MINUTE ITEM
This Calendar Item No. C39 was approved as Minute Item No. 39 by the California State Lands Commission by a vote of 3 to 0 at its 9-3-99 meeting.

CALENDAR ITEM
C39

A 34

S 17

PRC 8108

09/03/99
W 25557
J. Smith

GENERAL LEASE - RIGHT OF WAY

LESSEE:

Granite Construction Company
38000 Monroe Street
Indio, California 92203

AREA, LAND TYPE, AND LOCATION:

.37 acres, more or less, of State lieu lands three miles south of Mojave, Kern County.

AUTHORIZED USE:

Maintenance of a water pipeline.

LEASE TERM:

Ten years, beginning September 1, 1999.

CONSIDERATION:

$100 per year; with the State reserving the right to fix a different rent periodically during the lease term as provided in the lease.

SPECIFIC LEASE PROVISIONS:

Insurance:

Liability Insurance: Combined single limit coverage of $1,000,000.

Bond:

$5,000.

OTHER PERTINENT INFORMATION:

1. Applicant has a right to use the lands adjoining the lease premises.

2. Applicant is requesting a right of way lease in order to assume maintenance of an existing water pipeline previously covered under Lease No. PRC 7132.2. This lease, issued to Shell Oil Company, included the water pipeline, monitoring well, and a portion of a processing pond on

State lieu land, used in conjunction with its gold ore operations. Shell has ceased mining activity, is in the final phases of the closure process, and has sold its mineral lease and mining equipment to the Applicant. Shell has requested that its lease be amended to delete the water pipeline and a lease be issued to the Applicant for the water pipeline, which is needed as part of the Applicant's operation of crushing reclaimed rock to make aggregate. The source of the water is located on private property.

3. Pursuant to the preceding calendar item, staff is recommending that the Commission authorize the amendment of Lease No. PRC 7132.2.

4. 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 as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; Title 2, California Code of Regulations, section 2905 (a)(2).

   Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300 and Title 2, California Code of Regulations, section 2905.

5. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 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.

EXHIBITS:

A. Land Description
B. Location and Site Map

PERMIT STREAMLINING ACT DEADLINE:

N/A

RECOMMENDED ACTION:
IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 1, EXISTING FACILITIES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (a)(2).

SIGNIFICANT LANDS INVENTORY FINDING:

FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE ISSUANCE TO GRANITE CONSTRUCTION COMPANY OF A GENERAL LEASE - RIGHT OF WAY, BEGINNING SEPTEMBER 1, 1999, FOR A TERM OF TEN YEARS, FOR MAINTENANCE OF A WATER PIPELINE ON THE LAND DESCRIBED ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; ANNUAL RENT IN THE AMOUNT OF $100; WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENT PERIODICALLY DURING THE LEASE TERM, AS PROVIDED IN THE LEASE; LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF $1,000,000; SURETY IN THE AMOUNT OF $5,000.

EXHIBIT "A"
LAND DESCRIPTION

W 25557

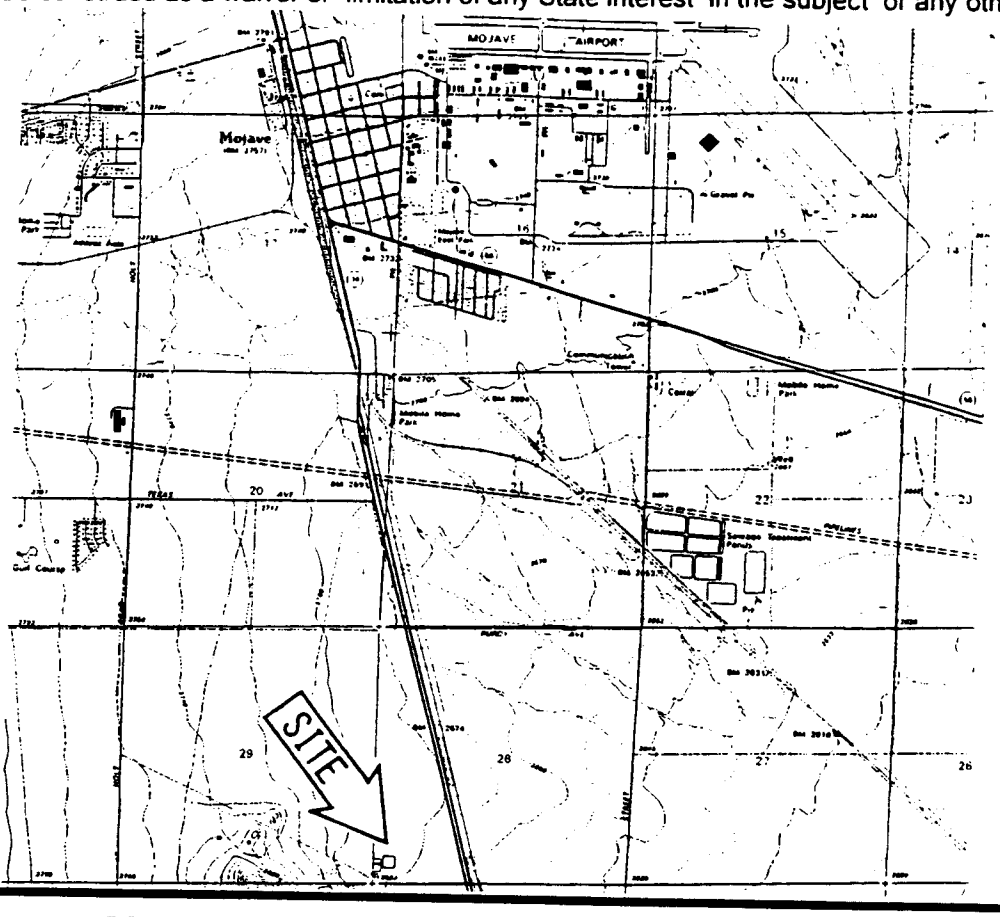
A strip of land 20 feet wide, across California State lieu lands situated in Lot 1, Section 28, Township 11 North, Range 12 West, San Bernardino Meridian, in Kern County, California, and lying 10 feet on each side of the following described centerline;

COMMENCING at the corner common to Sections 28, 29, 32 and 33 Township 11 North, Range 12 West, San Bernardino Meridian; thence N51°06'E, 416.7 feet to the POINT OF BEGINNING of the herein described strip of land; thence N82°54'E, 1021.7 feet to the end of the herein described centerline.

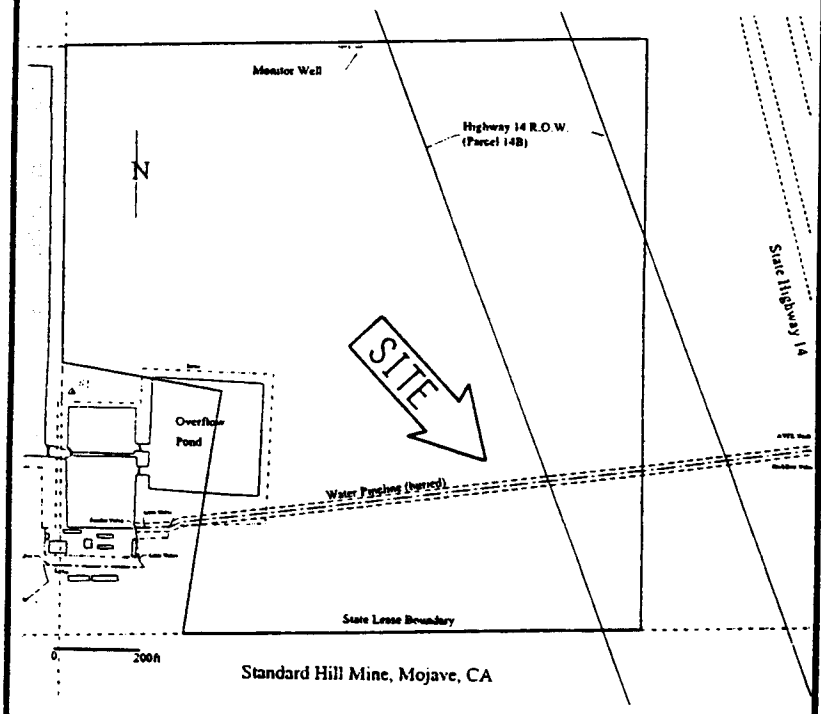
EXCEPTING THEREFROM that portion thereof patented August 30, 1971 to the California State Department of Public Works, Division of Highways.

END DESCRIPTION

This Exhibit is solely for purposes of generally defining the lease premises and is not intended to be, nor shall it be construed as a waiver or limitation of any State interest in the subject or any other property.



DRAWING NOT TO SCALE



Standard Hill Mine, Mojave, CA

EXHIBIT "B"

LOCATION MAP
W 25557
GRANITE CONSTRUCTION CO
SEC.28,T11N,R12W,SBM
KERN COUNTY

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