

MINUTE ITEM
This Calendar Item No. C17
was approved as Minute Item
No. 17 by the State Lands
Commission by a vote of 3
to 0 at its 9/23/92
meeting.

CALENDAR ITEM

C 17

A 9
S 3

09/23/92
PRC 7084
N. Smith

APPROVE A GENERAL PERMIT - ANNUAL SEASONAL DAM

LESSEE:

Waldo Giacomini
Box 126
Point Reyes Station, California 94956

AREA, TYPE LAND AND LOCATION:

An area of tide and submerged land within the bed of
Lagunitas Creek, near the community of Point Reyes Station,
Marin County.

LAND USE:

Installation of a gravel dam annually during the summer
months for the impoundment of fresh water, and prevention of
salt water intrusion.

TERMS OF ORIGINAL PERMIT:

Initial period:
Five (5) years beginning May 1, 1987.

Public liability insurance:
Combined single limit coverage of \$100,000.

Consideration:
\$150 per annum; five-year rent review.

TERMS OF PROPOSED PERMIT:

Initial period:
One year, eight months beginning May 1, 1992.

Public liability insurance:
Combined single limit coverage of \$100,000.

CALENDAR ITEM NO. C 1 7 (CONT'D)

CONSIDERATION:

\$150 per annum.

BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Code Regs. 2003.

APPLICANT STATUS:

Applicant is owner of upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

Filing fee and processing costs have been received.

STATUTORY AND OTHER REFERENCES:

A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.

B. Cal. Code Regs.: Title 3, Div. 3; Title 14, Div. 6.

AB 884:

N/A

OTHER PERTINENT INFORMATION:

1. The Lessee owns and operates a large scale dairy operation on the uplands adjacent to the proposed project site. Historically, the applicant has installed a temporary gravel dam annually across the bed of Lagunitas Creek, near his dairy operation during the summer months to provide a source of fresh water for irrigation and stock water purposes. The gravel dam impounds fresh water and reportedly prevents salt water intrusion up stream of the dam, thereby allowing the pumping of fresh water for irrigation purposes. The gravel material used to construct the dam is obtained from the creekbed at the dam site. The dam is annually washed out, due to heavy winter runoff from the Lagunitas Creek watershed, thereby returning the gravel to the creek.

A permanent fish ladder has been installed at the dam site to protect fish species during spawning runs.

2. In response to the Corps of Engineers' Public Notice, various permitting authorities have discussed the economic viability of the Giacomini dairy in

conjunction with a full investigation of the consequences of the dam. The Corps has issued a permit and has authorized an extension through December 31, 1993, to enable the applicant time to complete environmental studies requested.

3. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.
4. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Code Regs. 15221 and 15225), the staff proposes to utilize a Finding of No Significant Impact (FONSI) prepared by the NEPA Lead Agency, the United States Army Corps of Engineers, in place of a Negative Declaration under CEQA. The FONSI was recirculated by staff through the State Clearinghouse (SCH No. 87051216).

Based upon said circulation and the comments received in response thereto, there is no substantial evidence that the project will have a significant effect on the environment. (14 Cal. Code Regs. 15074 [b]).

APPROVALS OBTAINED:

United States Army Corps of Engineers, Department of Fish and Game, and California Coastal Commission.

FURTHER APPROVALS REQUIRED:

None.

EXHIBITS:

- A-1. Land Description
- A-2. Land Description
- B. Location Map

IT IS RECOMMENDED THAT THE COMMISSION:

1. CERTIFY THAT A FONSI WAS PREPARED FOR THIS PROJECT BY THE NEPA LEAD AGENCY, THE UNITED STATES ARMY CORPS OF ENGINEERS,

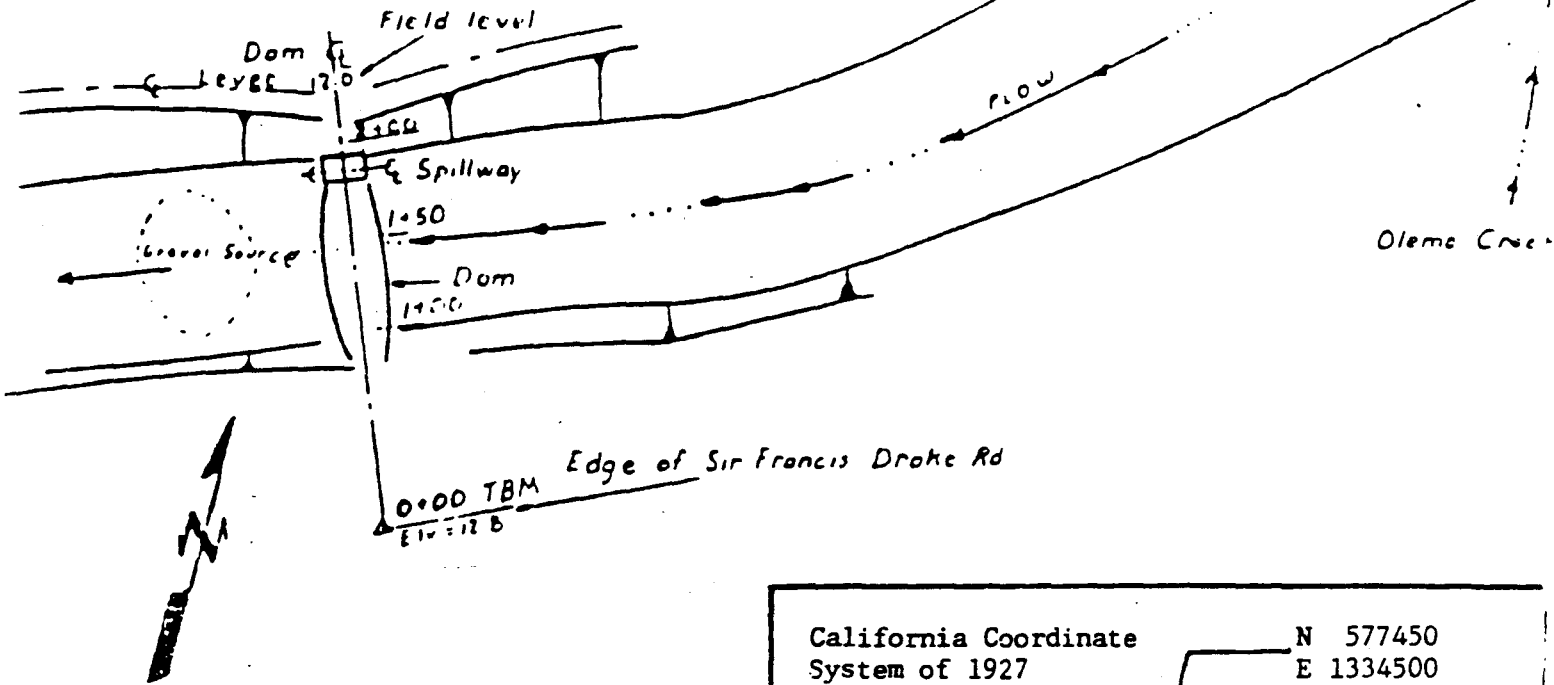
CALENDAR ITEM NO. C 1 7 (CONT'D)

AND CIRCULATED THROUGH THE STATE CLEARINGHOUSE (NO. 87051216); THAT SAID DOCUMENT IS BEING USED BY THE COMMISSION IN LIEU OF A NEGATIVE DECLARATION; AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.

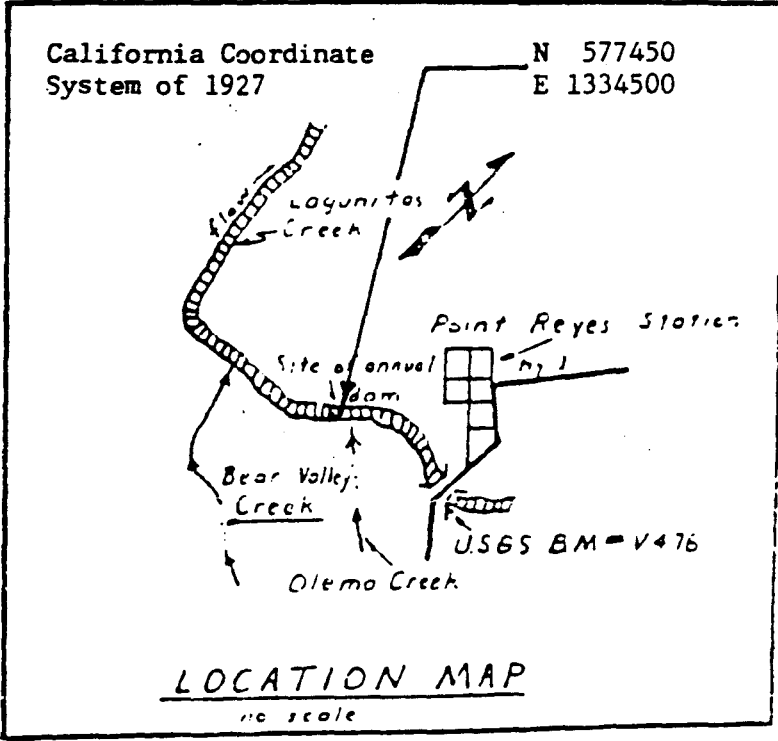
2. FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO P.R.C. 6370, ET SEQ.
3. AUTHORIZE ISSUANCE TO WALDO GIACOMINI OF A ONE YEAR, EIGHT MONTHS GENERAL PERMIT - ANNUAL SEASONAL DAM BEGINNING MAY 1, 1992; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$150, PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF \$100,000; FOR THE INSTALLATION OF AN ANNUAL SEASONAL DAM ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

SECTION 3

PN 16700 N 63

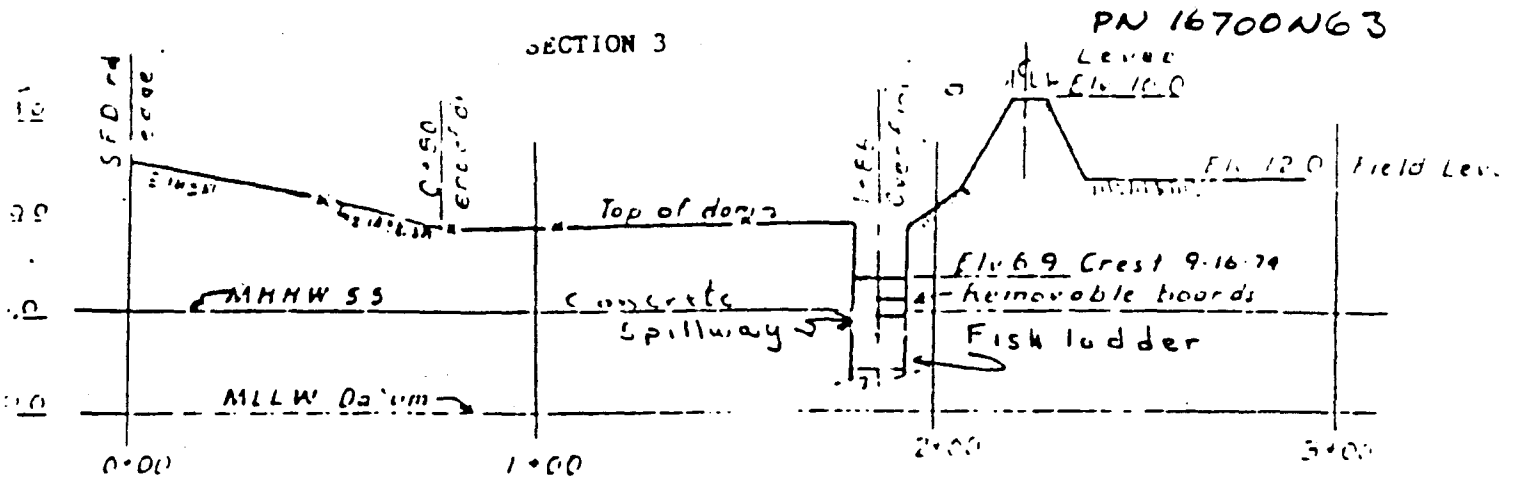


PLAN
Scale - 1" = 100'
Datum - M.L.L.W

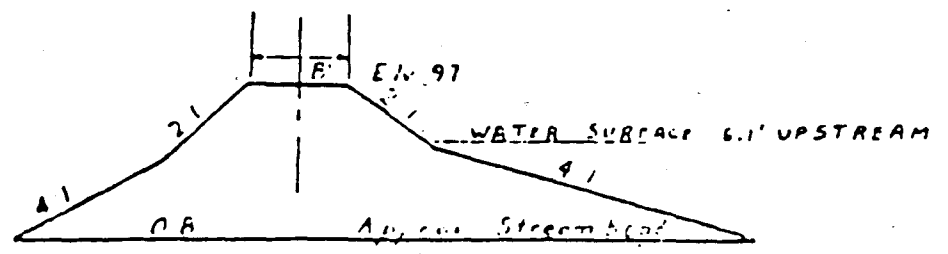


LOCATION MAP
no scale

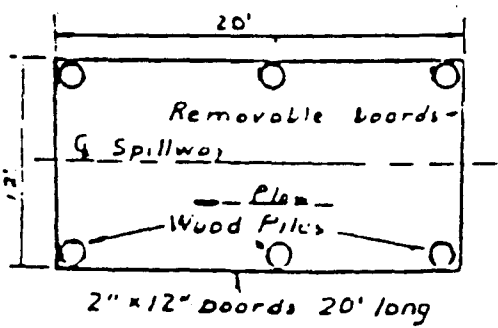
PROPOSED
ANNUAL GRAVEL DAM
in LAGUNITAS CREEK
at POINT REYES STATION
County of - MARIN State - CALIFORNIA
Application by - WALDO GIACOMINI



PROFILE ON AXIS OF DAM
Scale: Vert 1"=10' - Horz 1"=50'



X-SECTION @ 1+50
no scale



DETAIL OF OVERFLOW
no scale

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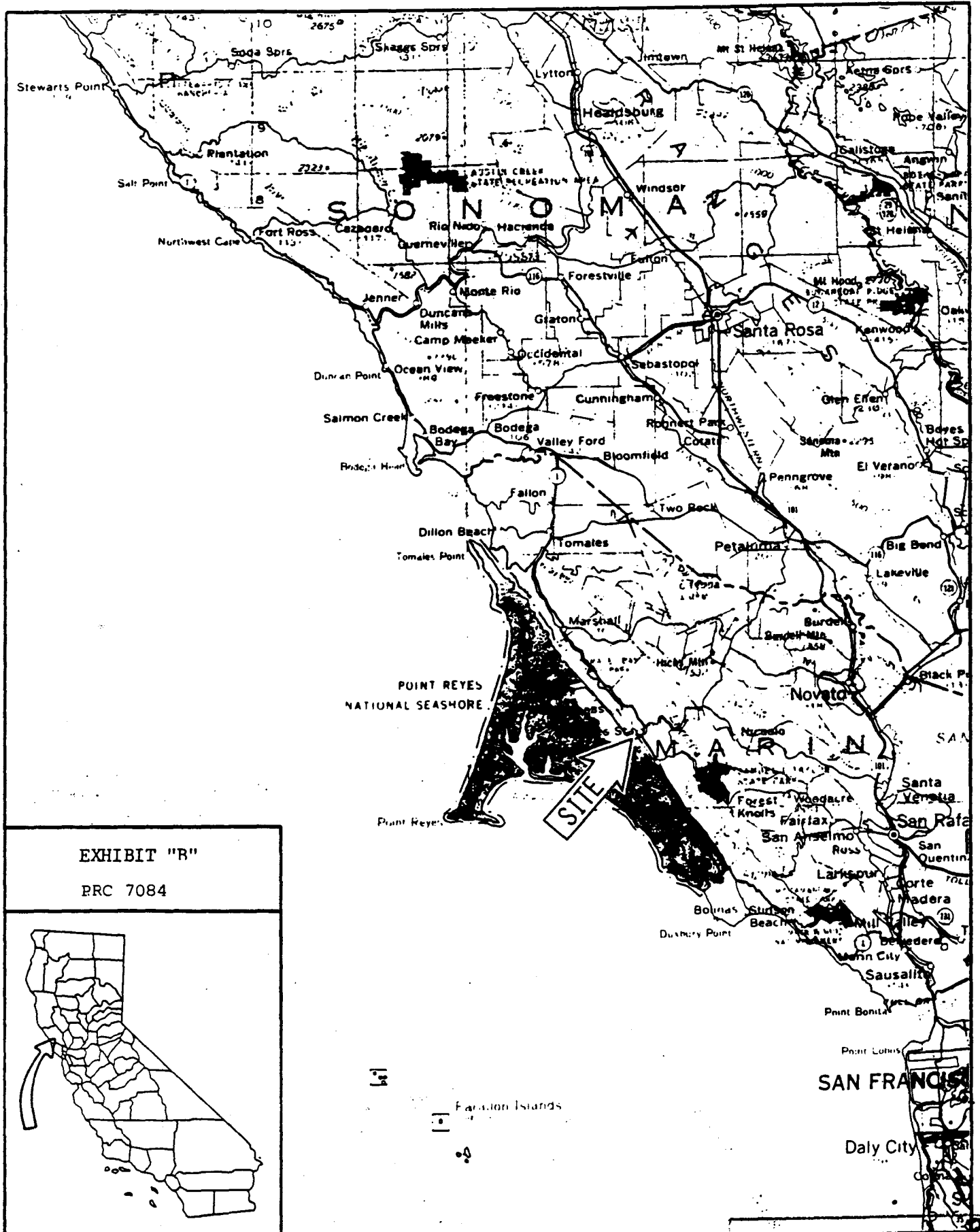


EXHIBIT "R"

PRC 7084

