

**STAFF REPORT
C72**

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02/04/19
W 27190
C. Hudson

GENERAL LEASE – GRAZING USE

APPLICANT:

Travis Stewart

PROPOSED LEASE:

AREA, LAND TYPE, AND LOCATION:

Approximately 3,500 acres, more or less on eight parcels of State-owned indemnity and lieu lands within portions of Section 33, Township 28 North, range 17 East, MDM (parcel 1); portions of Section 9, Township 27 North, Range 17 East, MDM (parcel 2); portions of Section 15, Township 27 North, Range 17 East, MDM (parcel 3); all of Section 22, Township 27 North, Range 17 East, MDM (parcel 4); portions of Section 23, Township 27 North, Range 17 East, MDM (parcel 5); all of Section 26, Township 27 North, Range 17 East, MDM (parcel 6); portions of Section 25, Township 27, North, Range 17 East, MDM (parcel 7); and all of Section 34, Township 27 North, Range 17 East, MDM (parcel 8), near Duck Lake, Lassen County.

AUTHORIZED USE:

Livestock grazing.

LEASE TERM:

10 years, beginning February 4, 2019.

CONSIDERATION:

\$6,480 per year, with an annual Consumer Price Index adjustment.

SPECIFIC LEASE PROVISIONS:

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

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STAFF ANALYSIS AND RECOMMENDATION:

Authority:

Public Resources Code sections 6005, 6216, 6217.5, 6501.1, 6503, and 6505.5; California Code of Regulations, title 2 sections 2000 and 2003.

STATE'S BEST INTERESTS ANALYSIS:

The Applicant applied for a General Lease – Grazing Use for livestock grazing on State-owned indemnity and lieu lands, totaling eight parcels in Lassen County. The proposed lease is limited to a 10-year term, does not alienate the State's fee simple interest, and does not grant the lessee exclusive rights to the lease premises. The lease requires the lessee to insure and indemnify the State for any liability incurred as a result of the lessee's activities hereon. The lessee is required to use good grazing practices to avoid overgrazing of the lease premises. Staff may at any time during the lease term make an analysis of forage conditions utilizing accepted range management practices. The number of animals permitted on the lease premises is restricted to those that can be supported by the forage available in this ephemeral range area taking into consideration forage reserved for necessary wildlife use. The lease requires the lessee to maintain the land at no expense to the State. The lease also requires the payment of annual rent, generating revenue for the California State Teachers' Retirement System, consistent with Public Resources Code section 6217.5.

Climate Change:

The combination of more frequent and longer duration weather patterns contributing to high and unpredictable winds, low humidity, extreme heat, and thunderstorm and lightning events for California's rangelands east of the Sierra Nevada has contributed to an increasingly aggressive wildland fire season as a related product of climate change. This threat can be further elevated through prolonged drought conditions. In addition, as stated in *Safeguarding California Plan: 2018 Update* (California Natural Resources Agency 2018), climate change is projected to increase the frequency and severity of natural disasters related to flooding, fire, drought, extreme heat, and storms.

The subject properties are primarily open rangelands with moderate to low vegetation fuels, and are vulnerable to the above weather events, including dust storms and flash flooding from thunderstorms, and to a lesser extent, wildland fires. Livestock grazing will also help to control growth of vegetation fuels within the subject properties. The projected climate change effects in the region are not expected to affect the uses of the lease premises (livestock grazing).

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Conclusion:

For the reasons stated above, staff believes issuance of this lease is in the best interests of the State.

OTHER PERTINENT INFORMATION:

1. This action is consistent with Strategy 1.1 of the Commission's Strategic Plan to deliver the highest levels of public health and safety in the protection, preservation and responsible economic use of the lands and resources under the Commission's jurisdiction and Strategy 2.1 to optimize returns for the responsible development and use of State lands and resources, both onshore and offshore.
2. 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.

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).

STATE'S BEST INTERESTS FINDING:

Find that the proposed lease is in the best interests of the State.

AUTHORIZATION:

Authorize issuance of a General Lease – Grazing Use to Travis Stewart beginning February 4, 2019, 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; annual rent in the

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amount of \$6,480, with an annual Consumer Price Index adjustment; and liability insurance in an amount no less than \$1,000,000 per occurrence.

EXHIBIT A

W 27190

LAND DESCRIPTION

Those certain parcels of State School Lands situated in Lassen County, State of California, more particularly described as follows:

PARCEL 1

The N $\frac{1}{2}$ of NE $\frac{1}{4}$ of Section 33, Township 28 North, Range 17 East, Mount Diablo Meridian, as shown on the Official U.S. Government Township Plat approved March 22, 1867.

PARCEL 2

The S $\frac{1}{2}$ of SW $\frac{1}{4}$ of Section 9, Township 27 North, Range 17 East, Mount Diablo Meridian, as shown on the Official U.S. Government Township Plat approved March 16, 1876.

PARCEL 3

The NW $\frac{1}{4}$ and W $\frac{1}{2}$ of SW $\frac{1}{4}$ of Section 15, Township 27 North, Range 17 East, Mount Diablo Meridian, as shown on the Official U.S. Government Township Plat approved March 16, 1876.

PARCEL 4

All Section 22, Township 27 North, Range 17 East, Mount Diablo Meridian, as shown on the Official U.S. Government Township Plat approved March 16, 1876.

PARCEL 5

The W $\frac{1}{2}$ and Lots 1, 2, 7, 8 of Section 23 Township 27 North, Range 17 East, Mount Diablo Meridian, as shown on the Official U.S. Government Township Plat approved March 16, 1876.

PARCEL 6

All Section 26, Township 27 North, Range 17 East, Mount Diablo Meridian, as shown on the Official U.S. Government Township Plat approved March 16, 1876.

PARCEL 7

The NW ¼, W ½ of NE ¼, W ½ of SW ¼ and Lots 2, 3, 4 of Section 25 Township 27 North, Range 17 East, Mount Diablo Meridian, as shown on the Official U.S. Government Township Plat approved March 16, 1876.

PARCEL 8

All Section 34, Township 27 North, Range 17 East, Mount Diablo Meridian, as shown on the Official U.S. Government Township Plat approved March 16, 1876.

EXCEPTING THEREFROM any portion lying within railroad right of way granted to Western Pacific Railway Co. by the U.S. under serial No. SU 01390.

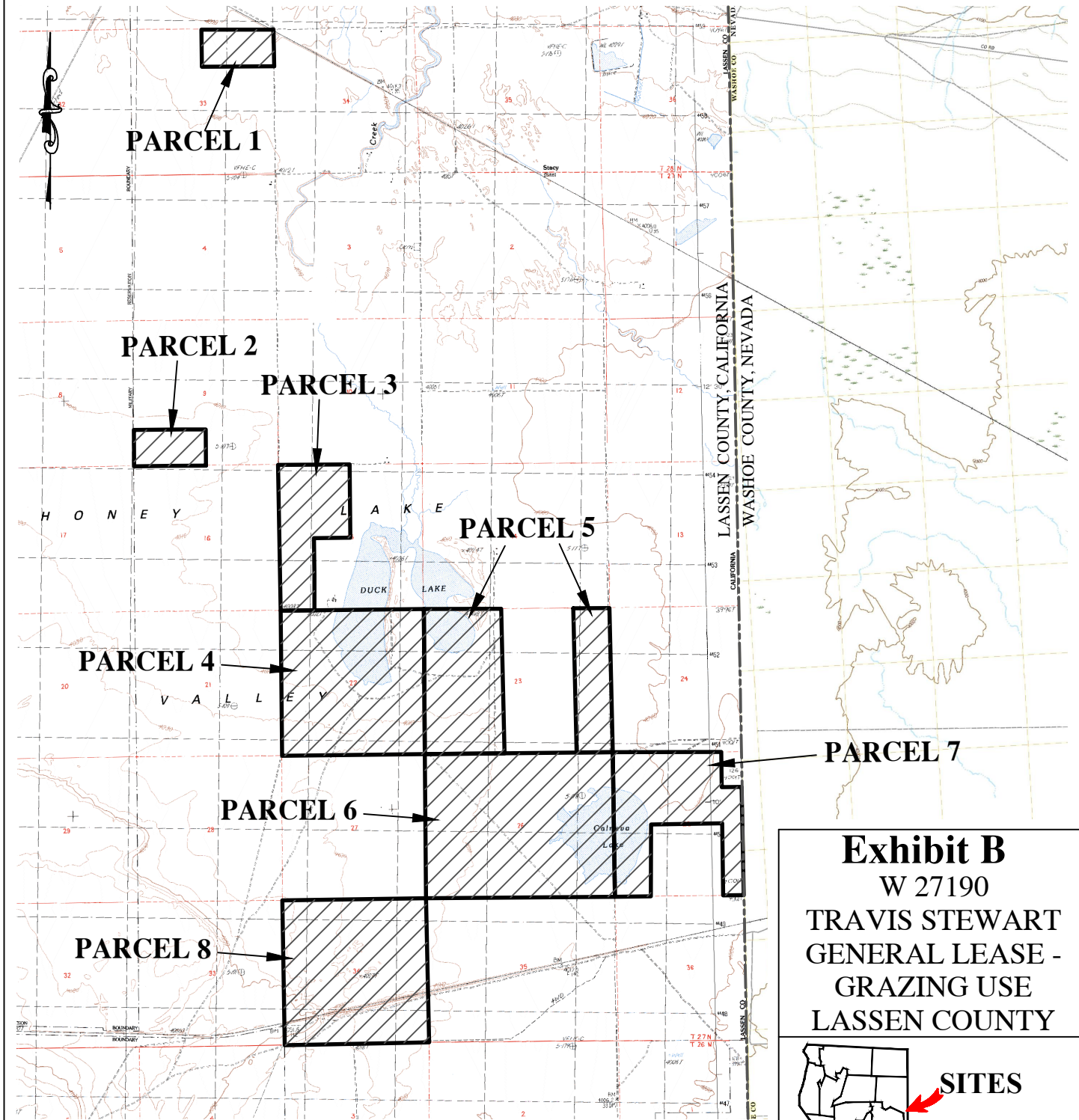
END OF DESCRIPTION

Prepared 11/14/2018 by the California State Lands Commission Boundary Unit.



NO SCALE

SITE



MAP SOURCE: USGS QUAD

SECTIONS 22, 26, 34, PORTIONS OF SECTIONS 9,
 15, 23, 25 T.27N., R.17E. AND PORTION OF
 SECTION 33, T.28N., R.17E., M.D.M.

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
 W 27190
 TRAVIS STEWART
 GENERAL LEASE -
 GRAZING USE
 LASSEN COUNTY



SITES