

MINUTE ITEM
This Calendar Item No. C68 was approved as
Minute Item No. 68 by the California State Lands
Commission by a vote of 3 to 0 at its
6-27-00 meeting.

**CALENDAR ITEM
C68**

A 21

S 11

June 27, 2000

PRC 7348.9

WP 7348.9

N. Smith

AMENDMENT OF LEASE

LESSEE:

City of Palo Alto
Attn: Mr. Sean Kennedy
PO Box 10250
Palo Alto, California 94303

AREA, LAND TYPE, AND LOCATION:

Filled sovereign lands in the city of Palo Alto, Santa Clara County.

AUTHORIZED USE:

Development of portions of Byxbee Landfill Park, adjacent to Mayfield Marsh.

LEASE TERM:

49 years, beginning September 27, 1989.

CONSIDERATION:

The public use and benefit; with the State reserving the right at any time to set a monetary rent if the Commission finds such action to be in the State's best interest.

PROPOSED AMENDMENT:

Amend the land description to include Phase IIB. All other terms and conditions of the lease shall remain in effect without amendment.

OTHER PERTINENT INFORMATION:

1. Applicant is owner of the lands surrounding and among the lease premises.

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2. The Byxbee Landfill Park is a 146-acre site, once used as a sanitary landfill operation. The landfill is being converted into a phased passive park development. This Phase IIB will entail the construction of a final cover over the PHASE IIB landfill surface and will encompass approximately 23 acres. The Lessee proposes to amend the lease description to include Phase IIB as described in Exhibit A-1 and shown on Exhibit A-2 attached.
3. A Negative Declaration was prepared and adopted for this project by the city of Palo Alto. The California State Lands Commission's staff has reviewed such document.

APPROVALS OBTAINED:

Regional Water Quality Control Board, California Integrated Waste Management Board, and Bay Area Air Quality Management District.

EXHIBITS:

- A-1. Land Description
- A-2. Phasing Plan
- B. Location Map

PERMIT STREAMLINING ACT DEADLINE:

October 3, 2000

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT A NEGATIVE DECLARATION WAS PREPARED AND ADOPTED FOR THIS PROJECT BY THE CITY OF PALO ALTO AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.

AUTHORIZATION:

AUTHORIZE THE AMENDMENT OF LEASE NO. PRC 7348.9, A GENERAL PERMIT – PUBLIC AGENCY USE, OF LANDS DESCRIBED ON EXHIBIT A-1 ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF, EFFECTIVE JUNE 1, 2000, TO AMEND THE LAND DESCRIPTION TO INCLUDE PHASE IIB; ALL OTHER TERMS AND

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CONDITIONS OF THE LEASE WILL REMAIN IN EFFECT WITHOUT AMENDMENT.

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EXHIBIT A-1

PRC 7348.9

LAND DESCRIPTION

Three parcels of filled tide and submerged land within the projected Sections 31 and 32, T5S, R2W, MDM, situated in Palo Alto, Santa Clara County, California; said parcels are shown as Phases I, IIA and IIB on the Byxbee Landfill Park Master Plan, January 12, 1989, on file in the records of the State Lands Commission.

END OF DESCRIPTION

REVISED APRIL, 2000 BY LLB

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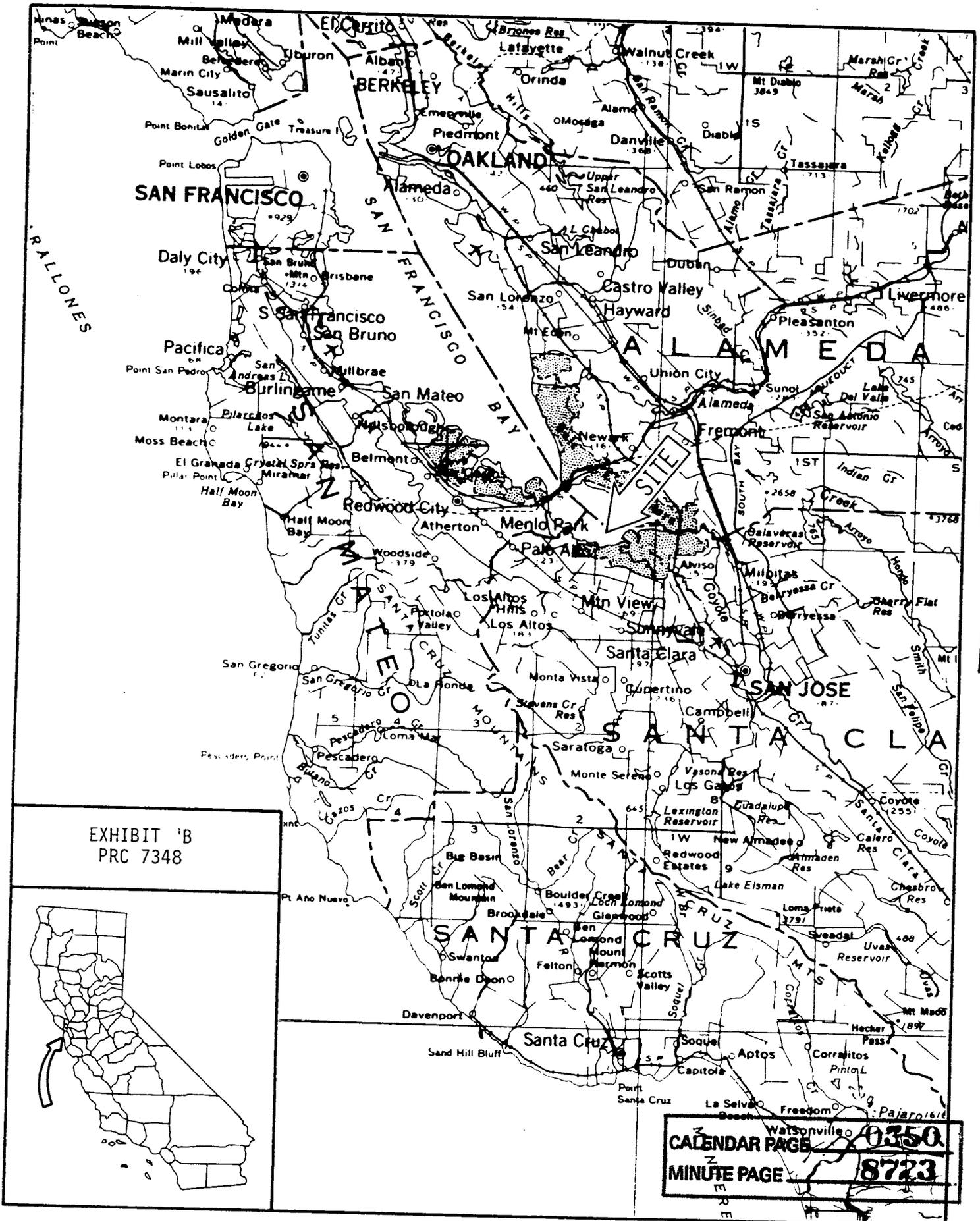


EXHIBIT 'B
PRC 7348

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