

STAFF REPORT

81

A 1

06/28/19

S 1

PRC 7879.2

J. Porter

GENERAL LEASE – OTHER

APPLICANT:

UNAVCO, Inc.

PROPOSED LEASE:

AREA, LAND TYPE, AND LOCATION:

0.02 acre, more or less, of State-owned school land in Section 36, Township 32 North, Range 15 East, MDM, north of Shinn Ranch Road, Lassen County.

AUTHORIZED USE:

Operation and maintenance of one geodetic monitoring system.

LEASE TERM:

10 years, beginning March 1, 2019.

CONSIDERATION:

\$125 per year, with an annual Consumer Price Index adjustment.

SPECIFIC LEASE PROVISIONS:

- Insurance: Liability insurance in an amount no less than \$1,000,000 per occurrence.
- Surety: \$1,000.
- Lessee will take all reasonable and necessary actions to prevent, suppress, and control fires on the Lease Premises.

STAFF ANALYSIS AND RECOMMENDATION:

Authority:

Public Resources Code sections 6005, 6216, 6217.5, 6501.1, 6503, and 8701; California Code of Regulations, title 2, sections 2000 and 2003.

STAFF REPORT NO. 81 (CONT'D)

State's Best Interests Analysis:

On April 6, 2011, the Commission approved a General Lease – Data Collection Use to UNAVCO, Inc., for the continued use and maintenance of an existing geodetic monitoring system for a term of 8 years ([Item C37, April 6, 2011](#)). The system uses a Global Positioning System to monitor movements in the earth's crust. The information gathered is analyzed to learn more about plate tectonics, earthquake mechanics, and seismic hazards. The system includes a solar panel that provides electrical power, a utility box housing a radio modem and cell phone, and a 4-foot-high cell phone antenna. The 2011 lease expired on February 28, 2019. The applicant submitted an application for a new General Lease – Other for a term of 10 years for the continued use and maintenance of the existing geodetic monitoring system.

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 has contributed to an increasingly aggressive and extended wildfire season as a related effect of climate change. This threat can be further elevated through prolonged drought conditions and a lack of forest fuels reduction management for wildland and rural land areas. In addition, as stated in the *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 rural setting of the subject State parcel and surrounding land is vulnerable to these weather events and the threat of wildland fires. Pursuant to the proposed lease, the Applicant acknowledges that the lease premises are located in an area that may be subject to effects of climate change. Conversely, the Applicant is responsible for ensuring that the lease premises are maintained in a manner that does not contribute to fire hazards. Regular maintenance of vegetation within the lease premises and the existing facilities under lease will help minimize the threat of fire hazards.

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, reservation and responsible economic use of the lands and

STAFF REPORT NO. 81 (CONT'D)

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 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.

3. Approval or denial of the application is a discretionary action by the Commission. Each time the Commission approves or rejects a use of school land, it exercises legislatively delegated authority and responsibility as trustee of the State's school lands as authorized by law. If the Commission denies the application, the Applicant may be required to remove the geodetic monitoring system and restore the premises to their original condition. Upon expiration or prior termination of the lease, the lessee also has no right to a new lease or to renewal of any previous lease.

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).

STATE'S BEST INTERESTS:

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

AUTHORIZATION:

Authorize issuance of a General Lease – Other to UNAVCO, Inc. beginning March 1, 2019, for a term of 10 years, for operation and

STAFF REPORT NO. **81** (CONT'D)

maintenance of a geodetic monitoring system on 0.02 acre, more or less, of State-owned school land as described in Exhibit A and shown on Exhibit B (for reference purposes only), attached and by this reference made a part hereof; rent in the amount of \$125 per year, with an annual Consumer Price Index adjustment; liability insurance in an amount no less than \$1,000,000 per occurrence; and surety in the amount of \$1,000.

EXHIBIT A

PRC 7879.2

LAND DESCRIPTION

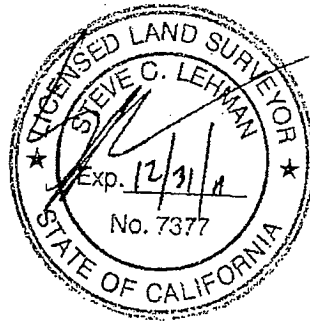
A parcel of State owned School Lands being a portion of the Northwest $\frac{1}{4}$, of the Northeast $\frac{1}{4}$, of the Northwest $\frac{1}{4}$, of the Southeast $\frac{1}{4}$, of Section 36, Township 32 North, Range 15 East, M.D.M., according to Official Government Township Plat approved on October 2, 1876, County of Lassen, State of California, more particularly described as follows:

Beginning at a point lying North 20.00 feet from a GPS Monitoring Antenna having CCS83, Zone 1, (2009.00) coordinates of North (Y) = 2,103,815.74 feet and East (X) = 7,054,548.16 feet; thence East 16.00 feet; thence South 40.00 feet; thence West 40.00 feet; thence North 40.00 feet; thence East 24.00 feet to the POINT OF BEGINNING.

The basis of bearings of the hereinabove described land is the California Coordinate System of 1983, Zone 1, (2009.00). All distances are grid distances.

END OF DESCRIPTION

Prepared on 02/22/2011 by the California State Lands Commission Boundary Unit.

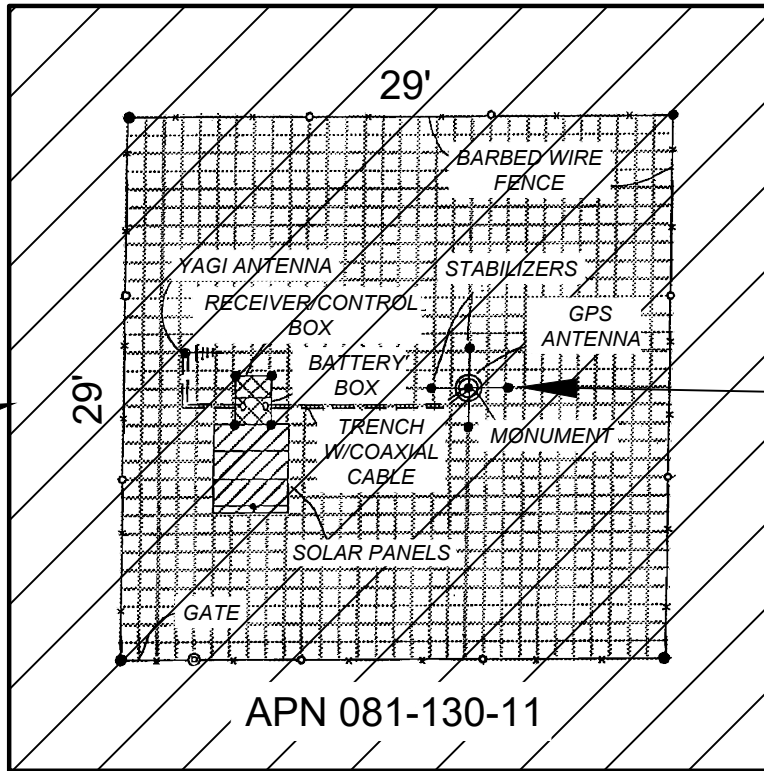


NO SCALE

SITE



**LEASE
AREA**



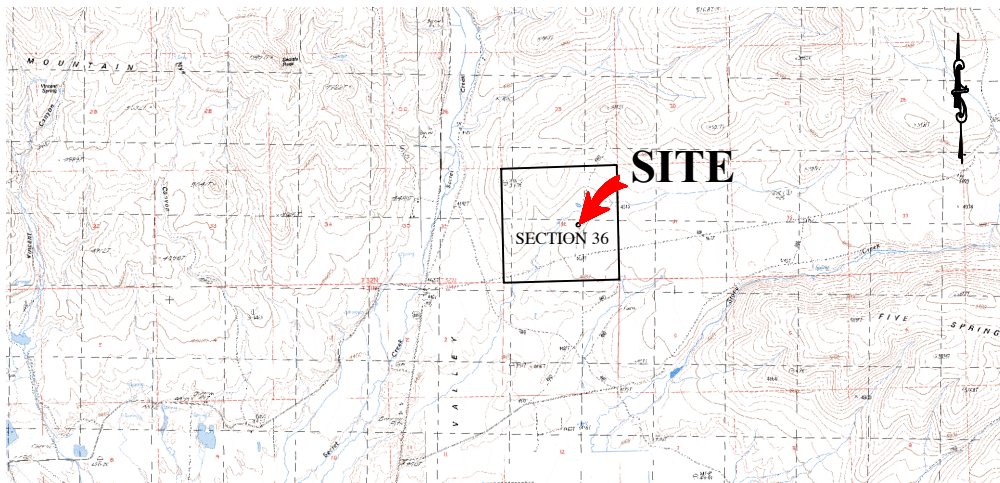
EXISTING GEODETIC MONITORING SYSTEM

SCHOOL LANDS

PORTION OF SECTION 36, TOWNSHIP 32 NORTH, RANGE 15 EAST, MOUNT DIABLO MERIDIAN

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

PRC 7879.2
UNAVCO, INC.
APN 081-130-11
GENERAL LEASE -
OTHER
LASSEN 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.