

MINUTE ITEM
This Calendar Item No. C52
was approved as Minute Item
No. 52 by the State Lands
Commission by a vote of 3
to 0 at its 2-5-01
meeting

CALENDAR ITEM
C52

A 6
S 3

02/05/01
WP 8032.9
F. Singer

**TERMINATION OF A GENERAL LEASE - RECREATIONAL USE AND ISSUANCE
OF A RECREATIONAL PIER LEASE**

APPLICANT:

Lee Greenberg
14 Lucky Drive
Greenbrae, California 94904

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Corte Madera Creek, near Greenbrae, Marin County.

AUTHORIZED USE:

Continued use and maintenance of an access ramp, a 33 foot 6 inch by 18 foot landing pad, a 4 foot by 7 foot ramp, a 3 foot by 20 foot ramp, and a 5 foot by 68 foot floating dock, and a 6 inch by 22 foot anti-flotsam floating boom.

LEASE TERM:

Ten years, beginning May 1, 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 June 19, 1998, the Commission authorized a General Lease - Recreational Use with Lee Greenberg. That lease will expire on April 30, 2008. Lee Greenberg was not issued a Recreational Pier Lease on June 19, 1998, because he had not constructed a single-family

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dwelling on the littoral land; however, Lee Greenberg has since constructed a single-family dwelling on the upland. Therefore, 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. This Calendar Item will terminate a General Lease - Recreational Use and issue a new Recreational Pier Lease for the subject facilities, effective April 30, 2000.

2. As to the termination of the General Lease - Recreational Use, 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 because the activity is not a "project" as defined by the CEQA and the State CEQA Guidelines.

Authority: Public Resources Code section 21065 and Title 14, California Code of Regulations, section 15378.

3. As to the issuance of the Recreational Pier Lease, 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 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

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PERMIT STREAMLINING ACT DEADLINE:

N/A

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

AS TO THE TERMINATION OF THE GENERAL LEASE - RECREATIONAL USE, FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY PUBLIC RESOURCES CODE SECTION 21065 AND TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15378.

AS TO THE ISSUANCE OF THE RECREATIONAL PIER LEASE, 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 TERMINATION OF GENERAL LEASE - RECREATIONAL USE ISSUED TO LEE GREENBERG ON JUNE 18, 1998.

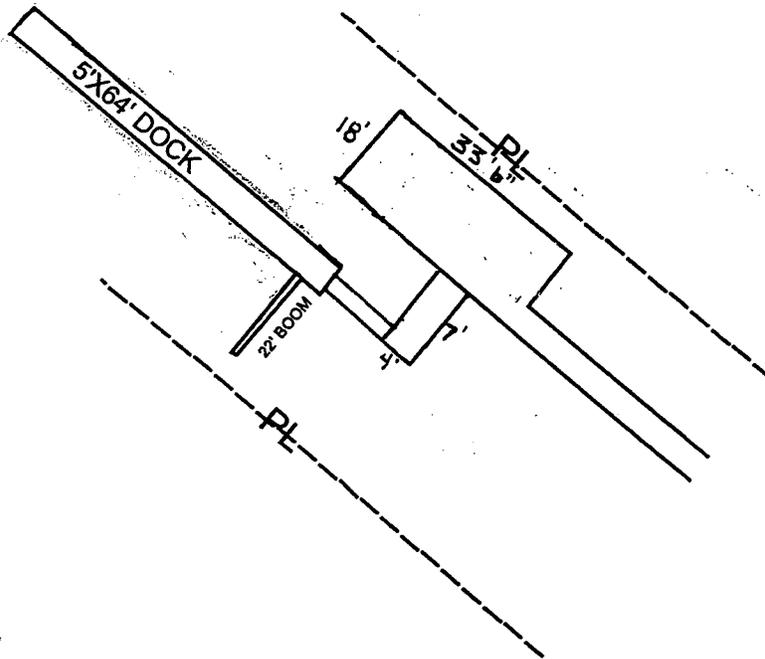
AUTHORIZE ISSUANCE TO LEE GREENBERG OF A TEN-YEAR RECREATIONAL PIER LEASE, BEGINNING MAY 1, 2000, FOR THE CONTINUED USE AND MAINTENANCE OF AN EXISTING ACCESS RAMP, A LANDING PAD, TWO RAMPS, A FLOATING BOAT DOCK, AND AN ANTI-FLOTSAM BOOM ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; NO MONETARY CONSIDERATION PURSUANT TO PUBLIC RESOURCES

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CODE SECTION 6503.5; LIABILITY INSURANCE IN THE AMOUNT OF
NO LESS THAN \$300,000.

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CORTE MADERA CREEK



Cona Village - Recreational Boat Dock
18 Lucky Drive
Greenbrae CA, 94904



NO SCALE

Exhibit A

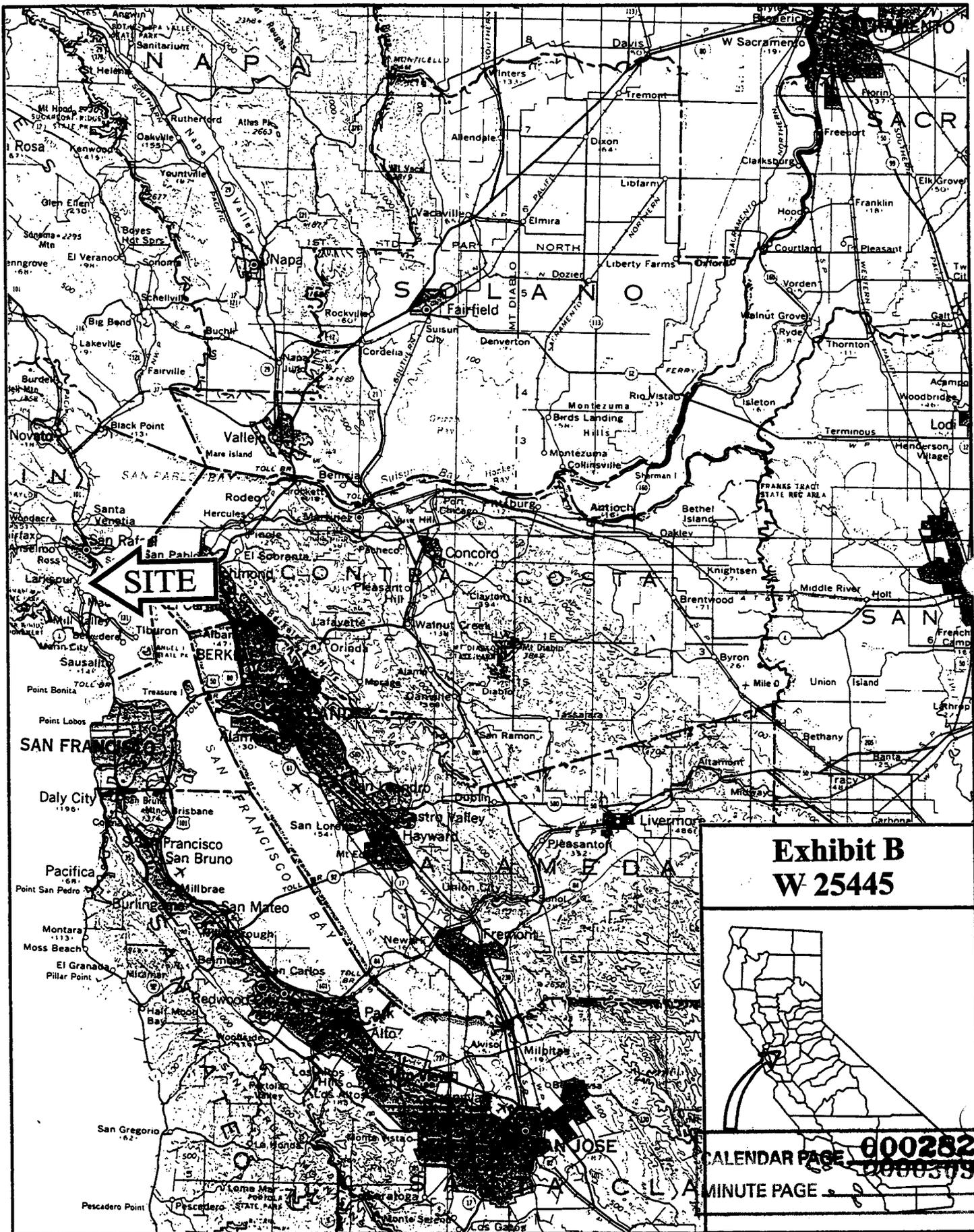
WP 8032.9

Recreational Pier
Corte Madera Creek
MARIN COUNTY



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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.



**Exhibit B
W 25445**



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