MINUTE ITEM
This Calendar Item No. C10 was approved as Minute Item No. 10 by the California State Lands Commission by a vote of 3 to 0 at its 12-16-02 meeting.

CALENDAR ITEM
C10

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12/16/02
PRC 6354 WP 6354
D. Jones

RECREATIONAL PIER LEASE

APPLICANTS:
Thomas G. Wertz and Ursula E. Wertz

AREA, LAND TYPE, AND LOCATION:
Tide and submerged lands in Corte Madera Creek, near the city of Larkspur, Marin County.

AUTHORIZED USE:
Reconstruction, use, and maintenance of an existing ramp and boat dock.

LEASE TERM:
Ten years, beginning November 1, 2002.

CONSIDERATION:
No monetary consideration pursuant to Public Resources Code section 6503.5.

SPECIFIC LEASE PROVISIONS:
Liability insurance in the amount of no less than $300,000.

OTHER PERTINENT INFORMATION:

1. On December 17, 1992, the Commission authorized a Recreational Pier Permit with Thomas G. and Ursula Wertz. That lease expired on October 31, 2002. The boat dock and ramp are being reconstructed. Thomas G. Wertz and Ursula E. Wertz are now applying for a new Recreational Pier Lease. Applicants qualify for a Recreational Pier Lease because they are natural persons who have improved the littoral land with, and use the upland for, a single-family dwelling.

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 2, Replacement and Reconstruction; Title 2, California Code of Regulations, section 2905 (b).

   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.

APPROVALS OBTAINED:

U. S. Army Corps of Engineers, San Francisco Bay Conservation and Development Commission, city of Larkspur

EXHIBITS:

A. Site Map
B. 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 2, REPLACEMENT AND RECONSTRUCTION; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (b).

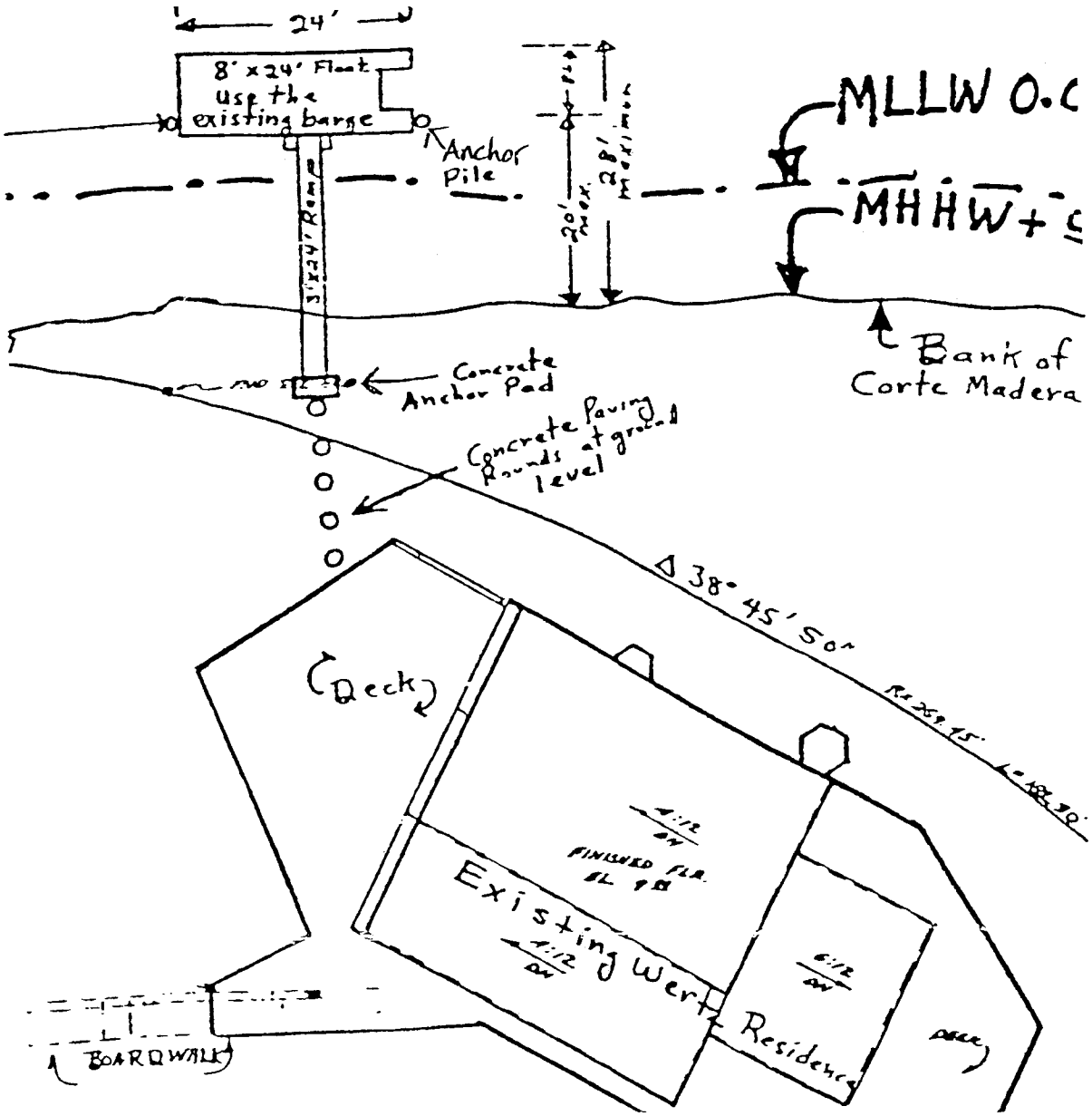
SIGNIFICANT LANDS INVENTORY FINDING:

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 THOMAS G. WERTZ AND URSULA E. WERTZ OF A TEN-YEAR RECREATIONAL PIER LEASE, BEGINNING NOVEMBER 1, 2002, FOR THE RECONSTRUCTION, USE AND MAINTENANCE OF AN EXISTING RAMP AND BOAT DOCK LOCATED 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 Plan



This exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by 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 other property.

Exhibit A
WP 6354
Thomas G. and Ursula E. Wertz

5/15/02 EG

Location Map

U.S.G.S. Topographic Map

Scale: 1:24 000

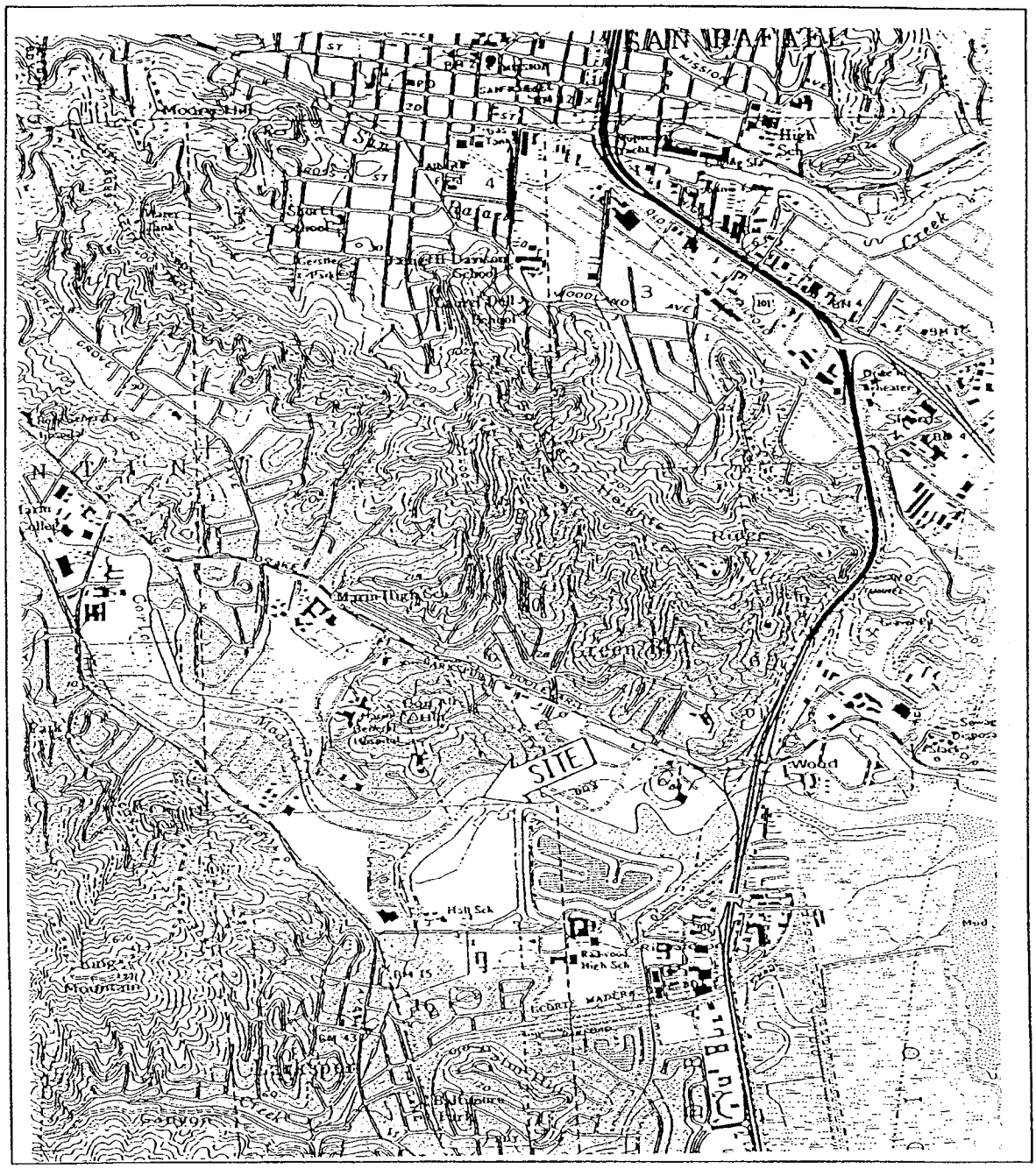


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Exhibit B
WP 6354
Thomas G. and Ursula E. Wertz

5/15/02 EG