

**CALENDAR ITEM  
C21**

A 10  
S 2

12/02/13  
PRC 3507.1  
K. Foster

**GENERAL LEASE - RECREATIONAL USE**

**APPLICANTS:**

Pamela Kvalheim and Craig Wagner

**AREA, LAND TYPE, AND LOCATION:**

0.04 acre, more or less, of sovereign land in the Petaluma River adjacent to 45 Havenwood Road, city of Novato, Marin County.

**AUTHORIZED USE:**

Continued use and maintenance of an existing raised walkway, storage shed, decks, access ramp, and an uncovered floating dock.

**LEASE TERM:**

10 years, beginning July 24, 2013.

**CONSIDERATION:**

\$296 per year, with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease.

**SPECIFIC LEASE PROVISIONS:**

**Insurance:** Liability insurance in the amount of no less than \$1,000,000 per occurrence.

**OTHER PERTINENT INFORMATION:**

1. Applicants own the upland adjoining the lease premises.
2. On February 2, 2004, the Commission authorized the issuance of Lease No. PRC 3507.9, a Recreational Pier Lease to Pamela and Patricia A. Kvalheim. That lease expired on July 23, 2013. The Applicants are now applying for a new General Lease – Recreational Use.
3. The staff recommends that the Commission find that this activity is exempt from the requirements of the California Environmental Quality Act (CEQA) as a categorically exempt project. The project is exempt under Class 1,

CALENDAR ITEM NO. **C21** (CONT'D)

Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

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

4. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et seq., but such activity will not affect those significant lands. 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. Land Description
- B. Site And Location Map

**RECOMMENDED ACTION:**

It is recommended that the Commission:

**CEQA FINDING:**

Find that the activity is exempt from the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15061 as a categorically exempt project, Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (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 section 6370 et seq.

**AUTHORIZATION:**

Authorize issuance of a General Lease - Recreational Use to Pamela Kvalheim and Craig Wagner beginning July 24, 2013, for a term of 10 years, for the continued use and maintenance of an existing raised walkway, storage shed, decks, access ramp, and an uncovered floating dock, as described in Exhibit A attached and by this reference made a part hereof, and as shown on Exhibit B (for reference purposes only); rent in the amount of \$296 per year, with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease; and liability insurance in the amount of no less than \$1,000,000 per occurrence.

**EXHIBIT A**

**PRC 3507.1**

**LAND DESCRIPTION**

A parcel of tide and submerged land situate in the bed of the Petaluma River, lying adjacent to Swamp and Overflowed Survey 115, patented April 29, 1874, Marin County, State of California and more particularly described as follows:

All those lands underlying the existing floating boat dock, ramp, walkway, storage shed, and deck lying adjacent to those parcels as described in Grant Deed, recorded July 24, 2003 in Document Number 2003-0088101 in Official Records of said County.

TOGETHER WITH a 10' impact area.

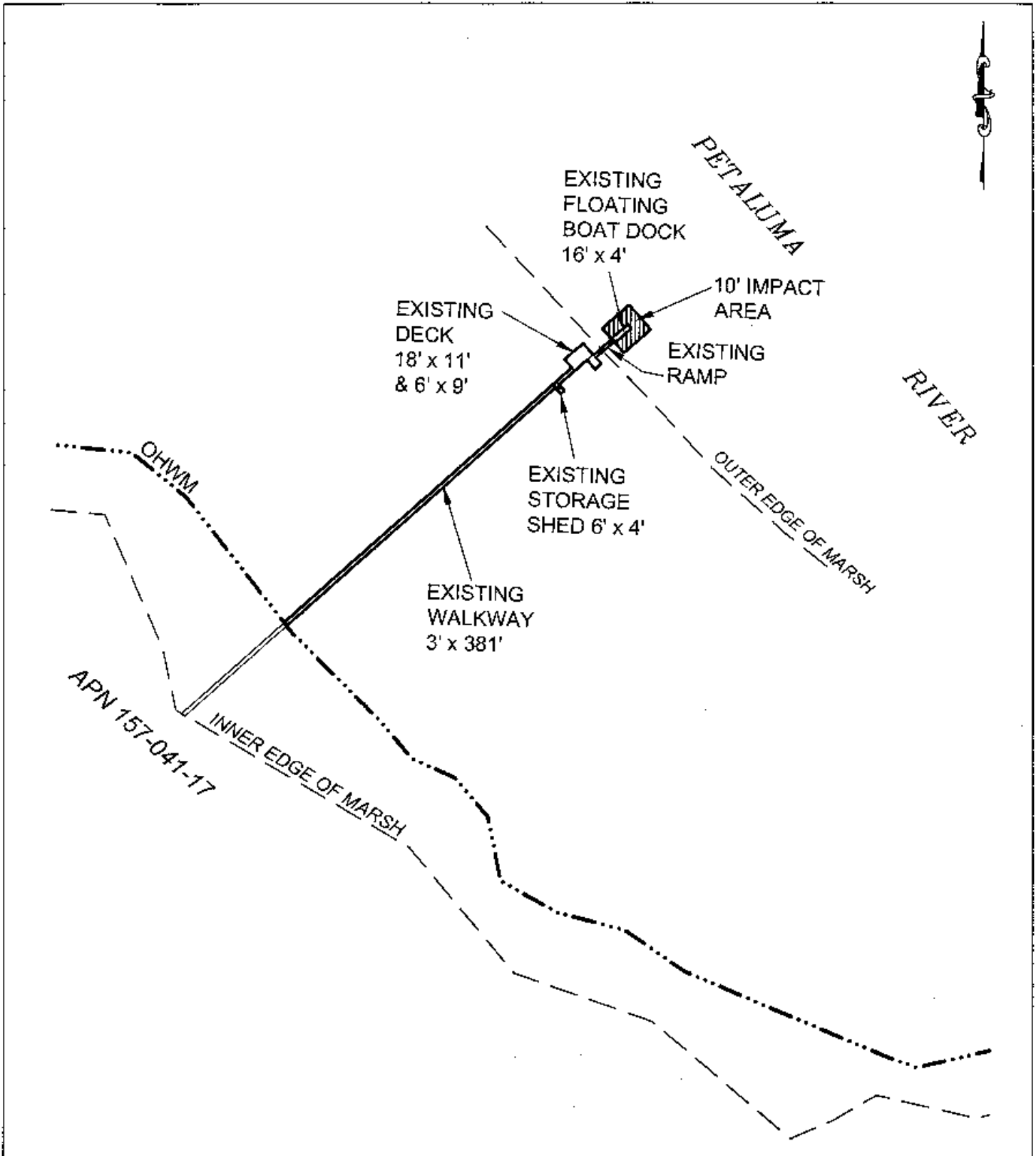
EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of the right bank of said river.

Accompanying plat is hereby made part of this description.

**END OF DESCRIPTION**

Prepared 08/05/13 by the California State Lands Commission Boundary Unit

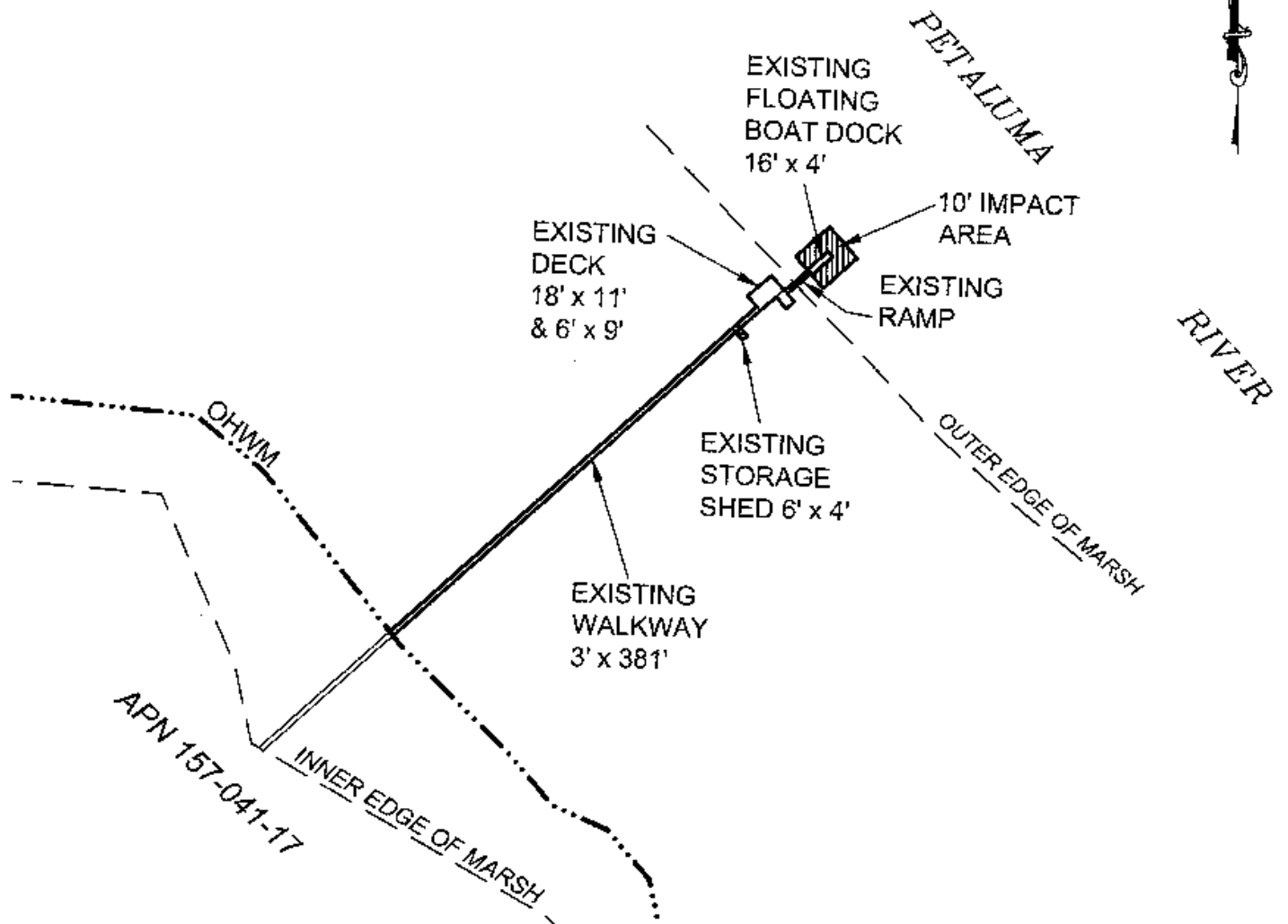




**EXHIBIT A**

NO SCALE

# SITE



45 HAVENWOOD DRIVE, NOVATO

NO SCALE

# LOCATION



MAP SOURCE: USGS QUAD

## Exhibit B

PRC 3507.1  
 KVALHEIM & WAGNER  
 APN 157-041-17  
 GENERAL LEASE-  
 RECREATIONAL USE  
 MARIN COUNTY



TS 08/05/13

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.