

MINUTE ITEM
This Calendar Item No. C43 was approved as
Minute Item No. 43 by the California State Lands
Commission by a vote of 3 to 0 at its
8-17-04 meeting.

CALENDAR ITEM

C43

A 6

8/17/04

S 3

PRC 5211

WP 5211.1

N. Quesada

GENERAL LEASE – RECREATIONAL USE

APPLICANT:

Millbrae Highlands Co., L.P.
50 Bon Air Center, Ste. 200
Greenbrae, CA 94904

AREA, LAND TYPE, AND LOCATION:

.035 acres of sovereign lands in Corte Madera Creek, Greenbrae, Marin County.

AUTHORIZED USE:

Continued use and maintenance of an existing ramp, floating boat dock, cables,
and other appurtenances thereto.

PROPOSED LEASE TERM:

Ten Years, beginning October 1, 2004.

CONSIDERATION:

\$247 per annum; with the State reserving the right to fix a different rent
periodically during the lease term, as provided in the lease.

SPECIFIC LEASE PROVISIONS:

Insurance:

Combined single limit coverage of no less than \$1,000,000.

Bond:

\$3,000.

OTHER PERTINENT INFORMATION:

1. Applicant owns the uplands adjoining the lease premises.

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2. On July 5, 1994, the Commission authorized a ten-year General Lease - Recreational Use with Millbrae Highlands Company. That lease will expire September 30, 2004. Millbrae Highlands Co., L.P. is now applying for a new General Lease - Recreational Use. The boat dock is used as an accommodation to the apartment building on the adjoining uplands, located in Greenbrae, Marin County.
3. The Applicant does not qualify for a rent-free Recreational Pier Lease because the littoral landowner is a corporation.
4. 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.

5. 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

CALENDAR ITEM NO. C43 (CONT'D)

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:

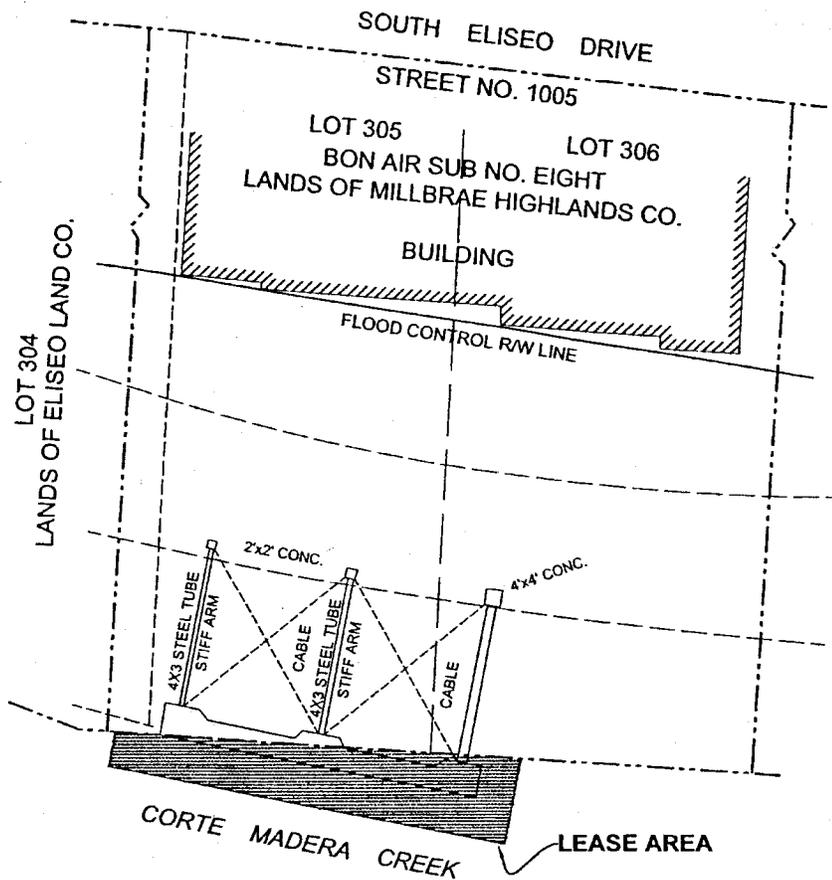
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ..

AUTHORIZATION:

AUTHORIZE ISSUANCE TO MILLBRAE HIGHLANDS CO., L.P. OF A GENERAL LEASE - RECREATIONAL USE, BEGINNING OCTOBER 1, 2004, FOR A TERM OF TEN YEARS, FOR CONTINUED USE AND MAINTENANCE OF A RAMP, A FLOATING BOAT DOCK, CABLES AND APPURTENANCES THERETO AS REPRESENTED ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; CONSIDERATION: ANNUAL RENT IN THE AMOUNT OF \$247, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENT PERIODICALLY DURING THE LEASE TERM, AS PROVIDED IN THE LEASE; LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF NO LESS THAN \$1,000,000; SURETY BOND IN THE AMOUNT OF \$3,000.

NO SCALE

SITE



MILLBRAE HIGHLANDS CO. L.P.
 APN 022-281-06 & 07

NO SCALE

LOCATION

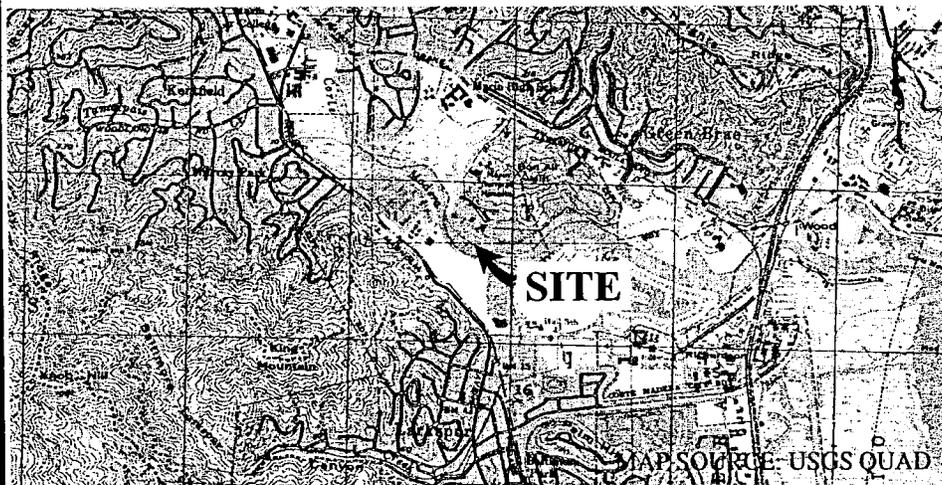


Exhibit A
 WP 5211.1
 GENERAL LEASE
 RECREATIONAL USE
 CORTE MADERA CREEK
 MARIN COUNTY



JAK 07/04

This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties 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.

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