

**MINUTE ITEM**

This Calendar Item No. C11 was approved as Minute Item No. 11 by the California State Lands Commission by a vote of 3 to 0 at its 9-17-01 meeting.

**CALENDAR ITEM**

**C11**

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S 7

09/17/01  
PRC 5731 WP 5731.9  
L. Burks

**RECREATIONAL PIER LEASE**

**APPLICANTS:**

Scott W. Kuhne and Cathy J. Kuhne  
P. O. Box 1736  
Alameda, California 94501

**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 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 1, 2001.

**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 November 27, 2000, the Commission authorized a Recreational Pier Lease with Danene J. Forman as Trustee of the Forman Family Trust under Trust Agreement dated June 28, 1999. The property has been sold

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to Scott and Cathy Kuhne. Scott and Cathy Kuhne are now applying for a new Recreational Pier Lease. Applicants qualify for a Recreational Pier Lease because they are natural persons who have improved the littoral land with, and use the upland for, a single-family dwelling.

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 2, California Code of Regulations, section 2905 b.

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

2. 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 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 B.

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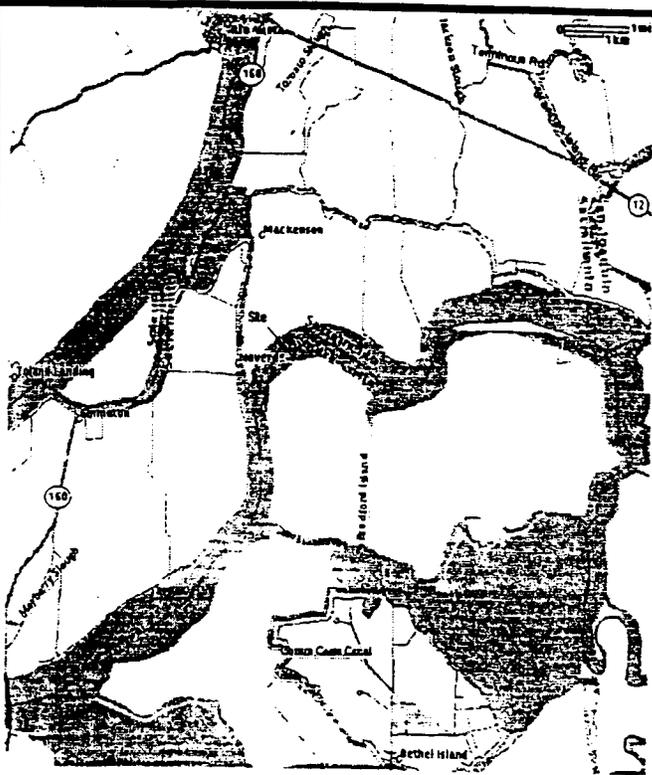
**SIGNIFICANT LANDS INVENTORY FINDING:**

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.

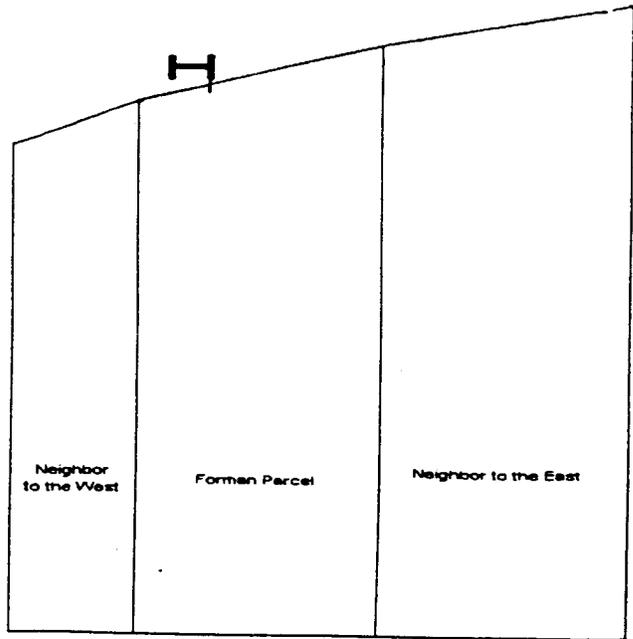
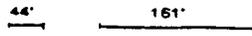
**AUTHORIZATION:**

AUTHORIZE ISSUANCE TO SCOTT W. KUHNE AND CATHY J. KUHNE OF A TEN-YEAR RECREATIONAL PIER LEASE, BEGINNING AUGUST 1, 2001, FOR RECONSTRUCTION, USE AND MAINTENANCE OF AN EXISTING FLOATING DOCK, WALKWAY AND 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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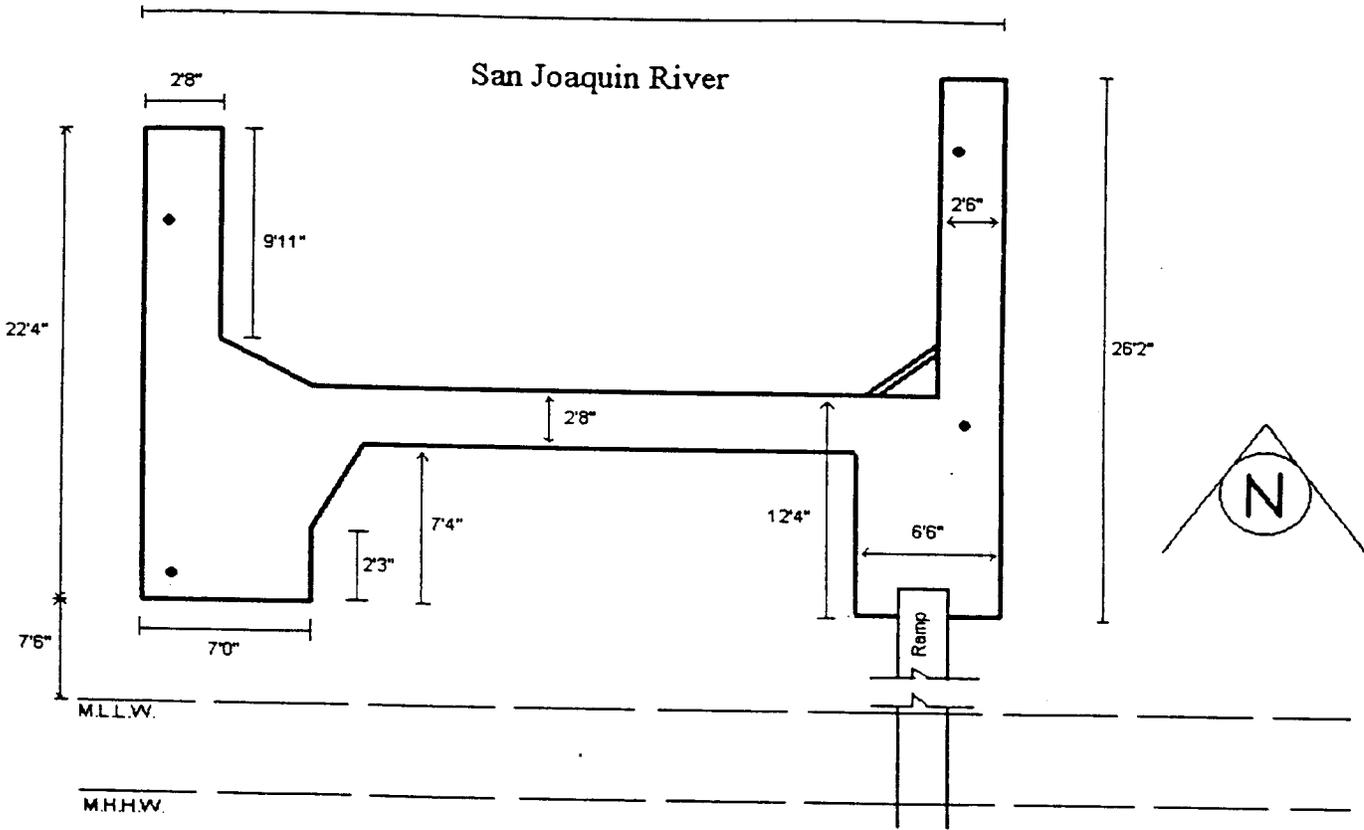


San Joaquin River



417"

San Joaquin River



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.

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 MINUTE PAGE Exhibit A1411  
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