MINUTE ITEM
This Calendar Item No. C24 was approved as Minute Item No. 24 by the California State Lands Commission by a vote of 3 to 0 at its 11/27/00 meeting.

CALENDAR ITEM
C24

A 15

S 7

PRC 5731

11/27/00
WP 5731.9
F. Singer

RECREATIONAL PIER LEASE

APPLICANT:

Danene J. Forman as Trustee of the Forman Family Trust under Trust Agreement dated June 28, 1999
32 Haskins Ranch Circle
Danville, California 94506

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in the San Joaquin River, on Bradford Island, Contra Costa County.

AUTHORIZED USE:

Reconstruction, use, and maintenance of an access ramp and a floating boat dock occupying a 26 foot 2 inch by 41 foot 7 inch area consisting of a 6 foot 6 inch by 12 foot 4 inch landing pad and a 2 foot 6 inch by 13 foot 10 inch walkway lying easterly, a 2 foot 8 inch by 28 foot 1 inch walkway, and a 7 foot by 12 foot 5 inch landing pad and a 2 foot 8 inch by 9 foot 11 inch walkway lying westerly as shown on the attached Exhibit A.

LEASE TERM:

Ten years, beginning August 30, 1999.

CONSIDERATION:

No monetary consideration pursuant to Public Resources Code section 6503.5.

SPECIFIC LEASE PROVISIONS:

Insurance:

Liability insurance in the amount of no less than $300,000.

OTHER PERTINENT INFORMATION:

1. On August 30, 1989, the Commission authorized a Recreational Pier Lease with Bradley K. Forman and Danene Jo Forman. That lease expired on August 29, 1999. On June 28, 1999, Bradley K. Forman and Danene Jo Forman deeded the littoral land to Bradley K. Forman and Danene J. Forman, Trustees of the Forman Family Trust under Trust Agreement dated June 28, 1999. On November 16, 1999, Danene J. Forman recorded an affidavit stating that Bradley K. Forman had passed away and that Danene J. Forman was the remaining trustee. Applicant qualifies for a Recreational Pier Lease because the Applicant is a natural person who has improved the littoral land with, and uses the upland for, a single-family dwelling. The Forman Family Trust under Trust Agreement dated June 28, 1999 is now applying for a new Recreational Pier Lease.

2. 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 2, Replacement or Reconstruction; Title 14, California Code of Regulations, section 21084.

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

3. 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.

EXHIBIT:

A. Site and Location Map

PERMIT STREAMLINING ACT DEADLINE:

N/A

RECOMMENDED ACTION:
IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

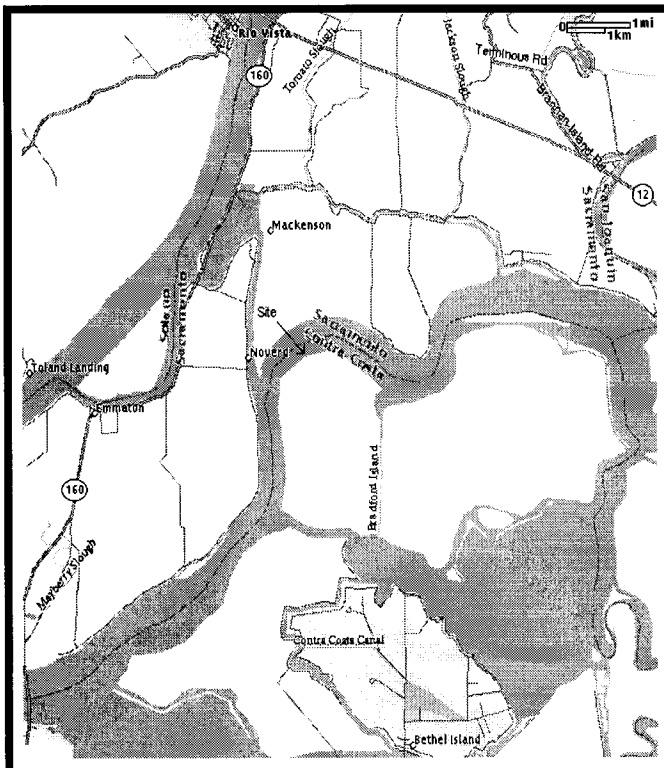
FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 2, REPLACEMENT OR RECONSTRUCTION; TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15302.

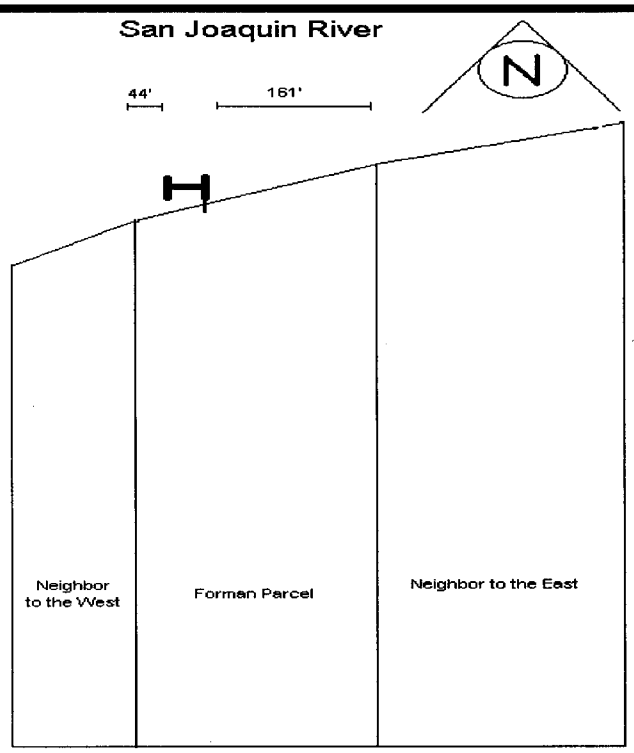
SIGNIFICANT LANDS INVENTORY FINDING:

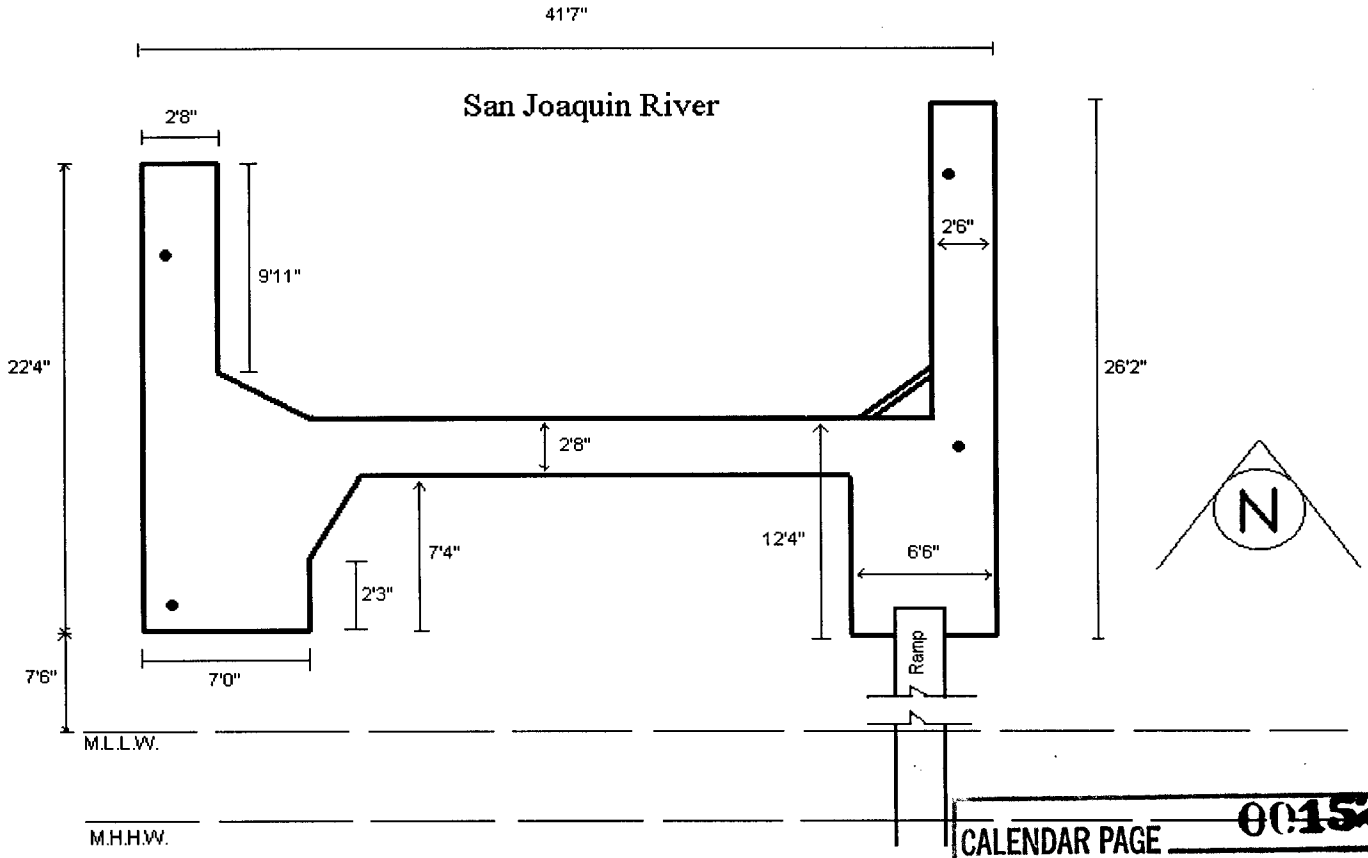
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE ISSUANCE TO DANENE J. FORMAN AS TRUSTEE OF THE FORMAN FAMILY TRUST UNDER TRUST AGREEMENT DATED JUNE 28, 1999 OF A TEN-YEAR RECREATIONAL PIER LEASE, BEGINNING AUGUST 30, 1999, FOR RECONSTRUCTION, USE, AND MAINTENANCE OF A FLOATING BOAT DOCK AND ACCESS RAMP ON THE LAND SHOWN ON EXHIBIT A, ATTACHED, AND BY THIS REFERENCE MADE A PART HEREOF; NO MONETARY CONSIDERATION PURSUANT TO PUBLIC RESOURCES CODE SECTION 6503.5; LIABILITY INSURANCE IN THE AMOUNT OF NO LESS THAN $300,000.







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This exhibit is solely for purposes of generally defining the area to be leased, and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or other property.

Exhibit A
WP 5731.9