

This Calendar Item No. C35 was approved as Minute Item No. 35 by the California State Lands Commission by a vote of 2 to 0 at its 06/07/04 meeting.

CALENDAR ITEM
C35

A 6

S 3

PRC 6457

06/07/04
WP 6459.9
D. Oetzel

AMENDMENT OF DREDGING LEASE

APPLICANT:

Marin Yacht Club
24 Summit Ave.
San Rafael, CA 94601

AREA, LAND TYPE, AND LOCATION:

Granted sovereign lands with minerals reserved, in San Rafael Creek at the Marin Yacht Club, Marin County

AUTHORIZED USE:

Maintenance dredge a maximum of 45,000 cubic yards of material annually to maintain a navigable depth. Dredged materials will be disposed of at the United States Army Corps of Engineers designated disposal site SF-9 (Carquinez Strait), SF-11 (Alcatraz), and/or other DMMO approved site(s), including upland reuse areas. Dredged Material may not be sold.

LEASE TERM:

Five years, beginning September 1, 1998.

PROPOSED AMENDMENT:

Extend the Lease Term to September 30, 2004; Dredged Material may not be sold.

CONSIDERATION:

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

OTHER PERTINENT INFORMATION:

1. In March 1995 the Commission authorized the issuance of a lease to Marin Yacht Club to dredge 12,000 cubic yards between March 1, 1995 and December 1, 1997. In June 1998 the Commission authorized the Marin Yacht Club to dredge 45,000 cubic yards

CALENDAR ITEM NO. C35 (CONT'D)

during the period between September 1, 1998 and August 31, 2003. The dredging of the Marin Yacht Club is urgent, as vessels are experiencing difficulty entering and leaving the Marin Yacht because of high sediment levels. Dredging of 8,500 cubic yards is expected to occur in June 2004.

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. 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:

United States Corps of Engineers,

FURTHER APPROVALS REQUIRED:

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

EXHIBIT:

- A. Location and Site maps.

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

CALENDAR ITEM NO. C35 (CONT'D)

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 FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE THE AMENDMENT OF LEASE PRC 6459.9 TO EXTEND THE LEASE TERM TO SEPTEMBER 30, 2004, FOR LEASED LANDS AT THE MARIN YACHT CLUB AS SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF. DREDGED MATERIAL MAY NOT BE SOLD. NO ROYALTY SHALL BE CHARGED, AS THE PROJECT WILL RESULT IN PUBLIC BENEFIT. 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 REMAIN IN EFFECT WITHOUT AMENDMENT.

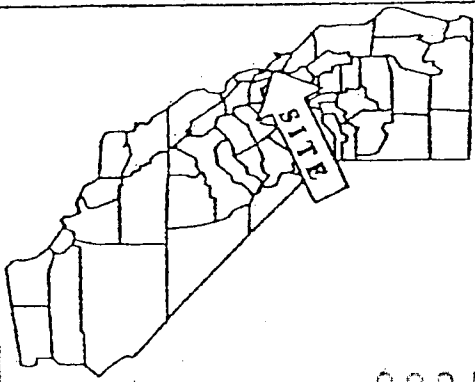
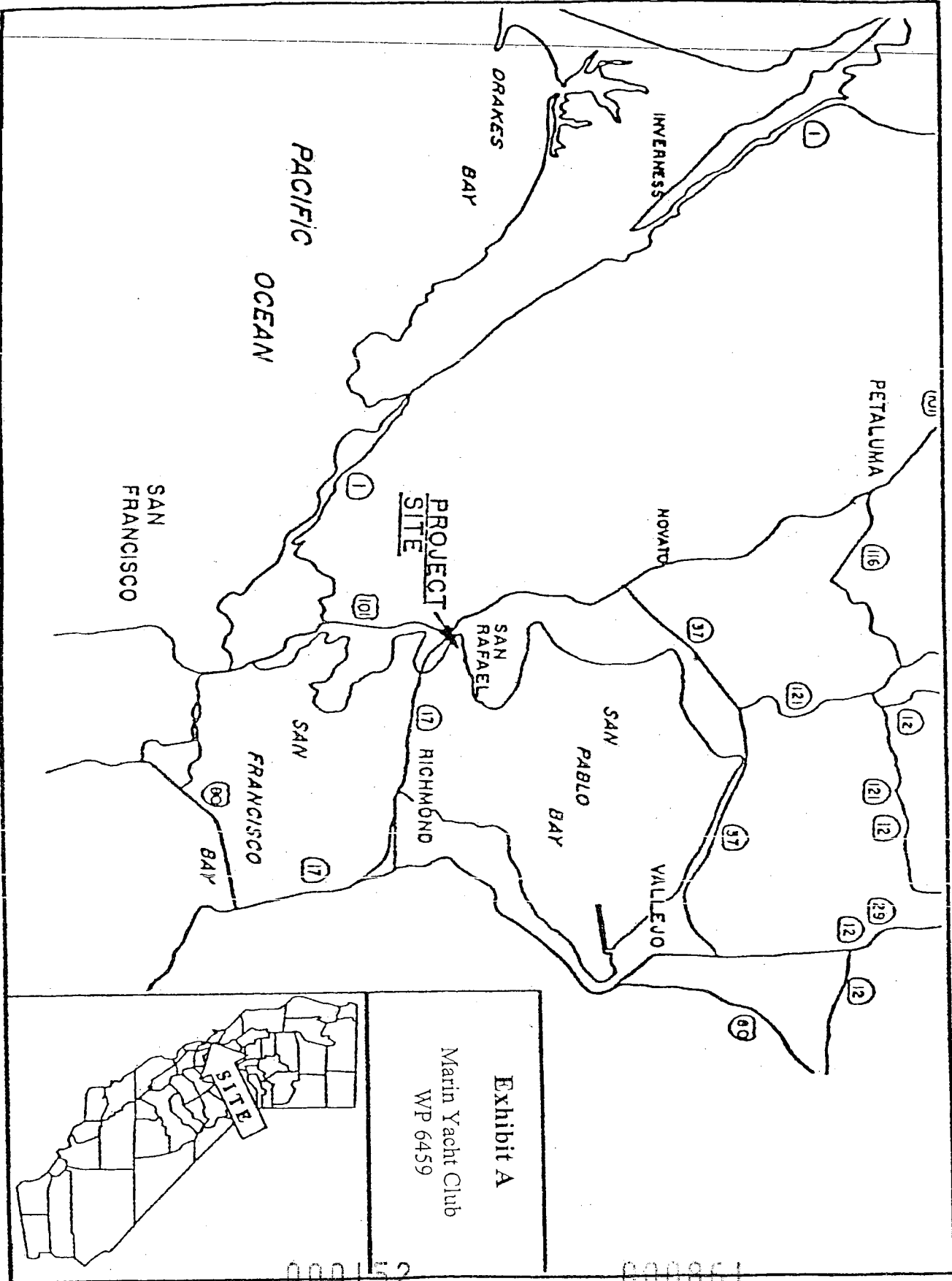
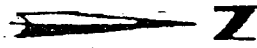


Exhibit A

Marin Yacht Club
WP 6459

000152

000061