

MINUTE ITEM

This Calendar Item No. C13
was approved as Minute Item
No. 13 by the State Lands
Commission by a vote of 8-2
0 at its 8-26-80
meeting.

CALENDAR ITEM

C13.

8/80
WP 3542
Anderson
PRC 3542

RESCISSION OF PRIOR AUTHORIZATION
AND
APPROVAL OF GENERAL PERMIT - RECREATIONAL USE

APPLICANT: Jeanne Buttmer
115 Harbor Drive
Novato, California 94947

AREA, TYPE LAND AND LOCATION:
A 2,587 square foot parcel of tide and
submerged land in Petaluma River, Blackpoint,
Marin County

LAND USE: Maintenance of an existing walkway, shed,
platforms and float.

TERMS OF PROPOSED PERMIT:
Initial period: 10 years from March 1,
1977.

Public liability insurance: Combined single
limit coverage of \$100,000.

BASIS FOR CONSIDERATION:
\$30.00 fixed rental for this type of permit,
in addition to rent free facilities pursuant
to P.R.C. Section 6503.5.

PREREQUISITE TERMS, FEES AND EXPENSES:
Applicant is owner of upland.

Filing fee and first two year's rental
have been received.

STATUTORY AND OTHER REFERENCES:
A. P.R.C.: Div. 6, Parts 1 & 2.
B. Cal. Adm. Code: Title 2, Div. 3.

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OTHER PERTINENT INFORMATION:

1. Changes in regulations during the processing of this General Permit - Recreational Use have occurred; therefore, staff is requesting the Commission rescind its prior authorization and approve a new permit which reflects the current regulations.

The action proposed herein will permit the walkway and float to be rent-free pursuant to PRC 6503.5. This reflects a change in the annual rental consideration from \$50 per year to \$30 per year.
2. An EIR is not required. This transaction is within the purview of 2 Cal. Adm. Code 2907, Class 1(B), which exempts an existing structure or facility that is in an acceptable state of repair and there is no evidence of record to show injury to adjacent property, shoreline erosion, or other types of environmental degradation.
3. This project is situated on State land identified as possessing significant environmental values pursuant to P.R.C. 6370.1, and is classified in a use category, Class B, which authorizes Limited Use.

Staff review indicates that there will be no significant effect upon the identified environmental values. This is an existing facility for which no adverse comments have been received.

EXHIBITS: A. Land Description. B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. RESCIND ITS PRIOR AUTHORIZATION AS CONTAINED IN MINUTE ITEM NO. 14 APPROVED JANUARY 26, 1978.

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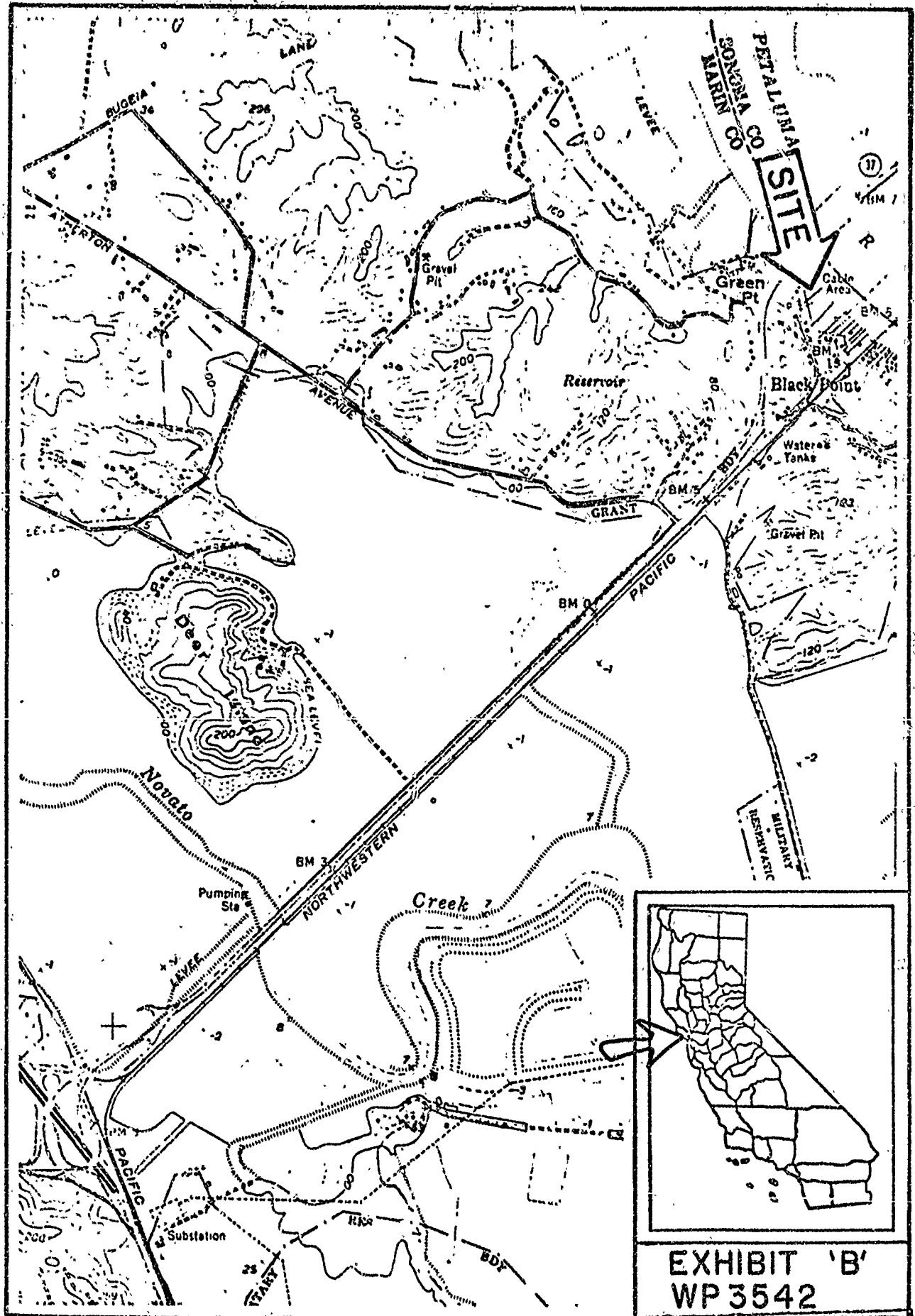
2. DETERMINE THAT AN EIR HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF P.R.C. 21084, 14 CAL. ADM. CODE 15100 ET SEQ., AND 2 CAL ADM. CODE 2907.
3. FIND THAT GRANTING OF THE PERMIT WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1, OF THE P.R.C.
4. AUTHORIZE ISSUANCE TO JEANNE BUTTIMER OF A 10-YEAR GENERAL PERMIT - RECREATIONAL USE FROM MARCH 1, 1977; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$30.00, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE PERMIT; PROVISION OF COMBINED SINGLE LIMIT COVERAGE OF \$100,000; FOR THE MAINTENANCE OF TWO EXISTING PLATFORMS AND SHED AND FOR THE OPERATION AND MAINTENANCE OF A RENT FREE WALKWAY AND FLOAT PURSUANT TO PPC 6303.5 ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

A parcel of land in the bed of Petaluma River, Marin County, California, said parcel being immediately beneath a float, storage shed, platforms and walkways, together with a necessary use area extending no more than 10 feet from any of the abovementioned structures, said structures being adjacent to and northeasterly of that land described in the Grant Deed recorded April 30, 1970, in Book 2370, Page 167, Official Records of Marin County.

Excepting therefrom any portion landward of the ordinary high water line of Petaluma Creek.

End of Description.

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PETALUMA SITE

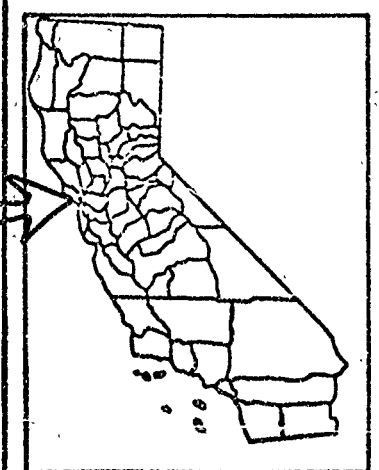


EXHIBIT 'B'
WP 3542

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