

MINUTE ITEM
This Calendar Item No. C08
was approved as Minute Item
No. 8 by the State Lands
Commission by a vote of 3
to 0 at its 3/23/89
meeting.

CALENDAR ITEM

A 9
S 3

C08

03/23/89
WP 5674 PRC 5674
N. Smith

GENERAL PERMIT - RECREATIONAL USE

APPLICANT: John F. Ogden
3026 Hunters Club Road
Novato, California 94945

AREA, TYPE LAND AND LOCATION:
Two parcels of tide and submerged land
containing .028 acre in the Petaluma River at
Black Point, Marin County.

LAND USE: Existing float and walkway for recreational use.

TERMS OF ORIGINAL PERMIT:

Initial period: Ten years beginning April 1,
1979.

Public liability insurance: Combined single
limit coverage of \$100,000.

Consideration: \$253 per annum; five-year
rent review.

TERMS OF PROPOSED PERMIT:

Initial period: Ten (10) years beginning
April 1, 1989.

Public liability insurance: Combined single
limit coverage of \$100,000.

CONSIDERATION: \$170.00 per annum; with the State reserving the
right to fix a different rental on each
fifth anniversary of the permit.

BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Code Regs. 2003.

CALENDAR ITEM NO. C 08 (CONT'D)

APPLICANT STATUS:

Applicant is permittee of upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

Filing fee and first year's rent have been received.

STATUTORY AND OTHER REFERENCES:

A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.

B. Cal. Code Regs.: Title 2, Div. 3;
Title 14, Div. 6.

AB 884:

N/A.

OTHER PERTINENT INFORMATION:

1. John Ogden has submitted an application to renew and revise an existing General Permit - Recreational Use, which will expire March 31, 1989. The new permit would allow continued use of State lands for a float and walkway in the Petaluma River.
2. The legal description was changed to reflect actual area used by Lessee, which has, reduced the lease area and annual rent.
3. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Code Regs. 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, 2 Cal. Code Regs 2905(a)(2).

Authority: P.R.C. 21084, 14 Cal. Code Regs. 15300, and 2 Cal. Code Regs. 2905.
4. The activity is situated on lands identified as possessing significant environmental values pursuant to P.R.C. 6370.1 and is classified in a use category "B" which authorizes limited use.

Staff has coordinated the review of this project with those agencies and organizations who nominated the site as

CALENDAR ITEM NO. 608 (CONT'D)

containing significant environmental values. They have found this project to be compatible with their nomination.

EXHIBITS: A. Land Description.
 B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. CODE REGS. 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 1, EXISTING FACILITIES, 2 CAL. CODE REGS. 2905(a)(2).
2. AUTHORIZE ISSUANCE TO JOHN F. OGDEN OF A TEN-YEAR GENERAL PERMIT - RECREATIONAL USE, BEGINNING APRIL 1, 1989; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$170, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE PERMIT; PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF \$100,000; FOR EXISTING FLOAT AND WALKWAY ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION

WP 5674

Two parcels of tide and submerged land in the bed of Petaluma Creek, situated approximately three miles east of the City of Novato, Marin County, California, more particularly described as follows:

PARCEL 1

A strip of land 4 feet wide, lying 2 feet on each side of the following described centerline:

COMMENCING at Station 259 of "Allardts High Water Mark", as shown on a map entitled "Plat of Tide and Submerged Lands, Adjacent to Right Bank of Petaluma Creek, vicinity of Black Point, Marin County, California," Sheet 2 of 6, and filed with the State Lands Division, Sacramento, California, thence S 39° 46' 27" E 14 feet to an existing walkway; thence along said walkway N 41° E 135 feet to a point which is the most southwesterly edge of area leased under P.R.C. 2747.1 as said P.R.C. is described and filed with the State Lands Commission in Sacramento, California, said Point also being the POINT OF BEGINNING of the herein described parcel; thence along the southerly line of said P.R.C., S 52° E 15 feet to the center of an existing walkway; thence along said walkway N 38° E 190 feet to a point hereinafter referred to as "Point A", said "Point A" also being the end of the herein described centerline.

PARCEL 2

A strip of land 20 feet wide, lying 10 feet on each side of the following described centerline:

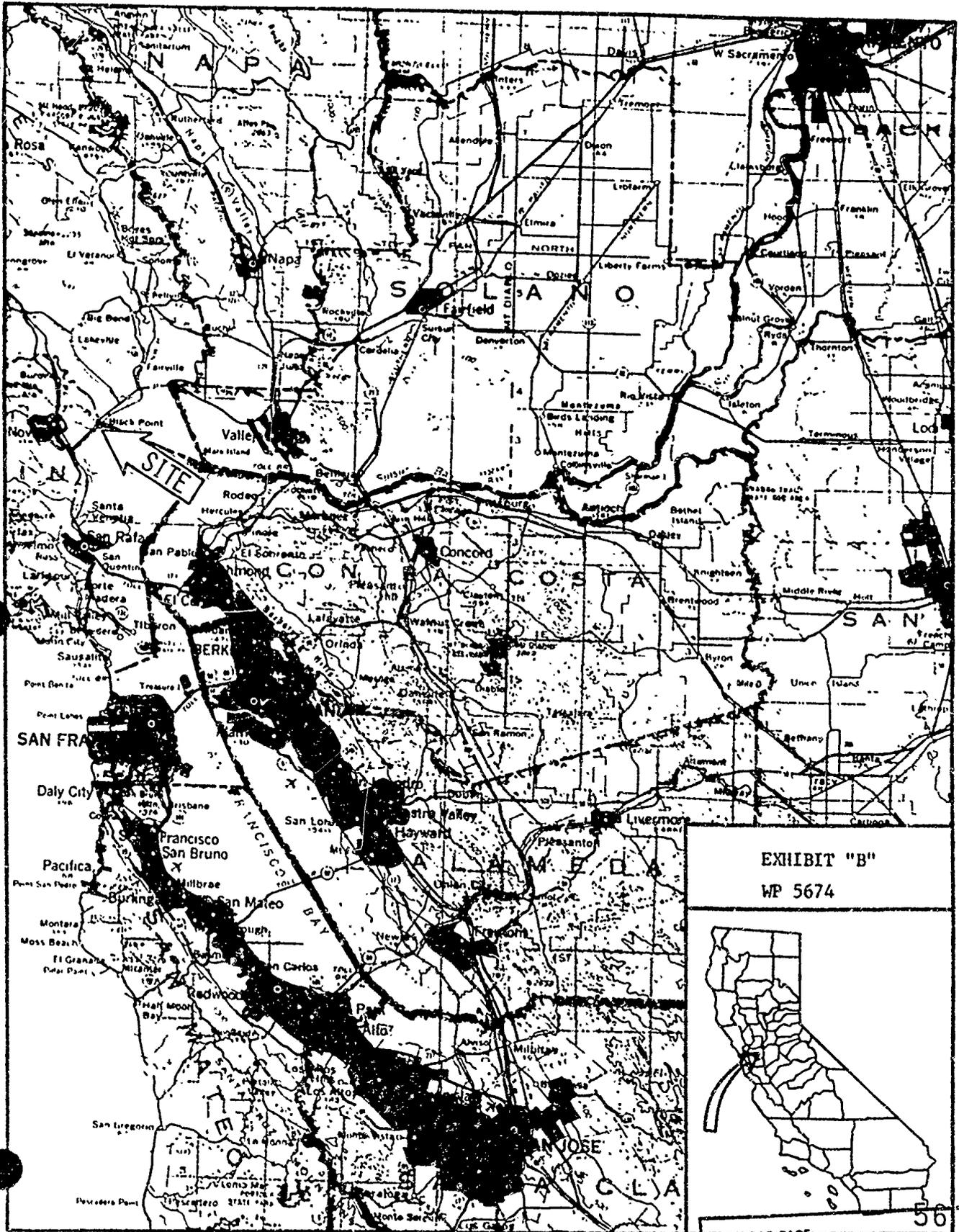
Beginning at the above-mentioned "Point A"; thence N 38° E 20 feet to the end of the herein described centerline.

EXCEPTING THEREFROM any portion of Parcels 1 and 2 lying landward of the ordinary high water mark of Petaluma Creek.

END OF DESCRIPTION

REVISED JANUARY 5, 1989 BY BIU 1.

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SITE

EXHIBIT "B"
WP 5674



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