

MINUTE ITEM

4. APPLICATION FOR DREDGING PERMIT, TIDE AND SUBMERGED LANDS, ALVISO SLOUGH, SANTA CLARA COUNTY; SANTA CLARA COUNTY FLOOD CONTROL AND WATER DISTRICT - W.O. 5287, P.R.C. 3259.9.

After consideration of Calendar Item 8 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE EXECUTIVE OFFICER IS AUTHORIZED TO ISSUE TO THE SANTA CLARA COUNTY FLOOD CONTROL AND WATER DISTRICT A PERMIT TO DREDGE APPROXIMATELY 14,000 CUBIC YARDS OF MATERIAL, WITHOUT PAYMENT OF ROYALTY, FROM AN AREA OF STATE-OWNED TIDE AND SUBMERGED LANDS IN ALVISO SLOUGH DESCRIBED AS FOLLOWS:

ALL THAT REAL PROPERTY SITUATE IN THE CITY OF ALVISO AND THE CITY OF SAN JOSE, COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEASTERLY CORNER OF THE LANDS CONVEYED BY HARRY G. AND MARY WARE TO THE STANDARD ELECTRIC COMPANY OF CALIFORNIA, BY DEED RECORDED MARCH 23, 1900, IN BOOK 226 OF DEEDS, PAGE 489, IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SANTA CLARA; THENCE ALONG THE WESTERLY LINE OF EL DORADO STREET S. 00° 56' 50" W. 201.07 FEET TO THE TRUE POINT OF BEGINNING; THENCE FROM THE SAID TRUE POINT OF BEGINNING S. 00° 56' 50" W. 375.38 FEET; THENCE S. 51° 06' 52" W. 70.06 FEET; THENCE S. 66° 48' 05" W. 83.77 FEET; THENCE N. 77° 41' 31" W. 225.18 FEET; THENCE S. 63° 10' 41" W. 199.46 FEET; THENCE S. 33° 18' 08" W. 163.92 FEET; THENCE S. 14° 08' 45" W. 126.85 FEET; THENCE S. 21° 12' 33" E. 71.87 FEET; THENCE S. 55° 21' 33" E. 66.85 FEET; THENCE S. 79° 45' 55" E. 365.82 FEET; THENCE S. 74° 20' 21" E. 207.22 FEET; THENCE S. 00° 56' 50" W. 85.89 FEET; THENCE N. 73° 59' 13" W. 302.34 FEET; THENCE N. 82° 58' 10" W. 445.80 FEET; THENCE N. 25° 09' 10" W. 76.56 FEET; THENCE N. 09° 27' 50" E. 198.00 FEET; THENCE N. 34° 20' 50" E. 264.00 FEET; THENCE N. 53° 23' 50" E. 231.00 FEET; THENCE S. 79° 50' 10" E. 242.88 FEET; THENCE N. 14° 01' 50" E. 92.40 FEET; THENCE N. 19° 52' 10" W. 138.60 FEET; THENCE N. 49° 00' 10" W. 277.20 FEET; THENCE N. 69° 24' 10" W. 178.20 FEET; THENCE N. 45° 39' 23" E. 262.85 FEET; THENCE S. 52° 46' 28" E. 335.00 FEET; THENCE S. 40° 06' 28" E. 100.00 FEET; THENCE S. 16° 12' 05" E. 18.24 FEET; THENCE S. 89° 03' 10" E. 53.71 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 7.154 ACRES OF LAND MORE OR LESS.

Attachment

Calendar Item 8 (2 pages)

CALENDAR ITEM

8.

APPLICATION FOR DREDGING PERMIT, TIDE AND SUBMERGED LANDS, ALVISO SLOUGH, SANTA CLARA COUNTY; SANTA CLARA COUNTY FLOOD CONTROL AND WATER DISTRICT - W.O. 5287.

An application has been received from the Santa Clara County Flood Control and Water District for a permit to dredge approximately 14,000 cubic yards of material from an area of State-owned tide and submerged lands in Alviso Slough, Santa Clara County. The proposed extraction operations are for the purpose of widening Alviso Slough as part of a flood-control project being undertaken by the Santa Clara County Flood Control and Water District, and will be financed by District funds. The material to be dredged from State lands will be used to construct levees on District-owned property.

Section 6303 of the Public Resources Code provides, in part: "The Commission may grant the privilege of depositing material upon or removing or extracting material from...tide or submerged lands, ...owned by the State, for flood control, ...upon such terms and conditions and for such consideration as will be for the best interests of the State."

The U. S. Army Corps of Engineers has issued a Department of the Army permit authorizing the conduct of dredging operations at the location described in the application. The Division of Beaches and Parks has reported that issuance of the permit would have no effect upon any program or project of that Department and that there are no known recreational activities on the lands involved or on lands littoral that would be adversely affected by the permit. The Division of Small Craft Harbors reports that the proposed dredging and disposal areas are not in such close proximity as to affect the operation of any existing or proposed harbor developments in the area. The Department of Fish and Game has no objections to the proposed permit since the project will not be detrimental to fish and wildlife. The office of the Attorney General has advised that the application complies with the applicable statutes and rules and regulations of the State Lands Commission.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE EXECUTIVE OFFICER TO ISSUE TO THE SANTA CLARA COUNTY FLOOD CONTROL AND WATER DISTRICT A PERMIT TO DREDGE APPROXIMATELY 14,000 CUBIC YARDS OF MATERIAL, WITHOUT PAYMENT OF ROYALTY, FROM AN AREA OF STATE-OWNED TIDE AND SUBMERGED LANDS IN ALVISO SLOUGH DESCRIBED AS FOLLOWS:

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CALENDAR ITEM 8. (CONTD.)

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