

MINUTE ITEM

This Calendar Item No. C30 was approved as Minute Item No. 30 by the California State Lands Commission by a vote of 2 to 0 at its 2/27/96 meeting.

**CALENDAR ITEM
C30**

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GENERAL LEASE - RIGHT OF WAY USE

APPLICANT:

Westport Investments
2560 Mission College Boulevard, Suite 101
Santa Clara, California 95054-1291

AREA, TYPE LAND AND LOCATION:

A 0.298-acre parcel of tide and submerged land in Belmont Slough, City of Redwood City, San Mateo County.

LAND USE:

Proposed construction of two 48-inch diameter plastic storm water outfalls and placement of rock riprap at the outfall discharge areas.

PROPOSED LEASE TERMS:

Lease period:

Twenty-five (25) years beginning February 27, 1996

Surety bond:

\$5,000.

Public liability insurance:

Combined single limit coverage of \$1,000,000.

CONSIDERATION:

\$178 per annum; with the State reserving the right to fix a different rental on each fifth anniversary of the lease.

BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Code Regs. 2003.

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APPLICANT STATUS:

Applicant is owner of upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

Filing fee and processing costs have been received.

STATUTORY AND OTHER REFERENCES:

- A. Public Resources Code: Div. 6, Parts 1 and 2; Div. 13.
- B. Cal. Code Regs.: Title 3, Div. 3; Title 14, Div. 6.

AB 884:

Application incomplete at time of print.

OTHER PERTINENT INFORMATION:

1. Pursuant to the delegation of authority and the State CEQA Guidelines (14 Cal. Code Regs. 15061), the staff has determined that this activity is exempt from the requirements of the CEQA under the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. The staff believes there is no possibility that this project may have a significant effect on the environment.

Authority: 14 Cal. Code Regs. 15061 (b) (3).

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.

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APPROVALS OBTAINED:

United States Army Corps of Engineers.

FURTHER APPROVALS REQUIRED:

Regional Water Quality Control Board, City of Redwood City, San Francisco Bay Conservation and Development Commission, State Lands Commission.

EXHIBITS:

- A. Land Description
- B. Location Map

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. CODE REGS. 15061 BECAUSE THERE IS NO POSSIBILITY THAT THE ACTIVITY MAY HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT (14 CAL. CODE REGS. 15061 (b) (3).
2. FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.
3. AUTHORIZE ISSUANCE TO WESTPORT INVESTMENTS OF A 25-YEAR GENERAL LEASE - RIGHT OF WAY USE BEGINNING FEBRUARY 27, 1996; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$178, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF A \$5,000 SURETY BOND; PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF \$1,000,000; FOR PROPOSED CONSTRUCTION OF TWO 48-INCH DIAMETER PLASTIC STORM WATER OUTFALLS AND PLACEMENT OF ROCK RIPRAP ON THE LAND DESCRIBED ON EXHIBIT "A"

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ATTACHED AND BY REFERENCE MADE A PART HEREOF.

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EXHIBIT "A"

W 25282

**DESCRIPTION OF THE LANDS OF THE STATE
OF CALIFORNIA LEASED TO WESTPORT INVESTMENTS**

An easement for ingress, egress and the installation and maintenance of drainage facilities over, under, across and along that real property situate in the State of California, more particularly described as follows:

Easement 1

Beginning at the most Northwesterly corner of Parcel A as shown on that certain map entitled "Parcel Map 84-6", recorded in Volume 54 of Parcel Maps at Pages 72 and 73, San Mateo County Records, State of California; thence along the Westerly boundary of said Parcel A South 09°11'27" West 28.76 feet; thence South 03°33'33" East 211.52 feet; thence South 00°55'54" West 46.06 feet to the TRUE POINT OF BEGINNING; thence leaving said Westerly boundary of Parcel A North 89°04'06" West 100.00 feet; thence South 00°55'54" West 50.00 feet; thence South 89°04'06" East 100.00 feet to the Westerly boundary of said Parcel A; thence continuing along said Westerly boundary North 00°55'54" East 50.00 feet to the TRUE POINT OF BEGINNING.

Easement 2

Beginning at the most Southwesterly corner of Parcel B as shown on that certain map entitled "Parcel Map 84-6", recorded in Volume 54 of Parcel Maps at Pages 72 and 73, San Mateo County Records, State of California; thence along the Westerly boundary of said Parcel B North 09°11'27" East 185.88 feet; thence North 07°56'53" East 198.21 feet; thence North 10°25'00" East 408.60 feet to the TRUE POINT OF BEGINNING; thence leaving said Westerly boundary of Parcel B North 79°35'00" West 160.00 feet; thence North 10°25'00" East 50.00 feet; thence South 79°35'00" East 160.00 feet to the Westerly boundary of said Parcel B; thence continuing along said Westerly boundary South 10°25'00" West 50.00 feet to the TRUE POINT OF BEGINNING.



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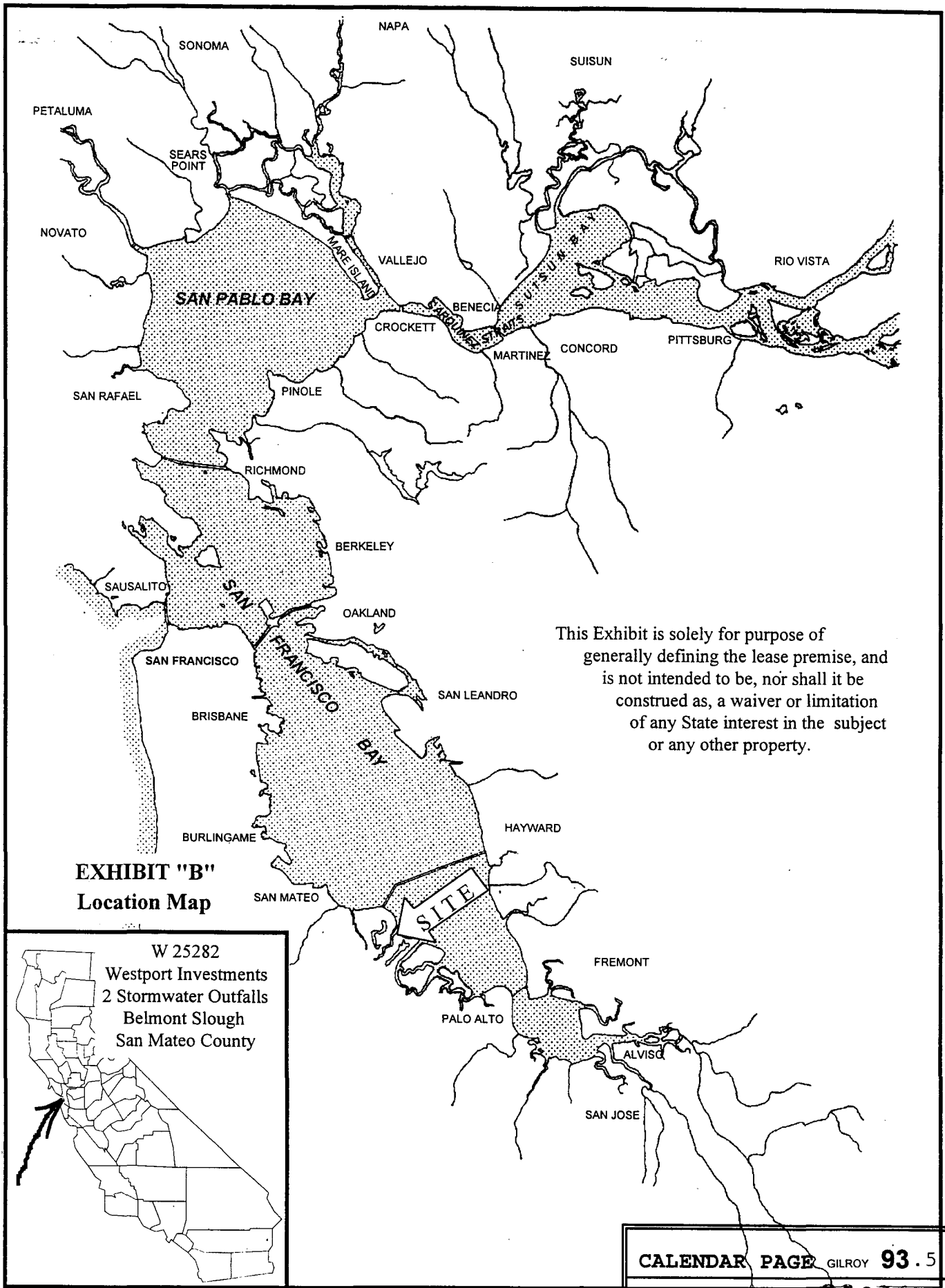


EXHIBIT "B"
Location Map

This Exhibit is solely for purpose of generally defining the lease premise, 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.

