

MINUTE ITEM

10/28/71
ATD

4. 49-YEAR PUBLIC AGENCY PERMIT, SOVEREIGN LAND IN THE BED OF TOLAY CREEK AT SEARS POINT, SONOMA COUNTY, AND APPROVAL OF MAP; STATE DEPARTMENT OF PUBLIC WORKS, DIVISION OF HIGHWAYS - W 2262, PRC 4625.0.

After consideration of Calendar Item 11 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION:

1. FINDS, IN ACCORDANCE WITH ENVIRONMENTAL IMPACT REPORT NO. 25 ON FILE IN THE OFFICE OF THE STATE LANDS COMMISSION AND BY REFERENCE MADE A PART HEREOF, THAT A PUBLIC AGENCY PERMIT AS RECOMMENDED HEREIN WILL NOT HAVE A SIGNIFICANT DETRIMENTAL ENVIRONMENTAL EFFECT.
2. AUTHORIZES THE EXECUTIVE OFFICER TO ISSUE A PERMIT TO AND APPROVE A MAP FOR THE STATE DEPARTMENT OF PUBLIC WORKS, DIVISION OF HIGHWAYS, PURSUANT TO SECTION 101.5 OF THE STREETS AND HIGHWAYS CODE, WHICH WILL RESERVE FOR HIGHWAY PURPOSES A PARCEL OF SOVEREIGN LAND ON TOLAY CREEK, AS DESCRIBED ON DIVISION OF HIGHWAYS MAP 4-SON-37-4.0 ON FILE IN THE STATE LANDS DIVISION, PROVIDED THAT THE DIVISION OF HIGHWAYS SHALL FILE A LETTER WITH THE STATE LANDS DIVISION CERTIFYING COMPLIANCE WITH CHAPTER 1052, STATUTES OF 1969.

Attachment:

Calendar Item 11 (3 pages)

CALENDAR ITEM

10/71
W 2262
ATD

11.

PUBLIC AGENCY PERMIT

APPLICANT: State Department of Public Works, Division of Highways.

LOCATION: A parcel of sovereign land in the bed of Tolay Creek at Sears Point, Sonoma County.

LAND USE: A bridge serving State Route 37.

TERMS: 49 years, from November 1, 1971.

CONSIDERATION: The Division of Highways is required to deposit an amount representing the value of the right-of-way in the General Fund for credit to the Resources Protection Account. In the opinion of the Division of Highways the value of this parcel is \$3,250.

BASIS FOR CONSIDERATION:
Chapter 1052, Statutes of 1969.

PREREQUISITE ITEMS:
U.S. Coast Guard permit issued.
Applicant is owner of upland.

STATUTORY AND OTHER REFERENCES:

- a. Public Resources Code: Div. 6, Parts 1 and 2.
- b. Administrative Code: Title 2, Div. 3, Arts. 1 & 2 as amended effective May 10, 1969.
- c. Streets and Highways Code: Section 101.5.

OTHER PERTINENT INFORMATION:

- 1. The annual rental value of the site is estimated to be \$200.00.
- 2. An environmental impact report has been prepared and circulated to agencies and persons having jurisdiction or expertise. Their comments have been incorporated into the environmental impact report.

EXHIBITS: A. Location map.

IT IS RECOMMENDED THAT THE COMMISSION:

FIND, IN ACCORDANCE WITH ENVIRONMENTAL IMPACT REPORT NO. 25 ON FILE IN THE OFFICE OF THE STATE LANDS COMMISSION AND BY REFERENCE MADE A PART HEREOF, THAT A PUBLIC AGENCY PERMIT AS RECOMMENDED HEREIN WILL NOT HAVE A SIGNIFICANT DETRIMENTAL ENVIRONMENTAL EFFECT.

CALENDAR ITEM 11. (CONTD.)

2. AUTHORIZE THE EXECUTIVE OFFICER TO ISSUE A PERMIT TO AND APPROVE A MAP FOR THE STATE DEPARTMENT OF PUBLIC WORKS, DIVISION OF HIGHWAYS, PURSUANT TO SECTION 101.5 OF THE STREETS AND HIGHWAYS CODE, WHICH WILL RESERVE FOR HIGHWAY PURPOSES A PARCEL OF SOVEREIGN LAND ON TOLAY CREEK, AS DESCRIBED ON DIVISION OF HIGHWAYS MAP 4-SON-37-4.0 ON FILE IN THE STATE LANDS DIVISION, PROVIDED THAT THE DIVISION OF HIGHWAYS SHALL FILE A LETTER WITH THE STATE LANDS DIVISION CERTIFYING COMPLIANCE WITH CHAPTER 1052, STATUTES OF 1969.

Attachment: Exhibit "A"

EXHIBIT "A"

A parcel of tide and submerged land lying in the natural bed of Tolay Creek in Sonoma County, California, and contiguous to the Petaluma Rancho as finally confirmed to Mariano Vallejo, and being more particularly described as follows:

COMMENCING at the point of intersection of course 231 and 232 of said Rancho, said point having grid coordinates $X = 1,871,860$ and $Y = 176,582$; thence along said Rancho Line N. $24^{\circ} 22' 35''$ W. 312.30 feet to the TRUE POINT OF BEGINNING; thence continuing along said Rancho Line N. $24^{\circ} 22' 35''$ W. 300.71 feet; thence leaving said Rancho Line the following courses:

N. $66^{\circ} 05' 32''$ E.	471.45 feet
S. $28^{\circ} 50' 03''$ E.	153.45 feet
S. $40^{\circ} 57' 25''$ E.	132.96 feet
S. $66^{\circ} 05' 32''$ W.	405.54 feet
N. $30^{\circ} 16' 28''$ W.	15.10 feet
S. $66^{\circ} 05' 32''$ W.	105.16 feet
S. $23^{\circ} 54' 28''$ E.	35.25 feet
S. $63^{\circ} 10' 54''$ W.	8.79 feet to

the true point of beginning of this description.

EXCEPTING any portion lying landward of the ordinary high water mark of Tolay Creek as it existed in its natural state.

The basis of bearings of this description is The California Coordinate System, Zone II.