

**CALENDAR ITEM
C69**

A 35
S 19

10/14/14
PRC 7819.9
R. Collins

CONSIDER TERMINATION OF LEASE NO. PRC 7819.9

LESSEE:

County of Santa Barbara Sheriff's Department

AREA, LAND TYPE, AND LOCATION:

Sovereign land in the Burton Mesa Ecological Reserve, near the city of Lompoc, Santa Barbara County.

AUTHORIZED USE:

Use and maintenance of an equestrian training center.

LEASE TERM:

15 years, beginning May 3, 1995.

CONSIDERATION:

Public Health and Safety with the State reserving the right at any time to set a monetary rental, if the Commission finds such action to be in the State's best interest.

OTHER PERTINENT INFORMATION:

1. The State, acting through the State Lands Commission (CSLC), received 5,125 acres of land in north Santa Barbara County, to be held as sovereign land by the State of California, from Union Oil Company of California (UNOCAL) as part of a settlement agreement reached in July 1991. The acreage supports one of the last significant natural stands of Burton Mesa Chaparral. On December 4, 1999, the CSLC approved a 49-year lease, beginning December 4, 1999, to the California Department of Fish and Game, since renamed California Department of Fish and Wildlife (CDFW), for management, operation, and maintenance of the property.
2. On May 3, 1995, the Commission authorized Lease No. PRC 7819.9, a General Lease – Public Agency Use, to the County of Santa Barbara Sheriff's Department (Sheriff), for a 15-year term beginning May 3, 1995, on sovereign land in the Burton Mesa Ecological Reserve (Reserve) for

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the construction, use, and maintenance of an equestrian training center. Terms of the lease provided for the Sheriff to have the mounted unit patrol existing trails on a flexible schedule and to provide inmate labor crews for trail maintenance for not less than two weekends per year or the equivalent by members of the Sheriff's mounted unit. Commission staff has been unable to verify evidence the Sheriff's mounted unit patrolled the lease premises, but did confirm that the Sheriff did not provide either inmate labor or the equivalent labor from the mounted unit.

3. On September 10, 2007, the CDFW approved the Final Land Management Plan (Plan) for the Reserve. The Plan serves as a guide for land uses of the property and provides an overview of the Reserve's operation and maintenance. The Plan identified a Task which specifically relates to Lease No. PRC 7819.9. The Task calls for the prohibition of horses in the Reserve in order to maximize the protection of resources and to minimize the introduction of noxious weeds. Termination of Lease No. PRC 7819.9 fulfills the goal of prohibiting equestrian use within the Reserve.
4. On January 4, 2010, the Lessee submitted an application for a General Lease – Public Agency Use to extend the term of the lease. The lease has been in hold-over since the expiration of the lease on May 2, 2010. While negotiating terms of a new lease, the Sheriff notified staff of plans to relocate the equestrian center to another site. CDFW staff has confirmed the Sheriff has removed all improvements related to the equestrian unit that are not beneficial to CDFW's management, operation, and maintenance of the Reserve. The Lessee has subsequently withdrawn the application for a new lease.
5. **Lease Termination:** The staff recommends that the Commission find that the subject lease termination does not have a potential for resulting in either a direct or a reasonably foreseeable indirect physical change in the environment, and is, therefore, not a project in accordance with the California Environmental Quality Act (CEQA).

Authority: Public Resources Code section 21065 and California Code of Regulations, Title 14, sections 15060, subdivision (c)(3), and 15378.

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RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Lease Termination: Find that the subject lease termination is not subject to the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15060, subdivision (c)(3), because the subject activity is not a project as defined by Public Resources Code section 21065 and California Code of Regulations, Title 14, section 15378.

AUTHORIZATION:

Authorize termination of Lease No. PRC 7819.9, a General Lease - Public Agency Use, effective October 14, 2014, issued to County of Santa Barbara Sheriff's Department for an equestrian training center on sovereign land in the Burton Mesa Ecological Reserve, near the city of Lompoc, Santa Barbara County.