

MINUTE ITEM

This Calendar Item No. 65
was approved as Minute Item
No. 8 by the State Lands
Commission by a vote of 3
to 0 at its 2/28/83
meeting.

CALENDAR ITEM

C O 8 4

2/24/83
W 22639
Childress
PRC 6384

GENERAL LEASE - AGRICULTURAL USE

APPLICANT: Albert C. Gregerson
P. O. Box 53
Litchfield, California 96117

AREA, TYPE LAND AND LOCATION:
A 320-acre parcel of State school land
being the north one-half of Section 28,
T31N, R15E, MDM, Lassen County.

LAND USE: Farming.

TERMS OF PROPOSED LEASE:
Initial period: 25 years from December 1,
1982.

Public liability insurance: \$300,000 combined
single limit or equivalent.

CONSIDERATION: The initial five-year period shall be \$250
per year, the second five years shall be
\$8,640 per year; thereafter, the annual
rent shall be \$8,640 or 25 percent of lessee's
annual gross income, whichever is greater.
Gross income is defined as all income received
by lessee from the sale of crops produced
on the leased premises.

BASIS FOR CONSIDERATION:
Pursuant to 2 Cal. Adm. Code 2003.

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S 1

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PREREQUISITE TERMS, FEES AND EXPENSES:

Filing fee and environmental costs have been received.

STATUTORY AND OTHER REFERENCES:

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

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

AB 884: 5/5/83.

OTHER PERTINENT INFORMATION:

1. The State's land in its present condition supports scattered native grasses and sagebrush with limited carrying capacity for livestock and wildlife. This lease will allow the property to be put into more productive use. The land will be cleared, leveled, disked and fenced prior to the planting of the proposed crops (alfalfa and cereal grains).
2. Lessee covenants and promises to extract only so much of the underlying water, for use on the leased property, as is reasonable and beneficial, such extraction shall be made in a manner designed to minimize adverse effects on the water rights of all other overlying owners possessing rights in the same water supply and in no case shall lessee cause irreparable harm to the water rights of other overlying owners of the same water supply.
3. Negative Declaration No. 320 was prepared and circulated pursuant to CEQA and the State CEQA Guidelines. It was found that the project could have a significant effect on identified archaeological resources, but mitigation measures proposed in the environmental document and on the lease will alleviate these concerns.

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4. The project is situated on lands not identified as possessing significant environmental values pursuant to P.R.C. 6370.1.

EXHIBITS:

- A. Legal Description.
- B. Location Map.
- C. Negative Declaration.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT A NEGATIVE DECLARATION HAS BEEN PREPARED FOR THIS PROJECT BY THE COMMISSION STAFF AFTER CONSULTATION WITH RESPONSIBLE AND TRUSTEE AGENCIES.
2. CERTIFY THAT A NEGATIVE DECLARATION, EIR ND 320 HAS BEEN COMPLETED IN COMPLIANCE WITH CEQA AND THE COMMISSION'S ADMINISTRATIVE REGULATIONS, AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN PRIOR TO THE APPROVAL OF THE PROJECT.
3. DETERMINE THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT; MITIGATION MEASURES FOR IDENTIFIED ARCHEOLOGICAL SITES AS PROPOSED IN THE NEGATIVE DECLARATION WILL BE EMPLOYED BEFORE AND DURING THE DEVELOPMENT PROCESS.
4. AUTHORIZE ISSUANCE TO ALBERT C. GREGERSON OF A 25-YEAR GENERAL LEASE - AGRICULTURAL USE, FROM DECEMBER 1, 1982; IN CONSIDERATION OF ANNUAL RENTAL FOR INITIAL FIVE-YEAR PERIOD OF \$250; SUBSEQUENT TO THE FIFTH ANNIVERSARY THE RENTAL SHALL BE \$8,640 FOR THE NEXT FIVE-YEAR PERIOD; BEGINNING AFTER THE TENTH ANNIVERSARY AND FOR THE REMAINDER OF THE TERM, THE ANNUAL RENTAL SHALL BE TWENTY-FIVE PERCENT (25%) OF LESSEE'S ANNUAL GROSS INCOME OR \$8,640, WHICHEVER IS GREATER. THE MINIMUM RENTS OF \$250 and \$8,640 RESPECTFULLY SHALL BE PAID TO LESSOR IN ADVANCE AND SHALL BE CREDITED AGAINST THE AMOUNT OF ANNUAL RENTAL DUE AS DETERMINED ACCORDING TO THIS PARAGRAPH, PROVISION OF PUBLIC LIABILITY INSURANCE IN THE AMOUNT OF \$300,000 COMBINED SINGLE LIMIT OR EQUIVALENT, ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION

A parcel of California State school land in the County of Lassen, said parcel being the N 1/2 of Section 28, T31N, R15E, MDM.

END OF DESCRIPTION

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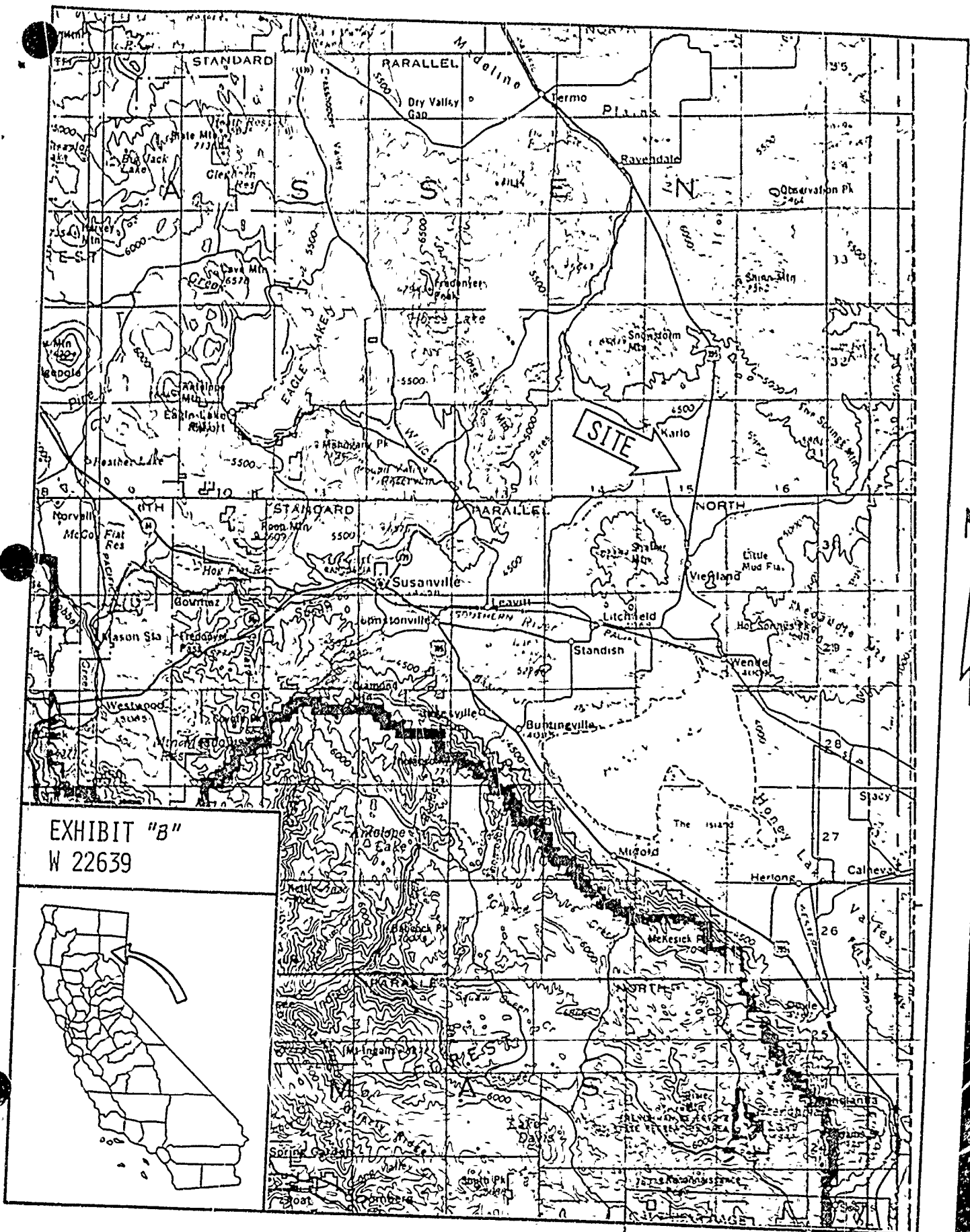


EXHIBIT "B"
W 22639



PROPOSED NEGATIVE DECLARATION

EIR ND 320

File Ref.: W 22639

SCH#:

Project Title: Gregerson Agricultural Lease.

Project Location: N $\frac{1}{2}$ of Section 28, T.31 N., R.15 E., M.D.M., in Secret Valley,
approximately 25 miles northeast of Susanville, Lassen County.Project Description: The growing and harvesting of field crops. (alfalfa and
cereal grains)

This NEGATIVE DECLARATION is prepared pursuant to the requirements of the California Environmental Quality Act (Section 21000 et seq. of the Public Resources Code), the State CEQA Guidelines (Section 15000 et seq., Title 14, of the California Administrative Code), and the State Lands Commission regulations (Section 2901 et seq., Title 2, of the California Administrative Code).

Based upon the attached Initial Study, it has been found that:

- the project will not have a significant effect on the environment.
- the attached mitigation measures will avoid potentially significant effects.

Contact Person: Ted T. Fukushima
1807-13th Street
Sacramento, CA 95814
Telephone: (916)322-7813

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Exhibit "C"

MITIGATION MEASURES

An archeological report was prepared by State Archeologist Francis A. Riddell of the Department of Parks and Recreation. Mitigation measures for the identified archeological sites as proposed in the report will be employed before and during the development process and such protective measures will become a condition of the lease.

ENVIRONMENTAL IMPACT ASSESSMENT CHECKLIST - Part II
Form 13 20 (7/82)

File Ref.: W 22639

I. BACKGROUND INFORMATION

A. Applicant Albert C. Gregerson
Post Office Box 53
Litchfield, California 96117

B. Checklist Date 10 / 20 , 82

C. Contact Person Ted Fukushima
Telephone (916) 322-7813

D. Purpose Agricultural Lease

E. Location N½ of Section 28, T3N, R15E, MDM, Lassen County

F. Description Land will be used for growing and harvesting field crops
(alfalfa and small cereal grains)

G. Persons Contacted Bud Pyshora, Associate Wildlife Biologist, Department of
Fish and Game; Glen Pierson, Engineering Geologist, Department of
Water Resources; Francis A. Riddell, Supervisor, Cultural Resource
Management Unit, Department of Parks and Recreation

II. ENVIRONMENTAL IMPACTS. (Explain all "yes" and "maybe" answers)

A. Earth. Will the proposal result in:	Yes	Maybe	No
1. Unstable earth conditions or changes in geologic substructures?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Disruptions, displacements, compaction, or overcovering of the soil?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Change in topography or ground surface relief features?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. The destruction, covering, or modification of any unique geologic or physical features?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. Any increase in wind or water erosion of soils, either on or off the site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Changes in deposition or erosion of beach sands, or changes in siltation, deposition or erosion which may modify the channel of a river or stream or the bed of the ocean or any bay, inlet, or lake?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7. Exposure of all people or property to geologic hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- | | Yes | Maybe | No |
|--|-------------------------------------|-------------------------------------|-------------------------------------|
| B. <i>Air</i> . Will the proposal result in | | | |
| 1. Substantial air emissions, or deterioration of ambient air quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. The creation of objectionable odors? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. Alteration of air movement, moisture or temperature, or any change in climate, either locally or regionally? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| C. <i>Water</i> . Will the proposal result in | | | |
| 1. Changes in the currents, or the course or direction of water movements, in either marine or fresh waters? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Changes in absorption rates, drainage patterns, or the rate and amount of surface water runoff? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. Alterations to the course or flow of flood waters? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4. Change in the amount of surface water in any water body? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 5. Discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen or turbidity? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 6. Alteration of the direction or rate of flow of ground waters? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 7. Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 8. Substantial reduction in the amount of water otherwise available for public water supplies? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 9. Exposure of people or property to water related hazards such as flooding or tidal waves? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 10. Significant changes in the temperature, flow or chemical content of surface thermal springs? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| D. <i>Plant Life</i> . Will the proposal result in: | | | |
| 1. Change in the diversity of species, or number of any species of plants (including trees, shrubs, grass, crops, and aquatic plants)? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Reduction of the numbers of any unique, rare or endangered species of plants? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. Introduction of new species of plants into an area, or in a barrier to the normal replenishment of existing species? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4. Reduction in acreage of any agricultural crop? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| E. <i>Animal Life</i> . Will the proposal result in: | | | |
| 1. Change in the diversity of species, or numbers of any species of animals (birds, land animals including reptiles, fish and shellfish, benthic organisms, or insects)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Reduction of the numbers of any unique, rare or endangered species of animals? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. Introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4. Deterioration to existing fish or wildlife habitat? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| F. <i>Noise</i> . Will the proposal result in | | | |
| 1. Increase in existing noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Exposure of people to severe noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| G. <i>Light and Glare</i> . Will the proposal result in | | | |
| 1. The production of new light or glare? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| H. <i>Land Use</i> . Will the proposal result in | | | |
| 1. A substantial alteration of the present or planned land use of an area? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| I. <i>Natural Resources</i> . Will the proposal result in | | | |
| 1. Increase in the rate of use of any natural resources? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Substantial depletion of any nonrenewable resources? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

- J. *Risk of Upset* Does the proposal result in
- | | | | |
|---|--------------------------|--------------------------|-------------------------------------|
| | Yes | Maybe | No |
| 1. A risk of an explosion or the release of hazardous substances (including, but not limited to, oil, pesticides, chemicals, or radiation) in the event of an accident or upset conditions? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Possible interference with emergency response plan or an emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
- K. *Population* Will the proposal result in:
- | | | | |
|---|--------------------------|--------------------------|-------------------------------------|
| 1. The alteration, distribution, density, or growth rate of the human population of the area? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|
- L. *Housing* Will the proposal result in:
- | | | | |
|---|--------------------------|--------------------------|-------------------------------------|
| 1. Affecting existing housing, or create a demand for additional housing? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|
- M. *Transportation/Circulation* Will the proposal result in:
- | | | | |
|---|--------------------------|--------------------------|-------------------------------------|
| 1. Generation of substantial additional vehicular movement? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Affecting existing parking facilities, or create a demand for new parking? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. Substantial impact upon existing transportation systems? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4. Alterations to present patterns of circulation or movement of people and/or goods? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 5. Alterations to waterborne, rail, or air traffic? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 6. Increase in traffic hazards to motor vehicles, bicyclists, or pedestrians? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
- N. *Public Services* Will the proposal have an effect upon, or result in a need for new or altered governmental services in any of the following areas:
- | | | | |
|---|--------------------------|--------------------------|-------------------------------------|
| 1. Fire protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Police protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. Schools? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4. Parks and other recreational facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 5. Maintenance of public facilities, including roads? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 6. Other governmental services? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
- O. *Energy* Will the proposal result in:
- | | | | |
|---|--------------------------|--------------------------|-------------------------------------|
| 1. Use of substantial amounts of fuel or energy? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Substantial increase in demand upon existing sources of energy, or require the development of new sources? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
- P. *Utilities* Will the proposal result in a need for new systems, or substantial alterations to the following utilities:
- | | | | |
|------------------------------------|--------------------------|--------------------------|-------------------------------------|
| 1. Power or natural gas? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Communication systems? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. Water? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4. Sewer or septic tanks? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 5. Storm water drainage? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 6. Solid waste and disposal? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
- Q. *Human Health* Will the proposal result in:
- | | | | |
|--|--------------------------|--------------------------|-------------------------------------|
| 1. Creation of any health hazard or potential health hazard (excluding mental health)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Exposure of people to potential health hazards? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
- R. *Aesthetics* Will the proposal result in:
- | | | | |
|--|--------------------------|--------------------------|-------------------------------------|
| 1. The obstruction of any scenic vista or view open to the public, or will the proposal result in the creation of an aesthetically offensive site open to public view? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|
- S. *Recreation* Will the proposal result in:
- | | | | |
|---|--------------------------|--------------------------|-------------------------------------|
| 1. An impact upon the quality or quantity of existing recreational opportunities? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|

T Cultural Resources

Yes Maybe No

- 1. Will the proposal result in the alteration of or the destruction of a prehistoric or historic archeological site?
- 2. Will the proposal result in adverse physical or aesthetic effects to a prehistoric or historic building, structure, or object?
- 3. Does the proposal have the potential to cause a physical change which would affect unique ethnic cultural values?
- 4. Will the proposal restrict existing religious or sacred uses within the potential impact area?

U. Mandatory Findings of Significance

- 1. Does the project have the potential to degrade the quality of the environment, reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?
- 2. Does the project have the potential to achieve short term, to the disadvantage of long term, environmental goals?
- 3. Does the project have impacts which are individually limited, but cumulatively considerable?
- 4. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

III. DISCUSSION OF ENVIRONMENTAL EVALUATION (See Comments Attached)

- A.2. The land will be leveled, disc harrowed, and planted. Seeds will be drilled into the soil.
- A.3. Removal of natural vegetation will modify the site's topographic features; portions of the area will be fenced with 4-strand barbed wire and 3-foot 1-inch mesh.
- C.2. Removal of shrubs and the cultivation process will modify the soil absorption rate and drainage patterns. Such effects, however, will have minimal impacts.
- C.6./ Groundwater resources will be used for irrigation; a sprinkling
- C.7./ system will dispose water drawn from an 800-foot well located on
- C.8. the applicant's private land adjacent to the subject parcel. The Department of Water Resources has indicated that water resources will not be significantly affected by this project.
- D.1. Native shrubs will be removed as ground is leveled. The Department of Fish and Game indicates that such action will have no significant adverse effects.

(See attached page)

IV. PRELIMINARY DETERMINATION

On the basis of this initial evaluation

- I find the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A NEGATIVE DECLARATION will be prepared.
- I find the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

Date: 10 / 22 / 82

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[Signature]
for the State Lands Commission

III. Discussion of environmental Evaluation (cont.)

T.1./ Archaeologist Francis A. Riddell of the Department of Parks and
T.3. Recreation has performed an on-site survey of the subject parcel.
His report indicates the presence of four archaeological sites
within the area of proposed development. Mitigation for the
protection of these sites was proposed in the report, and such
mitigation will be employed before and during the development
process. These protective measures will become a provision of
the lease. The State Historic Preservation Office has received
a copy of the archaeological report and this environmental
document.