

MINUTE ITEM

This Calendar Item No. C08
was approved as Minute Item
No. 8 by the State Lands
Commission by a vote of 3
to 0 at its 5/24/84
meeting.

CALENDAR ITEM

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05/24/84
PRC 6452.9
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GENERAL PERMIT - PUBLIC AGENCY USE

APPLICANT: Novato Sanitary District
500 Davidson Street
Novato, California 94947

AREA, TYPE LAND AND LOCATION:
A 48.209, more or less, acre parcel of tide and
submerged land in Simon Slough and Novato
Creek, Marin County.

LAND USE: Levee maintenance, rehabilitation of tidal
gates, discharge pipes and pilings.

TERMS OF PROPOSED PERMIT:
Initial period: 49 years from September 1,
1983.

CONSIDERATION: The public health and safety.

BASIS FOR CONSIDERATION:
Pursuant to 2 Cal. Adm. Code 2003.

APPLICANT STATUS:
Applicant is permittee of upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:
Filing fee has been received.

STATUTORY AND OTHER REFERENCES:
A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.
B. Cal. Adm. Code: Title 2, Div. 3; Title 14,
Div. 6.

AB 884: S/7/84.

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OTHER PERTINENT INFORMATION:

1. The work to be done under the proposed permit involves maintenance of an existing levee to prevent flooding of properties that were inundated in 1983 and that are on the site of a proposed major waste water reclamation disposal project being undertaken by the applicant.
2. The State Lands Commission approved a letter of authorization for this project on July 21, 1983, conditioned upon applicant obtaining a General Permit - Public Agency Use.
3. Due to minimal staff time expended, staff recommends waiver of processing and expense fees.
4. The annual rental value of the site is estimated to be \$6,508.22.
5. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Adm. Code 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorical exempt project. The project is exempt under Class 2 and Class 4(2), Repair and Reconstruction of Facility, 2 Cal. Adm. Code 2905.
6. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

APPROVALS OBTAINED:

United States Army Corps of Engineers
(Permit 15080N33), State Department of Fish and

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Game (Permit III-81-83), San Francisco Bay
Conservation and Development Commission
(Permit M83-51), United States Fish and
Wildlife (Permit SFB-1210-83-21).

FURTHER APPROVALS REQUIRED:

None.

EXHIBITS:

- A. Land Description.
- B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. ADM. CODE 15061 AS A CATEGORICAL EXEMPT PROJECT, CLASS 2 AND CLASS 4(2), REPAIR AND RECONSTRUCTION OF FACILITY, 2 CAL. ADM. CODE 2905.
2. FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO P.R.C. 6370, ET SEQ.
3. WAIVE PROCESSING AND EXPENSE FEES.
4. AUTHORIZE ISSUANCE TO NOVATO SANITARY DISTRICT OF A 49-YEAR GENERAL PERMIT - PUBLIC AGENCY USE FROM SEPTEMBER 1, 1983; IN CONSIDERATION OF THE PUBLIC HEALTH AND SAFETY, 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; FOR LEVEE MAINTENANCE, REHABILITATION OF TIDAL GATES, DISCHARGE PIPES AND PILINGS ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION

PRC 6452.9

A parcel of tide and submerged land in the bed of Novato Creek between State Highway 37 and Days Island, Marin County, California, said parcel being described as follows:

A strip of land, 100 ft wide, within Novato Creek, lying adjacent to, parallel with and southerly of the parcel delineated as FIRST, as described in the "Order and Decree of Distribution", recorded October 17, 1958, in Book 1226 at Page 422, Marin County Records, TOGETHER WITH a strip of land, 100 ft. wide, within Novato Creek, lying adjacent to, parallel with and southerly and easterly of the southerly and easterly line of Parcel One as described under "Parcel B" in the Deed of Trust between Alameda Homes Corporation, a corporation, and Continental Auxiliary Company, a California corporation, and Bank of America National Trust and Savings Association, a national banking association, recorded May 1, 1964, in Book 1889 at Page 171, Marin County Records.

EXCEPTING THEREFROM any portion thereof lying southerly of Boundary line Agreement No. 21 recorded September 20, 1962, in Book 1612, Page 609, Marin County Records.

END OF DESCRIPTION

PREPARED FEBRUARY 24, 1984 BY BOUNDARY AND TITLE UNIT, LEROY WEED, SUPERVISOR.

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