

MINUTE ITEM

This Calendar Item No. C2
was approved as Minute Item
No. 2 by the State Lands
Commission by a vote of 2
to 0 at its 3/30/78
meeting.

CALENDAR ITEM

C2.

GENERAL PERMIT
PUBLIC AGENCY USE

3/78
W 20832
Atkins
PRC 5455

- APPLICANT: California Department of Fish and Game
1416 Ninth Street
Sacramento, California 95814
- AREA, TYPE LAND AND LOCATION:
278 acres of sovereign land in Novato,
Marin County.
- LAND USE: Wildlife management, and/or public recreation,
and/or other like purposes consistent with
the public trust.
- TERMS OF PROPOSED PERMIT:
Initial period: 66 years from March 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.
- STATUTORY AND OTHER REFERENCES:
A. Public Resources Code: Div. 6, Parts 1 & 2.
B. Administrative Code: Title 2, Div. 3,
Art. 1, 2, 6.5,
10 & 11.
- OTHER PERTINENT INFORMATION:
1. The annual rental value of the site
is estimated to be \$15,000.
2. This project is exempt from CEQA under
Resources Guidelines Section, 15107
Class 7, leases of lands for wildlife
conservation purposes.
3. This property was acquired under BLA-150,
approved by the Commission on April 28,
1976. The Commission is required, under
Public Resources Code Section 6219,
to inventory lands under its jurisdiction
for significant environmental values.
The inventory is in process and the

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CALENDAR ITEM NO. C2. (CONT'D)

Commission's Staff will submit its recommendations for this parcel regarding significant environmental values to the Commission at a later date.

4. The Commission's Staff feels that a permit term of 66 years is in the best interest of the State, due to the public benefit type of use.
5. This property is outside of the jurisdiction of the California Coastal Zone Commission. The permittee proposes no substantive changes to the environmental ecosystems at this time. Should the lessee propose changes to the ecosystems in the future, appropriate environmental impact documentation will be prepared by the Department of Fish and Game and reviewed by State Lands.
6. The State's title, as set forth in BLA-150, was taken subject to an existing Hay Lease which will expire September 1, 1980. The State Lands Commission will receive the income from this lease until expiration.

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 21085, 14 CAL. ADM. CODE 15100 ET SEQ., AND 2 CAL. ADM. CODE 2907.
2. FIND THAT A PERMIT TERM OF 66 YEARS IS IN THE BEST INTEREST OF THE STATE.
3. AUTHORIZE ISSUANCE TO THE CALIFORNIA DEPARTMENT OF FISH AND GAME OF A 66-YEAR GENERAL PERMIT - PUBLIC AGENCY USE FROM MARCH 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 WILDLIFE MANAGEMENT, AND/OR PUBLIC RECREATION, AND/OR OTHER LIKE PURPOSES CONSISTENT WITH THE PUBLIC TRUST, ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

LAND DESCRIPTION

All that certain Real Property situate in the City of Novato, County of Marin, State of California, described as follows:

PARCEL ONE:

BEGINNING at the point of intersection of the Easterly line of the California State Highway leading from Ignacio to Novato and the centerline of Novato Creek, which point bears due North 175 feet; and thence North 78° 55' East 247 feet and North 40° 22' West to said centerline; from a post marked "A.G.S." set in the Southeast corner of Survey No. 14, Salt Marsh and Overflowed Lands; thence along the center of Novato Creek, Easterly and Southerly, the meander line of which runs 40 feet Southerly and Westerly therefrom as follows: North 78° 55' East 166.75 feet, North 68° 48' East 161.54 feet, North 54° 43' East 353.88 feet, North 72° 38' East 773.44 feet to a point on the Westerly line of the right of way of the Northwestern Pacific Railroad; thence North 65° 33' East 238.27 feet, North 73° 21' East 861.85 feet, North 59° 53' East 502.95 feet, South 38° 20' East 161.24 feet, South 33° 06' East 134.96 feet, South 01° 30' East 630.1 feet, South 21° 55' East 511 feet, South 44° 58' East 453.12 feet, South 65° 24' East 461 feet, South 83° 28' East 256.18 feet, North 79° 31' East 426.04 feet, North 70° 18' East 207 feet, North 57° 12' East 425.56 feet, South 78° 14' East 125.47 feet, South 58° 53' East 166.05 feet, South 40° 06' East 442.66 feet, South 45° 19' East 854.67 feet, South 60° 43' East 534.98 feet, South 51° 36' East 120.65 feet, South 65° 32' East 243.93 feet, South 40° 26' East 117.50 feet, South 27° 45' East 270.19 feet, South 10° 02' East 307.4 feet, South 22° 32' East 28.5 feet to the Northerly line of the right of way of the California State Highway leading from Ignacio to Black Point; thence South 46° 06' West along the Northerly line of said right of way, 3028.55 feet, more or less, to the line between Sections 28 and 29 of Township 3 North, Range 6 West, Mount Diablo Base and Meridian, being also the Northeastly corner of that certain 1.134 acre parcel of land conveyed to the County of Marin from S. H. Cheda by public highway deed recorded October 3, 1916 in Book 182 of Deeds, at Page 221, Marin County Records, said corner being in the Northwestly line of the California State Highway known as Road IV MRN-8-A, distant North 123.10 feet from Engineer's Station "A1" 1741.26 on the centerline of the Department of Public Work's Survey for the State Freeway in Marin County between Ignacio and Petaluma Creek; running thence from said point and following the compromise boundary line agreed upon between the parties of Richard H. Cheda and Louis Buzzine, North 48.96 feet; thence 44° 22' West 75.0 feet, North 16° 49' East 448.70 feet, North 46° 11' East 627.7 feet, North 05° 21' East 147 feet; thence North 49° 42' West 52.90 feet;

thence North 74° 37' West 382.23 feet, North 61° 33' West 125.38 feet; thence North 36° 33' West 208 feet, North 58° 50' West 80.26 feet; thence South 54° 45' West 740.6 feet, South 73° 01' West 151.9 feet, South 89° 02' West 175.87 feet to a point on the Easterly line of the right of way of the Northwestern Pacific Railroad; thence along said line, South 32° 53' East 210.4 feet; thence crossing the Railroad Right of Way, South 45° 01' West 94.74 feet to a point on the Westerly line of said right of way; thence along a line between the lands of Cheda and the property herein described, South 12° 32' West 367 feet, South 31° 16' West 171 feet; thence South 53° 08' West 166 feet; thence South 74° 20' West 200 feet to a point on the Easterly line of the right of way of the California State Highway leading from Ignacio to Novato; thence North 40° 22' West along said line, 5730 feet, more or less, to the point of beginning.

PARCEL TWO:

BEGINNING at the Northeasterly corner of that certain 1.134 acre parcel of land conveyed to the County of Marin from S. H. Cheda by public highway deed recorded October 3, 1916 in Book 182 of Deeds, at Page 221, Marin County Records, said corner being in the Northwestern line of the California State Highway known as Road IV MRN-8-A, distant North 123.10 feet from Engineer's Station "A1" 17+41.26 on the centerline of the Department of Public Works Survey for the State Freeway in Marin County between Ignacio and Petaluma Creek; running thence from said point of beginning and following the compromise boundary line agreed upon between the parties of Richard H. Cheda and Louis Buzzine, North 48.96 feet; thence North 44° 22' West 75.0 feet, North 16° 49' East 448.79 feet, North 46° 11' East 527.7 feet, North 5° 23' East 147.9 feet, North 45° 42' West 52.9 feet, North 74° 37' West 382.23 feet, North 61° 33' West 125.38 feet, North 36° 33' West 208.0 feet, North 58° 50' West 80.26 feet, South 54° 45' West 740.6 feet, South 73° 01' West 151.9 feet, South 89° 02' West 175.87 feet to the Northeasterly right of way line of the Northwestern Pacific Railroad; thence South 32° 53' East along said right of way line, 210.4 feet; thence continuing Southeasterly along the Northeasterly right of way line of said Northwestern Pacific Railroad, 770.0 feet, more or less, to the most Northerly corner of that certain parcel of land conveyed to the Northwestern Pacific Railroad and described in Book 271 of Official Records, at Page 361, Marin County Records; running thence along the Easterly line of the last mentioned parcel, South 29° 55' East 86.23 feet; thence along a curve to the left whose center bears North 60° 05' East radius 523.14 feet, a distance of 529.72 feet to a point in the Northwestern line of the California State Highway, situated South 45° 38' West 237.81 feet from the point of beginning; thence North 45° 38' East 237.81 feet to the point of beginning.

EXCEPTING THEREFROM and thereout from Parcels One and Two above described the following described parcels:

- A. Any portion of the above described property which lies Westerly of the Easterly line of the Railroad as described in that certain Deed to North Pacific Railroad Company, recorded September 13, 1882 in Book "X" of Deeds, at Page 378, Marin County Records, and by Deed to the Northwestern Pacific Railroad Company, recorded April 11, 1919 in Book 202 of Deeds, at Page 303, Marin County Records.
- B. Any portion of the above described property contained in the Deed to Pacific Gas and Electric Company, a corporation, recorded March 11, 1955, in Book 927 of Official Records, at Page 411, Marin County Records.
- C. Any portion of the above described property contained in the following instruments to the State of California: Deed recorded November 9, 1949 in Book 629 of Official Records, at Page 414; Deed recorded December 5, 1949 in Book 631 of Official Records, at Page 313; Deed recorded September 22, 1958 in Book 1218 of Official Records, at Page 478; Deed recorded May 1, 1963 in Book 1682 of Official Records, at Page 453, Marin County Records.
- D. Any portion of the above described property contained in the Deed to the Marin County Flood Control and Water Conservation District, recorded June 30, 1972 in Book 2584 of Official Records, at Page 241, Marin County Records.