

CALIFORNIA STATE LANDS COMMISSION

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August 18, 1997

File: 93-03-18.8

Ms. Maureen Gorsen
General Counsel
The Resources Agency
1020 Ninth Street, Third Floor
Sacramento CA 95814
Attention: Nadell Gayou

Mr. Ken Van Velsor
California Dept of Transportation
I 11 Grand Ave
Oakland CA 94623-0660

Dear Ms. Gorsen and Mr. Velsor:

Staff of the California State Lands Commission (SLC) has reviewed the Draft Environmental Impact Report (DEIR) for the Marin 101 HOV GAP Closure Project, SCH 93023054. Based on this review, we offer the following comments.

As stated in our letter dated April 2, 1993, in response to the NOP, 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 the statewide Public Trust purposes of 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.

It appears that a portion of the proposed project will involve State sovereign lands and will require an amendment to existing permit, PRC 512, from the SLC. The SLC is, therefore, a Responsible Agency under the California Environmental Quality Act (CEQA). For information concerning our permit requirements, please contact Nanci Smith at (916) 574-1862.

Ms. Maureen Gorsen
Mr. Ken Velsor
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Thank you for the opportunity to comment.

Sincerely,

A handwritten signature in cursive script, appearing to read "Mary Griggs".

MARY GRIGGS
Environmental Services
Division of Environmental
Planning and Management

cc: Dwight E. Sanders
Nanci Smith
OPR