

**MINUTE ITEM**

This Calendar Item No. ~~35~~ was approved as Minute Item No. 35 by the California State Lands Commission by a vote of 3 to 0 at its 11-21-06 meeting.

**CALENDAR ITEM**

**C35**

A 6

11/21/06

PRC 8723

W 26173

S 5

D. Oetzel

**DREDGING LEASE**

**APPLICANT:**

City of Petaluma  
11 English Street  
Petaluma, CA 94952

**AREA, LAND TYPE, AND LOCATION:**

Sovereign lands located within the Petaluma River Channel and Petaluma Turning Basin, Sonoma County.

**AUTHORIZED USE:**

Dredge a maximum of 27,470 cubic yards of material within the Petaluma Turning Basin and 35,650 cubic yards of material in the Petaluma River Channel (a total of 63,120 cubic yards) to maintain a navigable depth. Dredged material will be temporarily dewatered at the Shollenberger Park and subsequently transported to the permitted and authorized Novato Recycling Center located in Sonoma County. Dredged material may not be sold.

**LEASE TERM:**

One year, beginning September 6, 2006.

**CONSIDERATION:**

No monetary consideration will be charged as the project will result in a public benefit. The dredged material will not be sold.

**OTHER PERTINENT INFORMATION:**

1. This project is part of a larger dredging project totaling 77,110 cubic yards of material: 27,470 cubic yards within the Petaluma Turning Basin, 41,940 cubic yards within the Petaluma River Channel, and 7,700 cubic yards within the Petaluma Marina. On February 21, 2003, the Commission approved a dredging lease (PRC 8449) to the city of Petaluma (City) for maintenance dredging of the

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Petaluma Marina. The City will abide by the annual 24,000 cubic yard lease limitation. 85 percent of the River Channel (35,650 cubic yards of material) is State sovereign land. No lease is required from the Commission for the dredging of 6,290 cubic yards of material that will occur on land in the Petaluma River Channel outside of State sovereign leasing jurisdiction.

2. Due to flooding in December 2005 and January 2006, Sonoma County was declared a federal and state disaster area. Because of the flooding, sedimentation has built up in the turning basin and River channel, which causes boats moored to list dangerously. This poses a threat to navigation and increases the threat of potential fuel spills. Due to the threat to navigation and the environment, the City sought permission to dredge prior to the scheduled Commission meeting in order to remedy the unsafe existing conditions. On September 6, 2006, staff, pursuant to its delegation of authority, signed a letter of non-objection that allowed the City to dredge prior Commission consideration.
3. 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 statutorily exempt project. The project is exempt because it involves a project undertaken, carried out, or approved by a public agency to maintain, repair, restore, demolish, or replace property or facilities damaged or destroyed as a result of a disaster in a disaster-stricken area in which a state of emergency has been proclaimed by the Governor pursuant to Chapter 7 (commencing with section 8550) of Division 1, Title 2 of the Government Code.

Authority: Public Resources Code Section 21080 (b)(3) and Title 14, California Code of Regulations, Section 15269 (a).

4. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 6370, et seq. Based upon 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.

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**FURTHER APPROVALS REQUIRED:**

U.S. Army 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 STATUTORILY EXEMPT PROJECT PURSUANT TO PUBLIC RESOURCES CODE SECTION 21080 (b)(3) AND TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15269 (a), TO MAINTAIN, REPAIR, RESTORE, DEMOLISH, OR REPLACE PROPERTY OR FACILITIES DAMAGED OR DESTROYED AS A RESULT OF A DISASTER IN A DISASTER-STRICKEN AREA IN WHICH A STATE OF EMERGENCY HAS BEEN PROCLAIMED BY THE GOVERNOR.

**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.

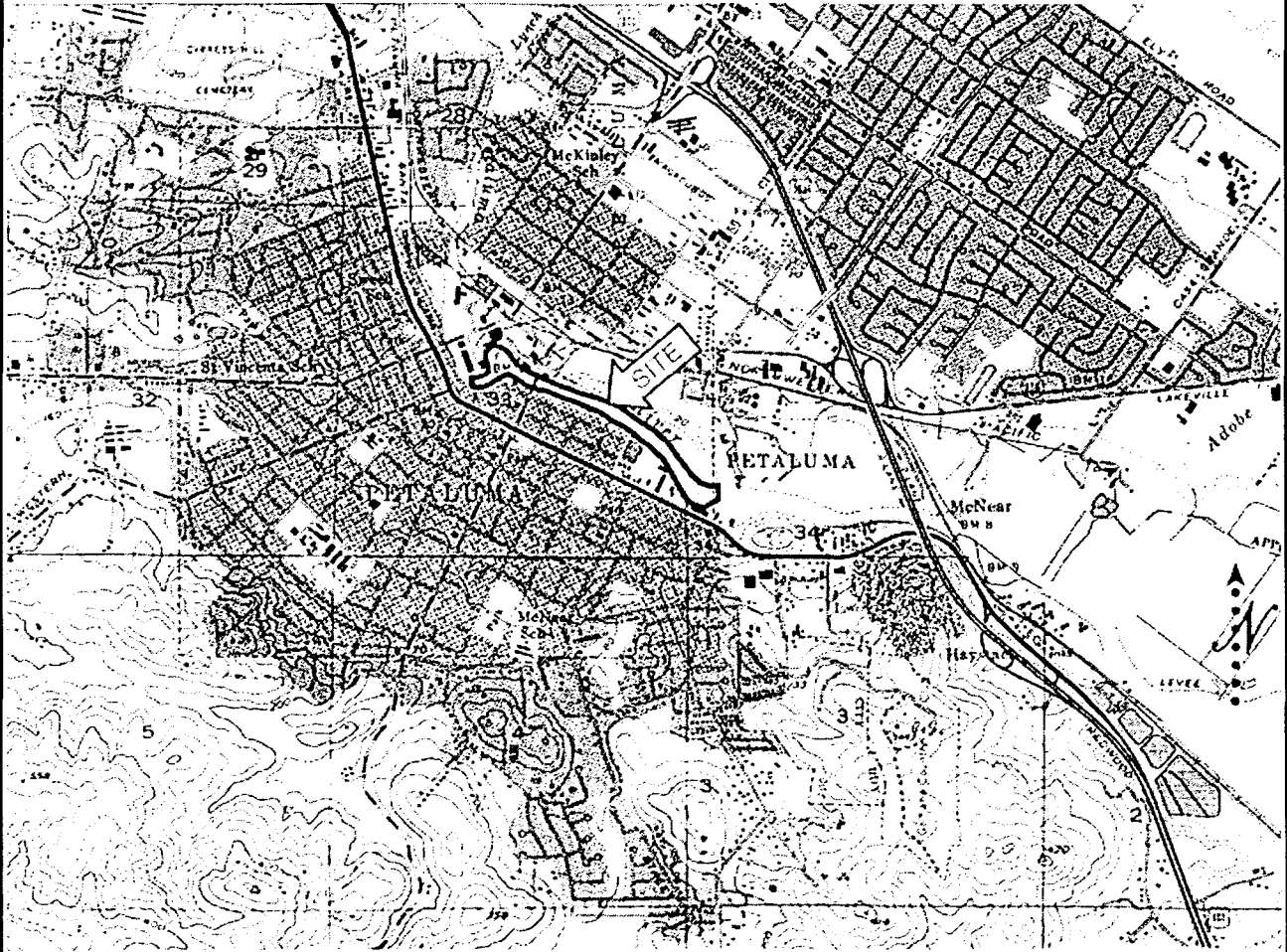
**AUTHORIZATION:**

AUTHORIZE THE ISSUANCE OF A DREDGING LEASE TO THE CITY OF PETALUMA, BEGINNING SEPTEMBER 6, 2006, AND EXTENDING THROUGH SEPTEMBER 5, 2007, FOR DREDGING A MAXIMUM OF 63,120 CUBIC YARDS OF MATERIAL FROM THE PETALUMA RIVER CHANNEL AND THE PETALUMA TURNING BASIN AS SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF. THE DREDGED MATERIAL WILL BE TEMPORARILY DEWATERED AT THE SHOLLENBERGER PARK AND SUBSEQUENTLY TRANSPORTED TO THE PERMITTED AND AUTHORIZED

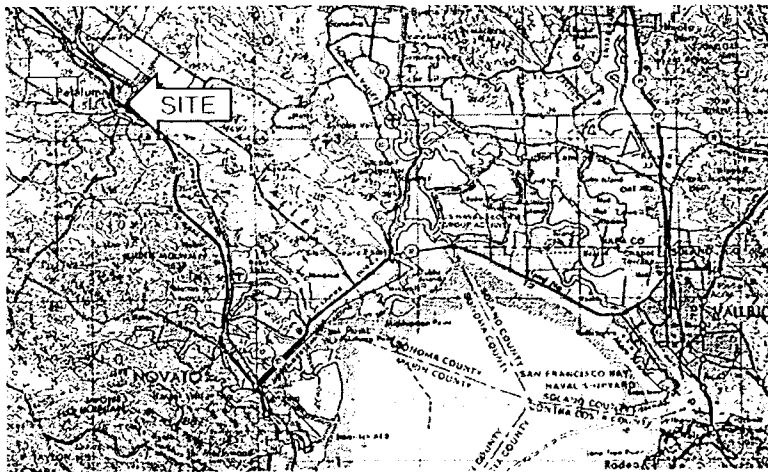
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NOVATO RECYCLING CENTER LOCATED IN SONOMA COUNTY. SUCH PERMITTED ACTIVITY IS CONTINGENT UPON APPLICANT'S COMPLIANCE WITH APPLICABLE PERMITS, RECOMMENDATIONS, OR LIMITATIONS ISSUED BY FEDERAL, STATE, AND LOCAL GOVERNMENTS. NO MONETARY CONSIDERATION WILL BE CHARGED AS THE PROJECT WILL RESULT IN A PUBLIC BENEFIT. THE DREDGED MATERIAL WILL NOT BE SOLD.

# SITE



## LOCATION



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.  
Map Source: USGS

## Exhibit A

W 26173  
COUNTY OF SONOMA



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