CALENDAR ITEM

C04

A 06 02/01/10

WP 5549.9

S 03 D. Simpkin

GENERAL LEASE – RECREATIONAL USE

APPLICANT:

Larkspur Shores Homeowners Association

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Corte Madera Creek, adjacent to 635 South Eliseo Drive, Greenbrae, Marin County.

AUTHORIZED USE:

The continued use and maintenance of an existing boat dock and gangway as shown on Exhibit A.

LEASE TERM:

10 years, beginning March 1, 2009.

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. Applicant owns the uplands adjoining the lease premises.

2. On April 13, 1999, the Commission authorized the issuance of a Recreational Pier Lease to Larkspur Shores Homeowners Association for a 10-year term, effective March 1, 1999. The lease expired February 28, 2009. The Applicant is now applying for a General Lease – Recreational Use for the existing boat dock and gangway.

3. The Applicant qualifies for rent-free use of the gangway and boat dock because the Applicant is an Association that consists of natural persons who own the littoral land that is improved with single-family dwellings pursuant to Public Resources Code Section 6503.5.

4. Pursuant to the Commission's delegation of authority and State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of 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 CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

EXHIBITS:

A. Location and Site Map
B. Land Description

RECOMMENDED ACTION:
It is recommended that the Commission:

CEQA FINDING:

Find that the activity is exempt from the requirements of 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.

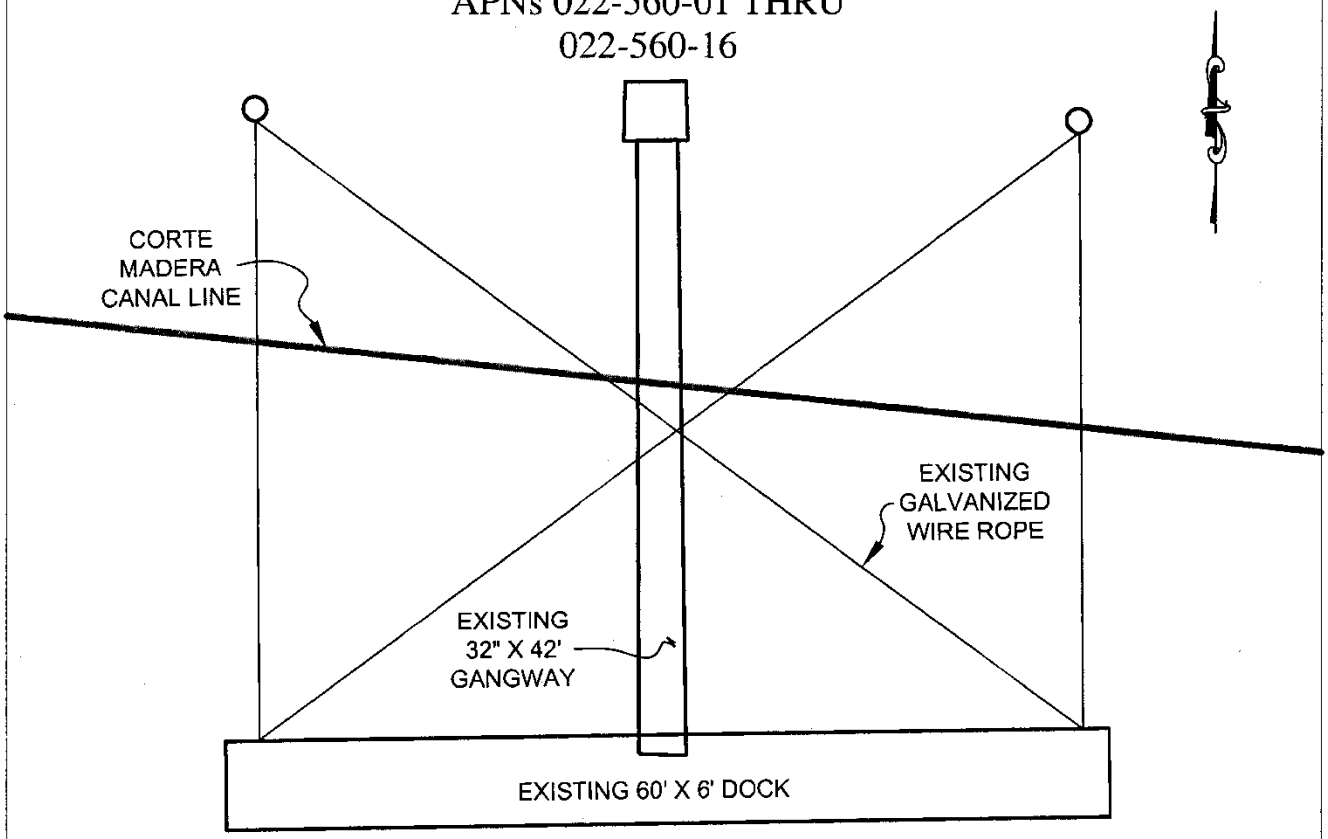
AUTHORIZATION:

Authorize issuance of a ten-year General Lease – Recreational Use to Larkspur Shores Homeowners Association beginning March 1, 2009, for the continued use and maintenance of an existing boat dock and gangway as shown on Exhibit A attached (for reference purposes only) and described on Exhibit B 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 $1,000,000.

NO SCALE

SITE

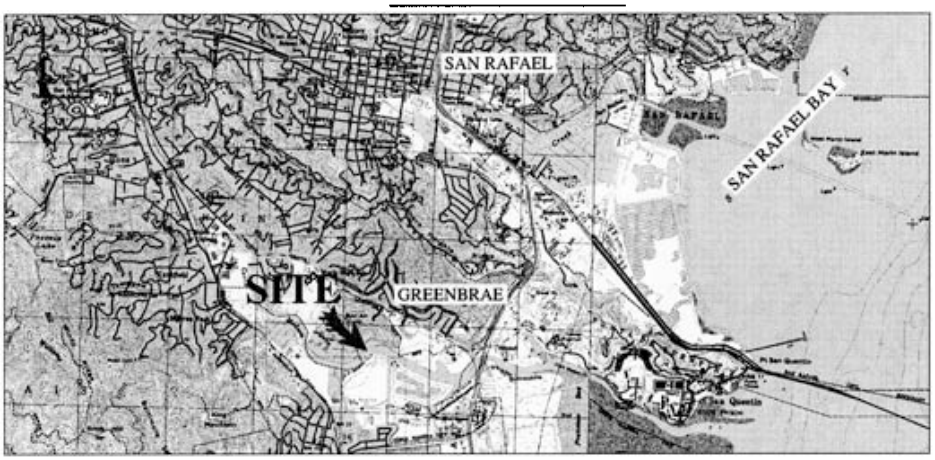
APNs 022-560-01 THRU
022-560-16



635 SOUTH ELISEO 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 5549.9
LARKSPUR SHORES
HOMEOWNERS ASSOCIATION
APNs 022-560-01 THRU
022-560-16
GENERAL LEASE -
RECREATION USE
MARIN COUNTY

JWP 01/10