

CALENDAR ITEM

C33

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08/22/08

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W 25180

D. Oetzel

DREDGING LEASE

APPLICANT:

San Rafael Rock Quarry (Dutra Group)
1000 Point San Pedro Rd.
San Rafael, California 94901

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in San Pablo Bay at the San Rafael Rock Quarry Wharf, Marin County.

AUTHORIZED USE:

Maintenance dredge a maximum of 60,000 cubic yards of material over ten years to maintain a navigable depth; and over the ten-year lease term when needed, periodically dredge to reclaim rock that spills from the wharf during the barge loading process.

Dredged material (excluding rock spillage from barges) will be disposed of at the United States Army Corps of Engineers' designated disposal sites at SF-11 (Alcatraz), SF-10 (San Pablo Bay), SF-DODS (Deep Ocean Disposal Site), Hamilton Wetlands Restoration Project, Montezuma Wetlands Project, the San Rafael Rock Quarry, or other approved sites. The reclaimed rock may be used for commercial purposes.

LEASE TERM:

Ten years, beginning August 22, 2008.

CONSIDERATION:

No monetary consideration will be charged for the maintenance dredging as it will result in a public benefit. The 60,000 cubic yards of dredged material (excluding the rock spilled during loading operations) may not be sold. The rock that is reclaimed from spillage during loading operations may be sold for commercial use with no royalty due to the state.

CALENDAR ITEM NO. **C33** (CONT'D)

OTHER PERTINENT INFORMATION:

1. The dredging project will increase the navigational depth to enhance the ingress and egress of vessels at the wharf located on lands that are not under the jurisdiction of the Commission.
2. The Applicant's wharf is used to load aggregate from their upland rock quarry onto vessels. During the loading of the barges, spillage of rock sometimes occurs. The Lease would allow for the reclaiming of the spilled rock, which would then be sold in their commercial operations.
3. Any dredged material that is unsuitable for aquatic disposal or for use in the wetlands restoration projects, will be disposed of at an approved site within the upland San Rafael Rock Quarry.
4. 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.
5. 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:

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

FURTHER APPROVALS REQUIRED:

U.S. Army Corps of Engineers

EXHIBIT:

- A. Location and Site Map

CALENDAR ITEM NO. **C33** (CONT'D)

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).

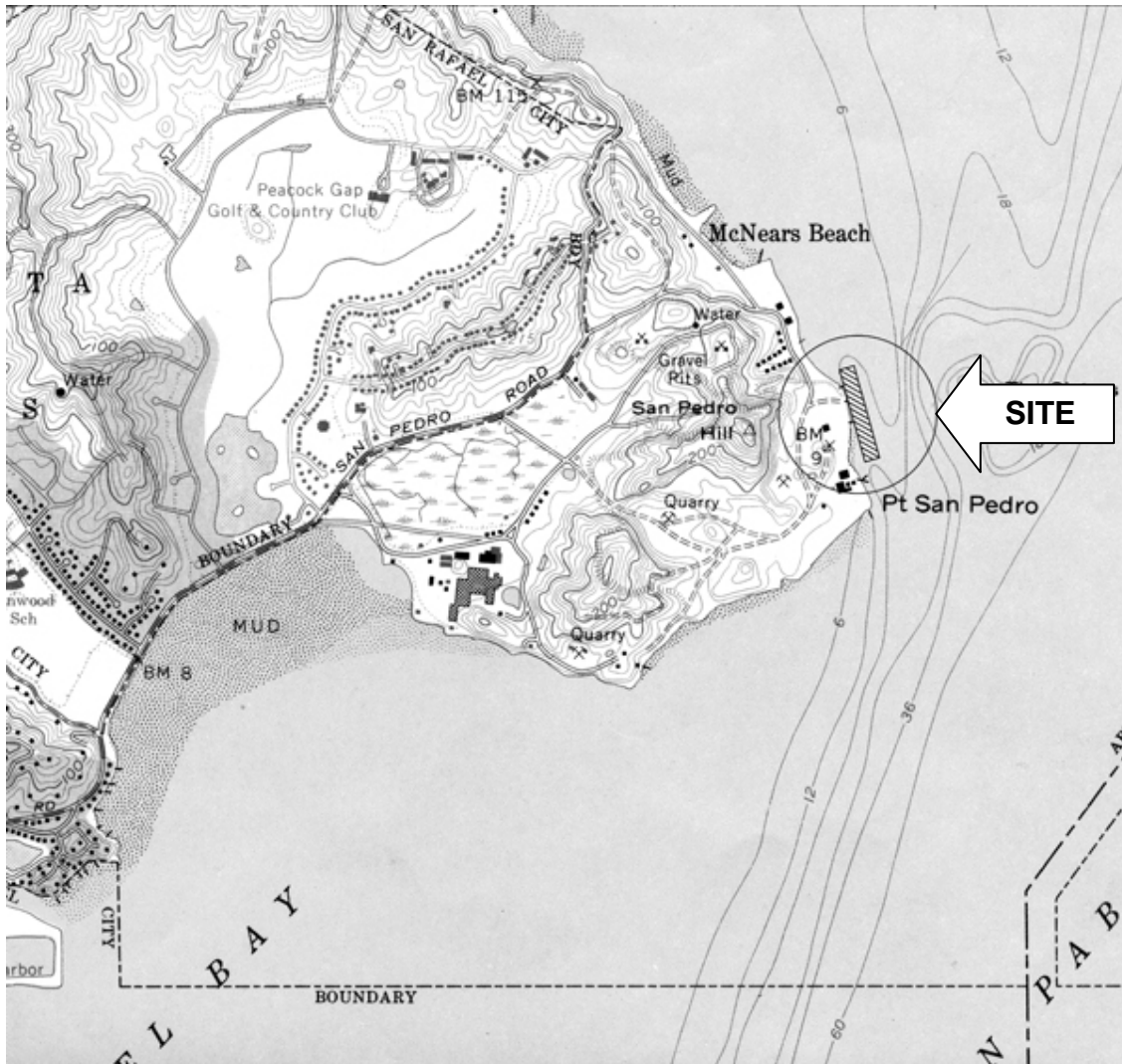
SIGNIFICANT LANDS INVENTORY FINDING:

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.

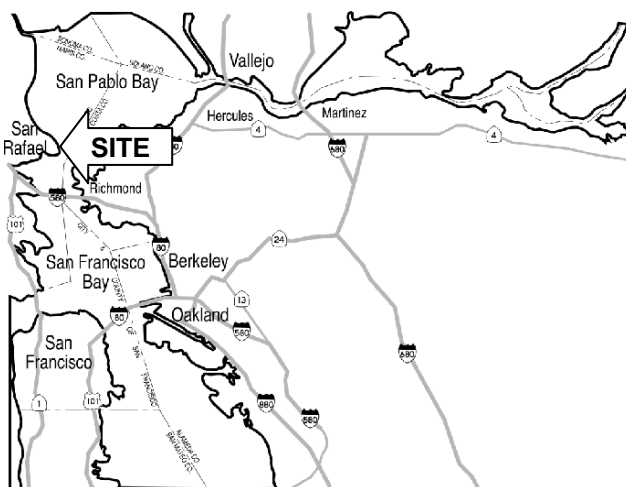
AUTHORIZATION:

AUTHORIZE THE ISSUANCE OF A TEN-YEAR DREDGING LEASE TO THE SAN RAFAEL ROCK QUARRY, BEGINNING AUGUST 22, 2008, TO DREDGE A MAXIMUM OF 60,000 CUBIC YARDS OF MATERIAL, AND TO RECLAIM ROCK PERIODICALLY AS NEEDED FROM BARGE LOADING SPILLAGE, WITHIN SAN PABLO BAY AT THE SAN RAFAEL ROCK QUARRY WHARF, 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' DESIGNATED DISPOSAL SITES AT SF-11 (ALCATRAZ), SF-10 (SAN PABLO BAY), SF-DODS (DEEP OCEAN DISPOSAL SITE), HAMILTON WETLANDS RESTORATION PROJECT, MONTEZUMA WETLANDS PROJECT, SAN RAFAEL ROCK QUARRY, OR OTHER APPROVED DISPOSAL SITES. 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 DREDGING PROJECT WILL RESULT IN A PUBLIC BENEFIT. OTHER THAN THE ROCK RECLAIMED FROM THE SPILLAGE OF BARGE LOADING OPERATIONS, THE DREDGED MATERIAL MAY 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.

Exhibit A SAN RAFAEL ROCK QUARRY WHARF W 25180 MARIN COUNTY

