

MINUTE ITEM  
This Calendar item No. C06  
was approved as Minute Item  
No. C06 by the State Lands  
Commission by a vote of 2  
to 0 at its 11/7/1990  
meeting.

CALENDAR ITEM.

**C 0 6**

01/17/90  
PRC 2651  
Bancroft

A. 9  
S. 3

ASSIGNMENT OF A GENERAL PERMIT - RECREATIONAL USE

ASSIGNOR: Robert W. and Elena Nicola  
and Albert P. Nicola  
465 Santa Clara Avenue  
Alameda, California 94501

ASSIGNEE: Martin P. and Barbara J. Bruton  
P. O. Box 2658  
Novato, California 94948

AREA, TYPE LAND AND LOCATION:  
A 0.101-acre parcel of tide and submerged land  
located in the bed of the Petaluma River near  
Black Point, Marin County.

LAND USE: Existing residential and recreational  
improvements.

TERMS OF ORIGINAL PERMIT:  
Initial period: Ten years beginning March 1,  
1987.

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

Consideration: \$497 per annum; five-year  
rent review.

Special: If improvements are destroyed  
or rendered inhabitable, they  
cannot be rebuilt on  
State-owned land.

CALENDAR ITEM NO. 7 0 6 (CONT'D)

**BASIS FOR CONSIDERATION:**

Pursuant to 2 Cal. Code Regs. 2003.

**APPLICANT STATUS:**

Applicant is owner of upland.

**PREREQUISITE CONDITIONS, FEES AND EXPENSES:**

Filing fees and processing costs have been received.

**STATUTORY AND OTHER REFERENCES:**

A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.

B. Cal. Code Regs.: Title 2, Div. 3;  
Title 14, Div. 6.

AB 884:

N/A.

**OTHER PERTINENT INFORMATION:**

1. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Code Regs. 15061), the staff has determined that this activity is exempt from the requirements of the CEQA because the activity is not a "project" as defined by CEQA and the State CEQA Guidelines.

Authority: P.R.C. 21065 and 14 Cal. Code Regs. 15378.

2. This activity is occasioned by the sale of the upland by the Nicolas' to the Brutons.
3. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. but will not affect those significant lands.

**APPROVALS OBTAINED:**

None.

**EXHIBITS:**

- A. Land Description.
- B. Location Map.

CALENDAR ITEM NO. 005 (CONT'D)

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. CODE REGS. 15061 BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY P.R.C. 21065 AND 14 CAL. CODE REGS. 15378.
2. APPROVE ASSIGNMENT OF LEASE PRC 2651, GENERAL PERMIT - RECREATIONAL USE FROM ROBERT W. AND ELENA NICOLA AND ALBERT NICOLA TO MARTIN P. AND BARBARA J. BRUTON, EFFECTIVE OCTOBER 24, 1989.
3. ALL OTHER TERMS AND CONDITIONS OF THE PERMIT SHALL REMAIN UNCHANGED FOR THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE, MADE A PART HEREOF.

**EXHIBIT "A"**

**PRC 2651**

**LAND DESCRIPTION**

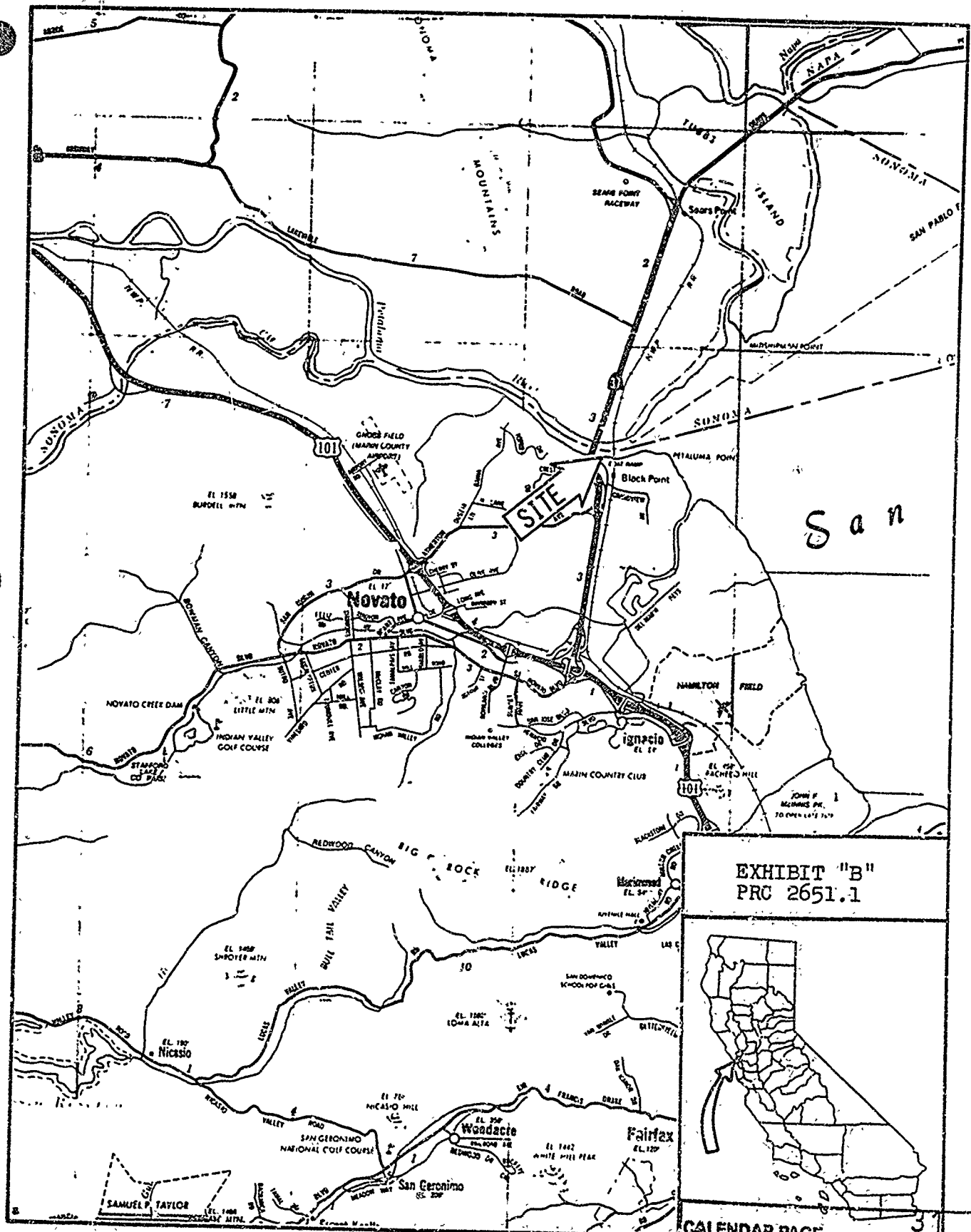
A parcel of land in the bed of the Petaluma River, situated near Black Point, Marin County, California, said parcel being immediately beneath a cabin, shed, walkways, float and associated use areas, said structure and use area being adjacent to and northeasterly of that land described in the deed recorded July 1, 1971 in Book 2478, page 212, Official Records of Marin County.

**EXCEPTING THEREFROM** any portion lying landward of the ordinary high water mark of Petaluma River.

**END OF DESCRIPTION**

**REVIEWED DECEMBER 12, 1989 BY BIU 1.**

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**EXHIBIT "B"**  
**PRC 2651.1**

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