

**CALENDAR ITEM
C27**

A 4
S 3

10/16/15
PRC 3618.9
B. Terry

GENERAL LEASE – PUBLIC AGENCY USE

APPLICANT:

Napa Sanitation District
1515 Soscol Ferry Road
Napa, CA 94558

AREA, LAND TYPE, AND LOCATION:

Sovereign land in the Napa River, adjacent to Assessor's Parcel Number 057-010-010, near Rattos Landing, city of Napa, Napa County.

AUTHORIZED USE:

Continued maintenance of three existing non-operational diffuser effluent outfall pipelines and riprap.

LEASE TERM:

10 years, beginning September 26, 2015.

CONSIDERATION:

The public use and benefit, with the State reserving the right at any time to set a monetary rent if the Commission finds such action to be in the State's best interests.

OTHER PERTINENT INFORMATION:

1. Applicant owns the upland adjoining the lease premises.
2. On September 26, 1966, the Commission authorized a Right-of-Way Easement for a term of 49 years for the construction of three 21-inch diameter diffuser effluent pipelines (pipelines) and riprap with the Napa Sanitation District (NSD). That Easement expired on September 25, 2015. The Applicant is now applying for a General Lease – Public Agency Use.
3. The pipelines were constructed in 1967 and formally used to discharge treated liquid waste into the Napa River. The three pipelines were taken

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out of service approximately 15 years ago (1999 – 2000). The NSD has submitted an application for a General Lease – Public Agency Use for non-operational use of the pipelines.

4. Staff recommends issuance of a lease to allow NSD to continue maintenance, inspections, and testing of the three pipelines throughout the term of the lease. During the lease term NSD must submit an operations plan detailing any required repairs identified by inspections and testing, and include the timing for such repairs based on future use, or a plan to restore the lease premises.
5. The staff recommends that the Commission find that this activity is exempt from the requirements of the California Environmental Quality Act (CEQA) as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

Authority: Public Resources Code section 21084 and California Code of Regulations, Title 14, section 15300 and California Code of Regulations, Title 2, section 2905.

6. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et seq., but such activity will not affect those significant lands. 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.

EXHIBITS:

- A. Land Description
- B. Site and Location Map

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that the activity is exempt from the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15061 as a categorically exempt project, Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

CALENDAR ITEM NO. **C27** (CONT'D)

SIGNIFICANT LANDS INVENTORY FINDING:

Find that this activity is consistent with the use classification designated by the Commission for the land pursuant to Public Resources Code section 6370 et seq.

AUTHORIZATION:

Authorize issuance of a General Lease – Public Agency Use to the Napa Sanitation District beginning September 26, 2015, for a term of 10 years, for continued maintenance of three existing non-operational diffuser effluent outfall pipelines and riprap as described in Exhibit A and shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof; consideration to be the public use and benefit, with the State reserving the right, at any time, to set a monetary rent as specified in the lease if the Commission finds such action to be in the State's best interests.

EXHIBIT A

PRC 3618.9

LAND DESCRIPTION

Two parcels of tide and submerged land, situate in the bed of the Napa River, lying adjacent to Swamp and Overflowed Land Survey 5A, patented February 4, 1864, Napa County, State of California and lying southerly of the following described line:

PARCEL 1

BEGINNING at a point designated E132 on the ordinary high water mark of the Napa River as shown on sheet 8 of 13 of a series of maps of the "ORDINARY HIGH WATER MARK ALONG THE NAPA RIVER", recorded September 14, 1954, in the Office of Napa County Recorder, Serial Number S1109; said point of beginning bears N 74° 23' 46" E 247.52 feet from Triangulation Station "RATTOS CLC 1953", said station having CCS27 Zone 2 coordinates of Y=205903.42 feet, X=1916847.60 feet; thence from the POINT OF BEGINNING leaving the ordinary high water mark N 10° 08' 09" W 40.00 feet, thence N 79° 51' 51" E 178.10 feet; thence N 69° 11' 35" E 151.39 feet; thence N 54° 00' 06" E 134.75 feet; thence N 41° 02' 40" E 258.77 feet; thence N 31° 53' 27" E 310.96 feet, thence N 20° 55' 00" E 200.63 feet; thence S 69° 05' 00" E 40.00 feet to the ordinary high water mark; thence along the ordinary high water mark S 20° 55' 00" W 204.47 feet; thence S 31° 53' 27" W 318.00 feet; thence S 41° 02' 40" W 266.51 feet; thence S 54° 00' 06" W 144.62 feet; thence S 69° 11' 35" W 160.46 feet; thence S 79° 51' 51" W 181.84 feet to the POINT OF BEGINNING.

PARCEL 2

COMMENCING at a point designated E132 on the ordinary high water mark of the Napa River as shown on sheet 8 of 13 of a series of maps of the "ORDINARY HIGH WATER MARK ALONG THE NAPA RIVER", recorded September 14, 1954, in the Office of Napa County Recorder, Serial Number S1109; said point bears N 74° 23' 46" E 247.52 feet from Triangulation Station "RATTOS CLC 1953", said station having CCS27 Zone 2 coordinates of Y=205903.42 feet, X=1916847.60 feet; thence along the ordinary high water mark N 79° 51' 51" W 181.84 feet, thence N 69° 11' 35" E 160.36 feet to a point designated E134 and the POINT OF BEGINNING; thence leaving the ordinary high water mark N 28° 25' 32" E 65.00 feet; thence N 56° 44' 13" E 92.89 feet; thence S 35° 59' 54" E 60.00 feet

to the ordinary high water mark; thence along the ordinary high water mark S 54° 00' 06" W 101.35 feet to the POINT OF BEGINNING.

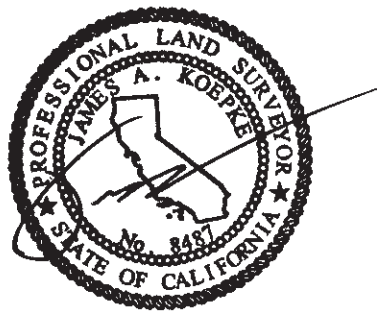
EXCEPTING THEREFROM any portion of said PARCEL 2 that lies within above described PARCEL 1.

The BASIS OF BEARINGS of this description is the California Coordinates System of 1927, Zone 2. All distances are grid and in U.S. survey feet.

END OF DESCRIPTION

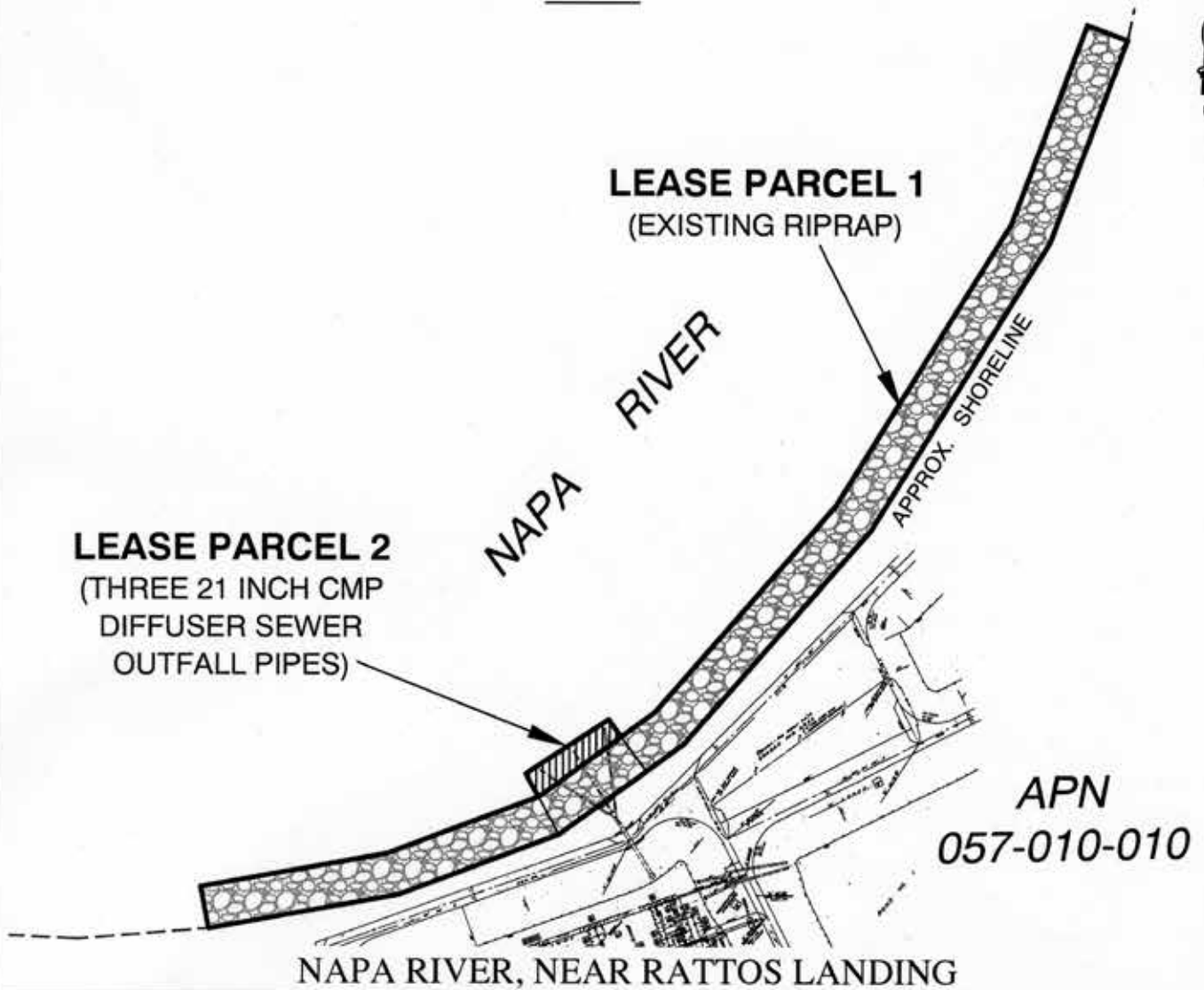
PARCEL 1 based on that original description prepared by CSLC Boundary Unit on September 26, 1966 as found in PRC 3618 file, Calendar Item 2.

PARCEL 2 prepared by the California State Lands Commission Boundary Unit 07/30/15.



NO SCALE

SITE



NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

Exhibit B

PRC 3618.9
NAPA SANITATION DISTRICT
APN 057-010-010
GENERAL LEASE -
PUBLIC AGENCY USE
NAPA COUNTY



TS 07/30/15