

**CALENDAR ITEM
C97**

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04/23/15
PRC 4565.2
D. Simpkin

GENERAL LEASE – GRAZING USE

APPLICANT:

John Hunter

AREA, LAND TYPE, AND LOCATION:

Approximately 349.72 acres, more or less, of State School Land, located in portions of Section 19 and 30, Township 17 South, Range 37 East, MDM, Section 7, Township 18 South, Range 37 East, and Section 6, Township 18 South, Range 37 East, MDM, Owens Lake, Inyo County.

AUTHORIZED USE:

Livestock grazing.

LEASE TERM:

10 years, beginning April 23, 2015.

CONSIDERATION:

Annual rent in the amount of \$600, with an annual Consumer Price Index adjustment.

SPECIFIC LEASE PROVISIONS:

1. Liability insurance in an amount no less than \$1,000,000 per occurrence.
2. Number of animals permitted on the Lease Premises is restricted to those that can be supported by vegetation.
3. Applicant must exercise good grazing practices to avoid overgrazing by livestock.

BACKGROUND:

School Lands were granted to the State of California by the federal government under the Act of March 3, 1853 (10 Stat. 244), and consisted of the 16th and 36th sections of land in each township (with the exception of lands reserved for public

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use, lands taken by private land claims, and lands known to be mineral in character). In cases of preemption due to the exceptions described above, the State was given the opportunity to select replacement lands from the United States in lieu of a Section 16 and a Section 36. These replacement lands are now known as Indemnity School Lands or Lieu Lands.

OTHER PERTINENT INFORMATION:

1. The Applicant has the right to use the land adjoining the lease premises. The Applicant has a current grazing lease on additional adjoining land owned by the City of Los Angeles Department of Water and Power.
2. On December 13, 1995, the Commission authorized a General Lease – Grazing Use, to Roy Hunter. That lease expired on December 12, 1997. The Applicant now operates the previous Lessee's cattle operation and is applying for a General Lease – Grazing Use for School Land located on the dry lake bed of Owens Lake. The issuance of a separate lease to the same Applicant for grazing use on State sovereign land is also proposed for the Commission's consideration under a separate agenda item.
3. The number of animals permitted on the Lease Premises is restricted to those that can be supported by the forage available on this ephemeral range area taking into consideration forage reserved for necessary wildlife use.
4. The Applicant is required to use good grazing practices to avoid overgrazing of the Lease Premises. The Commission staff may at any time during the Lease term make an analysis of forage conditions utilizing accepted range management practices.
5. 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 4, Minor Alteration to Land; California Code of Regulations, Title 2, section 2905, subdivision (d)(1).

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

6. This activity involves lands which have NOT been identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et seq.; however, the Commission has declared that all lands

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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 section 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 California Code of Regulations, Title 2, section 2954 is not applicable.

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 4, Minor Alteration to Land; California Code of Regulations, Title 2, section 2905, subdivision (d)(1).

AUTHORIZATION:

Authorize issuance of a General Lease – Grazing Use to John Hunter beginning April 23, 2015, for a term of 10 years, for livestock grazing as described in Exhibit A and shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof; consideration to be annual rent in the amount of \$600, with an annual CPI adjustment; and liability insurance in an amount no less than \$1,000,000 per occurrence.

EXHIBIT A

PRC 4565.2

LAND DESCRIPTION

Six parcels of State owned lands lying adjacent to and in the bed of Owens Lake, Inyo County, State of California and being more particularly described as follows:

PARCEL 1

A parcel of Lieu Lands being the fractional southwest $\frac{1}{4}$ of Section 19, Township 17 South, Range 37 East, M.D.M., as shown on Official Township Plat approved August 13, 1856.

EXCEPTING THEREFROM any portion lying within the right of way of the Southern Pacific Transportation Company.

Also EXCEPTING THEREFROM any portion lying waterward of the United States Meander Line of said Owens Lake.

PARCEL 2

A parcel of Lieu Lands being the fractional north $\frac{1}{2}$, of the north $\frac{1}{2}$ of Section 30, Township 17 South, Range 37 East, M.D.M., as shown on Official Township Plat approved August 13, 1856.

EXCEPTING THEREFROM any portion lying within the right of way of the Southern Pacific Transportation Company.

Also EXCEPTING THEREFROM any portion lying waterward of the United States Meander Line of said Owens Lake.

PARCEL 3

A parcel of Lieu Lands being the fractional northeast $\frac{1}{4}$ of the southwest $\frac{1}{4}$ of Section 30, Township 17 South, Range 37 East, M.D.M., as shown on Official Township Plat approved August 13, 1856.

EXCEPTING THEREFROM any portion lying within the right of way of the Southern Pacific Transportation Company.

Also EXCEPTING THEREFROM any portion lying waterward of the United States Meander Line of said Owens Lake.

PARCEL 4

A parcel of Lieu Lands being the fractional east ½ of Section 7, Township 18 South, Range 37 East, M.D.M., as shown on Official Township Plat approved August 13, 1856.

EXCEPTING THEREFROM any portion lying waterward of the United States Meander Line of said Owens Lake.

PARCEL 5

A parcel of Lieu Lands being the fractional east ½ of Section 18, Township 18 South, Range 37 East, M.D.M., as shown on Official Township Plat approved August 13, 1856.

EXCEPTING THEREFROM any portion lying waterward of the United States Meander Line of said Owens Lake.

PARCEL 6

A parcel of School Lands being all those portions of Parcel No. 1, of Parcel C as described in that Deed recorded on July 2, 1993 as document number 93-4139 lying in protracted Section 6, Township 18 South, Range 37 East, M.D.M., County of Inyo, State of California.

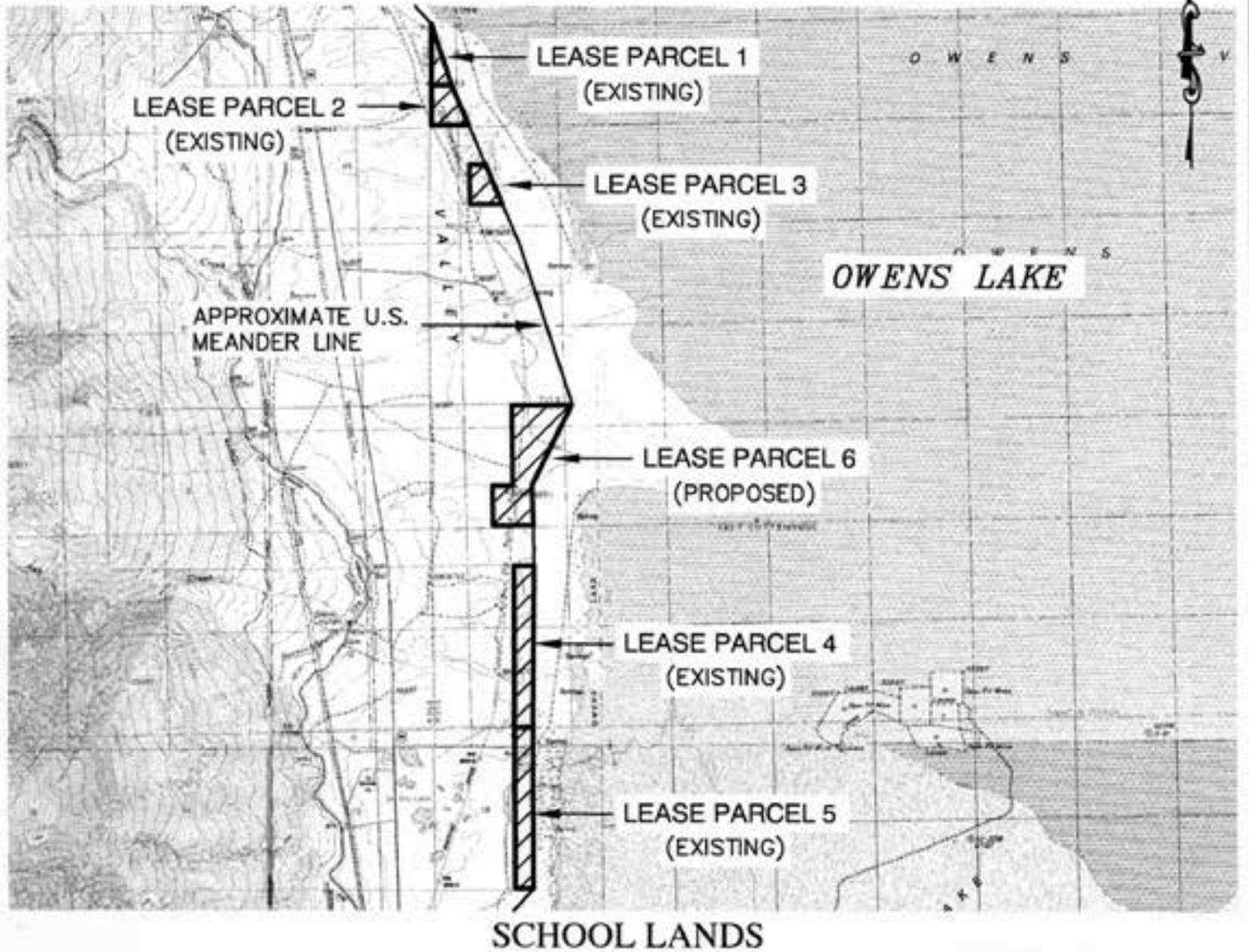
END OF DESCRIPTION

Parcels 1 through 5 are based on that original description prepared July 3, 1985, by the Boundary Services Unit as found in PRC 4565 (part 1). Parcel 6 was prepared 3/25/2015 by the California State Lands Commission Boundary Unit.



NO SCALE

SITE



NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

PRC 4565.2
 HUNTER
 GENERAL LEASE -
 GRAZING USE
 INYO COUNTY



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.