

**CALENDAR ITEM
C40**

A 13
S 3

10/19/12
W 26588
D. Oetzel

GENERAL LEASE - DREDGING

APPLICANT:

Mooring Road Neighborhood Association Dredge Group
42 Mooring Road
San Rafael, CA 94901

AREA, LAND TYPE, AND LOCATION:

Sovereign land legislatively granted to the City of San Rafael, with minerals reserved to the State, in the San Rafael Canal adjacent to the Mooring Road Neighborhood Association docks, Marin County.

AUTHORIZED USE:

Maintenance dredge a maximum of 16,000 cubic yards of material over the term of the lease to maintain a navigable depth. Dredged material to be disposed of at SF-10 (San Pablo Bay), and/or other U.S. Army Corps of Engineers' approved disposal sites.

LEASE TERM:

10 years, beginning October 19, 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 recreational and commercial vessels that transit these waters.

2. The staff recommends that the Commission find that this activity is exempt from the requirements of 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).

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

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

EXHIBIT:

- A. Land Description
- B. Location and Site 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 the issuance of a General Lease – Dredging to Mooring Road Neighborhood Association Dredge Group, for a term of 10 years, beginning October 19, 2012, to maintenance dredge a maximum of 16,000 cubic yards of material during the lease term in the San Rafael Canal adjacent to the Mooring Road Association docks, to maintain a navigable depth. Dredged material will be disposed of at the U.S. Army

CALENDAR ITEM NO. **C40** (CONT'D)

Corps of Engineers' designated disposal site SF-10 (San Pablo Bay), 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

W 26588

LAND DESCRIPTION

A parcel of tide and submerged land lying in the bed of San Rafael Canal, adjacent to BTLC Lots 15 and 16, Section 3, Township 1 North, Range 6 West, M.D.M., as shown on that map titled "Map No. 2 of Salt Marsh and Tide Lands Situate in the County of Marin State of California", on file at the California State Lands Commission, County of Marin, State of California, described as follows:

COMMENCING at Board of Tideland Commissioners San Rafael Canal Station 42 as shown on that map titled "Resurvey of the San Rafael Canal as shown on "Map No. 2 of the Salt Marsh and Tide Lands Situate in the County of Marin" as originally surveyed under the direction of G.F. Allardt in 1870", filed in Book 12, Page 25, Serial No. 17124, Official Surveys of said County on May 14, 1974, thence along the left bank of said canal S 42°20'21" E 336.26 feet to the POINT OF BEGINNING; thence continuing along said left bank S 42°20'21" E 334.67 feet to said Canal Station 43; thence S 55°06'34" E 195.65 feet to said Canal Station 44; thence S 68°21'34" E 16.20 feet; thence leaving said left bank S 56°29'40" E 121.79 feet; thence S 82°44'50" E 100.77 feet to a point on said left bank; thence along said left bank S 68°21'34" E 25.66 feet; thence N 87°53'26" E 39.20 feet; thence leaving said left bank S 3°38'50" W 76.90 feet; thence N 75°02'17" W 302.53 feet; thence N 52°40'26" W 269.55 feet; thence N 42°08'26" W 312.50 feet; thence N 44°29'14" E 79.49 feet to the POINT OF BEGINNING.

END OF DESCRIPTION

Prepared 9/19/2012 by the California State Lands Commission Boundary Unit.



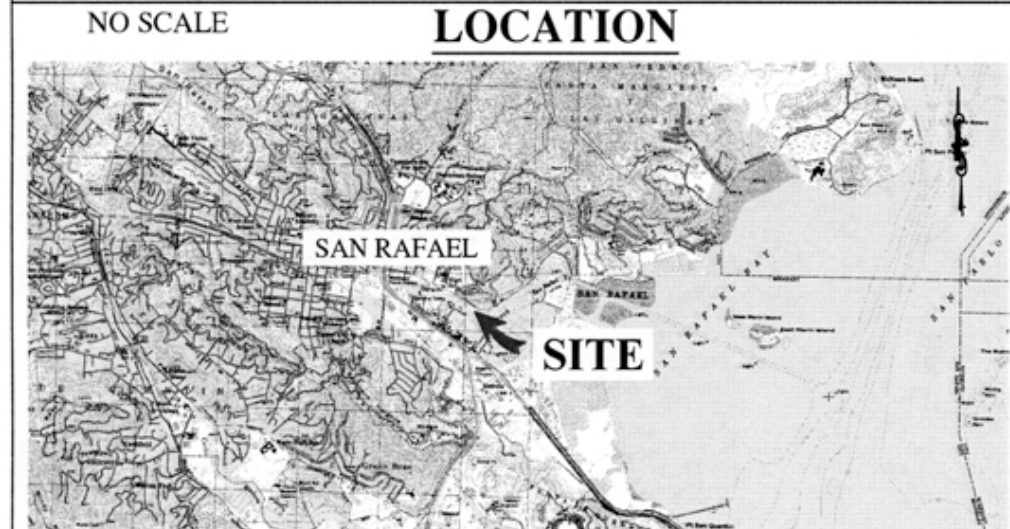
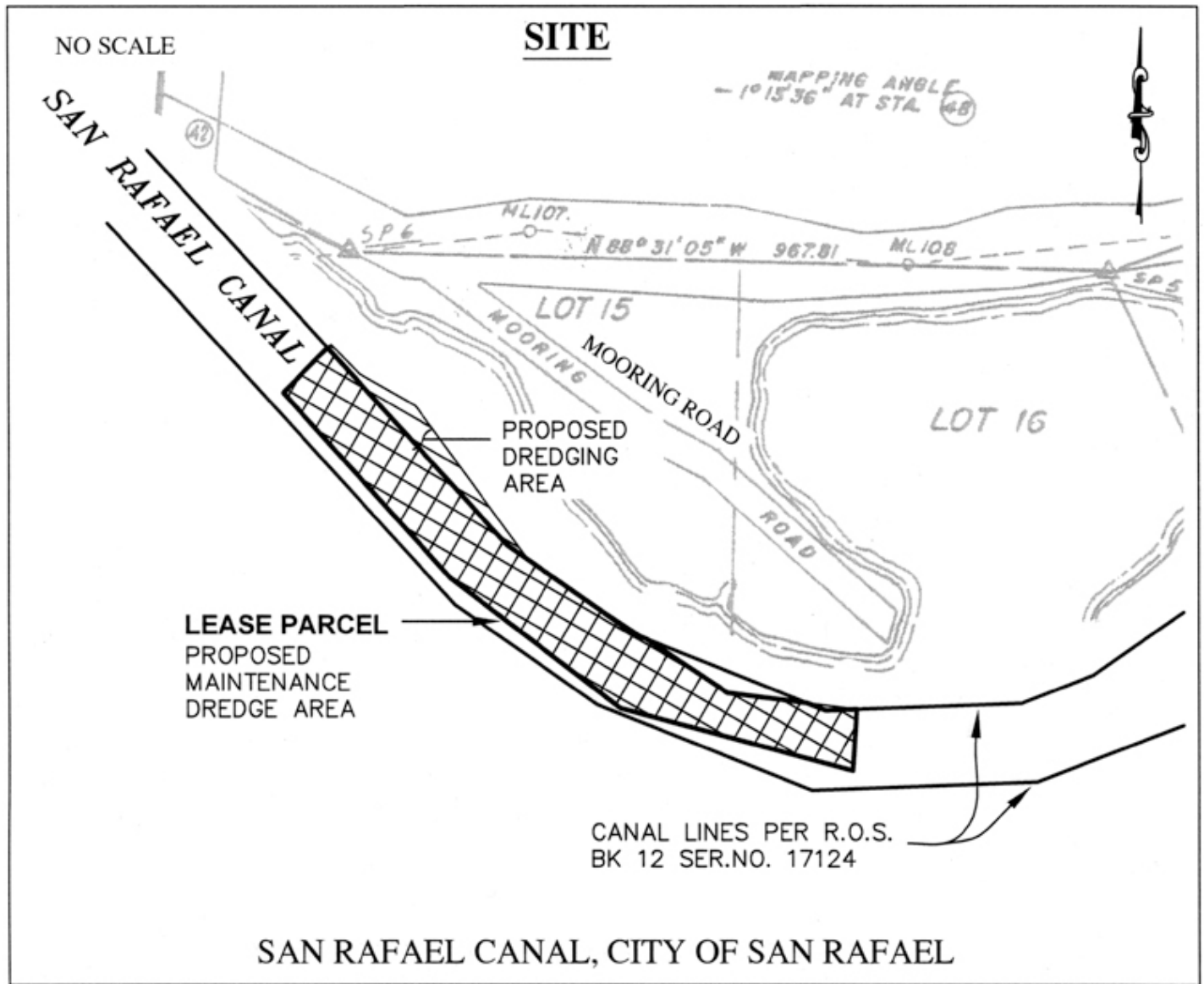


Exhibit B

W 26588
MOORING ROAD
NEIGHBORHOOD
ASSOCIATION
GENERAL LEASE - DREDGING
MARIN 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.