

**CALENDAR ITEM  
C22**

A 10  
S 2

12/02/13  
PRC 3540.1  
K. Foster

**GENERAL LEASE - RECREATIONAL USE**

**APPLICANTS:**

Liz Graham and Greg Graham

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

0.076 acre, more or less, of sovereign land in the Petaluma River adjacent to 104 Harbor Drive, city of Novato, Marin County.

**AUTHORIZED USE:**

Continued use and maintenance of existing raised walkways, a boathouse, landing pad, access ramp, and two uncovered floating boat docks .

**LEASE TERM:**

10 years, beginning December 2, 2013

**CONSIDERATION:**

\$549 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 insurance in the amount of no less than \$1,000,000 per occurrence.

**OTHER PERTINENT INFORMATION:**

1. Applicants own the upland adjoining the lease premises.
2. On October 1, 2002, the Commission authorized the issuance of Lease No. PRC 3540.9, a Recreational Pier Lease to Liz Susan Graham. That lease expired on January 7, 2012. The Applicants are now applying for a new General Lease – Recreational Use.
3. The staff recommends that the Commission find that this activity is exempt from the requirements of the California Environmental Quality Act (CEQA) as a categorically exempt project. The project is exempt under Class 1,

CALENDAR ITEM NO. **C22** (CONT'D)

Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

Authority: Public Resources Code section 21084 and California Code of Regulations, Title 14, section 15300 and California Code of Regulations, Title 2, section 2905.

4. 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. Land Description
- B. 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 California Code of Regulations, Title 14, section 15061 as a categorically exempt project, Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (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 - Recreational Use to Liz Graham and Greg Graham beginning December 2, 2013, for a term of 10 years, for the continued use and maintenance of existing raised walkways, a boathouse, landing pad, access ramp, and two uncovered floating boat docks, as described in Exhibit A attached and by this reference made a part hereof, and as shown on Exhibit B (for reference purposes only); rent in the amount of \$549 per year, with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease;

CALENDAR ITEM NO. **C22** (CONT'D)

and liability insurance in the amount of no less than \$1,000,000 per occurrence.

**EXHIBIT A**

**PRC 3540.1**

**LAND DESCRIPTION**

A parcel of tide and submerged land situate in the bed of the Petaluma River, lying adjacent to Rancho De Novato, patented April 10, 1866, Marin County, State of California and more particularly described as follows:

All those lands underlying the existing floating boat dock, walkway, gangway, boathouse and landing pad lying adjacent to that Parcel One as described in Grant Deed, recorded December 7, 2010 in Document Number 2010-0062885 in Official Records of said County.

TOGETHER WITH an impact area.

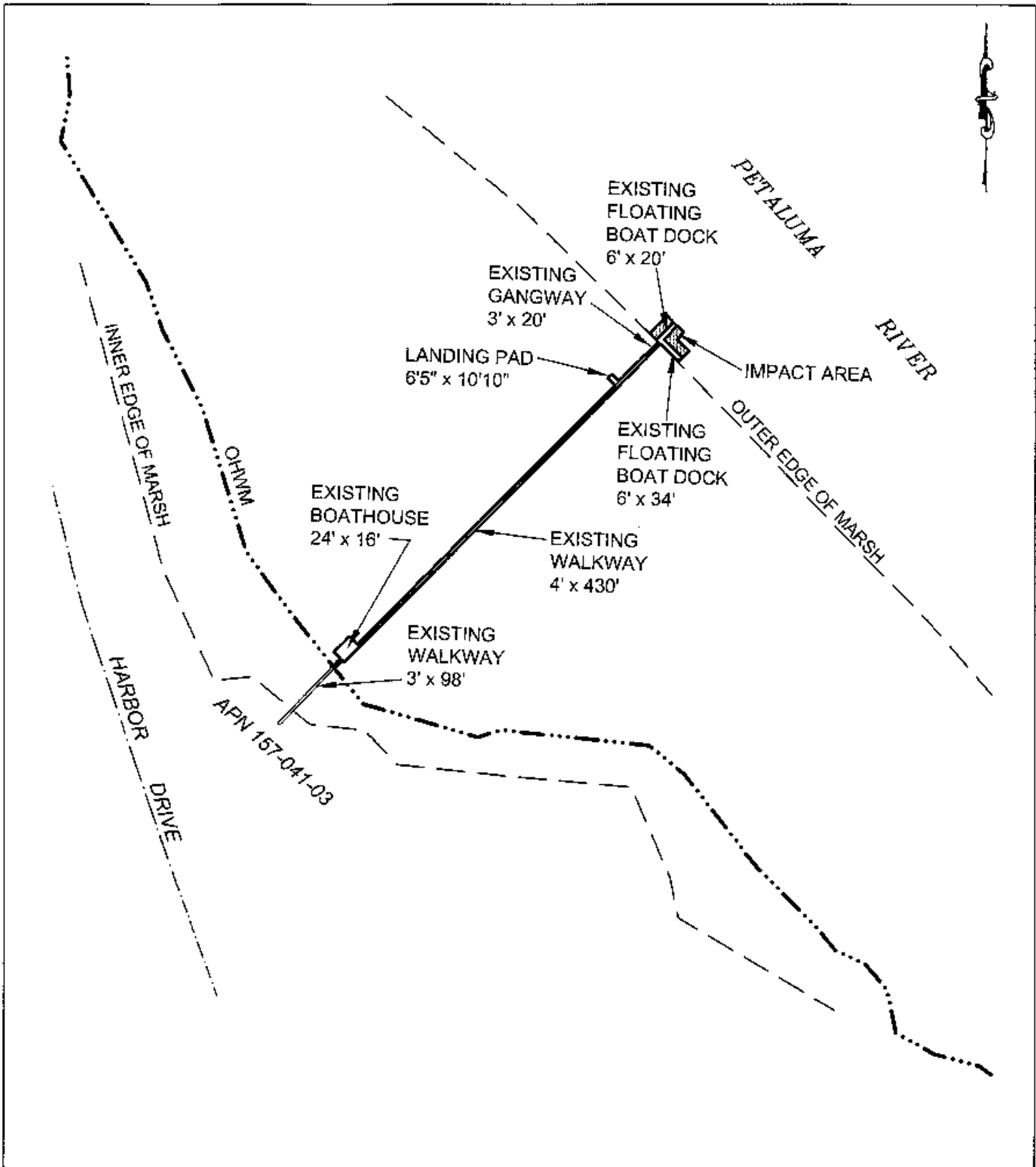
EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of the right bank of said river.

Accompanying plat is hereby made part of this description.

**END OF DESCRIPTION**

Prepared 08/05/13 by the California State Lands Commission Boundary Unit





**EXHIBIT A**

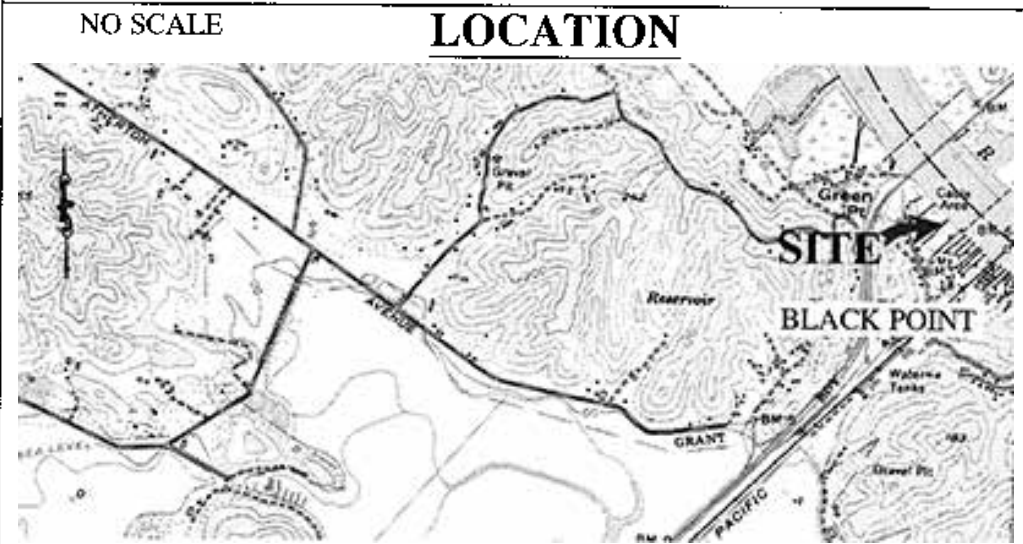
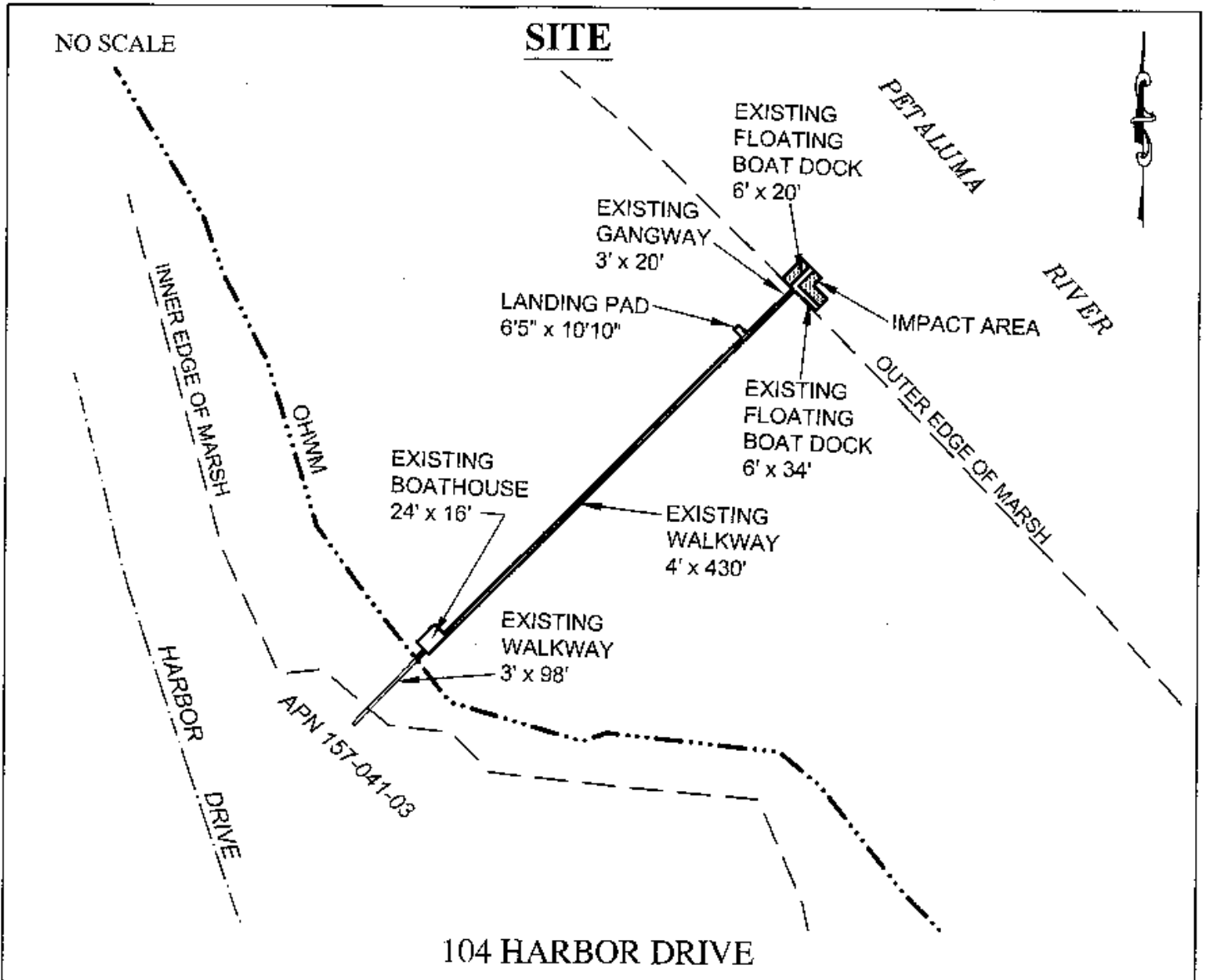
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LAND DESCRIPTION PLAT  
 PRC 3540.1, GRAHAM  
 MARIN COUNTY

CALIFORNIA STATE  
 LANDS COMMISSION





**Exhibit B**  
 PRC 3540.1  
 GRAHAM  
 APN 157-041-03  
 GENERAL LEASE-  
 RECREATIONAL USE  
 MARIN COUNTY



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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