MINUTE ITEM
This Calendar Item No. C27 was approved as Minute Item No. 27 by the California State Lands Commission by a vote of 3 to 0 at its 12-16-02 meeting.

CALENDAR ITEM
C27

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12/16/02
PRC 7051 WP 7051.9
N. Quesada

RECREATIONAL PIER LEASE

APPLICANTS:
Sudha M. Pennathur and Edward P. Messerly
6 Place Moulin
Tiburon, CA 94920

AREA, LAND TYPE, AND LOCATION:
Sovereign lands in the Napa River, near Edgerly Island, Napa County.

AUTHORIZED USE:
Continued use and maintenance of an existing walkway, floating dock consisting of two additional floating dock platforms, two ramps and pilings.

LEASE TERM:
Ten years, beginning April 23, 1997.

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 April 23, 1987, the Commission approved a Recreational Pier Lease to John M. Trepanier and Mary Ellen Trepanier commencing on April 23, 1987 through April 22, 1997. The upland property was subsequently deeded to Edward P. Messerly and Sudha M. Pennathur. That lease has now expired. 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. The original structures permitted consisted of the walkway and one floating boat dock. The applicants advised Commission staff that two additional floating dock platforms on four pilings were added. The additions to the boat dock were completed prior to their purchase of the property.

3. 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 under the general rule that the CEQA applies only to projects, which have the potential for causing a significant effect on the environment. The staff believes, based on the information available to it, that there is no possibility that this project may have a significant effect on the environment.

   Authority: Title 14, California Code of Regulations, section 15061 (b)(3).

4. 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. Location Map and Site Map

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 BECAUSE THERE IS NO POSSIBILITY THAT THE ACTIVITY MAY HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT; TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 (b)(3).

SIGNIFICANT LANDS INVENTORY FINDING:

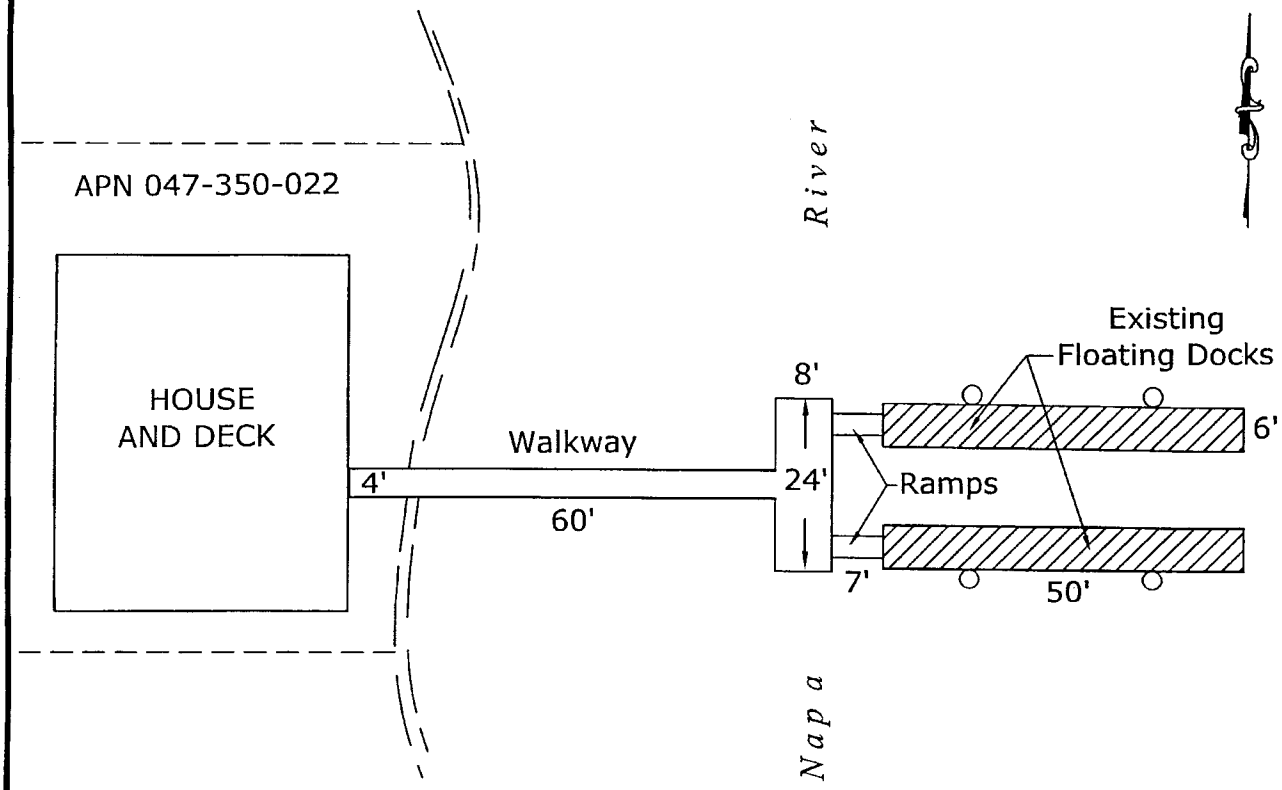
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE ISSUANCE TO SUDHA M. PENNATHUR AND EDWARD P. MESSERLY OF A TEN-YEAR RECREATIONAL PIER LEASE, BEGINNING APRIL 23, 1997, FOR AN EXISTING WALKWAY, AND FLOATING DOCK CONSISTING OF TWO ADDITIONAL FLOATING DOCK PLATFORMS, TWO RAMPS AND PILINGS 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.

NO SCALE

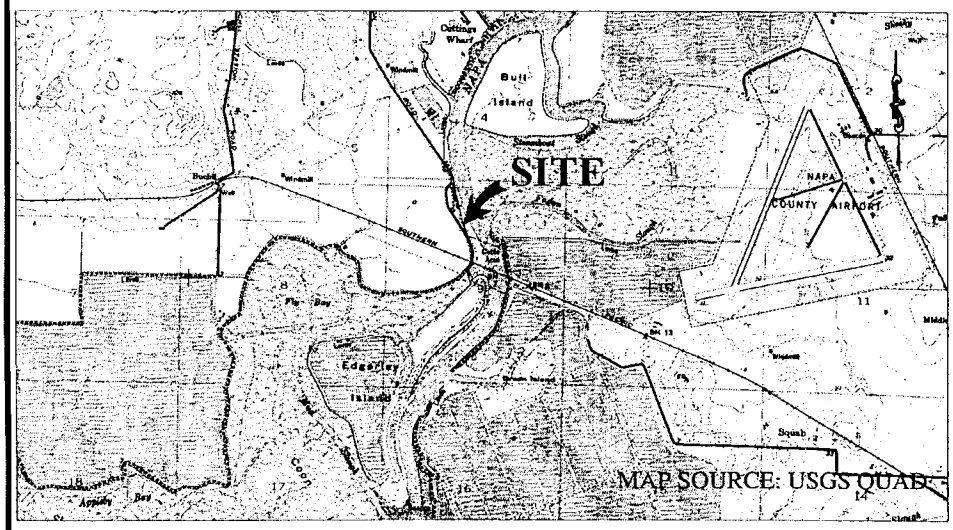
SITE



1358 MILTON ROAD, NAPA RIVER

NO SCALE

LOCATION



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

Exhibit A

PRC 7051.9
APN 047-350-020
Edward P. Messerly
Sudha Pennathur
NAPA COUNTY

MJJ 09/02