

**MINUTE ITEM**  
This Calendar Item No. C15 was approved as  
Minute Item No. 15 by the California State Lands  
Commission by a vote of 3 to 0 at its  
05/10/07 meeting.

**CALENDAR ITEM**  
**C15**

A 6  
S 3

05/10/07  
PRC 7854 WP 7854.9  
J. McComas

**RECREATIONAL PIER LEASE**

**APPLICANTS:**

Timothy Cook Draper and Melissa Parker Draper, Trustees of the Timothy Draper Living Trust dated April 21, 1988

**AREA, LAND TYPE, AND LOCATION:**

Sovereign lands in Tomales Bay, near Inverness, Marin County.

**AUTHORIZED USE:**

Reconstruction, use and maintenance of an existing boathouse, uncovered boat dock, ramp and float as shown on the attached Exhibit A.

**LEASE TERM:**

Ten years, beginning August 1, 2005.

**CONSIDERATION:**

No monetary consideration pursuant to Public Resources Code section 6503.5.

**SPECIFIC LEASE PROVISIONS:**

Insurance:

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

Other:

This lease is conditioned on Applicants obtaining authorization from the U. S. Army Corps of Engineers, U. S. Fish and Wildlife Service, National Marine Fisheries Service, California Department of Fish and Game, California Coastal Commission, San Francisco Bay Regional Water Quality Control Board, and the Marin Community Development Agency prior to commencing the repair of the existing boathouse and dock and the replacement of the float.

**OTHER PERTINENT INFORMATION:**

1. Applicants own the upland adjoining the lease premises.

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2. On October 17, 1995, the Commission authorized a Recreational Pier Lease with George Lyon Herbert, John Crawford Herbert, Lucile Anne Herbert Wehn and Annabelle Herbert, as Trustees of the Herbert Family Inverness Trust. That lease expired on July 31, 2005, and the upland property has been deeded to Timothy Cook Draper and Melissa Parker Draper, Trustees of the Timothy Draper Living Trust dated April 21, 1988. Applicants are now applying for a new Recreational Pier Lease.
3. Applicants are currently in the process of obtaining the required permits to repair the existing facilities and to replace the floating dock lost in a 2005/2006 winter storm. The repair and replacement plans have been reviewed by the Marin County Project Coordination Committee at their December 21, 2006 meeting. The scope of the project entails the strengthening, repair and, if necessary, the replacement of dock pilings; the repair and maintenance of the existing boathouse, dock decking and railings; replacement of the existing boat hoist; and the replacement of the floating dock
4. 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.
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 the CEQA as a categorically exempt project. The project is exempt under Class 2, Replacement or Reconstruction; Title 2, California Code of Regulations, section 2905 (b).  
  
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 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.

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**APPROVALS REQUIRED:**

U. S. Army Corps of Engineers, U. S. Fish and Wildlife Service, Gulf of the Farallones National Marine Sanctuary, NOAA Fisheries, California Department of Fish and Game, California Coastal Commission, San Francisco Bay Regional Water Quality Control Board, and the Marin County Community Development Agency.

**EXHIBIT:**

A. Site and Location Map

**RECOMMENDED ACTION:**

IT IS RECOMMENDED THAT THE COMMISSION:

**CEQA FINDING:**

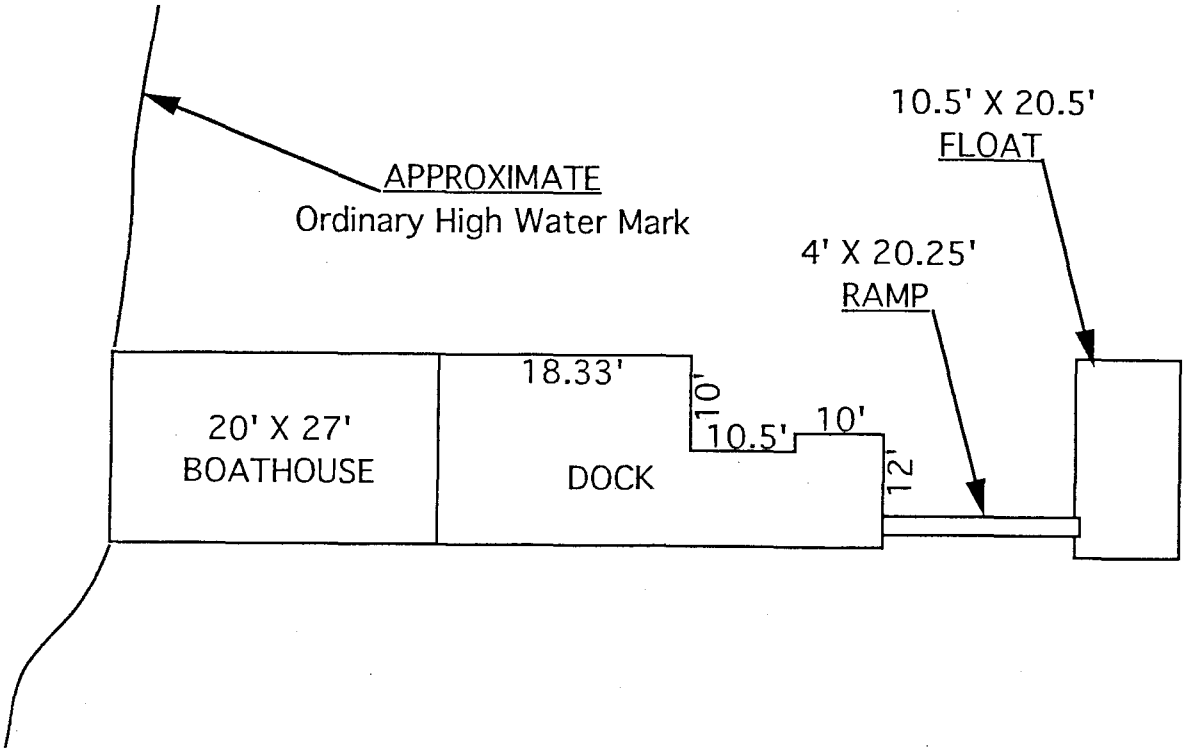
FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 2, REPLACEMENT OR RECONSTRUCTION; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (b).

**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 TIMOTHY COOK DRAPER AND MELISSA PARKER DRAPER, TRUSTEES OF THE TIMOTHY DRAPER LIVING TRUST DATED APRIL 21, 1988, OF A TEN-YEAR RECREATIONAL PIER LEASE, BEGINNING AUGUST 1, 2005, FOR THE REPAIR, RECONSTRUCTION, USE AND MAINTENANCE OF AN EXISTING BOATHOUSE, UNCOVERED BOAT DOCK, RAMP AND FLOAT AS 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.



PRC 7854.9  
 Timothy Cook Draper, Trustee  
 Melissa Parker Draper, Trustee  
 Recreational Pier Lease  
 APN: 109-300-10  
 Tomales Bay  
 Marin County



This exhibit is solely for purposes of generally defining the leased premises, is based on unverified information provided by lessee or other parties, and is not intended to be, nor shall it be construed to as a waiver or limitation of any state interest in the subject or any other property.

**Exhibit A**  
**WP 7854.9**