

MINUTE ITEM

This Calendar Item No. C22
was approved as Minute Item
No. 22 by the State Lands
Commission by a vote of 3
to 0 at its 3-5-81
meeting.

CALENDAR ITEM

C 22

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PRC 5965

GENERAL PERMIT - PUBLIC AGENCY USE

APPLICANT: Novato Sanitary District
500 Davidson Street
Novato, California 94947

AREA, TYPE LAND AND LOCATION:
0.138[±] acre parcel of sovereign land in
Simons Slough, Marin County.

LAND USE: Construction and maintenance of a effluent
force main and a power cable.

TERMS OF PROPOSED PERMIT:
Initial period: 49 years from June 1,
1981.

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.

BASIS FOR CONSIDERATION:
Pursuant to 2 Cal. Adm. Code 2005.

PREREQUISITE TERMS, FEES AND EXPENSES:
Applicant is permittee of upland.

Filing fee and processing costs have been
received.

STATUTORY AND OTHER REFERENCES:
A. P.R.C.: Div. 6, Parts 1 & 2; Div. 13.
B. Cal. Adm. Code: Title 2, Div. 3; Title 14,
Div. 6.

OTHER PERTINENT INFORMATION:
1. The annual rental value of the site
is estimated to be \$100.

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2. A final EIS/EIR was prepared by United States Environmental Protection Agency and Novato Sanitary District, pursuant to CEQA and the State EIR Guidelines.
3. This project is situated on land identified as possessing environmental values in that the State Lands Commission stated all waterways under the Commission's jurisdiction have environmental significance. Staff finds this project to be compatible with Commission policy.
4. Department of Fish and Game has no specific concerns with this project. The San Francisco Bay Regional Water Control Board does not require a permit if project does not concern the Department of Fish and Game.

FURTHER APPROVALS REQUIRED:

County of Marin, City of Novato, United States Army Corps of Engineers, and Northwestern Pacific Railroad.

- EXHIBITS:
- A. Land Description.
 - B. Location Map.
 - C. EIR/EIS Summary.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN EIR/EIS HAS BEEN PREPARED AND CERTIFIED FOR THIS PROJECT BY NOVATO SANITARY DISTRICT.
2. CERTIFY THAT THE INFORMATION CONTAINED IN THE EIR/EIS HAS BEEN REVIEWED AND CONSIDERED BY THE COMMISSION.
3. DETERMINE THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
4. FIND THAT GRANTING OF THE PERMIT WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1, OF THE P.R.C.

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5. AUTHORIZE ISSUANCE TO NOVATO SANITARY DISTRICT OF A 49-YEAR GENERAL PERMIT - PUBLIC AGENCY USE FROM JUNE 1, 1981; IN CONSIDERATION OF 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 FOR A EFFLUENT FORCE MAIN AND POWER CABLE ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

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EXHIBIT "A"

LAND DESCRIPTION

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A portion of that certain real property situate in the County of Marin, State of California, known as Simon's Slough.

A strip of land 20 feet wide lying 10 feet on each side of the following described center line:

BEGINNING at a point on the northeasterly property line of the parcel of land conveyed by the Heirs and Devises of Mary A. Richardson to Marin County Flood Control and Water Conservation District by deed recorded February 22, 1980, in Book 3680 at page 594, Official Records of Marin County, said point being 300 feet southeasterly, measured at right angles, from the northwesterly property line of said District lands, said northwesterly line being also the southeasterly right-of-way line of the Sonoma Branch of the Northwestern Pacific Railroad; running thence northeasterly parallel to and 300 feet distant from said southeasterly line of the railroad right-of-way to the southwesterly property line of that certain parcel of land conveyed by Alameda Homes Corporation to Marin County Flood Control and Water Conservation District by deed recorded April 8, 1976, in Book 3015, at page 495, Official Records of Marin County.

TOGETHER WITH a strip of land 30 feet wide lying adjacent to and southeasterly of the above described parcel, as more particularly described in that certain deed of easement to the Marin County Flood Control and Water Conservation District dated February 22, 1980, in Book 3680 at page 594, Official Records of Marin County.

ALSO INCLUDING a strip of land 10 feet wide lying adjacent to and northeasterly of said parcel, as more particularly described in that certain deed of easement to the Marin County Flood Control and Water Conservation District dated February 22, 1980, in Book 3680 at page 594, Official Records of Marin County.

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

END OF DESCRIPTION

PREPARED DECEMBER 11, 1980 BY TECHNICAL SERVICES UNIT, ROY MINNICK, SUPERVISOR.

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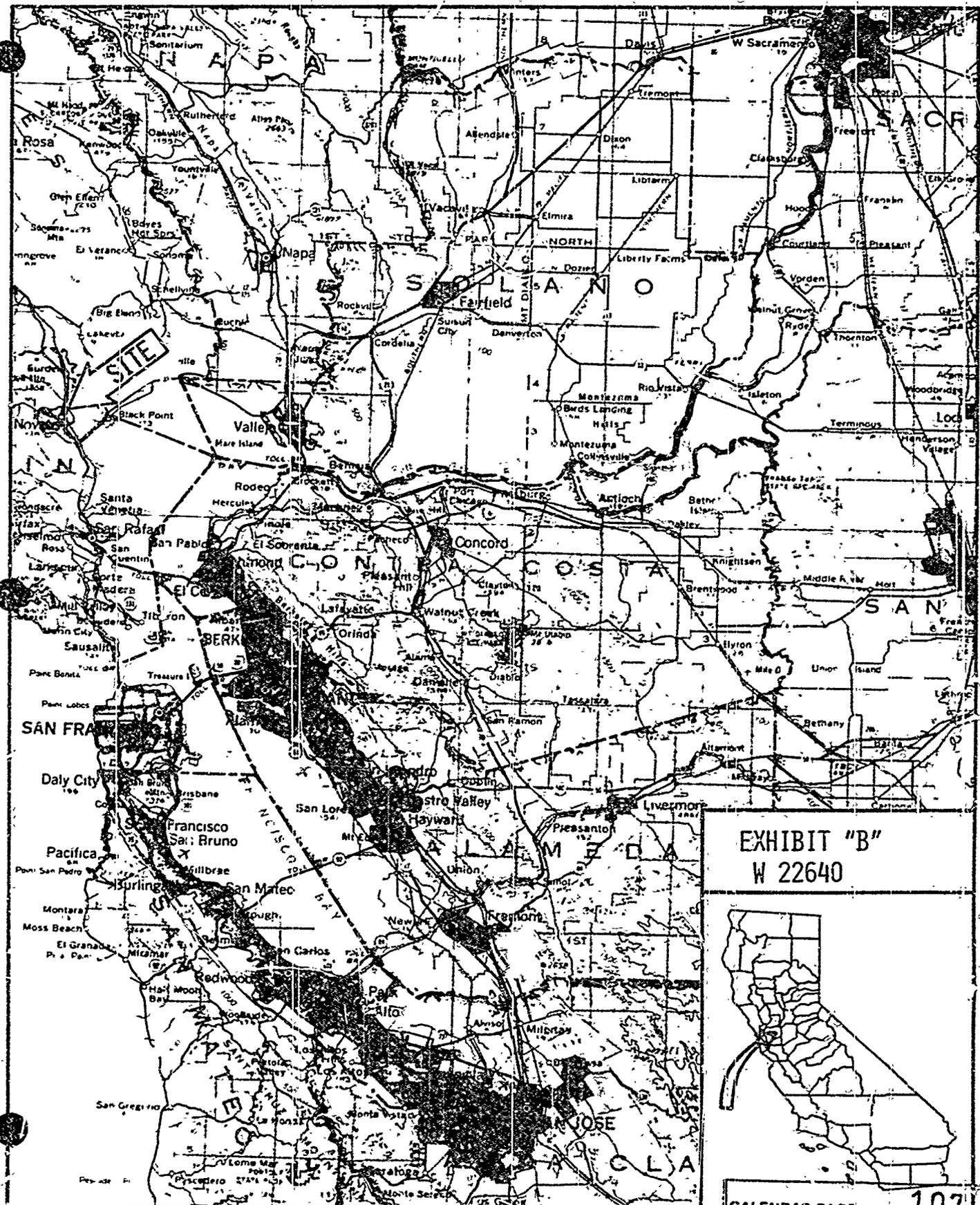


EXHIBIT "B"
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EXHIBIT "C"

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ENVIRONMENTAL IMPACT REPORT SUMMARY

I. INTRODUCTION

The following is a summary of a 1979 EIR for the Eastern Marin and Southern Sonoma Wastewater Agencies, prepared by the United States Environmental Protection Agency and Novato Sanitary District, for a proposed project consisting of upgrading all wastewater treatment plants in the Eastern Marin-South Sonoma area. This summary will be limited primarily to the recommended project for North Marin, which includes the construction of an effluent force main and power cable that will occupy State lands under Commission jurisdiction.

II. PROJECT DESCRIPTION

The purpose of the proposed plan is to upgrade all treatment plants to a minimum of secondary treatment in conformance with the Clean Water Act. At the same time, added capacity will be provided for all plants to accommodate the expected population growth for the next ten years. This plan includes a combination of advanced treatment and further improvements to outfalls and also meets ammonia toxicity requirements in the receiving waters. The recommended project for North Marin will be to retain the Novato, Ignacio, and Las Gallinas treatment plants. The Bahia and Hamilton treatment plants will be abandoned. Effluent will be reused in the summer time for irrigated pasture in the vicinity of the Las Gallinas, Novato, and Ignacio treatment plants. During other times of the year, effluent will be discharged using existing facilities. Wastewater from the Bahia area will be transported to the Novato main plant through a 12-inch force main. A pump station will be constructed using the existing treatment plant structure. Wastewater from the Hamilton Air Force Base will be pumped to the Ignacio plant through a 14-inch force main. The Novato Creek levee will receive minor repairs. Pump stations, fences, corrals, water troughs, and a permanent irrigation pipeline system will be installed. The subject force main and power cable will cross Simons Slough, which is State land.

III. ENVIRONMENTAL SETTING

The North Marin area is that portion of Eastern Marin from Terra Linda north to the Marin/Sonoma county line.

IV. ENVIRONMENTAL IMPACTS

Most of the environmental impacts of the recommended wastewater plan will be beneficial. In North Marin, 1,135 acres of Bay Plains will be acquired to be used for agricultural production using reclaimed water. Three thousand acre-feet per year of reclaimed water will be provided by the project.

Construction impacts may include dust, destruction of vegetation, traffic disruption, and public safety hazards. Wastewater discharges into the San Pablo Bay will be eliminated. Increased treatment levels will reduce the impacts of remaining discharges during dry-weather and wet-weather periods.

Secondary environmental impacts of this plan may be caused by urban development served by the wastewater treatment project. They include changes in land use and attendant increased runoff from impervious surfaces, and air pollution due to increased traffic. In the Marin/Sonoma County project, the issue of secondary impacts was second only to water quality concerns as a major determinant of the type and capacity of the proposed plants. It is debatable whether this growth is actually caused by the availability of sewage treatment facilities or is merely accommodated by it. It is possible that development would take place regardless of this project although it would likely take a different form. Small, privately run plants or septic tanks could conceivably be used but the cost of adequate systems would be high. Sewage treatment is one of several infrastructure systems which accommodate urban development.

V. MITIGATION MEASURES

1. Include in construction specifications, requirements for dust control measures, minimizing disruption to existing vegetation and restoration where practical, and protection of work areas against public safety hazards.

EXHIBIT "C" (Continued)

2. If subsurface excavation reveals cultural or historic material, cease all work in the immediate vicinity of the finds until a qualified archaeologist can make recommendations for insuring the integrity of the finds.
3. Incorporate cost-effective measures to reduce the use of outside energy in design of treatment plant and pumping station improvements.
4. Incorporate mosquito control features in project design, construction, and operation to the reasonable satisfaction of the Marin/Sonoma Mosquito Abatement District.
5. Develop and implement a program to periodically monitor soil conditions and make adjustments in water management practices as required.
6. Maintain normal tidal movement to the marsh during construction. Avoid damming or blocking the entire slough unless a bypass ditch is constructed. Manage construction so that damage is minimized. Make provisions in construction specifications that all disturbed areas be returned to original elevation and revegetated.
7. Limit project design populations to projections consistent with the proposed Bay Area Air Quality Non-Attainment Plan.
8. Adoption of resolutions by planning agencies in the project area agreeing to implement measures judged to have the effect of minimizing additional air pollution as community growth occurs.

VI. ALTERNATIVES

The three alternatives evaluated for the Novato Sanitary District were upgrading the existing Novato and Ignacio treatment plants, constructing a consolidated treatment plant at the Ignacio treatment plant site, or constructing a consolidated plant at a site near San Pablo Bay. Maintaining the existing plants was selected primarily because it was only two-thirds the cost of a new subregional plant. Various reuse alternative for these two districts were also evaluated. It was found that crop irrigation, particularly irrigated pasture, was indeed technically feasible and more economical

EXHIBIT "C" (Continued)

than a deep water outfall in San Pablo Bay, which was the only year-round disposal system which state and federal regulatory agencies would approve.

VII. SHORT TERM V. LONG TERM

Short-term uses include construction activities which will temporarily disrupt the natural environment. The effluent force main and power cable construction will result in short-term quality impacts. By providing significant improvement in the quality of the study area's wastewater, the proposed project is intended to maintain and enhance the environmental quality of the region. This enhancement is sought as a long-term benefit to the area.