

MINUTE ITEM

This Calendar Item No. 36
was approved as Minute Item
No. 36 by the State Lands
Commission by a vote of 3
to 0 at its 3/22/85
meeting.

MINUTE ITEM

36.

3/22/84
W 22171
Valentine

AUTHORIZE CITY OF SAN MATEO TO TAKE STEPS TO
INCREASE WATER FLOW THROUGH O'NEILL CULVERT IN THE
CITY OF BELMONT, SAN MATEO COUNTY

During consideration of Calendar Item 36, attached, the following people appeared:

Tom Adams, an Attorney representing Kumam Corporation;
Bob Bezzant, representing the City of San Mateo.

Mr. Adams presented testimony with recommendation of two specified conditions to be included as part of the resolutions of this Calendar Item.

Without objection, the Commission unanimously approved Calendar Item 36, amended as follows, by a vote of 3-0:

1. AUTHORIZE THE CITY OF SAN MATEO AS AN INTERIM MEASURE TO REMOVE THE COLLAPSED CULVERT CONSTRICTING THE FLOW OF BAY WATERS THROUGH O'NEILL CULVERT IN THE LOCATION DEPICTED ON THE ATTACHED EXHIBIT "A" AND TO REPLACE THE CULVERT WITH A CULVERT OR CULVERTS AS IS NECESSARY TO SECURE ADEQUATE FLOW INTO MARINA LAGOON WITH THE FOLLOWING SPECIFIED CONDITIONS:
 - A. IN ORDER TO PRESERVE ACCESS TO ADJACENT PROPERTIES, THE REPLACEMENT CULVERT WILL BE BACKFILLED TO PROVIDE A CULVERT WITH A CARRYING CAPACITY EQUIVALENT TO THAT WHICH IS IN PLACE AT THIS TIME.
 - B. IF FOR ANY REASON IT IS IMPOSSIBLE TO REPLACE THE PRESENT CULVERT WITH ONE OF THE EQUIVALENT CARRYING CAPACITY, THE APPLICANT WILL PROVIDE EQUIVALENT ACCESS TO THE ADJACENT PROPERTY BY BRIDGE OR OTHER APPROPRIATE MEANS.
2. CONDITION THIS AUTHORIZATION ON AN AGREEMENT BY THE CITY OF SAN MATEO TO INDEMNIFY AND TO HOLD THE STATE HARMLESS FROM ANY DAMAGES RESULTING FROM NEGLIGENT ACTS OR OMISSIONS OF THE CITY OR ITS AGENTS IN PERFORMING THIS WORK.
3. AUTHORIZE STAFF TO TAKE ALL ACTIONS NECESSARY TO IMPLEMENT THIS ACTION, INCLUDING THE EXECUTION AND ISSUANCE OF PERMITS.
4. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO 14 CAL. ADM. CODE 15061 AS A CATEGORICAL EXEMPT PROJECT, CLASS 2, REPLACEMENT OR RECONSTRUCTION OF EXISTING STRUCTURE AND FACILITIES, 14 CAL. ADM. CODE 15302.

(NON-SUBSTANTIVE REVISION 03/27/85)

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CALENDAR ITEM

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3/22/84
W 22171
Valentine
PRC 6612

AUTHORIZE CITY OF SAN MATEO TO TAKE STEPS TO
INCREASE WATER FLOW THROUGH O'NEILL SLOUGH IN THE
CITY OF BELMONT, SAN MATEO COUNTY

At its regular meeting on September 28, 1983, the State Lands Commission, by Calendar Item 32, approved a Compromise Title Settlement Agreement between the State and the City of Belmont. As part of this settlement the City agreed to remove a collapsed culvert which constricts the flow of tidewaters from San Francisco Bay through O'Neill Slough and to replace the culvert with a bridge. A plat showing the location of the culvert is attached as Exhibit "A".

The development which the settlement was to facilitate, and of which the bridge construction is only a part, has not yet commenced and the slough remains partially blocked. The City of San Mateo has proposed to remove the defective culvert and replace it with two culverts 60 inches in diameter as an interim measure. The purpose of this work is to enable the City of San Mateo to secure the flow of Bay waters into Marina Lagoon in order to maintain water quality and to control algae growth in the lagoon during the coming summer months.

Staff is informed that the City of Belmont has no objection to this proposed project. This action by the State Lands Commission will not in any way relieve the City of Belmont from its obligations under the State's previous title settlement

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OTHER PERTINENT INFORMATION:

Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Adm. Code 15061). The staff has determined that this activity is exempt from the requirements of the California Environmental Quality Act (CEQA) as a categorical exempt project. The project is exempt under Class 2, replacement or reconstruction of existing structure and facilities, 14 Cal. Adm. Code 15302.

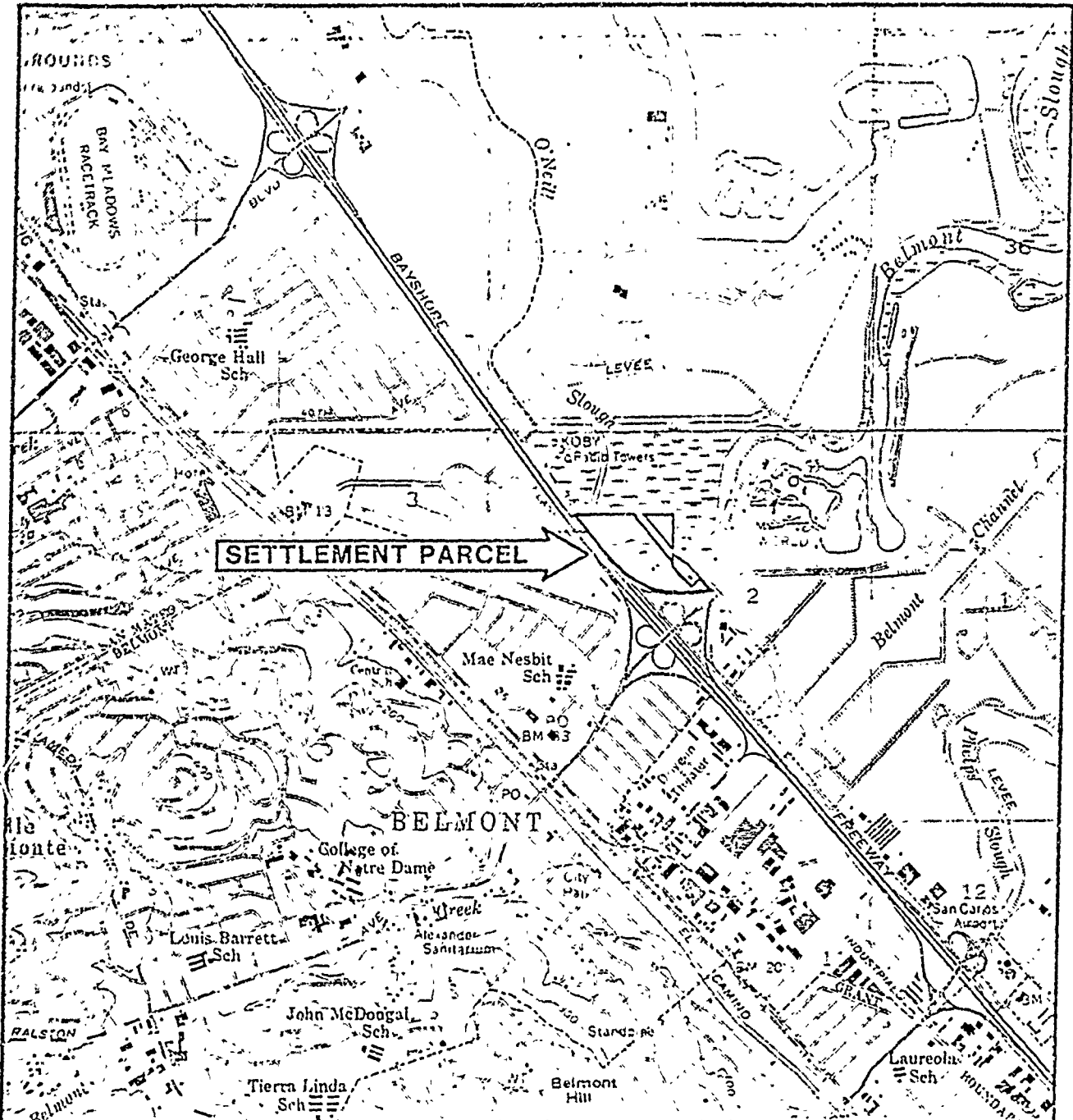
Authority: P.R.C. 21034 and 14 Cal. Adm. Code 15300.

AR 334: N/A.

EXHIBIT: A. Settlement Plat.
B. Plat Showing Culvert.

THEREFORE, IT IS RECOMMENDED THAT THE COMMISSION:

1. AUTHORIZE THE CITY OF SAN MATEO AS AN INTERIM MEASURE TO REMOVE THE COLLAPSED CULVERT CONSTRICTING THE FLOW OF BAY WATERS THROUGH O'NEILL SLOUGH IN THE LOCATION DEPICTED ON THE ATTACHED EXHIBIT "A" AND TO REPLACE THE CULVERT WITH A CULVERT OR CULVERTS AS IS NECESSARY TO SECURE APPROPRIATE FLOW INTO MARINA LAGOON.
2. CONDITION THIS AUTHORIZATION ON AN AGREEMENT BY THE CITY OF SAN MATEO TO INDEMNIFY AND TO HOLD THE STATE HARMLESS FROM ANY DAMAGES RESULTING FROM NEGLIGENT ACTS OR OMISSIONS OF THE CITY OR ITS AGENTS IN PERFORMING THIS WORK.
3. AUTHORIZE STAFF TO TAKE ALL ACTIONS NECESSARY TO IMPLEMENT THIS ACTION, INCLUDING THE EXECUTION AND ISSUANCE OF PERMITS.
4. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO 14 CAL. ADM. CODE 15061 AS A CATEGORICAL EXEMPT PROJECT, CLASS 2, REPLACEMENT OR RECONSTRUCTION OF EXISTING STRUCTURE AND FACILITIES, 14 CAL. ADM. CODE 15302.



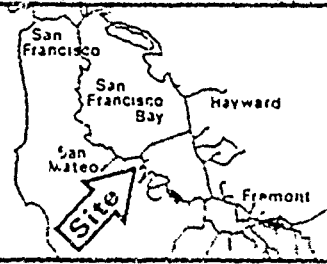
SETTLEMENT PARCEL

STATE LANDS COMMISSION

SETTLEMENT PLAT

PORTION OF U.S.G.S. QUAD
SAN MATEO, REVISED 1980

PLOTTING APPROXIMATE



Prepared by: R.L. BELL

Date: 3-6-84 A: 20 S: 8

EXHIBIT 'A'

Title Stud: BELMONT ISLAND PARK

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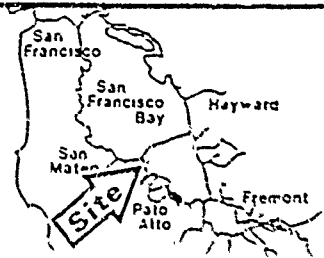
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STATE LANDS COMMISSION

SUBJECT CULVERT



Prepared by: R.L. Bell

Date: 3-6-83

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EXHIBIT 'B'

Title Study: BELMONT ISLAND PARK

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