MINUTE ITEM
This Calendar Item No 34
was approved as Minute Item
34 by the State Lands
Commission by a vote of 3
0 at its 5-31-78
Meeting.

CALENDAR ITEM

34.

5/78
PRC 4805.1
Hadly

COMPROMISE SETTLEMENT - PRC 4805.1
BEL MARIN KEYS COMMUNITY SERVICES DISTRICT

State Dredging Permit PRC 4805.1 was issued to Bel Marin Keys Community Services District on August 30, 1973 for the removal of 85,000 cubic yards of material from Novato Creek in Marin County with an agreed royalty of $0.10 per cubic yard. Subsequent to the permit's issuance, the Community Services District requested a waiver of the entire royalty payment of $2,109.40 for the 21,094 cubic yards of spoils actually removed.

The spoils were placed on private property because a public lands disposal site was not available. The Commission's staff does not feel that waiver of the entire royalty ($2,109.40) is appropriate since a private disposal site was used and the District agreed to pay a royalty based on that fact. There are, however, several factors that suggest acceptance of $500 as payment in full for the royalty. A 1974 inspection determined that the spoils had apparently not enhanced the value of the private property on which they were deposited and that the dredging itself had also not been detrimental to the environment. Furthermore, Bel Marin Keys is a tax supported political subdivision of the State.

EXHIBIT: A. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE ACCEPTANCE OF $500 FROM BEL MARIN KEYS COMMUNITY SERVICES DISTRICT AS PAYMENT IN FULL FOR DREDGING MATERIALS EXTRACTED FROM NOVATO CREEK IN MARIN COUNTY PURSUANT TO DREDGING PERMIT PRC 4805.1 ISSUED AUGUST 30, 1973.

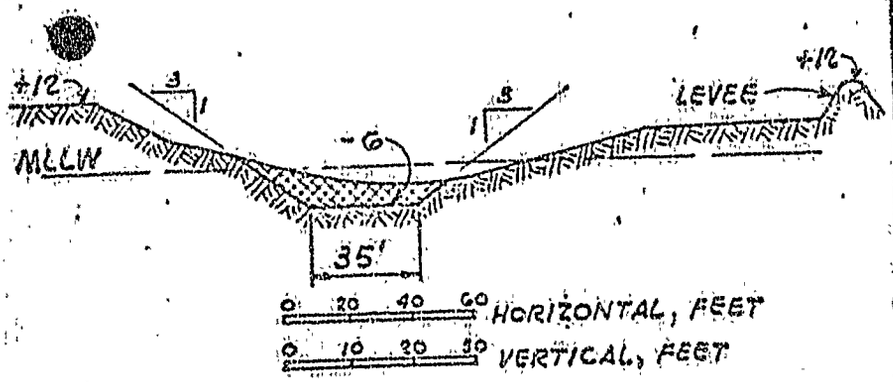
Attachment: Exhibit "A"

A 9

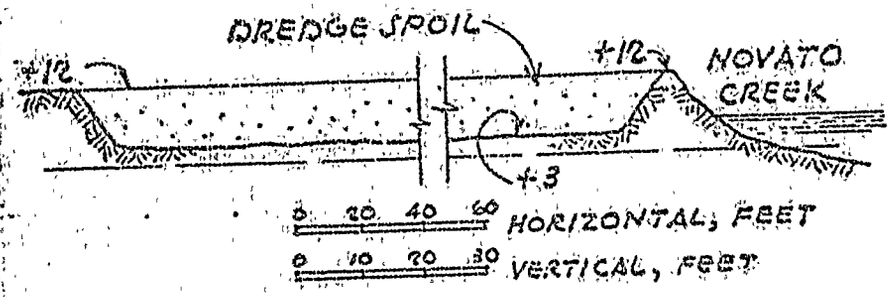
S 2



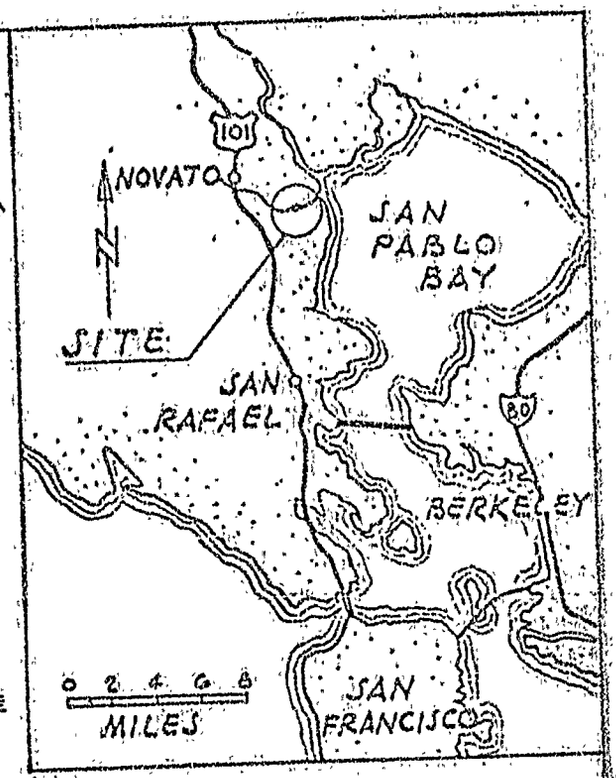
919




SECTION A-A




SECTION B-B



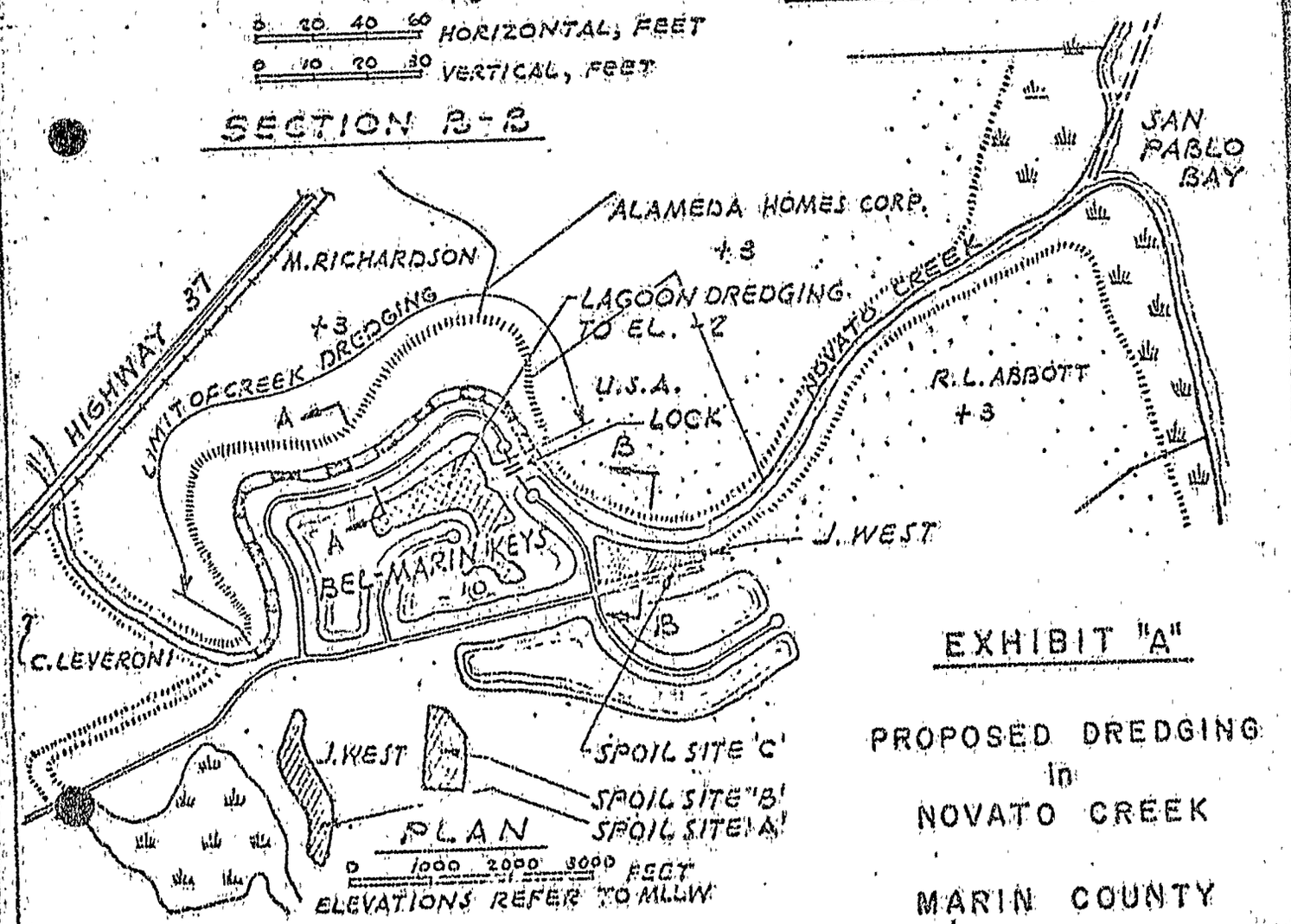




EXHIBIT "A"

PROPOSED DREDGING
in
NOVATO CREEK

MARIN COUNTY



920