

CALENDAR ITEM

C59

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09/20/13

S 3

PRC 8446.9

D. Simpkin

GENERAL LEASE – PUBLIC AGENCY USE

APPLICANT:

San Francisco State University Romberg Tiburon Center for Environmental Studies

AREA, LAND TYPE, AND LOCATION:

Sovereign land located in San Francisco Bay, near the city of Tiburon, Marin County

AUTHORIZED USE:

Continued use and maintenance of an existing finger pier previously authorized by the Commission and the maintenance of an existing weather station, water quality instruments and 32 concrete pilings not previously authorized by the Commission.

LEASE TERM:

10 years, beginning August 23, 2013.

CONSIDERATION:

The public use and benefit, with the State reserving the right at any time to set a monetary rent if the Commission finds such action to be in the State's best interest.

OTHER PERTINENT INFORMATION:

1. Applicant owns the upland adjoining the lease premises.
2. On February 21, 2003, the Commission authorized Lease No. PRC 8446.9, a General Lease – Public Agency Use to the San Francisco State University Romberg Tiburon Center for Environmental Studies for an existing finger pier. The lease expired on January 31, 2013. The Applicant is now applying for a new General Lease – Public Agency Use.
3. In addition to the finger pier under lease, there is an existing 12-foot tall weather station, water quality instruments and 32 concrete piles that have

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existed onsite for many years but have not been under lease. Staff is now recommending these exiting facilities be included in the Commission's authorization.

4. The Applicant also has a separate lease, Lease No. PRC 8268.9, for an existing saltwater intake pipeline and rock riprap at the site. That lease expires on December 31, 2015. Staff recommended combining the two leases, but the Applicant prefers to have both leases separate but with concurrent terms. Staff is recommending a 10 year lease term for both leases, beginning August 23, 2013.
5. The staff recommends that the Commission find that this activity is exempt from the requirements of the California Environmental Quality Act (CEQA) as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

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

6. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et seq., but such activity will not affect those significant lands. 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. Land Description
- B. Site and Location Map

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that the activity is exempt from the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15061 as a categorically exempt project, Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

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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 section 6370 et seq.

AUTHORIZATION:

Authorize issuance of a General Lease – Public Agency Use to San Francisco State University Romberg Tiburon Center for Environmental Studies beginning August 23, 2013, for a term of 10 years, for use and maintenance of an existing finger pier previously authorized by the Commission and the maintenance of an existing weather station, water quality instruments and 32 concrete pilings not previously authorized by the Commission, as described in Exhibit A and shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof; consideration being the public use and benefit, with the State reserving the right at any time to set a monetary rent if the Commission finds such action to be in the State's best interest.

EXHIBIT A

PRC 8446.9

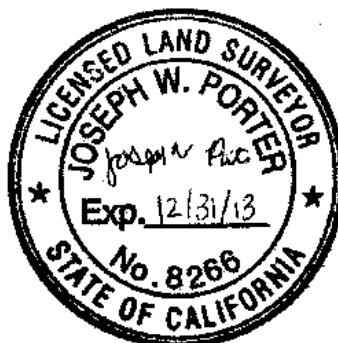
LAND DESCRIPTION

A parcel of submerged land situate in the bed of the San Francisco Bay, being adjacent to BTLC Lot 3, Section 32, Township 1 North, Range 5 West, Mount Diablo Meridian, as shown on that certain map dated 1870 and titled "Map No. 1 of Salt Marsh and Tide Lands situate in the County of Marin" on file at the California State Lands Commission Sacramento Office, located in Marin County, State of California, and being more particularly described as follows:

COMMENCING at a point the easterly line said BTLC Lot 3, said point being the southerly terminus of that certain course shown as "S26°51'35"E 1122.00'" on that certain record of survey filed January 2, 1996 in Book 34 of Surveys, at Page 36, Official Records of said county; thence along the easterly line of said BTLC Lot 3, North 26°51'35" West 531.31 feet to the POINT OF BEGINNING; thence continuing along said line, North 26°51'35" West 62.84 feet; thence leaving said line, North 61°16'25" East 123.69 feet; thence South 28°45'31" East 417.27 feet; thence South 61°14'29" West 66.11 feet; thence North 28°45'31" West 354.54 feet; thence South 61°14'29" West 59.66 feet to the point of beginning.

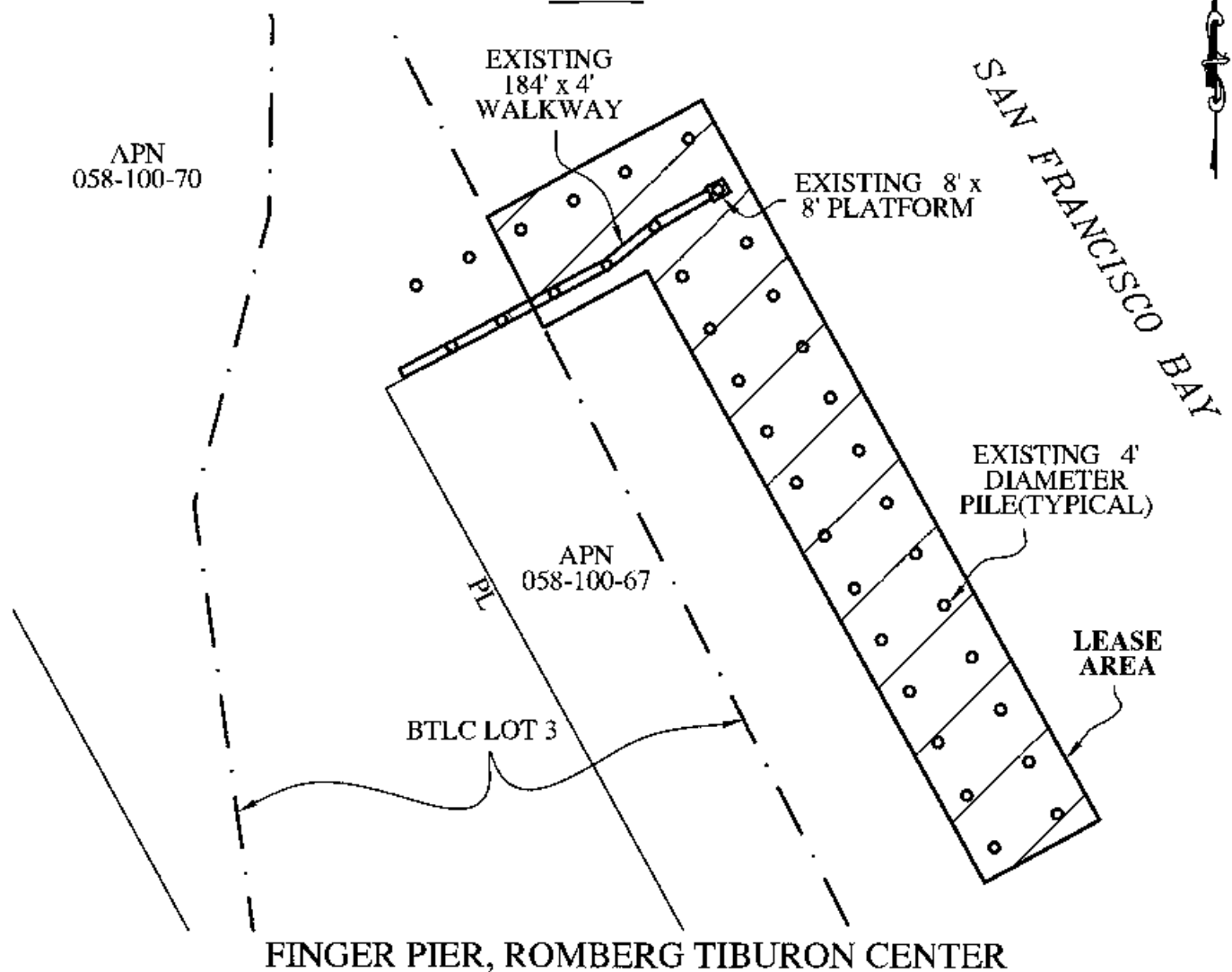
END OF DESCRIPTION

Prepared 07/17/2013 by the California State Lands Commission Boundary Unit.



NO SCALE

SITE



FINGER PIER, ROMBERG TIBURON CENTER

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

PRC 8446.9

SAN FRANCISCO

STATE UNIVERSITY

APNs 058-100-67 & 058-100-70

GENERAL LEASE -

PUBLIC AGENCY USE

MARIN 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.

FWP 07/17/13