

**CALENDAR ITEM
C82**

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S 2

12/18/15
PRC 7713.9
A. Franzoia

GENERAL LEASE – DREDGING

APPLICANT:

Larkspur Marina Financing Authority

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Corte Madera Creek, adjacent to the Larkspur Marina formerly known as the Greenbrae Marina, Larkspur, Marin County.

AUTHORIZED USE:

Maintenance dredge a maximum of 50,000 cubic yards of material during the lease term to maintain a navigable depth. Dredged material may be disposed of at the U.S. Army Corps of Engineers designated disposal site SF-10 (San Pablo Bay) and/or SF-11 (Alcatraz Island).

LEASE TERM:

10 years, beginning December 18, 2015.

CONSIDERATION:

No monetary consideration is due for the lease because 1) the dredging will provide a public benefit by enhancing navigability and access to sovereign lands and 2) there is no commercial benefit from the dredged material because it may not be sold, as specified in the lease.

SPECIFIC LEASE PROVISIONS:

Insurance:

In an amount no less than \$1,000,000 per occurrence.

OTHER PERTINENT INFORMATION:

1. The purpose of the maintenance dredging is to restore navigable depths and provide access to Corte Madera Creek.
2. On August 8, 2003, the Commission authorized a dredging lease to Greenbrae Marina Property Owners Association which expired on August 18, 2013. The applicant is now applying for a new lease.

CALENDAR ITEM NO. **C82** (CONT'D)

3. On September 25, 2003, the Board of Directors of the Larkspur Marina Financing Authority adopted resolutions forming a Community Facilities District, authorizing a special tax, calling a special election, establishing appropriation limits for the district, and approving an appropriation limit not to exceed \$1,500,000 for a dredging and maintenance project (Project) in Corte Madera Creek, Larkspur Channel, and Lucky Channel consisting of 120,000 cubic yards of material.
4. The total dredged material is 120,000 cubic yards. No lease is required for the dredging of approximately 70,000 cubic yards that will occur on those portions of Corte Madera Creek, Larkspur Channel, and Lucky Channel in which the State does not have a mineral interest.
5. A Letter of Non-Objection was authorized by the Executive Officer and executed on September 1, 2015, to enable dredging to occur during a limited work window under the Dredged Material Management Office permit for species of concern pending authorization of a new lease.
6. The staff recommends that the Commission find that this activity is exempt from the requirements of the California Environmental Quality Act (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).

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

7. 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:

San Francisco Bay Conservation and Development Commission
San Francisco Bay Regional Water Quality Control Board
Dredged Material Management Office

CALENDAR ITEM NO. **C82** (CONT'D)

EXHIBITS:

- A. Land Description
- B. Site and Location 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 the Larkspur Marina Financing Authority for a 10 year term beginning December 18, 2015, to maintenance dredge a maximum of 50,000 cubic yards of material during the lease term in Corte Madera Creek adjacent to Larkspur Marina, Marin County; dredged material may be disposed of at the U.S. Army Corps of Engineers' authorized disposal sites at San Pablo Bay (SF-10) or Alcatraz Island (SF-11); 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 because the dredging will provide a public benefit by enhancing navigability and access to sovereign lands, and there is no commercial benefit from the dredged material because it may not be sold, as specified in the lease.

EXHIBIT A

PRC 7713.1

LAND DESCRIPTION

A parcel of State Sovereign Lands lying in the bed of the Corte Madera Channel (Creek), Marin County, State of California, adjacent to Greenbrae Marina Subdivision No. One and Two, recorded in Volume 11 of Maps, Page 74 and Volume 13 of Maps, Page 36, Records of Marin County and being more particularly described as follow:

Bounded on the southwest by a southerly line of Channel Realignment as shown on "Map of STATE SOVEREIGN LANDS in Corte Madera Creek vicinity of Green Brae", sheet 3 & 4 of 9, on file with the State Lands Commission, Sacramento Office, (CB-1292 & CB-1293);

Bounded on the northeast by a line parallel with and 70 feet northeasterly of said southerly line of Channel Realignment;

Bounded on the northwest by a line from Station 23 of said southerly line to Station 109 on the northerly line of Channel Realignment as shown on said map;

Bounded on the east by a line from Station 21 of said southerly line to Station 111 on the northerly line of Channel Realignment as shown on said map.

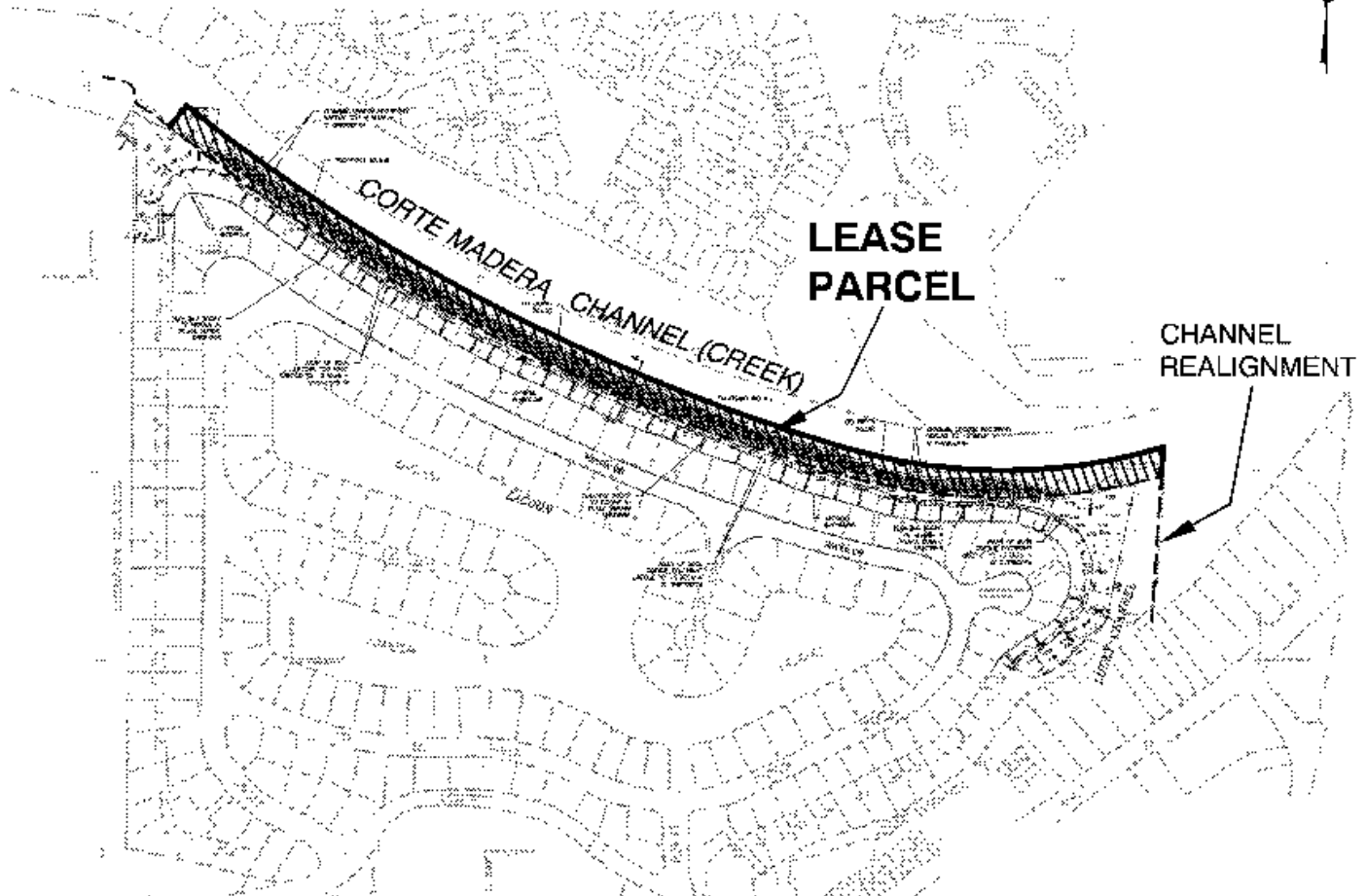
END OF DESCRIPTION

Prepared 11/18/15 by the California State Lands Commission Boundary Unit



NO SCALE

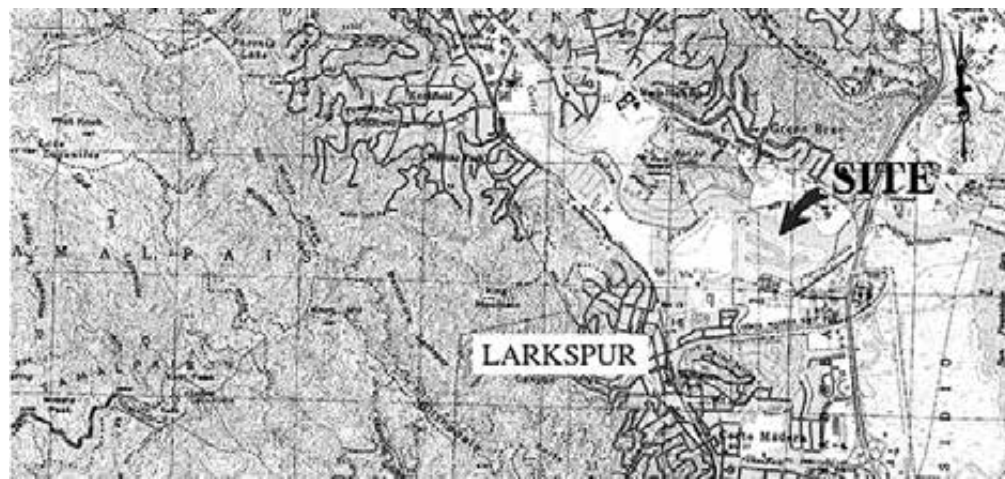
SITE



GREENBRAE MARINA, CORTE MADERA CREEK, LARKSPUR

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

PRC 7713.1
 LARKSPUR MARINA
 FINANCING AUTHORITY
 GENERAL LEASE -
 DREDGING
 MARIN COUNTY



SITE

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.