

MINUTE ITEM

This Calendar Item No. ~~C27~~ was approved as Minute Item No. 27 by the California State Lands Commission by a vote of 3 to ~~0~~ at its 5/2/97 meeting.

**CALENDAR ITEM
C27**

A 6
S 3

05/12/97
WP 4602.9
J. Lam

GENERAL LEASE - PUBLIC AGENCY USE

APPLICANT:

Novato Sanitary District
500 Davidson Street
Novato, California 94945

AREA, LAND TYPE, AND LOCATION:

5.61 acres, more or less, of sovereign lands in Novato Creek and San Pablo Bay, Novato, Marin County.

AUTHORIZED USE:

Use and maintenance of an existing 54-inch diameter concrete cylinder sanitary sewer pipeline at Novato Creek and an existing 54-inch diameter reinforced concrete sanitary sewer outfall at San Pablo Bay.

LEASE TERM:

25 years, beginning August 1, 1996.

CONSIDERATION:

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.

OTHER PERTINENT INFORMATION:

1. Applicant has a right to use the uplands adjoining the lease premises.
2. Pursuant to Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; Title 2, California Code of Regulations, section 2905 (a) (2).
Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300 and Title 2, California Code of Regulations, section 2905.

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3. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 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.

EXHIBITS:

- A. Land Description
B. Location Map

PERMIT STREAMLINING ACT DEADLINE:

N/A

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 1, EXISTING FACILITIES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (a) (2).

SIGNIFICANT LANDS INVENTORY FINDING:

FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE ISSUANCE TO NOVATO SANITARY DISTRICT OF A GENERAL LEASE - PUBLIC AGENCY USE, EFFECTIVE AUGUST 1,

1996, FOR A TERM OF 25 YEARS, FOR THE USE AND MAINTENANCE OF AN EXISTING 54-INCH DIAMETER CONCRETE CYLINDER SANITARY SEWER PIPELINE AND AN EXISTING 54-INCH DIAMETER

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REINFORCED CONCRETE SANITARY SEWER OUTFALL ON THE LAND DESCRIBED ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; THE CONSIDERATION BEING THE PUBLIC HEALTH AND SAFETY BENEFIT, 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.

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Exhibit A

WP 4602

PARCEL 1

A 20 foot wide parcel of tide and submerged land in the bed of Novato Creek, Marin County, California, lying 10.00 feet on each side of the following described line:

BEGINNING at a point from which the most northerly corner of Book 473 Official Records Page 243 bears N. 06° 20' W., 163.24 feet; thence from said point of beginning N. 57° 22' E., 400 feet more or less across Novato Creek to the end of the herein described line.

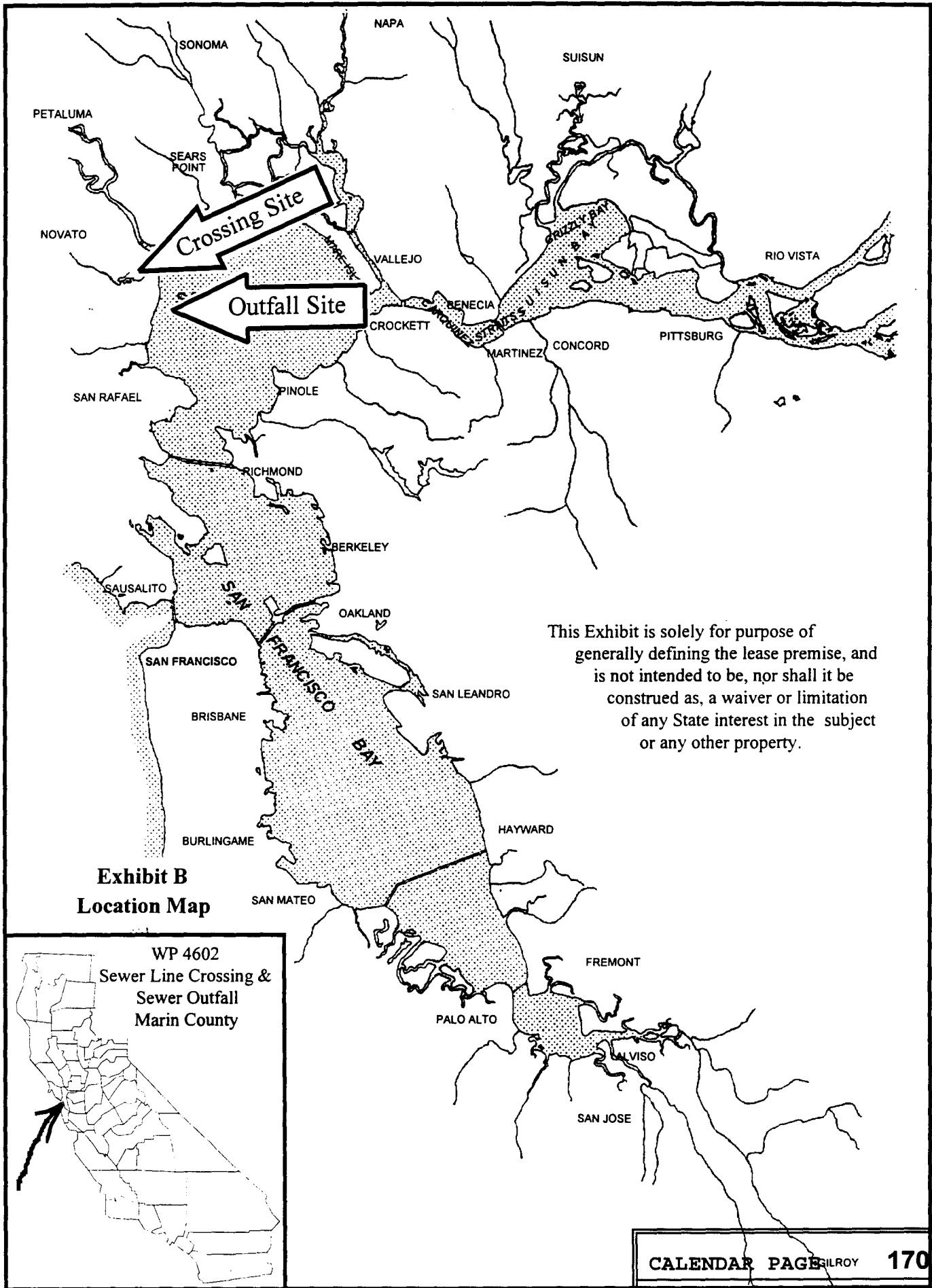
PARCEL 2

A strip of tide and submerged land 80 feet wide, in San Pablo Bay, Marin County, California, lying 40 feet on each side of the following described line:

COMMENCING at a point on the northeasterly line of that certain real property conveyed to the United States of America by deed dated April 8, 1943, in Book 445 Official Records Page 21, where said northeasterly line is intersected by the southeasterly line of that certain real property conveyed to Jack Hunt West, et ux, by deed recorded April 20, 1961, in Book 1454 Official Records Page 359; thence from said point of commencement N. 15° 09' E., 10.00 feet; thence S. 73° 43' E., 3088.21 feet to the TRUE POINT OF BEGINNING; thence continuing S. 73° 43' E., 3000 feet to the end of the herein described line.

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This Exhibit is solely for purpose of generally defining the lease premise, and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

**Exhibit B
Location Map**

