

**MOORING LEASE APPLICATION FOR STATE LANDS  
WITHIN TOMALES BAY  
PURSUANT TO NOAA PERMIT GFNMS-2015-001**

The California State Lands Commission (CSLC), in partnership with the Greater Farallones National Marine Sanctuary, is administering the Tomales Bay Mooring Program. The following lease application has been formulated to comply with the standards outlined in the *Tomales Bay Mooring Program Requirements* which can be found on our web site (<http://www.slc.ca.gov/Leases-Permits/TomalesBay.html>) or provided by mail upon request.

An applicant acquires no property interest in State lands or the right to the use of State lands until the lease, permit, or other entitlement is complete, has been executed on behalf of the applicant and the State and the Commission has authorized said lease, permit, or other entitlement.

The application is not transferable. Prospective applicants wishing to obtain a lease for use of State lands should read and complete the attached application form and provide any additional information that may be applicable and return it, together with the data requested, to Commission staff for review and processing. Questions involving the surface leasing of State lands and the completed application form should be directed to:

**California State Lands Commission  
Land Management Division  
100 Howe Avenue, Suite 100 South  
Sacramento, California 95825-8202  
Telephone: (916) 574-1940**

## IDENTIFICATION OF APPLICANT AND CONTACT INFORMATION

**Notice to natural persons: This page will be separated from the application and treated as personal information under the Information Practices Act. See Privacy Notice in Part II of this application.**

**All applicants must complete this page.**

1. Applicant:

Name:		
Mailing Address:		
City:	State:	Zip:
Phone:	FAX:	
E-mail Address:		

2. Applicant's authorized agent or representative (if any):

Name:		
Mailing Address:		
City:	State:	Zip:
Phone:	FAX:	
E-mail Address:		

- If you are ***an elected or appointed official*** as specified in Government Code section 6254.21, check this box. If you do not check this box, by signing this application you are deemed to have given consent to have your home address (when it is the project location) posted on the Internet.

Title: \_\_\_\_\_

Agency or Branch of Government: \_\_\_\_\_

3. Who should receive correspondence relevant to this application? (Check one)

Applicant

Authorized agent or Representative

**INSTRUCTIONS TO COMMISSION STAFF:** *Separate this page (2) from the rest of the application and place in a CONFIDENTIAL ENVELOPE.*

# APPLICATION FOR LEASE OF STATE LANDS

APPLICANT NAME: \_\_\_\_\_

## PART I: General Data

### SECTION A: Legal Status of Applicant

*Instructions:*

*Indicate the applicant's legal status and submit any required information*

- INDIVIDUAL(S)
- TRUST(S): Attach a copy of the trust agreement(s) and all amendments, if any.
- CORPORATION, PARTNERSHIP, or LIMITED LIABILITY COMPANY: Attach the applicable Certificate of Incorporation, Articles of Incorporation and/or By-Laws; partnership statement and partnership agreement; or Articles of Organization and Certificates of Amendment. NOTE: Additional information may be requested.
- PUBLIC AGENCY: Submit evidence of the authority of the official(s) to execute contracts together with a resolution or other document authorizing execution of the appropriate lease or permit. Some public agency leases may qualify for rent reduction or exemption. Submit a written statement detailing the statewide, as compared to primarily local, public benefit if you wish a determination whether a rent-free lease is appropriate. "School Lands" cannot qualify for rent-free status. Contact Commission staff for more details
- OTHER: State the nature, membership and other particulars regarding the legal status of applicant. Provide legal documentation establishing the authority of applicant to enter into the requested transaction, and designating who is authorized to act on behalf of applicant.

### SECTION B: Type of Authorization Requested

Please indicate the authorization you are seeking (check all that apply):

- Proposed new use of State-owned land (New construction and/or new activity)
- Continue an existing use of State-owned land not previously under lease (No prior lease, no new construction or activity)
- Continue an existing use of State-owned land currently or previously under lease number \_\_\_\_\_
- Amendment of existing lease number \_\_\_\_\_
- Assignment of an existing lease (littoral owners only) lease number \_\_\_\_\_
- Other (please describe): \_\_\_\_\_

# APPLICATION FOR LEASE OF STATE LANDS

## SECTION C: Additional Information Required to Complete an Application

Included	Not Applicable	
<input type="checkbox"/>	<input type="checkbox"/>	1. Current color photographs of and a general description of the size and type of vessel(s) to be attached to the mooring;
<input type="checkbox"/>	<input type="checkbox"/>	2. Documentation of vessel ownership in the applicant's name, consisting of a valid Department of Motor Vehicle registration, or U.S. Coast Guard Certificate of Documentation;
<input type="checkbox"/>	<input type="checkbox"/>	3. Proof of valid liability insurance for the vessel(s) proposed to be moored;
<input type="checkbox"/>	<input type="checkbox"/>	4. Acceptable evidence of mooring ownership prior to August 2013, for existing tagged moorings (acceptable evidence is detailed in the Tomales Bay Mooring Program Requirements, dated August 6, 2015, page 3);
<input type="checkbox"/>	<input type="checkbox"/>	5. Letter authorizing or permitting access through a privately owned parcel, to access the mooring, for the duration of the projected 10-year lease term;
<input type="checkbox"/>	<input type="checkbox"/>	6. <b>Existing Moorings:</b> Initial Mooring Inspection Form completed by a Greater Farallones National Marine Sanctuary approved Mooring Contractor (only applicable through February 10, 2016) a current list can be found at: <a href="http://farallones.noaa.gov/eco/tomales/contractors.html">http://farallones.noaa.gov/eco/tomales/contractors.html</a> ;
<input type="checkbox"/>	<input type="checkbox"/>	7. <b>Proposed Moorings:</b> Pre-Installation Mooring Proposal Form completed by a Greater Farallones National Marine Sanctuary approved Mooring Contractor, a current list can be found at: <a href="http://farallones.noaa.gov/eco/tomales/contractors.html">http://farallones.noaa.gov/eco/tomales/contractors.html</a>
<input type="checkbox"/>	<input type="checkbox"/>	8. Completed and signed California State Lands Commission Application Processing Reimbursement Agreement (included as Page 5 of this Application);
<input type="checkbox"/>	<input type="checkbox"/>	9. If this application is for a littoral property owner then the following information, in addition to the above items, shall be submitted with the application;
<input type="checkbox"/>	<input type="checkbox"/>	A. The address and Assessor's Parcel Number of the littoral parcel;
<input type="checkbox"/>	<input type="checkbox"/>	B. Copy of the current vesting document (Deed);
<input type="checkbox"/>	<input type="checkbox"/>	C. Statement of need, if more than one mooring is requested.

Paid By Check – Attached	Paid by Credit Card* on	
<input type="checkbox"/>	Date: _____	Payment in the amount of \$1,225 (Total of \$1,200 Minimum Expense Deposit plus \$25 Filing Fee)

**\*Credit Card (MasterCard, Visa, Discover) payments  
can be made to our Accounting Office by calling 916.574.0397**

# APPLICATION FOR LEASE OF STATE LANDS

## SECTION D: Permit Streamlining Act

*If you are applying to place new improvements on State land, or to expand or modify existing improvements, this application will be subject to the Permit Streamlining Act, Government Code sections 65920 and following. If the improvements or uses you seek authorization for are pre-existing, then this application will not be subject to the Permit Streamlining Act.*

- This application is for a new, expanded or modified structure.**
- This application is for existing improvements.**

## PART II: Privacy Notice

<p style="text-align: center;"><b>PRIVACY NOTICE FOR INDIVIDUAL(S)</b> (see Part I, Section B)</p> <p>Section 1798.17 of the Civil Code requires this notice be provided when collecting personal information from individuals. Each individual has the right to review his or her personal information maintained by this agency, unless access is exempted by law. An individual means a natural person.</p>
<p>AGENCY NAME / DIVISION California State Lands Commission / Land Management Division</p>
<p>TITLE OF OFFICIAL RESPONSIBLE FOR MAINTENANCE OF THE INFORMATION Records Manager</p>
<p>BUSINESS ADDRESS OF OFFICIAL / TELEPHONE 100 Howe Avenue, Suite 100 South, Sacramento, California 95825 / (916) 574-1900</p>
<p>AUTHORITY THAT AUTHORIZES THE MAINTENANCE OF THE INFORMATION Public Resources Code Section 6501 et seq.</p>
<p>THE FOLLOWING ITEMS OF INFORMATION ARE VOLUNTARY, ALL OTHERS ARE MANDATORY All information requested on the application is mandatory, unless otherwise noted.</p>
<p>THE CONSEQUENCES, IF ANY, OF NOT PROVIDING ALL OR ANY PART OF THE REQUESTED INFORMATION The Application will not be deemed complete and may not be considered by the California State Lands Commission for approval. A lease may not be granted.</p>
<p>THE PRINCIPLE PURPOSE(S) WITHIN THE AGENCY FOR WHICH THE INFORMATION IS TO BE USED The information will be used to consider whether a lease of State lands is allowed by law and is in the best interests of the State. Information from the application including the Applicant's name and the project location may be posted permanently on the Internet at the Agency's website: <a href="http://www.slc.ca.gov">www.slc.ca.gov</a>. Applications will be retained for as long as allowed by the Agency's Records Retention Schedule as established in accordance with the State Administrative Manual and as approved by the Department of General Services. This may be for as long as the State has an interest in the land involved.</p>
<p>KNOWN OR FORESEEABLE DISCLOSURES OF THE INFORMATION PURSUANT TO CIVIL CODE SECTION 1798.24(e) or (f) Bureau of State Audits; local, state, and/or federal regulatory agencies with jurisdiction over any aspect of the proposed project.</p>

# APPLICATION FOR LEASE OF STATE LANDS

*For any Applicant submitting this application as an individual(s), Applicant acknowledges and agrees that by submitting this application the Applicant gives consent for information contained in the Application, except as set forth on page 1A, to be disclosed as described in the Privacy Notice above. This consent meets the consent requirements of Civil Code Section 1798.24.*

*For **appointed or elected officials** specified in Government Code Section 6254.21: If you did not check the box on page 1A, by signing this application you are deemed to have given consent to have your home address (when it is the project location) posted on the Internet.*

## PART III: Certification

*I hereby certify under penalty of perjury that I have read this completed application and all related exhibits and that, to the best of my knowledge, the information is full, complete, and correct. I understand that any misstatement or omission of the requested information or of any information subsequently requested shall be grounds for terminating the application or for denying a lease.*

*I understand that any projects authorized by the State Lands Commission must be completed as specified by the Commission. If the Commission approves a lease, the lease will specify the improvements allowed, and the time frame for which the lease is valid.*

Signature of Applicant: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of Co-Applicant: \_\_\_\_\_ Date: \_\_\_\_\_

By: \_\_\_\_\_ Title: \_\_\_\_\_ (If Agent)

Date: \_\_\_\_\_

### FOR COMMISSION USE ONLY:

Date Received:	
Work Order No.:	Assigned to:
Type of Document:	
Filing Fee:	Processing Fee:
Other Fees:	

**CALIFORNIA STATE LANDS COMMISSION  
APPLICATION PROCESSING REIMBURSEMENT AGREEMENT**

1. PARTIES. This Agreement is between \_\_\_\_\_ (hereinafter 'Applicant'), whose mailing address is \_\_\_\_\_, and the California State Lands Commission (hereinafter 'State').

2. AGREEMENT: Applicant agrees to reimburse the State for all reasonable services (hereinafter 'the Services') associated with processing the application (hereinafter 'Application') whether prior or subsequent to the execution of this Agreement. This Application is submitted by the Applicant for consideration by the California State Lands Commission for a project described as General Lease - Recreational Use, within Marin County. The estimated cost will be \$1,200. Applicant agrees to submit a deposit in the amount of the estimated total cost of the Agreement.

**Note: If the total deposit has previously been submitted, no further deposit is necessary at this time.**

The State will advise Applicant if actual costs exceed the above estimate by ten percent (10%) or more. Costs in excess of the initial deposit shall be invoiced and mailed to Applicant. Applicant shall notify State within fifteen (15) days of being advised of any estimated cost increase if the Applicant wishes to dispute the costs or terminate the project in accordance with Section 4 of this Agreement. No response shall be deemed agreement to pay the revised estimated costs. No Commission action shall be taken on the application until all amounts due have been paid. The State reserves the right to apply any residual balance of this account plus earned interest to any amounts due the State.

Additional payments shall be mailed to the California State Lands Commission, 100 Howe Avenue, Suite 100 South, Sacramento, CA 95825, within 30 days of receipt of invoice. Should the advance deposits exceed actual costs; a refund will be mailed to the Applicant within sixty days of completion of the transaction, or earlier termination as provided in Section 4 below.

Applicant agrees to indemnify, defend and save harmless the State, its officers, agents, and employees from any and all claims and losses accruing or resulting from Applicant's performance under this Agreement.

Applicant understands that by entering into this Agreement, the State is not representing that the Application will be approved by the California State Lands Commission or other state, local or federal permitting agencies.

3. TERM. Upon execution this Agreement shall be effective from the date of receipt of application and shall continue in full force and effect for three (3) years, unless terminated earlier pursuant to the provisions contained herein.

4. TERMINATION. Either party may elect to terminate this Agreement at any time upon ten (10) days written notice to the other party. Applicant agrees that in the event of termination of this Agreement by either party, it shall reimburse the State upon its written request one hundred percent (100%) of all costs incurred by the State for the performance of its obligations as described in this Agreement through the termination date.

5. APPLICABLE LAW. This Agreement shall be governed by the laws of the State of California.

STATE OF CALIFORNIA

APPLICANT

\_\_\_\_\_  
BY (Authorized Signature)                      Date  
Denise Cook, Fiscal Officer

\_\_\_\_\_  
BY (Authorized Signature)                      Date

For Commission Staff Use Only	
Date Received (Effective Date):	_____
Work Order #:	_____
Reimbursement Agreement #:	_____

\_\_\_\_\_  
Printed name of Applicant