

MINUTE ITEM
This Calendar Item No. C13 was approved as
Minute Item No. 13 by the California State Lands
Commission by a vote of 3 to 0 at its
06/28/07 meeting.

CALENDAR ITEM
C13

A 34
S 18

06/28/07
PRC 8277 WP 8277.9
J. Brown

GENERAL LEASE - PUBLIC AGENCY USE

APPLICANT:

Great Basin Unified Air Pollution Control District
157 Short Street
Bishop, CA 93514

AREA, LAND TYPE, AND LOCATION:

A parcel of State-owned sovereign land in the bed of Owens Lake, Inyo County.

AUTHORIZED USE:

Ingress and egress utilizing an existing dirt road that crosses State-owned land; the continued use and maintenance of an air monitoring station that consists of a 33-foot high aluminum meteorological tower, upper air Radar Wind Profiler RASS, four concrete footings, and a shelter containing a video recording receiver; and an overhead power line.

LEASE TERM:

Ten years, beginning April 24, 2007.

CONSIDERATION:

The public use and benefit; with the State reserving the right at any time to set a monetary rent if the Commission finds such action to be in the State's best interest.

SPECIFIC LEASE PROVISIONS:

Other:
Snowy Plover Protection Measures

OTHER PERTINENT INFORMATION:

1. Applicant has the right to use the uplands adjoining the lease premises.
2. The United States Environmental Protection Agency (EPA) has designated the southern part of the Owens Valley as a Serious Non-

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Attainment Area for PM₁₀. PM₁₀ is an abbreviated reference for suspended particulate (dust) less than or equal to ten microns in mean aerodynamic diameter (approximately 1/10 the diameter of a human hair). The Applicant has subsequently designated the Non-Attainment area as the "Owens Valley PM₁₀ Planning Area."

The Applicant has determined that dust emissions from the dry lakebed of Owens Lake are responsible for causing the air in the Owens Valley PM₁₀ Planning Area to exceed the PM₁₀ National Ambient Air Quality Standards and that water diversions by the City of Los Angeles Department of Water and Power (City) have caused Owens Lake to become dry and the lakebed to be in a condition that produces dust.

Since June, 1999, the Commission has issued a Lease and subsequent lease amendments to the City for the installation of dust control measures as required by the environmental impact reports prepared and certified by the Applicant in 1998 and 2003 for the Owens Valley PM₁₀ Planning Area Demonstration of Attainment State Implementation Plan (SIP).

At its meeting on April 24, 2001, the Commission authorized the issuance of a General Lease - Public Agency Use to the Applicant for ingress and egress utilizing an existing dirt road; the construction, use and maintenance of an air monitoring station consisting of a 33-foot high aluminum meteorological tower, upper air Radar Wind Profiler RASS, four concrete footings, and a shelter containing a video recording receiver; and for the use and maintenance of an existing overhead power line. The Lease expired April 23, 2007, and the Applicant has applied to the Commission for a new lease to continue the use of these facilities.

The air monitoring station is part of the Applicant's current air monitoring network that is located on and around Owens Lake. The information collected is used by the Applicant to identify specific dust sources that are causing or contributing to ambient air quality violations.

The Applicant is the Lead Agency preparing an Environmental Impact Report (EIR) under the California Environmental Quality Act (CEQA) for an additional 14.6 square miles of supplemental dust control measures to be implemented by the City. The EIR for the next SIP is anticipated to be completed by the summer of 2008.

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3. 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.

4. This activity involves lands which have NOT been identified as possessing significant environmental values pursuant to Public Resources Code sections 6370, et seq. However, the Commission has declared that all lands are "significant" by nature of their public ownership (as opposed to "environmentally significant"). Since such declaration of significance is not based upon the requirements and criteria of Public Resources Code sections 6370, et seq., use classifications for such lands have not been designated. Therefore, the finding of the project's consistency with the use classification as required by Title 2, California Code of Regulations, Section 2954 is not applicable.

EXHIBITS:

- A. Location and Site Map
- B. Land Description

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).

AUTHORIZATION:

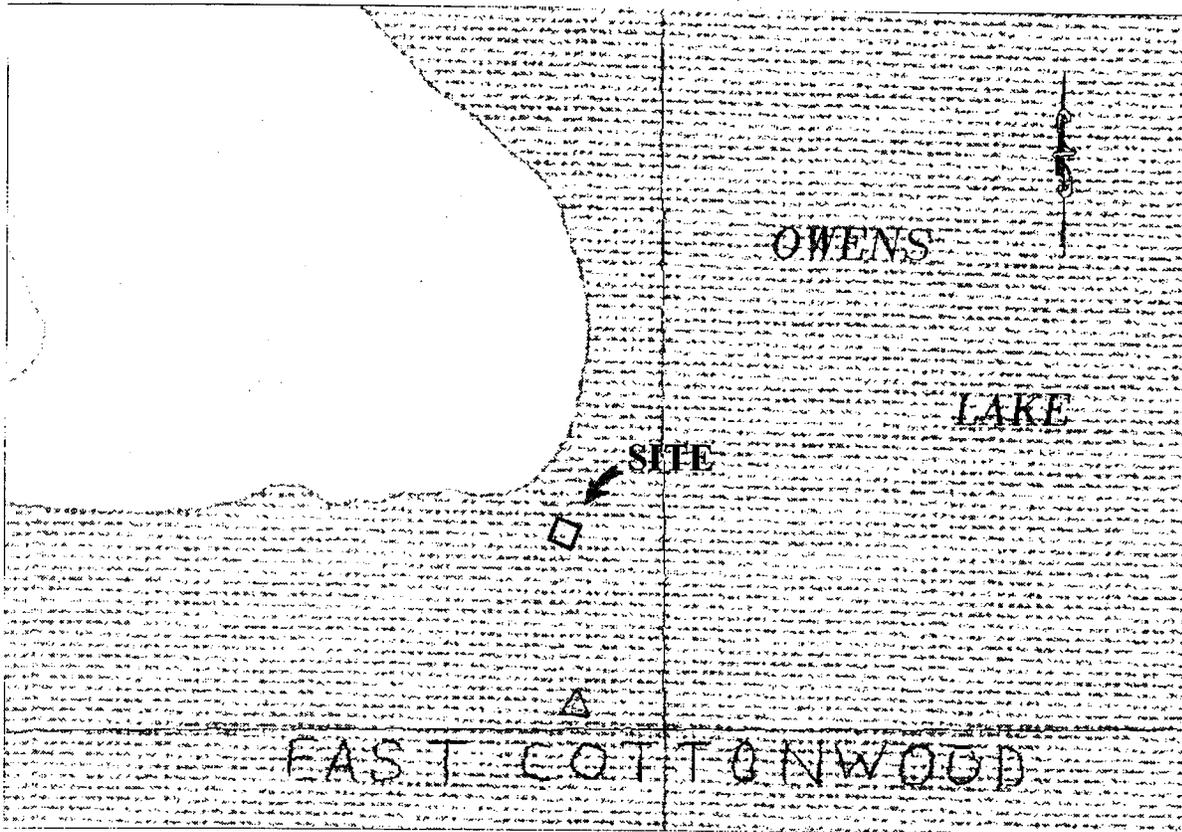
AUTHORIZE ISSUANCE TO GREAT BASIN UNIFIED AIR POLLUTION CONTROL DISTRICT OF A GENERAL LEASE - PUBLIC AGENCY USE, BEGINNING APRIL 24, 2007, FOR A TERM OF TEN YEARS, FOR

CALENDAR ITEM NO. C13 (CONT'D)

INGRESS AND EGRESS ACROSS STATE-OWNED LAND AND FOR THE CONTINUED USE AND MAINTENANCE OF AN AIR MONITORING STATION AND APPURTENANT FACILITIES; AND AN OVERHEAD POWER LINE ON THE LAND DESCRIBED ON EXHIBIT B ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; CONSIDERATION BEING THE PUBLIC USE AND BENEFIT, WITH THE STATE RESERVING THE RIGHT AT ANY TIME TO SET A MONETARY RENT IF THE COMMISSION FINDS SUCH ACTION TO BE IN THE STATE'S BEST INTEREST.

NO SCALE

SITE MAP



Great Basin Air Pollution Control District Air Monitoring Station
Cottonwood Point, Owens Lake

NO SCALE

LOCATION MAP

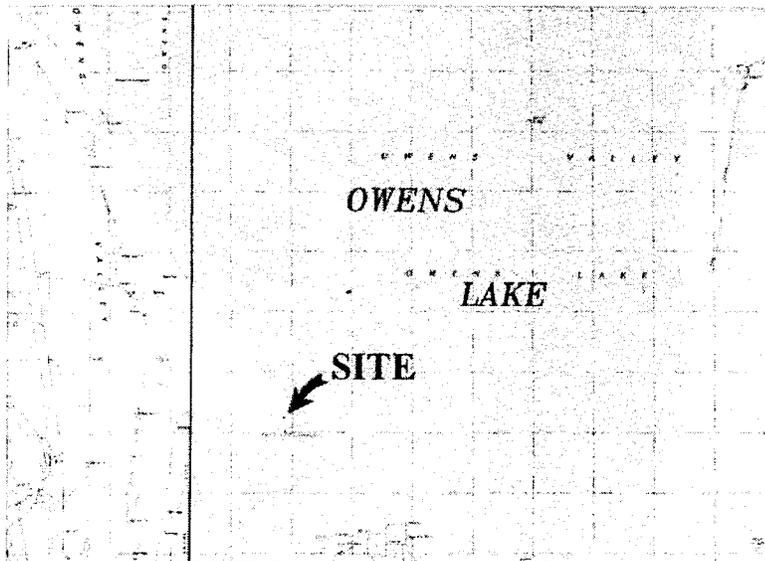


EXHIBIT A

PRC 8277.9

OWENS LAKE

Inyo County



This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by Lessee or other parties, 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.

MJB 03-28-01

EXHIBIT B

PRC 8277.9

LAND DESCRIPTION

A parcel of State-owned land in the bed of Owens Dry Lake, Inyo County, California, described as follows:

BEGINNING at a point from which the center of an existing concrete footing measuring approximately 1.5 feet square (the approximate CCS83 Zone 4 coordinates of said center being North y-coordinate=2029319 feet, East x-coordinate=6860732 feet) bears South 22°30'00" West 50.00 feet; thence from said POINT OF BEGINNING South 67°30'00 East 50.00 feet; thence South 22°30'00" West 100.00 feet; thence North 67°30'00 West 100.00 feet; thence North 22°30'00" East 100.00 feet; thence South 67°30'00 East 50.00 feet to the POINT OF BEGINNING.

This description is based on the California Coordinate System of 1983, Zone 4.

End of description.

PREPARED April 23, 2007

CALIFORNIA STATE LANDS COMMISSION BOUNDARY UNIT

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