**CALENDAR ITEM**

# C01

A 6 01/29/09
WP 8049.9
S 3 M. Clark

## RECREATIONAL PIER LEASE

**APPLICANTS:**
Tiffany Ann Thurmond, Nicholas D. Thurmond, and Yvonne B. Thurmond

**AREA, LAND TYPE, AND LOCATION**:
Sovereign lands in Corte Madera Creek, adjacent to 24 Lucky Drive, city of Greenbrae, Marin County.

**AUTHORIZED USE**:
Continued use and maintenance of an existing pier, ramp, two pilings, and an uncovered floating boat dock as shown on Exhibit A.

**LEASE TERM**:
Ten years, beginning September 1, 2008.

**CONSIDERATION**:
No monetary consideration pursuant to Public Resources Code section 6503.5.

**SPECIFIC LEASE PROVISIONS:**
Liability insurance in the amount of no less than $500,000.

**OTHER PERTINENT INFORMATION:**

1. Applicants own the upland adjoining the lease premises.

2. On December 16, 1998, the Commission authorized a Recreational Pier Lease to Tiffany Ann Thurmond, Nicholas D. Thurmond, and Yvonne B. Thurmond. That lease expired August 31, 2008. The Applicants are now applying for a new Recreational Pier Lease.

3. Applicants qualify for a Recreational Pier Lease because the Applicants are natural persons who own the littoral land that is improved with a single-family dwelling.

4. 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.

5. 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.

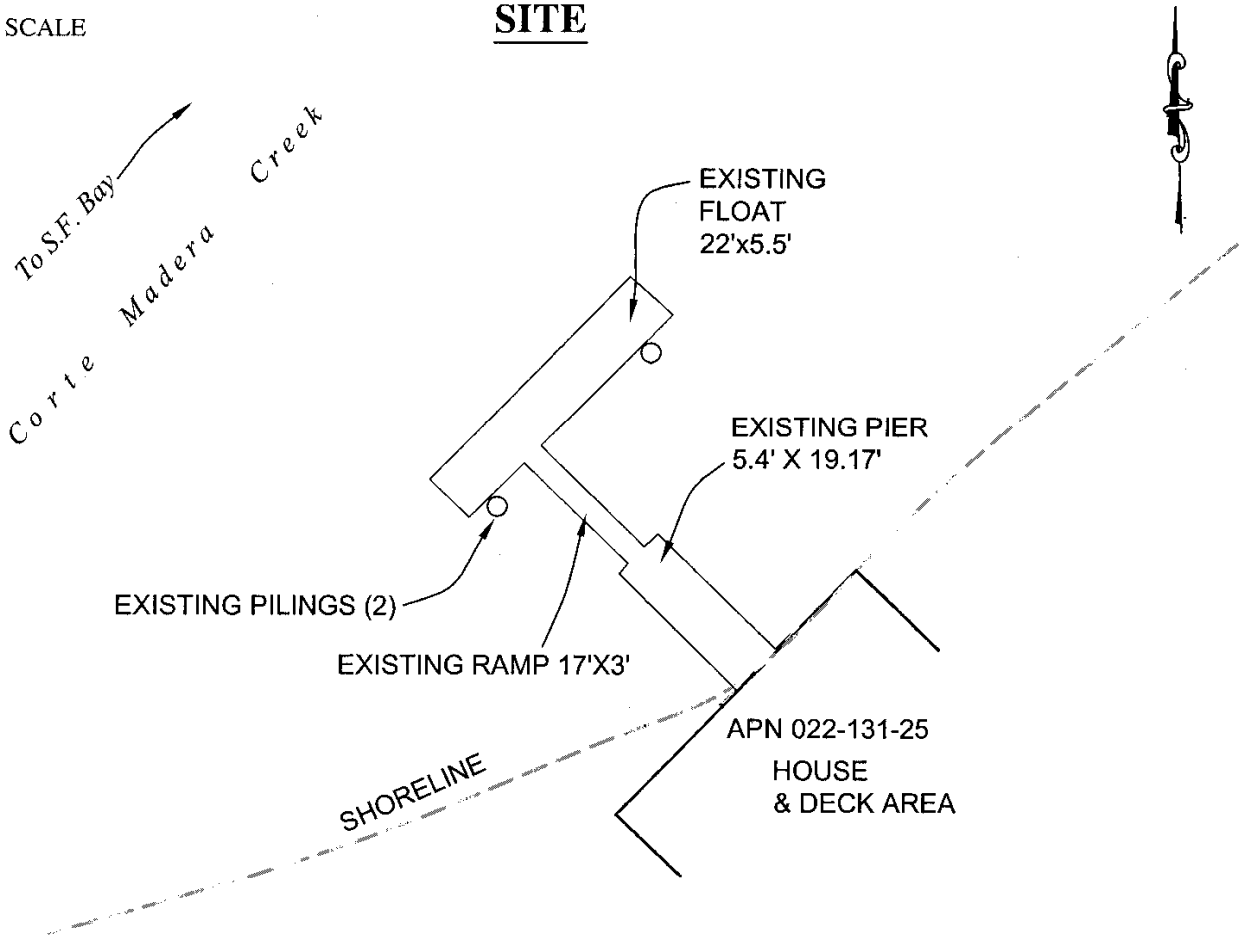
**AUTHORIZATION:**

AUTHORIZE ISSUANCE OF A TEN-YEAR RECREATIONAL PIER LEASE TO TIFFANY ANN THURMOND, NICHOLAS D. THURMOND, AND YVONNE B. THURMOND, BEGINNING SEPTEMBER 1, 2008, FOR THE CONTINTUED USE AND MAINTENANCE OF AN EXISTING PIER, RAMP, TWO PILINGS, AND AN UNCOVERED FLOATING BOAT DOCK 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; AND LIABILITY INSURANCE IN THE AMOUNT OF NO LESS THAN $500,000.

NO SCALE

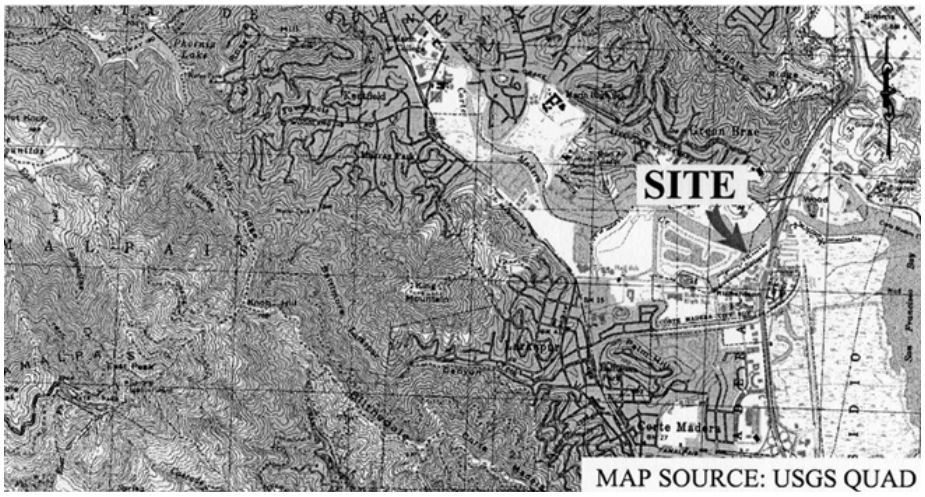
## SITE




24 LUCKY DRIVE, GREENBRAE

NO SCALE

## LOCATION




MAP SOURCE: USGS QUAD

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

WP 8049.9
THURMOND
APN 022-131-25
RECREATIONAL PIER LEASE
MARIN COUNTY

MJJ/ 09-2008