

**CALENDAR ITEM
C02**

A 7
S 2

03/25/08
WP 5666.9
M. Clark

RECREATIONAL PIER LEASE

APPLICANT:

Linda M. Ellwood, as Trustee of The Ellwood Family Trust dated April 25, 1990

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in the Napa River, in the city of Napa, Napa County.

AUTHORIZED USE:

Continued use and maintenance of an existing pier, ramp, pontoon, two pilings, and an uncovered floating boat dock as shown on Exhibit A.

LEASE TERM:

Ten years, beginning April 1, 2008.

CONSIDERATION:

No monetary consideration pursuant to Public Resources Code section 6503.5.

SPECIFIC LEASE PROVISIONS:

Liability insurance in the amount of no less than \$500,000.

OTHER PERTINENT INFORMATION:

1. Applicant owns the upland adjoining the lease premises.
2. On June 19, 1998, the Commission authorized a Recreational Pier Lease to Linda M. Ellwood. That lease will expire on March 31, 2008. On September 14, 2007, the upland property was deeded to Linda M. Ellwood, as Trustee of The Ellwood Family Trust dated April 25, 1990. The Applicant is now applying for a new Recreational Pier Lease.
3. Applicant qualifies for a Recreational Pier Lease because the Applicant is a natural person who owns the littoral land that is improved with a single-family dwelling.

CALENDAR ITEM NO. **C02** (CONT'D)

4. 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.

5. 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.

EXHIBIT:

- A. Site and Location Map

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.

AUTHORIZATION:

AUTHORIZE ISSUANCE OF A TEN-YEAR RECREATIONAL PIER LEASE, TO LINDA M. ELLWOOD, AS TRUSTEE OF THE ELLWOOD FAMILY TRUST DATED APRIL 25, 1990, BEGINNING APRIL 1, 2008,

CALENDAR ITEM NO. **C02** (CONT'D)

FOR THE CONTINUED USE AND MAINTENANCE OF AN EXISTING PIER, RAMP, PONTOON, TWO PILINGS, AND UNCOVERED FLOATING BOAT DOCK AS 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 \$500,000.