

CALENDAR ITEM
C51

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08/19/03
PRC 7713.9
D. Oetzel

DREDGING LEASE

APPLICANT:

Greenbrae Marina Property Owners Association
578 Riviera Circle
Larkspur, CA 94939

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Corte Madera Creek at the Greenbrae Marina in the city of Larkspur, Marin County.

AUTHORIZED USE:

Maintenance dredge a maximum of 80,000 cubic yards of material to maintain a navigable depth. Dredged materials will be disposed of at United States Corps of Engineers designated disposal site SF-10 (San Pablo Bay).

LEASE TERM:

Ten years, beginning August 15, 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. This project is part of a larger dredging project (160,000 cubic yards) at the Greenbrae Marina in the city of Larkspur, Marin County. No lease is required for the dredging of 80,000 cubic yards that will occur on that portion of land in which the State does not have a mineral interest.
2. 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.

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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.

3. 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:

None.

FURTHER APPROVALS REQUIRED:

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

EXHIBITS:

- 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.

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AUTHORIZATION:

AUTHORIZE THE ISSUANCE OF A DREDGING LEASE TO GREENBRAE MARINA PROPERTY OWNERS ASSOCIATION, BEGINNING AUGUST 15, 2003, AND EXTENDING THROUGH AUGUST 14, 2013, FOR DREDGING A MAXIMUM OF 80,000 CUBIC YARDS OF MATERIAL FROM THE CORTE MADERA CREEK 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-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 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.

