CALENDAR ITEM

C103

A 6 06/23/11

WP 7006.9

S 3 D. Simpkin

GENERAL LEASE – PUBLIC AGENCY USE

APPLICANT:

County of Marin

AREA, LAND TYPE, AND LOCATION:

Sovereign land in San Pablo Bay, near the city of San Rafael, Marin County.

AUTHORIZED USE:

Continued use and maintenance of an existing fishing pier.

LEASE TERM:

25 years, beginning September 1, 2011.

CONSIDERATION:

The public use and benefit; with the State reserving the right at any time to set a monetary rent if the Commission finds such action to be in the State's best interest.

OTHER PERTINENT INFORMATION:

1. Applicant owns the uplands adjoining the lease premises.

2. On September 25, 1986, the Commission authorized the issuance of a General Permit – Public Agency Use, Lease No. PRC 7006.9, to the Marin County Parks and Recreation Department and the State of California Wildlife Conservation Board, for a 25-year term, effective September 1, 1986. The lease will expire August 31, 2011.

3. The County of Marin is now applying for a new General Lease – Public Agency Use for the existing pier. The State of California Wildlife Conservation Board will not be applying as co-applicant.

4. The pier is available for public recreational use year round. The uplands consist of a public County park with restroom facilities and approximately 100 paved parking spaces.

5. 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.

6. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370, et seq., but such activity will not affect those significant lands. 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.

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 section 6370, et seq.

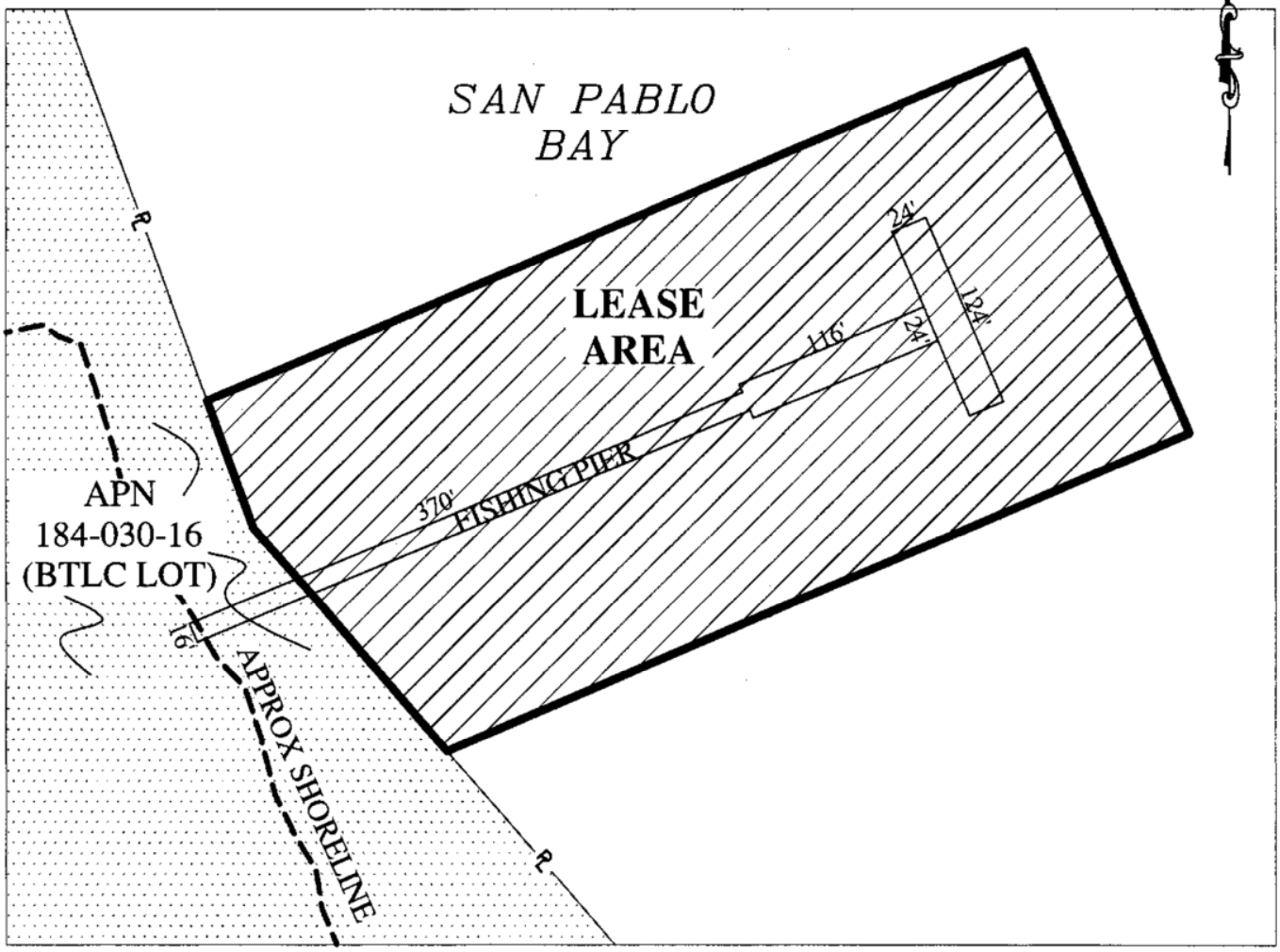
AUTHORIZATION:

Authorize issuance of a General Lease – Public Agency Use to the County of Marin, beginning September 1, 2011, for a term of 25 years, for the continued use and maintenance of an existing fishing pier as shown on Exhibit A (for reference purposes only) and described on Exhibit B attached and by this reference made a part hereof; consideration for the

pier; the public use and benefit; with the State reserving the right at any time to set a monetary rent if the Commission finds such action to be in the State's best interest.

NO SCALE

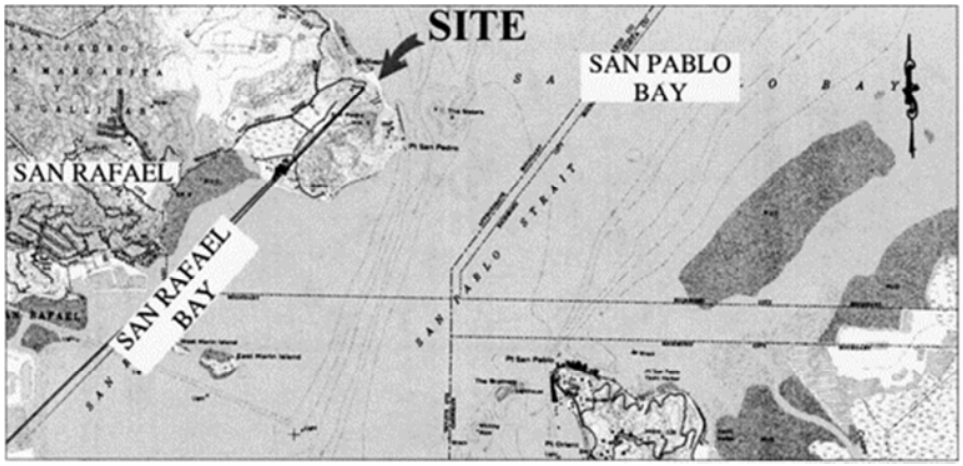
SITE



Marin County Fishing Pier, McNears Beach, near San Rafael

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

PRC 7006.9
MARIN CO. DEPT. OF
PARKS & OPEN SPACE
APN 184-030-16
GENERAL LEASE -
PUBLIC AGENCY USE
MARIN COUNTY

MJF 5/31/11

EXHIBIT B

LAND DESCRIPTION

PRC 7006.9

A parcel of tide and submerged land in the bed of San Pablo Bay adjacent to McNear's Beach, Marin County, California, said parcel being more particularly described as follows:

BEGINNING at a point in the northeasterly boundary of the lands conveyed to the County of Marin by a deed recorded August 20, 1970 in Book 2396 of the Official Records of Marin County at Page 281, said point lies N 40°50'02" W 302.37 feet from the most easterly point in the boundary of said lands as said boundary is shown on a Survey of McNear County Park filed for record in Book 12 of Surveys at Page 17, Official Records of Marin County; thence from said point of beginning along the northeasterly boundary of said lands of the County of Marin, N 40°50'02" W 177.46 feet, thence N 19°50'02" W 81.04 feet; thence leaving said boundary N 66°49'35" E 534.17 feet; thence S 23°10'25" E 250.00 feet; thence S 66°49'35" W 485.05 feet to the point of beginning.

END OF DESCRIPTION

REVIEWED AUGUST 22, 1986 BY BOUNDARY SERVICES UNIT, M. L. SHAFER, SUPERVISOR.