

MINUTE ITEM

This Calendar Item No. C5
was approved as Minute Item
No. 5 by the State Lands
Commission by a vote of 2
to 0 at its 4-27-78
meeting.

CALENDAR ITEM

C5.

4/78
W 21223
Atkins
PRC 5470

GENERAL PERMIT
RECREATIONAL USE

APPLICANT: John E. Vilicich, et al.
P. O. Box 801
Marshall, California 94940

AREA, TYPE LAND AND LOCATION:
A 1,925 square foot, approximately 0. 04
acre parcel of tide and submerged land
lying in the bed of Tomales Bay, Marin
County.

LAND USE: Public pier and boat dock.

TERMS OF PROPOSED PERMIT:
Initial period: 10 years from April 1, 1978.
Public liability insurance: Combined single
limit coverage of \$100,000.

CONSIDERATION: \$40 per annum.

BASIS FOR CONSIDERATION:
\$40 fixed rental for this type of permit.

PREREQUISITE TERMS, FEES AND EXPENSES:
Applicant is owner of upland. Upland is
unimproved. Applicant has allowed use of
the area for loading and unloading by commer-
cial and recreational fishermen.

Filing fee has been received.

STATUTORY AND OTHER REFERENCES:
A. Public Resources Code: Div. 6, Parts 1 & 2.
B. Administrative Code: Title 2, Div. 3,
Arts. 1, 2, 6.5,
10 & 11.

OTHER PERTINENT INFORMATION:
1. A Negative Declaration was prepared
by Marin County, pursuant to CEQA and
implementing regulations. A Notice

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of Determination has been received.

2. This project is situated on State land identified as possessing significant environmental values pursuant to Public Resources Code 6370.1, and is classified in a use category, Class B which authorizes limited use.

Staff has coordinated this project with those agencies and organizations who nominated the site as containing significant environmental values. They have found this project to be compatible with their nomination.

3. Coastal Zone approval for this pier is contingent upon it's being open for public use. Public recreational facilities are encouraged and generally can conform to coastal guidelines under Article 3, Sections 30220-30224 of the Coastal Act. The applicant has agreed to this provision.

4. The Commission at its meeting on February 23, 1978, authorized a "Letter of Understanding" between the State Lands Commission, North Central Regional Coastal Commission and County of Marin. This understanding was implemented to express the working relationship among the parties during the formulation of Marin County's Local Coastal Program in the Tomales Bay Area. All parties to this "Letter of Understanding" have reviewed this project and have made no adverse comments. This project contemplates a continuation of a use which is consistent with the public trust.

APPROVALS OBTAINED:

Marin County Tideland Permit, U. S. Corps of Engineers.

FURTHER APPROVALS REQUIRED:

Coastal Zone Permit.

EXHIBITS:

- A. Land Description.
- B. Location Map.
- C. Negative Declaration.

CALENDAR ITEM NO. C5. (CONTD)

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT A ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS PROJECT BUT THAT A NEGATIVE DECLARATION HAS BEEN PREPARED BY MARIN COUNTY, ON DECEMBER 22, 1976.
2. CERTIFY THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED IN THE NEGATIVE DECLARATION.
3. DETERMINE THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
4. DETERMINE THAT THE PROJECT IS CONSISTENT WITH THE PROVISIONS OF ARTICLE 6.5 OF TITLE 2, OF THE CALIFORNIA ADMINISTRATIVE CODE.
5. FIND THAT GRANTING OF THE PERMIT WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1, OF THE PUBLIC RESOURCES CODE.
6. FIND THAT GRANTING OF THIS PERMIT IS CONSISTENT WITH THE "LETTER OF UNDERSTANDING" APPROVED BY THE COMMISSION AT ITS MEETING ON FEBRUARY 23, 1978.
7. AUTHORIZE ISSUANCE TO JOHN F. VILICICH, ET AL. OF A 10-YEAR GENERAL PERMIT - RECREATIONAL USE FROM APRIL 1, 1978; WITH PUBLIC LIABILITY INSURANCE IN THE AMOUNT OF \$100,000 COMBINED SINGLE LIMIT; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$40; FOR A PUBLIC PIER AND BOAT DOCK ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

W 21223

A parcel of tide and submerged land lying in the bed of Tomales Bay, Marin County, California, said parcel being immediately beneath and extending on the north to an existing retaining wall and westerly prolongation thereof and extending ten feet on the west, south and east sides of an existing barge and docking facility, said barge and docking facility situated westerly of and adjacent to that parcel of land described in that Grant Deed recorded August 5, 1954, in Book 880, page 500, Official Records of Marin County.

EXCEPTING THEREFROM any portion lying landward of the high water line of Tomales Bay.

END OF DESCRIPTION

Prepared *R. N. Hill* Checked *M. J. Shaf*
Reviewed *J. H. Funnelle* Date *1/24/77*
JH

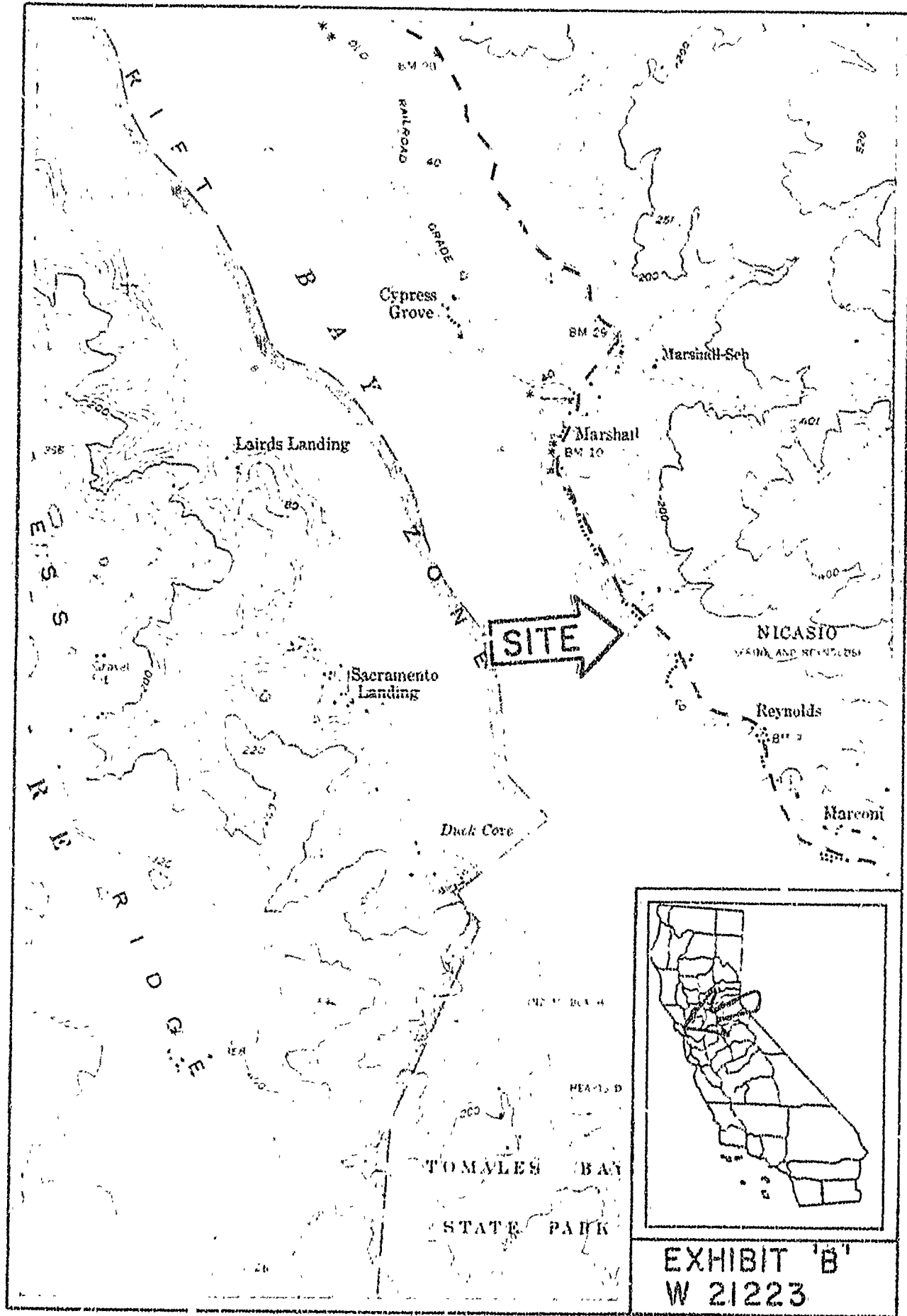


EXHIBIT 'B'
W 21223

EXHIBIT "C"

MARIN COUNTY

DEPARTMENT OF ENVIRONMENTAL SERVICES

A.P. # 106-050-12

NEGATIVE DECLARATION

TIDELANDS PERMIT #T-76-13

JOHN VILICICH

STATE LANDS DIVISION
RECEIVED

JUL 27 1977

STATE LANDS DIVISION
* SACRAMENTO *

Pursuant to: Division 13, California Public Resources Code

1. Location and Description of Project (Sketch map should be included)
Construction of a pier for commercial and public use in Tomales Bay at Marshall. (19225 State Highway #1)
2. Purpose of the Project
Construct a pier.
3. Environmental Assessment
The environmental review checklist was prepared by Ted Pedersen of Public Works and reviewed by Don Dickenson of the Planning Department.

4. Discussion of Environmental Impact

There are no apparent significant effects from this project.

5. Basis for Negative Declaration: (Circle Appropriate Letters)

The project will not have a significant effect on the environment for the following reasons:

- a. The project is consistent with the policies shown on applicable County and/or City General Plans. Conservation Zone
- b. No unique or significant natural features including but not limited to animal life, fish life or plant life, or its habitat or movement are to be adversely affected.
- c. No archeological, cultural, historical, recreational or scenic sites are to be adversely affected.
- d. The project will not result in a significant dislocation of people.
- e. The project will not result in a substantial detrimental effect on air or water quality or on ambient noise levels for adjoining areas.
- f. The project will not breach any published national, state, or local standards relating to solid waste or litter control.
- g. The project will not have a substantial or demonstrable negative aesthetic effect.

APPENDIX C (cont.)

- (h.) The project will not create any hazards including but not limited to flooding, erosion, siltation, or traffic.
 - 1. The project is not subject to major geologic hazards.
- (j.) The project will not result in the need for public services beyond those presently available or proposed in the near future or the project will not have a significant growth-inducing impact.
- (k.) The project will not significantly affect the extraction or development of any resource.
- (l.) The project will not result in the increase in consumption of scarce, limited, or over-committed resources.

Prior to conducting a Public Hearing and based upon the attached Environmental Assessment, it is my judgment that a Negative Declaration is appropriate for this project.

T. [Signature]
ENVIRONMENTAL COORDINATOR

Subsequent to a Public Hearing held on this project and based upon the Environmental Assessment, a Negative Declaration is granted.

CHAIRPERSON, PLANNING COMMISSION

ENVIRONMENTAL HEARING OFFICER

Subsequent to a Public Hearing appealing the granting of a Negative Declaration and based upon the Environmental Assessment, a Negative Declaration is granted.

CHAIRPERSON, BOARD OF SUPERVISORS

RECORD OF VOTE:

Number of Commissioners/Board Members present _____

AYES:

NOES:

ABSTAIN: