MINUTE ITEM
This Calendar Item No. C60 was approved as Minute Item No. 60 by the California State Lands Commission by a vote of 3 to 0 at its 8-19-03 meeting.

CALENDAR ITEM
C60

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PRC 5274

08/19/03
WP 5274
N. Quesada

GENERAL LEASE - RECREATIONAL AND RESIDENTIAL USE

APPLICANTS:
Terence and Pauline Bunton

AREA, LAND TYPE, AND LOCATION:
0.07 acres, more or less, of sovereign lands in the Petaluma River, at Black Point, Marin County.

AUTHORIZED USE:
Continued use and maintenance of a portion of a cabin, a walkway, and a floating boat dock.

LEASE TERM:
Ten years, beginning March 1, 2003.

CONSIDERATION:
$536 per year; with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease.

SPECIFIC LEASE PROVISIONS:
Liability Insurance:
Combined single limit coverage of no less than $500,000.

OTHER PERTINENT INFORMATION:

1. Applicants own the uplands adjoining the lease premises.

2. On July 6, 1995, the Commission authorized a General Lease – Recreational and Residential Use with Terence and Pauline Bunton. That lease expired on February 28, 2003. Terence and Pauline Bunton do not qualify for a Recreational Pier Lease because the upland consists of three cabin homes (multifamily dwellings). Terence and Pauline Bunton use the facilities for recreational purposes and are now applying for a new General Lease – Recreational and Residential Use.

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 Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061). 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.

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.

APPROVALS OBTAINED:

N/A

EXHIBIT:

A. Location Map and Site Map

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

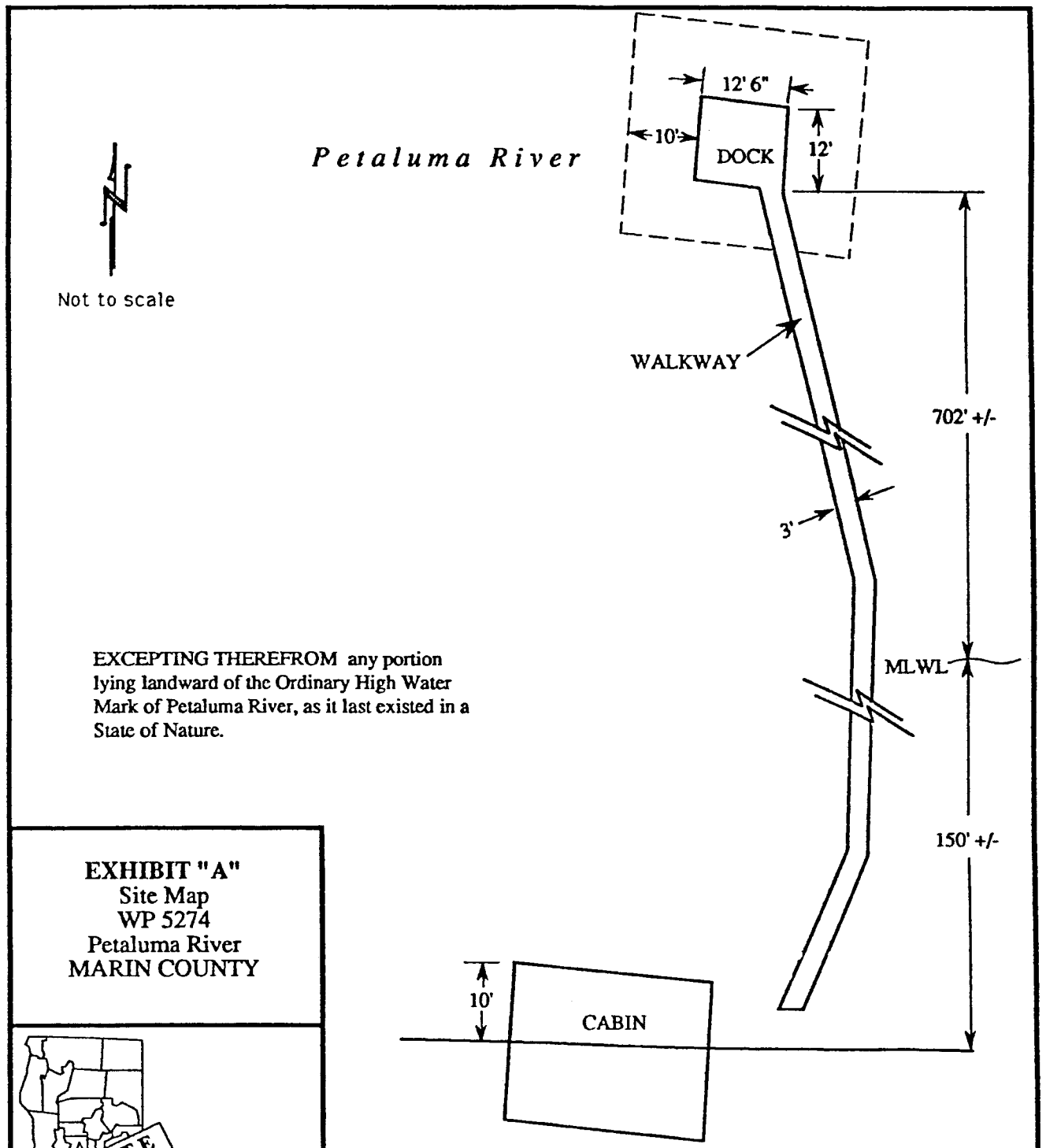
FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 1, EXISTING FACILITIES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (a)(2).

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 TERENCE AND PAULINE BUNTON OF A GENERAL LEASE - RECREATIONAL AND RESIDENTIAL USE, BEGINNING MARCH 1, 2003, FOR A TERM OF TEN YEARS, FOR A PORTION OF AN EXISTING CABIN, WALKWAY, AND FLOATING BOAT DOCK ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; ANNUAL RENT IN THE AMOUNT OF $536 PER YEAR, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENT PERIODICALLY DURING THE LEASE TERM, AS PROVIDED IN THE LEASE; LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF NO LESS THAN $500,000.



EXCEPTING THEREFROM any portion lying landward of the Ordinary High Water Mark of Petaluma River, as it last existed in a State of Nature.

EXHIBIT "A"
Site Map
WP 5274
Petaluma River
MARIN COUNTY

OFFICIAL RECORDS
Marin County
Book 3027, page 600
Recorded May 6, 1976

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 hall it be construed to as a waiver or limitation of any state interest in the subject or any ther property.