MINUTE ITEM
This Calendar Item No. C29 was approved as Minute Item No. 29 by the California State Lands Commission by a vote of 3 to 0 at its 11/27/00 meeting.

CALENDAR ITEM
C29

A 15

S 7

PRC 5900

11/27/00
WP 5900.9
F. Singer

RECREATIONAL PIER LEASE

APPLICANTS:

Robert C. Benson and Jean M. Benson as Trustees of the
Robert C. Benson and Jean M. Benson Revocable Trust dated July 19, 1991
10331 Norwich Avenue
Cupertino, California 95014

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in the False River, near Oakley, Contra Costa County.

AUTHORIZED USE:

Continued use and maintenance of an existing 22 foot by 32 foot floating boat berth, a 3 foot by 18 foot walkway, and a 40 foot by 32 foot wood breakwater.

LEASE TERM:

Ten years, beginning September 24, 2000.

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 December 12, 1990, the Commission authorized a Recreational Pier Lease with Robert C. Benson and Jean M. Benson. That lease expired on September 23, 2000. On July 19, 1991, Robert C. Benson and Jean M. Benson deeded the littoral land to Robert C. Benson and Jean M. Benson as Trustees of the Robert C. Benson and Jean M. Benson Revocable Trust dated July 19, 1991. The Robert C. Benson and Jean M. Benson Revocable Trust dated July 19, 1991, 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 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.

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 Map 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 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.

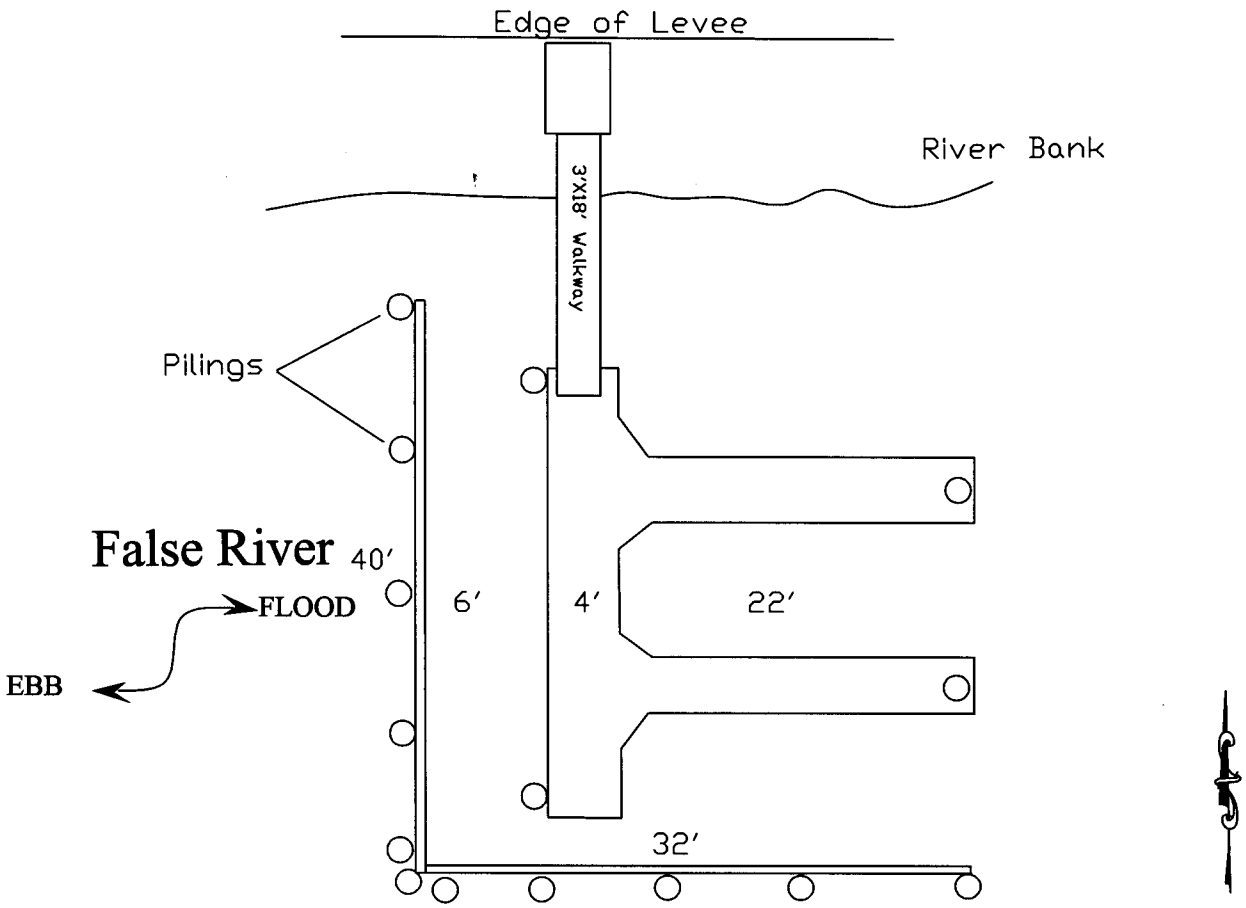
AUTHORIZATION:

AUTHORIZE ISSUANCE TO ROBERT C. BENSON AND JEAN M. BENSON AS TRUSTEES OF THE ROBERT C. BENSON AND JEAN M. BENSON REVOCABLE TRUST DATED JULY 19, 1991, OF A TEN-YEAR RECREATIONAL PIER LEASE, BEGINNING SEPTEMBER 24, 2000, FOR THE CONTINUED USE AND MAINTENANCE OF AN EXISTING FLOATING BOAT BERTH, WALKWAY, AND WOOD BREAK WATER 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.

NO SCALE

APN 026-050-006

Bradford Island Road, Oakley



NO SCALE

LOCATION MAP

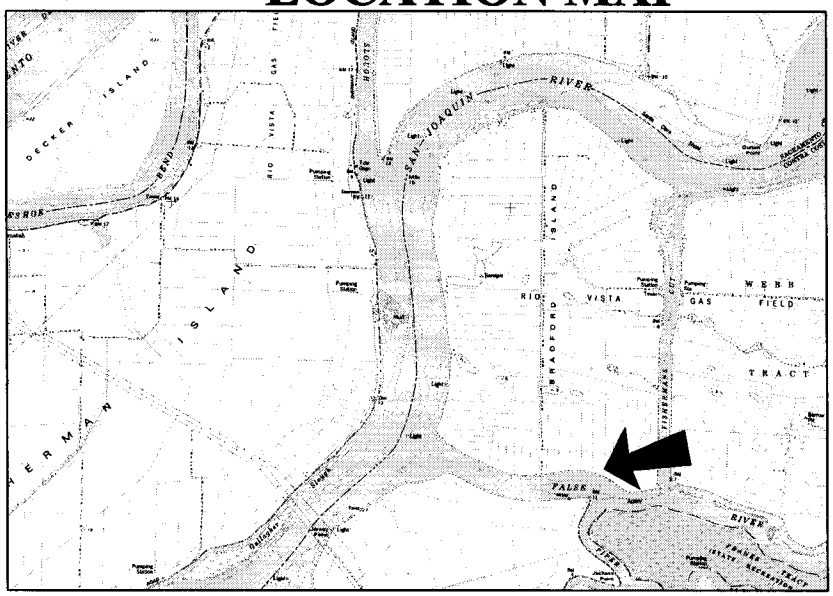
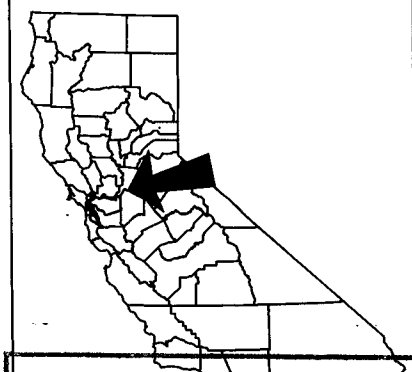


Exhibit A

WP 5900

Robert Benson
RPL
Gangway & Dock
Contra Costa County



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 of limitation of any state interest in the subject or any other property.

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