

MINUTE ITEM

This Calendar Item No. C1  
was approved as Minute Item  
No. 1 by the State Lands  
Commission by a vote of 3  
to 0 at its 6/30/77  
meeting.

CALENDAR ITEM

6/77  
W 21171  
SA  
PRC 5307

C1.

PUBLIC AGENCY PERMIT

APPLICANT: Bel Marin Keys Community Services District  
4 Negro Key  
Novato, CA

AREA, TYPE LAND AND LOCATION: A parcel of tide and submerged land 100 feet wide extending from the mouth of Novato Creek across the mouth of the Petaluma River, Marin County.

LAND USE: Replacement and maintenance of existing spoil markers.

TERMS OF PROPOSED LEASE: Initial period: 40 years, from April 1, 1977.

CONSIDERATION: The public 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.

PREREQUISITE TERMS, FEES AND EXPENSES: Processing costs received.

STATUTORY AND OTHER REFERENCES:  
A. Public Resources Code, Div. 6, Parts 1 & 2.  
B. Administrative Code: Title 2, Div. 3, Arts. 1, 2, 5.5, 10 and 11.

OTHER PERTINENT INFORMATION:  
1. The annual rental value of the site is estimated to be \$300,000.  
2. An Environmental Impact report is not required. This transaction is within the purview of 2615 Administrative Code 2907(a) which exempts an existing structure or facility that is in an acceptable state of repair and there is no evidence of record to show injury to adjacent property, shoreline erosion, or other type of environmental degradation.

A 3  
S 2

CALENDAR ITEM NO. C1. (CONTD)

3. This project is situate on State land identified as possessing significant environmental values pursuant to Public Resources Code 6370.1, and is classified in a use category, Class C which authorizes multiple use.

Staff review indicates that there will be no significant effect upon the identified environmental values. This is an existing facility for which no adverse comments have been received.

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

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF PRC SECTION 21085, 14 CAL. ADM. CODE SECTION 15100 ET SEQ., AND 2 CAL. ADM. CODE SECTION 2907.
2. FIND THAT GRANTING OF THE PERMIT WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 5701.1 OF THE PUBLIC RESOURCES CODE.
3. AUTHORIZE ISSUANCE TO REP MARIN KEYS COMMUNITY SERVICES DISTRICT OF A 40 YEAR PUBLIC AGENCY PERMIT FROM APRIL 1, 1977, IN CONSIDERATION OF THE PUBLIC BENEFIT, WITH STAFF 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 PLACEMENT AND MAINTENANCE OF EXISTING SPOIL MARKERS ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attached as Exhibit A

EXHIBIT "A"

W 21171

A parcel of tide and submerged land 100 feet wide extending from the mouth of Novato Creek across the mouth of the Petaluma River, Marin County, California, more particularly described as follows:

That certain channel identified by "Spill Markers" as shown on the May, 1973 edition of the C&G Chart No. 5533 published by the U. S. Dept. of Commerce, said channel extends northeasterly 6000 feet more or less from a point near the mouth of Novato Creek having geographic coordinates of Longitude  $122^{\circ} 29' 16.4''$  and Latitude  $38^{\circ} 05' 41.2''$ .

EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark.

END OF DESCRIPTION

Prepared Mal [Signature] Checked [Signature]  
Reviewed Mal [Signature] Date 3/4/77  
[Signature]