

MINUTE ITEM

5

03/26/87  
W 23864  
Poe

General Permi? - Protective Structure

Calendar Item C5, attached, was pulled from the agenda prior to the meeting.

Attachment: Calendar Item C5.

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CALENDAR ITEM

C 05

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W 23864  
Poe

GENERAL PERMIT - PROTECTIVE STRUCTURE

APPLICANT: Jerry Ganz  
c/o Karléná Palomares  
P. O. Box 31330  
San Francisco, California 94131

AREA, TYPE LAND AND LOCATION:  
A 0.127-acre parcel of tide and submerged land,  
located in Richardson Bay, City of Belvedere,  
Marin County.

LAND USE: Existing riprap and rock revetment.

TERMS OF PROPOSED PERMIT:  
Initial period: Ten years beginning March 1,  
1987.

Public liability insurance: Combined single  
limit coverage of \$100,000.

CONSIDERATION: The public health and safety; with the State  
reserving the right at any time to set a  
monetary rental if the Commission finds such  
action to be in the State's best interest.

BASIS FOR CONSIDERATION:  
Pursuant to 2 Cal. Adm. Code 2003.

APPLICANT STATUS:  
Applicant is owner of upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:  
Filing fee and processing costs have been  
received.

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STATUTORY AND OTHER REFERENCES:

- A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.
- B. Cal. Adm. Code: Title 2, Div. 3; Title 14, Div. 6.

AB 884:

07/28/87.

OTHER PERTINENT INFORMATION:

1. A major landslide occurred on the applicant's upland property during 1980, spilling slide material into Richardson Bay. Subsequently, shoreline erosion increased and further endangered the steep upland. In 1983, the applicant constructed a rock revetment and riprap shoreline protective structure to prevent further shoreline erosion. That work was performed without the required permits, and resulted in recent citations from the San Francisco Bay Conservation and Development Commission for illegal shoreline work.

The applicant has now applied for retroactive permits from all permitting authorities.

2. The annual rental value of the site is estimated to be \$3,000.
3. This activity involves lands which have NOT been identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. However, the Commission has declared that all tide and submerged lands are "significant" by nature of their public ownership (as opposed to "environmental significant"). Since such declaration of significance is not based upon the requirements and criteria of P.R.C. 6370, et seq., use classifications for such lands have not been designated. Therefore, the finding of the project's consistency with the use classification as required by 2 Cal. Adm. Code 2954 is not applicable.

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4. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Adm. Code 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorical exempt project. The project is exempt under Class 1, Existing Facilities, 2 Cal. Adm. Code 2905(a)(2).

Authority: P.R.C. 21084, 14 Cal. Adm. Code 15300, and 2 Cal. Adm. Code 2905.

APPROVALS OBTAINED:

United States Army Corps of Engineers, and County of Marin.

FURTHER APPROVALS REQUIRED:

San Francisco Bay Conservation and Development Commission.

EXHIBITS:

- A. Land Description.  
B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. ADM. CODE 15061 AS A CATEGORICAL EXEMPT PROJECT, CLASS 1, EXISTING FACILITIES, 2 CAL. ADM. CODE 2905(a)(2).
2. AUTHORIZE ISSUANCE TO JERRY GANZ OF A TEN-YEAR GENERAL PERMIT - PROTECTIVE STRUCTURE BEGINNING MARCH 1, 1987; IN CONSIDERATION OF THE PUBLIC HEALTH AND SAFETY, WITH THE STATE RESERVING THE RIGHT AT ANY TIME TO SET A MONETARY RENTAL IF THE COMMISSION FINDS SUCH ACTION TO BE IN THE STATE'S BEST INTEREST; PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF \$100,000; FOR MAINTENANCE OF EXISTING RIPRAP AND ROCK REVETMENT ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.
3. SAID PERMIT WILL BECOME VOID IF PERMIT FOR STRUCTURE IS DENIED BY SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION.

(ADDED 03/20/87)

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EXHIBIT "A"

LAND DESCRIPTION

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A parcel of tide and submerged land in the City of Belvedere, Marin County, California, described as follows:

BEGINNING at a point in the southwesterly line of the lands conveyed by Fred Ludekens et ux to Marin Title Guaranty Company by deed recorded November 20, 1973 in Liber 2743 of Official Records at page 293, Marin County Records, which point is the most westerly corner of Lot 19, Block "A" as shown on that certain map entitled "Map of Resubdivision of part of the City of Belvedere", recorded February 20, 1937 in Book 5 of Maps at page 68, Marin County Records: running thence from said point of beginning along said southwesterly line South  $76^{\circ}45'$  East 21.48 ft. to the most westerly corner of the lands conveyed by Marvin A. Gans to Marin Title Guaranty Company by deed recorded December 7, 1976 in Liber 3123 of Official Records at page 658 Marin County Records; thence along the southwesterly line of the lands so conveyed to Marin Title Guaranty Company (3123 O.R. 658) being the southwesterly line of Lots 19 and 20, Block "A" map above referred to, South  $76^{\circ}45'$  East 162.66 ft. and South  $47^{\circ}15'$  East 80.914 ft. to the most southerly corner of the lands of Marin Title Guaranty Company (3123 O.R. 658); thence leaving said line South  $37^{\circ}52'$  West 24.35 ft.; thence North  $45^{\circ}00'$  West 45.05 ft.; thence North  $56^{\circ}00'$  West 50.00 ft.; thence North  $75^{\circ}30'$  West 153.00 ft. and North  $48^{\circ}02'30''$  West 29.86 ft. to a point in the southerly line of the lands conveyed by the State of California to the County of Marin; thence along said southerly line South  $85^{\circ}01'41''$  East (shown as North  $93^{\circ}40'50''$  West 172.56 ft. in the conveyance to the County of Marin) 20.00 ft. to the point of beginning.

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

END OF DESCRIPTION

REVIEWED JANUARY 23, 1987 BY BOUNDARY SERVICES UNIT, M. L. SHAFER, SUPERVISOR.

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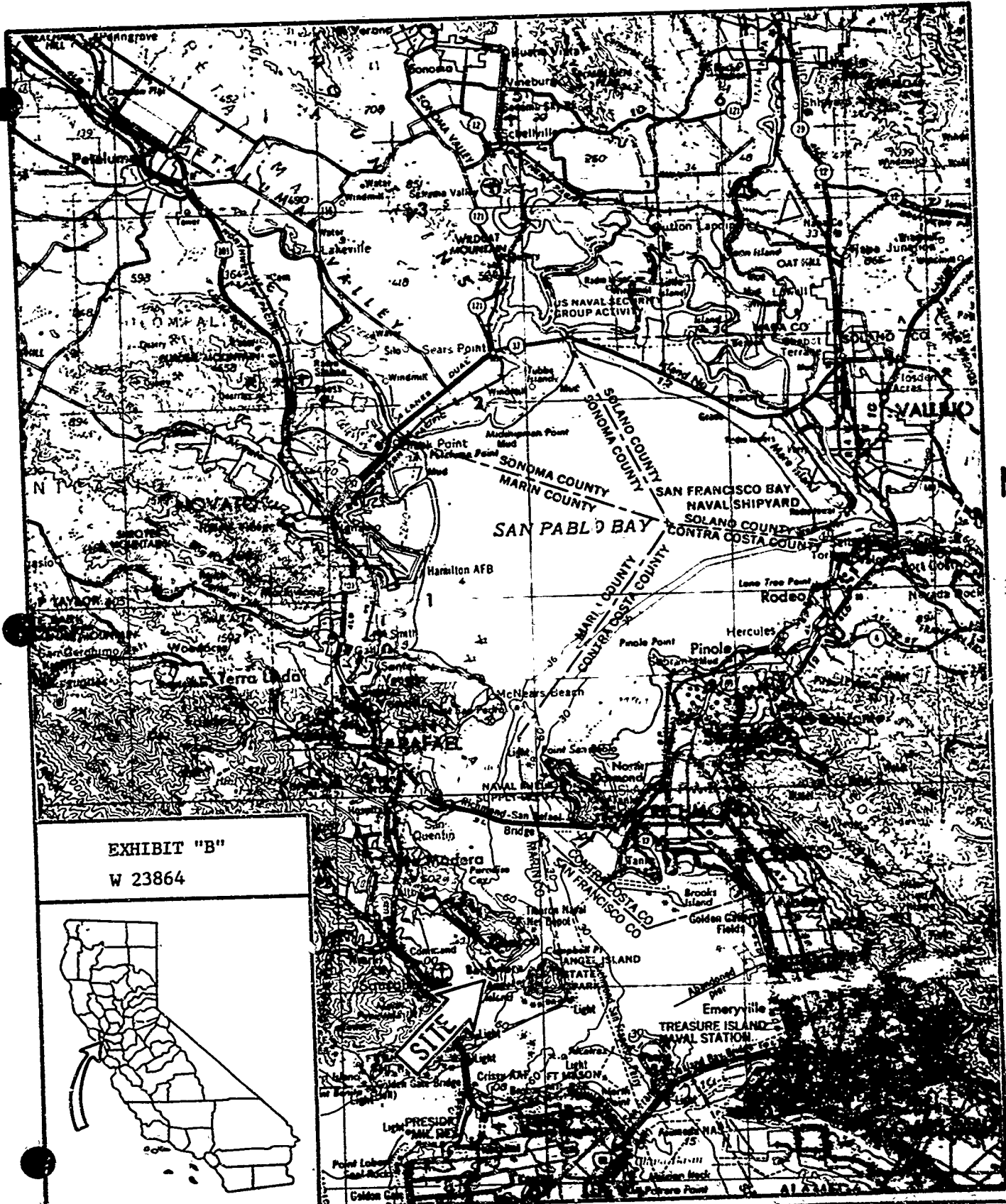


EXHIBIT "B"  
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