

MINUTE ITEM

This Calendar Item No. C01 was approved as
Minute Item No. 01 by the California State Lands
Commission by a vote of 3 to 0 at its
06/28/07 meeting.

**CALENDAR ITEM
C01**

A 6
S 3

06/28/07
PRC 5138 WP 5138.9
B. Badeker

RECREATIONAL PIER LEASE

APPLICANT:

Robert M. Nave, Trustee of the Robert M. Nave Trust created by trust declaration dated February 2, 2006

AREA, LAND TYPE, AND LOCATION:

0.07 acres, more or less, of sovereign lands in Tomales Bay, near Marshall, Marin County.

AUTHORIZED USE:

Continued use and maintenance of an existing pier and ramp as shown on Exhibit A.

LEASE TERM:

Ten years, beginning August 29, 2006.

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. Applicant owns the uplands adjoining the lease premises.
2. On October 21, 1996, the Commission authorized a ten-year Recreational Pier Lease to Robert and Doris Nave. That lease expired on August 28, 2006. Subsequently, the upland property has been placed into the Robert M. Nave Trust. The Applicant is now applying for a new Recreational Pier Lease. The Applicant qualifies for a Recreational Pier Lease because the Applicant is a natural person who has improved the littoral land with, and uses the upland for, a single-family dwelling.

CALENDAR ITEM NO. C01 (CONT'D)

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 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.

EXHIBIT:

- A. Site and Location 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:

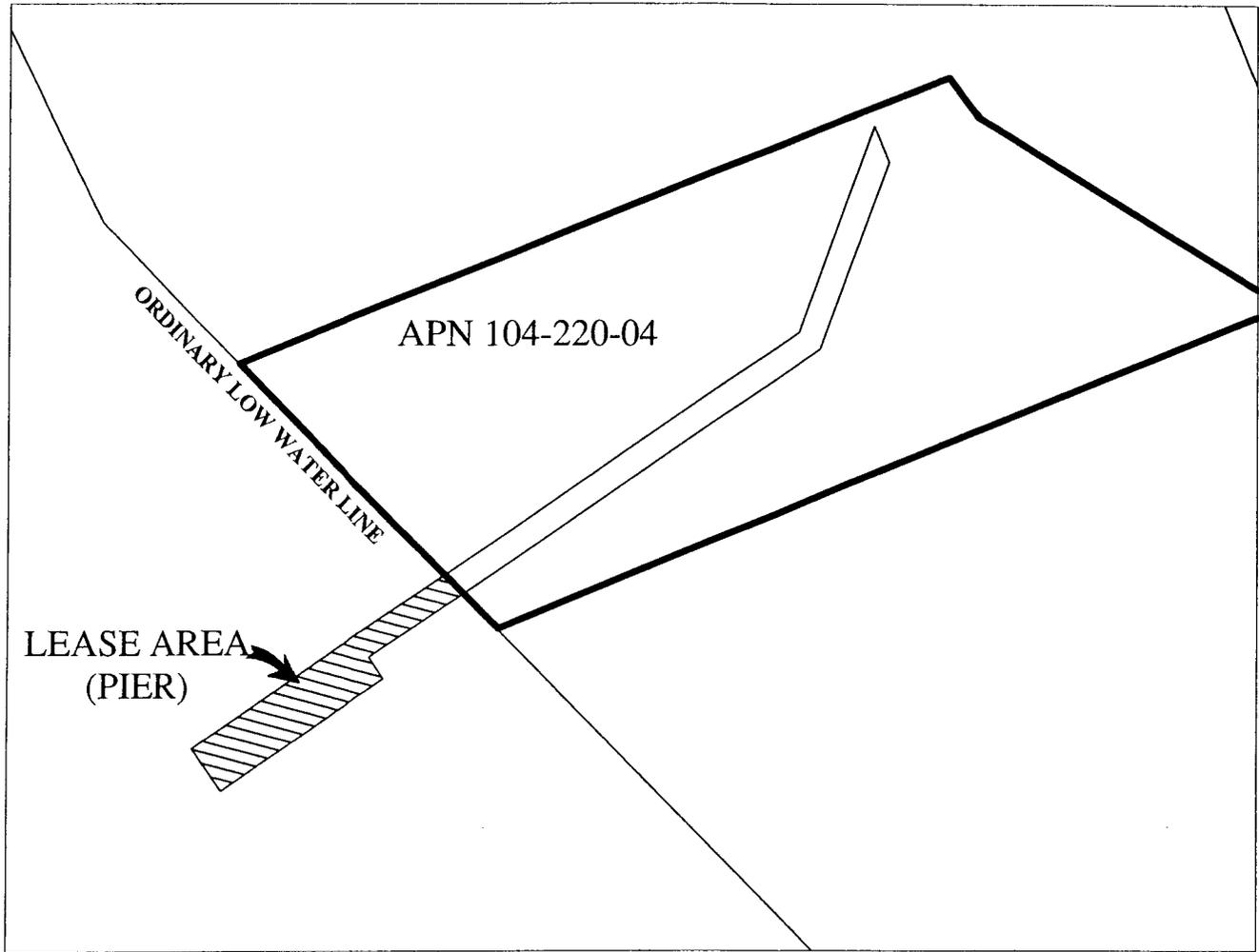
AUTHORIZE ISSUANCE OF A TEN-YEAR RECREATIONAL PIER LEASE, BEGINNING AUGUST 29, 2006, TO ROBERT M. NAVE, TRUSTEE OF THE ROBERT M. NAVE TRUST CREATED UNDER

CALENDAR ITEM NO. C01 (CONT'D)

TRUST DECLARATION DATED FEBRUARY 2, 2006, FOR THE CONTINUED USE AND MAINTENANCE OF AN EXISTING PIER AND RAMP AS 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

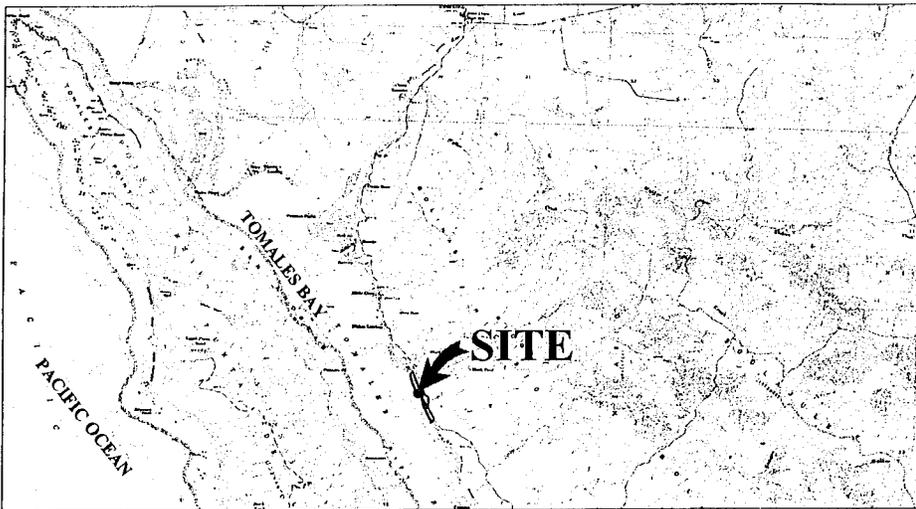
SITE



22055 HIGHWAY 1 MARSHALL, CA
MARIN COUNTY

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit A

NAVE
WP5138
APN 104-220-04
RECREATIONAL PIER
LEASE
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.

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HUSTEAD 5/7/2007