

MINUTE ITEM

4/26/73
EWC

5. 49-YEAR PUBLIC AGENCY PERMIT, TIDE AND SUBMERGED LAND IN THE BED OF PACHECO CREEK, NEAR MARTINEZ, CONTRA COSTA COUNTY; CONTRA COSTA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT - W 8922, PRC 4743.9.

After consideration of Calendar Item 3 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION:

1. FINDS THAT, IN ACCORDANCE WITH ENVIRONMENTAL IMPACT REPORT NO. 96 ON FILE IN THE OFFICE OF THE STATE LANDS COMMISSION AND BY REFERENCE MADE A PART HEREOF, A PUBLIC AGENCY PERMIT AS RECOMMENDED HEREIN WILL NOT HAVE A SIGNIFICANT DETRIMENTAL ENVIRONMENTAL EFFECT.
2. AUTHORIZES THE ISSUANCE TO CONTRA COSTA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT OF A 49-YEAR PUBLIC AGENCY PERMIT FROM MAY 1, 1973, IN CONSIDERATION OF THE PUBLIC SAFETY, WITH STATE RESERVING THE RIGHT AT ANY TIME TO SET A MONETARY RENTAL IF THE COMMISSION FINDS SUCH ACTION TO BE IN THE STATE'S BEST INTEREST, FOR FLOOD CONTROL CHANNEL MAINTENANCE ON THE LAND DESCRIBED IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment:

Calendar Item 3 (5 pages)

CALENDAR ITEM

4/73
EWC
W 8922

3.

PUBLIC AGENCY PERMIT

APPLICANT: Contra Costa County Flood Control and Water Conservation District.

LOCATION: A parcel of tide and submerged land in the bed of Pacheco Creek, near Martinez, Contra Costa County.

LAND USE: Flood control channel maintenance.

TERMS OF PROPOSED LEASE:
Initial period: 49 years, from May 1, 1973.

CONSIDERATION: The public safety and benefit, with State reserving the right at any time to set a monetary rental if the Commission finds such action to be in the State's best interest.

STATUTORY AND OTHER REFERENCES:
a. Public Resources Code: Division 6, Parts 1 and 2.
b. Administrative Code: Title 2, Division 3, Articles 1 and 2.

OTHER PERTINENT INFORMATION:
1. The annual rental value of the site is estimated to be \$1,000.
2. A 1970 environmental impact report, from which the Division's EIR has been derived, has had wide circulation.
3. The improvements have already been constructed. The proposed lease is for maintenance only.

EXHIBITS: A. Land Description. B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT, IN ACCORDANCE WITH ENVIRONMENTAL IMPACT REPORT NO. 96 ON FILE IN THE OFFICE OF THE STATE LANDS COMMISSION AND BY REFERENCE MADE A PART HEREOF, A PUBLIC AGENCY PERMIT AS RECOMMENDED HEREIN WILL NOT HAVE A SIGNIFICANT DETRIMENTAL ENVIRONMENTAL EFFECT.
2. AUTHORIZE THE ISSUANCE TO CONTRA COSTA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT OF A 49-YEAR PUBLIC AGENCY PERMIT FROM MAY 1, 1973, IN CONSIDERATION OF THE PUBLIC SAFETY, WITH STATE RESERVING THE

CALENDAR ITEM NO. 3. (CONTD)

RIGHT AT ANY TIME TO SET A MONETARY RENTAL IF THE COMMISSION FINDS SUCH ACTION TO BE IN THE STATE'S BEST INTEREST, FOR FLOOD CONTROL CHANNEL MAINTENANCE ON THE LAND DESCRIBED IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

W 8922

Those parcels of tide and submerged land lying in the bed of Pacheco Creek, Contra Costa County, State of California, being more particularly described as follows:

PARCEL A:

BEGINNING at the point of intersection of the northerly line of Tideland Survey No. 207 with that certain line described in Boundary Line Agreement No. 7, between the State of California and Tidewater Associated Oil Company dated February 27, 1950, and recorded in Book 1732, Official Records, page 35, records of said county, said point of intersection bears N 88° 44' 53" E, 1563.93 feet from California State Lands Commission bronze monument stamped "Lands End" having California coordinates of X = 1,543,798.11, Y = 565,926.78; thence along said Boundary Line Agreement No. 7 the following 12 courses:

- 1) S 06° 41' 46" E 506.26 feet;
- 2) S 20° 13' 11" E 519.48 feet;
- 3) S 10° 28' 57" E 191.84 feet;
- 4) S 27° 26' 22" E 300.58 feet;
- 5) S 48° 53' 18" E 316.83 feet;
- 6) S 43° 53' 23" E 222.85 feet;
- 7) S 31° 21' 37" E 292.53 feet;
- 8) S 25° 31' 13" E 321.07 feet;
- 9) S 27° 47' 20" E 275.73 feet;
- 10) S 40° 42' 07" E 1451.68 feet;
- 11) S 45° 29' 14" E 507.49 feet;
- 12) S 59° 02' 55" E 409.71 feet to a point on the

north right-of-way line of the county road, leading from Martinez to Port Chicago, said point bears N 65° 28' 56" W, 292.29 feet from State Lands Commission monument "AVON"; thence leaving said Boundary Line Agreement No. 7 and along the north line of said county road S 71° 20' 30" E, 128.17 feet to the intersection of said northerly line with that certain line described in Boundary Line Agreement No. 8, between the State of California and United Towing Company, dated July 10, 1950, recorded in Book 1732 at page 37; thence along said Boundary Line Agreement No. 8 the following 19 courses:

- 13) N 64° 08' 41" W 145.27 feet;
- 14) N 55° 53' 13" W 178.75 feet;
- 15) N 46° 16' 29" W 505.61 feet;
- 16) N 41° 49' 22" W 429.46 feet;
- 17) N 34° 06' 43" W 56.71 feet;
- 18) N 41° 25' 30" W 170.71 feet;
- 19) N 39° 09' 32" W 479.19 feet;
- 20) N 40° 41' 14" W 369.65 feet;

- 21) N 30° 28' 53" W 190.20 feet;
- 22) N 25° 40' 08" W 462.09 feet;
- 23) N 32° 31' 22" W 198.33 feet;
- 24) N 39° 23' 01" W 168.06 feet;
- 25) N 52° 24' 13" W 166.04 feet;
- 26) N 43° 49' 18" W 257.94 feet;
- 27) N 29° 23' 09" W 241.76 feet;
- 28) N 16° 39' 23" W 329.52 feet;
- 29) N 10° 29' 39" W 179.34 feet;
- 30) N 19° 48' 21" W 769.77 feet;
- 31) N 72° 06' 30" W 201.86 feet to the point of be-

ginning.

PARCEL B:

BEGINNING at the point of intersection of the aforementioned Boundary Line Agreement No. 7 with the north right-of-way line of the county road leading from Martinez to Port Chicago, said point bears N 65° 28' 56" W, 292.29 feet from California State Lands Commission monument "AVON"; thence N 34° 07' 07" E, 81.29 feet to the northeasterly right-of-way line of the Contra Costa County Flood Control and Water Conservation District, Walnut Creek Channel; thence along said right-of-way the following 17 courses:

- 1) S 55° 52' 53" E 843.74 feet;
- 2) S 57° 16' 49" E 1634.71 feet;
- 3) S 61° 45' 37" E 50.35 feet;
- 4) S 58° 50' 42" E 81.92 feet;
- 5) S 53° 52' 34" E 86.87 feet;
- 6) S 49° 42' 36" E 666.59 feet;
- 7) S 36° 09' 03" E 63.47 feet;
- 8) S 45° 41' 25" E 64.03 feet;
- 9) S 19° 23' 29" E 424.45 feet;
- 10) S 03° 32' 29" E 183.22 feet;
- 11) S 19° 46' 02" W 72.81 feet;
- 12) S 17° 54' 30" E 52.41 feet;
- 13) S 03° 32' 45" E 50.00 feet;
- 14) N 86° 27' 15" E 15.00 feet;
- 15) S 03° 32' 45" E 80.00 feet;
- 16) N 86° 27' 15" E 12.00 feet;
- 17) S 03° 32' 45" E 303.72 feet; thence leaving said

right-of-way line S 86° 27' 15" W, 637.91 feet to the easterly corner of that certain Parcel No. 1 described in lease designated as PRC 4215.9 between the State of California and the above-mentioned Flood Control District, dated June 24, 1969; thence along the northeasterly line of said Parcel No. 1, N 40° 33' 10" E, 265 feet to the northerly corner of said Parcel No. 1, said corner being at the end of a curve concave to the southwest, said corner also being on the southerly right-of-way line of the above-mentioned Flood Control District; thence along said curve, and right-of-way, through a central angle of 52° 59' 35" a

radius of 397.17 feet, an arc distance of 367.84 feet to the point of a compound curve; thence along said curve, through a central angle of $52^{\circ} 20' 08''$, a radius of 600 feet, an arc distance of 602.86 feet; thence N $55^{\circ} 52' 53''$ W, 3323.48 feet to the intersection with the northerly right-of-way of the above-mentioned county road; thence along said northerly right-of-way N $71^{\circ} 20' 30''$ E, 651.53 feet to the point of beginning.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water line of Pacheco Creek.

This description is based upon the California Coordinate System Zone 3.

END OF DESCRIPTION