

MINUTE ITEM

This Calendar Item No. C5  
was approved as Minute Item  
No. 5 by the State Lands  
Commission by a vote of 3  
to 0 at its 10-29-79 CALENDAR ITEM  
meeting. C5.

10/79  
W 20429  
Anderson  
PRC 4900

RECISION OF PRIOR AUTHORIZATION FOR  
NON-COMMERCIAL LEASE AND AUTHORIZATION FOR  
ISSUANCE OF GENERAL - RECREATIONAL USE

APPLICANT: Albert C. and Marjorie Stoltze  
655 South Eliseo Drive  
Greenbrae, California 94904

AREA, TYPE LAND AND LOCATION:  
A 0.066 acre (2,880 square feet) parcel  
of tide and submerged land in Corte Madera  
Creek, Marin County.

LAND USE: Maintenance of an existing pier, ramp and  
floating dock.

BACKGROUND: At its meeting of October 24, 1974 the  
Commission authorized the issuance to Albert C.  
Stoltze of a 20-year Non-Commercial Lease  
beginning November 1, 1973 for the construction,  
operation and maintenance of a pier, ramp  
and floating dock on a parcel of tide and  
submerged land in Corte Madera Creek, Marin  
County. The lease documents were not executed  
by the State Lands Commission due to lack  
of receipt of a surety bond. Applicant  
was reluctant to provide a surety bond  
due to the excessive cost which he could  
not afford.

CURRENT SITUATION:  
Mr. Stoltze has been eligible for a General  
Permit - Recreational Use for the pier,  
ramp and floating dock since March 1, 1977.

A completed application form and a properly  
executed permit for a General Permit -  
Recreational Use have been received by  
State Lands Commission from Mr. and Mrs.  
Albert Stoltze to replace the Non-Commercial  
Lease for the pier, ramp and floating dock  
in Corte Madera Creek, Marin County.

A 9  
S 2

CALENDAR PAGE	022
MINUTE PAGE	1959

CALENDAR ITEM NO. 05. (CONTD.)

TERMS OF PROPOSED REPLACEMENT PERMIT:

Initial period: 10 years from October 1, 1979.

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

CONSIDERATION: \$50 per annum, with the State reserving the right to fix a different rental on each fifth anniversary of the permit.

BASIS FOR CONSIDERATION:

\$50 fixed rental for this type of permit.

PREREQUISITE TERMS, FEES AND EXPENSES:

Applicant is owner of upland.

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

STATUTORY AND OTHER REFERENCE:

A. P.R.C.: Div. 6, Parts 1 & 2.

B. Cal. Adm. Code: Title 2, Div. 3.

OTHER PERTINENT INFORMATION:

1. 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.

2. 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 C, which authorizes Multiple 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.

CALENDAR PAGE	023
MINUTE PAGE	1960

CALENDAR ITEM NO. C5. (CONTD)

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

IT IS RECOMMENDED THAT THE COMMISSION:

1. RESIND MINUTE ITEM NO. 7, APPROVED AT THE STATE LANDS COMMISSION MEETING OF APRIL 24, 1974.
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. 21085, 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 ALBERT C. AND MARJORIE STOLTZE OF A 10-YEAR GENERAL PERMIT - RECREATIONAL USE FROM OCTOBER 1, 1979; IN CONSIDERATION OF ANNUAL RENTAL IN THE AMOUNT OF \$50, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE PERMIT; PROVISION OF PUBLIC LIABILITY INSURANCE IN THE AMOUNT OF \$100,000 FOR COMBINED SINGLE LIMIT COVERAGE; FOR THE MAINTENANCE OF AN EXISTING PIER, RAMP AND FLOATING DOCK ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

CALENDAR PAGE	024
MINUTE PAGE	1961

## EXHIBIT "A"

LAND DESCRIPTION

A parcel of tide and submerged land lying in the bed of Corte Madera Creek, adjacent to Lot 71, Bon Air Subdivision No. 5, County of Marin, State of California, being more particularly described as follows:

BEGINNING at the southeasterly corner of the above-mentioned Lot 71; thence S  $06^{\circ} 00' 40''$  W, at right angles to the Northerly canal line, as shown on the map entitled "Map No. 2 Salt Marsh and Tide Lands, situated in Marin County", dated 1870, 72.00 feet; thence N  $83^{\circ} 59' 20''$  W 40.00 feet; thence N  $06^{\circ} 00' 40''$  E 72.00 feet; thence S  $83^{\circ} 59' 20''$  E 40.00 feet to the point of beginning.

END OF DESCRIPTION

CALENDAR PAGE	025
MINUTE PAGE	1962

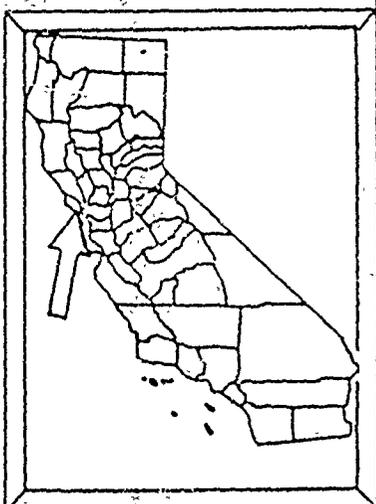
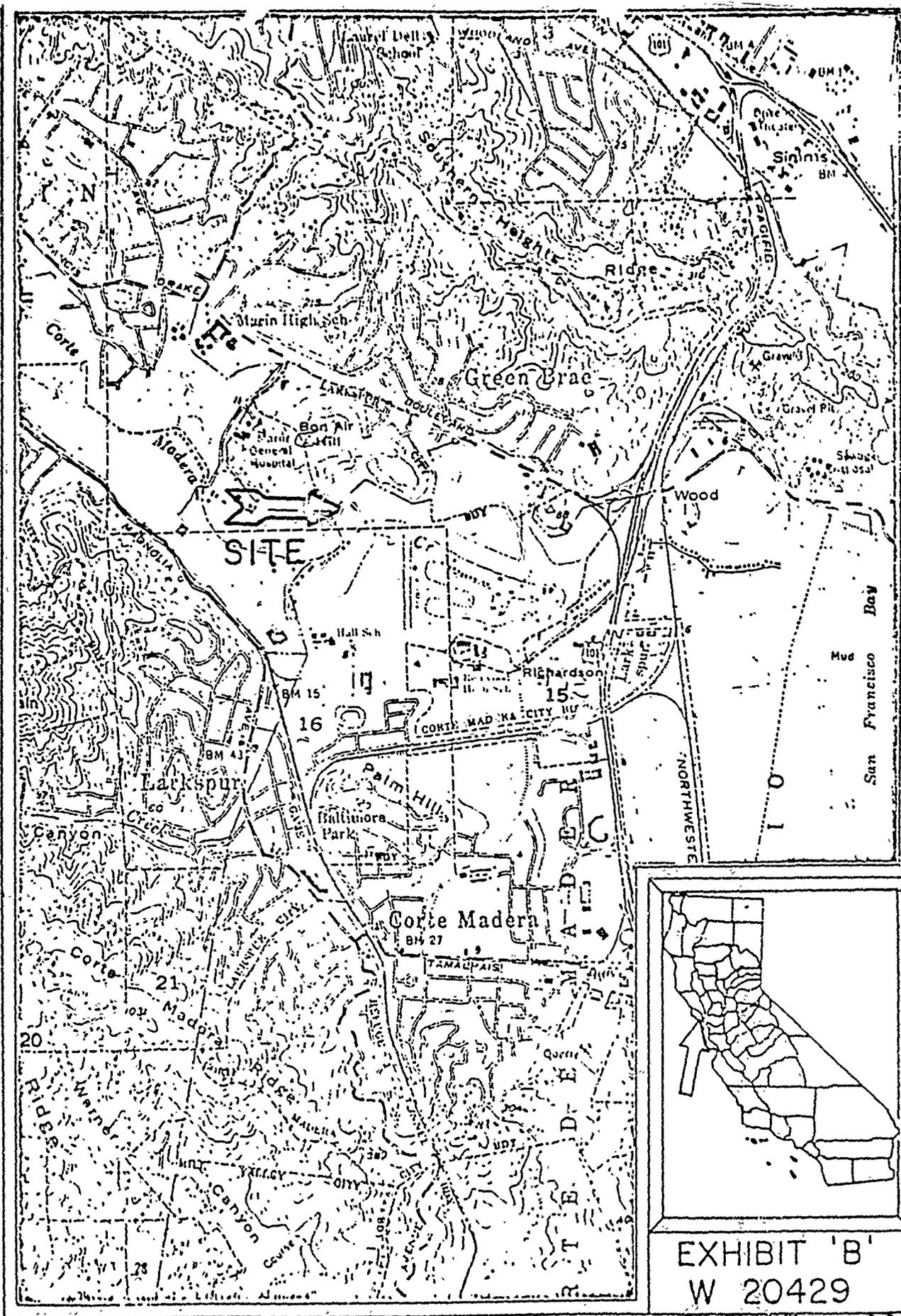


EXHIBIT 'B'  
W 20429