

MINUTE ITEM
This Calendar Item No. C55 was approved as
Minute Item No. 55 by the California State Lands
Commission by a vote of 3 to 0 at its
05/10/07 meeting.

CALENDAR ITEM

C55

A 6

05/10/07

S 3

PRC 8249

WP 8249.1

N. Smith

TERMINATION AND ISSUANCE OF A GENERAL LEASE - RECREATIONAL USE

LESSEE:

Maintenance Alternatives Corporation
951 Petaluma Boulevard
Petaluma, CA 94952

APPLICANT:

Petaluma Ecumenical Properties
951 Petaluma Boulevard
Petaluma, California 94952

AREA, LAND TYPE, AND LOCATION:

0.01 acres, more or less, of sovereign lands in the Petaluma River, city of
Petaluma, Sonoma County.

AUTHORIZED USE:

Continued use and maintenance of an existing gangway, floating dock and two
pilings.

LEASE TERM:

Ten years, beginning July 31, 2006.

CONSIDERATION:

\$70 per year; 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:

Liability insurance: Combined single limit coverage of \$500,000.

Bond:

\$5,000.

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OTHER PERTINENT INFORMATION:

1. Applicant owns the uplands adjoining the lease premises.
2. On November 27, 2000, the Commission authorized a General Lease - Recreational Use to Maintenance Alternatives Corporation. The upland property ownership was transferred to the Applicant on July 31, 2006. Applicant is now applying for a new General Lease - Recreational Use.
3. The Applicant does not qualify for rent-free status pursuant to Public Resource Code section 6503.5. Applicant is not a natural person.
4. **Termination of Lease:**
Pursuant to the Commission's delegation of authority and the State CEQA Guidelines [Title 14, California Code of Regulations, section 15060(c)(3)], the staff has determined that this activity is not subject to the provisions of the CEQA because it 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, sections 15060 (c)(3) and 15378.

5. **Issuance of new 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 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

6. 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

CALENDAR ITEM NO. C55 (CONT'D)

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING

TERMINATION OF LEASE:

FIND THAT THE ACTIVITY IS NOT SUBJECT TO THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15060(c)(3) BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY PUBLIC RESOURCES CODE SECTION 21065 AND TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15378.

ISSUANCE OF NEW 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:

1. TERMINATE LEASE PRC 8249.1 ISSUED TO MAINTENANCE ALTERNATIVES CORPORATION, EFFECTIVE JULY 30, 2006.
2. AUTHORIZE ISSUANCE TO PETALUMA ECUMENICAL PROPERTIES OF A GENERAL LEASE - RECREATIONAL USE, BEGINNING JULY 31, 2006, FOR A TERM OF TEN YEARS, FOR CONTINUED USE AND MAINTENANCE OF AN EXISTING GANGWAY, FLOATING DOCK AND TWO PILINGS AS SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; ANNUAL RENT IN THE AMOUNT OF \$70, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENT PERIODICALLY DURING THE LEASE TERM, AS PROVIDED IN THE LEASE; LIABILITY INSURANCE FOR

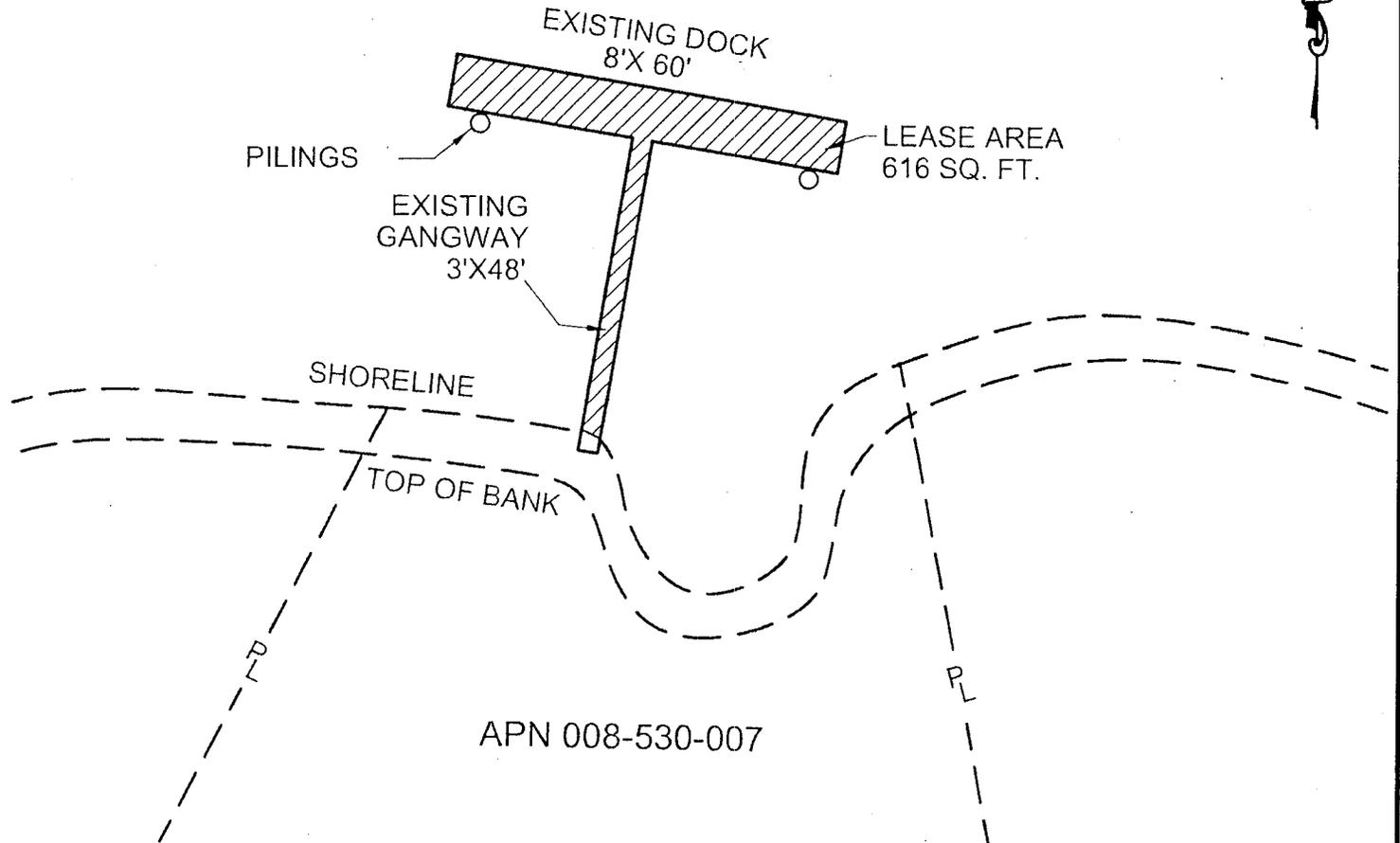
CALENDAR ITEM NO. C55 (CONT'D)

COMBINED SINGLE LIMIT COVERAGE OF \$500,000; SURETY
IN THE AMOUNT OF \$5,000.

NO SCALE

SITE

Petaluma River
Flow



NO SCALE

LOCATION

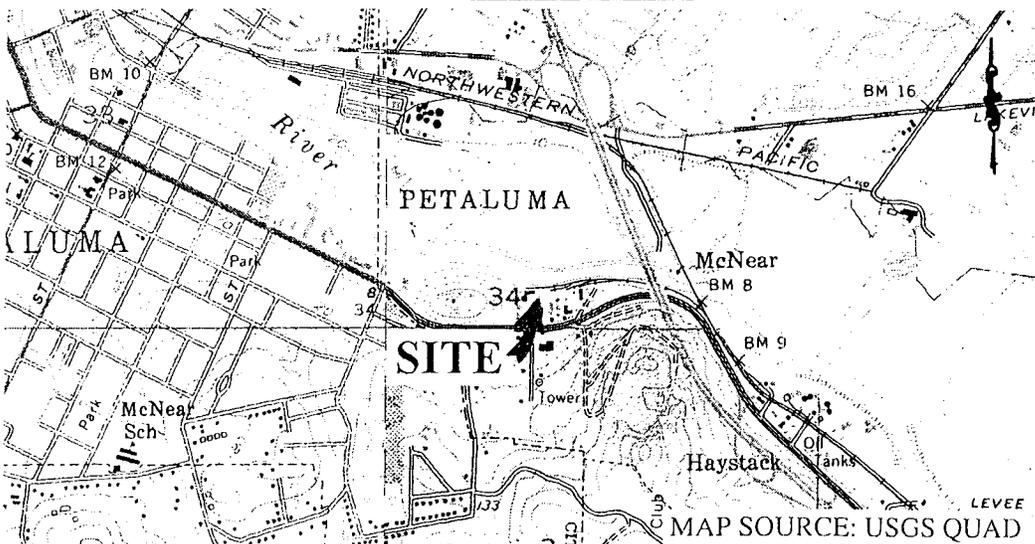


Exhibit A

PRC 8249
 PETALUMA ECUMENICAL
 PROPERTIES
 APN 008-530-007
 GENERAL LEASE
 RECREATIONAL USE
 SONOMA COUNTY



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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