

**CALENDAR ITEM  
C28**

A 14  
S 9

12/17/14  
W 26796  
W. Hall

**GENERAL LEASE – PUBLIC AGENCY USE**

**APPLICANT:**

East Bay Regional Park District

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

Approximately 93.19 acres, more or less, of sovereign land near Rodeo, Contra Costa County.

**AUTHORIZED USE:**

Use and maintenance of livestock grazing and existing fencing.

**LEASE TERM:**

10 years, beginning December 17, 2014.

**CONSIDERATION:**

The public use and benefit; 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 interests.

**SPECIFIC LEASE PROVISIONS:**

1. Number of livestock permitted on the Lease Premises is restricted to those that can be supported by vegetation.
2. Applicant must exercise good grazing practices to avoid overgrazing.

**OTHER PERTINENT INFORMATION:**

1. Applicant has the right to access the property from the public roadway.
2. On June 19, 1991, the subject parcel, Assessor's Parcel Number 358-010-007, containing approximately 93.19 acres, was conveyed as sovereign land to the State, acting by and through the State Lands Commission, by Union Oil Company of California under the Burton Mesa Settlement Agreement (AD 161). The Grant Deed was recorded on June 21, 1991, in

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Contra Costa County. A pipeline easement was reserved by Union Oil in the above referenced Grant Deed.

3. On September 26, 2014, the Applicant submitted an application for a General Lease – Public Agency Use, for livestock grazing and use and maintenance of existing fencing.
4. The Applicant's proposed lease of the subject parcel will provide a regional and local public benefit by providing a fire break and fuel suppression, noxious weed and non-native vegetation control, visual access and viewshed protection along Interstate Highway 80.
5. The number of livestock permitted on the Lease Premises is restricted to those that can be supported by the forage available on this range area taking into consideration forage reserved for necessary wildlife use. The estimated carrying capacity of the Lease Premises is approximately 58 animal unit months (AUM). The typical grazing period is from December through May, dependent upon range readiness and climactic conditions. The East Bay Regional Park District follows the District Grazing Policy contained within the May 2005 Wildland Vegetation Management Program Procedural Manual.
6. The Applicant is required to use good grazing practices to avoid overgrazing of the Lease Premises. The Commission may, at any time during the Lease term, make an analysis of forage conditions utilizing accepted range management practices.
7. The 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 4, Minor Alteration to Land; California Code of Regulations, Title 2, section 2905, subdivision (d)(1).

Authority: Public Resources Code section 21084 and California Code of Regulations, Title 14, section 15300 and California Code of Regulations, Title 2, section 2905.

8. 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 has 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

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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 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 4, Minor Alteration to Land; California Code of Regulations, Title 2, section 2905, subdivision (d)(1).

**AUTHORIZATION:**

Authorize issuance of a General Lease – Public Agency Use to the East Bay Regional Park District, beginning December 17, 2014, for a term of 10 years, for livestock grazing and use and maintenance of fencing, as described in Exhibit A and shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof; no consideration will be charged as the project will result in a public benefit, 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 interests.

**EXHIBIT A**

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**LAND DESCRIPTION**

A parcel of land situate in that portion of the Rancho El Pinole as shown on that map filed in Book 16, Page 28 of Records of Surveys in the Office of the County Recorder of the County of Contra Costa, State of California, described as follows:

All those lands as described in "Exhibit A" of that Corporation Grant Deed to the State of California recorded June 21<sup>st</sup>, 1991 in Book 16681, Page 85 of Official Records of said County.

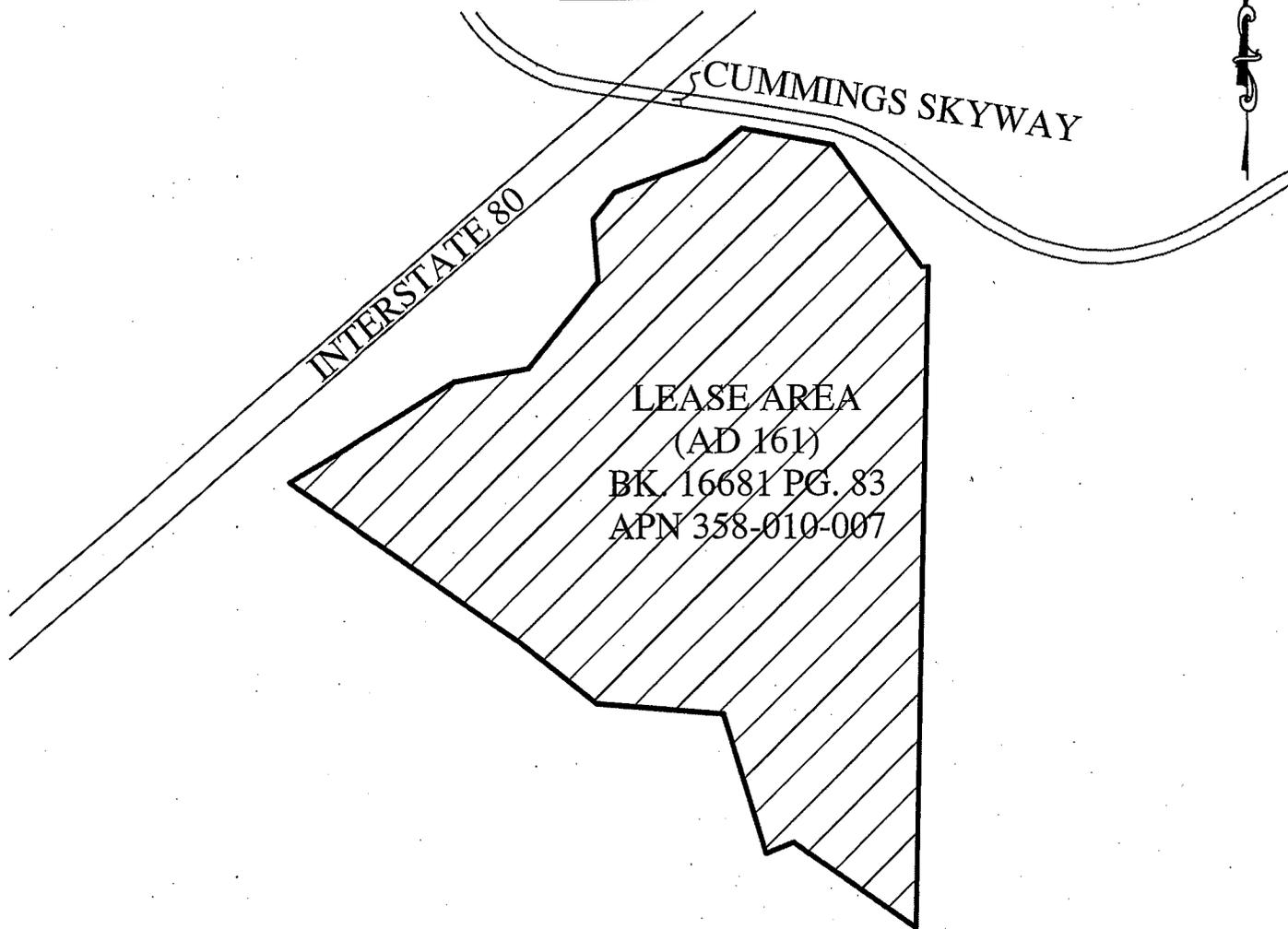
**END OF DESCRIPTION**

PREPARED 11/10/14 BY THE CALIFORNIA STATE LANDS COMMISSION BOUNDARY UNIT



NO SCALE

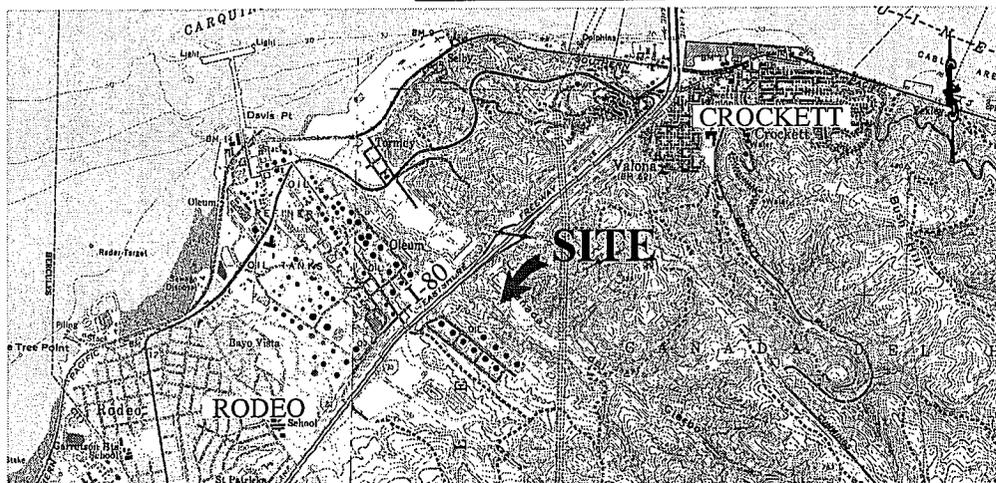
### SITE



Intersection of Interstate 80 & Cummings Skyway, near Rodeo - AD 161

NO SCALE

### LOCATION



MAP SOURCE: USGS QUAD

### **Exhibit B**

W 26796

EAST BAY REGIONAL

PARK DISTRICT

APN 358-010-007

GENERAL LEASE -

PUBLIC AGENCY USE

CONTRA COSTA COUNTY



**SITE**

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.