

MINUTE ITEM

4/28/66

44. APPLICATION FOR DREDGING PERMIT, TIDE AND SUBMERGED LANDS, CORTE MADERA CREEK AND CORTE MADERA CANAL, MARIN COUNTY; MARIN COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT - W.O. 6036, P.R.C. 3486.1.

After consideration of Calendar Item 42 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION AUTHORIZES<sup>d</sup> THE EXECUTIVE OFFICER TO ISSUE TO THE MARIN COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT A PERMIT TO DREDGE APPROXIMATELY 380,000 CUBIC YARDS OF MATERIAL FROM CORTE MADERA CREEK AND CORTE MADERA CANAL, MARIN COUNTY, AT A ROYALTY OF \$0.05 PER CUBIC YARD FOR ALL MATERIAL TO BE REMOVED FROM STATE LANDS AND DEPOSITED UPON PRIVATE PROPERTY. THE AREA TO BE INCLUDED IN THE PERMIT IS AS DESCRIBED IN EXHIBIT "A" ATTACHED TO MINUTE ITEM 43 OF THESE MINUTES AND HEREBY MADE A PART HEREOF BY REFERENCE.

Attachment

Supplemental Calendar Item 42 (1 page)

42.

APPLICATION FOR DREDGING PERMIT, TIDE AND SUBMERGED LANDS, CORTE MADERA CREEK AND CORTE MADERA CANAL, MARIN COUNTY; MARIN COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT - W.O. 6036.

An application has been received from the Marin County Flood Control and Water Conservation District for a permit to dredge approximately 380,000 cubic yards of predominantly soft clay (bay mud) from an area of State-owned land within the bed of Corte Madera Creek and Corte Madera Canal, Marin County. The dredged material will be deposited in four (4) different areas not under the jurisdiction of the State Lands Commission for which letters of nonobjection to the proposed disposals have been received. Depth of excavation will be approximately fifty (50) feet.

Section 6303 of the Public Resources Code provides that the Commission may grant the privilege of depositing material upon, or removing or extracting material from, tide or submerged lands owned by the State for the improvement of navigation, reclamation or flood control, upon such terms and conditions and for such consideration as will be for the best interests of the State.

The U. S. Corps of Engineers has indicated that the proposed project is a Federal one authorized by the Congress of the United States, and that therefore a Department of the Army permit authorizing the conduct of dredging operations is not required. The Division of Beaches and Parks has reported that issuance of the permit would have no effect upon any department facilities or proposed projects. The California Reclamation Board has stated that the project is not within its jurisdiction and that, therefore, it has no comments to make. The Department of Fish and Game has no objection to the dredging or to the deposition of material in the designated fill areas. However, the Department has recommended that if the permit is issued, free public access should be provided along its right-of-way. The Parks and Recreation Commission of Marin County has a program which is designed to provide this access. The Department of Water Resources recommends that the application be approved but makes no recommendation as to the location of the deposition areas. The San Francisco Bay Conservation and Development Commission has approved the proposed dredging.

After considering the subject matter of Calendar Item 40, and if the Commission finds that it is in the best public interest to proceed with the Corte Madera Creek flood control project,

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE EXECUTIVE OFFICER TO ISSUE TO THE MARIN COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT A PERMIT TO DREDGE APPROXIMATELY 380,000 CUBIC YARDS OF MATERIAL FROM CORTE MADERA CREEK AND CORTE MADERA CANAL, AT A ROYALTY OF \$0.05 PER CUBIC YARD FOR ALL MATERIAL TO BE REMOVED FROM STATE LANDS AND DEPOSITED UPON PRIVATE PROPERTY. THE AREA TO BE INCLUDED IN THE PERMIT IS DESCRIBED AS EXHIBIT "A" ATTACHED TO CALENDAR ITEM 41 OF THIS AGENDA AND HEREBY MADE A PART HEREOF BY REFERENCE.