

**MINUTE ITEM**  
This Calendar Item No. C56 was approved as  
Minute Item No. 56 by the California State Lands  
Commission by a vote of 3 to 4 at its  
09-13-07 meeting.

**CALENDAR ITEM**  
**C56**

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09/13/07  
PRC 4890 WP 4890.9  
N. Smith

**AMENDMENT OF PERMIT**

**PERMITTEE:**

City of Petaluma  
P. O. Box 61  
Petaluma, CA 94953-0061

**AREA, LAND TYPE, AND LOCATION:**

A 0.88 acre parcel, more or less, of sovereign lands in the Petaluma River, in the city of Petaluma, Sonoma County.

**AUTHORIZED USE:**

The continued use and maintenance of an existing 42-inch diameter sewer outfall line and an 18-inch diameter diffuser.

**PERMIT TERM:**

49 years, beginning April 1, 1974.

**CONSIDERATION:**

The public use and benefit; with the State reserving the right at any time to set a monetary rent if the Commission finds such action to be in the State's best interest.

**PROPOSED AMENDMENT:**

Authorize repairs to the existing sewer outfall pipeline and diffuser, placement of warning signs and a beacon, and amend the land description. All other terms and conditions of the Permit shall remain in effect without amendment.

**OTHER PERTINENT INFORMATION:**

1. Permittee owns the uplands adjoining the lease premises.
2. On April 4, 1974, the Commission authorized a 49-year Public Agency Permit to the city of Petaluma for the construction and maintenance of a 42-inch sewer outfall line to serve its wastewater treatment and storage

CALENDAR ITEM NO. C56 (CONT'D)

facility. This facility conveys treated effluent to the Petaluma River southwest of the existing oxidation ponds at Lakeville Highway in the city of Petaluma. On August 26, 1976, the Commission amended the Permit to authorize the construction of an 18-inch diameter diffuser on the existing 42-inch diameter outfall and amend the land description. The outfall configuration consists of a pile-supported discharge pipeline that splits into a "Y" and reduces to two 18-inch discharge pipes controlled by slide gates. The outfall also consisted of a south discharge structure. Each discharge terminates at a gate supported by piles.

3. In January 2004, a barge hit the City's outfall structure causing significant damage. The accident damaged two pilings and broke the gates at the end of each of the 18-inch discharge pipes which were used to close off the outfall during the non-discharge season (May 1 to October 20) and permanently damaged the south discharge structure. All of the damaged structures were removed in 2004. Treated wastewater can still be discharged from the two 18-inch pipes, but sediment can build up in the pipe and block the discharge. However, the south discharge pipe was permanently removed. Removal of this south structure from the permit premises necessitates that the land description be amended.
4. The City anticipates performing the sewer outfall pipeline and diffuser repair project during the 2008 construction window and will add warning signs and a beacon to warn vessels who may navigate through the area. The repair to the outfall structure will consist of installing Tideflex check valves with an adaptor to the pipe ends of each of the 18-inch discharge pipes which allows the gates to open and close by water pressure. Once complete, these repairs will not change the discharge rate or dispersion.
5. The City proposes to demolish the existing wastewater treatment facilities and construct new treatment facilities, capable of producing tertiary treated recycled water, at the existing oxidation pond site at Lakeville Highway. In addition, up to 45 acres northwest of the existing oxidation ponds will be developed into polishing wetlands. These wetlands will treat disinfected secondary effluent and will be open for public access and education. The polishing wetlands will provide further reduction of metals, nutrients and organics. The effluent from the polishing wetlands will be returned to the plant site for reuse or discharge. Also, the project includes a set of improvements titled River Access Improvements that will provide public recreational and educational amenities.

CALENDAR ITEM NO. C56 (CONT'D)

6. An EIR was prepared and certified for this project by city of Petaluma. The California State Lands Commission staff has reviewed such document and Mitigation Monitoring Program adopted by the lead agency.

Findings made in conformance with the State CEQA Guidelines (Title 14, California Code of Regulations, sections 15091 and 15096) are contained on file in the Sacramento Office of the California State Lands Commission.

A Mitigation Monitoring Program has been prepared in conformance with the provisions of the CEQA (Public Resources Code section 21081.6).

7. A Statement of Overriding Considerations made in conformance with the State CEQA Guidelines (Title 14, California Code of Regulations, section 15093) is contained on file in the Sacramento Office of the State Lands Commission. There are two impacts identified within the Final Environmental Impact Report (FEIR) that remain significant after all feasible mitigation. These include:

- a. Loss of farmland; and
- b. Cumulative loss of farmland.

Neither of these significant impacts could potentially affect State-owned land.

8. 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.

**APPROVALS OBTAINED:**

San Francisco Bay Conservation and Development Commission; California Regional Water Quality Control Board, and the California Department of Fish and Game

**EXHIBITS:**

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

CALENDAR ITEM NO. C56 (CONT'D)

**PERMIT STREAMLINING ACT DEADLINE:**

February 13, 2008

**RECOMMENDED ACTION:**

IT IS RECOMMENDED THAT THE COMMISSION:

**CEQA FINDING:**

FIND THAT AN EIR WAS PREPARED AND CERTIFIED FOR THIS PROJECT BY CITY OF PETALUMA AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.

ADOPT THE FINDINGS MADE IN CONFORMANCE WITH TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTIONS 15091 AND 15096 (h), AS CONTAINED ON FILE IN THE SACRAMENTO OFFICE OF THE CALIFORNIA STATE LANDS COMMISSION.

ADOPT THE STATEMENT OF OVERRIDING CONSIDERATIONS MADE IN CONFORMANCE WITH TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15093, ON FILE IN THE SACRAMENTO OFFICE OF THE CALIFORNIA STATE LANDS COMMISSION.

ADOPT THE MITIGATION MONITORING PROGRAM, AS CONTAINED ON FILE IN THE SACRAMENTO OFFICE OF THE STATE LANDS COMMISSION.

**SIGNIFICANT LANDS INVENTORY FINDING:**

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

**AUTHORIZATION:**

AUTHORIZE THE AMENDMENT OF PERMIT NO. PRC 4890.9, A PUBLIC AGENCY PERMIT, OF LANDS DESCRIBED ON EXHIBIT A AND AS SHOWN ON EXHIBIT B ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF, EFFECTIVE SEPTEMBER 13, 2007, TO AUTHORIZE REPAIRS TO THE EXISTING OUTFALL AND DIFFUSER, PLACEMENT OF WARNING SIGNS AND A BEACON, AND TO AMEND THE LAND DESCRIPTION; ALL OTHER TERMS AND

CALENDAR ITEM NO. C56 (CONT'D)

CONDITIONS OF THE PERMIT WILL REMAIN IN EFFECT WITHOUT AMENDMENT.

**EXHIBIT A**

**WP 4890**

**LAND DESCRIPTION**

A strip of tide and submerged land 60 feet wide, in the State owned bed of Petaluma River 2 ½ miles southeast of the town of Petaluma, Sonoma County, State of California, and lying 30 feet on each side of the following described centerline:

Commencing at a 2" iron pipe with L.S. Tag No. 3218 located at the southerly terminus of the course designated as S35°21'50"W, 5189.29 feet in the deed recorded in Book 2595 at Page 58, Officials Records in the Office of the Recorder of Sonoma County; thence S77°45'53"W, 829.78 feet to the TRUE POINT OF BEGINNING; thence S35°21'50"W, 595.00 feet to the end of the described centerline.

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

**END OF DESCRIPTION**

Prepared 06/27/2006 by the California State Lands Commission Boundary Unit



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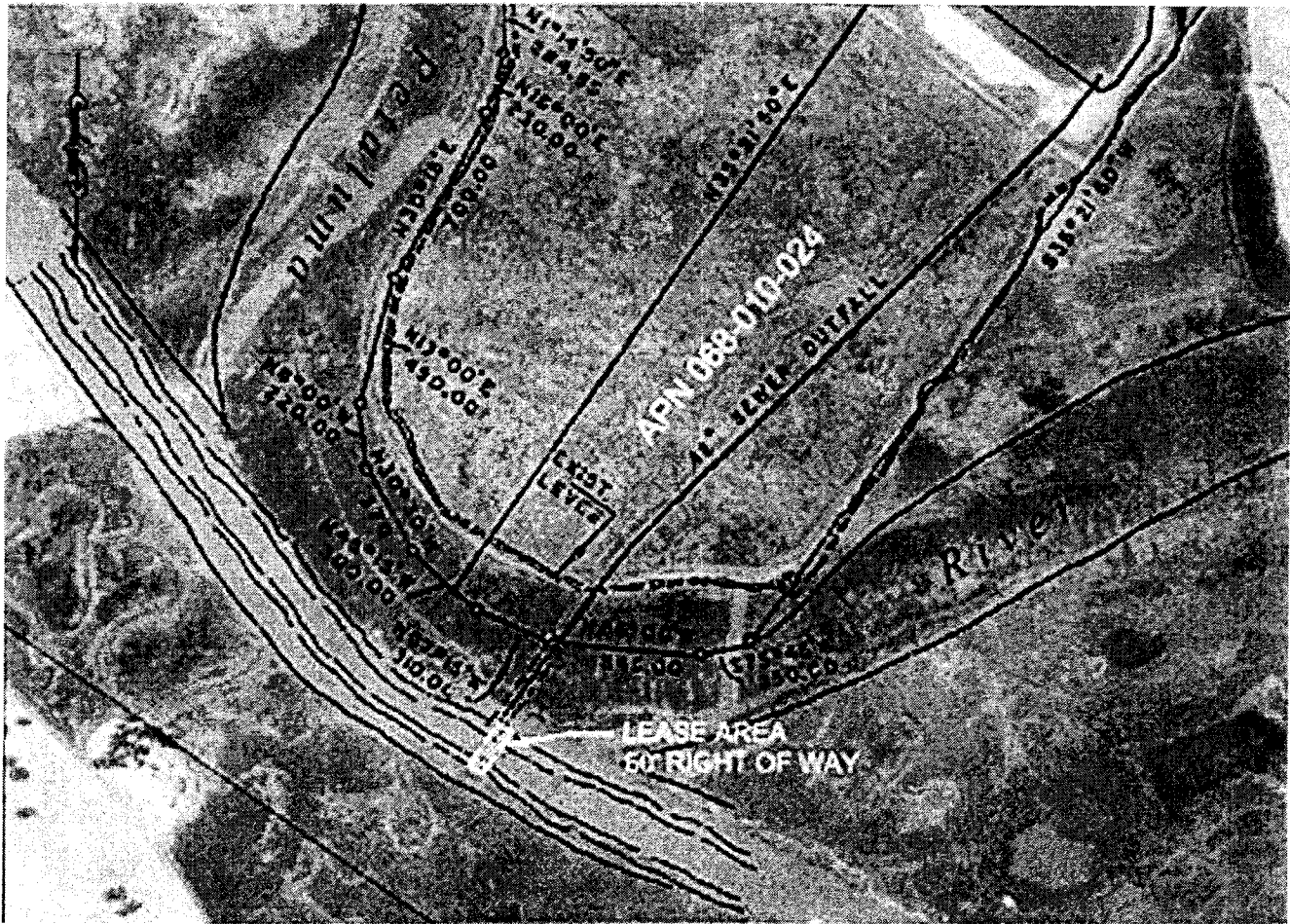
CALENDAR PAGE

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MINUTE PAGE

NO SCALE

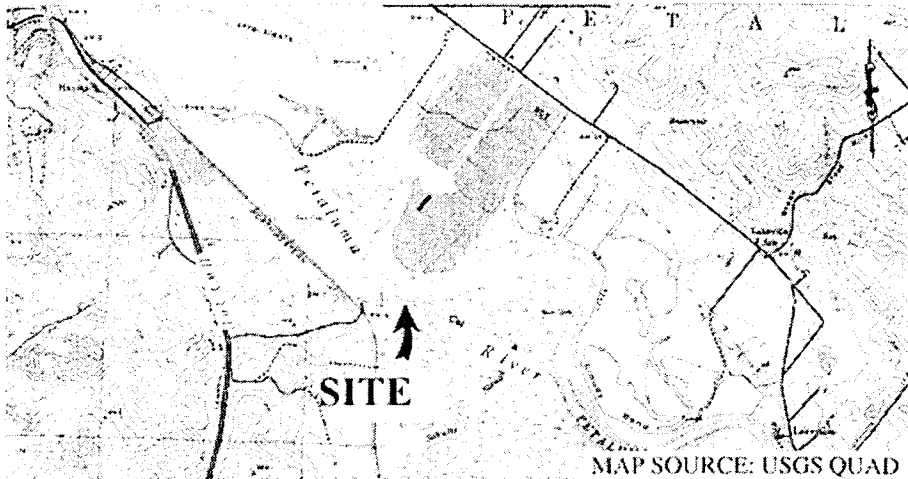
# SITE



PETALUMA RIVER, SOUTH OF CITY OF PETALUMA

NO SCALE

# LOCATION



MAP SOURCE: USGS QUAD

This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties 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

WP 4890

GENERAL LEASE  
PUBLIC AGENCY USE  
PETALUMA RIVER  
SONOMA COUNTY



MJ 04/10

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