

**CALENDAR ITEM  
C60**

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09/20/13

S 3

PRC 8268.9

D. Simpkin

**TERMINATION AND ISSUANCE OF A 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 300-foot long, 8-inch diameter saltwater intake pipeline and riprap.

**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 5, 2001, the Commission authorized Lease No. PRC 8268.9, a General Lease – Public Agency Use to the San Francisco State University Romberg Tiburon Center for Environmental Studies for the construction, use, and maintenance of a 300-foot long, 8-inch diameter saltwater intake pipeline, and drainage rock riprap. The lease will expire on December 31, 2015. The Applicant is now applying for a new General Lease – Public Agency Use.
3. The Applicant also has a separate lease for an existing finger pier, Lease No. PRC 8446.9. The Applicant has submitted an application for the

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continued use and maintenance of the 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. Staff recommended combining the two leases, but the Applicant prefers to have both leases separate but with concurrent terms. Accordingly, staff is recommending the termination of Lease No. PRC 8268.9 (salt-water intake pipeline and rock riprap) to coincide with the expiration of Lease No. PRC 8446.9 (pier, pilings, etc.).

4. 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.

5. 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:**

1. Authorize termination, effective August 22, 2013, of Lease No. PRC 8268.9, a General Lease – Public Agency Use, issued to the San Francisco State University Romberg Tiburon Center for Environmental Studies.
2. 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 the continued use and maintenance of an existing 300-foot long, 8-inch diameter saltwater intake pipeline and riprap 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.

## LAND DESCRIPTION

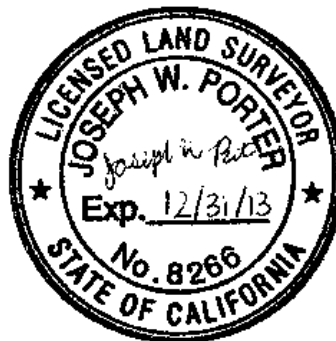
A strip of submerged land 10 feet wide situate in the bed of the San Francisco Bay, being adjacent to BTLC Lot 3, Section 32, Township 1 North, Range 5 West, Mount Diablo Meridian, as shown on that certain map dated 1870 and titled "Map No. 1 of Salt Marsh and Tide Lands situate in the County of Marin" on file at the California State Lands Commission Sacramento Office, located in Marin County, State of California, the centerline of said strip being more particularly described as follows:

COMMENCING at a point the easterly line said BTLC Lot 3, said point being the northerly terminus of that certain course shown as "S36°06'35"E 373.35'" 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, South 36°06'35" East 80.16 feet to The POINT OF BEGINNING, said point being on the centerline of an 8" diameter salt-water intake pipeline; thence from said point of beginning along said intake pipeline and prolongation thereof, North 62°39'17" East 254.74 feet to the TERMINUS of the centerline of said strip.

The sidelines of said strip shall be prolonged or shortened so as to terminate on the west at the easterly line of said BTLC Lot 3, and to terminate on the east at lines perpendicular to herein described centerline at its terminus.

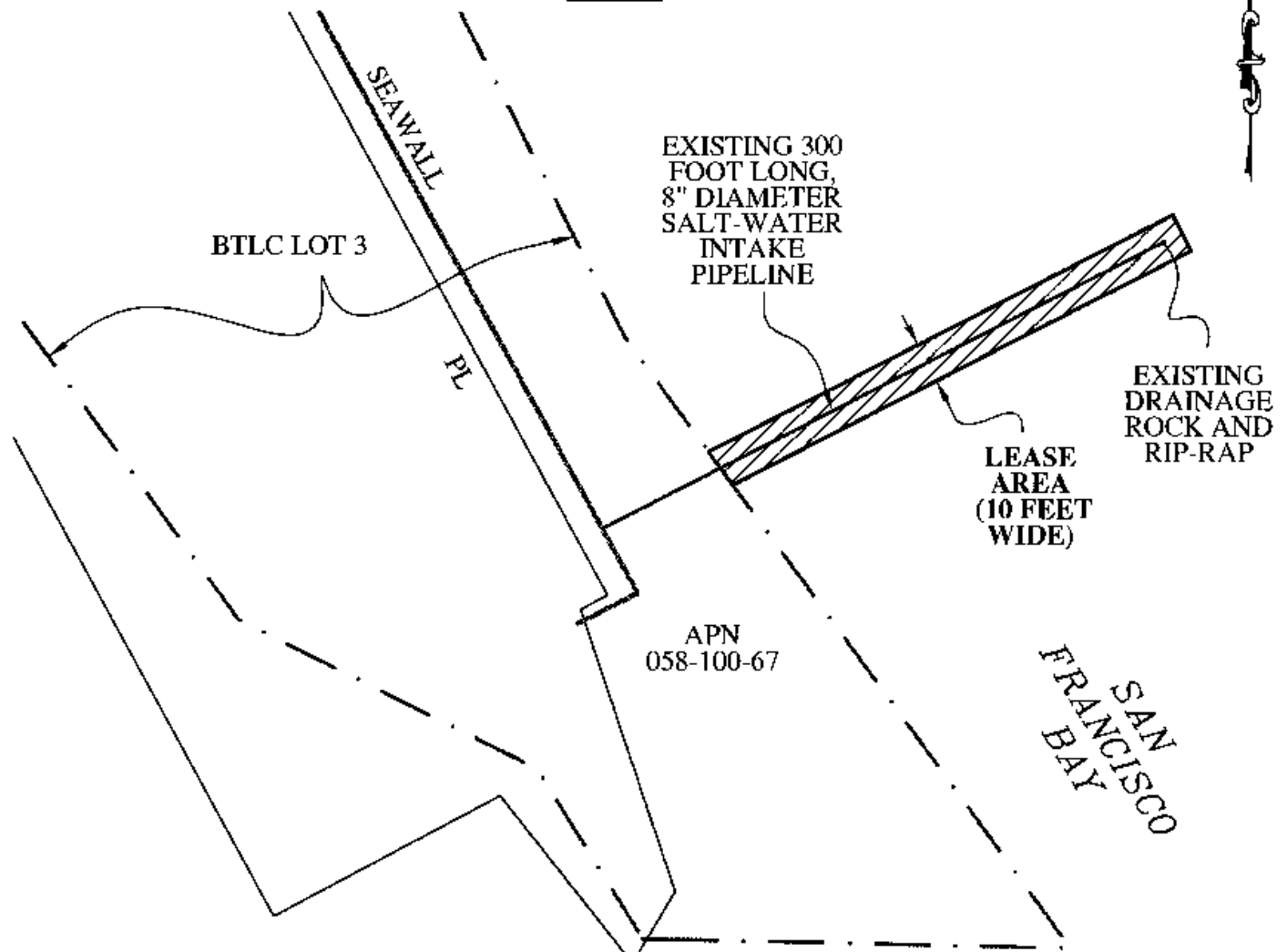
## END OF DESCRIPTION

Prepared 08/06/2013 by the California State Lands Commission Boundary Unit.



NO SCALE

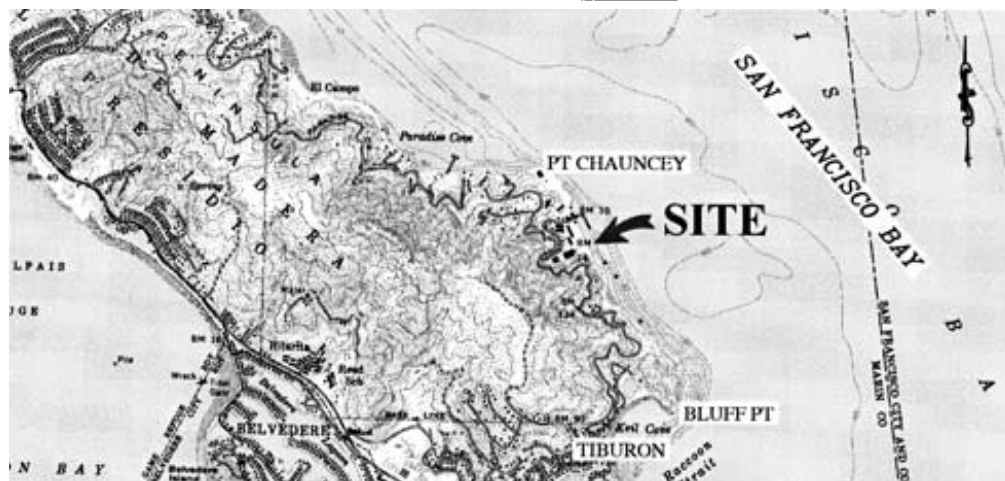
## SITE



INTAKE PIPELINE, ROMBERG TIBURON CENTER

NO SCALE

## LOCATION



MAP SOURCE: USGS QUAD

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.

## **Exhibit B**

PRC 8268.9  
SAN FRANCISCO  
STATE UNIVERSITY  
APN 058-100-67  
GENERAL LEASE -  
PUBLIC AGENCY USE  
MARIN COUNTY



JWP 08/06/13