CALENDAR ITEM

C92

A 34 04/26/13
PRC 8410.2
S 18 J. Porter

GENERAL LEASE – PUBLIC AGENCY USE

APPLICANT:

Bureau of Land Management
Barstow Field Office
2601 Barstow Road
Barstow, CA 92311

AREA, LAND TYPE, AND LOCATION:

1.93 acres, more or less, of State school lands located in Section 16, Township 7 North, Range 3 East, SBM, south of Newberry Springs, San Bernardino County.

AUTHORIZED USE:

Use, maintenance and monitoring of approximately 4,200 linear feet of four-strand barbed wire stock fencing with the bottom strand barbless, within a 20-foot wide corridor.

LEASE TERM:

Ten years, beginning June 23, 2012.

CONSIDERATION:

$50 per year, with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease, and with the Lessee reserving the right to pay in advance in full for the entire term without fees or penalties assessed.

OTHER PERTINENT INFORMATION:

1. This Lease replaces a Memorandum of Understanding (MOU) between the Bureau of Land Management (BLM) and the Commission that was executed in 2002 for the purpose of maintaining, monitoring, and abandoning a BLM grazing allotment pasture fence constructed within the BLM's Barstow field office, Ord Mountain Grazing Allotment. The original MOU had a term of 10 years and expired on June 23, 2012.

2. Prior to constructing the livestock fence, the BLM prepared an Environmental Assessment (document number CA-680-02-34) and issued a Decision Record/Finding of No Significant Impact (DR/FONSI) on February 4, 2002. The DR/FONSI found no significant impact on the environment. The project was conducted in accordance with the California Desert Conservation Area (CDCA) Plan (1980, as amended), the Endangered Species Act, BLM Regulations at 43 CFR 4100, and the Allotment Management Plan (Ord Mountain Allotment) approved November 18, 1985.

3. The staff recommends that the Commission find that this activity is exempt from the requirements of the California Environmental Quality Act (CEQA) as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

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

4. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et seq., but such activity will not affect those significant lands. 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**.** Site and Location Map

RECOMMENDED ACTION:
It is recommended that the Commission:

CEQA FINDING:

Find that the activity is exempt from the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15061 as a categorically exempt project, Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (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 section 6370 et seq.

AUTHORIZATION:

Authorize issuance of a General Lease – Public Agency Use to the United States of America, and its assigns, acting by and through the Bureau of Land Management, beginning June 23, 2012, for a term of 10 years, for use, maintenance, and monitoring of approximately 4,200 linear feet of four-strand barbed wire livestock fencing with the bottom strand barbless, within a 20-foot-wide corridor as described in Exhibit A and as shown on Exhibit B, both attached and by this reference made a part hereof; annual rent in the amount of $50; with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease, and with the Lessee reserving the right to pay in advance in full for the entire term without fees or penalties assessed.

EXHIBIT A

PRC 8410.2

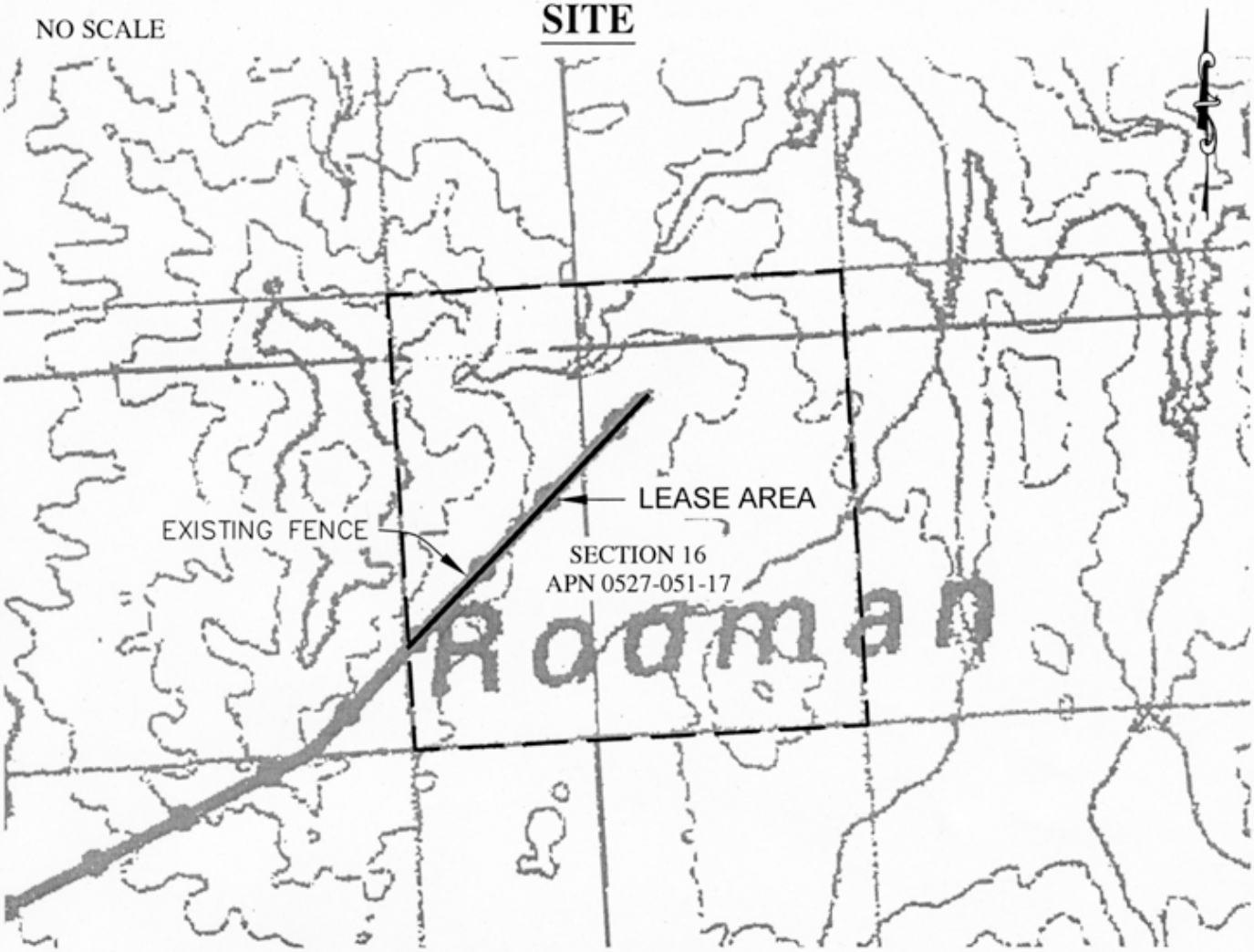
Project Description Area

The fence is located within that parcel of State-owned school land in the County of San Bernardino, State of California, identified as Section 16, T. 7 N., R. 3 E, SBBM.

The alignment of the fence is generally described as starting in the southwest quarter of the southwest quarter of the above identified Section of State-owned school land, extending in a northeasterly direction at an angle of approximately 45 degrees for a distance of approximately 4,200 feet.

NO SCALE

SITE

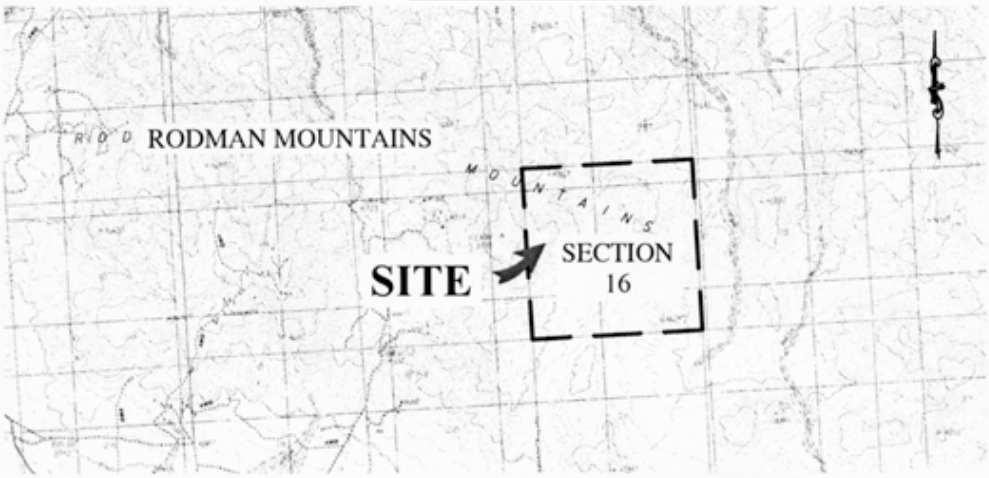


SCHOOL LANDS

SECTION 16, TOWNSHIP 7 NORTH, RANGE 3 EAST, SB.B.&M.

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

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

Exhibit B

PRC 8410.2
U.S. BUREAU OF LAND MANAGEMENT
APN 0527-051-17
MOU FOR BORDER FENCE
SAN BERNARDINO COUNTY

DJF 11/01/11