MINUTE ITEM
This Calendar Item No. C16
was approved as Minute Item
No. 16 by the State Lands
Commission by a vote of 3
to 0 at its 9/23/92
meeting.

CALENDAR ITEM

C 16

A 9

S 3

09/23/92
PRC 4647
N. Smith

APPROVE CONSOLIDATING A RECREATIONAL PIER PERMIT
INTO A GENERAL PERMIT - PROTECTIVE STRUCTURE
AND RECREATIONAL USE

PERMITTEE:

Silver Pavilion Homeowners Association
695 South Eliseo Drive
Greenbrae, California 94904

AREA, TYPE LAND AND LOCATION:

A 0.183-acre parcel of tide and submerged land located in Corte Madera Canal, Greenbrae, Marin County.

LAND USE:

Use and maintenance of an existing boat dock and placement of riprap bank protection (30-40 cubic yards of rock fill).

TERMS OF PROPOSED PERMIT:

Initial period:
Ten (10) years beginning April 26, 1990.

CONSIDERATION:

Riprap bank protection: The public use and benefit; with the State reserving the right at any time to set a monetary rental if the Commission finds such action to be in the State's best interest.

Floating dock: The recreational boat dock is rent-free, pursuant to Section 6503.5 of the P.R.C.

BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Code Regs. 2003.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

Filing fee and processing costs have been received.

STATUTORY AND OTHER REFERENCES:

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

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

AB 884:

10/13/92

OTHER PERTINENT INFORMATION:

1. As to the placement of riprap, 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 4, 14 Cal. Code Regs. 15304.

   Authority: P.R.C. 21084 and 14 Cal. Code Regs. 15300.

2. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 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.

3. A Recreational Pier Permit was issued for the dock by Commission action on June 11, 1990 and is rent-free pursuant to Section 6503.5 of the P.R.C. The Permittee needs to place riprap along adjacent shoreline to halt erosion. Therefore, for ease of recordkeeping and to eliminate the issuance of two separate permits for the same area, staff wishes to consolidate the Recreational Pier Permit into a General Permit - Protective Structure and Recreational Use.

APPROVALS OBTAINED:

Water Quality Control Board, United States Army Corps of Engineers, and Marin County Flood Control and Water Conservation District.

FURTHER APPROVALS REQUIRED:

City of Larkspur and San Francisco Bay Conservation and Development Commission.

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 4, 14 CAL. CODE REGS. 15304.

2. FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO P.R.C. 6370, ET SEQ.

3. AUTHORIZE CONSOLIDATION OF RECREATIONAL PIER PERMIT INTO A GENERAL PERMIT - PROTECTIVE STRUCTURE AND RECREATIONAL USE FOR TEN YEARS TO SILVER PAVILION HOMEOWNERS ASSOCIATION BEGINNING APRIL 26, 1990, FOR THE USE AND MAINTENANCE OF AN EXISTING DOCK AND THE PLACEMENT OF RIPRAP BANK PROTECTION ON THE LAND DESCRIBED ON EXHIBIT "A" AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

PRC 4647

LAND DESCRIPTION

A parcel of tide and submerged land in the bed of Corte Madera Canal, Marin County, California, immediately adjacent to Lots 72 and 73 as shown on the map entitled "Map of Bon Air Sub. No. Five", filed in the office of the County Recorder of said County in Volume 10 of Maps at Page 88, more particularly described as follows:

> COMMENCING on the northerly line of Corte Madera Creek at the southeasterly corner of said Lot 72 as described in the above mentioned map, said corner having California Coordinate System Zone III, NAD 1927, coordinates of X = 1,414,957.17 feet and Y = 532,348.82 feet, and as shown on the map entitled "Plat of Corte Madera Ark Sites" and recorded in Marin County Licensed Surveys Vol. 2, Page 98; thence S 47° 04' 20" W, 147.37 feet to the southwest corner of Lot 73 as described on said map of Bon Air Sub. No. Five; thence along said northerly line of Corte Madera Canal N 47° 04' 20" E, 5.00 feet to the POINT OF BEGINNING, thence S 40° 33' E, 81.00 feet; thence N 50° 45' E, 80.00 feet; thence N 39° 15' W, 86.24 feet to said northerly line of the Corte Madera Canal; thence S 47° 04' 20" W, 82.00 feet along said northerly line to the point of beginning.

TOGETHER WITH a strip of tide and submerged land for riprap protection situated adjacent to said Lots 72 and 73 according to a plan dated 3-16-1992, submitted to the file in the records of the State Lands Commission.

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

END OF DESCRIPTION

REVISED JUNE, 1992 BY LLB.

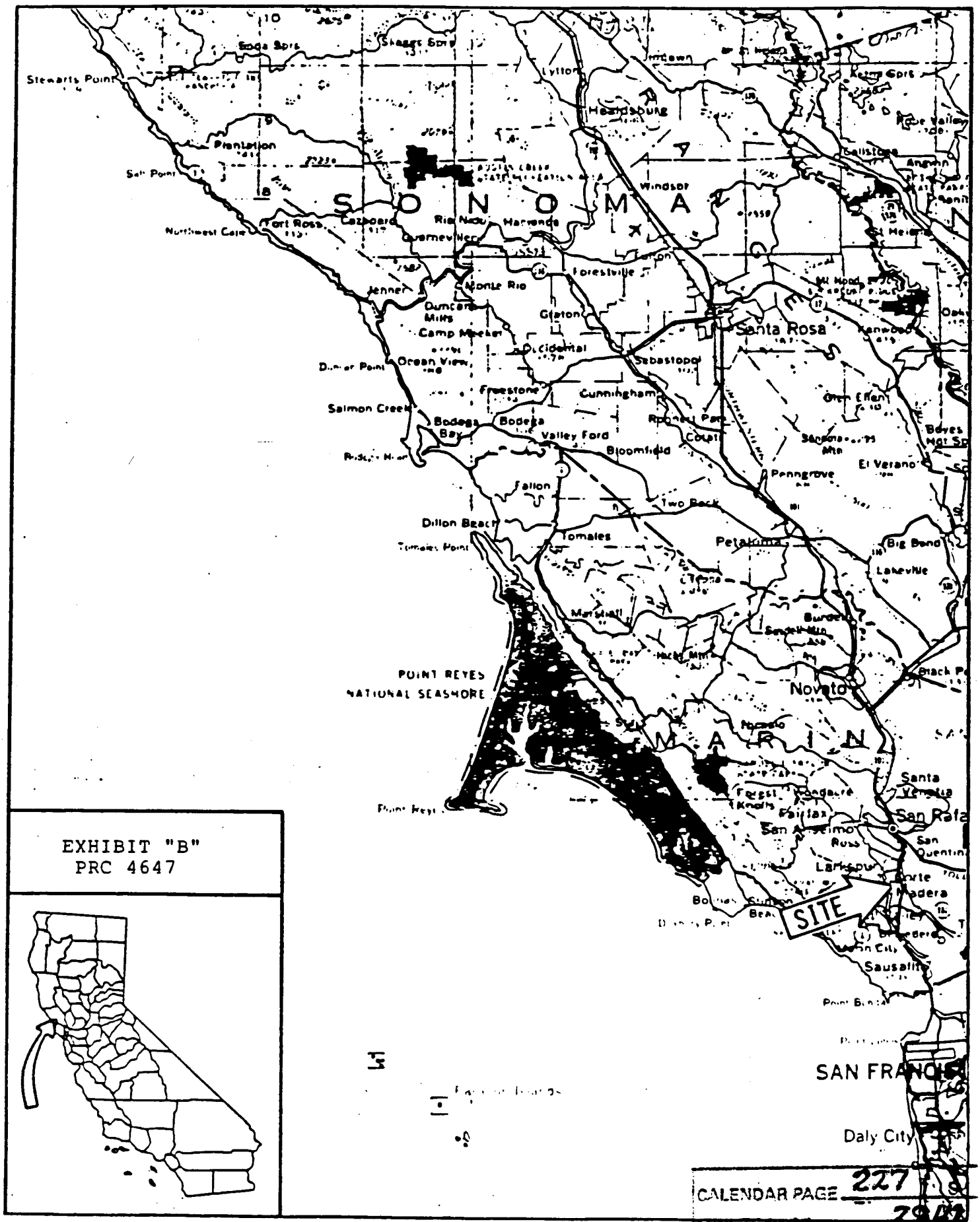

EXHIBIT "B"
PRC 4647