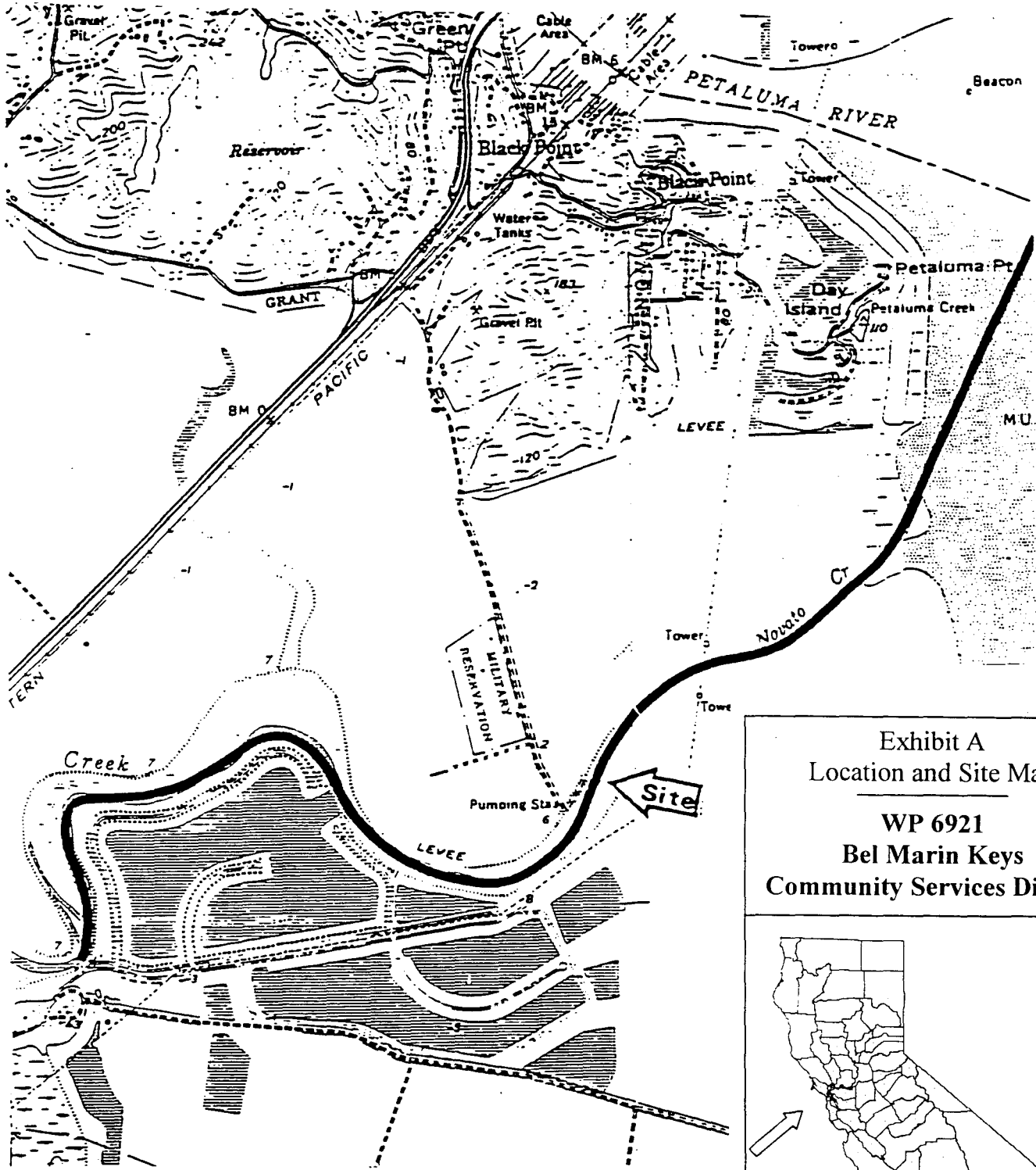


Exhibit A
Location and Site Map

WP 6921
Bel Marin Keys
Community Services District



This exhibit is solely for purposes of generally defining the lease premises, and is based on unverified information provided by lessee or other parties, and is not intended to be, nor shall it be construed to as a waiver or limitation of any state interest in the subject or any other property.

Notice of Determination

Form C

To: Office of Planning and Research
PO Box 3044, 1400 Tenth Street, Room 222
Sacramento, CA 95812-3044

From: (Public Agency) Bel Marin Keys Community Services District

County Clerk
County of Marin
3501 Civic Center Drive, Room 247
San Rafael, CA 94903

4 Montego Key, Novato, CA 94949
(Address)

FILED

JAN 06 2003

MICHAEL J. SMITH
MARIN COUNTY CLERK
Deputy

Subject:

Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code

Bel Marin Keys Community Services District Maintenance Dredging Project

Project Title

2002102004

Lella Tweed, Board Pres.

(415) 883-4222

State Clearinghouse Number
(If submitted to Clearinghouse)

Lead Agency
Contact Person

Area Code/Telephone/Extension

Marin County, adjacent to the City of Novato, in the (Continued in Attachment 1)

Project Location (include county)

Project Description:

The Bel Marin Keys Community Services District (District) proposes to dredge approximately 200,000 cubic yards (cy) of sediment from the North Lagoon and 20,000 cy of sediment from Novato Creek with a hydraulic suction dredge mounted on a barge, and place the dredged material within the "Leveroni Site." (Continued in Attachment 1)

This is to advise that the Bel Marin Community Services District has approved the above described project on

Lead Agency Responsible Agency

1-2-03
(Date)

and has made the following determinations regarding the above described project:

1. The project will will not have a significant effect on the environment.
2. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
 A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures were were not made a condition of the approval of the project.
4. A statement of Overriding Considerations was was not adopted for this project.
5. Findings were were not made pursuant to the provisions of CEQA.

This is to certify that the final Mitigated Negative Declaration and record of project approval is available to the General Public at the Bel Marin Keys Community Services District, 4 Montego Key, Novato, CA

[Signature]
Signature (Public Agency)

1-5-03
Date

President
Title

Date received for filing at OFR:

Revised May 1999

Project Location continued:

vicinity of the Bel Marin Keys Community Services District (District), within portions of Novato creek bordering the District, interior lagoons within the District and a previously utilized upland disposal site currently used for pasture.

Project Description continued:

The Leveroni Site, which was previously utilized for dredge material disposal, is a 28-acre site, of which less than 22 acres lie within the existing fence and contain levees. The disposal site levees will be strengthened to allow containment of the dredged material. The District also proposes that, over the next 10 years, approximately 15,000 cy of material would be dredged annually for maintenance purposes from some combination of the North Lagoon, South Lagoon and Novato Creek.