

**CALENDAR ITEM  
C24**

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S 2

12/02/13  
PRC 5274.1  
K. Foster

**GENERAL LEASE - RECREATIONAL USE**

**APPLICANTS:**

Terence Robert Bunton and Pauline Elizabeth Bunton, Trustees of the Terence and Pauline Bunton Revocable Trust Dated September 11, 2001

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

0.05 acre, more or less, of sovereign land in the Petaluma River adjacent to 39 Bridge Road, near the city of Novato, Marin County.

**AUTHORIZED USE:**

Continued use and maintenance of an existing raised walkway and an uncovered fixed dock

**LEASE TERM:**

10 years, beginning March 1, 2013.

**CONSIDERATION:**

\$371 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 August 19, 2003, the Commission authorized the issuance of Lease No. PRC 5274.1, a General Lease – Recreational and Residential Use to Terence and Pauline Bunton. That lease expired on February 28, 2013. The Applicants are now applying for a new General Lease – Recreational Use.

CALENDAR ITEM NO. **C24** (CONT'D)

3. The lease premises, including the raised walkway and boat dock, includes tidal salt marsh and mudflats and primarily supports pickleweed, cordgrass, and saltgrass, making access to the boat dock from the water impossible. Due to these site specific factors, staff is not recommending that the lease include an impact area.
4. The prior lease included as an authorized improvement portions of a cabin located on the upland property. Based on a review of the best available evidence by Commission staff, the cabin does not appear to be encroaching onto State sovereign land at this time. Therefore, the recommended lease premises do not include the site where the cabin is located.
5. 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, 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.

6. 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

CALENDAR ITEM NO. **C24** (CONT'D)

**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 Terence Robert Bunton and Pauline Elizabeth Bunton, Trustees of the Terence and Pauline Bunton Revocable Trust Dated September 11, 2001, beginning March 1, 2013, for a term of 10 years, for the continued use and maintenance of an existing raised walkway and an uncovered fixed 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 \$371 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 5274.1**

**LAND DESCRIPTION**

A parcel of tide and submerged land situate in the bed of the Petaluma River, lying adjacent to Rancho De Novato, patented April 10, 1866, Marin County, State of California and more particularly described as follows:

All those lands underlying an existing uncovered boat dock and walkway lying adjacent to those parcels as described in Grant Deed, recorded September 16, 2001 in Document Number 2001-0061651 in Official Records of said County.

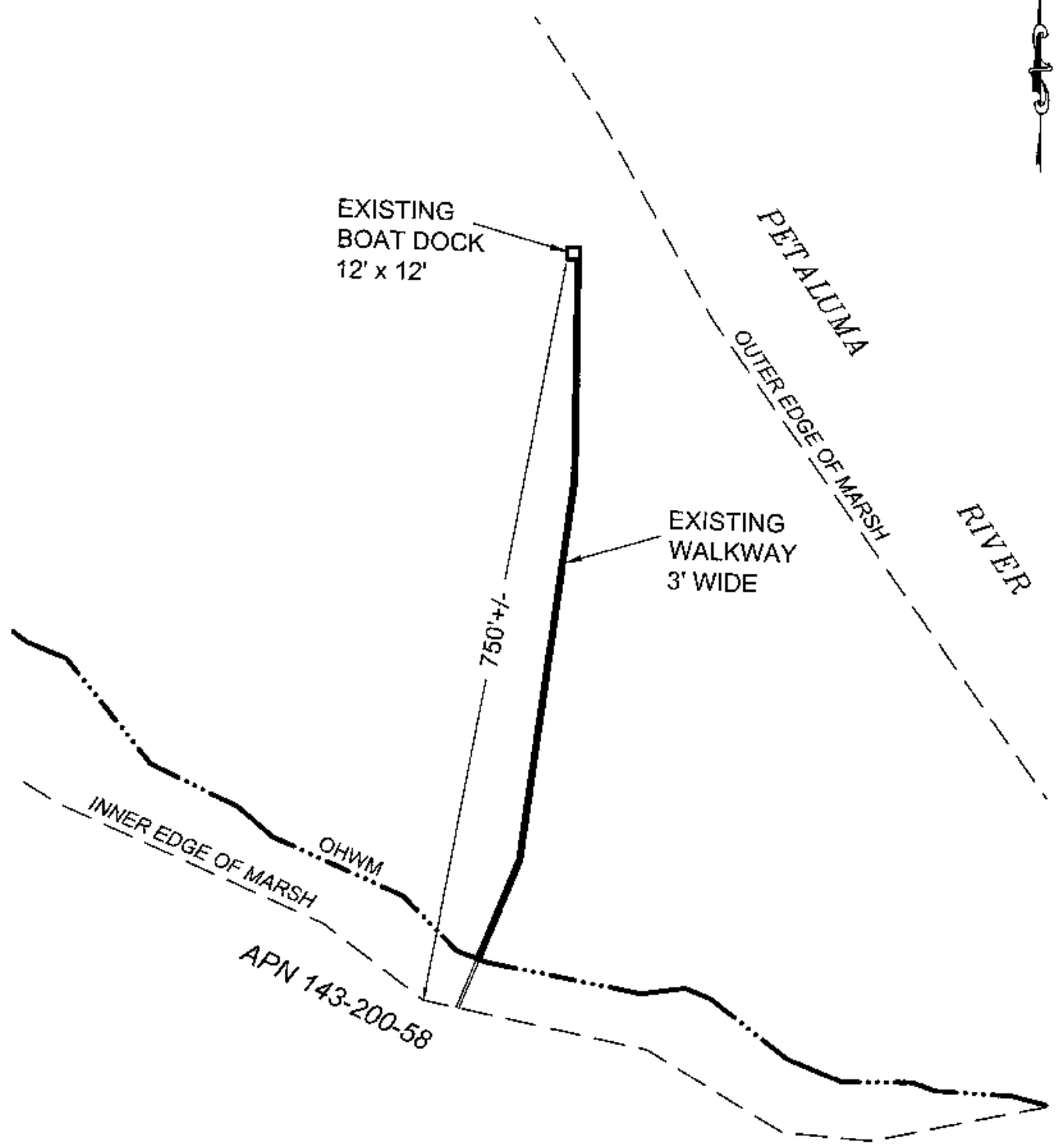
EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of the right bank of said river.

Accompanying plat is hereby made part of this description.

**END OF DESCRIPTION**

Prepared 08/23/2013 by the California State Lands Commission Boundary Unit





# EXHIBIT A

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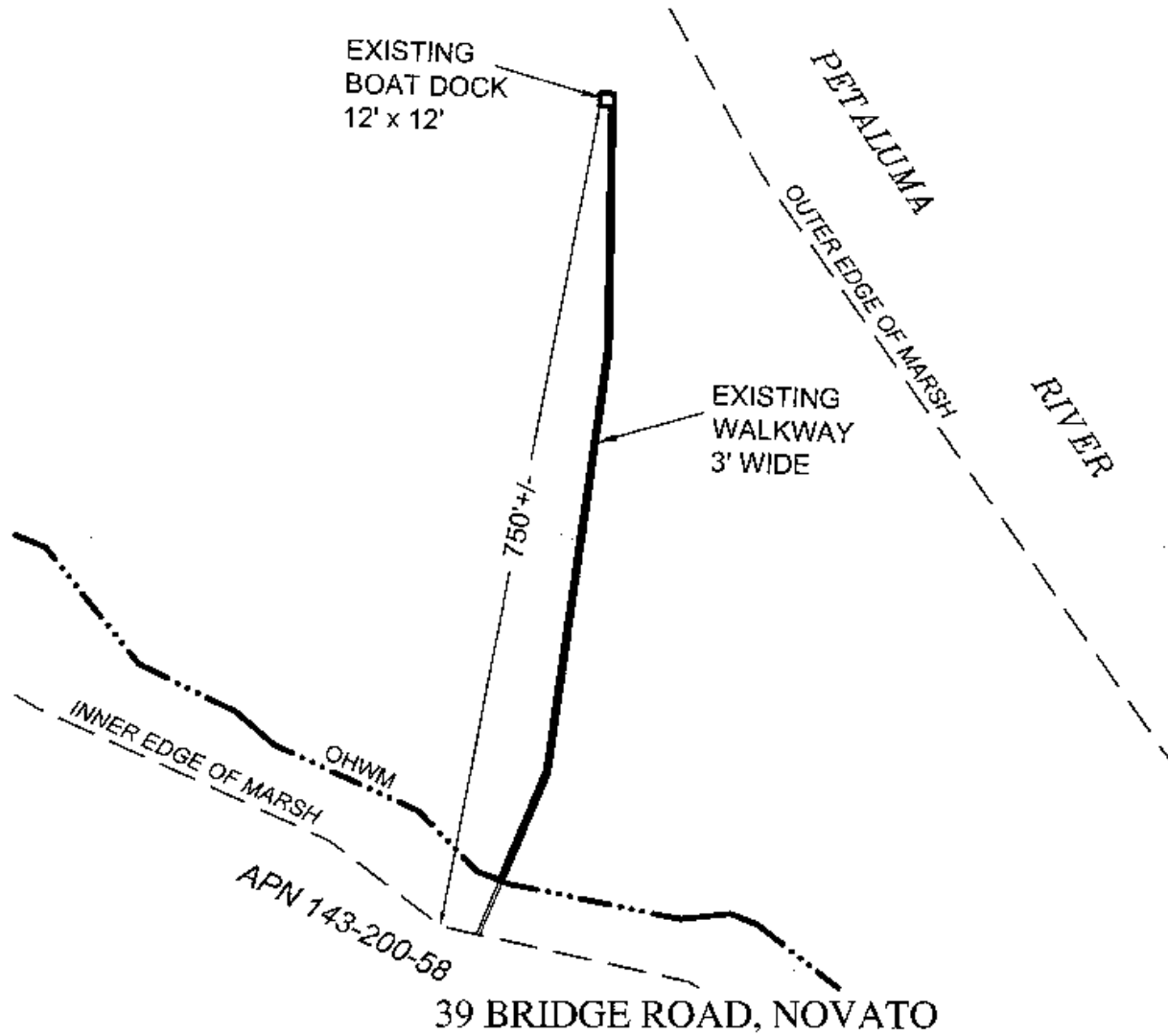
LAND DESCRIPTION PLAT  
PRC 5274.1, BUNTON  
MARIN COUNTY

CALIFORNIA STATE  
LANDS COMMISSION



NO SCALE

### SITE



NO SCALE

### LOCATION



### **Exhibit B**

PRC 5274.1  
 BUNTON  
 APN 143-200-58  
 GENERAL LEASE-  
 RECREATIONAL USE  
 MARIN COUNTY



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.

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