

**CALENDAR ITEM
C27**

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12/03/08
W 26304
N. Smith

GENERAL LEASE - PUBLIC AGENCY USE

APPLICANT:

State Coastal Conservancy
1330 Broadway, 13th Floor
Oakland, California 94612

AREA, LAND TYPE, AND LOCATION:

318 acres, more or less, of sovereign lands at the Hamilton Army Air Field, (HAAF) city of Novato, Marin County.

AUTHORIZED USE:

Restoration of tidal salt marsh and wetland habitat including placement of up to 650,000 cubic yards of dredged material on site to accelerate tidal wetland establishment; construction of a recreational trail; temporary stockpiling of approximately 11,000 cubic yards of asphalt and 3,700 cubic yards of concrete and a temporary bridge.

LEASE TERM:

25 years, beginning December 3, 2008.

CONSIDERATION:

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

OTHER PERTINENT INFORMATION:

1. The Hamilton Wetland Restoration Project (Project) is located approximately 25 miles north of San Francisco, in the city of Novato, adjacent to San Pablo Bay. The Project includes 630 acres (HAAF) owned by the California State Coastal Conservancy (Conservancy) and the adjacent 318-acre North Antenna Field (NAF) parcel, which is owned by the Commission. This parcel was acquired by the Commission as part of the settlement of litigation issues with the Federal government involving lands at Hamilton Air Field. The area was historically bay and salt marsh

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which was drained after the construction of levees and was used historically for farming. The Conservancy assumed the lead in developing a wetland restoration plan for the site in cooperation with and funding provided by, the United States Army Corps of Engineers (Corps).

2. The Project consists of restoring the site to a combination of tidal and non-tidal (seasonal) wetlands. The Project would result in an increase in tidal and seasonal wetlands, a critical habitat lost throughout the Bay Area due to conversion to agriculture, salt production and other development. The wetlands are intended to provide habitat for several endangered species including the Salt Marsh Harvest Mouse and California Clapper Rail, as well as a wide variety of migratory waterfowl, shorebirds and fish. This Project, in conjunction with other key restoration efforts, such as the adjacent 1,600 acre Bel Marin Keys Unit V property, which is also owned by the Conservancy, could become a link in the chain of bay wetlands extending from China Camp to Mare Island. The Project will also include the construction of a trail on top of the inland levee that will link to an existing trail on top of the flood control levee. The trail is anticipated to be a link in the San Francisco Bay Trail and will provide additional public access and recreational opportunities.
3. On June 28, 2007, the Commission authorized a Right of Entry for ingress and egress and the removal of up to 450,000 cubic yards of soil for adjacent wetland levee construction; demolition and removal of buildings, antenna towers and buried wire arrays; and construction of a temporary bridge. The demolition and removal of buildings and antenna towers has not occurred and is still awaiting environmental cleanup by U.S. Army's Formerly Used Defense Site Program (FUDS).
4. The Conservancy is requesting authorization to lease the Commission's North Antenna Field (NAF) property, to place up to 650,000 cubic yards of dredged material to replace the soil removed for the wetland levee construction. The dredged material will be delivered to the NAF via an overland pipeline from the adjacent Conservancy property. The dredged material will be delivered to the Conservancy property via an offloading system and underwater pipeline located approximately five miles offshore in San Pablo Bay. The dredged material is from the Port of Oakland's recent dredging project and consists of both sand and bay mud. The solid material will be separated from the liquids. The solids will be deposited on the lease premises and the liquid will be pumped back to a settling basin on the Conservancy property, monitored for quality, and then discharged to the Bay. No water will be discharged to the Bay directly from the lease premises.

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5. The Conservancy is also requesting a five year-period to temporarily stockpile approximately 11,000 cubic yards of asphalt and 3,700 cubic yards of concrete that was removed from the former runway/taxiway areas of the Conservancy's adjacent Hamilton Army Air Field (HAAF) parcel. The runway/taxiway material needs to be removed from the HAAF to allow for the formation of tidal channels in the restored wetlands. Since the HAAF is being filled with dredged material, it is not possible to store the material on the HAAF. There is good access to the lease premises, which will facilitate the recycling and the future reuse of the concrete and asphalt material for the Hamilton-Bel Marina Keys Wetland Restoration Project. The asphalt and concrete material being stockpiled will be used to maintain road tops on the levee that provides access to the lease premises, thus ensuring continued access to the premises for future maintenance and clean-up efforts.
6. The lease requires removal of the temporary bridge at the end of the Project.
7. An EIR was prepared for this project by the California State Coastal Conservancy and certified on June 30, 2005. The California State Lands Commission staff has reviewed such document and Mitigation Monitoring Program prepared in conformance with the provisions of the CEQA (Public Resources Code Section 21081.6) and adopted by the lead agency.

Findings made in conformance with the State CEQA Guidelines (Title 14, California Code of Regulations, sections 15091 and 15096) are contained on file in the Sacramento Office of the California State Lands Commission.
8. 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:

San Francisco Bay Conservation and Development Commission, US Fish and Wildlife Service and the California Regional Water Quality Control Board

EXHIBIT:

- A. Site Map

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PERMIT STREAMLINING ACT DEADLINE:

May 6, 2009

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT AN EIR WAS PREPARED FOR THIS PROJECT BY THE CALIFORNIA STATE COASTAL CONSERVANCY AND CERTIFIED ON JUNE 30, 2005 AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.

ADOPT THE FINDINGS MADE IN CONFORMANCE WITH TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTIONS 15091 AND 15096 (h), AS CONTAINED ON FILE IN THE SACRAMENTO OFFICE OF THE CALIFORNIA STATE LANDS COMMISSION.

ADOPT THE MITIGATION MONITORING PROGRAM, AS CONTAINED ON FILE IN THE SACRAMENTO OFFICE OF THE CALIFORNIA STATE LANDS COMMISSION, 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 ISSUANCE OF A GENERAL LEASE - PUBLIC AGENCY USE TO THE CALIFORNIA STATE COASTAL CONSERVANCY BEGINNING DECEMBER 3, 2008, FOR A TERM OF 25 YEARS, FOR RESTORATION OF TIDAL SALT MARSH AND OTHER WETLAND HABITAT, INCLUDING PLACEMENT OF UP TO 650,000 CUBIC YARDS OF DREDGED MATERIAL ON SITE TO ACCELERATE TIDAL WETLAND ESTABLISHMENT; CONSTRUCTION OF A RECREATIONAL TRAIL, THE TEMPORARY STOCKPILING OF APPROXIMATELY 11,000 CUBIC YARDS OF ASPHALT AND 3,700 CUBIC YARDS OF CONCRETE, AND A TEMPORARY BRIDGE AS SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; CONSIDERATION IS THE PUBLIC USE AND BENEFIT WITH THE STATE RESERVING THE RIGHT AT ANY TIME TO SET A MONETARY RENT IF THE COMMISSION FINDS SUCH ACTION TO BE IN THE STATE'S BEST INTEREST.