

**CALENDAR ITEM
C20**

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S 18

08/11/09
WP 5672.2
C. Hudson

GENERAL LEASE - GRAZING USE

APPLICANT:

Bidart Bros.
4805 Centennial Plaza Way, Suite 100
Bakersfield, California

AREA, LAND TYPE, AND LOCATION:

200 acres, more or less, of State school (lieu) land in portions of Section 15,
Township 31 South, Range 21 East, MDM, San Luis Obispo County.

AUTHORIZED USE:

Cattle grazing and the continued use and maintenance of an existing access
road, drift fence, water pipeline, and water troughs.

LEASE TERM:

Ten years, beginning February 1, 2009.

CONSIDERATION:

\$500 per year; with the State reserving the right to fix a different rent periodically
during the lease term, as provided in the lease

SPECIFIC LEASE PROVISIONS:

Insurance:

Liability insurance with coverage of no less than \$1,000,000.

Other:

Number of animals permitted on the Lease Premises is restricted to those
that can be supported by vegetation, which is reported by the Applicant to
be 48 animal unit months (AUMs). Applicant must exercise good grazing
practices to avoid over grazing.

OTHER PERTINENT INFORMATION:

1. Applicant has the right to use the lands adjoining the lease premises.

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2. On April 13, 1999, the Commission authorized a General Lease - Grazing Use with Bidart Bros. That lease expired on January 31, 2009. The Applicant is now applying for a new General Lease – Grazing Use to continue cattle grazing.
3. The number of animals permitted on the Lease Premises is restricted to those that can be supported by the forage and water available on this ephemeral range area taking into consideration forage and water reserved for necessary wildlife use. The estimated carrying capacity in animal unit months (AUMs) of the Lease Premises is approximately 48 AUMs. Cattle are grazed during the months of March through June on the west side of the ridge line and from October through June on the east of the ridge line in years when ephemeral forage is available. Grazing periods and locations may vary over the term of this lease due to climatic conditions and/or other natural phenomena.
4. 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. Such analysis shall indicate grazing conditions and may include a determination of forage levels, at various times, during the year. The Commission may require the Applicant to move cattle to or from any area of the Lease Premises where an overgrazing situation may exist for a period of time consistent with the grazing analysis. If supplemental feeding is utilized, distribution of feed will be such that livestock are not concentrated so as to cause damage to vegetation and soil and only supplemental feeding of certified weed-free feed is allowed.
5. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorically exempt project. The project is exempt under Class 4, Minor Alterations to Land; Title 2, California Code of Regulations, section 2905 (d)(1).

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

6. This activity involves lands which have NOT been identified as possessing significant environmental values pursuant to Public Resources Code sections 6370, et seq. However, the Commission has declared that all

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State school lands and submerged 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 sections 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 Title 2, California Code of Regulations, section 2954 is not applicable.

EXHIBITS:

- A. Site and Location Map
- B. Land Description

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 4, MINOR ALTERATIONS TO LAND; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (d)(1).

AUTHORIZATION:

AUTHORIZE ISSUANCE OF A GENERAL LEASE – GRAZING USE TO BIDART BROS., BEGINNING FEBRUARY 1, 2009, FOR A TERM OF TEN YEARS, FOR CATTLE GRAZING AND THE CONTINUED USE AND MAINTENANCE OF AN EXISTING DRIFT FENCE, WATER PIPELINE, AND TROUGHS AS SHOWN ON EXHIBIT A (FOR REFERENCE PURPOSES ONLY) AND AS DESCRIBED IN EXHIBIT B ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; ANNUAL RENT IN THE AMOUNT OF \$500 WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENT PERIODICALLY DURING THE LEASE TERM, AS PROVIDED IN THE LEASE; AND LIABILITY INSURANCE WITH COVERAGE OF NO LESS THAN \$1,000,000.