

MINUTE ITEM

7. APPLICATION FOR PERMIT TO DREDGE TIDE AND SUBMERGED LANDS, NOVATO CREEK, MARIN COUNTY; DEPARTMENT OF PUBLIC WORKS OF MARIN COUNTY - W.O. 3951, P.R.C. 2845.9.

After consideration of Calendar Item 28 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE EXECUTIVE OFFICER IS AUTHORIZED TO ISSUE TO THE DEPARTMENT OF PUBLIC WORKS OF MARIN COUNTY, A PERMIT TO EXTRACT APPROXIMATELY 381,845 CUBIC YARDS OF MATERIAL, WITHOUT PAYMENT OF ROYALTY, FROM THE AREAS OF TIDE AND SUBMERGED LANDS IN THE BED OF NOVATO CREEK, MARIN COUNTY, DESCRIBED ON EXHIBIT "A" ATTACHED HERETO AND HEREBY MADE A PART HEREOF, SUBJECT TO THE CONDITION THAT THE PERMITTEE GIVE AT LEAST 60 DAYS' WRITTEN NOTICE TO THE SACRAMENTO AIR MATERIEL AREA PRIOR TO DREDGING ANY PORTION OF THE AREA WITHIN EASEMENT P.R.C. 725.9.

Attachment
Calendar Item 28 (5 pages)

CALENDAR ITEM

28.

APPLICATION FOR PERMIT TO DREDGE TIDE AND SUBMERGED LANDS, NOVATO CREEK, MARIN COUNTY; DEPARTMENT OF PUBLIC WORKS OF MARIN COUNTY - W.J. 3951.

An application has been received from the Department of Public Works of Marin County for a permit to dredge approximately 381,845 cubic yards of material from four separate areas of tide and submerged land in the bed of Novato Creek in Marin County for the purpose of improving navigation and flood control. The material removed will be placed behind the south bank of the Novato Creek levee. The dredging operation is to be financed by public funds under the provisions of the 1911 Special Assessment Act.

On October 24, 1951 (Minute Item 20, page 1472), the Commission directed:

"For dredging for the specific improvement of navigation under a contract with the Federal Government or other authorized public agency where public monies are being used, permits will be issued and no royalty charged."

The U. S. Corps of Engineers has issued a Department of the Army permit authorizing the proposed dredging operation, and has stated that the operation will be beneficial to navigation.

On June 30, 1952 (Minute Item 14, page 1572), the Commission granted a right-of-way easement to the Sacramento Air Materiel Area for a submarine communications cable across Novato Creek. The applicant has agreed to give at least 60 days' written notice prior to dredging any portion of the area within Easement P.R.C. 725.9, in order to allow the Sacramento Air Materiel Area ample time for relocating the cable.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE EXECUTIVE OFFICER TO ISSUE TO THE DEPARTMENT OF PUBLIC WORKS OF MARIN COUNTY, A PERMIT TO EXTRACT APPROXIMATELY 381,845 CUBIC YARDS OF MATERIAL, WITHOUT PAYMENT OF ROYALTY, FROM THE AREAS OF TIDE AND SUBMERGED LANDS IN THE BED OF NOVATO CREEK, MARIN COUNTY, DESCRIBED ON EXHIBIT "A" ATTACHED HERETO AND HEREBY MADE A PART HEREOF, SUBJECT TO THE CONDITION THAT THE PERMITTEE GIVE AT LEAST 60 DAYS' WRITTEN NOTICE TO THE SACRAMENTO AIR MATERIEL AREA PRIOR TO DREDGING ANY PORTION OF THE AREA WITHIN EASEMENT P.R.C. 725.9.

Attachment:

Exhibit "A" (4 pages)

EXHIBIT "A"AREA 1

BEGINNING AT A POINT ON THE COMMON BOUNDARY ALONG THE RIGHT BANK OF NOVATO CREEK, AS SAID BOUNDARY IS DESCRIBED IN THAT CERTAIN AGREEMENT RECORDED IN BOOK 1514 OF OFFICIAL RECORDS AT PAGE 51, MARIN COUNTY, SAID POINT OF BEGINNING HAVING ZONE 3 CALIFORNIA COORDINATES OF X = 1,417,213.98 FEET AND Y = 582,144.54 FEET AND BEING AT THE BEGINNING OF A TANGENT CURVE CONCAVE NORTH-WESTERLY AND HAVING A RADIUS OF 306.30 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE AND ALONG SAID COMMON BOUNDARY THROUGH A CENTRAL ANGLE OF 38° 57' 28" A DISTANCE OF 208.27 FEET; THENCE TANGENT TO SAID CURVE NORTH 6° 13' 30" EAST 80.86 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 406.30 FEET; THENCE NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 5° 12' 38" A DISTANCE OF 65.31 FEET TO THE BEGINNING OF A COMPOUND CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 300.00 FEET; THENCE NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 39° 10' 36" A DISTANCE OF 205.13 FEET; THENCE TANGENT TO SAID CURVE NORTH 42° 09' 44" WEST 132.00 FEET; THENCE LEAVING SAID COMMON BOUNDARY S. 0° 42' 44" E., 65.97 FEET TO THE ORDINARY LOW WATER MARK ON THE LEFT BANK OF NOVATO CREEK; THENCE ALONG SAID LINE AS FOLLOWS:

S. 45° 00' 00" E., 45.00 FEET;
 S. 36° 56' 53" E., 146.40 FEET;
 S. 9° 54' 46" E., 104.56 FEET;
 S. 7° 19' 35" W., 141.15 FEET;
 S. 26° 22' 53" W., 139.53 FEET; AND
 S. 46° 10' 09" W., 17.00 FEET;

THENCE LEAVING SAID ORDINARY LOW WATER MARK S. 47° 16' 48" E., 27.55 FEET TO THE POINT OF BEGINNING, CONTAINING 1.2 ACRES MORE OR LESS.

EXHIBIT "A" (CONTD.)AREA 2

BEGINNING AT A POINT ON THE COMMON BOUNDARY ALONG THE RIGHT BANK OF NOVATO CREEK, AS SAID BOUNDARY IS DESCRIBED IN THAT CERTAIN AGREEMENT RECORDED IN BOOK 1514 OF OFFICIAL RECORDS AT PAGE 51, MARIN COUNTY, SAID POINT OF BEGINNING HAVING ZONE 5 CALIFORNIA COORDINATES OF $X = 1,417,100.26$ FEET AND $Y = 584,378.72$ FEET; RUNNING THENCE FROM SAID POINT OF BEGINNING ALONG THE COMMON BOUNDARY SOUTH $73^{\circ} 45' 00''$ EAST 525.00 FEET, SOUTH $79^{\circ} 50' 00''$ EAST 272.53 FEET, AND SOUTH $84^{\circ} 26' 14''$ EAST, 89.32 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 750.00 FEET; THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $30^{\circ} 13' 11''$ A DISTANCE OF 395.58 FEET; THENCE TANGENT TO SAID CURVE NORTH $65^{\circ} 20' 05''$ EAST 185.01 FEET; THENCE NORTH $27^{\circ} 43' 46''$ EAST 235.00 FEET; THENCE LEAVING SAID COMMON BOUNDARY S. $65^{\circ} 11' 23''$ W., 73.90 FEET TO THE ORDINARY LOW WATER MARK ALONG THE LEFT BANK OF NOVATO CREEK; THENCE ALONG SAID LINE AS FOLLOWS:

S. $28^{\circ} 00' 50''$ W., 135.00 FEET;
 S. $50^{\circ} 34' 57''$ W., 94.49 FEET;
 S. $71^{\circ} 18' 59''$ W., 218.52 FEET;
 S. $81^{\circ} 50' 13''$ W., 216.50 FEET;
 N. $80^{\circ} 47' 51''$ W., 362.67 FEET; AND
 N. $74^{\circ} 26' 01''$ W., 460.00 FEET;

THENCE LEAVING SAID LINE S. $79^{\circ} 29' 49''$ W., 69.78 FEET TO THE POINT OF BEGINNING, CONTAINING 1.9 ACRES MORE OR LESS.

EXHIBIT "A" (CONTD.)AREA 3

BEGINNING AT A POINT IN THE COMMON BOUNDARY ALONG THE RIGHT BANK OF NOVATO CREEK, HERETOFORE DESCRIBED, SAID POINT OF BEGINNING HAVING ZONE 3 CALIFORNIA COORDINATES OF X = 1,420,430.40 FEET AND Y = 584,862.98 FEET; RUNNING THENCE FROM SAID POINT OF BEGINNING ALONG THE COMMON BOUNDARY AS FOLLOWS:

SOUTH 0° 30' 00" EAST 280.00 FEET, SOUTH 12° 10' 00" EAST 98.00 FEET, SOUTH 77° 00' 00" WEST 16.05 FEET, AND SOUTH 18° 47' 17" EAST 495.46 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 693.39 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 22° 17' 38" A DISTANCE OF 269.80 FEET; THENCE TANGENT TO SAID CURVE, SOUTH 41° 04' 55" EAST 107.07 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 2225.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 43° 21' 41" A DISTANCE OF 1683.87 FEET TO THE BEGINNING OF A COMPOUND CURVE, CONCAVE NORTHERLY AND HAVING A RADIUS OF 1300.00 FEET; THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 11° 41' 59" A DISTANCE OF 265.46 FEET; THENCE SOUTH 20° 19' 02" EAST 113.49 FEET, SOUTH 77° 15' 00" EAST 41.96 FEET, SOUTH 84° 32' 00" EAST 78.00 FEET, NORTH 78° 00' 00" EAST 85.00 FEET, NORTH 43° 35' 00" EAST 228.00 FEET, NORTH 55° 49' 31" EAST 88.76 FEET, NORTH 60° 40' 00" EAST 393.00 FEET, NORTH 53° 10' 00" EAST 605.00 FEET, NORTH 44° 25' 00" EAST 130.00 FEET, NORTH 36° 23' 19" EAST 712.77 FEET, AND NORTH 1° 13' 10" EAST 258 FEET; THENCE LEAVING SAID COMMON BOUNDARY

S. 36° 33' 29" W., 908.56 FEET;
 S. 43° 09' 09" W., 109.66 FEET;
 S. 53° 36' 56" W., 590.02 FEET;
 S. 59° 14' 14" W., 488.77 FEET;
 S. 44° 05' 26" W., 222.77 FEET;
 N. 75° 23' 30" W., 971.40 FEET;
 N. 62° 34' 53" W., 510.33 FEET;
 N. 48° 11' 16" W., 559.48 FEET;
 N. 29° 40' 00" W., 272.75 FEET;
 N. 18° 47' 35" W., 482.04 FEET;
 S. 77° 00' 00" W., 80.00 FEET;
 N. 11° 43' 03" W., 141.61 FEET;
 N. 2° 51' 14" E., 150.00 FEET; AND
 N. 33° 19' 07" W., 91.15 FEET

TO THE POINT OF BEGINNING, CONTAINING 17.0 ACRES MORE OR LESS,

W.O. 3951

EXHIBIT "A" (CONTD.)

AREA 4

BEGINNING AT A POINT IN THE COMMON BOUNDARY ALONG THE RIGHT BANK OF NOVATO CREEK HERETOFORE DESCRIBED, SAID POINT OF BEGINNING HAVING ZONE 3 CALIFORNIA COORDINATES OF X = 1,425,004.15 FEET AND Y = 585,184.96 FEET; RUNNING THENCE FROM SAID POINT OF BEGINNING ALONG THE COMMON BOUNDARY AS FOLLOWS:

SOUTH 1° 13' 10" WEST 195.00 FEET, NORTH 50° 00' 00" EAST 68.00 FEET, NORTH 56° 00' 00" EAST 75.00 FEET, NORTH 59° 00' 00" EAST 612.00 FEET, NORTH 67° 09' 00" EAST 391.90 FEET, NORTH 67° 45' 00" EAST 1122.00 FEET AND NORTH 74° 38' 27" EAST 556.41 FEET; THENCE LEAVING SAID COMMON BOUNDARY

N. 18° 27' 40" E., 173.69 FEET;
S. 74° 44' 42" W., 684.11 FEET;
S. 67° 42' 10" W., 1,502.33 FEET;
S. 59° 12' 57" W., 547.08 FEET; AND
S. 58° 25' 52" W., 124.24 FEET

TO THE POINT OF BEGINNING, CONTAINING 9.7 ACRES MORE OR LESS.