MINUTE ITEM

This Calendar Item No. 26 was approved as Minute Item No. 26 by the State Lands Commission by a vote of 2 to 0 at its 3/27/86 meeting.

CALENDAR ITEM

A 11

S 7

26

03/27/86
W 23665 PRC 6967
AD 45
Valentine

AUTHORIZATION TO PURCHASE WITH
KAPILOFF LAND BANK TRUST FUNDS
A PARCEL OF LAND IN CONTRA COSTA COUNTY

Contra Costa County has approved a flood control project for the San Pablo Creek - Wildcat Creek area in north Richmond, Contra Costa County. The project, in addition to providing substantial benefits to the local community, contains several ecological and aesthetic features designed to preserve and enhance these two urban streams as well as the marshes into which they flow. One of these special design enhancements is a meander belt which will contain the stream without completely channelizing it in concrete.

Staff have identified a five-acre parcel of real property, acquisition of which is necessary for the successful implementation of the enhancement design. The private record owner of the parcel has entered into discussions for the sale of the property and has expressed willingness to sell it for a total price of $248,000. Staff is of the opinion that $248,000 is equal to the value of the outstanding private interests in the parcel based on a review of the appraisal done on the property by Contra Costa County.

Notices of potential acquisition of this land bank parcel have been sent as required by P.R.C. Section 8622. The purchase price will include all mineral and subsurface rights in the proposed land bank parcel. The parcel, depicted and described on the attached exhibits, is reclaimed and removed from the public channels but is adjacent to the creek as well as to the marshes of San Francisco Bay.

After acquisition, the proposed land bank parcel is to be used as part of the project's meander belt, allowing the stream to slow sufficiently to deposit much of its load of silt prior to

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entering Wildcat Marsh. This will prolong the life and enhance the environmental values associated with this marsh. In addition, a portion of the parcel is to be used by East Bay Regional Park District in connection with its plan to construct and manage a public trail system along Wildcat Creek.

East Bay Regional Park District has agreed to contribute $200,000 subject to its control for property acquisition and enhancement of this project. In addition, the State Coastal Conservancy has agreed to contribute a total of $300,000 for enhancement of the area for both wildlife and recreational purposes.

Staff has concluded that this parcel is useful for the public trust purposes of public access to the Bay, recreation, open space and wildlife habitat. The East Bay Regional Park District has expressed interest in leasing and managing the property for these purposes..

AB 884: N/A.

OTHER PERTINENT INFORMATION:

1. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Adm. Code 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a statutory exempt project. The project is exempt because it involves an action taken pursuant to the Kapiloff Land Bank Act, P.R.C. 8600, et seq.

   Authority: P.R.C. 8631.

EXHIBIT: A. Plat of Land Bank Acquisition Parcel.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. ADM. CODE 15061 AS A STATUTORY EXEMPT PROJECT PURSUANT TO P.R.C. 8631, AN ACTION TAKEN PURSUANT TO THE KAPILOFF LAND BANK ACT, P.R.C. 8600, ET SEQ.

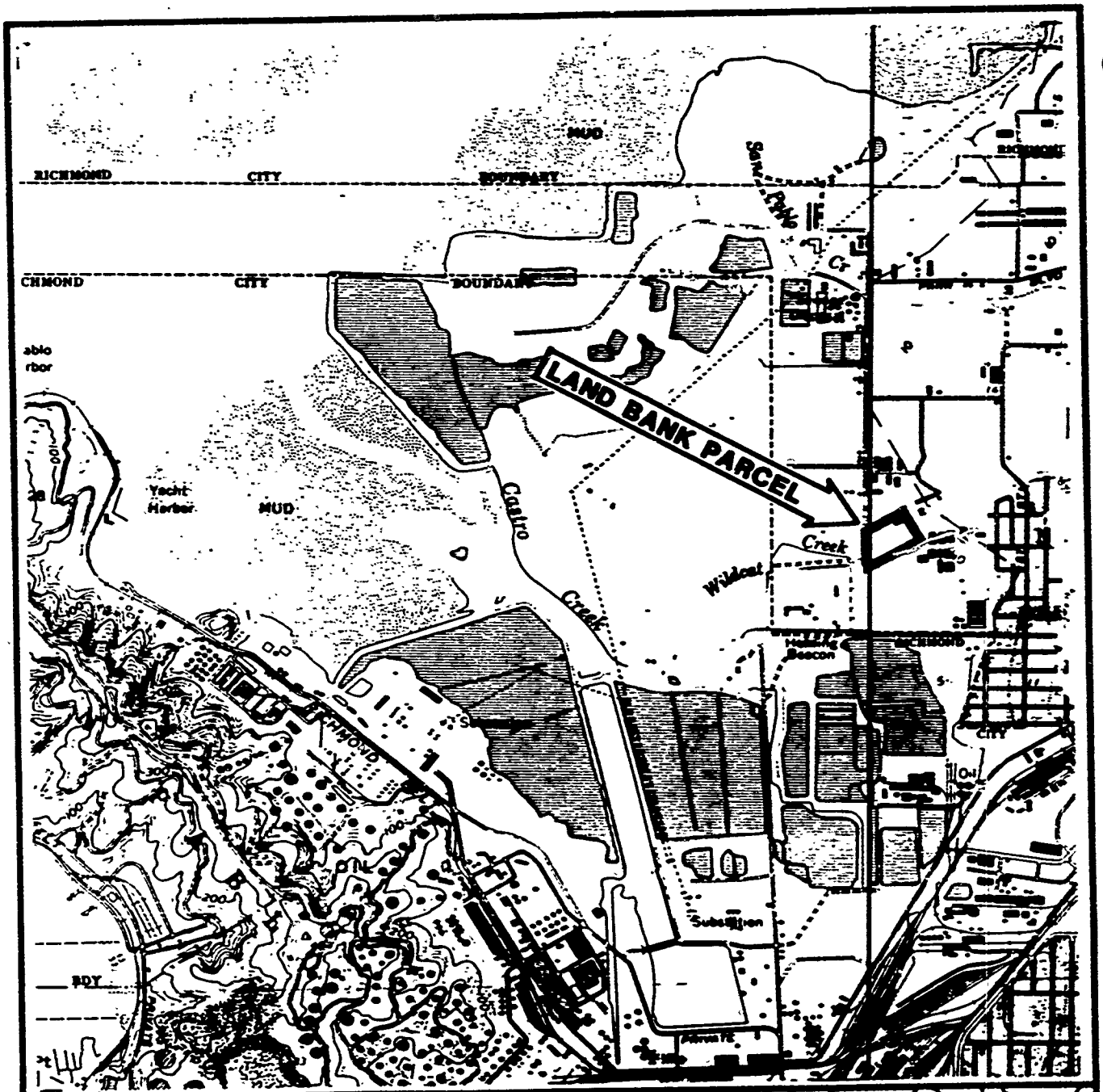
2. APPROVE THE LANDS IDENTIFIED IN EXHIBIT "A" AS BEING SUITABLE FOR ACQUISITION WITH $248,000 IN LAND BANK TRUST FUNDS, SAID LANDS TO BE HELD AS SOVEREIGN LANDS OF THE STATE.

3. AUTHORIZE ACCEPTANCE AND RECORDATION OF A GRANT DEED TO THE STATE OF CALIFORNIA OF THE PROPERTY IDENTIFIED IN EXHIBIT "A".

4. FIND THAT THE LANDS DEPICTED IN EXHIBIT "A" ARE EQUAL TO OR GREATER IN VALUE THAN $248,000, EXCLUSIVE OF ANY EXISTING STATE INTEREST.

5. AUTHORIZE THE STAFF OF THE STATE LANDS COMMISSION TO ISSUE A PUBLIC AGENCY LEASE FOR A TERM OF 49 YEARS TO THE EAST BAY REGIONAL PARK DISTRICT, TO MANAGE THE PROPERTY DEPICTED IN EXHIBIT "A" FOR THE PURPOSE OF PUBLIC ACCESS RECREATION, OPEN SPACE AND WILDLIFE HABITAT.

6. AUTHORIZE THE STAFF AND THE OFFICE OF THE ATTORNEY GENERAL TO TAKE ALL FURTHER STEPS NECESSARY TO IMPLEMENT ACQUISITION OF THE PROPERTY, INCLUDING BUT NOT LIMITED TO THE EXECUTION OF ALL DOCUMENTS AND PREPARATION OF MAPS, PLATS AND LEGAL DESCRIPTIONS.

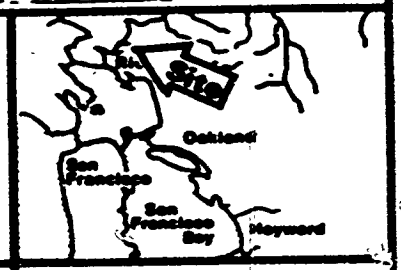


STATE LANDS COMMISSION

TITLE STUDY PLAT

Plat of Land Bank Acquisition Parcel
A portion of USGS Quadrangles

San Quentin 1959, pr 1980 and
Richmond 1959, pr 1968 & 1973



Prepared by: J.K. Hering Date: 12/11/85 A:11 S:7	EXHIBIT A
Title Study: Wildcat Creek Land Bank W 23665	Z 3-N53-E 145

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