

**CALENDAR ITEM  
C91**

A	26, 33, 34	10/14/14 W 26441, W26442 W 26443, W 26444
S	8, 16	J. Porter

**CONSIDER SIX APPLICATIONS FOR A GENERAL LEASE -  
DATA COLLECTION USE ON STATE SCHOOL LANDS  
AND INDEMNITY SCHOOL LANDS**

**APPLICANT:**

Celtic Energy Corporation  
1507 Seventh St., #540  
Santa Monica, CA 90401

**RECOMMENDED ACTION:**

Staff recommends termination of the six lease applications submitted in 2010 for six wind energy data collection stations.

**AREA, LAND TYPE, AND LOCATION:**

A total of three acres, more or less, of state school lands and indemnity school lands in Sections 13, 23 and 24, Township 20 South, Range 37 East; Section 16, Township 24 South, Range 38 East; MDM, Inyo County, Section 28, Township 11 North, Range 13 West and Section 32, Township 10 North, Range 12 West, SBM, Kern County; Section 16, Township 31 South, Range 34 East, MDM, Kern County, Section 28, Township 11 North, Range 13 West, SBM, San Diego County.

**BACKGROUND:**

1. In July, 2010, the Commission received six separate applications from Wind Energy, Inc. for the construction, operation and maintenance of six wind energy data collection stations on various parcels of state school lands and indemnity school lands in Inyo, Kern and San Diego Counties. Wind Energy Inc. subsequently submitted a name change request to Celtic Energy Corporation (Applicant).
2. The applications were identified by the Applicant by their project names, Oasis (file number W 26441), Mojave (file number W 26442), Sierra Heights (file number W 26443), Snow Vista (file number W 26444), Summit (no file number), and Jacumba (no file number). The Applicant

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submitted the requisite filing fees on all six applications, but because the Applicant failed to submit the required reimbursement deposits with the Summit and Jacumba applications, these applications were not issued file numbers.

3. On October 10, 2010, Commission staff sent a letter notifying the Applicant that the applications for Oasis, Mojave, Sierra Heights and Snow Vista were complete, but that the reimbursement deposits for Summit and Jacumba still had not been received. The Applicant also was informed that a Mitigated Negative Declaration (MND) would be required to analyze the potential environmental impacts associated with the projects, that the Commission would act as Lead Agency under the California Environmental Quality Act (CEQA) for the MND, and that the Applicant would be required to submit an additional deposit for the funding of the MND. Staff also participated in several telephone discussions with the Applicant regarding the projects; however, staff never received confirmation of the Applicant's intent to submit the deposit necessary for the MND, and the deposit was never received.
4. On April 30, 2014, Commission staff sent a follow-up letter informing the Applicant that staff intended to terminate the applications due to prolonged inactivity and failure to submit the necessary deposits. The Applicant replied with a request for more time to obtain funding for the projects.
5. The Commission's Lease Application Guidelines state that if an application becomes inactive for a period of six months, then the application will be terminated. Staff is recommending termination of the six applications due to prolonged inactivity and failure to submit the necessary deposit.
6. The Applicant is free to submit new applications once it has obtained funding.

**OTHER PERTINENT INFORMATION:**

1. Staff recommends that the Commission find that this activity is exempt from the requirements of CEQA as a statutorily exempt project. The project is exempt because CEQA does not apply to projects that a public agency rejects or disapproves.

Authority: Public Resources Code section 21080, subdivision (b)(5) and California Code of Regulations, Title 14, section 15270, subdivision (a).

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**EXHIBIT:**

- A. Site and Location map

**RECOMMENDED ACTION:**

It is recommended that the Commission:

**CEQA FINDING:**

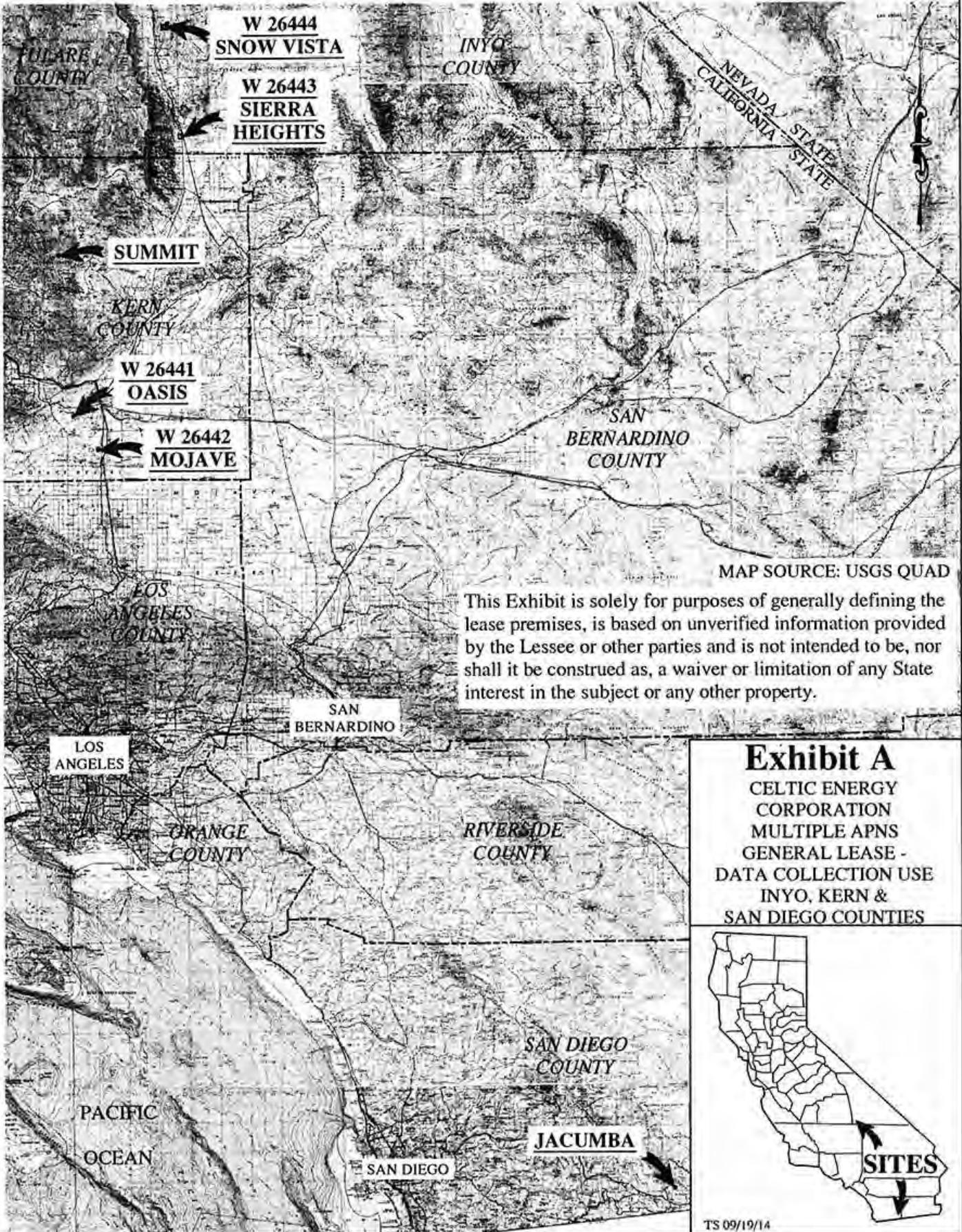
Find that the activity is exempt from the requirements of CEQA as a statutorily exempt project pursuant to Public Resources Code section 21080, subdivision (b)(5), projects which a public agency rejects or disapproves. (See also Cal. Code Regs, tit. 14, § 15061, subd. (b)(4) and § 15270, subd. (a)).

**AUTHORIZATION:**

1. Authorize staff to terminate applications for six General Leases – Data Collection Use to Celtic Energy Corporation on a total of three acres, more or less, of state school lands and indemnity school lands in Sections 13, 23 and 24, Township 20 South, Range 37 East; Section 16, Township 24 South, Range 38 East; MDM, Inyo County, Section 28, Township 11 North, Range 13 West and Section 32, Township 10 North, Range 12 West, SBM, Kern County; Section 16, Township 31 South, Range 34 East, MDM, Kern County, Section 28, Township 11 North, Range 13 West, SBM, San Diego County, as shown on Exhibit A, attached and by this reference made a part hereof.
2. Authorize the Executive Officer or her designee to execute any documents necessary to implement the Commission's action.

NO SCALE

# SITE



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 A

CELTIC ENERGY CORPORATION  
 MULTIPLE APNS  
 GENERAL LEASE -  
 DATA COLLECTION USE  
 INYO, KERN &  
 SAN DIEGO COUNTIES



TS 09/19/14