

MINUTE ITEM
This Calendar Item No. C30 was approved as
Minute Item No. 30 by the California State Lands
Commission by a vote of 3 to 0 at its
6-20-05 meeting.

CALENDAR ITEM
C30

A 6

S 3

PRC 5605

06/20/05
WP 5605.1
N. Quesada

GENERAL LEASE - RECREATIONAL USE

APPLICANT:

Eugene John Maffucci, Trustee, Eugene John Maffucci 1998 Revocable Trust

AREA, LAND TYPE, AND LOCATION:

0.0509 acres, more or less, of sovereign lands in the Tomales Bay, near the town of Marconi, Marin County.

AUTHORIZED USE:

Continued use and maintenance of an existing private wharf.

LEASE TERM:

Ten years, beginning July 15, 2005.

CONSIDERATION:

\$351.00 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.

Bond: \$2,000

OTHER PERTINENT INFORMATION:

1. Applicant owns the uplands adjoining the lease premises.
2. On March 28, 1978, the Commission authorized a General Lease – Commercial Use to Eugene and Ada Maffucci. The existing facility under lease is a 100-foot by 6-foot wharf. The Commission originally issued a Commercial Use lease because the wharf was proposed to be used for the berthing of five commercial fishing boats. On July 18, 2002, the upland property was transferred to Eugene John Maffucci. The wharf will be used to moor the applicant's two commercial fishing boats, but no

000135

CALENDAR PAGE

-1-

000997

MINUTE PAGE

CALENDAR ITEM NO. C30 (CONT'D)

income will be generated from the wharf. No commercial uses will be permitted under the terms of the lease.

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 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 2, 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.

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.

000137

CALENDAR PAGE

-2-

000998

MINUTE PAGE

CALENDAR ITEM NO. C30 (CONT'D)

AUTHORIZATION:

AUTHORIZE ISSUANCE TO EUGENE JOHN MAFFUCCI, TRUSTEE, EUGENE JOHN MAFFUCCI 1998 REVOCABLE TRUST OF A GENERAL LEASE - RECREATIONAL USE, BEGINNING JULY 15, 2005, FOR A TERM OF TEN YEARS, FOR AN EXISTING PRIVATE WHARF AS REPRESENTED ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; ANNUAL RENT IN THE AMOUNT OF \$351, 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; SURETY BOND IN THE AMOUNT OF \$2,000.

000138

CALENDAR PAGE

-3-

000099

MINUTE PAGE

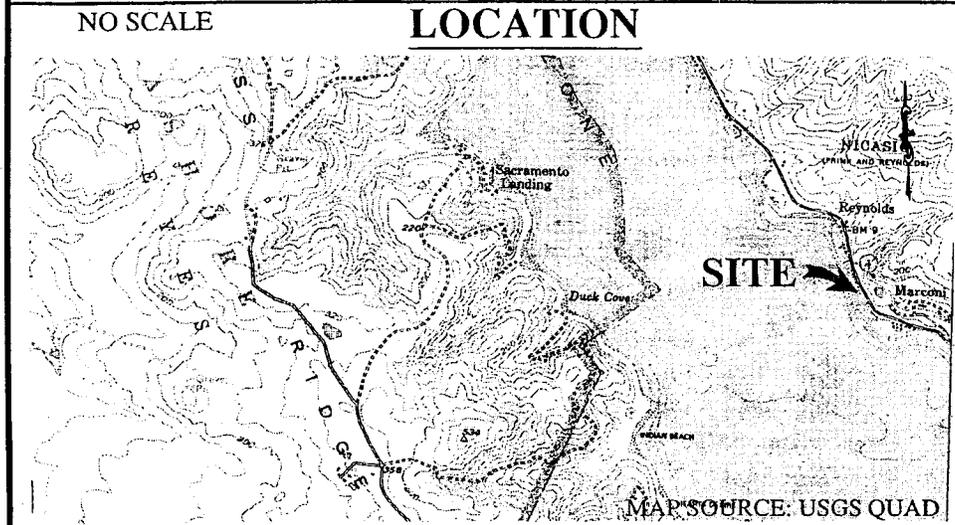
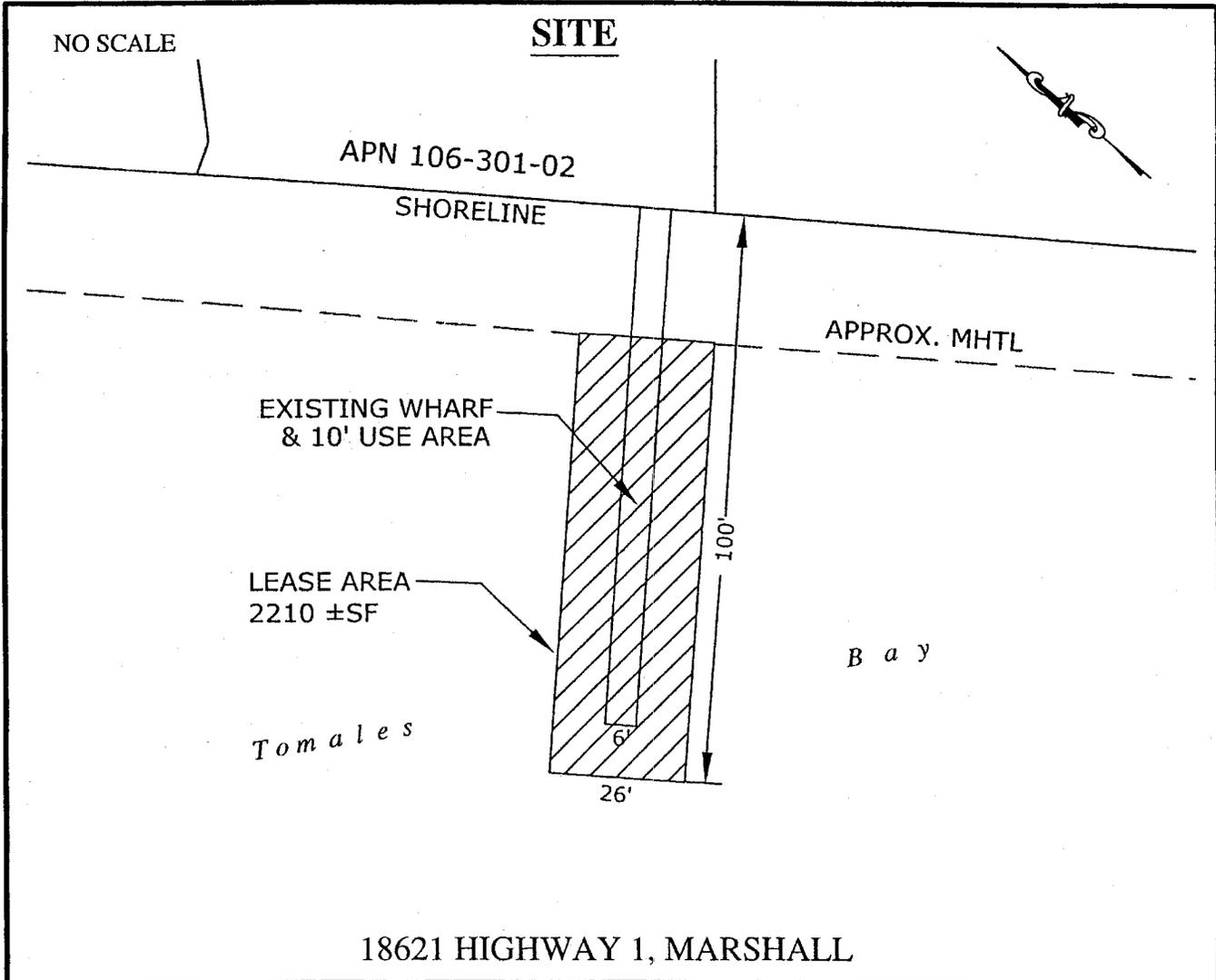
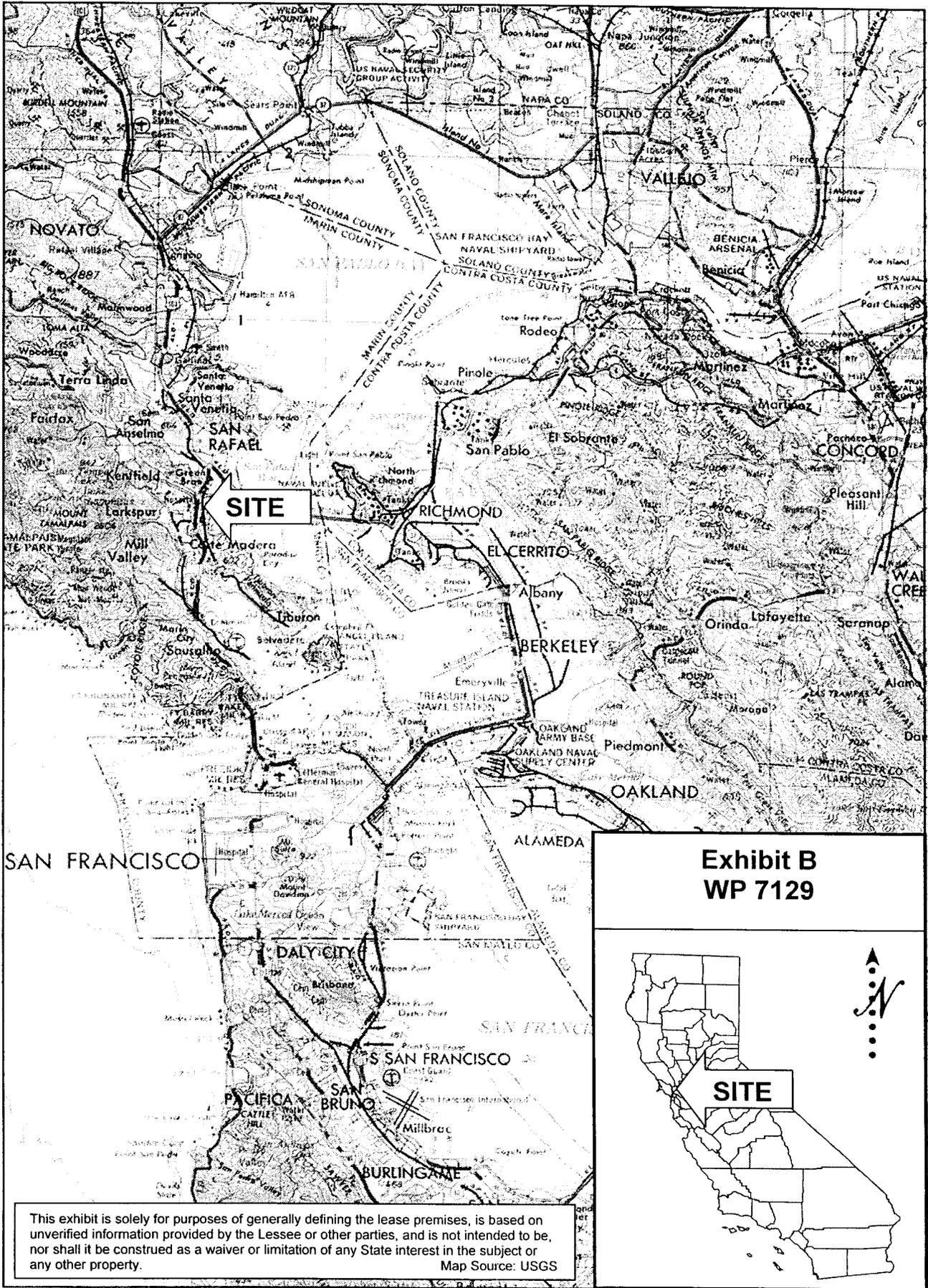


Exhibit A

PRC 5605.1
 GENERAL LEASE
 COMMERCIAL USE
 TOMALES BAY
 MARIN COUNTY



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 B
WP 7129**

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.
Map Source: USGS

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NQ 05/05/05

CALENDAR PAGE

MINUTE PAGE