

MINUTE ITEM

This Calendar Item No. C21 was approved as Minute Item No. 21 by the California State Lands Commission by a vote of 3 to 0 at its 12-3-99 meeting.

CALENDAR ITEM

C21

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PRC 8128

12/03/99
W 25577
M. Howe

DREDGING LEASE

APPLICANT:

Marina Vista Improvement Club
54 Sea Way
San Rafael, California 94901

AREA, LAND TYPE, AND LOCATION:

Granted sovereign lands with minerals reserved, in Marina Vista Canal, San Rafael Bay, Marin County.

AUTHORIZED USE:

Dredge a maximum of 5,000 cubic yards of material to maintain a navigable depth. Dredged material will be disposed of at the United States Army Corps of Engineers, San Pablo Bay Disposal Site (SF-10).

LEASE TERM:

Ten years, beginning December 4, 1999; through December 3, 2009.

CONSIDERATION:

No royalty will be charged for aquatic disposal; \$0.25 per cubic yard will be charged for any material used for private benefit or for commercial sale purposes.

OTHER PERTINENT INFORMATION:

1. 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.

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2. 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.

3. This project is part of a larger dredging project that involves a total of 40,000 cubic yards from Marina Vista Canal. The mouth of the canal falls within the area granted to the city of San Rafael with minerals retained by the State. Total volume to be dredged from the granted area is 5,000 cubic yards.

APPROVALS OBTAINED:

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

FURTHER APPROVALS REQUIRED:

United States Army Corps of Engineers

EXHIBIT:

- A. Location and Site Map

PERMIT STREAMLINING ACT DEADLINE:

N/A

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 FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTION 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE THE ISSUANCE OF A DREDGING LEASE TO THE MARINA VISTA IMPROVEMENT CLUB BEGINNING DECEMBER 4, 1999, FOR A TERM OF TEN YEARS, FOR DREDGING A MAXIMUM OF 5,000 CUBIC YARDS OF MATERIAL AT MARINA VISTA CANAL, SAN RAFAEL BAY, TO MAINTAIN A NAVIGABLE DEPTH. DREDGED MATERIALS WILL BE DISPOSED OF AT THE UNITED STATES ARMY CORPS OF ENGINEERS SAN PABLO BAY DISPOSAL SITE (SF-10). SUCH PERMITTED ACTIVITY IS CONTINGENT UPON APPLICANT'S COMPLIANCE WITH APPLICABLE PERMITS, RECOMMENDATIONS, OR LIMITATIONS ISSUED BY FEDERAL, STATE AND LOCAL GOVERNMENTS. NO ROYALTY SHALL BE CHARGED AS THE PROEJCT WILL RESULT IN A PUBLIC BENEFIT; \$0.25 PER CUBIC YARD SHALL BE CHARGED FOR ANY MATERIAL USED FOR PRIVATE BENEFIT OR COMMERCIAL SALE PURPOSES.

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