

MINUTE ITEM

This Calendar Item No. C12 was approved as Minute Item No. 12 by the California State Lands Commission by a vote of 3 to 0 at its 10-20-03 meeting.

**CALENDAR ITEM
C12**

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10/20/03
PRC 7160 WP 7160
G. Kato

DREDGING LEASE

APPLICANT:

City of San Rafael
1400 Fifth Avenue
San Rafael, CA 94915-1580

AREA, LAND TYPE, AND LOCATION:

Granted sovereign lands, with minerals reserved to the State, located in San Rafael Creek, adjacent to the federally authorized and maintained San Rafael Canal Channel and Lowrie Yacht Harbor at San Rafael, Marin County.

AUTHORIZED USE:

Maintenance dredge a maximum of 100,000 cubic yards of material to maintain safe, efficient operating depths between the federal channel and provide access from the berths to the channel. The dredged material will be disposed of at the United States Army Corps of Engineers approved unconfined aquatic disposal site SF-10 San Pablo Bay, SF-11 Alcatraz or the upland disposal site at Winter Island.

LEASE TERM:

Five years beginning October 21, 2003, ending October 20, 2008.

CONSIDERATION:

No royalty will be charged for aquatic or upland disposal; \$0.25 per cubic yard will be charged for any material used for private benefit or for 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

CALENDAR ITEM NO. C12 (CONT'D)

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:

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

EXHIBIT:

- A. Site and Location 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 THE CITY OF SAN RAFAEL BEGINNING OCTOBER 21, 2003 FOR A TERM OF FIVE YEARS, FOR MAINTENANCE DREDGING A

CALENDAR ITEM NO. C12 (CONT'D)

MAXIMUM OF 100,000 CUBIC YARDS FROM THE NON-FEDERAL AREAS OF THE SAN RAFAEL CREEK AND LOWRIE YACHT HARBOR TO MAINTAIN SAFE, EFFICIENT OPERATING DEPTHS BETWEEN THE FEDERAL CHANNEL AND PROVIDE ACCESS FROM THE BERTHS TO THE CHANNEL AS SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; DREDGED MATERIAL WILL BE DISPOSED OF AT THE UNITED STATES ARMY CORPS OF ENGINEERS APPROVED UNCONFINED ACQUATIC DISPOSAL SITE SF-10 SAN PABLO BAY, SF-11 ALCATRAZ OR THE UPLAND DISPOSAL SITE AT WINTER ISLAND. 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 AQUATIC OR UPLAND DISPOSAL OF DREDGED MATERIAL; \$0.25 PER CUBIC YARD SHALL BE CHARGED FOR ANY MATERIAL USED FOR PRIVATE BENFIT OR COMMERCIAL SALE PURPOSES.

