

**STAFF REPORT
C75**

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S 8

06/21/18
W 27168
D. Simpkin

GENERAL LEASE – PUBLIC AGENCY USE

APPLICANT:

City of Los Angeles Department of Water and Power

PROPOSED LEASE:

AREA, LAND TYPE, AND LOCATION:

State-owned school land within a portion of Section 36, Township 18 South, Range 36 East, and a portion of Section 36, Township 18 South, Range 37 East, MDM, near Owens Lake, Inyo County.

AUTHORIZED USE:

Installation, use, and maintenance of one camera and one Sensit.

LEASE TERM:

10 years, beginning June 21, 2018.

CONSIDERATION:

\$125 per year, with an annual Consumer Price Index adjustment.

STAFF ANALYSIS AND RECOMMENDATION:

Authority:

Public Resources Code sections 6005, 6216, 6217.5, 6501.1, 6503, and 8701; California Code of Regulations, title 2, sections 2000 and 2003.

State's Best Interests Analysis:

The City of Los Angeles Department of Water and Power (City or Applicant) has applied for a General Lease – Public Agency Use for the installation, use, and maintenance of one camera (for time-lapse photography) and one Sensit (air particle monitoring equipment) located on State-owned school land near Owens Lake. The proposed lease will allow the Applicant to monitor air quality conditions around Owens Lake as part of the Applicant's Owens Lake Dust Mitigation Control Program. The proposed lease is limited to a 10-year term, does not alienate the State's fee simple interest, and does not grant the Applicant exclusive rights to the lease premises. In addition, the camera and Sensit sites occupy a relatively small footprint.

STAFF REPORT NO. **C75** (CONT'D)

The lease also requires the payment of annual rent, which generates revenue for the California State Teachers' Retirement System, consistent with the School Land Bank Act (Pub. Resources Code, § 8700, et seq.). For the reasons stated above, staff believes issuance of this lease is in the best interests of the State.

OTHER PERTINENT INFORMATION:

1. This action is consistent with Strategy 1.1 of the Commission's Strategic Plan to deliver the highest level of public health and safety in the protection, preservation, and responsible economic use of the lands and resources under the Commission's jurisdiction.
2. On March 27, 2018, staff provided the City a Letter of Non-Objection for the placement and operation of the camera and Sensit. The Letter of Non-Objection allowed the City to begin operation prior to consideration of the lease.
3. 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 6, Information Collection; California Code of Regulations, title 2, section 2905, subdivision (e)(5).

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

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 6, Information Collection; California Code of Regulations, title 2, section 2905, subdivision (e)(5).

STATE'S BEST INTERESTS:

Find that the proposed lease is in the best interests of the State.

STAFF REPORT NO. **C75** (CONT'D)

AUTHORIZATION:

Authorize issuance of a General Lease – Public Agency Use to the City of Los Angeles Department of Water and Power beginning June 21, 2018, for a term of 10 years, for the installation, use and maintenance of one camera and one Sensit, located on State-owned school land as described in Exhibit A and shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof; rent in the amount of \$125 per year, with an annual Consumer Price Index adjustment.

EXHIBIT A

W 27168

LAND DESCRIPTION

PARCEL 1

A parcel of State School land located in the Northwest one-quarter of Section 36, Township 18 South, Range 36 East, Mount Diablo Meridian, County of Inyo, State of California, being more particularly described as follows:

BEGINNING at a point 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 37°08'17" East, a distance of 74,074.02 feet; thence along the following described courses:

South 00°00'00" East, 200.00 feet;

North 90°00'00" West, 200.00 feet;

North 00°00'00" East, 200.00 feet;

North 90°00'00" East, 200.00 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 1.00021422050.

PARCEL 2

A parcel of State School land located in the Northwest one-quarter of Section 36, Township 18 South, Range 37 East, Mount Diablo Meridian, County of Inyo, State of California, being more particularly described as follows:

BEGINNING at a point 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 12°07'44" East, a distance of 60,133.45 feet; thence along the following described courses:

South 00°00'00" East, 200.00 feet;

North 90°00'00" West, 200.00 feet;

North 00°00'00" East, 200.00 feet;

North 90°00'00" East, 200.00 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 1.0002141014.

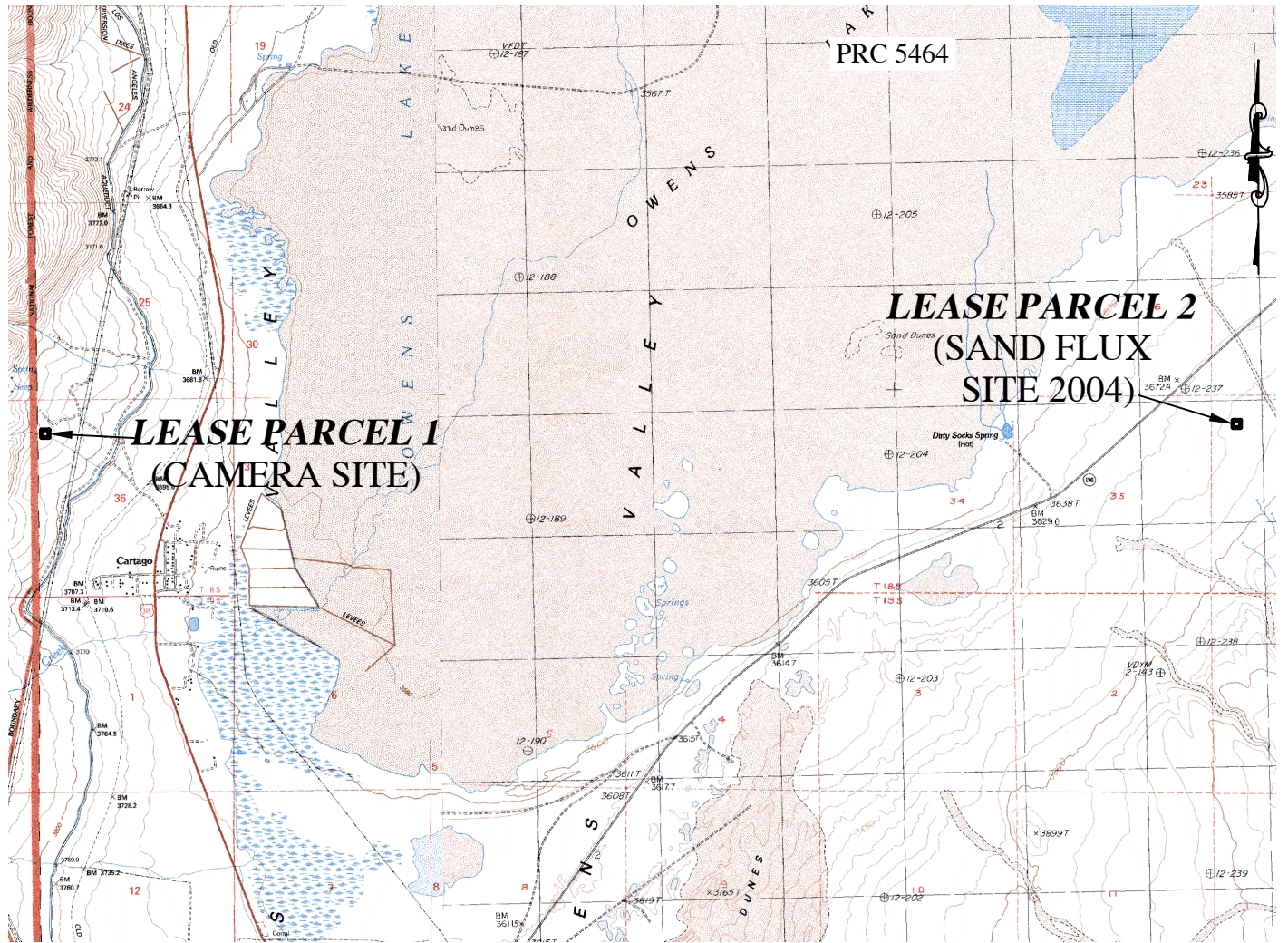
END OF DESCRIPTION

Prepared by Christopher W. Riesen on May 25, 2018



NO SCALE

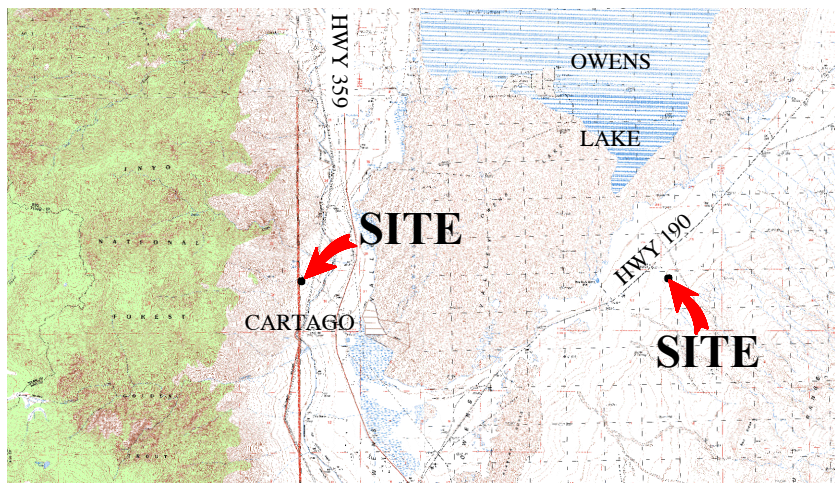
SITE



PORTIONS OF SECTIONS 36, T18S, R36E and T18S, R37E, MDM

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

W 27168
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.