

MINUTE ITEM

3/31/75
RGN

15. MAINTENANCE DREDGING PERMIT, TIDE AND SUBMERGED LANDS IN THE BAHIA CHANNEL ADJACENT TO THE PETALUMA RIVER NEAR BLACK POINT, MARIN COUNTY; BAHIA HOMEOWNER'S ASSOCIATION - W 9701, PRC 5006.

After consideration of Calendar Item 13 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION:

1. DETERMINES THAT THE PROJECT IS EXEMPT FROM THE REQUIREMENTS OF AN ENVIRONMENTAL IMPACT REPORT AS PROVIDED BY 2 CAL. ADM. CODE 2910.
2. AUTHORIZES THE ISSUANCE OF A PERMIT TO THE BAHIA HOMEOWNER'S ASSOCIATION TO DREDGE 20,500 CUBIC YARDS OF MATERIAL FROM AN AREA OF STATE TIDE AND SUBMERGED LANDS IN BAHIA CHANNEL, MARIN COUNTY, SUCH AREA BEING DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF, AND TO SPOIL THE DREDGED MATERIAL ON ADJACENT PRIVATE LANDS; AT A ROYALTY RATE OF \$0.10 PER CUBIC YARD FOR ALL MATERIAL SO DREDGED AND SPOILED; FOR THE PURPOSE OF REGAINING SMALL VESSEL NAVIGABILITY IN BAHIA CHANNEL AND INCREASING THE GRADE OF THE ADJACENT PRIVATE LANDS TO AN ELEVATION MORE SUITABLE FOR RESIDENTIAL CONSTRUCTION; SUCH PERMISSION TO BE SUBJECT TO ALL REQUIREMENTS, RECOMMENDATIONS, OR LIMITATIONS AS SET OR AS MAY BE SET BY STATE, FEDERAL OR LOCAL GOVERNMENT.

Attachment:
Calendar Item 13 (3 pages)

CALENDAR ITEM

13.

3/75
RGN
W 9701

MAINTENANCE DREDGING PERMIT

APPLICANT: Bahia Homeowner's Association.

AREA, TYPE LAND AND LOCATION:
Approximately 5.58 acres of tide and submerged lands in the Bahia Channel adjacent to the Petaluma River near Black Point, Marin County.

PROJECT: Perform hydraulic maintenance dredging of 20,500 cubic yards of accumulated bottom material from the Bahia Channel adjacent to the Petaluma River near Black Point, and spoil such material on private lands adjacent to the dredging.

PURPOSE: To regain small vessel navigability in Bahia Channel and increase the grade of the adjacent private lands to an elevation more suitable for residential construction.

OWNERSHIP: State tide and submerged lands (dredge area).

CONSIDERATION: \$0.10 per cubic yard royalty.

ENVIRONMENTAL IMPACT CONSIDERATION:

An environmental impact report is not required. This project is within the purview of 2 Cal. Adm. Code 2910, Class 4, which exempts a maintenance dredging operation.

OTHER PERTINENT DATA:

1. Under State Lands Dredging Permit PRC 3159, the Bahia Channel and Lagoon were first dredged in 1964 and redredged in 1966. The material dredged, a total of 200,000 cubic yards, was used in adjacent filling for the development of a marina-type subdivision. Such development was never undertaken.
2. Other required permits obtained for the project are:
 - a. Department of Army Permit Application No. PN 74-87-89.
 - b. State Water Resources Control Board, Certificate No. 74-27 (issued October 8, 1974).
 - c. San Francisco Bay Conservation and Development Commission Permit No. M-73-119 (issued January 4, 1974).

CALENDAR ITEM NO. 13. (CONTD)

EXHIBITS: A. Land Description. B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT THE PROJECT IS EXEMPT FROM THE REQUIREMENTS OF AN ENVIRONMENTAL IMPACT REPORT AS PROVIDED BY 2 CAL. ADM. CODE 2910.
2. AUTHORIZE THE ISSUANCE OF A PERMIT TO THE BAHIA HOMEOWNER'S ASSOCIATION TO DREDGE 20,500 CUBIC YARDS OF MATERIAL FROM AN AREA OF STATE TIDE AND SUBMERGED LANDS IN BAHIA CHANNEL, MARIN COUNTY, SUCH AREA BEING DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF, AND TO SPOIL THE DREDGED MATERIAL ON ADJACENT PRIVATE LANDS; AT A ROYALTY RATE OF \$0.10 CUBIC YARD FOR ALL MATERIAL SO DREDGED AND SPOILED; FOR THE PURPOSE OF REGAINING SMALL VESSEL NAVIGABILITY IN BAHIA CHANNEL AND INCREASING THE GRADE OF THE ADJACENT PRIVATE LANDS TO AN ELEVATION MORE SUITABLE FOR RESIDENTIAL CONSTRUCTION; SUCH PERMISSION TO BE SUBJECT TO ALL REQUIREMENTS, RECOMMENDATIONS, OR LIMITATIONS AS SET OR AS MAY BE SET BY STATE, FEDERAL OR LOCAL GOVERNMENT.

Attachment: Exhibit "A"

EXHIBIT "A"

W 9701

That certain navigable right-of-way over, in, and upon those certain tide and submerged lands situated in the County of Marin, State of California, and more particularly described as follows:

A strip of land 150 feet in width lying 75 feet on each side of the following described centerline:

COMMENCING at Station 45 of the ordinary high water mark of the right bank of Petaluma Creek as shown on that certain map entitled "Map of the Ordinary High Water Mark on the Right Bank of Petaluma Creek vicinity of Green Point, Marin County, California," said map being recorded July 25, 1960, in Can "E", Serial No. 19165, Official Records of Marin County; thence from said point of commencement along said ordinary high water mark N 39° 34' 36" W, 75 feet to the TRUE POINT OF BEGINNING; thence from said true point of beginning and leaving said ordinary high water mark N 32° 15' 05" E, 50 feet; thence S 82° 26' E, 315 feet; thence S 63° 00' E, 275 feet; thence N 64° 23' E, 310 feet; thence N 73° 26' E, 665 feet to a point in Petaluma Creek and the end of the herein-described centerline.

Containing an area of 5.58 acres, more or less.

END OF DESCRIPTION