

This Calendar Item No. 13
was approved as Minute Item
No. 13 by the State Lands
Commission by a vote of 3
to 0 at its 6-24-76
meeting.

CALENDAR ITEM

13.

6/76
W 21166
SJS
PRC 5146

PUBLIC AGENCY PERMIT

APPLICANT: Contra Costa County Water District
P. O. Box H20
Concord, California 94524

AREA, TYPE LAND AND LOCATION: An 0.025 acre of tide and submerged land in Pacheco Creek, Contra Costa County, near Martinez.

LAND USE: For the construction and maintenance of a pipeline for a reclaimed water distribution system.

TERMS OF PROPOSED LEASE:
Initial period: 49 years from July 1, 1976.
Consideration: Public use and benefit.
Special: Construction limiting date:
Begining: July 1, 1976
Completion: July 1, 1978

CONSIDERATION: The public use and benefit with 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.

PREREQUISITE TERMS, FEES AND EXPENSES:
Applicant is owner of upland.
Filing fee and processing costs have been received.

STATUTORY AND OTHER REFERENCES:
A. Public Resources Code: Div. 6, Parts 1 & 2.
B. Administrative Code: Title 2, Div. 3,
Arts. 1, 2, 10 & 11.

OTHER PERTINENT INFORMATION:
1. The annual rental value of the site is estimated to be \$100.
2. A final environmental impact report was prepared by the Contra Costa County Water District, pursuant to CEQA and implementing regulations. A Notice of Determination has been received.

A 10
S 7

CALENDAR ITEM NO. 11. (CONT'D)

1. This project is situated on State land identified as possessing significant environment values, pursuant to Public Resources Code 6370.1, and is classified in a significant use category, Class C. The nominating agencies were consulted. They find this project to be compatible with their nominations.

EXHIBITS: A. Land Description. B. Location Map.
C. FIR Summary.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL IMPACT REPORT HAS BEEN PREPARED FOR THIS PROJECT AND CERTIFIED BY CONTRA COSTA COUNTY WATER DISTRICT ON JANUARY 8, 1976.
2. CERTIFY THAT THE INFORMATION CONTAINED IN THE ENVIRONMENTAL IMPACT REPORT OF CONTRA COSTA COUNTY WATER DISTRICT HAS BEEN REVIEWED AND CONSIDERED BY THE COMMISSION.
3. DETERMINE THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
4. DETERMINE THAT GRANTING OF THE APPLICATION WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1 ET SEQ. OF THE PUBLIC RESOURCES CODE.
5. AUTHORIZE ISSUANCE TO CONTRA COSTA COUNTY WATER DISTRICT OF A 49-YEAR RIGHT OF WAY PERMIT FROM JULY 1, 1976; IN CONSIDERATION OF THE PUBLIC USE AND BENEFIT WITH 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 THE CONSTRUCTION AND MAINTENANCE OF A PIPELINE FOR A RECLAIMED WATER DISTRIBUTION SYSTEM ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A".

EXHIBIT "A"

W 21165

A parcel of tide and submerged land in the State owned bed of Pacheco Creek, Contra Costa County, California, more particularly described as follows:

BEGINNING at a point on the westerly line of that land described as Parcel 4 in that document recorded in book 5918 at pages 493 to 500, official records of Contra Costa County, said point being on a curve having radius of 1265 feet and lying southerly 31.70 feet along said curve from the northerly terminous thereof, from said point the radius point of said curve bears N 78° 39' 10" E; thence from said point of beginning S 52° 25' 07" E, 1.75 feet; thence N 32° 34' 53" E, 229.53 feet to a point on the curved easterly line of said Parcel 4 from which the radius point of said curved easterly line bears N 77° 42' 33" E; thence southerly, along said curved easterly line, having a radius of 1035 feet, through a central angle of 1° 06' 44" and an arc length of 20.09 feet; thence S 82° 34' 53" W, 231.03 feet to a point on the aforementioned curved westerly line of said Parcel 4, from which the radius point of said curved westerly line bears N 77° 41' 17" E; thence northerly, along said curved westerly line, having a radius of 1265 feet, through a central angle of 0° 57' 53" and an arc length of 21.30 feet to the point of beginning.

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

END OF DESCRIPTION

Prepared R. L. Blake Checked M. J. Skaf
Reviewed John K. Kannecke Date 6/19/76