

**CALENDAR ITEM**

**C29**

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08/22/08

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PRC 7483.9

D. Oetzel

**DREDGING LEASE**

**APPLICANT:**

Port of Oakland  
530 Water Street  
Oakland, California 94607

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

Granted sovereign lands, with minerals reserved to the State, at the Port of Oakland, Berths 59 through 63, portions of Jack London Square Marina, and Estuary Park marinas, located in the city of Oakland, Alameda County.

**AUTHORIZED USE:**

Maintenance dredge a maximum of 160,000 cubic yards of material over ten years to maintain a navigable depth. 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), Berth 10, Hamilton Wetlands Restoration Project, and/or Montezuma Wetlands Project.

**LEASE TERM:**

Ten years, beginning August 22, 2008.

**CONSIDERATION:**

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

**OTHER PERTINENT INFORMATION:**

1. On August 19, 2003 the Commission authorized the issuance of a lease to the Port of Oakland for maintenance dredging. That lease expired April 14, 2008, and the Port has applied for a new dredging lease.
2. This dredging project is part of a larger dredging project (a maximum of 1,234,000 cubic yards over ten years). No lease is required from the

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Commission for the dredging of 1,074,000 cubic yards of material that will occur on land that is outside of the State's leasing jurisdiction.

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 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.

4. 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

**APPROVALS REQUIRED:**

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

**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).

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**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 PORT OF OAKLAND, BEGINNING AUGUST 22, 2008, TO DREDGE A MAXIMUM OF 160,000 CUBIC YARDS OF MATERIAL FROM BERTHS 59 THROUGH 63, PORTIONS OF JACK LONDON SQUARE MARINA, AND ESTUARY PARK MARINAS, LOCATED IN THE CITY OF OAKLAND, ALAMEDA COUNTY, 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), BERTH 10, HAMILTON WETLANDS RESTORATION PROJECT, AND/OR MONTEZUMA WETLANDS PROJECT. 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. THE DREDGED MATERIAL MAY NOT BE SOLD.