

MINUTE ITEM
This Calendar Item No. C16 was approved as
Minute Item No. 16 by the California State Lands
Commission by a vote of 2 to 0 at its
10-30-07 meeting.

**CALENDAR ITEM
C16**

A 6
S 3

10/30/07
PRC 5000.9
B. Badeker

AMENDMENT OF LEASE

LESSEE:

County of Marin
3501 Civic Center Drive, Room 415
San Rafael, California 94903

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in the Petaluma River at Black Point, near the town of Novato,
Marin County.

AUTHORIZED USE:

Removal of a boat launch ramp and boarding float; and the construction, use and
maintenance of a boat launch facility including a concrete boat launch, boarding
float, restrooms, boat wash down area, fish cleaning station, storm water
drainage, picnic area, shoreline protection, and annual maintenance dredging of
a maximum 200 cubic yards of material from the Petaluma River.

LEASE TERM:

20 years, beginning June 28, 2007.

CONSIDERATION:

The public use and benefit with the State reserving the right at any time to set a
monetary rent if the Commission finds such action to be in the State's best
interest.

PROPOSED AMENDMENT:

The Lease will be amended to include the removal of an additional boarding float,
and the dredging of a maximum of 300 cubic yards for the construction of the
boat launch ramp.

All other terms and conditions of the lease shall remain in effect without
amendment.

CALENDAR ITEM NO. C16 (CONT'D)

OTHER PERTINENT INFORMATION:

1. Lessee has permission to use the uplands adjoining the lease premises.
2. At its June 28, 2007, meeting, the Commission authorized the issuance of a General Lease – Public Agency Use for the removal of a boat launch ramp and boarding float; and the construction, use and maintenance of a boat launch facility which included a concrete boat launch, boarding float, restrooms, boat wash down area, fish cleaning station, storm water drainage, picnic area, shoreline protection, and annual maintenance dredging of a maximum 200 cubic yards of material from the Petaluma River.
3. At its June 28, 2007 meeting, the Commission did not approve the removal of a second boarding float or construction dredging for the boat launch ramp.
4. In order to avoid delays, the County requested permission to begin the removal and construction project. On September 27, 2007, a letter was sent to the County advising that staff did not object to the removal of the second boarding float and the construction dredging, upon compliance with all other governmental requirements.
5. **Removal of a Boarding Float:** 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 2, Replacement or Reconstruction; Title 2, California Code of Regulations, section 2905 (b).

Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300 and Title 2, California Code of Regulations, section 2905.
6. **Construction Dredging:** 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 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.

CALENDAR ITEM NO. C16 (CONT'D)

Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300.

7. 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:

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

EXHIBIT:

- A. Site and Location Map

PERMIT STREAMLINING ACT DEADLINE:

August 28, 2007

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

REMOVAL OF A BOARDING FLOAT: 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 2, REPLACEMENT OR RECONSTRUCTION; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (b).

CONSTRUCTION DREDGING: 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.

CALENDAR ITEM NO. C16 (CONT'D)

SIGNIFICANT LANDS INVENTORY FINDING:

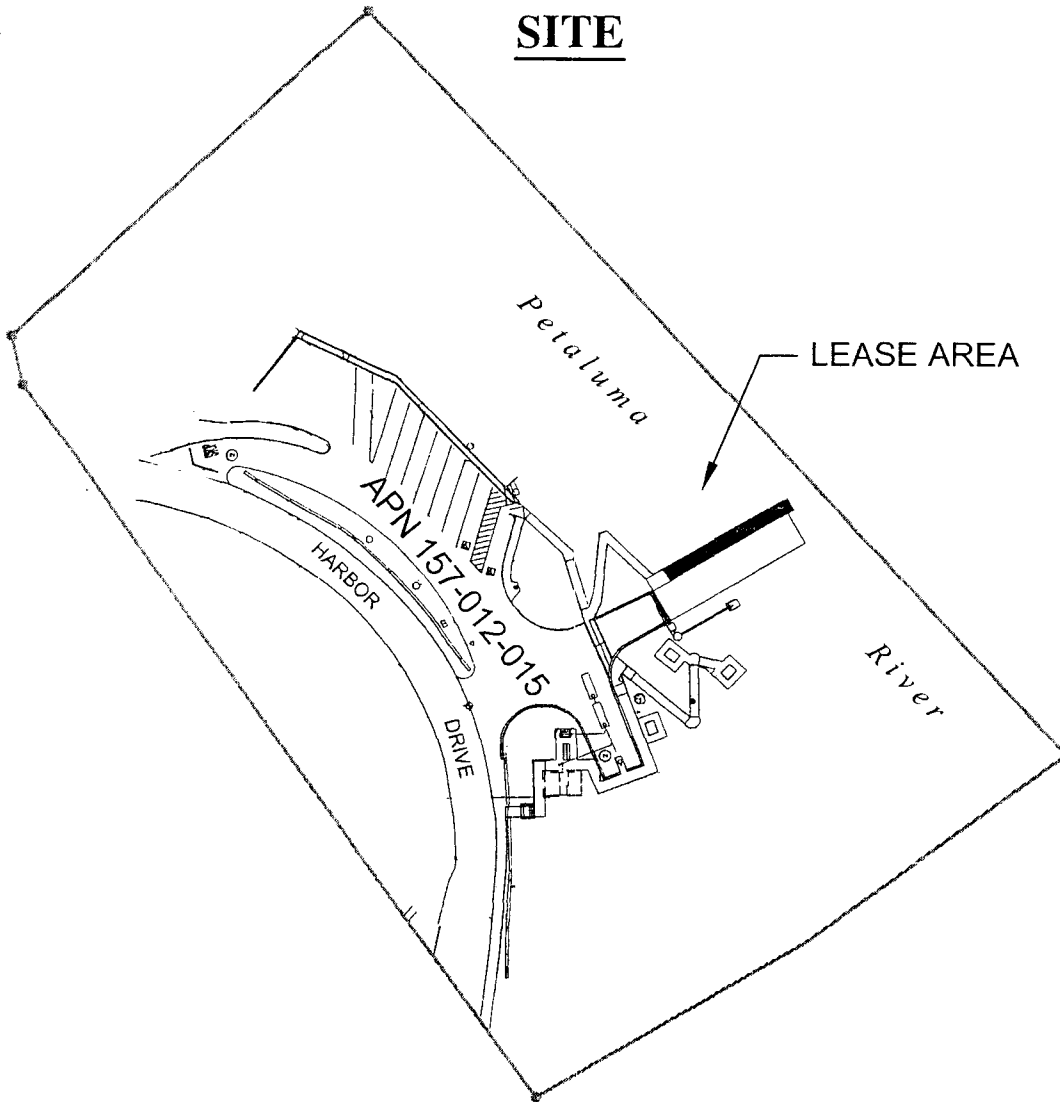
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE THE AMENDMENT OF LEASE NO. PRC 5000.9, A GENERAL LEASE – PUBLIC AGENCY USE, OF LANDS SHOWN ON EXHIBIT A AND AS DESCRIBED ON EXHIBIT B ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF, EFFECTIVE SEPTEMBER 27, 2007, TO INCLUDE THE REMOVAL OF AN ADDITIONAL BOARDING FLOAT AND THE DREDGING OF A MAXIMUM OF 300 CUBIC YARDS OF MATERIAL FOR THE CONSTRUCTION OF A CONCRETE BOAT LAUNCH RAMP; ALL OTHER TERMS AND CONDITIONS OF THE LEASE WILL REMAIN IN EFFECT WITHOUT AMENDMENT.

NO SCALE

SITE



PROPOSED BLACK POINT BOAT LAUNCHING FACILITY IMPROVEMENTS, UNDER HIGHWAY 37 BRIDGE, NOVATO

NO SCALE

LOCATION

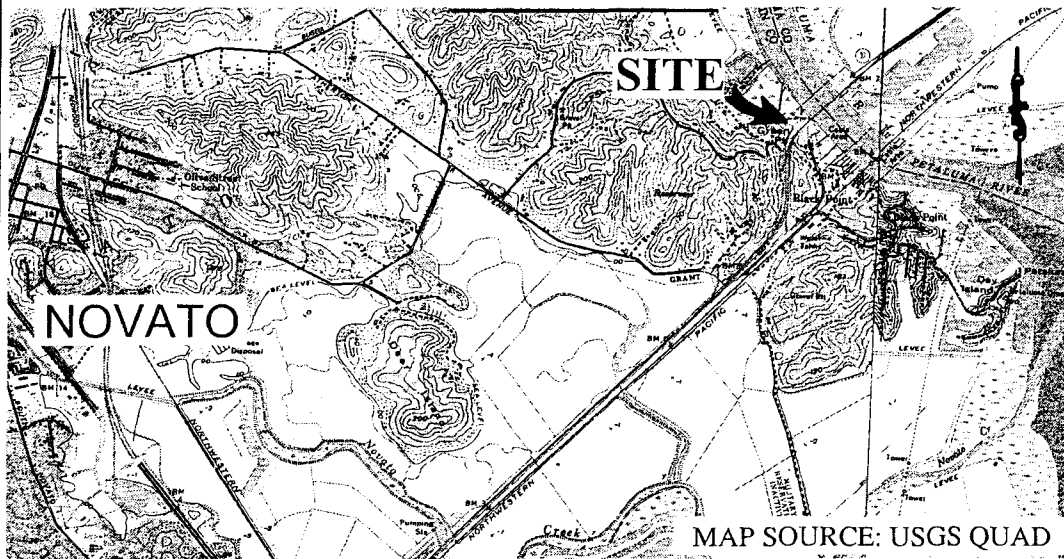


Exhibit A

PRC 5000.9
BLACK POINT BOAT
LAUNCHING FACILITIES
APN 157-012-015, 016, &
APN 157-011-017
GENERAL LEASE
PUBLIC AGENCY USE
MARIN 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.

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