

MINUTE ITEM

This Calendar Item No. C47 was approved as Minute Item No. 47 by the California State Lands Commission by a vote of 3 to 0 at its 4-17-06 meeting.

CALENDAR ITEM
C47

A 12

04/17/06

S 9

PRC 7540

WP 7540

D. Oetzel

AMENDMENT OF DREDGING LEASE

APPLICANT:

City of Berkeley – Office of Capital Projects
1947 Center Street, 4th Floor
Berkeley, CA 94704

AREA, LAND TYPE, AND LOCATION:

Legislatively granted sovereign lands with minerals reserved to the State; located in San Francisco Bay at the Berkeley Marina, Alameda County.

AUTHORIZED USE:

Dredge a maximum of 252 cubic yards of material at Docks H-I over five years to maintain a navigable depth. Dredged material will be disposed at an authorized upland disposal site.

LEASE TERM:

Five years, beginning March 1, 2005.

PROPOSED AMENDMENT:

The previous Lease, authorized by the Commission on February 17, 2005, permitted the maintenance dredging of a maximum of 252 cubic yards of material at Docks H-I between March 1, 2005, and February 28, 2010. This Amendment authorizes the maintenance dredging of a maximum of 8,750 cubic yards of material at Docks A-E over five years, beginning April 18, 2006. Dredged material at Docks A-E will be disposed at the United States Army Corps of Engineers designated disposal site SF-11 (Alcatraz). The dredged material may not be sold.

CONSIDERATION:

No monetary consideration will be charged. The dredged material will not be sold.

OTHER PERTINENT INFORMATION:

1. The material at Docks A-E is to be removed from a portion of the toe of the adjacent shoreline slope to allow adequate depths for navigation and a new dock configuration. In so doing, the project is expected to enhance and maintain the navigability of the Berkeley Marina.

2. 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 Alteration to Land; Title 2, California Code of Regulations, section 2905 (d)(4).

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

3. 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:

The city of Berkeley

APPROVALS REQUIRED:

San Francisco Bay Regional Water Quality Control Board
U.S. Army Corps of Engineers
San Francisco Bay Conservation and Development Commission

EXHIBIT:

- A. Site and Location 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 ALTERATION TO LAND; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (d)(4).

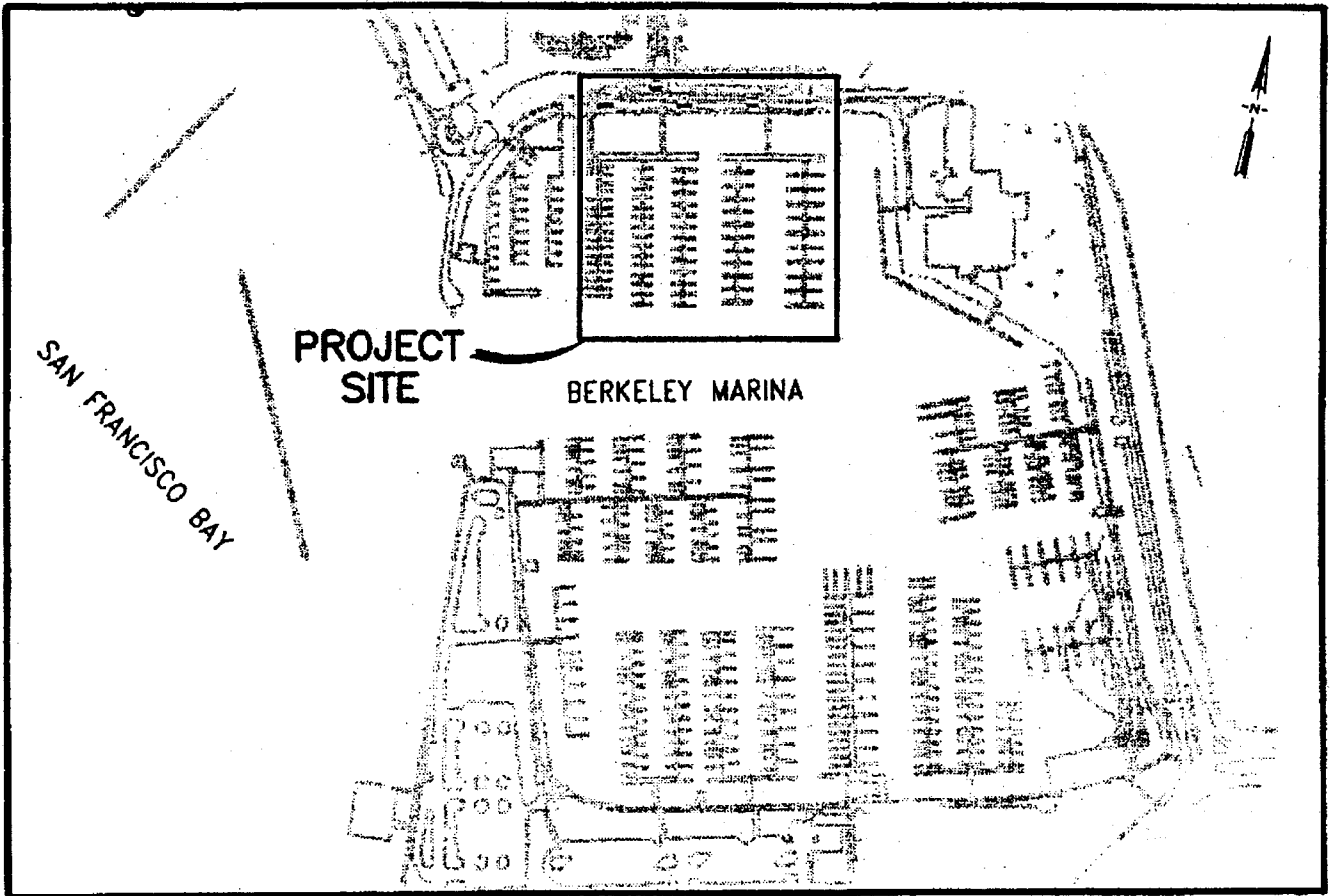
SIGNIFICANT LANDS INVENTORY FINDING:

FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE THE AMENDMENT OF LEASE PRC 7540 TO MAINTENANCE DREDGE OVER FIVE YEARS A MAXIMUM OF 8,750 CUBIC YARDS OF MATERIAL AT BERKELEY MARINA, DOCKS A-E, AS SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF. DREDGED MATERIAL IS TO BE DISPOSED AT THE UNITED STATES CORPS OF ENGINEERS DESIGNATED DISPOSAL SITE SF-11 (ALCATRAZ). 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. THE DREDGED MATERIAL MAY NOT BE SOLD. ALL OTHER TERMS AND CONDITIONS OF THE LEASE WILL REMAIN IN EFFECT WITHOUT AMENDMENT.

SITE MAP



LOCATION MAP

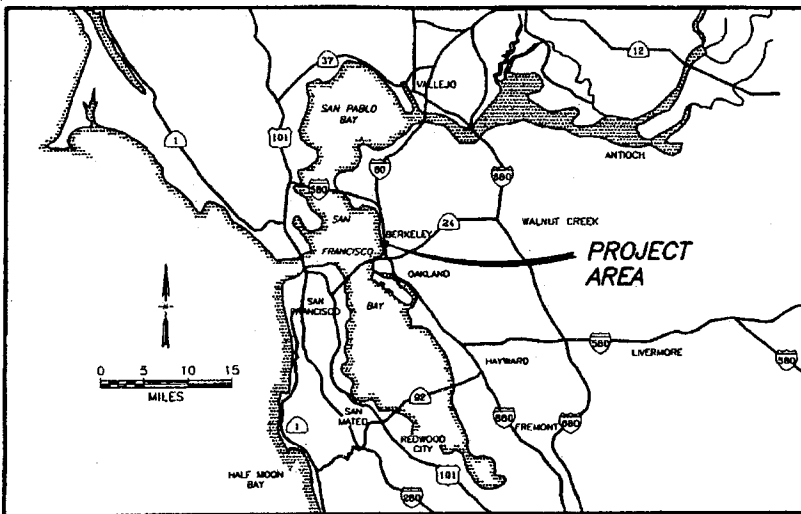


Exhibit A
WP 7540
 ALAMEDA COUNTY



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.

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DO 3/06