

MINUTE ITEM

This Calendar Item No. 37
was approved at Minute Item
No. 37 by the State Lands
Commission at its 3
to 0 at its 4/28/77
meeting.

CALENDAR ITEM

37

4/77
W 21263
FG
PRC 5282

PUBLIC AGENCY PERMIT

APPLICANT: State Department of Fish and Game
1416 Ninth Street, 12th Floor
Sacramento, California 95814

AREA, TYPE LAND AND LOCATION: Approximately 148 acres of sovereign land in
Solano County.

LAND USE: Wildlife management and protection, public
recreation, or other like purposes consistent
with the public trust.

TERMS OF LEASE: Initial period: 66 years from April 28, 1977.

CONSIDERATION: The public use and benefit, with the State
reserving the right at any time to set a
monetary rental if such action is found to be
in the State's best interest.

OTHER PERTINENT INFORMATION:
Sovereign title to a portion of the Lawler
Ranch in Solano County was acquired in the
Levitt Multihousing Corporation Exchange
Agreement (BLA 152) approved by the State
Lands Commission at its December 15, 1976 meeting.

As these lands were recently acquired, there is
presently no S.L.C. land use classification.

The permittee, the Department of Fish and Game,
intends to study, manage, and maintain the
natural benefits of the marsh as part of the
Grizzly-Joice Island Wildlife areas. The
permit will serve to protect these lands and
assure managed protection of the environment,
consistent with the public trust.

The Solano Marsh area has historically been
a wintering and feeding area for large numbers
of waterfowl, raptors, shorebirds, and other
water-associated birds. Practically all species
of waterfowl on the Pacific Flyway are found
on the Solano Marshes at times throughout the
year.

The permit does not include any immediate plans
for the modification, alteration, or construc-
tion of facilities which would detract from

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the physical, aesthetic, scenic, or other environmental qualities of the land. The permit by its terms, shall affirmatively provide for the direct protection of the environmental qualities of the subject lands.

Accordingly, pursuant to Public Resources Code 21085; implemented by 14 Cal. Adm. Code 15100 et seq.; 2 Cal. Adm. Code 2907; and 2 Cal. Adm. Code Art. 11; as the action is for the preservation and enhancement of natural resources and the environment, it is thereby categorically exempt from the environmental impact report requirements. As a further precaution that all requirements of the California Environmental Quality Act of 1970 (CEQA) are met, a permit provision requires that if at some time in the future substantial changes are proposed by the permittee, appropriate environmental documents must be prepared.

As the permit will serve to preserve sensitive habitat and provide protection for many species of wildlife, the Division staff recommends that the Commission find that an extended permit term of 66 years is in the best interests of the State as provided by 2 Cal. Adm. Code 2004. The annual rental value of the lands is estimated to be \$5,600.

STATUTORY AND OTHER REFERENCES:

- A. Public Resources Code: Div. 6, Parts 1 & 2. Section 21085.
- B. Administrative Code: Title 14, Sect. 15100 et seq. Title 2, Sects. 2004 & 2907; & Title 2, Art. 11.

- EXHIBITS:
- A. Description.
 - B. Estuary Plat.
 - C. Vicinity Air Photo.
 - D. Site Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF PRC 21085, 14 CAL. ADM. CODE 15100 ET SEQ., 2 CAL. ADM. CODE 2907 AND 2 CAL. ADM. CODE ART. 11.
2. FIND, PURSUANT TO 2 CAL. ADM. CODE 2004, THAT THE PERMIT TERM OF 66 YEARS, WHICH IS IN EXCESS OF THE REGULAR 49-YEAR TERM, IS IN THE BEST INTERESTS OF THE STATE.

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3. AUTHORIZE THE ISSUANCE TO THE STATE DEPARTMENT OF FISH AND GAME OF A 66-YEAR PERMIT FROM APRIL 28, 1977; IN CONSIDERATION OF THE PUBLIC USE AND BENEFIT, WITH THE STATE RESERVING THE RIGHT AT ANY TIME TO SET A MONETARY RENTAL IF SUCH ACTION IS FOUND TO BE IN THE STATE'S BEST INTEREST; FOR THE USE OF WILDLIFE MANAGEMENT AND PROTECTION, PUBLIC RECREATION OR OTHER LIKE PURPOSE CONSISTENT WITH THE PUBLIC TRUST; ON THE LANDS DESCRIBED IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

W 21263

All that certain real property situated in the County of Solano, State of California, and described as follows:

Commencing at a point on the southerly line of County Road No. 456, also known as Van Sickle Road, bearing S. 72° 30' 00" E. 57.42 feet and S. 25° 32' 00" E. 13.54 feet from the location of "Post marked CXLIX, near the southwesterly corner of Lot 9" as said Post and Lot are shown on the map of Grisly (Grizzly) Island, made by E. N. Eager, and filed September 10, 1910 in Book 3 of Maps at page 25 in the Office of the Solano County Recorder; thence from said point of commencement and along the southern line of County Road No. 456, N. 59° 00' 24" E. 453.12 feet; thence N. 68° 54' 00" E. 283.99 feet; thence N. 77° 13' 07" E. 258.95 feet; thence N. 52° 07' 24" E. 348.47 feet; thence N. 57° 31' 11" E. 421.17 feet to the intersection of said south line of County Road No. 456 with the middle of a small Ditch and the True Point of Beginning; thence from said True Point of Beginning E. 10 feet; thence N. 24° W. 1665 feet to a point on the east bank of said Ditch; thence at right angles N. 66° E. 650 feet; thence at right angles N. 24° W. 1235 feet; thence at right angles N. 66° E. 120 feet; thence at right angles N. 24° W. 230 feet more or less to the center of Tree Slough; thence down the middle of said slough in an easterly direction 900 feet more or less to a large branch of Tree Slough; thence in a southerly direction across a dam and up the middle of said large branch of Tree Slough 2112 feet more or less to the intersection of said large branch of Tree Slough and a small branch going in the southerly direction; thence up the middle of said small branch in a southeasterly direction 858 feet more or less to a point on the division line between Lots 8 and 9, as said lots are shown on a map of Grisly (Grizzly) Island made by E. N. Eager and filed September 10, 1910 in Book 3 of Maps at page 25; thence from said point S. 24° 11" E. 1150 feet more or less to the Centerline of County Road No. 456; thence in a westerly direction along the Centerline of said County Road No. 456, 2650 feet more or less to a point of intersection of said County Road No. 456 and aforementioned small Ditch; thence S. 24° E. 30 feet to the True Point of Beginning. Being part of Swamp and Overflowed Land Survey No. 564, Solano County, California.