

**MINUTE ITEM**

This Calendar Item No. C30 was approved as Minute Item No. 30 by the California State Lands Commission by a vote of 3 to 0 at its 4-17-06 meeting.

**CALENDAR ITEM  
C30**

A 34  
S 18

04/17/06  
PRC 4541 WP 4541  
N. Lee

**GENERAL LEASE - RIGHT OF WAY USE**

**APPLICANT:**

Janell Racine

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

One acre, more or less, of school lands in the Northeast ¼ of the Northeast ¼ of Section 36, Township 9 North, Range 22 East, SBM, in the city of Needles, San Bernardino County.

**AUTHORIZED USE:**

Use and maintenance of an existing roadway and an existing utility access serving a single family residence, as shown on the attached Exhibit A.

**LEASE TERM:**

Ten years, beginning November 1, 2005.

**CONSIDERATION:**

\$100 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:**

Liability insurance: Combined single limit coverage of \$500,000.

**OTHER PERTINENT INFORMATION:**

1. Applicant owns lands adjacent to the lease premises.
2. In November of 1970, the Commission authorized a General Lease – Right-of-Way Use to T.G. and Doris J. Harward for the construction, use and maintenance of a gravel road and utility lines serving a single-family residence. The Commission last authorized replacement of the lease to Thomas Harward on February 27, 1996. This lease expired on

CALENDAR ITEM NO. C30 (CONT'D)

October 31, 2005. Mr. Harward passed away and his trust deeded the adjacent property to Louis F. Racine, Jr. and Janell Racine. Mr. Racine has recently passed away. Janell Racine is now applying for a new General Lease – Right-of-Way Use.

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

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

4. 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 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.

**EXHIBIT:**

- A. Location and Site Map

**RECOMMENDED ACTION:**

IT IS RECOMMENDED THAT THE COMMISSION:

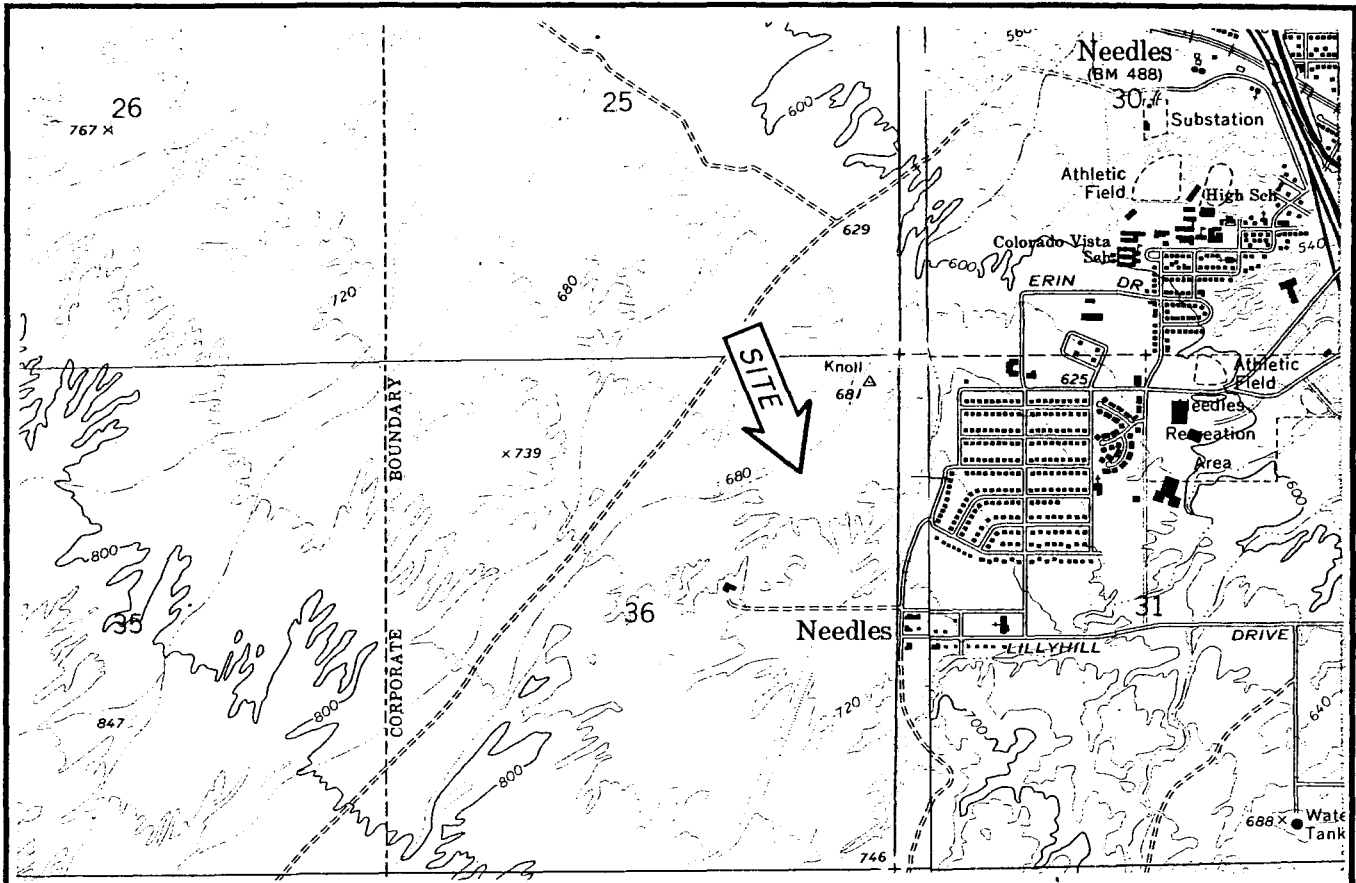
**CEQA FINDING:**

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 1, EXISTING FACILITIES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (a)(2).

CALENDAR ITEM NO. C30 (CONT'D)

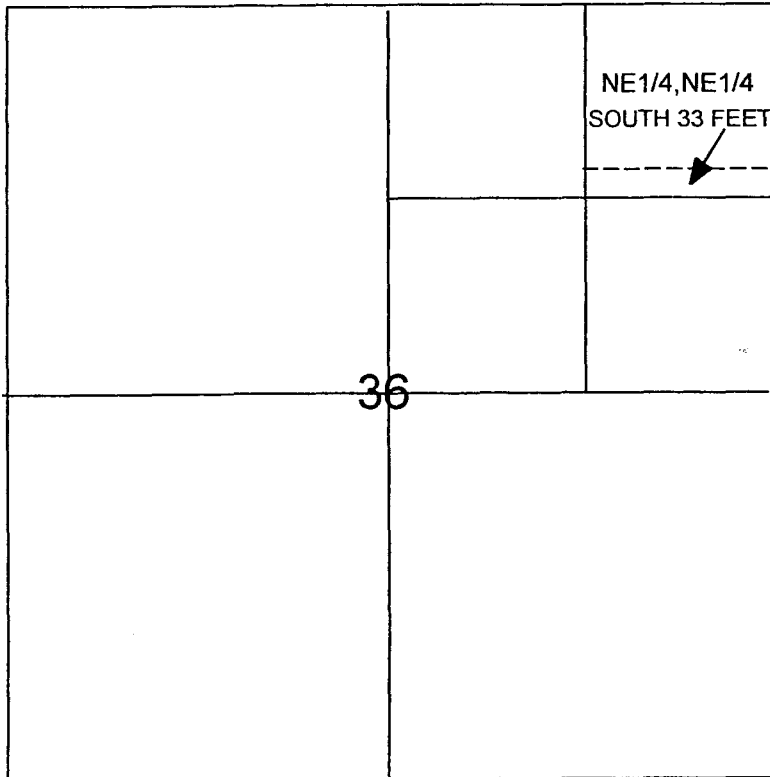
**AUTHORIZATION:**

AUTHORIZE ISSUANCE TO JANELL RACINE OF A GENERAL LEASE – RIGHT OF WAY USE, BEGINNING NOVEMBER 1, 2005, FOR A TERM OF TEN YEARS, FOR CONTINUED USE AND MAINTENANCE OF AN EXISTING ROADWAY AND AN EXISTING UTILITY ACCESS SERVING A SINGLE FAMILY RESIDENCE AS SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; ANNUAL RENT IN THE AMOUNT OF \$100, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENT PERIODICALLY DURING THE LEASE TERM, AS PROVIDED IN THE LEASE; LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF NO LESS THAN \$500,000.



T9N, R22E S.B.M.

T9N, R23E S.B.M.



**EXHIBIT "A"**

**SITE MAP PRC 4541.2  
GENERAL LEASE-RIGHT OF WAY  
SAN BERNARDINO COUNTY**



DRAWING NOT TO SCALE