

MINUTE ITEM
This Calendar Item No. C04
was approved as Minute Item
No. 4 by the State Lands
Commission by a vote of 2
to 0 at its 5-9-88
meeting.

CALENDAR ITEM

A 9
S 3

C04

05/09/88
W 24084 PRC 7198
Townsend

GENERAL PERMIT - PUBLIC AGENCY USE

APPLICANT: Novato Sanitary District
Attn: Robert Bolick
500 Davidson Street
Novato, California 94945

AREA, TYPE LAND AND LOCATION:
A .078-acre parcel of sovereign tide and
submerged land, Novato Creek, City of Novato,
Marin County.

LAND USE: Installation and maintenance of a six-inch PVC
submarine sewer main, enclosed in a 12-inch
steel case, under Novato Creek.

TERMS OF PROPOSED PERMIT:
Initial period: 49 years beginning May 1,
1988.

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 2003.

APPLICANT STATUS:
Applicant is permittee of upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:
Filing fee and processing costs have been
received.

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STATUTORY AND OTHER REFERENCES:

- A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.
- B. Cal. Adm. Code: Title 2, Div. 3; Title 14, Div. 6.

AB 884: 10/01/88.

OTHER PERTINENT INFORMATION:

1. The Novato Sanitary District has submitted an application for the installation and maintenance of a six-inch, PVC, submarine, pressure sewer main, enclosed in a 12-inch steel case, under Novato Creek, in the City of Novato. The sewer main will serve the proposed Rowland Plaza, a mixed-use commercial development, by Bedford Properties, Inc. The sanitary sewer facilities, which have been designed in compliance with the Standard Specifications and requirements of the Novato Sanitary District and the City of Novato, will be deeded to, and accepted by, the Sanitary District.
2. The sewer main will be bored under the Creek with a minimum clearance of three feet below the channel. With the exception of construction and incidental maintenance, the State's land will remain undisturbed. The boring will be initiated on uplands under the jurisdiction of the Marin County Flood Control and Water Conservation District. The terms of the proposed permit provide that construction shall begin by May 15, 1988, and shall be completed no later than October 30, 1988.
3. The annual rental value of the site is estimated to be \$1,224.
4. This activity involves lands which have not been identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. However, the Commission has declared that all tide and

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submerged lands are "significant" by nature of their public ownership (as opposed to "environmental significant"). Since such declaration of significance is not based upon the requirements and criteria of P.R.C. 6370, et seq., use classifications for such lands have not been designated. Therefore, the finding of the project's consistency with the use classification as required by 2 Cal. Adm. Code 2954 is not applicable.

5. 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 categorical exempt project. The project is exempt under Class 4, Minor Alteration to Land, 14 Cal. Adm. Code 15304.

Authority: P.R.C. 21084 and 14 Cal. Adm. Code 15300.

APPROVALS OBTAINED:

United States Army Corps of Engineers, Marin County Flood Control and Water Conservation District.

FURTHER APPROVALS REQUIRED:

City of Novato, Novato Sanitary District.

EXHIBITS:

- A. Land Description.
- B. Location Map.

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 CATEGORICAL EXEMPT PROJECT, CLASS 4, MINOR ALTERATION TO LAND, 14 CAL. ADM. CODE 15304.
2. AUTHORIZE ISSUANCE TO NOVATO SANITARY DISTRICT OF A 49-YEAR GENERAL PERMIT - PUBLIC AGENCY USE BEGINNING MAY 1, 1988; IN CONSIDERATION OF THE PUBLIC HEALTH AND SAFETY, WITH THE STATE RESERVING THE RIGHT AT ANY TIME TO SET A MONETARY

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RENTAL IF THE COMMISSION FINDS SUCH ACTION TO BE IN THE STATE'S BEST INTEREST; FOR THE INSTALLATION AND MAINTENANCE OF A SIX-INCH PVC SEWER MAIN, ENCLOSED IN A 12-INCH STEEL CASE, UNDER NOVATO CREEK ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

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EXHIBIT "A"

LAND DESCRIPTION

W 24084

A strip of California State sovereign land 20 feet wide in Novato, Marin County, California, the centerline of said strip being described as follows:

COMMENCING at the most northeasterly corner of Parcel 1, as shown on the Parcel Map recorded in Book 16 of Parcel Maps at Page 67, Marin County Records; thence N 56°41'00" W, 386.75 feet to a point lying on the southerly property line of lands of the State of California and the TRUE POINT OF BEGINNING; thence N 11°59'27" E, 145.17 feet; thence along the arc of a tangent curve to the left, having a radius of 85.00 feet, through a central angle of 15°23'26", an arc length of 22.83 feet to a point lying on the northeasterly property line of said lands of the State of California and the end of the herein described line.

END OF DESCRIPTION

PREPARED APRIL 4, 1988 BY BIU 1.

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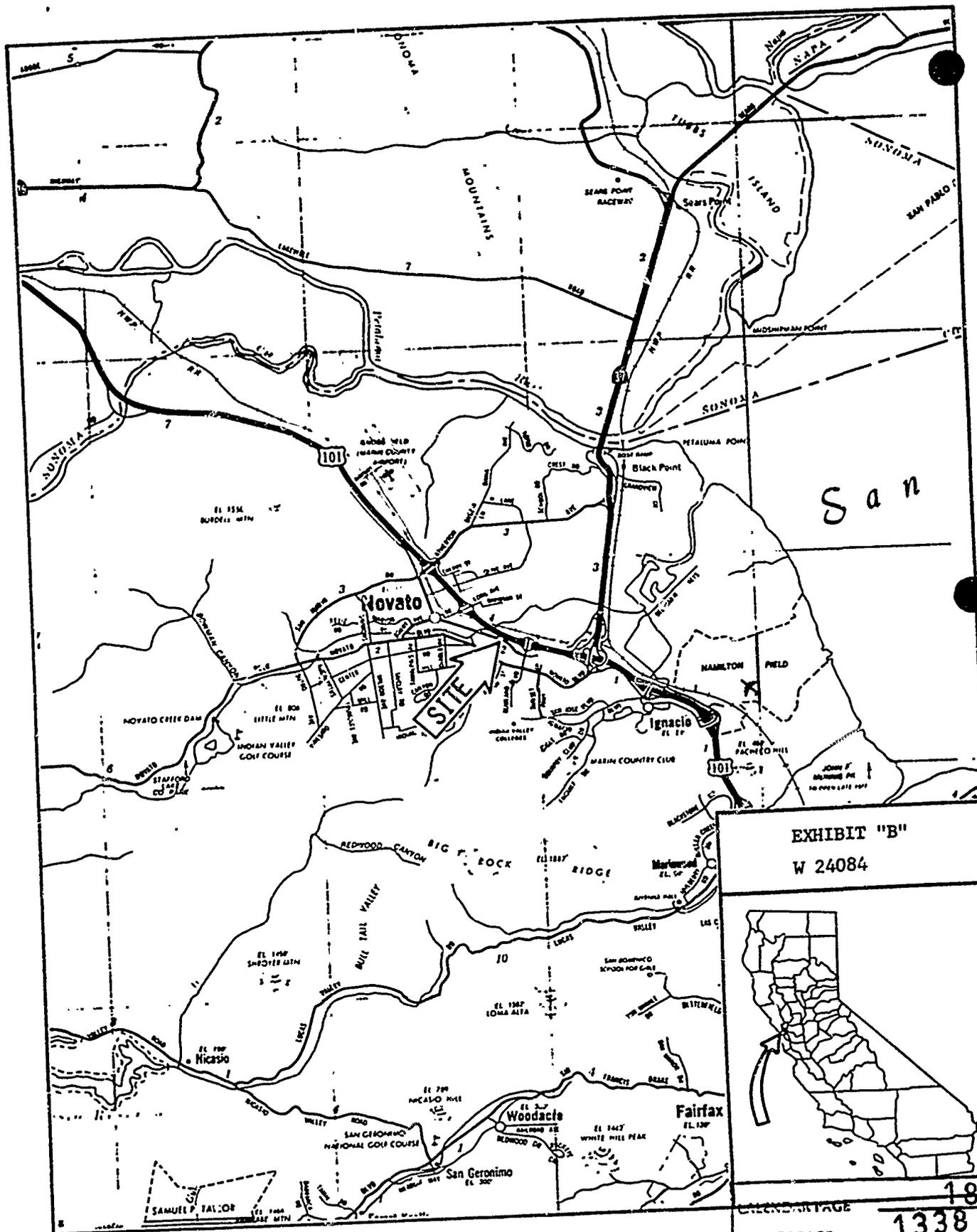


EXHIBIT "B"
W 24084



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