

MINUTE ITEM

This Calendar Item No. C19 was approved as Minute Item No. 19 by the California State Lands Commission by a vote of 3 to 4 at its 2/2/04 meeting.

**CALENDAR ITEM
C19**

A 6
S 3

02/02/04
PRC 4900 WP 4900.9
N. Quesada

RECREATIONAL PIER LEASE

APPLICANT:

Eliseo Cove Homeowners' Association
655 South Eliseo Drive
Greenbrae, CA 94904

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Corte Madera Creek, Greenbrae, Marin County.

AUTHORIZED USE:

Continued use and maintenance of an existing boat dock and ramp.

LEASE TERM:

Ten years, beginning October 1, 2003.

CONSIDERATION:

No monetary consideration pursuant to Public Resources Code section 6503.5.

SPECIFIC LEASE PROVISIONS:

Liability insurance in the amount of no less than \$1,000,000.

OTHER PERTINENT INFORMATION:

1. On July 19, 1993, the Commission authorized a Recreational Pier Permit with Eliseo Cove Homeowners' Association. That lease expired September 30, 2003. Eliseo Cove Homeowners' Association is now applying for a new Recreational Pier Lease. The applicant is a homeowners' association owning a littoral parcel from which a floating boat dock, and ramp extend onto sovereign land. The Applicant qualifies for a rent-free Recreational Pier Lease because all six parcels within the Association's condominium project are owned by natural persons and, therefore, qualify for a rent-free status pursuant to Section 6503.5 of the Public Resources Code.

CALENDAR ITEM NO. C19 (CONT'D)

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).

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.

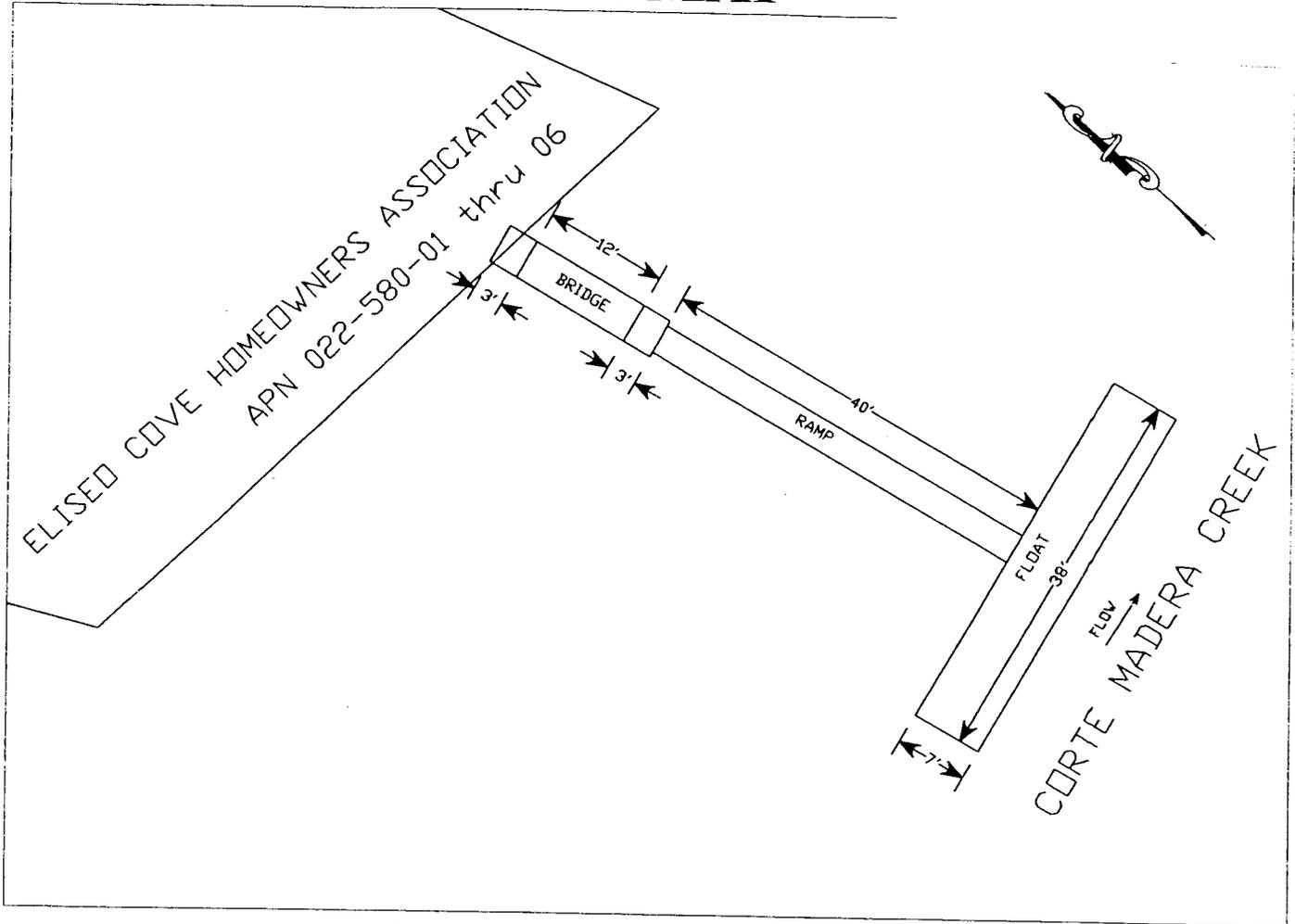
CALENDAR ITEM NO. C19 (CONT'D)

AUTHORIZATION:

AUTHORIZE ISSUANCE TO ELISEO COVE HOMEOWNERS' ASSOCIATION OF A TEN-YEAR RECREATIONAL PIER LEASE, BEGINNING OCTOBER 1, 2003, FOR THE CONTINUED USE AND MAINTENANCE OF AN EXISTING BOAT DOCK AND RAMP 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 \$1,000,000.

NO SCALE

SITE MAP



655 Eliseo Drive, Greenbrae, CA

NO SCALE

LOCATION MAP

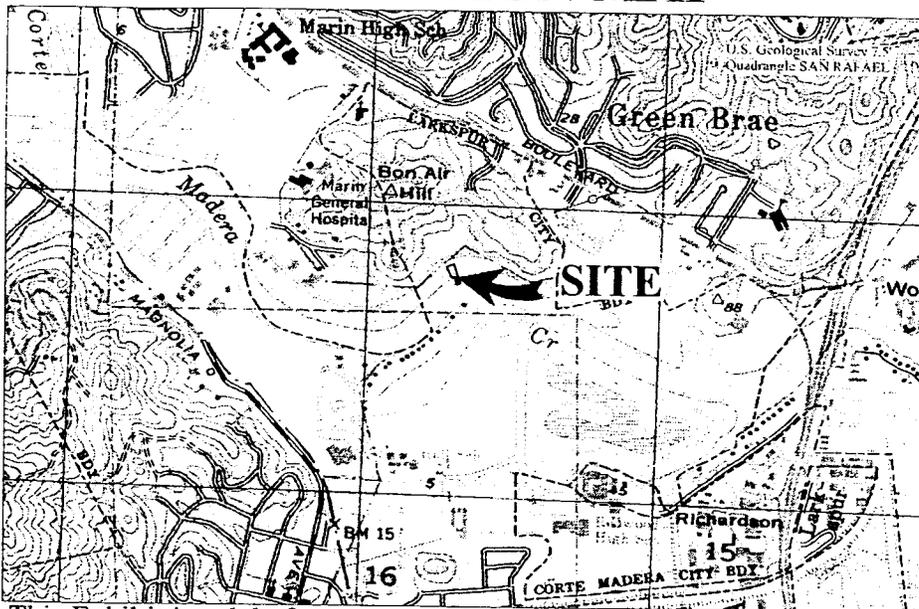


EXHIBIT A

PRC 4900.9

APNs 022-580-(01 - 06)

Eliseo Cove HA

RPL

Marin County



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 any other property.

CALENDAR PAGE

MINUTE PAGE