

**CALENDAR ITEM
C78**

A 33
S 16

06/28/16
PRC 4078.2
C. Hudson

GENERAL LEASE – RIGHT-OF-WAY USE

APPLICANT:

City of Needles
817 Third Street
Needles, CA 92363

PROPOSED LEASE:

AREA, LAND TYPE, AND LOCATION:

0.158-acre parcel, more or less, of State-owned school land within a portion of Section 36, Township 9 North, Range 22 East, SBM, near the city of Needles, San Bernardino County.

AUTHORIZED USE:

Use and maintenance of an existing 12-inch-diameter underground water transportation line.

LEASE TERM:

25 years beginning August 1, 2016.

CONSIDERATION:

\$450 per year, with an annual Consumer Price Index adjustment, and the State reserving the right to adjust the rent at each 10-year anniversary, as provided in the Lease.

SPECIFIC LEASE PROVISIONS:

Liability insurance in an amount no less than \$1,000,000 per occurrence, or equivalent staff-approved self-insurance program.

OTHER PERTINENT INFORMATION:

1. Lessee has a right to use the lands adjoining the lease premises.
2. On November 21, 1968, the Commission authorized a 49-year General Lease – Right-of-Way Use to the City of Needles for the use and maintenance of an existing 12-inch-diameter underground water

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transportation line. The lease will expire on July 31, 2016. The Applicant is now applying for a new General Lease – Right-of-Way Use.

3. The existing underground water transportation line is used by the City to transport water to the water reservoir storage tanks on the city-owned parcel adjacent to the lease premises.
4. This proposed action is consistent with Strategy 2.1 of the Commission's Strategic Plan, to optimize returns for the responsible development and use of State lands and resources, both onshore and offshore.
5. 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.

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 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

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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).

AUTHORIZATION:

Authorize issuance of a General Lease – Right-of-Way Use to the City of Needles, beginning August 1, 2016, for a term of 25 years, for the continued use and maintenance of an existing 12-inch diameter underground water transportation line as described in Exhibit A and shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof; consideration: annual rent in the amount of \$450, with an annual Consumer Price Index adjustment, and the State reserving the right to adjust the rent at each 10-year anniversary, as provided in the Lease; and liability insurance in an amount no less than \$1,000,000 per occurrence, or equivalent staff-approved self-insurance program.

EXHIBIT A

PRC 4078.2

LAND DESCRIPTION

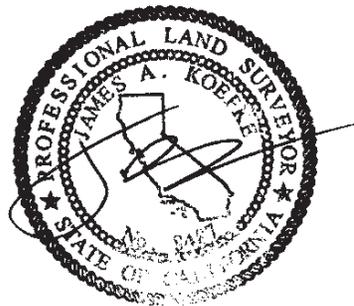
A strip of land 20 feet wide, across State owned school land in the Southeast 1/4 of Section 36, Township 9 North, Range 22 East, S.B.B.M., San Bernardino County, State of California and lying 10 feet on each side of the following described center line:

Commencing at the most southeasterly corner of Section 36, Township 9 North, Range 22 East, S.B.B.M., thence North 0° 01' 15" West along the east section line of said Section 36 a distance of 290.73 feet to the POINT OF BEGINNING; thence South 32° 32' 15" West a distance of 344.78 feet to a point on the southerly line of said Section 36 and the TERMINUS of said centerline.

The sidelines of said strip shall be lengthened or shortened as to begin and terminate at the easterly and southerly lines of said Section 36.

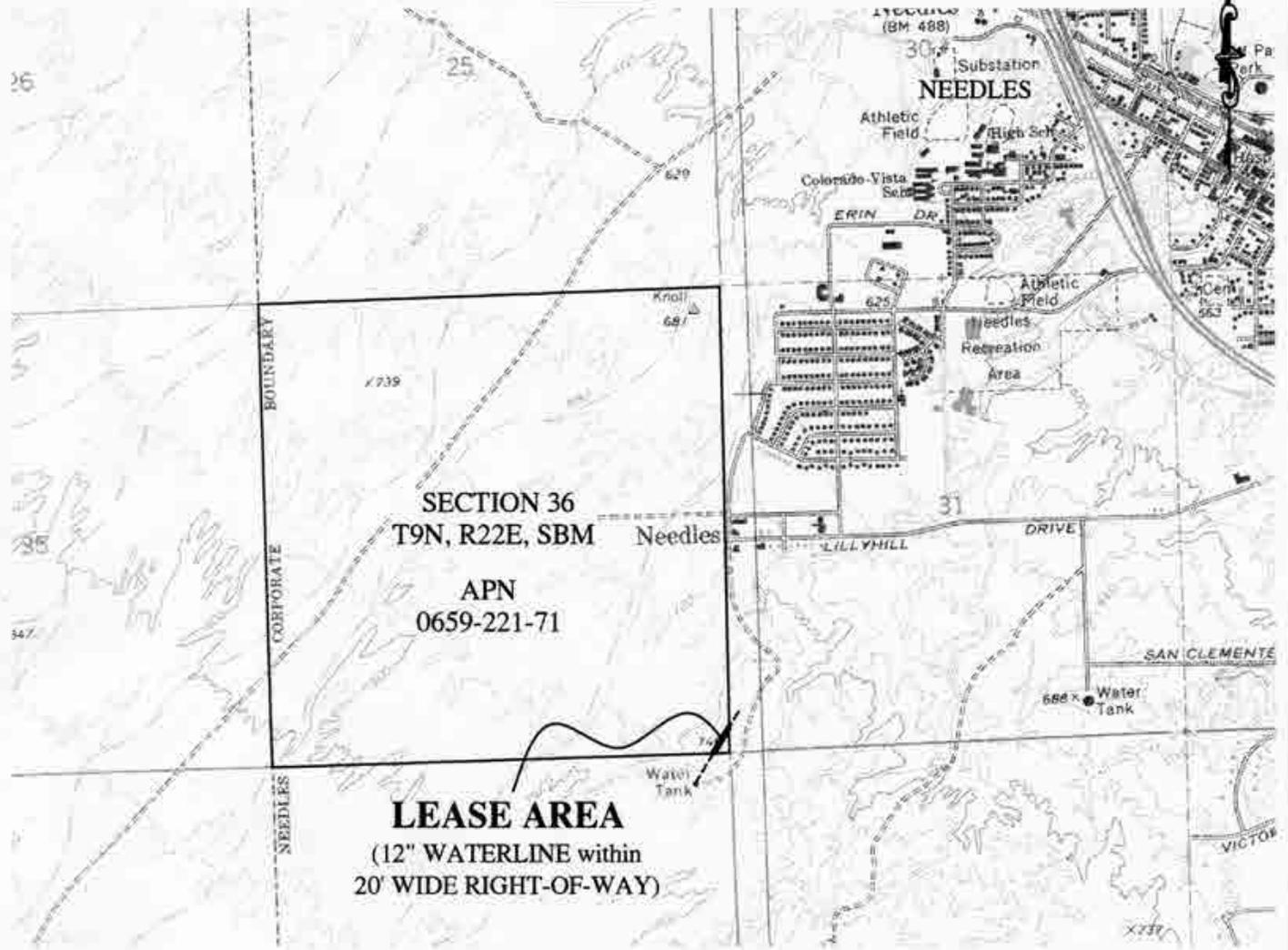
END OF DESCRIPTION

Revised by the California State Lands Commission Boundary Unit on May 2, 2016.
Original description prepared by State Lands Division on August 1, 1967 as found in PRC 4078 file, File Ref. WO 6688, Calendar Item 42.



NO SCALE

SITE



SE¹/₄ OF SECTION 36, T9N, R22E, SBM

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

PRC 4078.2
 CITY OF NEEDLES
 APN 0659-221-71
 GENERAL LEASE -
 RIGHT-OF-WAY USE
 SAN BERNARDINO 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.