

C



DEPARTMENT OF CONSERVATION

DIVISION OF LAND RESOURCE PROTECTION

801 K STREET • MS 18-01 • SACRAMENTO, CALIFORNIA 95814

PHONE 916 / 324-0850 • FAX 916 / 327-3430 • TDD 916 / 324-2555 • WEBSITE conservation.ca.gov

May 7, 2007

Ms. Melanie Brent, Office Chief
California Department of Transportation
Office of Environmental Analysis
P.O. Box 23660
Oakland, CA 94623-0660

Subject: Public Agency Acquisition of Land Enrolled in Williamson Act Contract -
Department of Transportation, Marin-Sonoma Narrows HOV Widening
Project, Marin and Sonoma Counties

Dear Ms. Brent:

Thank you for your letter of April 5, 2007, notifying the Department of Conservation (Department) of the possible acquisition of land enforceably restricted by Williamson Act contract by the Department of Transportation (Caltrans). The purpose of the acquisition is to widen U.S. 101 for High Occupancy Vehicle (HOV) lanes from south of State Route 37 in Novato, Marin County to north of the Corona Road over-crossing in Petaluma, Sonoma County. The project includes widening on-ramps, adding interchanges and frontage roads, building sound walls and replacing a bridge and overhead. The project involves three segments – southern (A), central (B) and northern (C) – and two build alternatives. Impacts to Williamson Act land are the same under both build alternatives but vary by access option, from 25.45 acres to 44.27 acres. Total farmland converted will range from 206.1 acres to 228.69 acres, which includes 1.9 acres of Prime Farmland and 2.3 acres of Farmland of Statewide Importance.

Required Findings

The Williamson Act requires that a public agency shall not locate a public improvement within an agricultural preserve unless the following findings are made:

- *The location is not based primarily on a consideration of the lower cost of acquiring land in an agricultural preserve (Government Code §51292(a)).*
- *If the land is agricultural land covered under a contract pursuant to this chapter for any public improvement, that there is no other land within or outside the preserve on which it is reasonably feasible to locate the public improvement (Government Code §51292(b)).*

The letter states that contracted land cannot be completely avoided because of the scale of improvements in the central segment. Pursuant to §51291(b), and to enable

Ms. Melanie Brent, Office Chief

May 7, 2007

Page 2 of 3

Department comment, Caltrans should provide an explanation and documentation as to how the project precludes avoidance of contracted land. This should include a map of the project in relation to contracted and noncontracted lands and an explanation as to why contracted land cannot be avoided. In addition, Caltrans should address the first finding. This may include an explanation as to factors determining project location and/or Caltrans' land purchase costs in relation to fair market value without regard to contract restrictions.

Eminent Domain

A Williamson Act contract is an enforceable restriction pursuant to Article XIII, §8 of the California Constitution and Government Code §51252. Assuming other necessary requirements are met, acquisition of Williamson Act land must meet requirements of eminent domain law for acquisition by eminent domain or in lieu of eminent domain (e.g., Code of Civil Procedure §1230.010 et seq. and Government Code §7260 et seq.) in order to void the contract pursuant to §51295. If the acquisition does not void the contract, Caltrans' uses of contracted property will be affected and limited by the terms of the contract and provisions of the Act.

At least one Caltrans district has informed the Department that its acquisition process follows the policies and procedures described in Chapter 8 of the Caltrans Right of Way Manual, including Exhibit 8-EX-1, Article 6. Acquisition Policies. In the subject acquisition, if Caltrans were to follow these policies and procedures, it would appear to meet the intent of §51295 regarding voiding the subject contract with respect to the land so acquired. Please understand, however, that the Department does not provide counsel regarding eminent domain law but encourages Caltrans to obtain legal counsel for this purpose. To assist our review, we request that Caltrans acknowledge adherence to the above-noted Caltrans policies and procedures in this instance or more specifically describe its process for acquiring the subject property according to the Codes noted above.

CEQA

The letter states that Caltrans is preparing a Draft Environmental Impact Report/Draft Environmental Impact Statement (DEIR/DEIS) for June 2007 public release. In order to complete its review of the acquisition, the Department request a copy of the DEIR/DEIS.

Additional Notification

Please be advised that pursuant to Government Code §51291(d), the Department and local governing body must be notified of any proposed, significant changes to the project. The Department must also be notified within 10 days when the property is actually acquired (§ 51291(c)). If Caltrans' acquisition voids the involved contract under § 51295, and Caltrans then determines not to locate the proposed public improvement

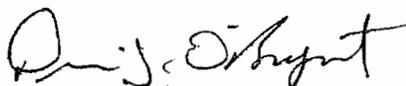
Ms. Melanie Brent, Office Chief

May 7, 2007

Page 3 of 3

on the subject property or any part thereof, before returning the land to private ownership, it must notify the Department and local governing body. The land must be reenrolled in a new contract or encumbered by an enforceable restriction at least as restrictive as that provided by the Williamson Act (§ 51295) and subject contract. If you have any questions about our comment or need further assistance, please contact Bob Blanford, Research Analyst, at (916) 327-2145.

Sincerely,



Dennis J. O'Bryant
Program Manager

Enclosure

cc: Marin County Board of Supervisors
3501 Civic Center Drive
San Rafael, CA 94903

The Honorable Joan C. Thayer
Marin County Assessor
P.O. Box C
San Rafael, CA 94913-3902

The Honorable Eeve T. Lewis
Sonoma County Assessor
585 Fiscal Drive, Room 104F
Santa Rosa, CA 95403-2872

Sonoma County Board of Supervisors
Sonoma County Administration Building
575 Administration Drive, Room 100A
Santa Rosa, California

DEPARTMENT OF TRANSPORTATION

111 GRAND AVENUE
P. O. BOX 23660
OAKLAND, CA 94623-0660
PHONE (510) 286-5231
FAX (510) 286-5600
TTY 711



*Flex your power!
Be energy efficient!*

September 11, 2008

Mr. Dave Gould, Superintendent Marin District
State of California
Department of Park and Recreation
845 Casa Grande Road
Petaluma, CA 94954

Dear Mr. Gould:

Attached are notes summarizing our meeting on Monday, June 30, 2008 regarding the Marin-Sonoma Narrows HOV Widening Project (MSN Project). At this meeting, Caltrans presented conceptual plans for shifting the location of the new entryway of Olompali State Historic Park (SHP) southward outside of existing park right-of-way. It has been noted that the newly proposed location will provide more flexibility to the California Department of Parks and Recreation (DPR) in managing park security and operations. Furthermore, the new entryway has eliminated the need for permanent impacts to Olompali SHP.

The right-of-way from the new entrance along Redwood Boulevard leading up to the Park will be relinquished to DPR. As previously discussed, the US 101 southbound lanes that currently parallel Olompali SHP will be converted to a Class 1 bicycle/pedestrian facility, and this right-of-way will also be transferred to DPR. Altogether, the right-of-way transfers will total 6.11 hectares (15.1 acres).

Temporary impacts will be required to remove the existing park entryway and conform the driveway to the new entryway. Due to these temporary impacts, Caltrans requests that DPR consider the following conditions pertaining to the temporary use of Olompali SHP under the MSN Project:

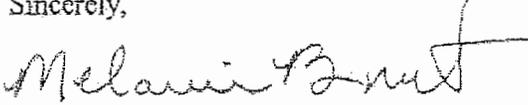
- Duration of occupancy of parkland during construction of the MSN Project will be temporary, i.e. less than the time needed for construction of the entire project, and there will be no change in ownership of parkland.
- The scope of work involving Olompali SHP will be minor, i.e. both the nature and magnitude of the changes to the park will be minimal.
- Caltrans will work together with the California DPR to ensure that there are no permanent adverse physical impacts to the park, nor interference with park activities or purposes on either a temporary or permanent basis due to the MSN Project;
- The parkland that will be used for the project will be fully restored, i.e. the resources will be returned to a condition which is at least as good as that which existed prior to the MSN Project.

Mr. Dave Gould
September 12, 2008
Page 2

Caltrans is requesting that DPR demonstrate their understanding of these conditions by returning a signed copy of this letter. We are currently preparing the final environmental document for public release in October 2008. Therefore, your prompt attention to this matter is appreciated.

Thank you for your attention to this matter. If you have questions about this letter or the enclosed materials, please contact me at (510) 286-5231, or Yolanda Rivas of my staff at (510) 622-1705, or yolanda_rivas@dot.ca.gov.

Sincerely,



MELANIE BRENT

Office Chief
Division of Environmental Planning and Engineering

cc: Jit S Pandher, Caltrans
John Martin, Caltrans



Dave Gould
California Department of Parks and Recreation

9-15-08
Date

Meeting Minutes

To: See Attached Attendance List

Date: July 14, 2008

Copies To: Project Files

File: 04-264000

MRN 101 KP 30.0/44.5 (PM 18.6/27.7)

SON 101 KP 0.0/11.5 (PM 0.0/7.1)

Marin-Sonoma Narrows Project

From: **DEPARTMENT OF TRANSPORTATION - 04**
DIVISION OF ENVIRONMENTAL PLANNING AND ENGINEERING

Subject: **CALTRANS AND DEPARTMENT OF PARKS AND RECREATION MEETING**

MEETING DATE: Monday, June 30, 2008
TIME: 10:00 AM
LOCATION: Olompali State Historic Park
MINUTES BY: Parker Bowman

Meeting began at 10:04 AM

Introductions were made.

Yolanda Rivas started the meeting conversation saying that we (Caltrans) have provided an agenda for today's meeting and meeting notes from the previous meeting. We want to provide an update on the park entrance, tree mitigation, and, Brett if we have time talk about treatments.

Robert Nixon had a large map showing the project with updated access to the park.

Dale Dennis stated that the original alternative in the draft document looked as though there might be some minor impacts, the entrance cul-de-sac bulbs out into the park, which would have been a right-of-way impact for construction. The engineers moved the entrance; instead of a cul-de-sac at the boundary of the park the cul-de-sac was moved south outside the park so there will be no impacts to the park. This moves project impacts out of the park. As far as going forward with design impacts to the park, in October Caltrans will start the final design.

Jit Pandher than stated that in the notes from the last meeting on page 2, 2nd paragraph (he read the paragraph) was not a true statement anymore. Caltrans will not be impacting the park in anyway.

Roy McNamee asked Caltrans to give a brief overview of the project for Danita Rodriguez and Joe Rodgers who are new to the project and the area.

Robert Nixon Explained that Caltrans is upgrading from a four-lane expressway to a freeway to fix stopping site distances, horizontal clearance, and leveling. This roadway was originally built in 1945. There will be shifting of the road to accommodate three lanes, removing at grade intersections and adding controlled access.

Roy McNamee asked if the Redwood Landfill interchange was an adequate interchange.

Robert Nixon replied that the Redwood Landfill Interchange is not built to Caltrans' standards, and will widen 4 to 6 feet on the north side of Redwood Landfill Interchange, and San Antonio will have a vertical shifting highway to the east for a frontage road.

Connie Fremier asked if that portion will be a class I bike path.

Robert Nixon stated there will be full bike access from one end of the Narrows to the other. The abandoned road will be used as a class I bike path.

Dale Dennis asked Robert Nixon to describe the ultimate plan, and stated that \$260 million will be needed to build all the phases in Segment B of the project and will not be built all at once.

Roy McNamee asked if the project will be built in succession.

Dale Dennis stated that Caltrans is going to build by fixing curves and vertical alignments, which will use most of the current funds for the project.

Dave Gould asked what are the priorities for building the project.

Jit Pandher replied that this is a seventeen-mile stretch and it is impossible to fund the entire project all at once. Caltrans must prioritize what will get the most use with the current funding. Moving the cul-de-sac is a way to save money and provide a service.

Dale Dennis stated that because Caltrans doesn't have all the money right now, Caltrans will look at what needs to get done first. The current schedule for the interchange project is, environmental will be done in October and construction will begin in 2012 for phase I.

Dave Gould asked if Caltrans is going to extend the road for Phase I.

Dale Dennis replied that Caltrans will know in the next nine months.

Roy McNamee asked if acquisition was going to be a problem and if the park is going to get the abandoned southbound lane and acquire more land.

Dale Dennis replied that the existing southbound lane will be used as an access road to the park and that with that alternative there may be land going to the park.

Roy McNamee asked if the abandoned road adjacent to the park would have to be rebuilt before the park gets it.

Dale Dennis talked about the "State of Good Repair", which states property does not have to be pristine, but Caltrans will make sure its in good shape. Culverts last long so

they should typically not have to be repaired. Dale also stated that it is important to keep up communications with the park throughout the phases of the project.

Robert Nixon agreed saying that Caltrans has done a complete hydrologic study of the area.

Roy McNamee asked if the final configuration of the abandoned lane could be smaller than the current roadway.

Dale Dennis said that we could get rid of a portion of the road.

Dave Gould stated that that park would like to keep the abandoned road open as a service road for park vehicles.

Dale Dennis commented that Caltrans will keep in contact with the park throughout the final design.

Connie Fremier asked if there are there any concerns with archeology on the west side of the road.

Brett Rushing stated that there is a site under the current southbound side. If a plan to demolish comes up Caltrans will have to reanalyze to mitigate for the site and add it to the treatment. He then added that it might not be wise to remove the southbound road.

Dave Gould asked if there were any archeological sites affected currently.

Brett Rushing responded yes, on the eastside and none on the west.

The discussion then shifted to tree mitigation in the park.

Kelley Nelson described that Caltrans is going to plant 5,500 trees, 4,800 will be for tree mitigation. Possible sites for tree mitigation are the front flat area of the park and the area near the entrance of the park. There are archeological sites so Caltrans will need to coordinate with California Fish and Game (CFG) to see if they want to do inch to inch mitigation. Potted plants would not do well with the archeological sites because of their size. John Yeakel said that 15 gallon pots are not as successful as acorn planting. Caltrans will talk to CFG to see if we could do acorn planting instead.

Brett Rushing added that the Tribe doesn't have a concern with acorn planting because it's more natural and protects the burial sites because if there is a tree there it is less likely that someone will dig there.

Roy McNamee reminded Brett Rushing to be sure and talk with Breck Parkman, the State Parks Archeologist.

Dave Gould stated that there are standards that the parks have that in some cases are higher than the Tribes.

Brett Rushing stated that Caltrans will do whatever we have to do to avoid the sites.

Dave Gould asked if the plants had to be native plants.

John Yeakel stated that CFG is directing Caltrans to replace native to native and non-native to native. He didn't want to speak for Susan Burke the Landscape architect who was not present but said that Landscape may possibly be able to replace with some non-native species.

Dave Gould stated that the park has a Victorian Garden that may be a possible site to plant non-native species.

Roy McNamee added that the Victorian Garden re-creation project by the park would like some help. He then asked if the success of planting trees was taken into account for mitigation.

Kelley Nelson explained that CFG looks for a 75% success rate for the planting of trees.

Roy McNamee asked if there was a maintenance program that goes with the tree mitigation, and also asked would there have to be access given to Caltrans into the park for plant maintenance.

John Yeakel stated that Caltrans would require access to the park for maintenance for three years, for watering weeding and observation. CFG is currently looking at extending the monitoring time.

Kelley Nelson added that there can be an interagency agreement so the park can take care of the trees and be paid for by Caltrans.

Yolanda Rivas asked Brett Rushing if there was anything else that needed to be discussed about the treatment plan.

Brett Rushing said that mitigation will help with the park, and he will be talking with Breck Parkman. He also added that in compliance with Section 106, Caltrans will have adverse affects on sites, and a Memorandum Of Agreement (MOA) will be developed. Tribes would like to avoid reburials. Subsurface impacts to areas mainly. Caltrans will help the park as much as possible.

Roy McNamee asked if the sites at the park were the only sites throughout the project.

Brett Rushing told him that No, there's a site near San Antonio Bridge and some others, but the main sites are at the park. Cultural Resources will work with Kelly Nelson with the tree mitigation.

Yolanda Rivas asked if Archeological sites will be mitigated for in Caltrans' right-of-way.

Brett Rushing said no, and explained that the park is where the Tribe wants them to go. He added that he will send Breck Parkman the MOA.

Yolanda Rivas explained that the new entry way will be reflected in the final Environmental Impact Report/ Environmental Impact Statement (EIR/S). The tree mitigation that is in the draft has not changed so that will stay in the final EIR/S. She then stated that if anyone had any more questions to contact the appropriate people, adding that at this point Caltrans and the Federal Highway Authority (FHWA) are closing the door on 4(f).

Roy McNamee asked is there a road being constructed beyond the cul-de-sac for an entrance to the park.

Dale Dennis told him no, because one already exists, the southbound abandoned road.

Connie Fremier added that when to construct will still be determined.

Roy McNamee asked what was going on with the overcrossing.

Robert Nixon explained that the alignment was skewed.

Roy McNamee asked if there will be any fill work.

Robert Nixon said yes, that it will be mostly fill work.

Dave Gould asked if there would ever be any time where there will be no access to the park.

Dale Dennis assured him that there will always be access to the park.

Robert Nixon stated that Caltrans is required to maintain two lanes of traffic in each direction at all times.

Dave Gould asked when would be the best time to talk again.

John Yekeal said after we have talked to CFG.

Yolanda Rivas added Caltrans needs time to finish the document in the next 6 months.

Kelley Nelson also added that next year probably would be a good time to get together again.

Meeting adjourned at 10:59 AM.

Caltrans staff indicated that it may be spring 2009, before they reconvene with any new developments.



DEPARTMENT OF PARKS AND RECREATION
Marin District
845 Casa Grande Road
Petaluma, CA 94954

Ruth Coleman, Director

December 7, 2006

Robert Nixon
California Department of Transportation
1657 Riverside Drive
Redding, CA 96001

Robert,

On July 19, 2006, Sean Charles presented conceptual design information regarding the Marin-Sonoma Narrows Project to Tina Williams, Breck Parkman, and myself. Since a portion of the project does impact Olompali State Park, we appreciated the on site meeting and a chance for exchange regarding those impacts. As we understand it, the proposed interface with State Parks involves;

- northern extension of Redwood Boulevard to the present park entrance via the existing south bound Hwy 101 lanes for use as a park entrance and bicycle path from the Atherton/San Marin interchange,
- construction of a cul-de-sac at the park entrance gate,
- transfer to Parks those portions of existing south bound Hwy 101 adjacent to Olompali State Park for use as a possible administrative road and as a portion of a bicycle path connecting Novato to Petaluma.

In support of the greater project, State Parks is requesting funding to accomplish one or more of the following projects.

- Construction of the Olompali Historic Gardens,
- Construction of a public restroom and paving at the main parking lot,
- Construction of an artifact storage room within one of the existing buildings,
- Rehabilitation of the Native American Village.

The Marin District conceptually supports the project as outlined and looks forward to participating on those portions affecting Olompali State Park.

If you have questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Dave Gould".

Dave Gould
District Superintendent

DEPARTMENT OF TRANSPORTATION

111 GRAND AVENUE
P. O. BOX 23660
OAKLAND, CA 94623-0660
PHONE (510) 622-8729
FAX (510) 286-6374
TTY (800) 735-2929

Fish & Game

JAN 13 2006

Yountville



Flex your power!
Be energy efficient!

January 11, 2006

Mr. Carl Wilcox
California Department of Fish and Game
Region 3
P.O. Box 47
Yountville, CA 94599

04-MRN-101-KP 29.4/44.5 (PM 18.3/27.7)
04-SON-101-KP 0.0/12.1 (PM 0.0/7.5)
EA 264000

RE: Potential impact to salt marsh harvest mouse habitat at Petaluma River as a result of the Marin-Sonoma Narrows Widening Project

Dear Mr. Wilcox:

The California Department of Transportation (Caltrans), in cooperation with the Federal Highway Administration, proposes to conduct an HOV-widening project (referred to as the Marin-Sonoma Narrows Widening Project, or MSN) on U.S. Route 101 (US-101) just south of State Route 37 in Novato (Marin County) to just south of Old Redwood Highway in Petaluma (Sonoma County). The project extends a distance of approximately 27.4 kilometers (17 miles) in length.

The salt marsh harvest mouse (SMHM) (*Reithrodontomys raviventris*) is federally and state listed as endangered, and is also listed by the state as a fully protected species. Five locations were identified by Caltrans biologists as potential SMHM habitat in the area of the MSN Project. On November 7, 2003, Mr. Fred Botti (California Department of Fish and Game) and on January 8, 2004, Mr. Jim Browning (U.S. Fish and Wildlife Service) concurred that the five locations within the MSN Project are potential SMHM habitat. As a result of coordination between Caltrans and various resource and regulatory agencies, the scope of the MSN Project has been largely scaled down to avoid and minimize impacts to the natural environment. As a result, Caltrans has designed the project to avoid impacts to four of the five potential SMHM locations.

The location of potential SMHM habitat that Caltrans may be unable to completely avoid is at the Petaluma River. Pickleweed (*Salicornia virginica*) exists on either side of the existing US-101 bridge structures on the northern bank of the Petaluma River. In an email message dated April 30, 2004, Mr. Botti indicated that the patch of pickleweed on the east side of the bridge is dense and fairly well-established and "...appears to be excellent SMHM habitat." Mr. Botti also indicated during a field meeting (April 23, 2004) that the patch of pickleweed on the west side of the bridge is sparse and of very low quality, and that there is not enough SMHM habitat to sustain a population. A maintained channel currently connects the two patches of pickleweed on either side of the bridge structures.

Caltrans may be unable to completely avoid potential SMHM habitat on the east side of the bridge as a result of the construction required to replace the Petaluma River bridge structures. Caltrans originally considered six different proposed bridge designs for this location. Two of the

COPY

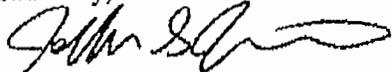
alternatives were not considered to be cost-effective. The remaining four alternatives consist of either lengthening or shortening the bridges with either cast-in-place or pre-cast concrete structures. The two alternatives involving shorter structures would result in approximately 3 million dollars in savings, compared to the two alternatives involving longer structures. However, the shorter length alternatives would require Caltrans to place abutment fill in a portion of the patch of potential SMHM habitat on the east side of the bridge structures. To reduce the area required to place the bridge footings, Caltrans would construct a retaining wall part way up the slope toward the existing bridge abutments.

Placement of the abutment fill may impact up to 221 square meters (264 square yards) of pickleweed on the east side of the bridge structures. The attached aerial photo shows the portion of the pickleweed that may be impacted by the MSN Project. Caltrans will place abutment fill in the existing channel that currently connects the patches of pickleweed on the east and west sides of the bridges. Per Mr. Bötti's request, Caltrans will realign the channel closer to the Petaluma River to maintain connectivity between the east and west sides of the bridge structures. To mitigate for impacts to potential SMHM habitat, Caltrans will construct an additional channel between the Petaluma River and the west side of the bridge structures, allowing greater tidal influence to the area and improving the quality of the pickleweed habitat on the west side of the bridges.

During a telephone conversation with Mr. Chuck Morton on November 9, 2005, you had suggested that Caltrans avoid impacting SMHM by removing vegetation in the impacted area prior to bridge construction. You stated that a qualified biological monitor must be present during pickleweed removal in the impacted area. In addition, you suggested that Caltrans place silt fencing and environmentally sensitive area fencing around the remaining patch of pickleweed to prevent further disturbance to SMHM habitat. By implementing these measures, Caltrans will avoid "take" of SMHM.

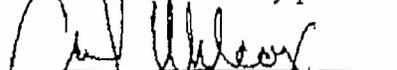
Caltrans respectfully requests your concurrence that this letter is an accurate account of your telephone conversation with Mr. Morton on November 9, 2005. If you have any questions, please contact Tami Schane at (510) 286-5602 or John Yeakel at (510) 286-5681.

Sincerely,



JEFFREY G. JENSEN
District 4 Office Chief
Office of Biological Sciences and Permits

By signing on the line below, I concur that by adhering to the measures above, Caltrans will avoid "take" of the fully-protected SMHM.



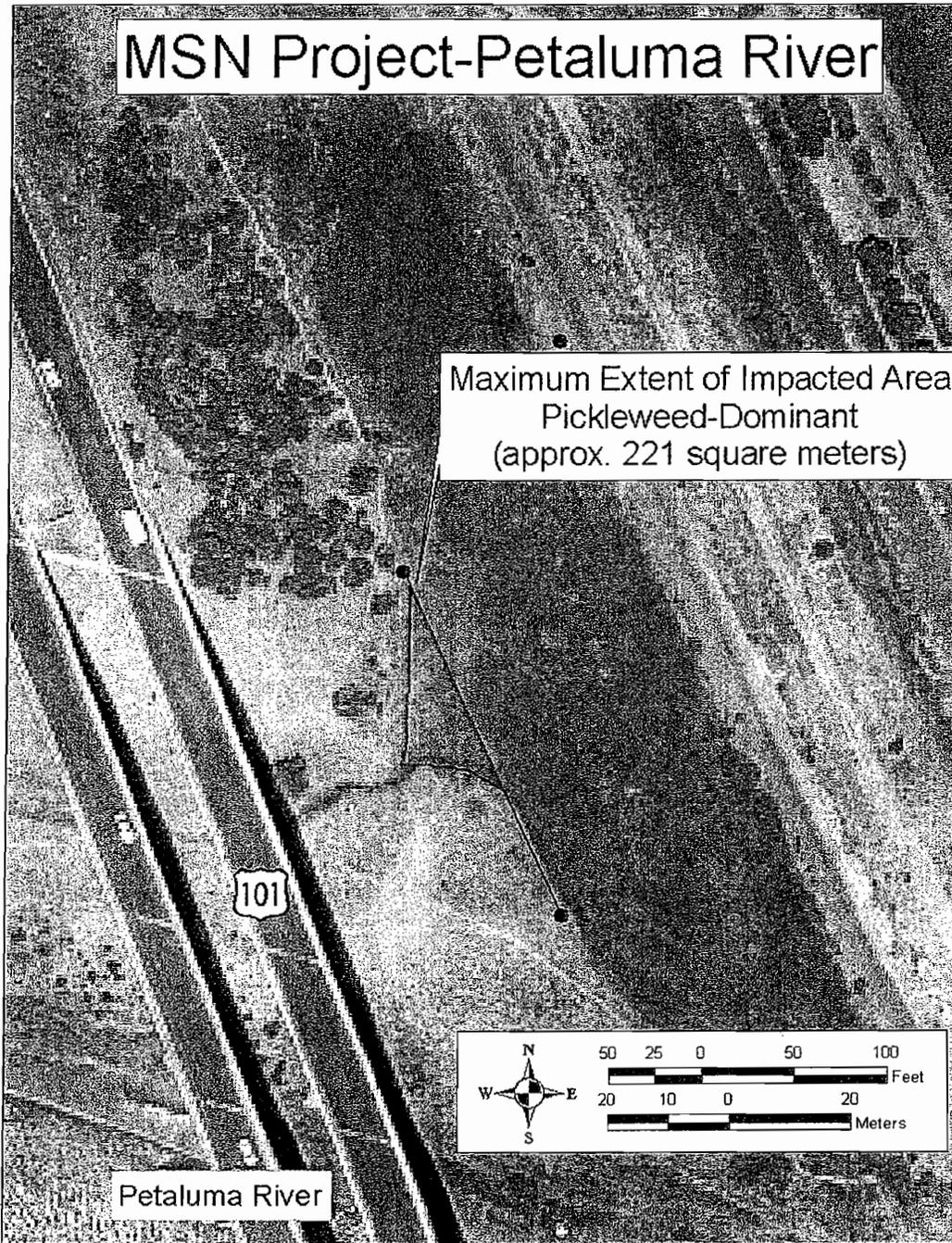
Mr. Carl Wilcox
Habitat Conservation Manager
Central Coast Region
California Department of Fish and Game

Mr. Carl Wilcox
January 11, 2006
Page 3

COPY

bc: Melanie Brent, Office of Environmental Analysis
Yolanda Rivas, Office of Environmental Analysis
Tami Schane, Office of Biological Sciences and Permits
Chuck Morton, Office of Biological Sciences and Permits
Christopher States, Office of Biological Sciences and Permits
John Yeakel, Office of Biological Sciences and Permits
Ray Akkawi, Project Management
Sean Charles, Design

JJ: ts



CALIFORNIA STATE LANDS COMMISSION
100 Howe Avenue, Suite 100-South
Sacramento, CA 95825-8202



PAUL D. THAYER, Executive Officer
(916) 574-1800 FAX (916) 574-1810
Relay Service From TDD Phone 1-800-735-2929
from Voice Phone 1-800-735-2922

Contact Phone: (916) 574-1862
Contact FAX: (916) 574-1925

January 6, 2006

File Ref: PRC 744 & 3987

Ms. Susan Simpson
District Office Chief
Office of Environmental Planning, North
California Department of Transportation
PO Box 23660
Oakland, CA 94623-0660

Dear Ms. Simpson:

SUBJECT: Marin-Sonoma Narrow Project

The State acquired sovereign ownership of all tidelands and submerged lands and beds of navigable waterways upon its admission to the United States in 1850. The State holds these lands for the benefit of all the people of the State for statewide Public Trust purposes which include, waterborne commerce, navigation, fisheries, water-related recreation, habitat preservation, and open space. The landward boundaries of the State's sovereign interests are generally based upon the ordinary high water marks of these waterways as they last naturally existed. Thus, such boundaries may not be readily apparent from present day site inspections. The State's sovereign interests are under the jurisdiction of the SLC. The CSLC has a leasing interest over the proposed project at the Petaluma River bridge crossings at Lakeville Road and Washington Street. The extent of the Commission's jurisdiction will be determined when the applicant provides the Commission with more specific detailed engineering drawings of the project route.

The CSLC is a responsible agency under the California Environmental Quality Act. We recommend that the proposed environmental document be circulated through the State Clearinghouse pursuant to CEQA section 15073(d).

Should you require additional information or assistance please do not hesitate to contact me at (916) 574-1862.

Sincerely,

A handwritten signature in black ink, appearing to read "Nanci Smith". The signature is fluid and cursive, written over a horizontal line.

NANCI SMITH
Public Land Management Specialist