

MINUTE ITEM

This Calendar Item No. C90 was approved as Minute Item No. 90 by the California State Lands Commission by a vote of 3 to 0 at its 5/12/97 meeting.

**CALENDAR ITEM
C90**

A 34

S 25

05/12/97
PRC 736
A. Willard
E. Kruger

**CONSIDER APPROVAL OF A NEGOTIATED MINERAL
EXTRACTION LEASE FOR INDUSTRIAL MINERALS
ON STATE SCHOOL LAND,
INYO COUNTY**

BACKGROUND:

U.S. Borax, Inc., (Borax) has been the Lessee of Mineral Extraction Lease No. PRC 736 since 1952. The lease, containing 160 acres of fee-owned school land, will expire on April 30, 1997. Borax has requested a new lease with terms and conditions substantially similar to those now in effect. Negotiations with Borax have resulted in an agreement acceptable to both Borax and the Commission staff. The new lease will for the protraction of sodium borates commence May 1, 1997 for a primary term of ten years.

STATUTORY AND OTHER REFERENCES:

- A. Public Resources Code: Division 6, Parts 1 and 2; Division 13.
- B. California Code of Regulations: Title 3, Division 3; Title 14, Division 6.

PERMIT STREAMLINING ACT OF DEADLINE:

N/A

OTHER PERTINENT INFORMATION:

- 1. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of the CEQA because it involves an "ongoing project" as defined by CEQA and the State CEQA Guidelines.

Authority: Public Resources Code Section 21169 and 14 Cal. Code Regs. 15261.

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IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THIS ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A STATUTORILY EXEMPT PROJECT PURSUANT TO PUBLIC RESOURCES CODE SECTION 21169 AND 14 CAL. CODE REGS. 15261, AN ACTIVITY INVOLVING AN ONGOING PROJECT.

2. AUTHORIZE A MINERAL EXTRACTION LEASE NO. PRC 736 TO U.S. BORAX, INC., FOR CONTINUED EXTRACTION OF INDUSTRIAL MINERALS (SODIUM BORATES) COMMENCING MAY 1, 1997 AND ENDING APRIL 30, 2007; ALL OTHER TERMS AND CONDITIONS OF THE LEASE TO REMAIN THE SAME.