MINUTE ITEM

This Calendar Item No. C 9
was approved as Minute Item
No. 9 by the State Lands
Commission by a vote of 3
to 0 at its 9/23/82
meeting.

CALENDAR ITEM

C 09

9/23/82
WP 4197
Bjornsen
PRC 4197

GRAZING LEASE

BACKGROUND: Grant W. Squire was a 15-year grazing lessee, from August 5, 1963, of the 187.41 acres of State school land involved in this lease transaction. In February 1979, however, Mr. Squire sold his ranch to Walter Neubauer and hand-passed his grazing lease to him at the time of sale. Information was not provided Commission staff by Mr. Squire on this matter until February 1980. By Commission action, (Minute Item No. 22, Meeting of April 24, 1980) Mr. Squire's lease quitclaim deed was accepted and his grazing lease terminated.

The Commission staff pursued placing the subject 187.41 acres under lease with Mr. Neubauer. A lease application was received from him on June 25, 1982, along with an executed lease document. Mr. Neubauer has made four annual rental payments in the amount of $75.60 per annum; these rental payments cover the period of August 5, 1979 through August 4, 1983, the first four years of this proposed lease.

PROPOSED LEASE:

APPLICANT: Walter Neubauer
125 West 155th Street
Gardena, California 90247

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CALENDAR ITEM NO. C 0 9 (CONTD)

AREA, TYPE LAND AND LOCATION:
A 187.41-acre parcel, more or less, of State school land situated in Fresno and San Benito Counties.

LAND USE: Livestock grazing.

TERMS OF PROPOSED LEASE:

Initial period: Ten years from August 5, 1979.

Special:

1. The number of animals permitted on the leased land is restricted to those that can be supported by the available forage and water, taking into consideration forage and water reserved for necessary wildlife use. The available carrying capacity is estimated to average 40 animal unit months annually. However, the actual capacity may vary over the term of this lease due to climatic conditions or other natural phenomena.

2. Lessee covenants that all reasonable precautions will be taken to practice water conservation on the leased premises during the term of this lease.

3. Lessee shall take all reasonable and necessary actions to prevent, suppress and control fires.

CONSIDERATION: $75.60 per annum with the State reserving the right to fix a different rental on the fifth anniversary of the lease.

BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Adm. Code 2003(a)(6). The estimated carrying capacity of the 187.41 acres, more or less, is 40 animal unit months; the rental is $75.60 per annum.

PREREQUISITE TERMS, FEES AND EXPENSES:

Filing fee and the first through fourth year's annual rental have been received.

STATUTORY AND OTHER REFERENCES:

A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13; Div. 20.

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 is within the purview of 2 Cal. Adm. Code 2905, Class 4(1) which exempts the grazing of livestock where disturbance of soil does not occur.

2. This project is situated on State school lands identified as possessing significant environmental values pursuant to P.R.C. 6370.1, and is classified in use categories, Class A (the portion in Fresno County) and Class B (the portion in San Benito County), which authorizes Restricted Use and Limited Use, respectively.

   Staff has coordinated this project with those agencies and organizations which nominated the sites as containing significant environmental values. they have found this project to be compatible with their nominations.

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.

2. FIND THAT GRANTING OF THE LEASE WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1 OF THE P.R.C.

3. AUTHORIZE ISSUANCE TO WALTER NEUBAUER OF A TEN-YEAR GRAZING LEASE FROM AUGUST 5, 1979; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF $75.60 WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON THE FIFTH ANNIVERSARY OF THE LEASE FOR LIVESTOCK GRAZING ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION WP 4197

A parcel of California State School land situate in Fresno County and San Benito County, California, described as follows:

Lots 10, 11, 19 and 20 and the North 1/2 of the Southwest 1/4 of Section 36, T18S, R12E, M.D.M.

END OF DESCRIPTION

PREPARED 2/28/80 BY TECHNICAL SERVICES UNIT, ROY MINNICK, SUPERVISOR.

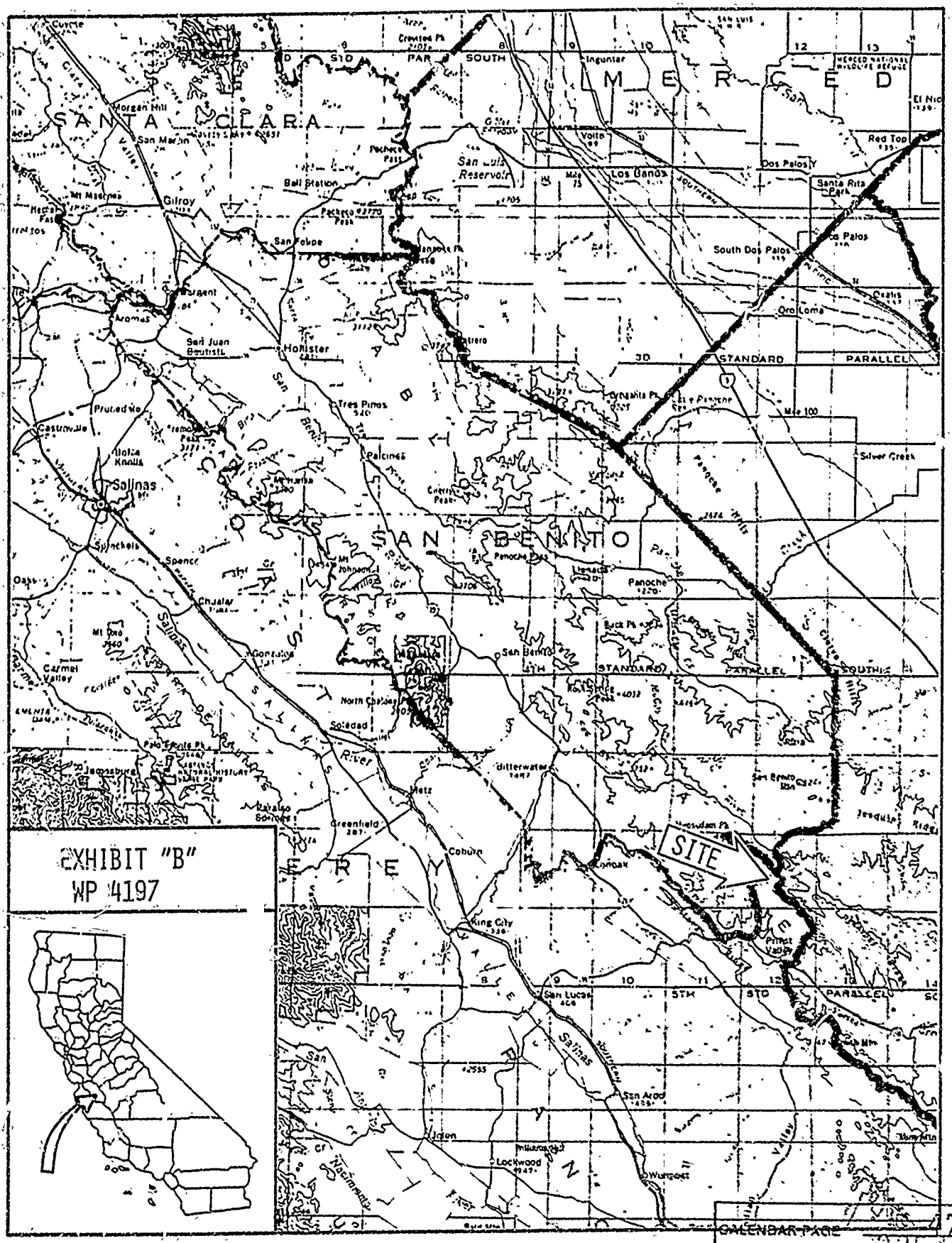

EXHIBIT "B"
WP 4197

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