

MINUTE ITEM

This Calendar Item No. C2  
was approved as Minute Item  
No. 2 by the State Lands  
Commission by a vote of 3  
to 0 at its 6-22-78  
meeting.

CALENDAR ITEM

C2.

GENERAL PERMIT  
RECREATIONAL USE

6/78  
W 20564  
Atkins  
P.R.C. 5497 (void)  
P.R.C. 4867

APPLICANT: San Pan Bay Homeowners Association  
517-533 Larkspur Plaza  
Larkspur, California 94939

AREA, TYPE LAND AND LOCATION:  
A 0.091 acre parcel of tide and submerged  
land in Corte Madera Creek near Larkspur,  
Marin County.

LAND USE: Accommodation boating facility.

TERMS OF PROPOSED PERMIT:  
Initial period: 10 years from March 1,  
1978.  
Surety bond: \$2,000.  
Public liability insurance: Combined single  
limit coverage of \$300,000.

CONSIDERATION: \$70 per annum, with the State reserving  
the right to fix a different rental on  
each fifth anniversary of the permit.

BASIS FOR CONSIDERATION:  
\$70 fixed rental for this type of permit.

PREREQUISITE TERMS, FEES AND EXPENSES:  
Applicant is owner of upland.  
Filing fee has been received.

STATUTORY AND OTHER REFERENCES:  
A. Public Resources Code: Div. 6, Parts 1 & 2.  
B. Administrative Code: Title 2, Div. 3,  
Arts. 1, 2, 6.5  
10 & 11.

OTHER PERTINENT INFORMATION:  
1. This structure has been in existence  
since 1974. The responsibility for

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the pier, ramp and floating dock has passed from the original developer to the Homeowners Association. During this period of time the Commission's staff has been receiving rental for these water facilities.

2. An EIR is not required. This transaction is within the purview of 2 Cal. Adm. Code 2907, Class 1B, which exempts an existing structure or facility that is in an acceptable state of repair and there is no evidence of record to show injury to adjacent property, shoreline erosion, or other types of environmental degradation.
3. This project is situated on State land identified as possessing significant environmental values pursuant to Public Resources Code 6370.1, and is classified in a use category, Class C which authorizes Multiple Use.

Staff review indicates that there will be no significant effect upon the identified environmental values. This is an existing facility for which no adverse comments have been received.

APPROVALS OBTAINED:

United State Army Corps of Engineers, Marin County.

FURTHER APPROVALS REQUIRED:

None.

EXHIBITS:

A. Land Description. B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN EIR HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF P.R.C. 21085, 14 CAL. ADM. CODE 15100 ET SEQ., AND 2 CAL. ADM. CODE 2907.
2. FIND THAT GRANTING OF THE PERMIT WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1, OF THE PUBLIC RESOURCES CODE.

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3. AUTHORIZE ISSUANCE TO SAN PAN BAY HOMEOWNERS ASSOCIATION OF A 10-YEAR GENERAL PERMIT - RECREATIONAL USE FROM MARCH 1, 1978; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$70.00, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE PERMIT; PROVISION OF A \$2,000 SURETY BOND; PROVISION OF PUBLIC LIABILITY INSURANCE, COMBINED SINGLE LIMIT COVERAGE OF \$300,000; FOR THE OPERATION AND MAINTENANCE OF AN ACCOMMODATION BOATING FACILITY ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

W 20564

Lessee: John A. Moran

A strip of tide and submerged land 68 feet wide in the bed of Corte Madera Creek, in Larkspur, Marin County, California, being 34 feet on each side of the following described centerline:

COMMENCING at the southeasterly corner of that certain parcel of land described in the Grant Deed to John A. Moran, et ux, recorded May 12, 1972, in Book 2567, at page 530, Official Records, Marin County; thence N 69° 15' W, 51.40 feet to the TRUE POINT OF BEGINNING; thence N 01° 15' E, 259 feet to the end of the herein described centerline.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of Corte Madera Creek.

END OF DESCRIPTION

Prepared *John K. L. King* Checked *M. J. Shafer*  
Reviewed *D. J. Funniche* Date *6/10/77*

Initial Here *BJ*  
Initial Here *eam*

Initial Here *jam*

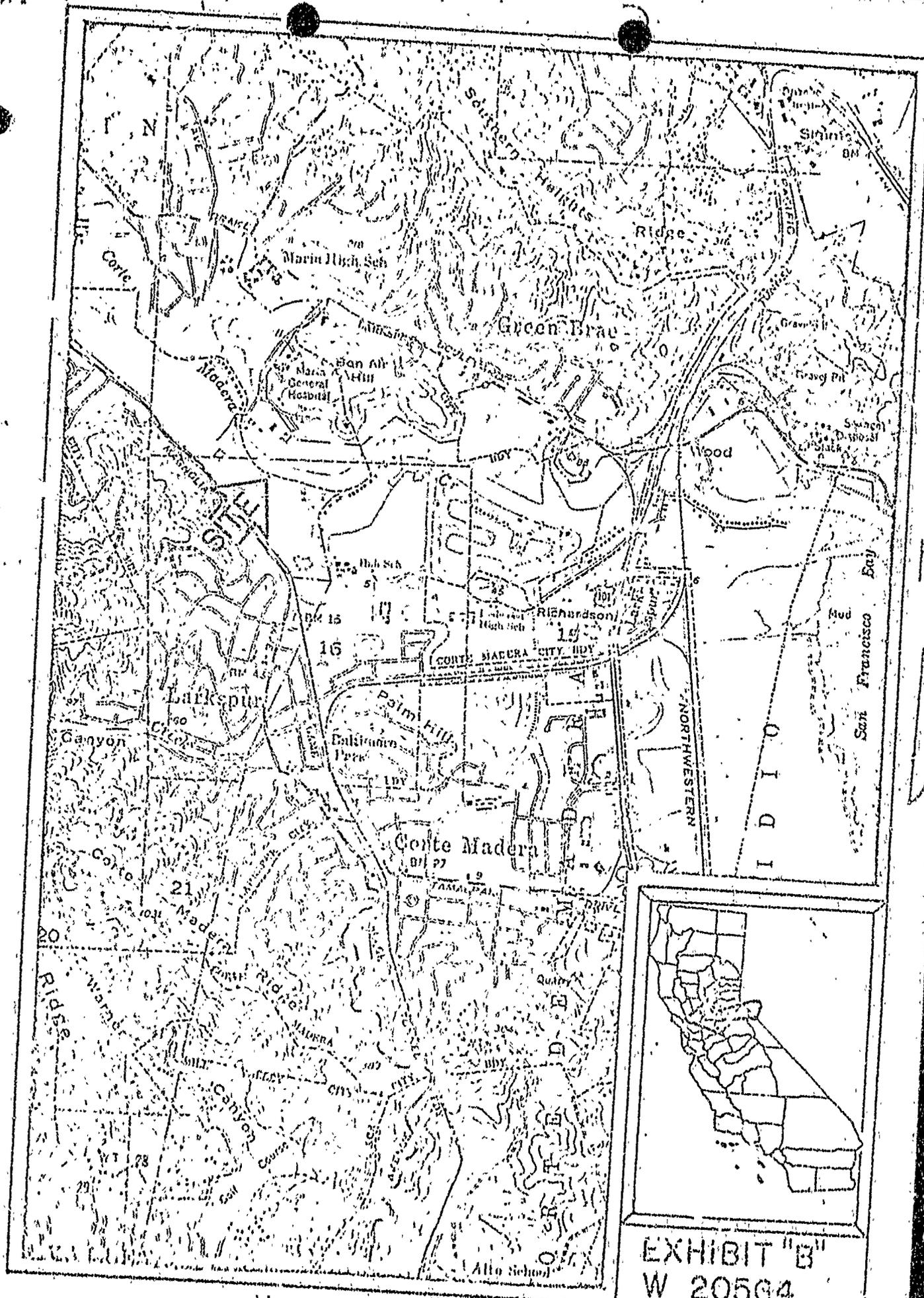


EXHIBIT "B"  
W 20504