

MINUTE ITEM

TRB. Cal. Adm. Code
Was. of ...
No. 6
Public
by ... 8/31/78
meeting.

C6

CALENDAR ITEM

C6.

GENERAL PERMIT
PUBLIC AGENCY USE

8/78
W 21579
Maricle
PRC 5520

APPLICANT: Alameda County Flood Control and
Water Conservation District
399 Elmhurst Street
Hayward, California 94544

AREA, TYPE LAND AND LOCATION: 3.35 acres of tide and submerged land in
Alameda Creek, vicinity of Union City and
Hayward, Alameda County.

LAND USE: Marsh restoration and existing tidal flow
gate.

TERM OF PROPOSED PERMIT:
Initial period: 49 years from June 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.

BASIS FOR CONSIDERATION:
2 Cal. Adm. Code 2005.

PREREQUISITE, FEES AND EXPENSES:
Processing costs have been received.

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

OTHER PERTINENT INFORMATION:
1. The annual rental value of the site
is estimated to be \$1,000.
2. An E.R. is not required. As to the tidal
gate, this transaction is within the
purview of 2 Cal. Adm. Code 2907, Class
1B, which exempts an existing structure

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CALENDAR ITEM NO. C6. (CONT'D)

or facility that is in an acceptable state of repair and there is no evidence of record to show injury to adjacent property, shoreline erosion, or other types of environmental degradation. The marsh restoration will not involve any construction and is not a project. The exemptions of 2 Cal. Adm. Code 2903(d) and Public Resources Code Section 21100 apply.

3. This project is situated on State land not identified as possessing significant environmental values pursuant to Public Resources Code 6370.1.

APPROVALS OBTAINED:

United States Army Corps of Engineers.

FURTHER APPROVALS REQUIRED:

San Francisco Bay Conservation and Development Commission, State Fish and Game, Regional Water Quality Control Board, State Lands Commission.

EXHIBITS:

A. Land Description. B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN FIR HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF P.R.C. 21085, 14 CAL. ADM. CODE 15100 ET SEQ., 2 CAL. ADM. CODE 2907, P.R.C. 21065, 14 CAL. ADM. CODE 15037, AND P.R.C. 21100, 14 CAL. ADM. CODE 15060.
2. AUTHORIZE ISSUANCE TO THE ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT OF A 49-YEAR GENERAL LEASE - PUBLIC AGENCY USE FROM JUNE 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 MARSH RESTORATION AND AN EXISTING TIDAL FLOOD GATE ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

W 21579

All that portion of the lands included within the State-owned bed of Alameda Creek, situated partly in the City of Hayward and partly in the City of Union City, Alameda County, California lying westerly of the northerly production of the westerly line of the land described by deed recorded in Book 150 of Deeds, page 219, Records of said County and easterly of the easterly line of the 400 foot wide flood control channel as described in the "Judgment Quieting Title to Real Property in State of California", recorded December 27, 1967 in Reel 2098 of Official Records, Image 707, Records of said County.

END OF DESCRIPTION

Prepared

[Signature]

Checked

[Signature]

Reviewed

[Signature]
DAB

Date
