

MINUTE ITEM

This Calendar Item No. 61
was approved as Minute Item
1 by the State Lands
Commission by a vote of 2
to 0 at its 2/25/82
meeting.

CALENDAR ITEM

C 0 1

2/25/82
PRC 5626
Bjornsen

INTERIM VOLUNTARY LEASE

BACKGROUND:

In 1978 the United States of America obtained, through leasehold condemnation Civil No. 77-1159 JWC, the right to the exclusive use and occupancy of 21,120 acres of State school land, located within Fort Irwin Military Reservation, San Bernardino County. The just compensation awarded was the amount of \$21,120 per annum. A term of years, beginning April 3, 1977 and ending March 31, 1978, was extendible yearly thereafter at the election of the United States until March 31, 1982, without the right of extension thereafter.

In the interim, Commission staff and the United States General Services Administration have been processing a land exchange agreement wherein the State's 21,120 acres of State school land within Fort Irwin is offered in exchange for land of equal value of the United States of America, located in Ventura and Yolo Counties. A completion date of the pending land exchange is uncertain at this point in time.

By letter of January 8, 1982, the Department of the Army, Los Angeles District, Corps of Engineers requested an interim voluntary lease of the 21,120 acres of State school land within Fort Irwin, because completion of the above-described exchange was very unlikely prior to the March 31, 1982 expiration of the leasehold. The offered lease rental was \$21,120 per annum, pending completion of the exchange with a provision for an adjustment of the \$21,120, based on an appraisal ordered by the Corps of Engineers for the purpose of negotiating the voluntary lease. The said annual rental was offered because the appraisal will not be prepared in time for meaningful negotiations prior to March 31, 1982.

A 34

S 16

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PROPOSED LEASE:

Term: One year, beginning April 1, 1982 and ending March 31, 1983; however, the lessee shall have the option to extend the lease for one year by giving written notice at least (30) days prior to expiration date of the lease.

Consideration: A minimum of \$21,120 per annum, payable on or before April 1, 1982; rental may be adjusted upward based upon an appraisal of the current fair market rental ordered by the United States to be completed by July 1, 1982.

Termination: Lease shall terminate, upon fee title in the lease premises passing to the United States with a proration of rental based on date such title passes, and a refund of rental allocatable for the period of time between lease termination and the stated lease expiration date.

STATUTORY AND OTHER REFERENCES:

A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.

B. Cal. Adm. Code: Title 2, Div. 3; Title 14, Div. 6.

AB 884:

N/A.

OTHER PERTINENT INFORMATION:

1. This project is exempt from CEQA because it involves operation of existing facilities (14 Cal. Adm. Code, Div. 6, Section 15101).
2. This project is situated on State land identified as possessing significant environmental values pursuant to PRC 6370.1; two of the 40 parcels are classified in a use category of Class A or B, which authorizes Restricted or Limited Use, respectively.

The description of these two parcels by classified use categories follow:

Class A: NW $\frac{1}{4}$, S $\frac{1}{2}$ of Section 16, T16N, R6E, SBM, 480 \pm acres. (Big Sheep Habitat)

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Class B: All of Section 16, T14N,
R2E, SBM, 640± acres. (Possible Archeo-
logical site)

Staff of the Commission has coordinated this project with those agencies and organizations who nominated the sites as containing significant environmental values. They have found this project is compatible with their nomination.

EXHIBITS: A. Land Description.
 B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL DOCUMENT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH DOCUMENT IS NOT REQUIRED UNDER THE PROVISIONS OF P.R.C. 21084, 14 CAL. ADM. CODE 15100 ET SEQ., AND 2 CAL. ADM. CODE 2905; AND THAT THE ACTIVITY IS CONSISTENT WITH THE LAND'S USE CLASSIFICATION.

2. AUTHORIZE ISSUANCE TO THE UNITED STATES OF AMERICA, ACTING BY AND THROUGH THE DEPARTMENT OF THE ARMY, LOS ANGELES DISTRICT, CORPS OF ENGINEERS, OF A ONE-YEAR INTERIM VOLUNTARY LEASE FROM APRIL 1, 1982, WITH LESSEE'S OPTION TO RENEW FOR ONE PERIOD OF ONE YEAR; IN CONSIDERATION OF A MINIMUM ANNUAL RENT IN THE AMOUNT OF \$21,120, SUBJECT TO ADJUSTMENT UPWARD BASED ON AN APPRAISAL OF CURRENT FAIR MARKET RENTAL; FOR EXCLUSIVE USE AND ENJOYMENT FOR THE ESTABLISHMENT OF FACILITIES FOR THE USE OF THE DEPARTMENT OF THE ARMY AND FOR OTHER MILITARY USES INCIDENT THERETO ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION

PRC 5626.2

Those certain 40 parcels of land situated in San Bernardino County, State of California, more particularly described as follows:

- PARCEL 1 - TRACT 5
Section 36, T18N, R2E, SBM, containing 640 acres more or less.
- PARCEL 2 - TRACT 6
S-1/2 of Section 36, T17N, R1E, SBM, containing 320 acres more or less.
- PARCEL 3 - TRACT 7
N-1/2 of Section 16, T17N, R2E, SBM, containing 320 acres more or less.
- PARCEL 4 - TRACT 8
Section 16, T17N, R3E, SBM, containing 640 acres more or less.
- PARCEL 5 - TRACT 9
E-1/2 of Section 16, T16N, R1E, SBM, containing 320 acres more or less.
- PARCEL 6 - TRACT 10
Section 36, T16N, R1E, SBM, containing 640 acres more or less.
- PARCEL 7 - TRACT 11
Section 16, T16N, R2E, SBM, containing 640 acres more or less.
- PARCEL 8 - TRACT 12
Section 36, T16N, R2E, SBM, containing 640 acres more or less.
- PARCEL 9 - TRACT 13
S-1/2 of Section 36, T16N, R3E, SBM, containing 320 acres more or less.
- PARCEL 10 - TRACT 14
NW-1/4 of Section 16, T16N, R4E, SBM, containing 160 acres more or less.
- PARCEL 11 - TRACT 15
N-1/2 of Section 36, T16N, R4E, SBM, containing 320 acres more or less.
- PARCEL 12 - TRACT 16
NE-1/4 of Section 16, T16N, R5E, SBM, containing 160 acres more or less.
- PARCEL 13 - TRACT 17
Section 36, T16N, R5E, SBM, containing 640 acres more or less.
- PARCEL 14 - TRACT 18
NW-1/4; S-1/2 of Section 16, T16N, R6E, SBM, containing 480 acres more or less.

EXHIBIT "A"

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- PARCEL 15 - TRACT 19
Section 16, T15N, R1E, SBM, containing 640 acres more or less.
- PARCEL 16 - TRACT 20
Section 36, T15N, R1E, SBM, containing 640 acres more or less.
- PARCEL 17 - TRACT 21
Section 16, T15N, R2E, SBM, containing 640 acres more or less.
- PARCEL 18 - TRACT 22
Section 36, T15N, R3E, SBM, containing 640 acres more or less.
- PARCEL 19 - TRACT 23
Section 16, T15N, R4E, SBM, containing 640 acres more or less.
- PARCEL 20 - TRACT 24
Section 36, T15N, R4E, SBM, containing 640 acres more or less.
- PARCEL 21 - TRACT 25
Section 16, T15N, R5E, SBM, containing 640 acres more or less.
- PARCEL 22 - TRACT 26
Section 36, T15N, R5E, SBM, containing 640 acres more or less.
- PARCEL 23 - TRACT 27
Section 16, T15N, R6E, SBM, containing 640 acres more or less.
- PARCEL 24 - TRACT 28
Section 16, T14N, R2E, SBM, containing 640 acres more or less.
- PARCEL 25 - TRACT 29
S-1/2 of Section 36, T14N, R2E, SBM, containing 320 acres more or less.
- PARCEL 26 - TRACT 30
Section 16, T14N, R3E, SBM, containing 640 acres more or less.
- PARCEL 27 - TRACT 31
SW-1/4 of Section 36, T14N, R3E, SBM, containing 160 acres more or less.
- PARCEL 28 - TRACT 32
NW-1/4 of Section 16, T14N, R4E, SBM, containing 160 acres more or less.
- PARCEL 29 - TRACT 33
Section 16, T14N, R5E, SBM, containing 640 acres more or less.
- PARCEL 30 - TRACT 34
Section 36, T14N, R5E, SBM, containing 640 acres more or less.

EXHIBIT "A"

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PARCEL 31 - TRACT 35

Section 16, T14N, R6E, SBM, containing 640 acres more or less.

PARCEL 32 - TRACT 36

Section 16, T13N, R2E, SBM, containing 640 acres more or less.

PARCEL 33 - TRACT 37

Section 36, T13N, R2E, SBM, containing 640 acres more or less.

PARCEL 34 - TRACT 38

Section 16, T13N, R3E, SBM, containing 640 acres more or less.

PARCEL 35 - TRACT 39

Section 36, T13N, R3E, SBM, containing 640 acres more or less.

PARCEL 36 - TRACT 40

Section 16, T13N, R4E, SBM, containing 640 acres more or less.

PARCEL 37 - TRACT 41

Section 36, T13N, R4E, SBM, containing 640 acres more or less.

PARCEL 38 - TRACT 42

Section 16, T13N, R5E, SBM, containing 640 acres more or less.

PARCEL 39 - TRACT 43

Section 16, T12N, R3E, SBM, containing 640 acres more or less.

PARCEL 40 - TRACT 144

SW-1/4 of Section 16, T16N, R5E, SBM, containing 160 acres more or less.

Above described parcels contain a total area of 21,120 acres more or less.

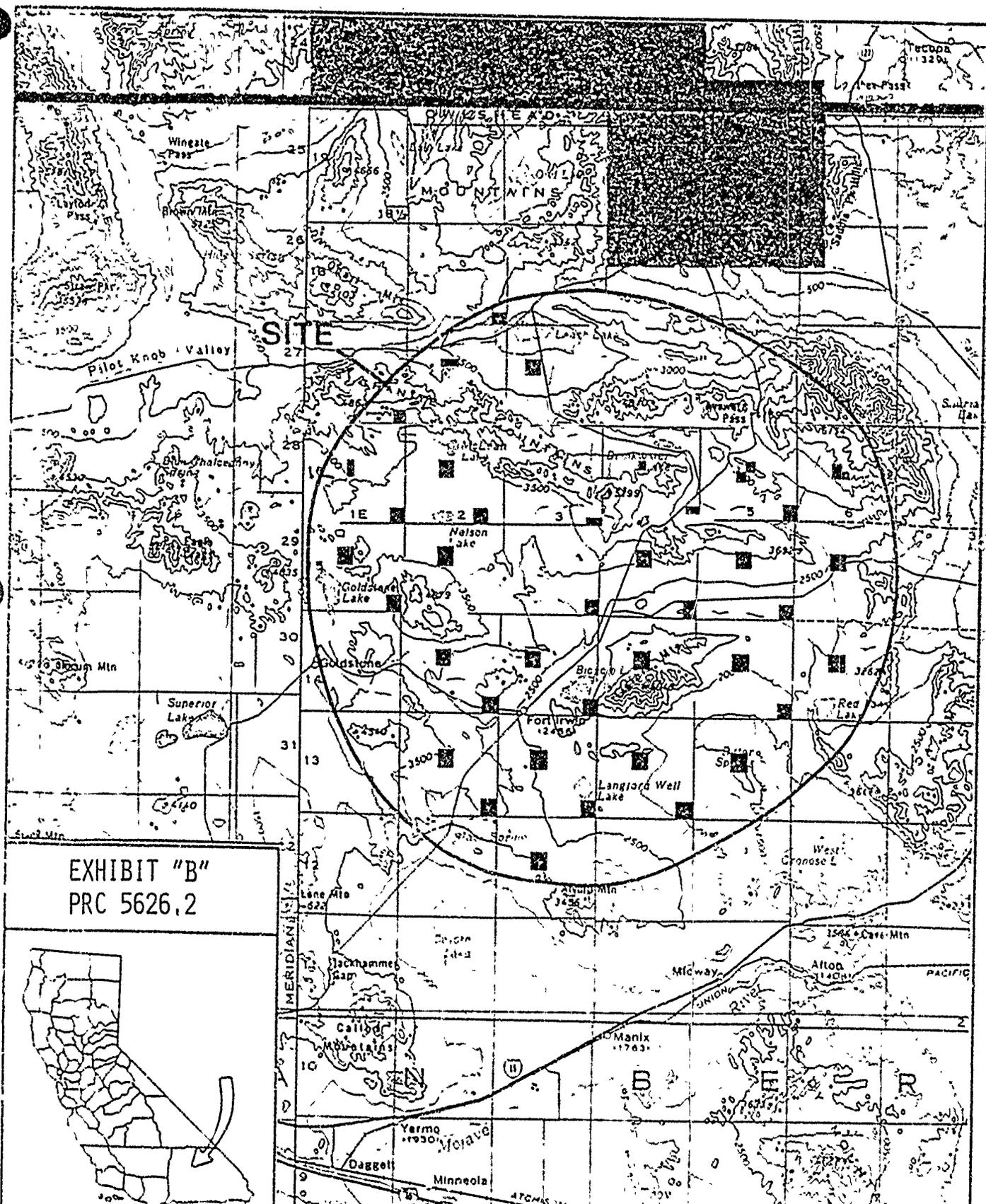


EXHIBIT "B"
 PRC 5626, 2

