MINUTE ITEM
This Calendar Item No. 28
was approved as Minute Item
No. 28 by the State Lands
Commission by a vote of 3
to 0 at its 9/25/84
meeting. 1

CALENDAR ITEM
28

S 1

09/25/84
W 23369
Lane
PRC 6733

APPROVAL OF A GRAZING LEASE

APPLICANT: Marcel L. Capik
P.O. Box 8
Davis Creek, California 96108

AREA, TYPE LAND AND LOCATION:
A 517.78-acre parcel of submerged land located in the bed of Goose Lake, Modoc County.

LAND USE: Livestock grazing.

TERMS OF PROPOSED LEASE:
Initial period: Ten years beginning September 1, 1984.

CONSIDERATION: $517.78 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. Adm. Code 2003.

APPLICANT STATUS:
Applicant is owner, permittee of upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:
Filing fee has been received.
First year's rental has been paid.

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: 10/15/84.

OTHER PERTINENT INFORMATION:

1. The applicant proposes to use the 500 plus acres located in dry submerged lands of Goose Lake for grazing cattle during the summer months, usually April through August. He has a BLM grazing lease which adjoins the State-owned lands and he owns property adjacent to the Federal lands.

   Terms of the lease restrict the carrying capacity to that established by BLM.

2. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 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.

3. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Adm. Code 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorical exempt project. The project is exempt under Class 4, grazing of livestock where soil disturbance does not occur. 2 Cal. Adm. Code 2905(d)(1).

   Authority: P.R.C. 21084, 14 Cal. Adm. Code 15300, and 14 Cal. Adm. Code 2905 (d)(1). Class 4 (1).

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. ADM. CODE 15061 AS A CATEGORICAL EXEMPT PROJECT, CLASS 4 (1), LIVESTOCK GRAZING WHERE SOIL DISTURBANCE DOES NOT OCCUR. 2 CAL. ADM. CODE 2905.

2. FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO P.R.C. 6370, ET SEQ.

3. AUTHORIZE ISSUANCE TO MARCEL L. CAPIK OF A TEN -YEAR GRAZING LEASE BEGINNING SEPTEMBER 1, 1984; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF $517.70, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH 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 W 23369

Those portions of the lakebed of Goose Lake, Modoc County, California, lying within the following described areas:

PARCEL 1

W½ of the W½ of projected Section 10, T45N, R13E, MDM.

PARCEL 2

W½ of the W½ of projected Section 15, T45N, R13E, MDM.

PARCEL 3

W½ of the W½ of projected Section 22, T45N, R13E, MDM.

PARCEL 4

That portion of the W½ of the NW¼ of projected Section 27, T45N, R13E, MDM lying northerly of the U.S. Meander Line.

END OF DESCRIPTION

REVISED SEPTEMBER 6, 1984 BY BOUNDARY AND TITLE UNIT.

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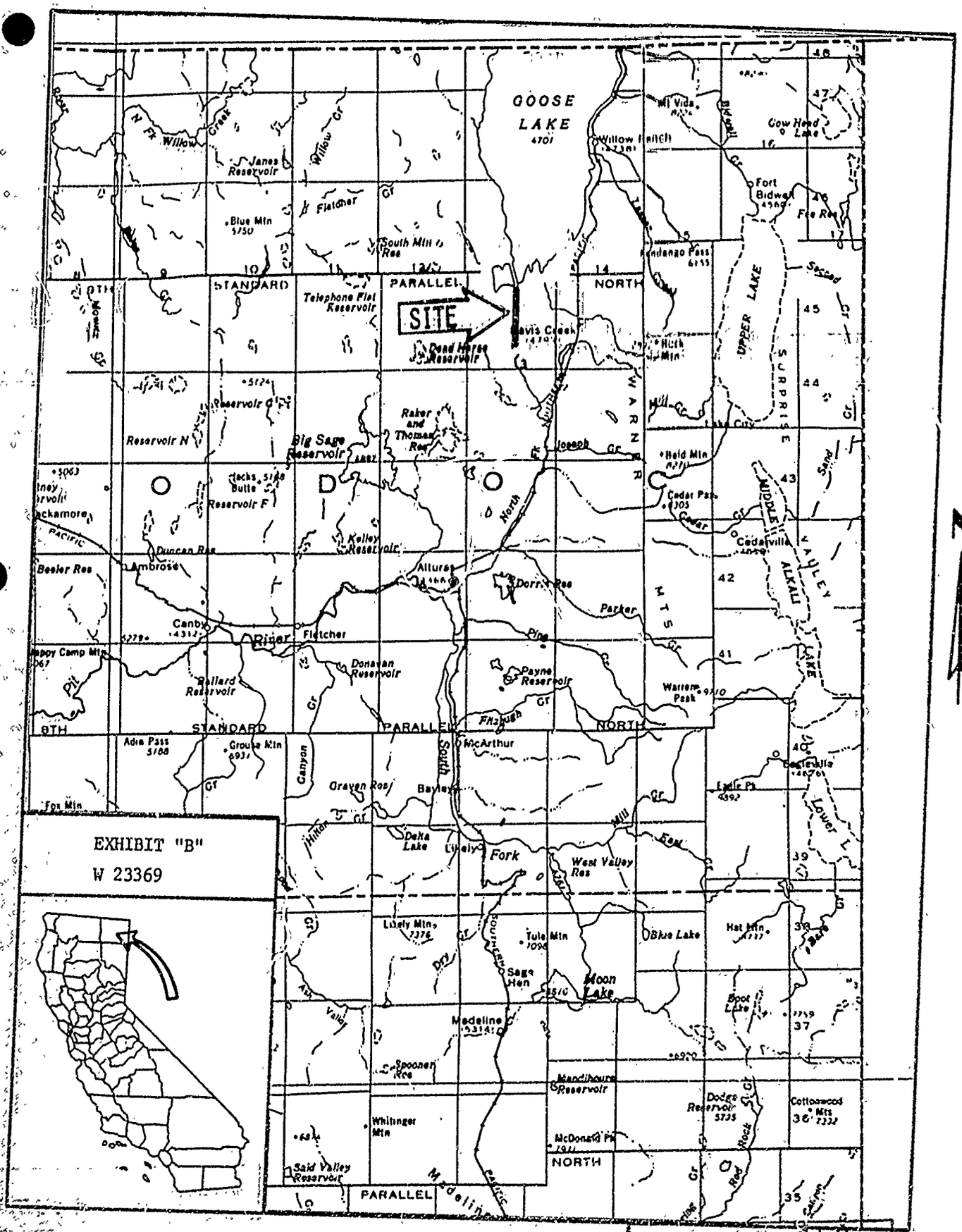

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