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for the City Council  
on 1/26/78  
MINUTE ITEM

1/26/78  
Atkins

C3. GENERAL PERMIT, PUBLIC AGENCY USE; CITY OF LARKSPUR; W 21588;  
PRC 5340.

During consideration of Calendar Item C3, attached, Mr. James F. Trout, Manager, Land Operations, inserted into the record an amended legal description described as Exhibit "A".

Upon motion duly made and carried, the resolution as presented in Calendar Item C3, was adopted by a vote of 3-0.

Attachment: Calendar Item C3 (4 -yes)

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CALENDAR ITEM

C3.

GENERAL PERMIT  
PUBLIC AGENCY USE

1/78.  
W 21588  
Atkins  
PRC 5430

APPLICANT: City of Larkspur  
400 Magnolia Ave.  
Larkspur, California 94939

AREA, TYPE LAND AND LOCATION:  
A 2.5 acre parcel of sovereign land in  
Corte Madera Canal in the City of Larkspur,  
Marin County.

LAND USE: Public park and wildlife area.

TERMS OF PROPOSED PERMIT:  
Initial period: 49 years from February 1,  
1978.

CONSIDERATION: The public use and benefit, 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.

PREREQUISITE TERMS, FEES AND EXPENSES:  
Applicant is owner of upland.

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, 6.5,  
10 & 11.

OTHER PERTINENT INFORMATION:  
1. The annual rental value of the site  
is estimated to be \$100.  
2. This project is essentially to maintain  
the environment and to protect the  
habitat area by addition of riprap,  
and is exempt from the EIR provisions  
of CEQA and the State EIR Guidelines: Au-  
thority 14 Cal. Adm. Code Sections  
15104, 15108 and 15116.

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CALENDAR ITEM NO. 03 (CONTD)

3. This project is situated on State land identified as possessing significant environmental values pursuant to Public Resources Code 6370.1, and is classified in a use category, Class C which authorizes Multiple Use.

Staff review indicates that there will be no significant effect upon the identified environmental values. This is an existing facility for which no adverse comments have been received.

4. The City of Larkspur has requested that the State Lands Commission join with them in a claim against the Golden Gate Bridge District. This claim is based upon damage caused to the dike protecting the freshwater marsh park area by the district's ferry boat wakes. The estimate by the city to repair the damage and prevent further erosion is \$65,400. The dike is located mainly on State land.

The Bridge District has indicated that if they pay on this claim, they want the payment made to whoever owns fee title to the dike area. This makes it necessary for the Commission to join with the City of Larkspur in this claim.

APPROVALS OBTAINED:

BCDC and United States Army Corps of Engineers.

FURTHER APPROVALS REQUIRED:

None.

EXHIBITS:

A. Land Description. B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN EIR HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF PRC 21065, 14 CAL. ADM. CODE 15037 AND 2 CAL. ADM. CODE 2907.

CALENDAR ITEM NO. 03, (CONTD)

2. FIND THAT GRANTING OF THE PERMIT WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1, OF THE PUBLIC RESOURCES CODE.
3. AUTHORIZE ISSUANCE TO THE CITY OF LARKSPUR OF A 49-YEAR GENERAL PERMIT - PUBLIC AGENCY USE FROM FEBRUARY 1, 1978; IN CONSIDERATION OF THE PUBLIC USE AND BENEFIT, 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; FOR A PUBLIC PARK AND WILDLIFE AREA WHICH INCLUDES THE PRESERVATION OF A FRESHWATER MARSH, ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.
4. AUTHORIZE THE STAFF OF THE COMMISSION TO ENTER INTO A WAVE DAMAGE CLAIM IN CONJUNCTION WITH THE CITY OF LARKSPUR AGAINST THE GOLDEN GATE BRIDGE DISTRICT, FOR DAMAGE TO THE DIKE, LOCATED ON THE LAND DESCRIBED ON EXHIBIT "A", CAUSED BY ITS FERRY BOATS.

Attachment: Exhibit "A"

EXHIBIT "A"

W 21588

A parcel of land in Section 11, T1N, R5W, MDM as said section is shown on that certain map entitled "Map No. 2 of Salt Marsh and Tide Lands, Marin County, California", said parcel being described as follows:

1. Bounded on the northeast by the southwesterly line of Board of Tide Land Commissioners Lot 26, Section 11, as shown on said Map No. 2 of Salt Marsh and Tide Lands:
2. Bounded on the northwest by a line perpendicular to said southwesterly line of Lot 26 at the point of intersection of said southwesterly line with the southerly right of way line of Sir Francis Drake Boulevard:
3. Bounded on the westerly and southerly sides by the toe of the levee on the northerly bank of Corte Madera Creek.

TOGETHER WITH that portion of said Lot 26, Section 11 lying northeasterly of the above described lands.

EXCEPTING THEREFROM those interests-in-land, if any, which might have passed by virtue of Board of Tideland Commissioners deed for said Lot 26, Section 11.

END OF DESCRIPTION

Prepared J. Britton Checked \_\_\_\_\_  
Reviewed J.B. Date 1/25/78