

**CALENDAR ITEM  
C37**

A 7  
S 2

08/14/12  
PRC 7466.9  
D. Oetzel

**GENERAL LEASE - DREDGING**

**APPLICANT:**

City of Benicia  
250 East L Street  
Benicia, CA 94510

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

Ungranted sovereign land in Carquinez Strait at the entrance to the Benicia Marina, Solano County.

**AUTHORIZED USE:**

Maintenance dredge a maximum of 7,500 cubic yards per year of material over the term of the lease in the Benicia Marina Outer Channel to maintain a navigable depth. Dredged material will be disposed of at the U.S. Army Corps of Engineers' designated disposal site SF-9 (Carquinez Strait), and/or other U.S. Army Corps of Engineers' approved disposal sites.

**LEASE TERM:**

10 years, beginning August 14, 2012.

**CONSIDERATION:**

No monetary consideration is due for the lease because there is no commercial benefit from the project and the dredged material may not be sold.

**OTHER PERTINENT INFORMATION:**

- 1, The purpose of the project is to maintain safe, navigable berth and access channel depths for vessels using the Benicia Marina.
  
2. On June 18, 2002, the Commission authorized a 10-year Dredging Lease with the City of Benicia for maintenance dredging of a maximum of 10,000 cubic yards of material at the entrance to the Benicia Marina. That lease expired on July 31, 2012. The City of Benicia needs to perform more maintenance dredging and is now requesting a new Dredging Lease.

CALENDAR ITEM NO. **C37** (CONT'D)

3. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Cal. Code Regs., Tit. 14, § 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 Alteration to Land; California Code of Regulations, Title 2, section 2905, subdivision (d)(4).

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

4. 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:**

None

**FURTHER APPROVALS REQUIRED:**

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

**EXHIBITS:**

- A. Land Description
- B. Site and Location Map

**RECOMMENDED ACTION:**

It is recommended that the Commission:

**CEQA FINDING:**

Find that the activity is exempt from the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15061 as a categorically exempt project, Class 4, Minor Alteration to Land; California Code of Regulations, Title 2, section 2905, subdivision (d)(4).

**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 section 6370 et seq.

CALENDAR ITEM NO. **C37** (CONT'D)

**AUTHORIZATION:**

Authorize the issuance of a General Lease – Dredging to the City of Benicia beginning August 14, 2012, for a term of 10 years, to dredge a maximum of 7,500 cubic yards per year during the lease term at the entrance to the Benicia Marina to maintain a navigable depth. Dredged material will be disposed of at the U.S. Army Corps of Engineers' designated disposal site SF-9 (Carquinez Strait), and/or other U.S. Army Corps of Engineers' approved disposal sites. Such permitted activity is contingent upon the Applicant's compliance with applicable permits, recommendations, or limitations issued by federal, State, and local governments. No monetary consideration is due for the lease because there is no commercial benefit from the project and the dredged material may not be sold.

**EXHIBIT A**

**PRC 7466.9**

**LAND DESCRIPTION**

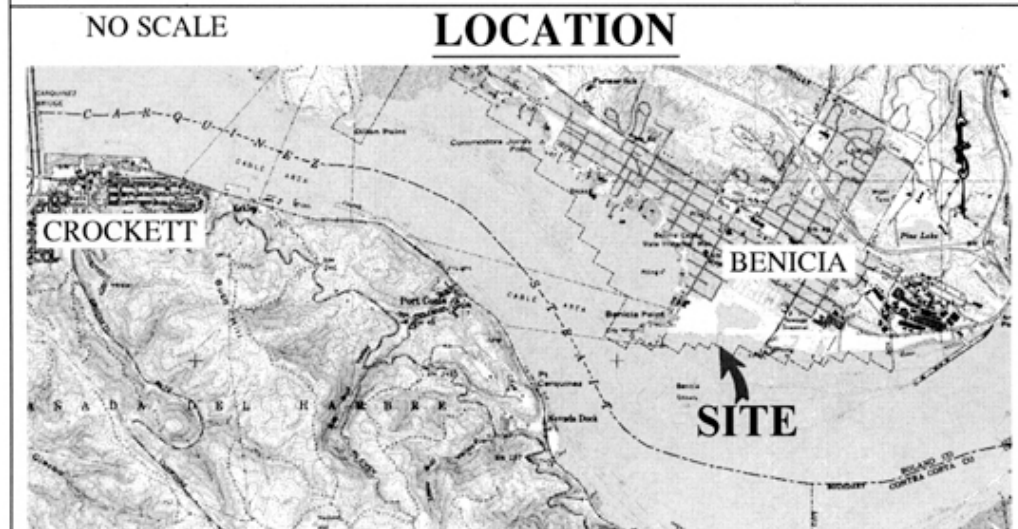
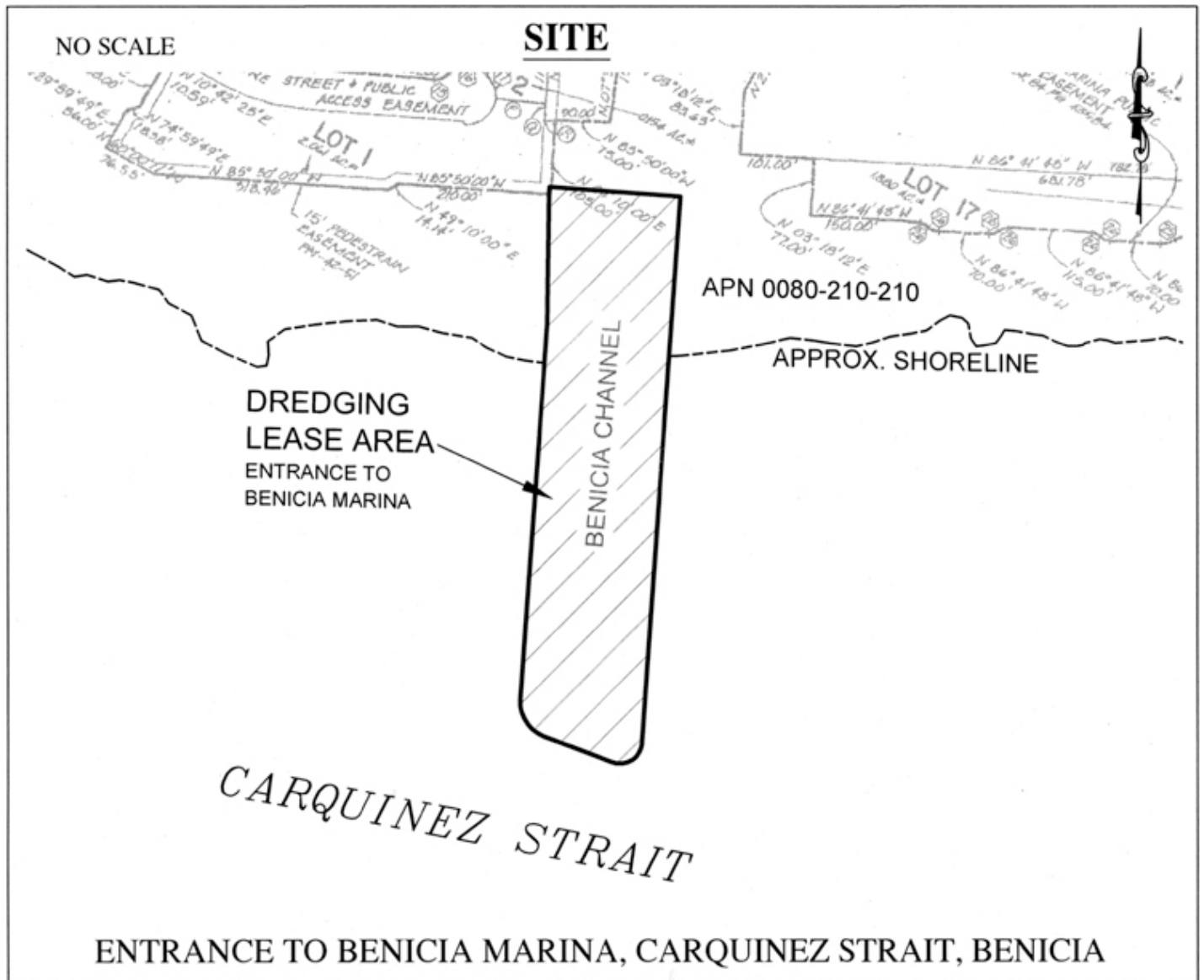
A parcel of tide and submerged land, situate in the City of Benicia in the bed of Benicia Channel of Carquinez Strait, Solano County, California, more particularly described as follows:

BEGINNING at the southeast corner Lot 1 as depicted on that certain Parcel Map recorded January 22, 1985 in Book 27 of Maps at Page 64, Solano County Recorder's Office; thence along the easterly line of Lot 1, North 04° 10' 00" East, 9.78 feet; thence departing from said line South 85° 50' 00" East, 179.35 feet; thence South 04° 06' 41" West, 747.14 feet to the beginning of a tangent curve to the right through a central angle of 106° 49' 06" having a radius of 30 feet, and a length of 55.93 feet; thence leaving said curve North 69° 03' 57" West, 100.33 feet to the beginning of a tangent curve to the right through a central angle of 73° 17' 05" having a radius of 50 feet, and a length of 63.95 feet; thence leaving said curve North 04° 13' 19" East, 514.05 feet; thence North 0° 48' 38" East, 175.50 feet to the POINT OF BEGINNING.

**END OF DESCRIPTION**

Prepared 07/03/12 by the California State Lands Commission Boundary Unit





**Exhibit B**  
 PRC 7466.9  
 CITY OF BENICIA MARINA  
 APN 0080-210-210  
 GENERAL LEASE-  
 DREDGING  
 SOLANO 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.