

MINUTE ITEM

This Calendar Item No. C01
was approved as Minute Item
No. 01 by the State Lands
Commission by a vote of 3
to 2 at its 8-12-91
meeting.

CALENDAR ITEM

C 0 1

A 9

S 3

08/12/91
PRC 3542
N. Smith

GENERAL PERMIT - RECREATIONAL USE

APPLICANT:

Hans Eide
124 Harbor Drive
Novato, California 94945

AREA, TYPE LAND AND LOCATION:

A 0.059-acre parcel of tide and submerged land in Petaluma
River at Black Point, Marin County.

LAND USE:

Maintenance of an existing walkway, shed, float, and
platforms.

TERMS OF PROPOSED PERMIT:

Initial period:

Ten (10) years beginning July 14, 1991.

Public liability insurance:

Combined single limit coverage of \$100,000.

CONSIDERATION:

\$50 per annum; with the State reserving the right to fix a
different rental on each fifth anniversary of the permit.

BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Code Regs. 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. Code Regs.: Title 3, Div. 3; Title 14, Div. 6.

AB 884:
N/A

OTHER PERTINENT INFORMATION:

1. The original lease issued for the existing improvements expired July 13, 1991.
2. The action proposed herein will permit the walkway and float to be rent-free, pursuant to P.R.C. 6503.5.
3. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.
4. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Code Regs. 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorically exempt project. The project is exempt under Class 1, Existing Facilities, 2 Cal. Code Regs. 2905(a)(2).

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

EXHIBITS:

- A. Land Description
- B. Location Map

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO P.R.C. 6370, ET SEQ.

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2. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. CODE REGS. 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 1, EXISTING FACILITIES, 2 CAL. CODE REGS. 2905(a)(2).

3. AUTHORIZE ISSUANCE TO HANS EIDE OF A TEN-YEAR GENERAL PERMIT - RECREATIONAL USE BEGINNING JULY 14, 1991; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$50, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE PERMIT; PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF \$100,000; FOR AN EXISTING WALKWAY, FLOAT, SHED, AND PLATFORMS ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

PRC 3542:1

LAND DESCRIPTION

A parcel of land in the bed of Petaluma Creek, Marin County, California, said parcel being immediately beneath a float, storage shed, platforms and walkways, together with a necessary use area extending no more than 10 feet from any of the above-mentioned structures, said structures being adjacent to and northeasterly of that land described in the Grant Deed recorded April 30, 1970, in Book 2370, Page 167, Official Records of Marin County.

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

END OF DESCRIPTION

REVIEWED JUNE, 1991 BY LLB

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