

CALENDAR ITEM
C58

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S 3

08/19/03
PRC 4867 WP 4867.9
N. Quesada

RECREATIONAL PIER LEASE

APPLICANT:

San Pan Bay Homeowners Association
1150 McClellan Drive
Novato, CA 94947

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Corte Madera Creek, Larkspur, Marin County.

AUTHORIZED USE:

Continued use and maintenance of a floating boat dock, walkway and pier.

LEASE TERM:

Ten years, beginning March 1, 2003.

CONSIDERATION:

No monetary consideration pursuant to Public Resources Code section 6503.5.

SPECIFIC LEASE PROVISIONS:

Liability insurance in the amount of no less than \$1,000,000.

OTHER PERTINENT INFORMATION:

1. On September 9, 1993, the Commission authorized a Recreational Pier Permit with San Pan Bay Homeowners Association. That lease expired February 28, 2003. San Pan Bay Homeowners Association is now applying for a new Recreational Pier Lease. The applicant is a homeowner's association owning a littoral parcel from which a floating boat dock, pier, and walkway extend onto sovereign land. The applicant qualifies for a rent-free Recreational Pier Lease because all nine parcels within the association's condominium are owned by natural persons and, therefore, qualify for a rent-free status pursuant to Section 6503.5 of the Public Resources Code.

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2. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 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; Title 2, California Code of Regulations, section 2905 (a)(2).

Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300 and Title 2, California Code of Regulations, section 2905.

3. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 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.

APPROVALS OBTAINED:

N/A.

EXHIBIT:

- A. Site and Location Map

PERMIT STREAMLINING ACT DEADLINE:

N/A

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

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

CALENDAR ITEM NO. **C58** (CONT'D)

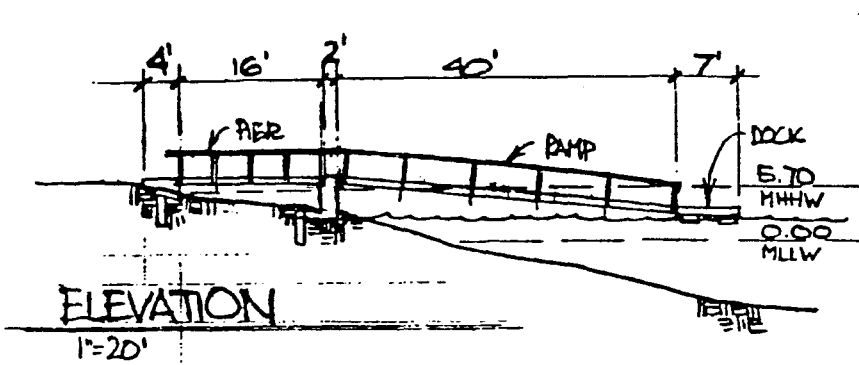
SIGNIFICANT LANDS INVENTORY FINDING:

FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

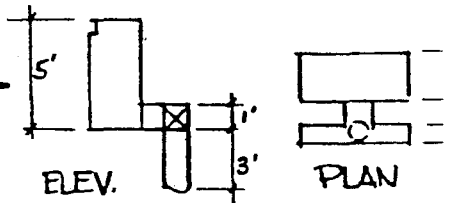
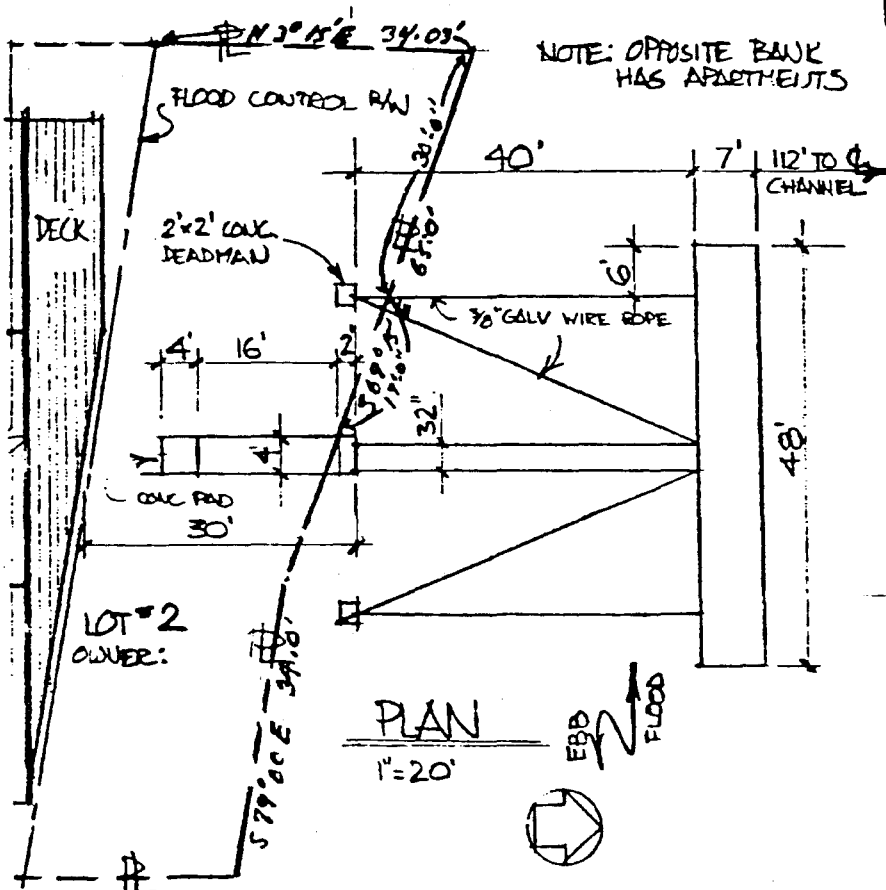
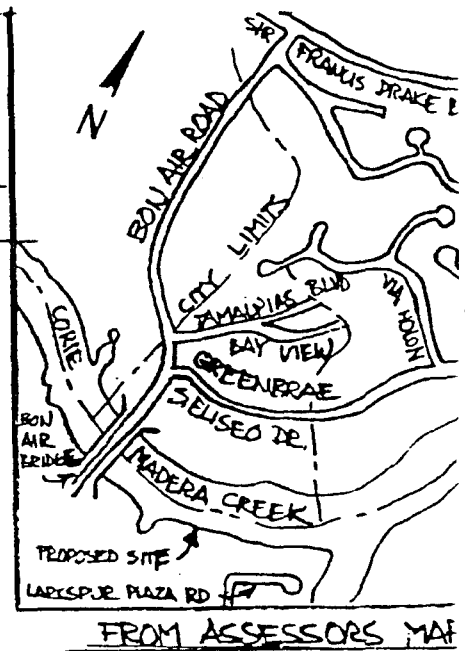
AUTHORIZATION:

AUTHORIZE ISSUANCE TO SAN PAN BAY HOMEOWNERS ASSOCIATION OF A TEN-YEAR RECREATIONAL PIER LEASE, BEGINNING MARCH 1, 2003, FOR THE CONTINUED USE AND MAINTENANCE OF A FLOATING BOAT DOCK, PIER, AND WALKWAY ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; NO MONETARY CONSIDERATION PURSUANT TO PUBLIC RESOURCES CODE SECTION 6503.5; LIABILITY INSURANCE IN THE AMOUNT OF NO LESS THAN \$1,000,000.

SITE MAP

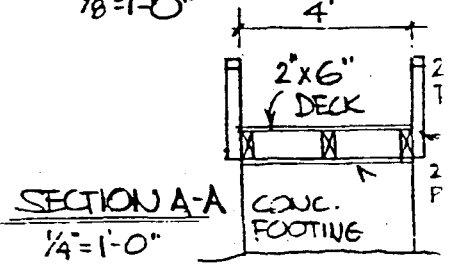


LOT #01 PROPERTY OWNER:



CONC. ANCHOR PAD

1/8"=1'-0"



LOT #03 PROPERTY OWNER:

WP 4867
Exhibit A

This exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties, and is not intended to be, nor shall it be construed as a waiver or limitation of any State interest in the subject or any other property.