

MINUTE ITEM

11/27/78
11
3
0
11/27/78
meeting.

CALENDAR ITEM

C11.

GENERAL PERMIT

11/78
W 21894
Sandefur
PRC 5594

APPLICANT: Le Roy Roche
5175 Lakeville Highway
Petaluma, California 95476

AREA, TYPE LAND AND LOCATION:
Tide and submerged lands, 5175 Lakeville
Highway, Petaluma, Sonoma County.

LAND USE: Submerged land and levee.

TERMS OF PROPOSED PERMIT:
Initial period: 1 year from December 1,
1978.
Public liability insurance: Combined single
limit coverage of \$300,000.

CONSIDERATION: \$0.25 per cubic yard, with the 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.

BASIS FOR CONSIDERATION:
Established rate for dredge spoils.

PREREQUISITE TERMS, FEES AND EXPENSES:
Applicant is owner of upland.
Filing fee and processing costs have been
received.
Permittee is to pay \$0.25 per cubic yard
for dredge spoils taken from the Petaluma
River.

STATUTORY AND OTHER REFERENCES:
A. P.R.C.: Div. 6, Parts 1 & 2.
B. Cal. Adm. Code: Title 2, Div. 3.

OTHER PERTINENT INFORMATION:
1. This project is exempt from CEQA because
it is exempt as a minor alteration
to land.

A 9

S 2

CALENDAR ITEM NO. C11. (CONTD)

Authority: 2 Cal. Adm. Code, Art. 10,
Section 2907, Class 4(B).

2. This project is situated on State land identified as possessing significant environmental values pursuant to P.R.C. 6370.1, and is classified in a use category, Class B, which authorizes Limited Use.

Staff has coordinated this project with those agencies and organizations who nominated the site as containing significant environmental values. They have found this project to be compatible with their nomination.

3. Le Roy Roche holds legal title to approximately 300 acres of farm land adjoining the Petaluma River near Petaluma. Mr. Roche requested a permit (Exhibit "A", Application No. M78-95) from the Bay Conservation and Development Commission to dredge 600 cubic feet of silt from the river. The silt is to be used to repair the levee separating the river and the farm land. The State Lands Commission objected to the issuance of the permit because a portion of the proposed project may involve state-owned historical tidelands. Mr. Roche insists that his upland farm land will be inundated with salt water if the levee is not repaired immediately. To meet this emergency situation State Lands proposes to lease, without charge, whatever interest it has in the real property, affected by this project for 1 year. During this 1 year period, the parties will attempt to resolve their title dispute.

FURTHER APPROVALS REQUIRED:

United States Army Corps of Engineers,
Bay Conservation and Development Commission,
County of Sonoma, State Department of Fish
and Game, Water Quality Control Board.

CALENDAR ITEM NO. C11.(CONTD)

EXHIBIT: A. Bay Conservation and Development Commission
Application M78-95.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN EIR HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF P.R.C. 21085, 14 CAL. ADM. CODE 15100 ET SEQ., AND 2 CAL., ADM. CODE 2907.
2. FIND THAT GRANTING OF THE PERMIT WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1, OF THE P.R.C.
3. AUTHORIZE THE TAKING OF 600 CUBIC YARDS OF DREDGE SPOILS FROM THE PETALUMA RIVER ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.
4. AUTHORIZE ISSUANCE TO LE ROY ROCHE OF A 1-YEAR GENERAL PERMIT FROM DECEMBER 1, 1978; FOR THE PURPOSE OF LEVEE REPAIR AS SHOWN ON EXHIBIT "A" WITH THE 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; AND PROVISION OF PUBLIC LIABILITY INSURANCE IN AMOUNT OF A COMBINED SINGLE LIMIT COVERAGE OF \$300,000.
5. ANY IMPROVEMENTS INCLUDING DREDGE SPOILS PLACED ON STATE PROPERTY BY THE PERMITTEE WILL NOT BE COMPENSABLE IN FUTURE TITLE SETTLEMENT.

September 8, 1978

TO: All Commissioners and Alternates
FROM: Charles R. Roberts, Executive Director

SUBJECT: ADMINISTRATIVE PERMIT AND MEMORANDUM OF UNDERSTANDING LISTING
(For Commission consideration on September 21, 1978)

In my last report to the Commission dated August 18, 1978, I listed a total of four (4) applications for administrative permits that had been filed since my last report. In this report, I am listing those applications for administrative permits and those requests for memoranda of understanding that are presently pending with the Commission and on which no final action has been taken. Except for applications the Commission may determine should be considered by the full Commission, the listed application will be processed, and the memoranda of understanding will be executed, administratively following the Commission meeting of September 21, 1978..

Applicant

City and County of San
Francisco
Recreation and
Park Department
McLaren Lodge
Fell and Stanyan Streets
San Francisco, CA 94117
M78-56
Filed: 9/6/78
90th Day: 12/5/78

Project Description

In the Bay, at the St. Francis Yacht Club Small Craft Harbor, West Harbor, at the foot of Broderick Street, in the City and County of San Francisco, to: (1) demolish two existing, deteriorated wooden piers and 70 piles totaling 1,000 square feet, and (2) replace them with 3,400 square feet of new floating berths and piles. (NOTE: Commission Regulation 10122(a)(4) provides that "...new...multiple boat docks no larger than 2,500 square feet" are considered minor improvements. The present application involves a 3,400-square-foot boat dock that would replace an existing 1,000-square-foot dock; thus the "new" portion amounts to 2,400 square feet. The marina at this location has been operating for many years and the present project involves reorienting and slightly expanding an existing dock in a way that does not appear to either adversely affect the Bay or raise serious land use issues. For this reason, the staff proposes to consider the present project administratively.

James Elkin
855 China Basin Street
San Francisco, CA 94107
M78-78
Filed: 9/6/78
90th Day: 12/5/78

Within the 100-foot shoreline band, at Sea Wall Lot 345, 855 China Basin Street, in the City and County of San Francisco, to construct a 126-square-foot public toilet facility adjacent to an existing restaurant-bait shop, boat repair yard, and launch ramp.

Applicant

Project Description

Encinal Terminals, Inc.
1525 Buena Vista Avenue
Alameda, CA 94501

M78-83

Filed: 9/6/78

90th Day: 12/5/78

In the Bay, in Oakland Inner Harbor at Alaska Basin, in the City of Alameda, Alameda County, to dredge 8,200 cubic yards from an existing berth and to dispose of the dredge spoils near Alcatraz Island.

LeRoy Roche
5175 Lakeville Highway
Petaluma, California 95476

M78-95

Filed: 8/21/78

90th Day: 11/19/78

In the Bay, in the Petaluma River, at 5175 Lakeville Highway, Petaluma, adjacent to the Petaluma River, Sonoma County, to dredge 600 cubic yards of material per year, and place it on top of the levee as part of a 5-year maintenance program.

Paul C. Bryan
P. O. Box 7
Fairfield, CA 94533

M78-99(M)

Filed: 9/6/78

90th Day: 12/5/78

In a managed wetland area in the Suisun Marsh, adjacent to Suisun Slough and Peytonia Slough, Solano County, to: (1) place a 400-square-foot trailer adjacent to the existing clubhouse building, (2) connect the trailer to existing utilities and septic tank, and (3) use the trailer as the sole caretaker's residence for the duck club that occupies the site.

Frederick Fox
325 East Strawberry Drive
Mill Valley, CA 94941

M78-100

Filed: 8/23/78

90th Day: 11/21/78

In the 100-foot shoreline band to (1) place 12 cubic yards of fill, and (2) construct and use a tennis court all on a lot with 70-foot frontage on the Salt Works Canal in an unincorporated area near the City of Mill Valley, in Marin County.

The Lerner Company
3675 Alameda Avenue
Oakland, CA 94601

M78-101

Filed: 8/22/78

90th Day: 11/20/78

In the Bay, at 3675 Alameda Avenue in the Oakland Tidal Canal west of the Fruitvale Avenue Bridge, Oakland, Alameda County, to dredge approximately 900 cubic yards of silted material and dispose the spoils at the Alcatraz disposal site.

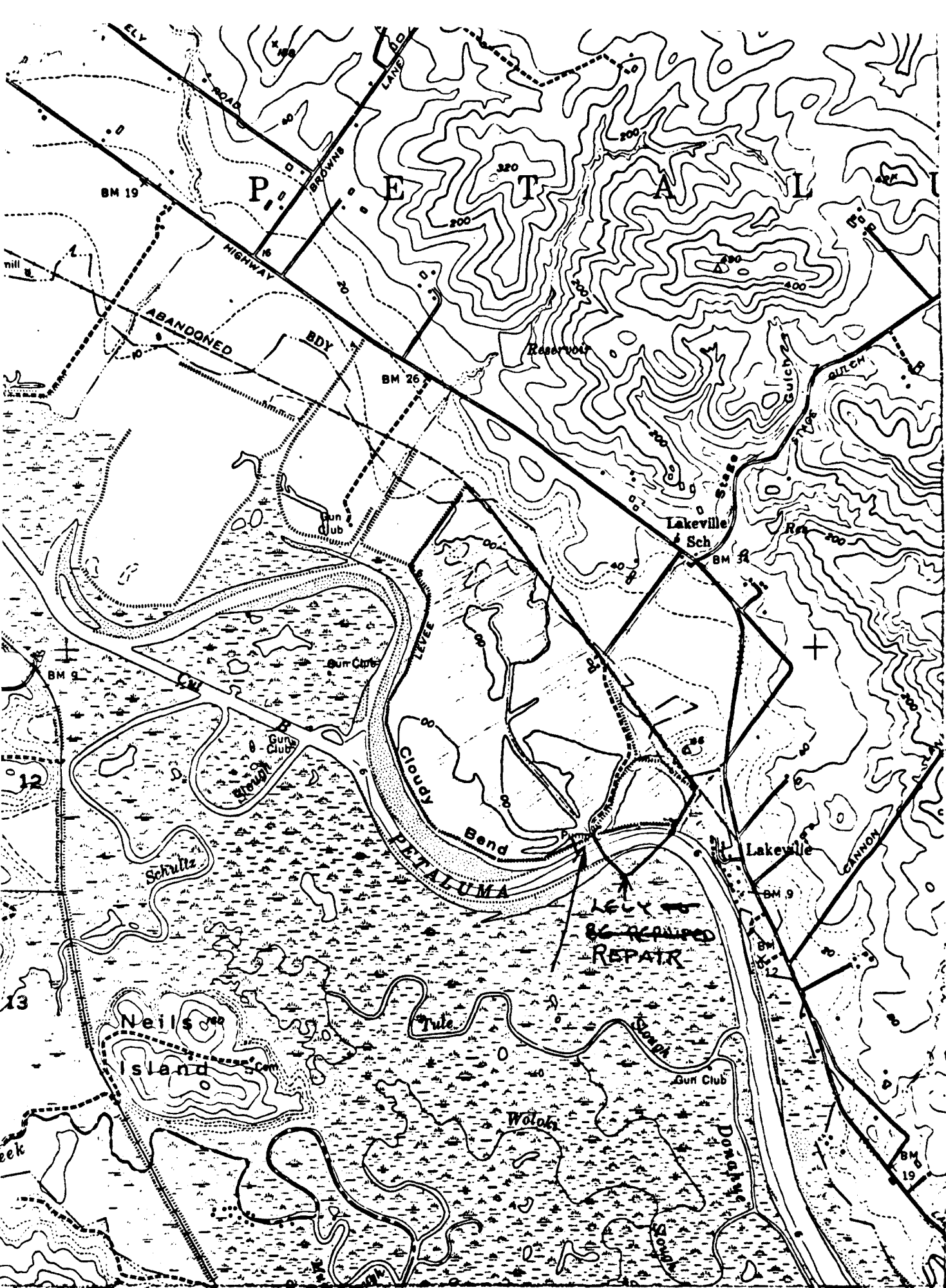
Santa Clara Valley
Water District
5750 Almaden Expressway
San Jose, CA 95118

M78-105

Filed: 9/6/78

90th Day: 12/5/78

Within the 100-foot shoreline band, along Sunnyvale East Outfall, at the end of Guadalupe Slough, in the City of Sunnyvale and in unincorporated portions of Santa Clara County, to raise and strengthen existing levees for flood control purposes by placing 70,000 cubic yards of earth materials over 109,400 square feet of flat land on top of and inboard of the existing levees. No fill will be placed in tidal areas; however, some wetland vegetation inboard of the levee will be destroyed.



PETALUMA RIVER QUAD
1:24000

H18-95.

TYPICAL Cross Section

800 YARDS OF EXISTING LEVY TO BE REPAIRED USING
 DIRT CLEARED FROM EXISTING DRAINAGE DITCH
 AND ~~SOME~~ RIVER MUD TO SEAL LEVY. FORTY
 FOOT PRUG LIME TO BE USED. ~~ESTIMATED 300 TONS~~
CHANNEL MUD REQUIRED. SEE ATTACHED MAP.

178-95

