

MINUTE ITEM

This Calendar Item No. C43 was approved as Minute Item No. 43 by the California State Lands Commission by a vote of 3 to 0 at its 02-09-06 meeting.

CALENDAR ITEM
C43

A	9		02/09/06
		PRC 7775	WP 7775.9
S	5,6	PRC 5232	WP 5232.9
			J. McComas

AMENDMENT OF LEASE

APPLICANT:

City of Sacramento
Sacramento Marina
2710 Ramp Way
Sacramento, CA 95818

LAND TYPE AND LOCATION:

PRC 7775.9

Sovereign lands in the Sacramento River, at the Miller Park boat launch ramp, within the city of Sacramento, Sacramento County.

PRC 5232.9

State-owned sovereign lands and granted lands (minerals reserved) at the entrance to the mouth of the Sacramento Boat Harbor, located in the Sacramento River, Miller Park, Sacramento County.

AUTHORIZED USE:

PRC 7775.9

Dredge a maximum of 3,000 cubic yards of material annually over ten years to maintain a navigational depth at the Miller Park Launch Ramp. Dredged materials will be disposed of on a City-owned upland parcel and will be used for City projects only.

PRC 5232.9

Maintenance dredging of a maximum of 10,000 cubic yards per year from the entrance to the mouth of the Sacramento Boat Harbor, located in Miller Park, Sacramento County. Dredged materials will be disposed on a City-owned upland parcel and will be used for City projects only.

LEASE TERM:

PRC 7775.9

Ten years, beginning August 3, 2004.

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PRC 5232.9

Ten years, beginning January 1, 1996.

CONSIDERATION:

No royalty will be charged, as the Project will result in a public benefit. Dredged material may not be sold.

PROPOSED AMENDMENT:

Amend the lease premises for Lease PRC 7775.9 to include lands located at the mouth of the Sacramento Boat Harbor at Miller Park and authorize dredging 10,000 cubic yards annually therefrom, and amend the maximum of material to be dredged to 13,000 yards per year. All other terms and conditions of the lease shall remain in effect without amendment.

BACKGROUND:

On August 17, 2004, the Commission authorized a Dredging Lease PRC 7775.9, to the city of Sacramento to dredge a maximum of 3,000 cubic yards annually from the Miller Park Boat Launch Ramp area. That lease will expire on August 2, 2014.

On February 27, 1996, the Commission authorized a Dredging Lease, PRC 5232.9, to the city of Sacramento to dredge a maximum of 2,200 cubic yards annually from the mouth of the harbor at Miller Park. On February 12, 1997, the Commission authorized an amendment to the Dredge Lease to increase the amount of dredging materials removed to a maximum of 10,000 cubic yards annually. That lease expired on December 31, 2005.

OTHER PERTINENT INFORMATION:

1. Applicant owns the uplands adjoining the lease premises.
2. As explained above, the Applicant has been issued two dredging leases, but one, PRC 5232.9 has expired. The Applicant has applied for a new authorization to dredge a maximum of 10,000 cubic yards annually at the mouth of the Sacramento Boat Harbor at Miller Park. Since the City has an existing lease, PRC 7775.9, to annually dredge a maximum of 3,000 cubic yards from the Miller Park Boat Launch Ramp, and since the dredge areas are contiguous, the City has requested that the lease areas be combined. PRC 7775.9 will be amended to authorize the dredging of a maximum of 10,000 cubic yards annually from the mouth of the Sacramento Boat Harbor in addition to the 3,000 cubic yards already authorized under PRC 7775.9, for a total of 13,000 cubic yards annually.

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3. 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 2, California Code of Regulations, section 2905(d)(4).

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

4. 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.

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 15062 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 4, MINOR ALTERATIONS TO LAND; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905(d)(4).

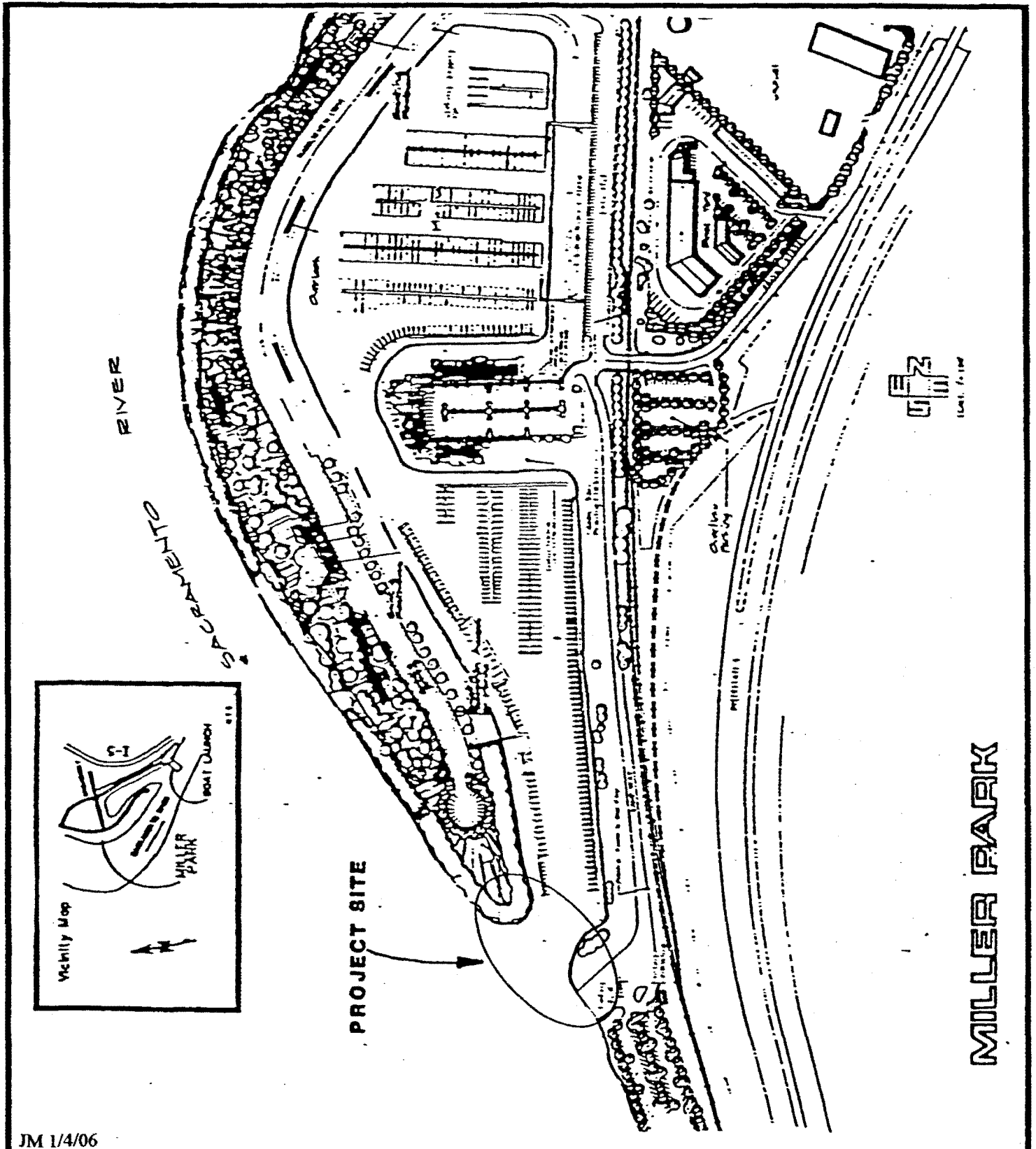
SIGNIFICANT LANDS INVENTORY FINDING:

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.

CALENDAR ITEM NO. C43 (CONT'D)

AUTHORIZATION:

AUTHORIZE THE AMENDMENT OF LEASE NO. PRC 7775.9, A DREDGING LEASE, OF LANDS SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF, EFFECTIVE FEBRUARY 9, 2006, TO AMEND THE LEASE PREMISES TO INCLUDE THE LANDS LOCATED AT THE MOUTH OF THE SACRAMENTO BOAT HARBOR, AND AUTHORIZE THE DREDGING OF A MAXIMUM OF 10,000 CUBIC YARDS ANNUALLY THEREFROM; RESULTING IN AN AUTHORIZATION FOR DREDGING OF A MAXIMUM OF 13,000 CUBIC YARDS ANNUALLY FROM THE SACRAMENTO BOAT HARBOR AND THE MILLER PARK BOAT LAUNCH RAMP; ALL OTHER TERMS AND CONDITIONS OF THE LEASE WILL REMAIN IN EFFECT WITHOUT AMENDMENT.



JM 1/4/06

This exhibit is solely for purposes of generally defining the leased premises, is based on unverified information provided by lessee or other parties, and is not intended to be, nor shall it be construed to as a waiver or limitation of any state interest in the subject or any other property.

Exhibit A
PRC 7775.1

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