CALENDAR ITEM

C23

A 6 04/06/11

WP 5693.1

S 3 C. Hudson

GENERAL LEASE – RECREATIONAL USE

APPLICANTS:

Donna Sheehan and Paul A. Reffell

AREA, LAND TYPE, AND LOCATION:

0.02 acre parcel, more or less, of sovereign land in the Petaluma River, adjacent to 5638 Lakeville Highway, near the city of Petaluma, Sonoma County.

AUTHORIZED USE:

Continued use and maintenance of an existing covered berth, six pilings, and walkway as shown on the attached Exhibit A.

LEASE TERM:

10 years, beginning July 1, 2009.

CONSIDERATION:

$81 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:

Insurance:

Liability coverage of no less than $1,000,000.

Bond:

$5,000.

OTHER PERTINENT INFORMATION:

1. Applicants have the right to use the upland adjoining the lease premises.

2. On June 2, 2003, the Commission authorized a General Lease - Recreational Use with Donna Sheehan and Paul Reffell effective July 1, 1999. That lease expired on June 30, 2009. The Applicants are now applying for a new General Lease – Recreational Use.

3. The Applicants do not qualify for rent free status because the Applicants do not own the upland property pursuant to Public Resources Code section 6503.5.

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 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 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.

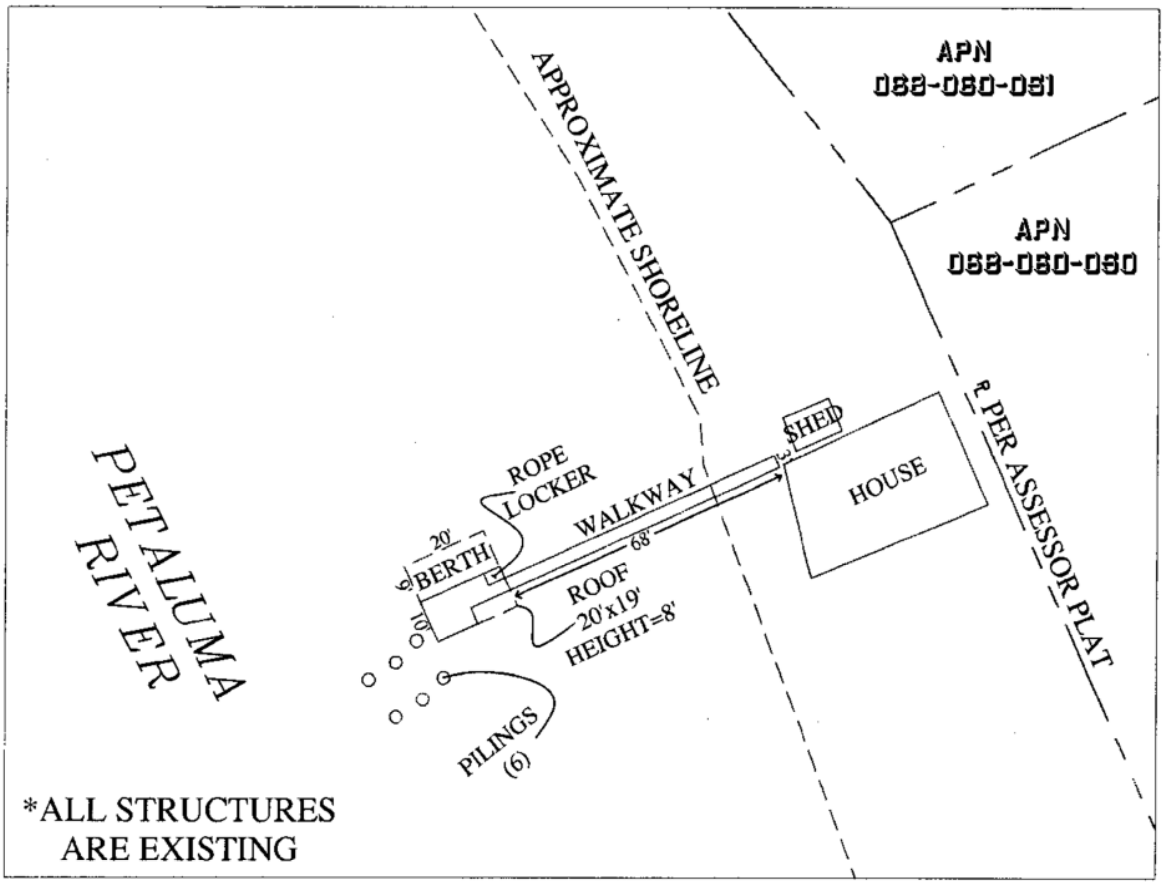
AUTHORIZATION:

Authorize Issuance of a General Lease – Recreational Use to Donna Sheehan and Paul Reffell, beginning July 1, 2009 for a term of 10 years, for the continued use and maintenance of an existing covered berth, six pilings, and walkway as shown on Exhibit A attached and by this reference

made a part hereof, annual rent in the amount of $81; with the state reserving the right to fix a different rent periodically during the lease term as provided in the lease; liability insurance with coverage of no less than $1,000,000; and a surety bond in the amount of $5,000.

NO SCALE

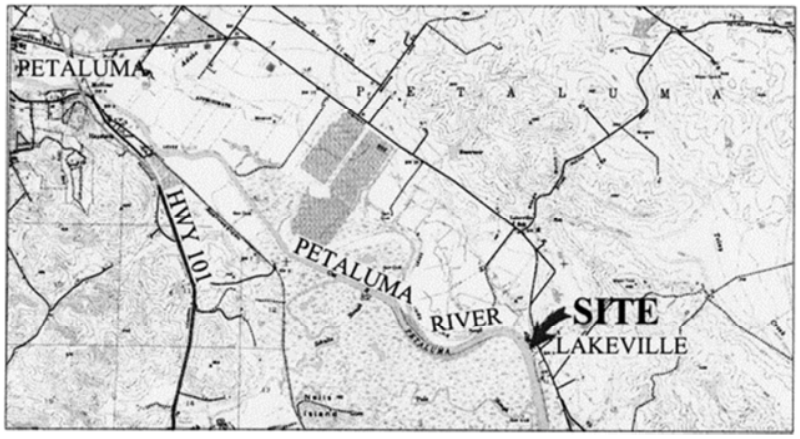
SITE



5638 Lakeville Highway, Lakeville

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 5693.1
REFFELL & SHEEHAN
APN 068-060-050
GENERAL LEASE
RECREATIONAL USE
SONOMA COUNTY

7/15/10 MJF