

**CALENDAR ITEM
C19**

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04/06/11
WP 6414.9
G. Kato

AMENDMENT OF LEASE

LESSEE:

California Department of Parks and Recreation
One Capitol Mall, Suite 410
Sacramento, CA 95814

AREA, LAND TYPE, AND LOCATION:

Filled sovereign lands within the Candlestick Point State Recreation Area, City and County of San Francisco.

AUTHORIZED USE:

Open space and recreation.

LEASE TERM:

49 years, beginning December 1, 1986.

CONSIDERATION:

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

PROPOSED AMENDMENT:

Revise the authorized use to include the remediation and restoration of Yosemite Slough. All other terms and conditions of the lease shall remain in effect without amendment.

OTHER PERTINENT INFORMATION:

1. Lease No. PRC 6414.9 is part of the proposed Candlestick Point/Hunters Point Shipyard Title Settlement, Public Trust Lands Exchange and Boundary Line Agreement (Trust Agreement). The purpose of this lease amendment is to authorize the Yosemite Slough Restoration Project and allow for this project to proceed until escrow can close on the Initial Phase of the Trust Agreement and the termination of Lease No. 6414.9 and the issuance of a new 66-year lease to State Parks can become effective.

CALENDAR ITEM NO. **C19** (CONT'D)

2. The project site was historically part of the tidal marshes and mudflats of San Francisco Bay. Development in the area began in the 1850s and since the late 1800s much of the area has been gradually filled in. The current Yosemite Slough represents a remnant channel within the original tidal marsh. The restoration project will remediate contaminated soil areas, restore 12 acres of tidal wetlands (increasing the tidally influenced area from nine acres to over 20 acres), create two isolated nesting islands for birds, re-vegetate areas with native species, create transitional areas to buffer sensitive habitat, provide 2.5 acres of passive recreation area, and develop approximately 5,000 feet of interpretive trails with several vista points. The project's restoration and construction activities are anticipated to take two years.

3. A Mitigated Negative Declaration SCH#2005122023 was prepared by the California Department of Parks and Recreation and adopted on June 5, 2006 for this project. The California State Lands Commission's staff reviewed such document.

4. A Mitigation Monitoring Program was adopted by the California Department of Parks and Recreation.

5. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370, et seq., but such activity will not affect those significant lands. 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:

United States Army Corps of Engineers
San Francisco Bay Conservation and Development Commission
State Water Resources Control Board
San Francisco Bay Area - Joint Aquatic Resource Permit Application

EXHIBITS:

- A. Location and Site Map
- B. Mitigation Monitoring Plan

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CALENDAR ITEM NO. **C19** (CONT'D)

CEQA FINDING:

Find that a Mitigated Negative Declaration SCH#2005122023 and a Mitigation Monitoring Program were prepared by the California Department of Parks and Recreation and adopted on June 5, 2006, for this Project and that the Commission has reviewed and considered the information contained therein.

Adopt the Mitigation Monitoring Program, as contained in Exhibit B. attached hereto.

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 6414.9, a General Lease – Public Agency Use, for the remediation and restoration of Yosemite Slough within the Candlestick State Recreation Area and as shown on Exhibit A attached and by this reference made a part hereof, effective April 6, 2011, all other terms and conditions of the lease will remain in effect without amendment.