

**CALENDAR ITEM
C64**

A 2, 4, 10

02/20/15
PRC 6675.9
PRC 6673.9
J. Sampson

S 2, 3

GENERAL LEASE – DREDGING

APPLICANT:

Sonoma Resource Conservation District

AREA, LAND TYPE, AND LOCATION:

Sovereign land in the Petaluma River, Novato Creek, San Pablo Bay, Sonoma Creek, Tolay Creek, North and East Branches of Tolay Creek, Napa Slough, Second Napa Slough, Third Napa Slough, Hudeman Slough, Steamboat Slough, Schell Slough, Railroad Slough, Rainbow Slough, and San Antonio Creek, in Marin and Sonoma Counties.

AUTHORIZED USE:

Maintenance dredge 10,000 cubic yards of material per 2,500 linear feet of adjacent levee, per parcel, per year, but not to exceed a maximum of 150,000 cubic yards of material per year over the term of the lease for 29 Marin and Sonoma County landowners. Dredged material to be disposed at the adjacent levee crown and mechanically compressed, or at the U.S. Army Corps of Engineers' approved disposal sites.

LEASE TERM:

Five years, beginning October 12, 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. Applicant represents landowners that own the uplands adjoining the lease premises.
2. On November 15, 1994, the Commission authorized two General Leases – Public Agency Use, PRC Nos. 6675.9 and 6673.9, with the Southern Sonoma County Resource Conservation District, for a 10-year term

CALENDAR ITEM NO. **C64** (CONT'D)

beginning May 1, 1994, and expiring April 30, 2004. These leases authorized dredging for maintenance and improvement of existing levees. PRC 6675.9 authorized dredging activities in the Petaluma River drainage basin and PRC 6673.9 authorized dredging activities in the Sonoma Creek drainage basin. In 2013, Southern Sonoma County Resource Conservation District merged with the Sotoyome Conservation District and was renamed the Sonoma Resource Conservation District. The Applicant represents 29 Marin and Sonoma County upland landowners and is now applying for a new General Lease – Dredging to continue dredging activities previously authorized under Lease Nos. PRC 6675.9 and 6673.9.

3. Dredging material and spoils are used to maintain and repair adjacent levee structures. The dredging operation consists of mechanical excavation by long-reach excavators or drag lines. Dredged material is excavated at least 10 feet from the toe of the levee on the waterborne side of the levee and placed on the levee crown and mechanically compressed, pursuant to 2012 U.S. Army Corps of Engineers (USACE) and 2013 San Francisco Bay Conservation and Development Commission permits. Staff recommends issuance of one lease for all dredging activities for a five-year term beginning October 12, 2012, which coincides with the permits issued by USACE and the California Department of Fish and Wildlife.
4. The staff recommends that the Commission find that this activity is exempt from the requirements of the California Environmental Quality Act (CEQA) as a categorically exempt project. The project is exempt under Class 4, Minor Alterations to Land; California Code of Regulations, Title 14, section 15304, subdivision (g).

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

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.

CALENDAR ITEM NO. **C64** (CONT'D)

APPROVALS OBTAINED:

U. S. Army Corps of Engineers, U.S. Fish and Wildlife Service, San Francisco Bay Conservation and Development Commission, San Francisco Bay Regional Water Quality Control Board, and California Department of Fish and Wildlife.

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 Alterations to Land; California Code of Regulations, Title 14, section 15304, subdivision (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 section 6370 et seq.

AUTHORIZATION:

Authorize issuance of a General Lease – Dredging to Sonoma Resource Conservation District beginning October 12, 2012, for a term of five years, to maintenance dredge 10,000 cubic yards of material per 2,500 linear feet of adjacent levee, per parcel, per year, but not to exceed a maximum of 150,000 cubic yards of material per year over the term of the lease for 29 participating Marin and Sonoma County landowners, as described in Exhibit A and shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof; dredged material will be disposed on the adjacent levee crown and mechanically compacted, or at a U.S. Army Corps of Engineers' approved disposal site; 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 6675.9

LAND DESCRIPTION

All those tide and submerged lands lying in the bed of San Pablo Bay, Petaluma River, San Antonio Creek, Novato Creek, Sonoma Creek, Toley Creek, Napa Slough, Second Napa Slough, Third Napa Slough, Hudeman Slough, Steamboat Slough, Schell Slough, Railroad Slough and Rainbow Slough, situated in Marin and Sonoma Counties, State of California and adjacent to the following Southern Sonoma Resource Conservation District (SSRCD) parcels of land described in:

- 1) Grant Deed recorded September 16, 2003 as Document No. 2003-0114554, Official Records of Marin County (1-Wa);
- 2) Grant Deed recorded November 25, 1992 as Document No. 92-094553, Official Records of Marin County (1-Wb);
- 3) Grant Deed recorded March 27, 2001 as Document No. 2001-0014535, Official Records of Marin County (1-Wc and 1-Wd);
- 4) Corporation Grant Deed recorded June 13, 2003 as Document No. 2003-0070175, Official Records of Marin County (1-We);
- 5) Grant Deed recorded July 22, 1998 as Document No. 1998 0082496, Official Records of Sonoma County (1-Wf);
- 6) Grant Deed recorded December 10, 1998 as Document No. 1998-0147771, Official Records of Sonoma County (1-Wg);
- 7) Grant Deed recorded August 11, 1988 as Document No. 88066039, Official Records of Sonoma County (1-Wh);
- 8) Corporation Grant Deed recorded November 4, 1988 as Document No. 88094712, Official Records of Sonoma County (1-Wi);
- 9) Quit Claim Deed recorded July 26, 1990 as Document No. 1990 0074582, Official Records of Sonoma County (1-Wi);
- 10) Grant Deed recorded June 13, 1989 as Document No. 89053272, Official Records of Sonoma County (1-Wj);
- 11) Grant Deed recorded April 24, 1996 as Document No. 1996 0036432, Official Records of Sonoma County (1-Wk);
- 12) Grant Deed recorded April 24, 1996 as Document No. 1996 0036432, Official Records of Sonoma County (1-Wl);
- 13) Corporation Grant Deed recorded November 4, 1988 as Document No. 88094712, Official Records of Sonoma County (1-Wm);

- 14) Grant Deed recorded July 22, 1998 as Document No. 1998 0082496, Official Records of Sonoma County (1-Wn);
- 15) Grant Deed recorded May 24, 1990 as Document No. 1990 0052907, Official Records of Sonoma County (1-Wo);
- 16) Grant Deed recorded January 27, 1997 as Document No. 1997 0006979, Official Records of Sonoma County (1-Wp);
- 17) Corporation Grant Deed recorded August 1, 1986 as Document No. 86058053, Official Records of Sonoma County (1-Wq);
- 18) Corporation Grant Deed recorded July 31, 2002 as Document No. 2002114861, Official Records of Sonoma County (2-S);
- 19) Grant Deed recorded September 20, 2002 as Document No. 20022142697, Official Records of Sonoma County (3-S);
- 20) Grant Deed recorded September 29, 1999 as Document No. 1999121677, Official Records of Sonoma County (3-S);
- 21) Grant Deed recorded March 21, 1979 in Book 3537, Page 446, Official Records of Sonoma County (4-R);
- 22) Grant of Easement recorded October 13, 2005 as Document No. 2005152954, Official Records of Sonoma County (4-R);
- 23) Grant Deed recorded December 2, 2004 as Document No. 2004180806, Official Records of Sonoma County (5-D);
- 24) Grant Deed recorded March 7, 2006 as Document No. 2006026363, Official Records of Sonoma County (5-D);
- 25) Grant Deed recorded September 11, 2003 as Document No. 2003191003, Official Records of Sonoma County (6-F);
- 26) Individual Grant Deed recorded November 6, 1989 as Document No. 89106236, Official Records of Sonoma County (6-F);
- 27) Grant Deed recorded September 13, 1988 as Document No. 88076989, Official Records of Sonoma County (7-B);
- 28) Grant Deed recorded September 22, 1992 as Document No. 1992 0117385, Official Records of Sonoma County (7-B);
- 29) Quit Claim Deed recorded May 21, 2008 as Document No. 2008046807, Official Records of Sonoma County (8-K);
- 30) Quit Claim Deed recorded June 15, 2007 as Document No. 2007068223, Official Records of Sonoma County (9-T);
- 31) Quit Claim Deed recorded November 10, 2003 as Document No. 2003236118, Official Records of Sonoma County (10-H);
- 32) Quit Claim Deed recorded June 14, 2001 as Document No. 2001078080, Official Records of Sonoma County (11-H);

- 33) Grant Deed recorded February 13, 2013 as Document No. 2013015147, Official Records of Sonoma County (12-A);
- 34) Grant Deed recorded April 14, 2010 as Document No. 2010-0018596, Official Records of Sonoma County (13-C);
- 35) Gift Deed recorded July 10, 2008 as Document No. 2008063150, Official Records of Sonoma County (13-C);
- 36) Corporation Grant Deed recorded December 31, 1975 as in Book 3033, Page 217 Official Records of Sonoma County (14-C);
- 37) Individual Grant Deed recorded October 23, 1992 as Document No. 1992 0132458, Official Records of Sonoma County (15-J);
- 38) Quit Claim Deed recorded February 5, 2001 as Document No. 2001-0005245, Official Records of Marin County (16-L);
- 39) Quit Claim Deed recorded December 30, 1988 as Document No. 88 74858, Official Records of Marin County (16-L);
- 40) Quit Claim Deed recorded December 30, 1988 as Document No. 88 74860, Official Records of Marin County (16-L);
- 41) Grant Deed recorded June 15, 2001 as Document No. 2001-0034725, Official Records of Marin County (16-L);
- 42) Final Order of Condemnation recorded August 31, 2007 as Document No. 2007-0052616, Official Records of Marin County (16-L);
- 43) Grant Deed recorded November 25, 1997 as Document No. 97-067518, Official Records of Marin County (16-L);
- 44) Quit Claim Deed recorded June 12, 2012 as Document No. 2012055851, Official Records of Sonoma County (17-M);
- 45) Quit Claim Deed recorded June 12, 2012 as Document No. 2012055852, Official Records of Sonoma County (17-M);
- 46) Quit Claim Deed recorded June 12, 2012 as Document No. 2012055853, Official Records of Sonoma County (17-M);
- 47) Grant Deed recorded November 15, 2005 as Document No. 2005169315, Official Records of Sonoma County (17-M);
- 48) Grant Deed recorded December 22, 1997 as Document No. 97-073948, Official Records of Marin County (18-R);
- 49) Grant Deed recorded April 10, 1967 in Book 2120, Page 406, Official Records of Marin County (18-R);
- 50) Grant Deed recorded April 26, 1968 in Book 2207, Page 85, Official Records of Marin County (18-R);
- 51) Grant Deed recorded April 10, 1967 in Book 2120, Page 392, Official Records of Marin County (18-R);

- 52) Trust Transfer Deed recorded November 29, 2006 as Document No. 2006147894, Official Records of Sonoma County (19-B);
- 53) Individual Grant Deed recorded November 21, 1997 as Document No. 1997 0108428, Official Records of Sonoma County (20-C);
- 54) Grant Deed recorded January 27, 2005 as Document No. 2005011513, Official Records of Sonoma County (21-L);
- 55) Grant Deed recorded July 27, 1956 in Book 1489, Page 285, Official Records of Sonoma County (21-L);
- 56) Quit Claim Deed recorded March 25, 2002 as Document No. 2002043478, Official Records of Sonoma County (22-G);
- 57) Corporation Grant Deed recorded September 25, 1991 as Document No. 91-061381, Official Records of Marin County (23-R);
- 58) Quit Claim Deed recorded October 31, 2000 as Document No. 2000114497, Official Records of Sonoma County (24-H);
- 59) Grant Deed recorded January 25, 2011 as Document No. 2011007795, Official Records of Sonoma County (25-M);
- 60) Grant Deed recorded August 7, 1998 as Document No. 1998 0090050, Official Records of Sonoma County (26-Y);
- 61) Grant Deed recorded April 19, 1982 as Document No. 82020350, Official Records of Sonoma County (26-Y);
- 62) Grant Deed recorded January 19, 1990 as Document No. 90005676, Official Records of Sonoma County (27-N);
- 63) Grant Deed recorded January 24, 1996 as Document No. 1996 0006651, Official Records of Sonoma County (27-N);
- 64) Final Order of Condemnation recorded September 22, 1998 as Document No. 1998 0109978, Official Records of Sonoma County (27-N);
- 65) Quit Claim Deed recorded June 1, 1989 as Document No. 89050103, Official Records of Sonoma County (27-N);
- 66) Grant Deed recorded January 13, 2005 as Document No. 2005005472, Official Records of Sonoma County (28-N);
- 67) Individual Grant Deed recorded November 2, 2004 as Document No. 2004166525, Official Records of Sonoma County (28-N);
- 68) Individual Grant Deed recorded November 2, 2004 as Document No. 2004166526, Official Records of Sonoma County (28-N);
- 69) Grant Deed recorded June 11, 2008 as Document No. 2008053901, Official Records of Sonoma County (29-B);
- 70) Grant Deed recorded April 19, 1982 as Document No. 82020350, Official Records of Sonoma County (30-T);

71) Grant Deed recorded July 8, 2005 as Document No. 2005097730, Official Records of Sonoma County (31-M);

72) Grant Deed recorded November 5, 2008 as Document No. 2008099991, Official Records of Sonoma County (32-P).

EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of the banks of said river, bay, creeks and sloughs.

END OF DESCRIPTION

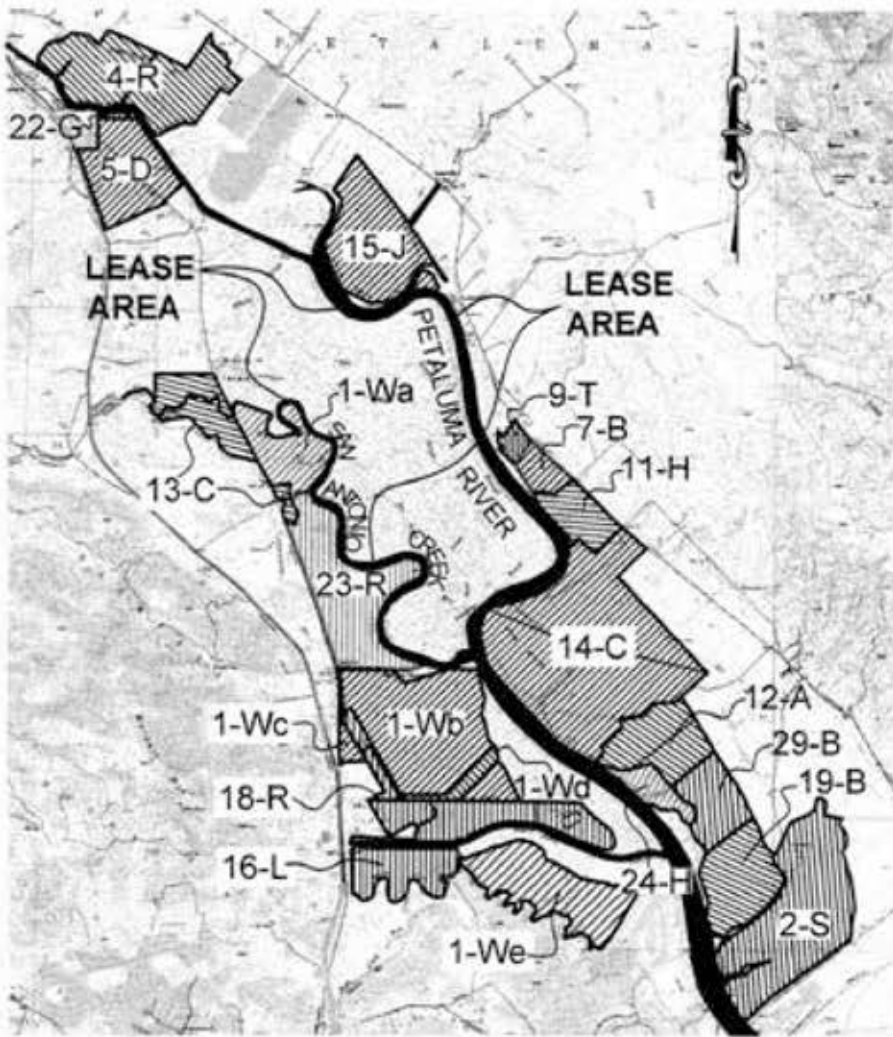
Prepared 06/24/2013 by the California State Lands Commission Boundary Unit



NO SCALE

SITE

SSRCD Parcels No.:



- 1-Wa- APN 125-130-08
- 1-Wb- APN 125-190-68
- 1-Wc- APN 125-190-79
- 1-Wd- APN 125-190-72
- 1-We- APN 143-151-22
- 2-S - APN 068-130-013
- 4-R - APN 068-010-034
APN 017-170-001
- 5-D - APNs 019-320-005, 006
APNs 019-330-007, 008
APNs 019-330-010, 011
- 7-B - APN 068-110-026, 27
- 9-T - APN 068-060-038
- 11-H - APN 068-110-025
- 12-A - APN 068-120-012, 013
- 13-C - APN 019-360-001
APN 125-130-05, 06
- 14-C - APNs 068-120-001, 002
- 15-J - APN 068-020-001
- 16-L - APN 125-190-08
APN 125-190-19, 20, 21, 66, 75
APN 157-171-20, 23, 24 (not shown)
- 18-R - APNs 125-190-24, 54, 70
- 19-B - APR 068-130-001
- 22-G - APN 019-320-007
- 23-R - APN 125-160-13
- 24-H - APN 068-120-015
- 29-B - APN 068-120-014

PETALUMA RIVER, SAN ANTONIO AND NOVATO CREEKS

█ - LEASE AREA

NO SCALE

LOCATION

Exhibit B-1

PRC 6675.9
SONOMA RESOURCE
CONSERVATION DISTRICT
DREDGING LEASE
MARIN & SONOMA COUNTIES



MAP SOURCE: USGS QUAD

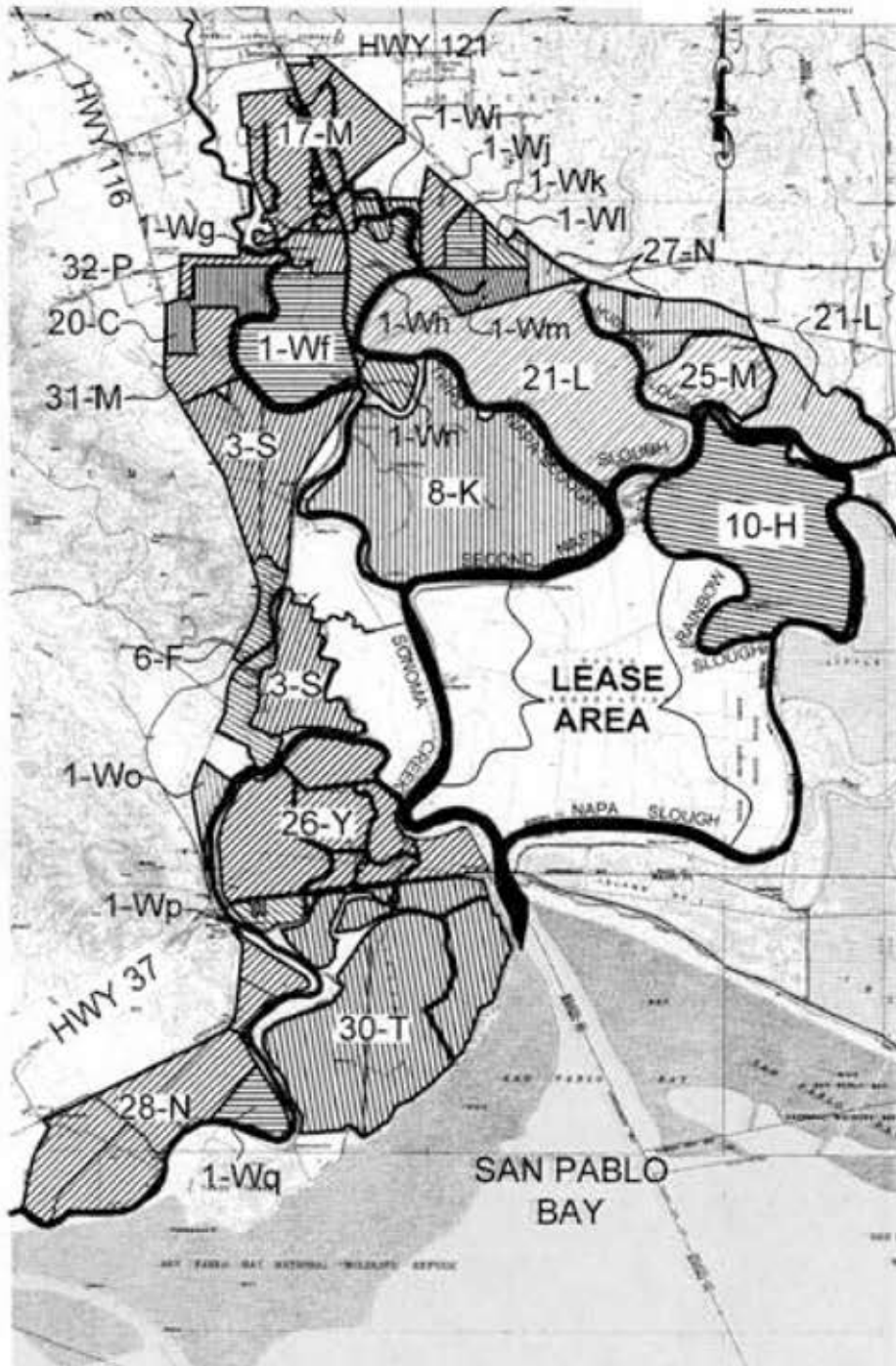


This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

NO SCALE

SITE

SSRCD Parcels No.:



- 1-Wf - APN 128-491-051
- 1-Wg - APN 128-491-050
- 1-Wh - APN 128-491-003
- 1-Wi - APN 135-071-017
- 1-Wj - APN 135-071-015
- 1-Wk - APN 135-071-012
- 1-Wl - APN 135-071-020
- 1-Wm - APN 128-491-004
- 1-Wn - APN 128-491-051
- 1-Wo - APN 068-190-025
- 1-Wp - APN 068-190-018
- 1-Wq - APN 068-160-008
- 3-S - APN 128-491-040
APN 142-122-001
APN 128-491-011
- 6-F - APN 068-190-021, 022
APN 142-122-004
- 8-K - APNs 128-491-013, 014, 015
- 10-H - APNs 128-491-019, 020
- 17-M - APNs 128-471-003, 004, 015
APNs 128-471-007, 014
APN 128-471-006
APN 135-012-005
- 20-C - APN 128-491-056
- 21-L - APNs 128-491-005, 006
APN 128-491-016
- 25-M - APN 128-491-041
- 26-Y - APNs 068-190-005, 007, 008, 009
APNs 068-190-013, 017
APN 068-180-008
- 27-N - APN 135-081-003
APN 126-121-007
APN 128-491-008
- 28-N - APNs 068-140-007, 008
APN 068-160-007
APNs 068-180-021
APN 068-180-022
- 30-T - APNs 068-180-003, 004, 005, 007
APNs 068-180-011, 013, 017
- 31-M - APN 128-491-059
- 32-P - APN 128-471-017

█ - LEASE AREA

SAN PABLO BAY, SONOMA CREEK, TOLEY CREEK, NAPA SLOUGH,
 SECOND NAPA SLOUGH, THIRD NAPA SLOUGH,
 HUDEMAN SLOUGH, STEAMBOAT SLOUGH, SCHELL SLOUGH,
 RAILROAD SLOUGH AND RAINBOW SLOUGH.

Exhibit B-2

PRC 6675.9
 SONOMA RESOURCE
 CONSERVATION DISTRICT
 DREDGING LEASE
 MARIN & SONOMA COUNTIES