

**CALENDAR ITEM
C78**

A 26
S 8

02/20/15
PRC 9085.9
D. Simpkin

AMENDMENT OF LEASE

LESSEE:

Great Basin Unified Air Pollution Control District

AREA, LAND TYPE, AND LOCATION:

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

AUTHORIZED USE:

The continued use and maintenance of 124 Sensit sites, five meteorological towers, one air monitoring station, and four concrete footings.

LEASE TERM:

20 years, beginning August 23, 2013.

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 interests.

PROPOSED AMENDMENT:

1. Amend **Land Use or Purpose** of Section 1 of the Lease to authorize the removal of five Sensit sites and the addition of nine Sensit sites.
2. Replace **Exhibit A, Land Description** of the lease with the attached Exhibit A, Land Description. All other terms and conditions of the lease shall remain in effect without amendment.

OTHER PERTINENT INFORMATION:

1. On September 20, 2013, the Commission authorized a 20-year General Lease – Public Agency Use to the Great Basin Unified Air Pollution Control District (District) for the continued use and maintenance of 124 air monitoring equipment (Sensit) sites, five meteorological towers, and one air monitoring station.

CALENDAR ITEM NO. **C78** (CONT'D)

2. On June 4, 2014, Commission staff issued the District a Letter of Non-Objection for the Placement and Operation of additional Sensits on the dry lake bed of Owens Lake. A condition of the Letter of Non-Objection required the District to submit an application for Lease Amendment for the continued use and operation of the additional Sensits. The District has submitted an application to amend the lease to remove a total of five Sensit sites and add nine Sensit sites. Commission staff is recommending an amendment of the lease to reflect the number of Sensits that currently exist on the lakebed.

3. 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 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

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

4. 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 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 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

CALENDAR ITEM NO. **C78** (CONT'D)

AUTHORIZATION:

Authorize the amendment of Lease No. PRC 9085.9, a General Lease – Public Agency Use, to authorize the removal of five Sensit sites and the addition of nine Sensit sites and to amend the Land Description 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 will remain in effect without amendment.

EXHIBIT A

PRC 9085.9

LAND DESCRIPTION

One hundred and thirty-four parcels of State-owned sovereign land in the bed of Owens Lake, County of Inyo, State of California, being more particularly described as follows:

Parcels 1 – 128 (Sensit Sites)

One hundred and twenty-eight (128) circular parcels of State-owned sovereign land being 3.048 meters in diameter, the centers of said parcels having the follow coordinates:

1. N = 4042635.89 Meters, E = 415700.66 Meters;
2. N = 4022500.18 Meters, E = 409498.47 Meters;
3. N = 4042596.63 Meters, E = 415059.22 Meters;
4. N = 4041931.48 Meters, E = 408044.75 Meters;
5. N = 4028055.82 Meters, E = 414402.96 Meters;
6. N = 4037501.43 Meters, E = 409000.88 Meters;
7. N = 4036990.83 Meters, E = 408507.56 Meters;
8. N = 4036997.93 Meters, E = 409012.78 Meters;
9. N = 4035999.29 Meters, E = 408494.44 Meters;
10. N = 4032789.95 Meters, E = 422885.59 Meters;
11. N = 4031287.64 Meters, E = 421964.80 Meters;
12. N = 4039415.72 Meters, E = 414425.82 Meters;
13. N = 4024646.50 Meters, E = 410157.94 Meters;
14. N = 4024208.41 Meters, E = 411228.66 Meters;
15. N = 4024004.93 Meters, E = 417499.41 Meters;
16. N = 4023164.48 Meters, E = 411477.59 Meters;
17. N = 4042502.15 Meters, E = 414500.75 Meters;
18. N = 4042494.87 Meters, E = 415482.03 Meters;
19. N = 4041457.65 Meters, E = 414407.88 Meters;
20. N = 4040505.73 Meters, E = 414501.38 Meters;
21. N = 4037396.65 Meters, E = 408497.34 Meters;
22. N = 4037424.09 Meters, E = 417511.19 Meters;
23. N = 4036499.14 Meters, E = 408501.53 Meters;
24. N = 4033489.96 Meters, E = 420507.63 Meters;
25. N = 4033476.29 Meters, E = 421494.44 Meters;
26. N = 4032272.80 Meters, E = 418590.88 Meters;
27. N = 4032509.88 Meters, E = 421499.72 Meters;

28. N = 4031495.63 Meters, E = 421503.59 Meters;
29. N = 4030493.52 Meters, E = 417470.22 Meters;
30. N = 4028560.11 Meters, E = 415483.06 Meters;
31. N = 4028624.00 Meters, E = 418666.00 Meters;
32. N = 4027479.42 Meters, E = 416494.34 Meters;
33. N = 4025482.63 Meters, E = 412516.66 Meters;
34. N = 4040034.54 Meters, E = 412135.75 Meters;
35. N = 4025615.30 Meters, E = 418440.78 Meters;
36. N = 4024485.21 Meters, E = 412468.63 Meters;
37. N = 4024498.76 Meters, E = 414510.88 Meters;
38. N = 4024461.61 Meters, E = 417496.06 Meters;
39. N = 4023490.91 Meters, E = 410490.97 Meters;
40. N = 4023502.21 Meters, E = 411516.22 Meters;
41. N = 4043034.18 Meters, E = 408914.51 Meters;
42. N = 4043353.34 Meters, E = 410717.50 Meters;
43. N = 4042190.85 Meters, E = 415032.45 Meters;
44. N = 4042057.25 Meters, E = 414842.25 Meters;
45. N = 4032241.64 Meters, E = 421814.30 Meters;
46. N = 4031928.77 Meters, E = 421622.54 Meters;
47. N = 4031706.73 Meters, E = 421999.34 Meters;
48. N = 4031615.89 Meters, E = 422211.28 Meters;
49. N = 4032170.99 Meters, E = 422726.01 Meters;
50. N = 4031720.18 Meters, E = 422803.39 Meters;
51. N = 4031588.98 Meters, E = 422537.61 Meters;
52. N = 4031202.09 Meters, E = 422460.24 Meters;
53. N = 4031313.11 Meters, E = 421642.73 Meters;
54. N = 4030882.49 Meters, E = 421656.18 Meters;
55. N = 4030879.12 Meters, E = 422157.45 Meters;
56. N = 4030438.41 Meters, E = 421794.12 Meters;
57. N = 4023878.97 Meters, E = 412268.07 Meters;
58. N = 4025347.13 Meters, E = 413771.06 Meters;
59. N = 4041658.81 Meters, E = 414790.43 Meters;
60. N = 4033223.27 Meters, E = 418486.30 Meters;
61. N = 4028620.56 Meters, E = 411479.18 Meters;
62. N = 4032846.37 Meters, E = 420823.42 Meters;
63. N = 4042292.62 Meters, E = 408201.85 Meters;
64. N = 4041661.69 Meters, E = 408279.17 Meters;
65. N = 4043059.92 Meters, E = 416155.20 Meters;
66. N = 4018654.69 Meters, E = 409915.72 Meters;
67. N = 4044416.53 Meters, E = 415324.80 Meters;
68. N = 4020058.28 Meters, E = 411883.71 Meters;

69. N = 4035400.45 Meters, E = 408485.44 Meters;
70. N = 4038754.30 Meters, E = 409355.76 Meters;
71. N = 4043150.77 Meters, E = 414993.72 Meters;
72. N = 4043536.96 Meters, E = 415793.06 Meters;
73. N = 4044696.01 Meters, E = 414468.71 Meters;
74. N = 4021424.94 Meters, E = 409077.62 Meters;
75. N = 4019578.50 Meters, E = 409031.26 Meters;
76. N = 4018907.49 Meters, E = 409376.72 Meters;
77. N = 4039115.75 Meters, E = 409176.67 Meters;
78. N = 4027482.22 Meters, E = 414320.79 Meters;
79. N = 4026838.13 Meters, E = 414578.59 Meters;
80. N = 4028123.31 Meters, E = 410402.54 Meters;
81. N = 4042337.61 Meters, E = 407340.29 Meters;
82. N = 4042773.02 Meters, E = 407684.08 Meters;
83. N = 4042672.07 Meters, E = 408276.32 Meters;
84. N = 4033406.55 Meters, E = 421723.08 Meters;
85. N = 4026263.85 Meters, E = 414015.17 Meters;
86. N = 4019408.51 Meters, E = 411491.24 Meters;
87. N = 4020066.44 Meters, E = 412311.53 Meters;
88. N = 4033358.15 Meters, E = 422126.04 Meters;
89. N = 4041774.51 Meters, E = 410997.31 Meters;
90. N = 4039784.27 Meters, E = 417296.91 Meters;
91. N = 4035505.51 Meters, E = 419486.69 Meters;
92. N = 4023496.15 Meters, E = 412503.00 Meters;
93. N = 4020816.08 Meters, E = 414345.50 Meters;
94. N = 4023566.07 Meters, E = 413526.19 Meters;
95. N = 4040115.92 Meters, E = 411890.94 Meters;
96. N = 4020593.70 Meters, E = 413177.88 Meters;
97. N = 4024554.40 Meters, E = 413543.47 Meters;
98. N = 4023494.15 Meters, E = 414494.94 Meters;
99. N = 4023497.97 Meters, E = 415501.06 Meters;
100. N = 4022489.03 Meters, E = 411485.63 Meters;
101. N = 4020515.04 Meters, E = 413527.63 Meters;
102. N = 4021500.90 Meters, E = 414501.16 Meters;
103. N = 4022505.02 Meters, E = 414488.91 Meters;
104. N = 4022663.04 Meters, E = 413401.97 Meters;
105. N = 4021332.60 Meters, E = 409302.00 Meters;
106. N = 4020235.86 Meters, E = 409801.13 Meters;
107. N = 4024419.37 Meters, E = 412929.87 Meters;
108. N = 4024232.29 Meters, E = 412769.95 Meters;
109. N = 4023646.91 Meters, E = 412788.05 Meters;

110. N = 4023517.16 Meters, E = 412969.10 Meters;
 111. N = 4023390.43 Meters, E = 413138.07 Meters;
 112. N = 4022716.61 Meters, E = 413669.14 Meters;
 113. N = 4023797.89 Meters, E = 412374.57 Meters;
 114. N = 4023187.05 Meters, E = 411770.82 Meters;
 115. N = 4021110.83 Meters, E = 410408.06 Meters;
 116. N = 4020853.80 Meters, E = 410197.26 Meters;
 117. N = 4019890.10 Meters, E = 409219.50 Meters;
 118. N = 4027145.35 Meters, E = 415061.33 Meters;
 119. N = 4026935.56 Meters, E = 415215.46 Meters;
 120. N = 4043638.25 Meters, E = 410715.85 Meters;
 121. N = 4042851.64 Meters, E = 408999.20 Meters;
 122. N = 4042296.60 Meters, E = 408516.75 Meters;
 123. N = 4041657.86 Meters, E = 408420.82 Meters;
 124. N = 4041320.14 Meters, E = 410423.79 Meters;
 125. N = 4038510.01 Meters, E = 416507.93 Meters;
 126. N = 4025395.61 Meters, E = 414406.61 Meters;
 127. N = 4025382.52 Meters, E = 414525.11 Meters;
 128. N = 4023058.77 Meters, E = 412210.57 Meters.

Parcels 129 – 133 (Met Towers)

Five (5) circular parcels of State-owned sovereign land being 14.021 meters in diameter, the centers of said parcels having the follow coordinates:

129. N = 4028441.39 Meters, E = 411798.88 Meters; (Cottonwood)
 130. N = 4042494.84 Meters, E = 415481.91 Meters; (A Tower)
 131. N = 4038779.00 Meters, E = 409421.40 Meters; (Bartlett Met)
 132. N = 4030431.30 Meters, E = 420256.25 Meters; (B Tower)
 133. N = 4041463.66 Meters, E = 410496.59 Meters. (Delta)

Parcel 134 (North Beach Air Monitoring Station)

One parcel of State-owned sovereign land being 6.096 meters by 6.096 meters square, the center of said parcel having the follow coordinates:

134. N = 4044545.42 Meters, E = 411378.94 Meters;

BASIS OF BEARINGS for this description is UTM Zone 11 meters.

END OF DESCRIPTION

Prepared January 9, 2015 by the California State Lands Commission Boundary Unit.



NO SCALE

SITE

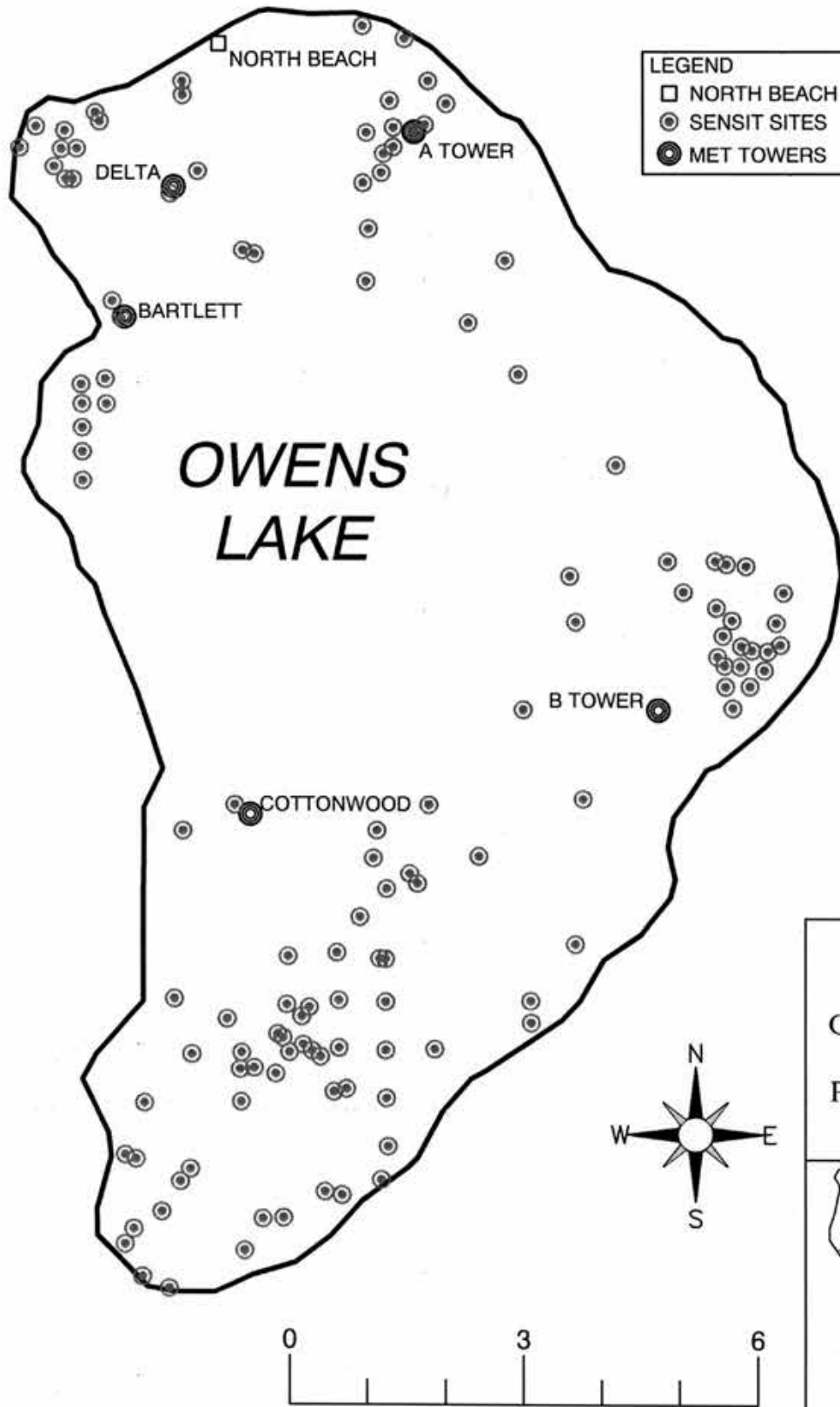


Exhibit B

PRC 9085.9
GREAT BASIN UAPCD
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.