

**CALENDAR ITEM  
C55**

A 34  
S 18

04/23/14  
PRC 8079.9  
D. Simpkin

**AMENDMENT OF LEASE**

**APPLICANT:**

City of Los Angeles  
Department of Water and Power  
111 North Hope Street  
Los Angeles, CA 90012

**AREA, LAND TYPE, AND LOCATION:**

Sovereign land in the dry lake bed of Owens Lake, Inyo County.

**AUTHORIZED USE:**

Research and monitoring at the South Sand Sheet, implementation of shallow flooding and monitoring at the North Sand Sheet, and the construction and operation of the South Zone Dust Control Project. Construction, installation, operation, and monitoring of shallow flooding dust control measures (DCMs) associated with Phases IV, V, and VII of the Owens Lake Dust Control Project (OLDCP). Construction, installation, operation, and monitoring of 0.5 square mile of channel area improvements. Construction of sand fence and vegetation enhancement in Cell T1A-1, in support of the Phase VII Owens Lake Dust Control Project. Construction, use, and maintenance of two access roads (one access road to cell T37-1, and one access road to cell T37-2). Construction, operation, and maintenance of 2.03 square miles of DCMs associated with Phase VIII of the Owens Lake Dust Control Project including placement of gravel on top of permeable geotextile fabric, placement of road material to expand an existing roadway, construction of earthen berms, and placement of gravel for maintenance purposes. Placement of above-grade sprinkler systems within the Channel Area and Area T1A-1. The construction, use, and maintenance of a 30-inch high-density polyethylene (HDPE) submain and access road from cell area T35-1 to cell area T37-1. The construction, use, and maintenance of 3.1 square miles of dust control in six Dust Control Areas (DCAs) and 3.4 square miles of transitioned dust control in seven DCAs.

**LEASE TERM:**

20 years, beginning May 1, 1999.

CALENDAR ITEM NO. **C55** (CONT'D)

**CONSIDERATION:**

The public health and safety, with the State reserving the right at any time to set a monetary rent if the Commission finds such action to be in the State's best interest.

**PROPOSED AMENDMENT:**

The **Land Use or Purpose** of Section 1 of the Lease would be amended to authorize the use of a stockpile area to store aggregate road base material.

**Section 3, Land Description** of the Lease would be amended to include a stockpile area to store aggregate road base material not previously authorized by the Commission and an access road and modified water supply pipeline previously authorized by the Commission as referenced in the attached Exhibit A.

All other terms and conditions of the Lease, as amended, shall remain in full force and effect.

**OTHER PERTINENT INFORMATION:**

1. On June 14, 1999, the Commission authorized the issuance of Lease No. PRC 8079.9, a General Lease – Public Agency Use, to the City of Los Angeles Department of Water and Power (City) for a period of 20 years, for the Owens Lake South Sand Sheet Air Quality and Sand Fence Effectiveness Monitoring System. Since that time, the Commission authorized 14 amendments to the Lease for the construction, operation, and maintenance of additional components of dust control.
2. On September 20, 2013, the Commission authorized the 14<sup>th</sup> amendment to Lease No. PRC 8079.9, for construction, use, and maintenance of 3.1 square miles of dust control in six DCAs and 3.4 square miles of transitioned dust control in seven DCAs associated with OLDPCP Phase 7a (Calendar Item C82).
3. The City submitted an application to amend Lease No. PRC 8079.9 for the use of a stockpile area to store aggregate road base material during Phase 7a construction and included a land description for an access road and modified water supply pipeline previously authorized by the Commission as part of Phase 7a but not included in the previous land description.

CALENDAR ITEM NO. **C55** (CONT'D)

4. An EIR, State Clearinghouse No. 2011051068, *Owens Lake Phase 7a Dust Control Measures*, was certified by the City on June 4, 2013. The City adopted a Mitigation Monitoring Program and made Findings pursuant to the provisions of the California Environmental Quality Act (CEQA). Commission staff reviewed such documents and determined that none of the events described in Public Resources Code section 21166 or the State CEQA Guidelines (Cal. Code Regs., tit. 14, §§ 15162, 15163) have occurred as a result of the project changes. Specifically, the potential effects of a water supply pipeline, access road, and stockpile area(s) were analyzed in the EIR. The minor change in the route/location of the pipeline is proposed to avoid an identified sensitive area; the relocation of the stockpile area is to a location adjacent to access and does not change the prior environmental analysis. Neither of these modifications creates a new significant effect or cause a substantial increase in the severity of a previously identified significant effect. Therefore, no changes or additions to the EIR are necessary.
5. 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 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

**RECOMMENDED ACTION:**

It is recommended that the Commission:

**CEQA FINDING:**

Find that an EIR, State Clearinghouse No. 2011051068, was prepared for this Project by the Los Angeles Department of Water and Power and certified on June 4, 2013, and that the Commission reviewed and considered the information contained therein.

CALENDAR ITEM NO. **C55** (CONT'D)

Re-adopt the Mitigation Monitoring Program, as contained on file in the Sacramento Office of the Commission as Exhibit C to Calendar Item C82, September 20, 2013.

Re-adopt the Findings, made in conformance with California Code of Regulations, Title 14, sections 15091 and 15096, subdivision (h), as contained on file in the Sacramento Office of the Commission as Exhibit D to Calendar Item C82, September 20, 2013.

Determine that the Project, as approved, will not have a significant effect on the environment.

**AUTHORIZATION:**

Authorize the Amendment of Lease No. PRC 8079.9, a General Lease – Public Agency Use, effective April 23, 2014, to amend the Land Use or Purpose to authorize the use of a stockpile area to store aggregate road base material and amend the Land Description to include an access road and water supply pipeline previously authorized by the Commission as described in Exhibit A and shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof; all other terms and conditions of the lease as previously amended will remain in effect without amendment.

**Amended Addendum to Exhibit A. Legal Descriptions**  
**Owens Lake Dust Mitigation Program Phase VII**  
**PRC 8079.9**

**Access Road to Parcel D4 (Moat and Row or Shallow Flooding Area T37-02)**

An access roadway in, on, over, under, and across State-owned sovereign land in, and adjacent to the bed of Owens Lake, in Section 1, Township 17 South, Range 36 East, Mt. Diablo Meridian, in the County of Inyo, State of California, within a strip of land 30.00 feet wide, lying 15.00 feet on each side of the following described center line:

BEGINNING at a point in the northerly boundary of Parcel T37-2, from whence Mineral Monument No. 58, a white marble stone monument with a metal plate cross stamped "MM #58", as said monument is shown on that map filed in Book 11, of Record of Surveys at page 7, Official Records of the County of Inyo, State of California, bears North 85°39'32" East, a distance of 40,888.61 feet; thence North 34°43'46" West, 147.34 feet to the beginning of a tangent curve, concave to the southwest, with a radius of 30.00 feet, and a central angle of 83°30'52"; thence westerly along the arc of said curve 43.73 feet; thence South 61°45'25" West, 904.37 feet to the beginning of a tangent curve, concave to the southeast, with a radius of 200.00 feet, and a central angle of 7°22'00"; thence southwesterly along the arc of said curve 25.71 feet; thence South 54°23'24" West, 124.49 feet to the beginning of a tangent curve, concave to the northwest, with a radius of 50.00 feet, and a central angle of 20°39'43"; thence southwesterly along the arc of said curve 18.03 feet; thence South 75°03'06" West, 42.56 feet to the beginning of a tangent curve, concave to the southeast, with a radius of 200.00 feet, and a central angle of 15°28'33"; thence southwesterly along the arc of said curve 54.02 feet; thence South 59°34'33" West, 177.98 feet to the beginning of a tangent curve, concave to the southeast, with a radius of 150.00 feet, and a central angle of 39°39'46"; thence southwesterly along the arc of said curve 103.84 feet; thence South 19°54'46" West, 160.89 feet to the beginning of a tangent curve, concave to the northwest, with a radius of 148.21 feet, and a central angle of 26°28'46"; thence southwesterly along the arc of said curve 68.49 feet to the southerly boundary of said State-owned sovereign land, and the point of interruption of said 30.00 feet wide strip of land; thence continuing on said curve, with said radius of 148.21 feet, through a central angle of 22°44'28", along the arc of said curve 58.82 feet into Private lands; thence South 69°08'01" West, 134.56 feet through Private lands to the beginning of a tangent curve, concave to the northeast, with a radius of 153.92 feet, and a central angle of 84°24'09"; thence northwesterly, through Private lands, along the arc of said curve 226.74 feet to the southerly boundary of

said State-owned sovereign land, and the point of continuation of said 30.00 foot wide strip of land; thence continuing on said curve, with said radius of 153.92 feet, through a central angle of  $18^{\circ}52'22''$ , along the arc of said curve 50.70 feet; thence North  $07^{\circ}35'28''$  West, 104.15 feet to the beginning of a tangent curve, concave to the southwest, with a radius of 275.00 feet, and a central angle of  $27^{\circ}46'53''$ ; thence northwesterly along the arc of said curve 133.34 feet; thence North  $35^{\circ}22'21''$  West, 96.20 feet to the beginning of a tangent curve, concave to the southwest, with a radius of 200.00 feet, and a central angle of  $5^{\circ}43'52''$ ; thence northwesterly along the arc of said curve 20.01 feet; thence North  $41^{\circ}06'13''$  West, 110.77 feet to the beginning of a tangent curve, concave to the southwest, with a radius of 50.00 feet, and a central angle of  $87^{\circ}41'53''$ ; thence westerly along the arc of said curve 76.53 feet; thence South  $51^{\circ}11'56''$  West, 131.64 feet to the beginning of a tangent curve, concave to the northwest, with a radius of 200.00 feet, and a central angle of  $9^{\circ}12'03''$ ; thence southwesterly along the arc of said curve 32.12 feet; thence South  $60^{\circ}23'59''$  West, 71.89 feet to the beginning of a tangent curve, concave to the northwest, with a radius of 200.00 feet, and a central angle of  $9^{\circ}54'54''$ ; thence southwesterly along the arc of said curve 34.61 feet; thence South  $70^{\circ}18'53''$  West, 94.95 feet to the beginning of a tangent curve, concave to the southeast, with a radius of 200.00 feet, and a central angle of  $5^{\circ}24'51''$ ; thence southwesterly along the arc of said curve 18.90 feet; thence South  $64^{\circ}54'02''$  West, 61.74 feet to the beginning of a tangent curve, concave to the northwest, with a radius of 200.00 feet, and a central angle of  $11^{\circ}50'40''$ ; thence southwesterly along the arc of said curve 41.34 feet; thence South  $76^{\circ}44'42''$  West, 46.62 feet to the beginning of a tangent curve, concave to the southeast, with a radius of 200.00 feet, and a central angle of  $15^{\circ}01'33''$ ; thence southwesterly along the arc of said curve 52.45 feet; thence South  $61^{\circ}43'09''$  West, 173.38 feet to the beginning of a tangent curve, concave to the northwest, with a radius of 50.00 feet, and a central angle of  $28^{\circ}18'56''$ ; thence westerly along the arc of said curve 24.71 feet; thence North  $89^{\circ}57'53''$  West, 278.32 feet to the beginning of a tangent curve, concave to the northerly, with a radius of 1000.00 feet, and a central angle of  $0^{\circ}40'20''$ ; thence westerly along the arc of said curve 11.73 feet, more or less, to the westerly line of the 200-foot-wide Southern Pacific Rail Road right-of-way as shown on Parcel Map No. 70, recorded in Book 1, page 46, Official Records of said County, and the END of this described center line.

The side lines of this described center line are to be lengthened or shortened so that this described strip of land wholly terminates contiguous with: said Rail Road right-of-way, said southerly boundary of State-owned sovereign land, and said northerly boundary of Parcel T37-2.

The Bearings used in this description are on the California Coordinate System, NAD83, (CCS83/92), Zone 4. The Coordinate values, in U.S. Survey Feet, of said Mineral Monument No. 58, also known as Triangulation Station "Keeler" are: Northing 2,064,076.37, Easting 6,890,187.91. All distances shown herein are grid distances in U.S. Survey Feet. To obtain ground surface distances, multiply the distances shown by 1.000228742.

END OF DESCRIPTIONS



*Patrick R. Maddock*  
3-17-14

**Exhibit A. Legal Description**  
**Owens Lake Dust Mitigation Program Phase 7a**  
**For Sub-Main From T36-1 to T37-2**

A parcel of State-owned sovereign land in the bed of Owens Lake in the County of Inyo, State of California, being more particularly described as follows:

**Sub-Main Alignment (Between T36-1 and T37-2)**

A corridor within a strip of land 200.00 feet wide, lying 100.00 feet on each side, except where strip of land is noted to be 100.00 feet wide, lying 50.00 feet on each side, of the following described center line:

BEGINNING at a point near the northerly boundary of T36-1, from whence Mineral Monument No. 58, a white marble stone monument with a metal plate cross stamped "MM #58", as said monument is shown on that map filed in Book 11, of Record of Surveys at page 7, Official Records of the County of Inyo, State of California, bears South 73°44'25" East, a distance of 33,223.96 feet; thence along the following described courses:

South 51°18'55" West, 3,459.33 feet, 200.00 feet wide;  
South 73°48'55" West, 78.39 feet, 200.00 feet wide;  
South 51°18'55" West, 38.06 feet, 200.00 feet wide;  
South 28°48'55" West, 78.39 feet, 200.00 feet wide;  
South 51°18'55" West, 1,370.29 feet, 200.00 feet wide;  
South 17°06'28" West, 7,133.19 feet, 200.00 feet wide;  
South 62°21'16" West, 580.65 feet, 100.00 feet wide;  
South 16°37'42" West, 298.21 feet, 100.00 feet wide;  
South 27°53'34" East, 579.62 feet, 100.00 feet wide;  
South 17°06'28" West, 562.92 feet, 200.00 wide, to the northerly boundary of Parcel T37-2, and the end of said center line.

The side lines of this described center line are to be lengthened or shortened to terminate at northerly boundary of said Parcel T37-2.

The Bearings used in this description are on the California Coordinate System, NAD83, (CCS83/92), Zone 4. The Coordinate values, in U.S. Survey Feet, of said Mineral Monument No. 58, also known as Triangulation Station

"Keeler" are: Northing 2,064,076.37, Easting 6,890,187.91. All distances shown herein are grid distances in U.S. Survey Feet. To obtain ground surface distances, multiply the distances shown by 1.000228742.

END OF DESCRIPTION



**Exhibit A. Legal Description**  
**Owens Lake Dust Mitigation Program Phase 7a**  
**For Stock Pile Parcel at T37-2 Access Road**

A parcel of State-owned sovereign land being westerly of the bed of Owens Lake, in Section 1, Township 17 South, Range 36 East, Mt. Diablo Meridian, in the County of Inyo, State of California, being more particularly described as follows:

**Stock Pile Parcel at T37-2 Access Road**

BEGINNING at a point near the southerly boundary of the T37-2 Access Road, from whence Mineral Monument No. 58, a white marble stone monument with a metal plate cross stamped "MM #58", as said monument is shown on that map filed in Book 11, of Record of Surveys at page 7, Official Records of the County of Inyo, State of California, bears North 85°01'12" East, a distance of 43,739.42 feet; thence along the following described courses:

South 33°59'24" West, 36.50 feet;  
South 25°49'53" West, 36.33 feet;  
South 37°56'51" West, 49.24 feet;  
North 80°18'34" West, 41.05 feet;  
North 21°27'15" West, 66.16 feet;  
North 1°47'04" West, 33.40 feet;  
South 89°57'53" East, 132.22 feet to the point of BEGINNING.

The Bearings used in this description are on the California Coordinate System, NAD83, (CCS83/92), Zone 4. The Coordinate values, in U.S. Survey Feet, of said Mineral Monument No. 58, also known as Triangulation Station "Keeler" are: Northing 2,064,076.37, Easting 6,890,187.91. All distances shown herein are grid distances in U.S. Survey Feet. To obtain ground surface distances, multiply the distances shown by 1.000228742.

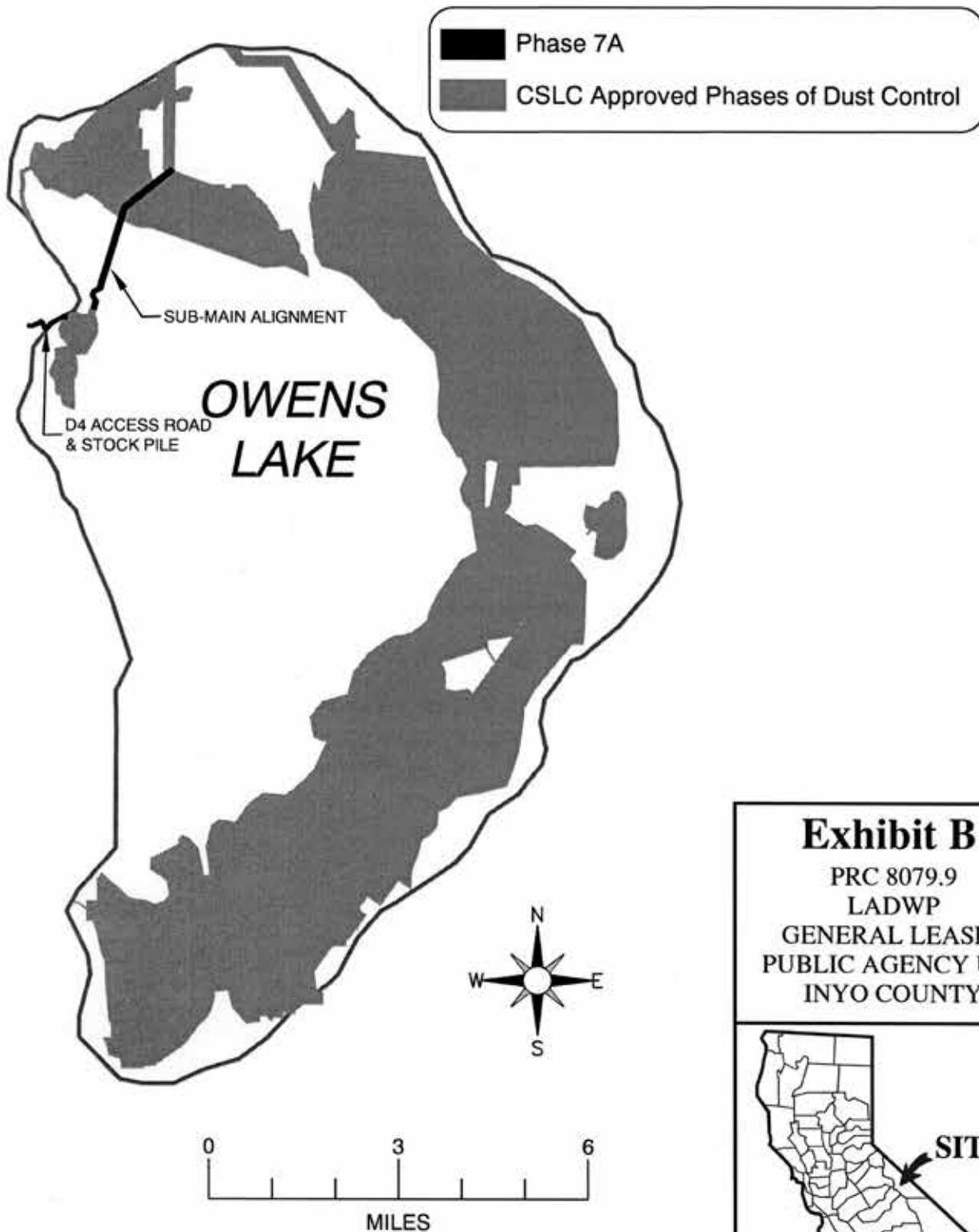
END OF DESCRIPTION



*Patrick R. Maddock*  
3-10-14

NO SCALE

# SITE



## **Exhibit B**

PRC 8079.9  
LADWP  
GENERAL LEASE -  
PUBLIC AGENCY USE  
INYO 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.