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CALENDAR ITEM

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meeting

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12/20/78

C1.

GENERAL LEASE
COMMERCIAL USE

12/78
W 21480
Atkins
PRC 5605

APPLICANT: Eugene and Ada Maffucci
8 Latona Street
San Francisco, California 94124

AREA, TYPE LAND AND LOCATION:
A 0.074 acre parcel of tide and submerged
land in the bed of Tomales Bay, Marin County.

LAND USE: A private wharf to berth commercial fishing
boats.

TERM OF PROPOSED LEASE:
Initial period: 25 years from July 15,
1978.
Surety bond: \$2,000.
Public liability insurance: Combined single
limit coverage of \$300,000.

CONSIDERATION: \$225 per annum, with the State reserving
the right to fix a different rental on
each fifth anniversary of the lease.

BASIS FOR CONSIDERATION:
\$225 minimum rental for this type of lease.

PREREQUISITE TERMS, FEES AND EXPENSES:
Applicant is owner of upland.
Filing fee has been received.

STATUTORY AND OTHER REFERENCES:
A. P.R.C.: Div. 6, Parts 1 & 2.
B. Cal. Adm. Code: Title 2, Div. 3.

OTHER PERTINENT INFORMATION:
1. An EIR is not required. This transaction
is within the purview of 2 Cal. Adm.
Code 2907, Class 1 (b), which exempts

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an existing structure or facility that is in an acceptable state of repair and there is no evidence of record to show injury to adjacent property shoreline erosion, or other types of environmental degradation.

2. This project is situated on State land identified as possessing significant environmental values pursuant to P.R.C. 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. A coastal zone permit was approved by the North Central Regional Coastal Commission at its meeting on December 1, 1977.
4. This project has been reviewed and found acceptable by the Tomales Bay Study Group which is composed of staff from the State Lands Commission, Marin County and North Central Regional Coastal Commission.

APPROVALS OBTAINED:

California Department of Fish and Game,
United States Army Corps of Engineers,
Coastal Commission, California Regional
Water Quality Control Board, United States
Fish and Wildlife, Marin County and United
States Coast Guard.

EXHIBITS: A. Location Map. B. Land Description.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN EIR HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF P.R.C. 21085, 14 CAL. ADM. CODE 15100 ET SEQ., AND 2 CAL. ADM. CODE 2907.

CALENDAR ITEM NO. c1. (CONTD)

2. DETERMINE THAT THE PROJECT IS CONSISTENT WITH THE PROVISIONS OF ARTICLE 6.5 OF TITLE 2, OF THE CAL. ADM. CODE.
3. FIND THAT GRANTING OF THE LEASE WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1 OF THE P.R.C.
4. AUTHORIZE ISSUANCE TO EUGENE AND ADA MAFFUCCI OF A 25-YEAR GENERAL LEASE - COMMERCIAL LEASE FROM JULY 15, 1978; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT \$225, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF A \$2,000 SURETY BOND; PROVISION OF PUBLIC LIABILITY INSURANCE, COMBINED SINGLE LIMIT COVERAGE OF \$300,000; FOR A PRIVATE WHARF TO BERTH COMMERCIAL FISHING BOATS ON THE LAND DESCRIBED IN EXHIBIT "B" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

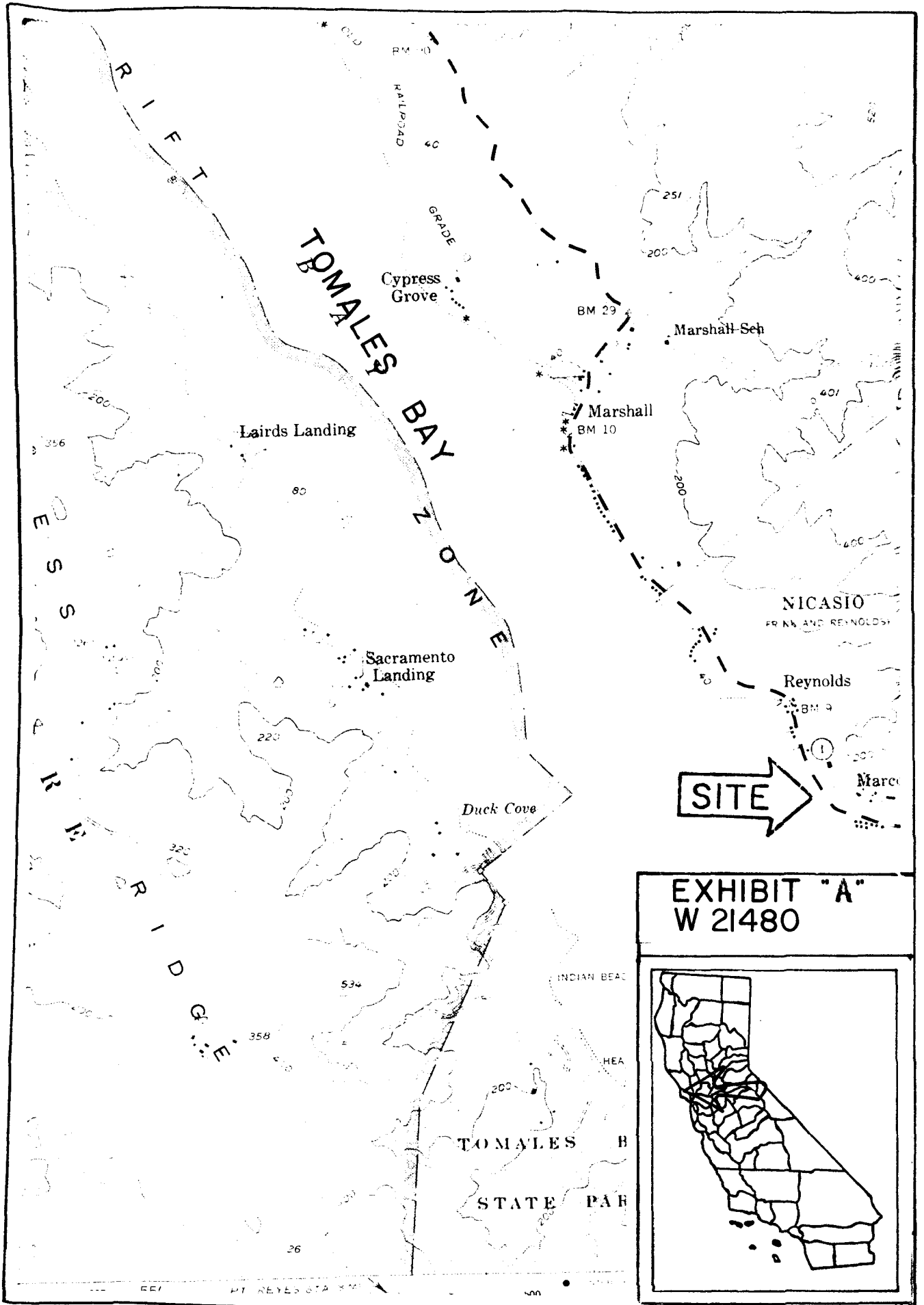


EXHIBIT "A"
W 21480

EXHIBIT "B"

LAND DESCRIPTION

W 21480

A parcel of tide and submerged land in the bed of Tomales Bay, Marin County, California, said parcel being immediately beneath a wharf, TOGETHER WITH a necessary use area extending no more than 10 feet from said wharf, said wharf being adjacent to that land described in that Individual Joint Tenancy Deed, recorded April 23, 1969, in Book 2291, page 44, Official Records of Marin County.

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

SUBJECT TO those interests-in-land, if any, which may have passed by virtue of Tideland Survey No. 233, Marin County, patented February 19, 1947, to James W. Cochrane.

END OF DESCRIPTION

Prepared

M. L. Shaf

Checked

David Schumann

Reviewed

F. D. Uzes

Date

December 7

1978

