

**CALENDAR ITEM
C60**

A 6
S 3

10/19/12
PRC 8403.9
D. Oetzel

GENERAL LEASE - DREDGING

APPLICANT:

City of Pittsburg
65 Civic Avenue
Pittsburg, CA 94565

AREA, LAND TYPE, AND LOCATION:

Sovereign land legislatively granted to the City of Pittsburg, with minerals reserved to the State, in New York Slough at the entrance to the George Lowy Basin at the Pittsburg Marina, Contra Costa County.

AUTHORIZED USE:

Maintenance dredge a maximum of 10,000 cubic yards of material over the term of the lease. Dredged material to be disposed of at the U.S. Army Corps of Engineers' authorized disposal site at Winter Island and/or other U.S. Army Corps of Engineers' approved disposal sites.

LEASE TERM:

1 year, 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 maintenance dredging is to restore navigable depths and provide public access to New York Slough.

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

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

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 Alteration to Land; California Code of Regulations, Title 2, section 2905, subdivision (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 section 6370 et seq.

AUTHORIZATION:

Authorize the issuance of a General Lease – Dredging to the City of Pittsburg, for a term of 1 year, beginning October 19, 2012, to maintenance dredge a maximum of 10,000 cubic yards of material during the lease term in New York Slough at the entrance to the George Lowy Basin at the Pittsburg Marina, Contra Costa County. Dredged material will

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be disposed of at the U.S. Army Corps of Engineers' authorized disposal site at Winter Island, 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

PRC 8403.9

LAND DESCRIPTION

A parcel of tide and submerged land lying in the bed of New York Slough situate adjacent to Rancho Los Medanos patented October 8, 1872, County of Contra Costa, State of California, and more particularly described as follows:

COMMENCING at NGS CORS Geodetic Reference Mark "DIAB MT DIABLO CORS GRM" (PID AI4488) as shown on that unrecorded survey entitled "City of Pittsburg Waterfront Boundary Exhibit" dated May 2008, on file at the Sacramento offices of the California State Lands Commission; thence North 10°09'00" East 57,989.93 feet to the POINT OF BEGINNING; thence North 16°59'07" East 98.36 feet to the beginning of a curve to the left with a radius of 20.00 feet: thence along said curve through a central angle of 62°33'18" an arc distance of 21.84 feet; thence North 45°34'10" West 71.02 feet; thence North 43°51'25" East 354.00 feet; thence South 44°42'55" East 124.00 feet; thence South 15°44'42" East 132.00 feet; thence North 65°33'12" East 72.00 feet; thence South 46°48'17" East 71.00 feet to the beginning of a curve to the right with a radius of 50.00 feet; thence along said curve through a central angle of 65°47'15" an arc distance of 57.41 feet; thence South 18°58'59" West 267.62 feet; thence North 72°35'22" West 403.00 feet to the POINT OF BEGINNING.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of the left bank of New York Slough.

END OF DESCRIPTION

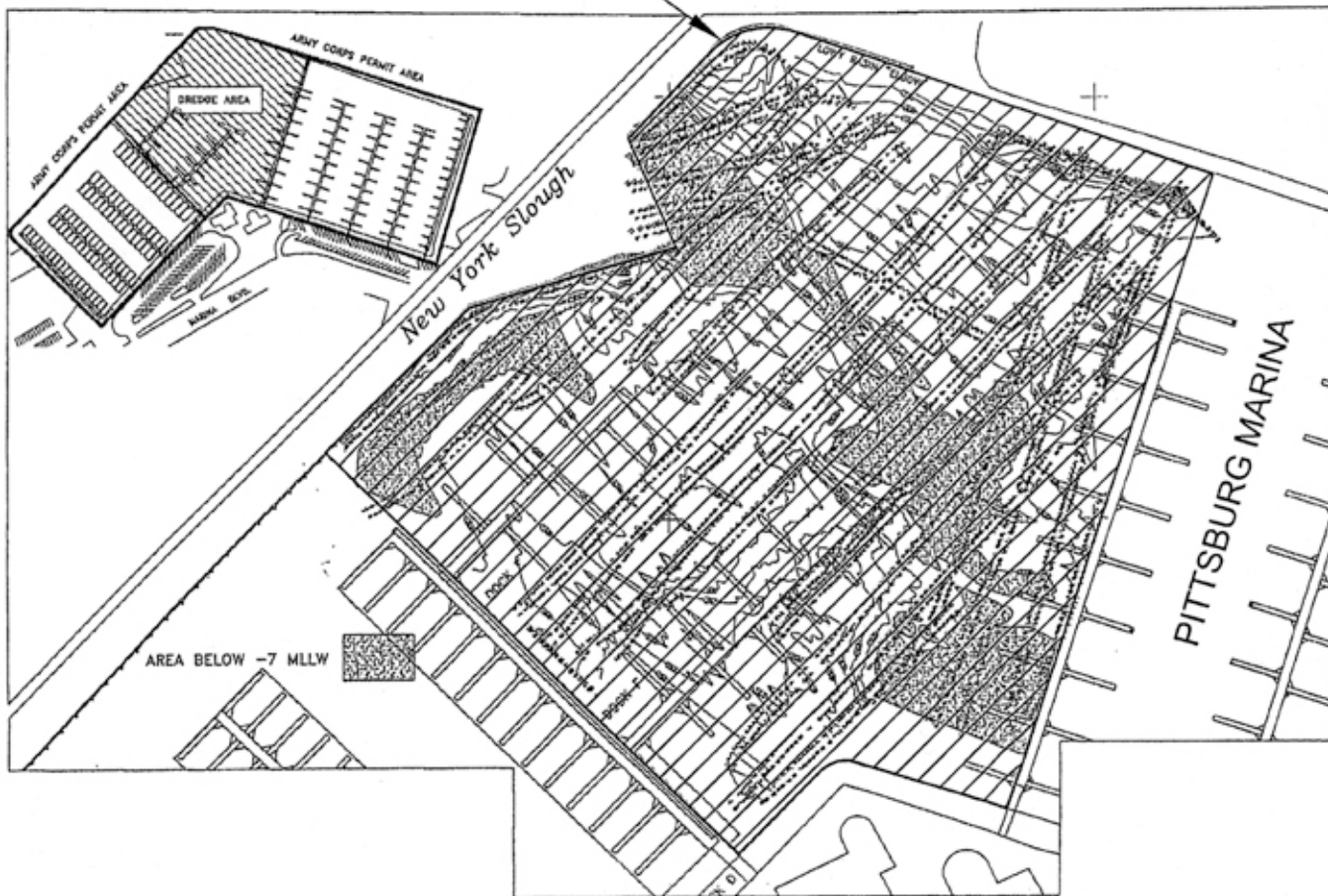
Prepared October 2, 2012 by the California State Lands Commission Boundary Unit.



NO SCALE

SITE

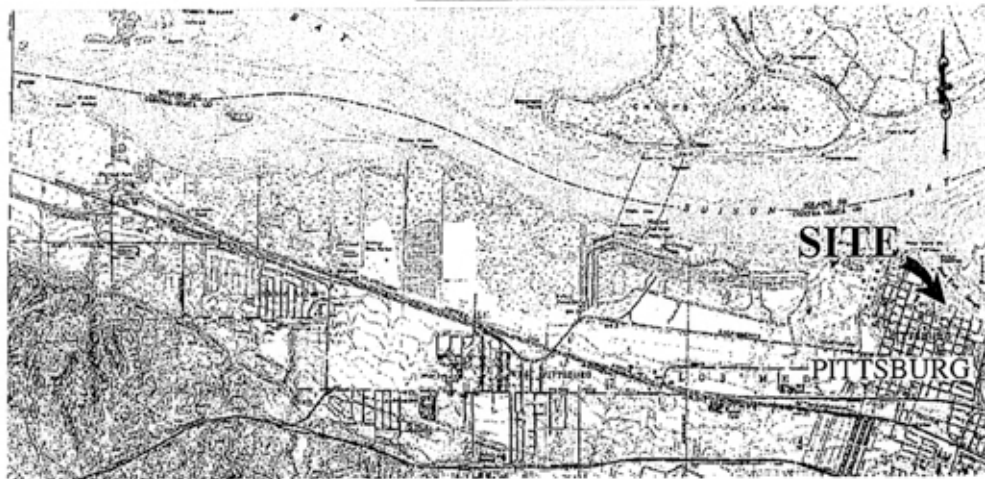
LEASE AREA



NEW YORK SLOUGH AT ENTRANCE TO GEORGE LOWY BASIN

NO SCALE

LOCATION



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.

Exhibit B

PRC 8403.9
CITY OF PITTSBURG
APN 085-290-001, 290-071-032,
033, 045
GENERAL LEASE - DREDGING
CONTRA COSTA COUNTY



JAK 10/02/12