

MINUTE ITEM
This Calendar Item No. C68 was approved as
Minute Item No. 6B by the California State Lands
Commission by a vote of 3 to 0 at its
4-24-01 meeting.

CALENDAR ITEM
C68

A 6
S 3

04/24/01
PRC 5095 WP 5095.9
F. Singer

RECREATIONAL PIER LEASE

APPLICANT:

Nicholas Edward Whitney, Trustee under the Trust to Preserve Property for the Benefit of Whitney Family dated July 3, 1991, and accepted August 23, 1991
98 Camino Del Mar
Inverness, California 94937

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Tomales Bay, near Inverness, Marin County.

AUTHORIZED USE:

Continued use and maintenance of an existing 6 foot by 56 foot pier, a 16 foot-6 inch by 29 foot landing pad, a ladder, and a 16 foot-6 inch by 7 foot-6 inch floating boat dock.

LEASE TERM:

Ten years, beginning January 26, 2001.

CONSIDERATION:

No monetary consideration pursuant to Public Resources Code section 6503.5.

SPECIFIC LEASE PROVISIONS:

Insurance:

Liability insurance in the amount of no less than \$300,000.

OTHER PERTINENT INFORMATION:

1. On March 6, 1991, the Commission authorized a Recreational Pier Lease with Deborah T. Whitney. The upland was deeded to Nicholas Edward Whitney, Trustee under the Trust to Preserve Property for Benefit of Whitney Family dated July 3, 1991, and accepted August 23, 1991. Applicant qualifies for a Recreational Pier Lease because the Applicant is a natural person who has improved the littoral land with, and uses the upland for, a single-family dwelling. Nicholas Edward Whitney, Trustee

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under the Trust to Preserve Property for Benefit of Whitney Family dated July 3, 1991, and accepted August 23, 1991, is now applying for a new Recreational Pier Lease.

2. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 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; Title 2, California Code of Regulations, section 2905 (a)(2).

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

3. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 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.

EXHIBIT:

- A. Site Map and Location Map

PERMIT STREAMLINING ACT DEADLINE:

N/A

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 1, EXISTING FACILITIES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (a)(2).

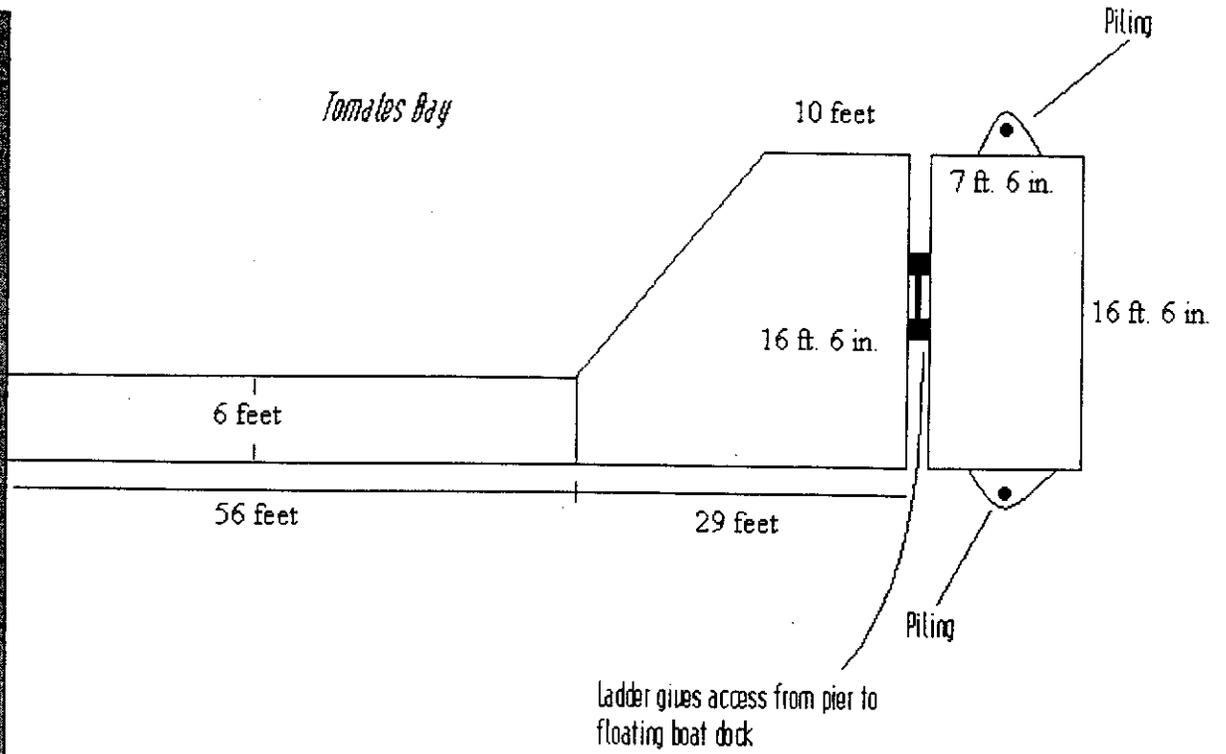
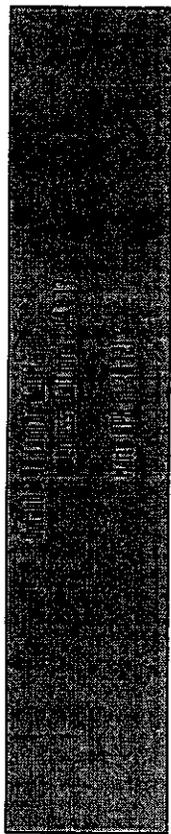
CALENDAR ITEM NO. **C68** (CONT'D)

SIGNIFICANT LANDS INVENTORY FINDING:

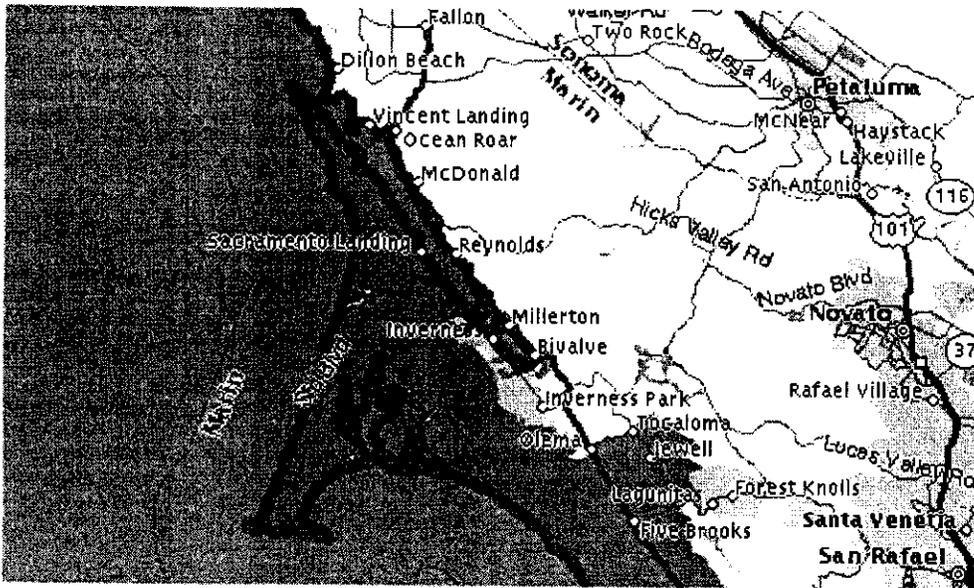
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE ISSUANCE TO NICHOLAS EDWARD WHITNEY, TRUSTEE UNDER THE TRUST TO PRESERVE PROPERTY FOR THE BENEFIT OF WHITNEY FAMILY DATED JULY 3, 1991, AND ACCEPTED AUGUST 23, 1991, OF A TEN-YEAR RECREATIONAL PIER LEASE, BEGINNING JANUARY 26, 2001, FOR THE CONTINUED USE AND MAINTNENANCE OF AN EXISTING PIER, LANDING PAD, LADDER, AND FLOATING BOAT DOCK ON THE LAND SHOWN ON EXHIBIT A ATTACHED, AND BY THIS REFERENCE MADE A PART HEREOF; NO MONETARY CONSIDERATION PURSUANT TO PUBLIC RESOURCES CODE SECTION 6503.5; LIABILITY INSURANCE IN THE AMOUNT OF NO LESS THAN \$300,000.



SITE MAP



LOCATION MAP

Exhibit A
WP 5095.9

Nicholas Edward Whitney, Trustee

98 Camino Del Mar
Inverness, California 94937

Recreational Pier Lease

This exhibit is solely for purposes of generally defining the area to be leased, and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or other property.

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