

MINUTE ITEM

This Calendar Item No. C36 was approved as Minute Item No. 36 by the California State Lands Commission by a vote of 3 to 0 at its 2-17-05 meeting.

**CALENDAR ITEM
C36**

A 12
S 9

02/17/05
WP 7540
D. Oetzel
PRC 7540

DREDGING LEASE

APPLICANT:

City of Berkeley – Office of Capital Projects
1947 Center Street, 4th Floor
Berkeley, CA 94704

AREA, LAND TYPE, AND LOCATION:

Legislatively granted sovereign lands with minerals reserved to the State; located in San Francisco Bay at the Berkeley Marina, Alameda County.

AUTHORIZED USE:

Dredge a maximum of 252 cubic yards of material over 5 years to maintain a navigable depth. Dredged materials will be disposed at an authorized upland disposal site. Dredged Material may not be sold.

LEASE TERM:

Five years, beginning March 1, 2005.

CONSIDERATION:

No monetary consideration will be charged. The Dredged Material will not be sold. The project will result in a public benefit.

OTHER PERTINENT INFORMATION:

1. The material is to be removed from a portion of the toe of the shoreline slope to repair a 1,930 square foot section of rock rip-rap that has settled out over time. In so doing, the project is expected to enhance and maintain the navigability of the Marina.
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

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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.

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:

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

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).

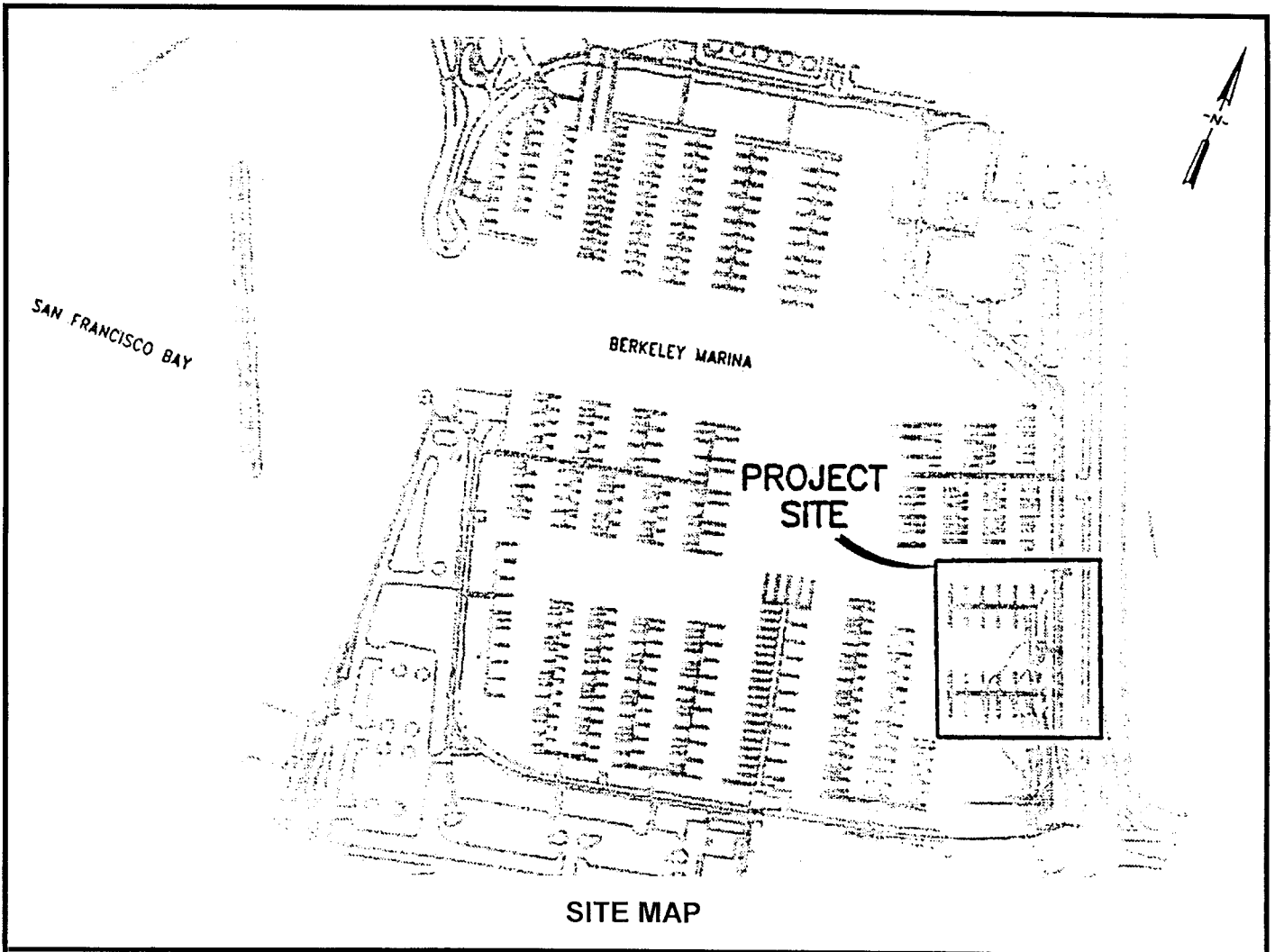
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

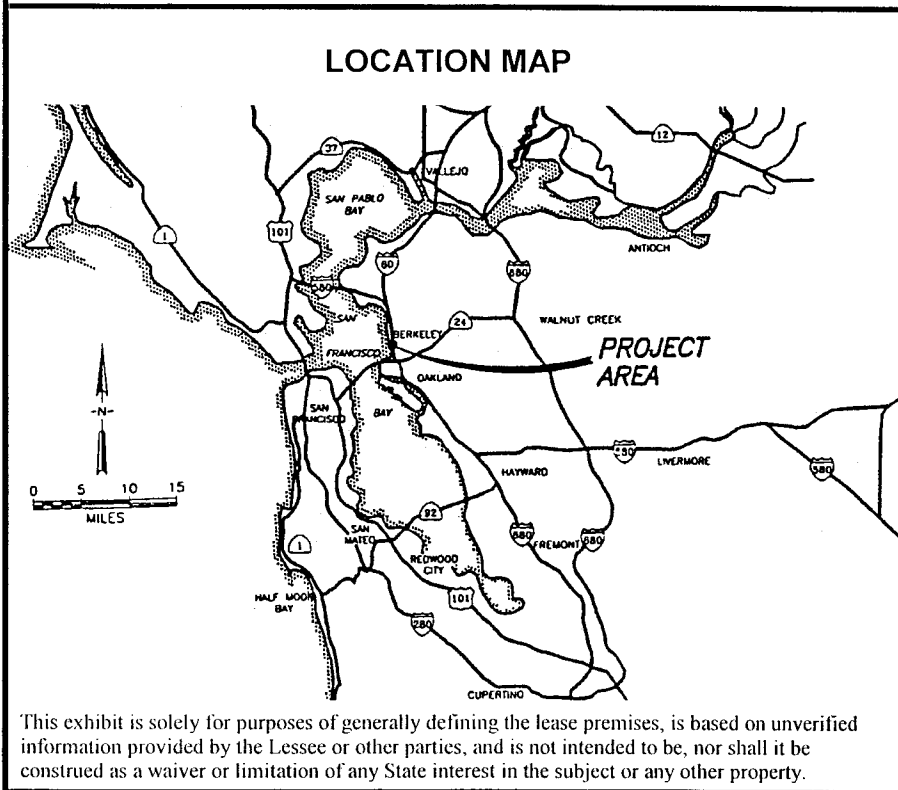
AUTHORIZE THE ISSUANCE OF A DREDGING LEASE TO, THE CITY OF BERKELEY, BEGINNING MARCH 1, 2005 AND EXTENDING THROUGH FEBRUARY 28, 2009, FOR DREDGING

CALENDAR ITEM NO. C36 (CONT'D)

A MAXIMUM OF 252 CUBIC YARDS OF MATERIAL FROM THE SAN FRANCISCO BAY AT THE BERKELEY MARINA AS SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF. DREDGED MATERIALS WILL BE DISPOSED AT AN AUTHORIZED UPLAND DISPOSAL SITE. 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. THE DREDGED MATERIAL WILL NOT BE SOLD. THE PROJECT WILL RESULT IN A PUBLIC BENEFIT.

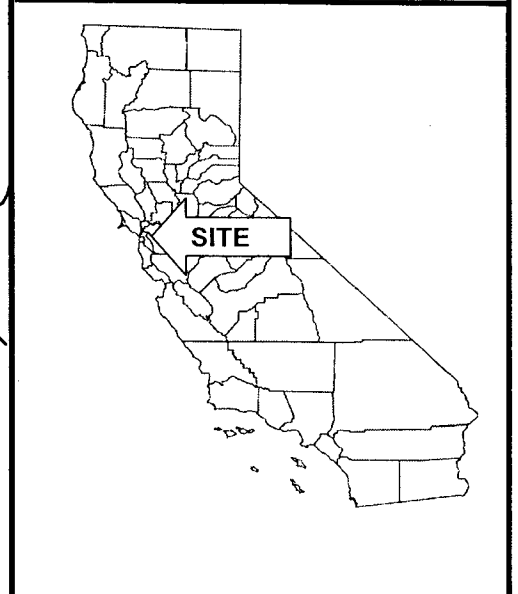


SITE MAP



LOCATION MAP

**WP 7540
EXHIBIT A
Alameda County**



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.