

MINUTE ITEM
This Calendar Item No. C35 was approved as
Minute Item No. 35 by the California State Lands
Commission by a vote of 3 to 0 at its
12/9/04 meeting.

CALENDAR ITEM
C35

A 6
S 3

PRC 3541

12/09/04
WP 3541.9
N. Quesada

RECREATIONAL PIER LEASE

APPLICANTS:

Roy Kaltschmidt and Catherine Amatruda

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Petaluma River, near Blackpoint, in Novato, Marin County.

AUTHORIZED USE:

Continued use, and maintenance of two existing piers, walkways, a floating boat dock, and a boathouse.

LEASE TERM:

Ten years, beginning July 26, 2004.

CONSIDERATION:

No monetary consideration pursuant to Public Resources Code section 6503.5.

SPECIFIC LEASE PROVISIONS:

Liability insurance in the amount of no less than \$300,000.

OTHER PERTINENT INFORMATION:

1. The Applicants own the upland adjoining the lease premises.
2. On August 21, 1996, the Commission authorized a Recreational Pier Lease with Roy Kaltschmidt and Catherine Amatruda, that lease expired July 25, 2004. Applicants are now applying for a new Recreational pier lease. Applicants qualify for a Recreational Pier Lease because they are natural persons who have improved the littoral land with, and use the upland for, a single-family dwelling.
3. 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

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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.

4. 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 Map and Location Map

PERMIT STREAMLINING ACT DEADLINE:

N/A

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 TO ROY KALTSCHMIDT AND CATHERINE AMATRUDA OF A TEN-YEAR RECREATIONAL PIER LEASE, BEGINNING JULY 26, 2004, FOR THE CONTINUED, USE, AND

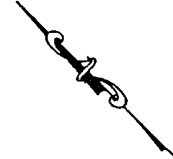
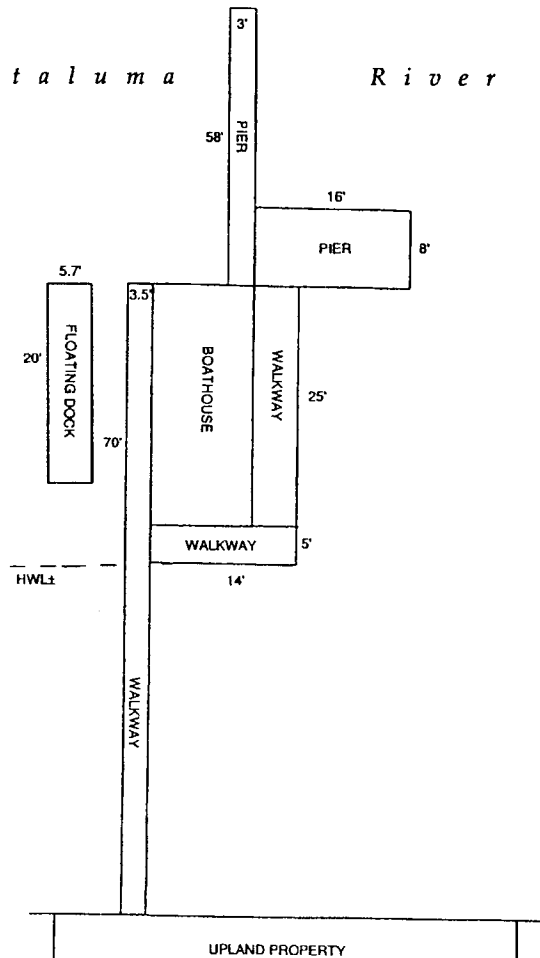
CALENDAR ITEM NO. C35 (CONT'D)

MAINTENANCE OF TWO EXISTING PIERS, WALKWAYS, A FLOATING BOAT DOCK, AND A BOATHOUSE AS REPRESENTED ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; NO MONETARY CONSIDERATION PURSUANT TO PUBLIC RESOURCES CODE SECTION 6503.5; LIABILITY INSURANCE IN THE AMOUNT OF NO LESS THAN \$300,000.

NO SCALE

SITE

Petaluma River



45 HILLSIDE TERRACE, NOVATO

NO SCALE

LOCATION

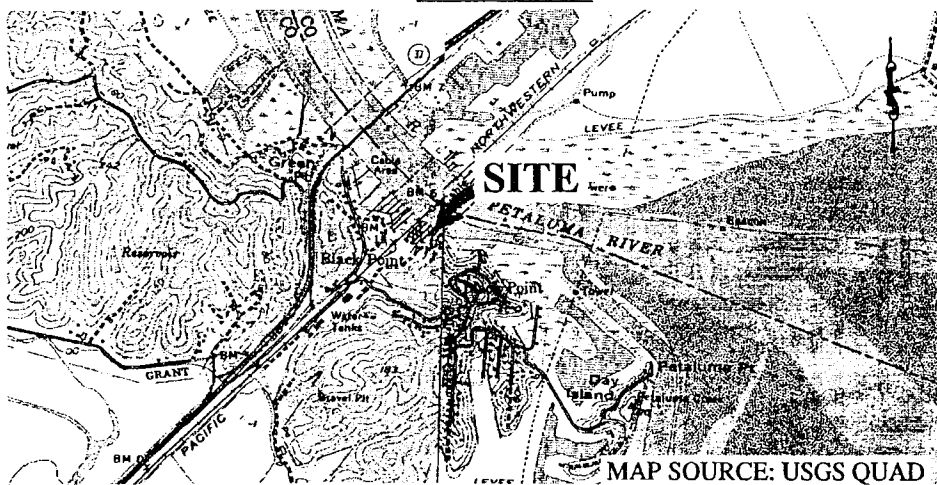


Exhibit A
 PRC 3541.9
 Roy & Catherine Amatruda
 APN 157-061-128
 RECREATIONAL PIER LEASE
 PETALUMA RIVER
 MARIN COUNTY



MJJ 09/04

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.

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