

MINUTE ITEM

... No. C19
... from
No. 19
Comm. ...
to ... at its 12/19/85
meeting.

CALENDAR ITEM

A 1
S 1

C19

12/19/85
WP 514 PRC 514
Bjornsen

GENERAL PERMIT - PUBLIC AGENCY USE

APPLICANT: The United States Army Corps of Engineers
Sacramento District
650 Capitol Mall
Sacramento, California 95814

AREA, TYPE LAND AND LOCATION: 16 282.54± acres of school land situated in
Honey Lake Valley north of Herlong, Lassen
County.

LAND USE: Operation and maintenance of established
facilities for military purposes within the
Sierra Army Depot.

TERMS OF ORIGINAL LEASES:
PRC 514.2 Containing 15,242.54± acres

Initial period: 23 years, five months
beginning February 1, 1942.

Renewal options: Two successive periods of
ten years each and a
six-month carryover lease
ending December 31, 1985.

Consideration: \$1,829.10 per annum.

Special: The same consideration, terms
and conditions of the
original lease virtually
prevailed throughout the
43 years, 11 months this
agreement has been in effect.

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CALENDAR ITEM NO. 215 (CONT'D)

PRC 1230.2 Containing 1,040± acres

Initial period: 14 years, nine months
beginning October 1, 1950.

Renewal options: Two successive periods of
ten years each and a
six-month carryover lease
ending December 31, 1985.

Consideration: \$124.80 per annum.

Special: The same consideration, terms
and conditions of the
original lease prevailed
throughout the 35 years,
three months this agreement
has been in effect.

TERMS OF THE PROPOSED PERMIT:

The above-described leases and total acreage of
school land are being consolidated into one new
lease as follows:

Initial period: Five years nine months
beginning January 1, 1986.

CONSIDERATION: \$25,000 per annum. For the interim period
between January 1, 1986 and September 30, 1986,
the rental for the State land described in
Exhibit "A" shall be \$18,750, payable on or
before September 30, 1986.

The annual rental thereafter shall be
\$25,000, payable in arrears on or before each
subsequent September 30th of this lease.

BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Adm. Code 2003.

Rental arrived at through negotiations,
following receipt from the applicant of a
letter of intent to file a complaint in
condemnation with a Declaration of Taking (of
leasehold) in U.S. District Court. This is the
cause for the Commission's staff to deviate
from an annual rental based upon nine percent
of the appraised value of the leased land.

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CALENDAR ITEM NO. C 1 (CONT'D)

APPLICANT STATUS:

Applicant is owner of adjoining land.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

Filing fee has been received.

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. 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 1, Existing Facilities, 2 Cal. Adm. Code 2905(a)(2).

Authority: P.R.C. 21084, 14 Cal. Adm. Code 15300, and 2 Cal. Adm. Code 2905.
2. The original leases PRC 514 and PRC 1230 expired June 30, 1985. By Commission action at its meeting of August 29, 1985, authorization was granted for issuance of a carryover lease for each of said leases beginning July 1, 1985 and ending December 31, 1985. During this period, the Commission's staff was to work with the Corps of Engineers to either develop a replacement lease at a more equitable rental for the State or the disposal of the school land within Sierra Army Depot at fair market value.
3. Due to major differences in the annual rental developed by Commission regulations (Section 2003[4] of Title 2, Division 3 of the Cal. Adm. Code) of nine percent of the appraised value of the leased land and the

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CALENDAR ITEM NO. C 19 (CONT'D)

appraisal practices of Applicant, negotiations had to be resorted to for arriving at a mutually acceptable annual rental amount.

4. During the term of this lease, it is the intent of the Lessee to purchase all of the lease premises, subject to availability of funds.

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 1, EXISTING FACILITIES, 2 CAL. ADM. CODE 2905(a)(2).
2. AUTHORIZE ISSUANCE TO THE UNITED STATES OF AMERICA, SACRAMENTO DISTRICT, CORPS OF ENGINEERS OF A FIVE-YEAR, NINE-MONTH GENERAL PERMIT - PUBLIC AGENCY USE BEGINNING JANUARY 1, 1986; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$25,000 IN ARREARS, WITH \$18,750 PAYABLE ON OR BEFORE SEPTEMBER 30, 1986 AND \$25,000 PAYABLE IN ARREARS ON OR BEFORE EACH SUBSEQUENT SEPTEMBER 30TH OF THIS LEASE, FOR THE OPERATION AND MAINTENANCE OF ESTABLISHED FACILITIES FOR MILITARY PURPOSES WITHIN THE SIERRA ARMY DEPOT ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

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EXHIBIT "A"

LAND DESCRIPTION

WP 514

Those portions of State-owned land in the County of Lassen, State of California, more particularly described as follows:

<u>Subdivision</u>	<u>Sec.</u>	<u>Twp.</u>	<u>Rq.</u>	<u>Meridian</u>
W $\frac{1}{2}$ of SW $\frac{1}{4}$	1	27N	16E	M.D.M.
Lots 2 and 3	2	"	"	"
N $\frac{1}{2}$, SE $\frac{1}{4}$, N $\frac{1}{2}$ of SW $\frac{1}{4}$, SW $\frac{1}{4}$ of SW $\frac{1}{4}$	4	"	"	"
NW $\frac{1}{4}$ of NW $\frac{1}{4}$, NE $\frac{1}{4}$	9	"	"	"
NW $\frac{1}{4}$, E $\frac{1}{2}$ of SW $\frac{1}{4}$, NW $\frac{1}{4}$ of SE $\frac{1}{4}$	10	"	"	"
N $\frac{1}{2}$, NE $\frac{1}{4}$ of SE $\frac{1}{4}$, W $\frac{1}{2}$ of SE $\frac{1}{4}$, SW $\frac{1}{4}$	11	"	"	"
N $\frac{1}{2}$, NE $\frac{1}{4}$ of SE $\frac{1}{4}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ of SE $\frac{1}{4}$	12	"	"	"
All	13	"	"	"
All	14	"	"	"
NW $\frac{1}{4}$, NE $\frac{1}{4}$ of SW $\frac{1}{4}$	15	"	"	"
Lots 1 and 2	16	"	"	"
NE $\frac{1}{4}$	22	"	"	"
All	23	"	"	"
All	24	"	"	"
All	27	"	"	"
All	34	"	"	"
All, excepting therefrom 0.23 of an acre more particularly described as follows: "BEGINNING at a point which bears N 0° 22' 20" E, 100.58 feet from the northeast corner of the NW $\frac{1}{4}$ of Section 2, T26N, R16E, MDM and running thence N 89° 37' 40" W, 100 feet; thence N 0° 22' 20" E, 100 feet; thence S 89° 37' 40" E, 100 feet; thence S 0° 22' 20" W, 100 feet to the point of beginning.	35	"	"	"
Lots 1, 2, 3, 4, 5, 6, 7	6	27N	17E	M.D.M.
Lots 1, 2, 3, 4	7	"	"	"
All	8	"	"	"
All	17	"	"	"
All	18	"	"	"
All	19	"	"	"
All	20	"	"	"
Lot 4	30	"	"	"
N $\frac{1}{2}$ of N $\frac{1}{2}$, S $\frac{1}{2}$ of NW $\frac{1}{4}$, N $\frac{1}{2}$ of SW $\frac{1}{4}$, S $\frac{1}{2}$ of S $\frac{1}{2}$	29	"	"	"
Portion N of W. Pac. RR R/W	31	"	"	"
" " " " " " "	32	"	"	"
E $\frac{1}{2}$ of SE $\frac{1}{4}$	20	28N	16E	M.D.M.
S $\frac{1}{2}$ of SE $\frac{1}{4}$	24	"	"	"
S $\frac{1}{2}$, E $\frac{1}{2}$ of NE $\frac{1}{4}$	25	"	"	"
SE $\frac{1}{4}$	26	"	"	"

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<u>Subdivision</u>	<u>Sec.</u>	<u>Twp.</u>	<u>Rg.</u>	<u>Meridian</u>
SE $\frac{1}{4}$	28	28N	16E	M.D.M.
N $\frac{1}{2}$ of NE $\frac{1}{4}$	33	"	"	"
S $\frac{1}{2}$, NW $\frac{1}{4}$	34	"	"	"
N $\frac{1}{2}$, SE $\frac{1}{4}$, E $\frac{1}{2}$ of SW $\frac{1}{4}$	35	"	"	"
Lots 3, 4, & 6.74 Ac of Lot 2	19	28N	17E	M.D.M.
So. of S.P.R/W		"	"	"
Lots 1, 2, 3, 4, E $\frac{1}{2}$ of W $\frac{1}{2}$, SE $\frac{1}{4}$	30	"	"	"
S $\frac{1}{2}$ of SW $\frac{1}{4}$	29	"	"	"
All	31	"	"	"
W $\frac{1}{2}$, W $\frac{1}{2}$ of SE $\frac{1}{4}$	32	"	"	"

END OF DESCRIPTION

REVISED MARCH 19, 1985, BY BOUNDARY SERVICES UNIT, M. L. SHAFER, SUPERVISOR.

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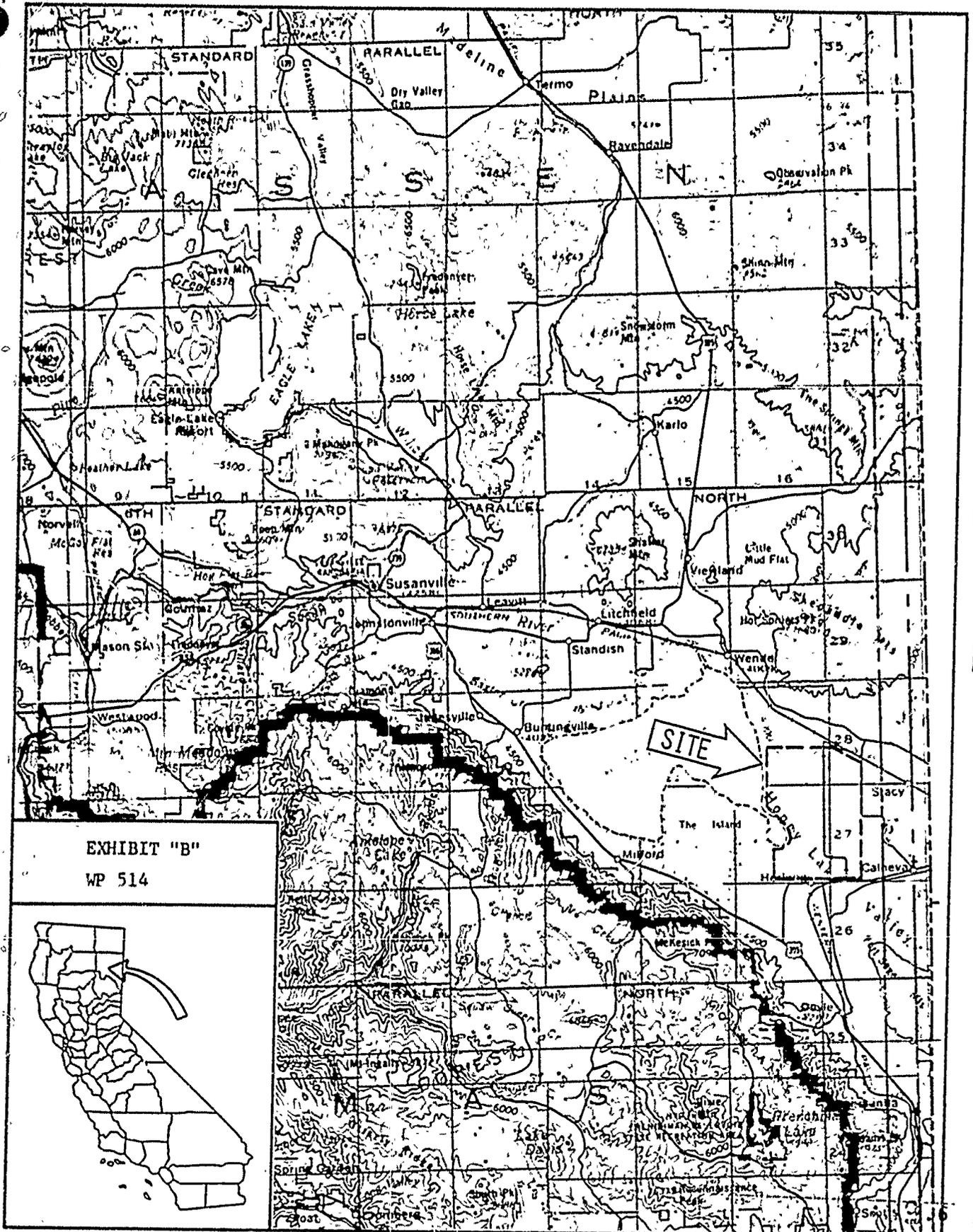


EXHIBIT "B"
WP 514

