

MINUTE ITEM

This Calendar Item No. C 9  
is approved as Minute Item  
No. 9 by the State Lands  
Commission by a vote of 3  
to 0 at its 9/23/82  
meeting.

CALENDAR ITEM

C 0 9

9/23/82  
WP 4197  
Bjornsen  
PRC 4197

GRAZING LEASE

BACKGROUND:

Grant W. Squire was a 15-year grazing lessee, from August 5, 1963, of the 187.41 acres of State school land involved in this lease transaction. In February 1979, however, Mr. Squire sold his ranch to Walter Neubauer and hand-passed his grazing lease to him at the time of sale. Information was not provided Commission staff by Mr. Squire on this matter until February 1980. By Commission action, (Minute Item No. 22, Meeting of April 24, 1980) Mr. Squire's lease quitclaim deed was accepted and his grazing lease terminated.

The Commission staff pursued placing the subject 187.41 acres under lease with Mr. Neubauer. A lease application was received from him on June 25, 1982, along with an executed lease document. Mr. Neubauer has made four annual rental payments in the amount of \$75.60 per annum; these rental payments cover the period of August 5, 1979 through August 4, 1983, the first four years of this proposed lease.

PROPOSED LEASE:

APPLICANT:

Walter Neubauer  
125 West 155th Street  
Gardena, California 90247

A 24

S 1

CALENDAR ITEM NO. C 0 9 (CONTD)

AREA, TYPE LAND AND LOCATION:

A 187.41-acre parcel, more or less, of State school land situated in Fresno and San Benito Counties.

LAND USE: Livestock grazing.

TERMS OF PROPOSED LEASE:

Initial period: Ten years from August 5, 1979.

Special:

1. The number of animals permitted on the leased land is restricted to those that can be supported by the available forage and water, taking into consideration forage and water reserved for necessary wildlife use. The available carrying capacity is estimated to average 40 animal unit months annually. However, the actual capacity may vary over the term of this lease due to climatic conditions or other natural phenomena.

2. Lessee covenants that all reasonable precautions will be taken to practice water conservation on the leased premises during the term of this lease.

3. Lessee shall take all reasonable and necessary actions to prevent, suppress and control fires.

CONSIDERATION: \$75.60 per annum with the State reserving the right to fix a different rental on the fifth anniversary of the lease.

CALENDAR ITEM NO. C 0-9 (CONTD)

BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Adm. Code 2003(a)(6).  
The estimated carrying capacity of the  
187.41 acres, more or less, is 40 animal  
unit months; the rental is \$75.60 per annum.

PREREQUISITE TERMS, FEES AND EXPENSES:

Application fee and the first through fourth  
year's annual rental have been received.

STATUTORY AND OTHER REFERENCES:

A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13;  
Div. 20.

B. Cal. Adm. Code: Title 2, Div. 3; Title 14,  
Div. 6.

AB 884: N/A.

OTHER PERTINENT INFORMATION:

1. This project is exempt from CEQA because  
it is within the purview of 2 Cal.  
Adm. Code 2905, Class 4(1) which exempts  
the grazing of livestock where disturbance  
of soil does not occur.
2. This project is situated on State school  
lands identified as possessing significant  
environmental values pursuant to P.R.C.  
6370.1, and is classified in use categories,  
Class A (the portion in Fresno County)  
and Class B (the portion in San Benito  
County), which authorizes Restricted  
Use and Limited Use, respectively.

Staff has coordinated this project  
with those agencies and organizations  
which nominated the sites as containing  
significant environmental values. they  
have found this project to be compatible  
with their nominations.

EXHIBITS: A. Land Description.  
B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL DOCUMENT HAS NOT BEEN  
PREPARED FOR THIS ACTIVITY AS SUCH DOCUMENT IS NOT

CALENDAR ITEM NO. C 0 9 (CONTD)

REQUIRED UNDER THE PROVISIONS OF P.R.C. 21084, 14 CAL. ADM. CODE 15100 ET SEQ., AND 2 CAL. ADM. CODE 2905.

2. FIND THAT GRANTING OF THE LEASE WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1 OF THE P.R.C.
3. AUTHORIZE ISSUANCE TO WALTER NEUBAUER OF A TEN-YEAR GRAZING LEASE FROM AUGUST 5, 1979; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$75.60 WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON THE FIFTH ANNIVERSARY OF THE LEASE FOR LIVESTOCK GRAZING ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

CALENDAR PAGE	145
MINUTE PAGE	2752

EXHIBIT "A"

LAND DESCRIPTION

WP 4197

A parcel of California State School land situate in Fresno County and San Benito County, California, described as follows:

Lots 10, 11, 19 and 20 and the North 1/2 of the Southwest 1/4 of Section 36, T18S, R12E, M.D.M.

END OF DESCRIPTION

PREPARED 2/28/80 BY TECHNICAL SERVICES UNIT, ROY MINNICK, SUPERVISOR.

CALENDAR PAGE	46
MINUTE PAGE	2253

To San Jose 10 Miles

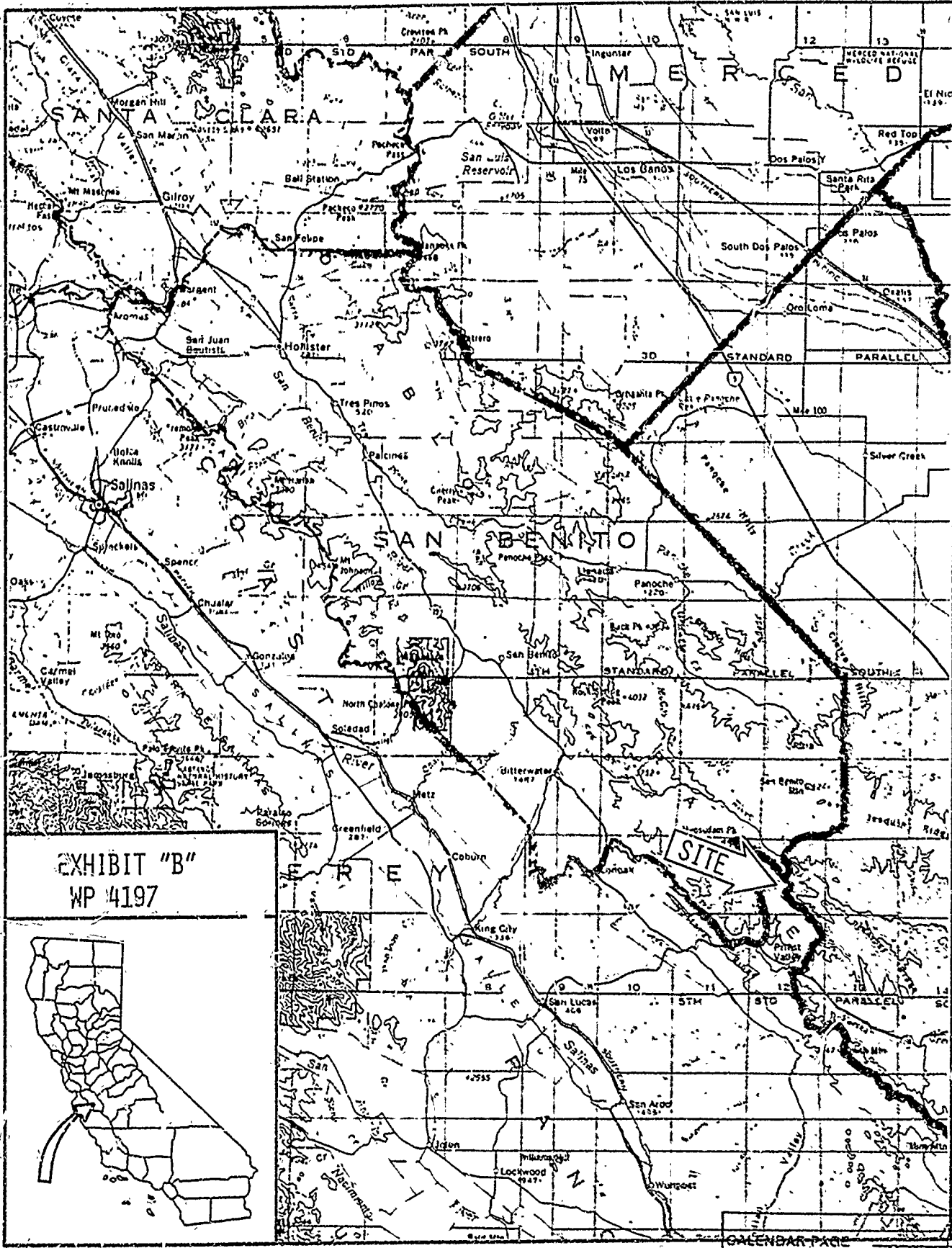


EXHIBIT "B"  
WP 4197



CALENDAR PAGE 17  
MINUTE PAGE 2254