

MINUTE ITEM

This Calendar Item No. C08 was approved as Minute Item No. 08 by the California State Lands Commission by a vote of 3 to 0 at its 2-17-05 meeting.

**CALENDAR ITEM
C08**

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S 3

02/17/05
PRC 7803.9
N. Quesada

RECREATIONAL PIER LEASE

APPLICANT:

Christopher B. McCluney, Trustee of the Christopher B. McCluney Trust – 1991, u/t/a dated October 17, 1991.

AREA, LAND TYPE, AND LOCATION:

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

AUTHORIZED USE:

Continued use and maintenance of an existing ramp and floating boat dock.

LEASE TERM:

Ten years, beginning December 1, 2004.

CONSIDERATION:

No monetary consideration pursuant to Public Resources Code section 6503.5.

SPECIFIC LEASE PROVISIONS:

Liability insurance in the amount of no less than \$300,000.

OTHER PERTINENT INFORMATION:

1. Applicant owns the uplands adjoining the lease premises.
2. On December 21, 1994, the Commission authorized a Recreational Pier Lease with Christopher B. McCluney, Trustee. That lease expired on November 30, 2004. Christopher B. McCluney, Trustee of the Christopher B. McCluney Trust – 1991, u/t/a dated October 17, 1991, is now applying for a new Recreational Pier Lease. Applicant qualifies for a Recreational Pier Lease because he is a natural person who has improved the littoral land with, and uses the upland for, a single-family dwelling.

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3. 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.

4. 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.

EXHIBITS:

- A. Site Map
- B. 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).

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.

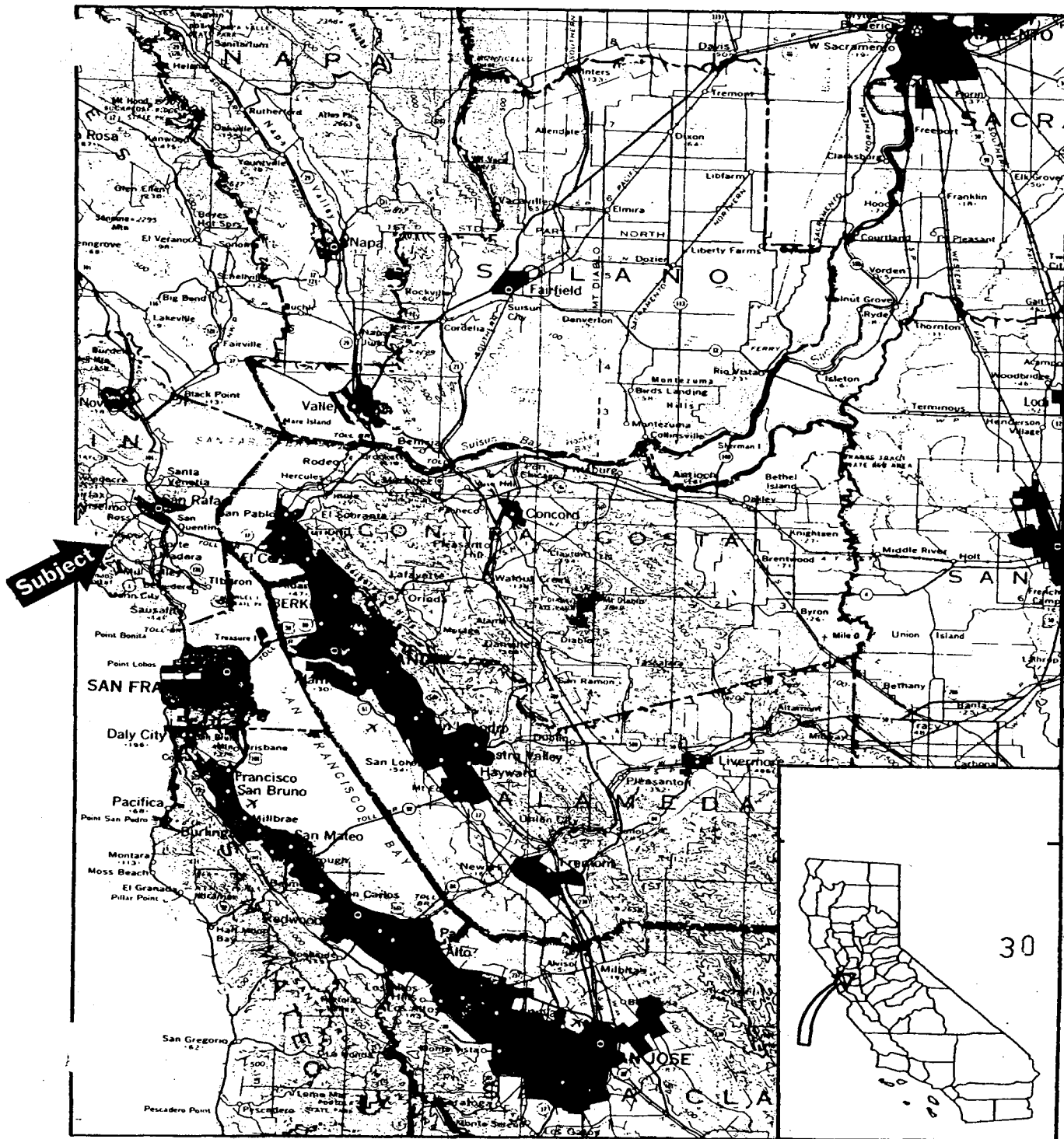
CALENDAR ITEM NO. C08 (CONT'D)

AUTHORIZATION:

AUTHORIZE ISSUANCE TO CHRISTOPHER B. MCCLUNEY, TRUSTEE OF THE CHRISTOPHER B. MCCLUNEY TRUST – 1991 U/T/A DATED OCTOBER 17, 1991, OF A TEN-YEAR RECREATIONAL PIER LEASE, BEGINNING DECEMBER 1, 2004, FOR THE CONTINUED USE AND MAINTENANCE OF AN EXISTING RAMP AND FLOATING BOAT DOCK AS REPRESENTED ON THE LANDS 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 \$300,000.

Location Map

U.S.G.S. Map



This exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by 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 other property.

EXHIBIT B
PRC 7803.9
CHRISTOPHER B. McCLUNEY

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