MINUTE ITEM
This Calendar Item No. C35 was approved as Minute Item No. 35 by the California State Lands Commission by a vote of 3 to 0 at its 12-3-99 meeting.

CALENDAR ITEM
C35

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12/03/99
PRC 5692.1
F. Singer

GENERAL LEASE-RECREATIONAL USE

LESSEE:
David Burkhart and Carol Burkhart
5640 Lakeville Highway
Petaluma, CA 94954

AREA, LAND TYPE, AND LOCATION:
0.03 acres, more or less, of sovereign lands in the Petaluma River, near Lakeville, Sonoma County.

AUTHORIZED USE:
The continued use and maintenance of an 8 foot by 16 foot boat dock, a 12 foot by 16 foot deck, an 11 foot by 28 foot boathouse, and walkway.

LEASE TERM:
Ten years, beginning July 1, 1999.

CONSIDERATION:
$170 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 with coverage of no less than $500,000.
Bond:
$2,000.

OTHER PERTINENT INFORMATION:
1. Applicant has a right to use the uplands adjoining the lease premises.

2. Applicant does not own the upland; therefore, lease does not qualify for rent-free status under Public Resources Code section 6503.5.

3. 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 1, Existing Facilities; Title 2, California Code of Regulations, section 2905 (a)(2).

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

4. 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.

EXHIBITS:

A. Site Map
B. Location Map

PERMIT STREAMLINING ACT DEADLINE:

N/A

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 1, EXISTING FACILITIES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (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 SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE ISSUANCE TO DAVID BURKHART AND CAROL BURKHART OF A GENERAL LEASE - RECREATIONAL USE, BEGINNING JULY 1, 1999, FOR A TERM OF TEN YEARS, FOR THE CONTINUED USE AND MAINTENANCE OF AN 8 FOOT BY 16 FOOT BOAT DOCK, A 12 FOOT BY 16 FOOT DECK, AN 11 FOOT BY 28 FOOT BOATHOUSE, AND A WALKWAY ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; ANNUAL RENT IN THE AMOUNT OF $170, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENT PERIODICALLY DURING THE LEASE TERM, AS PROVIDED IN THE LEASE; LIABILITY INSURANCE WITH COVERAGE OF NO LESS THAN $500,000; SURETY IN THE AMOUNT OF $2,000.

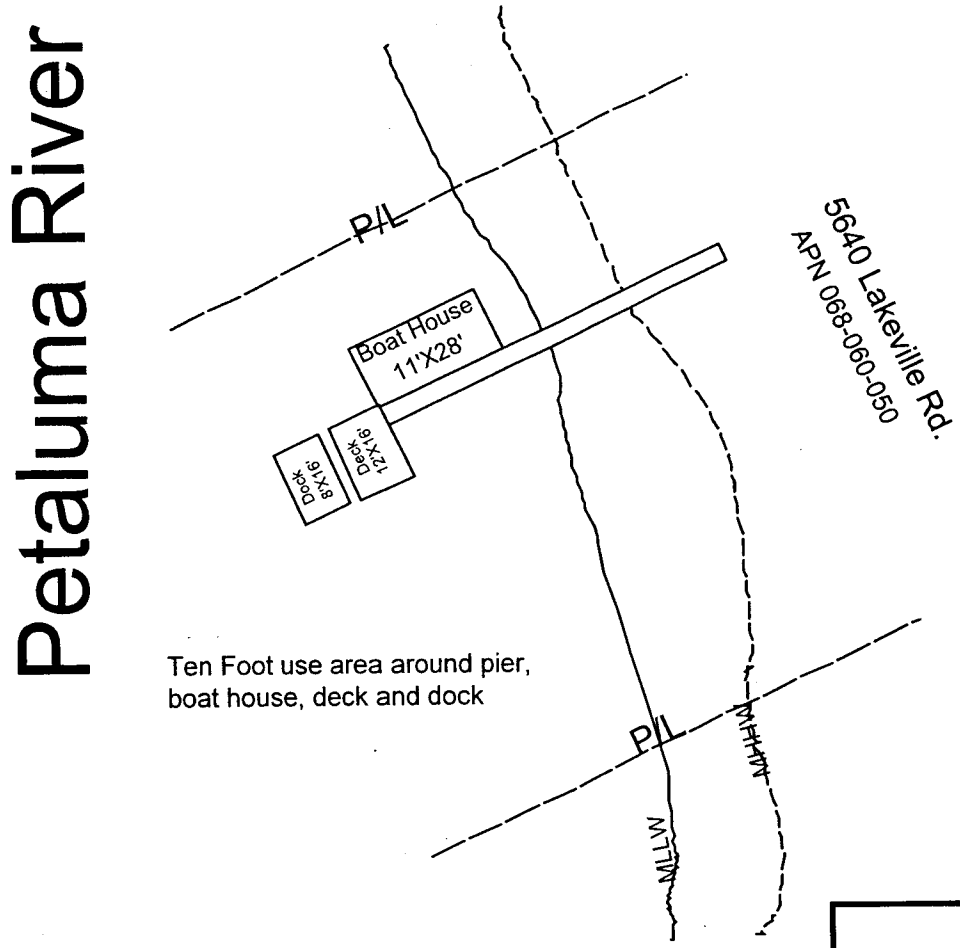
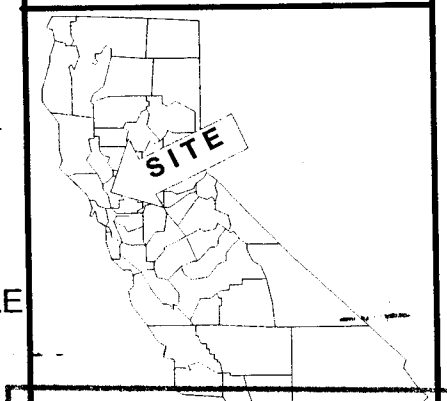


Exhibit A
WP 5692
GL-Recreational
Pier
Petaluma River
SONOMA COUNTY



NO SCALE

This Exhibit is solely for purposes of generally defining the lease premises, 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.

CALENDAR PAGE 000175
MINUTE PAGE 0006852

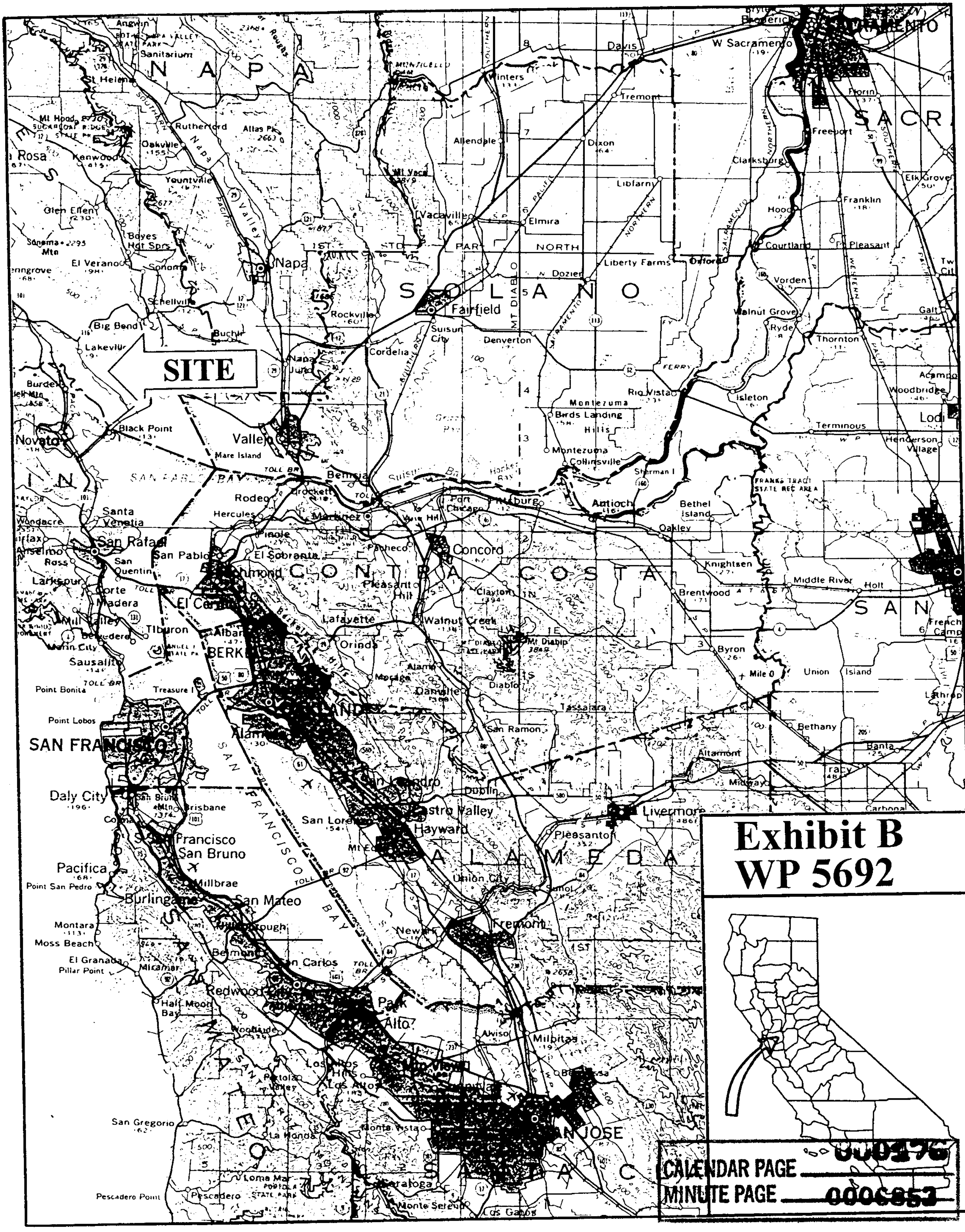


Exhibit B
WP 5692

CALENDAR PAGE 000176

MINUTE PAGE 0006853