

**CALENDAR ITEM
C79**

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12/18/15
PRC 6991.1
A. Franzoia

GENERAL LEASE - GRAZING USE

APPLICANT:

Bar CR Cattle Company
P.O. Box 750638
Petaluma, CA 94975

AREA, LAND TYPE, AND LOCATION:

135 acres, more or less, of sovereign land located at Black Point Antenna Field, near the city of Novato, Marin County.

AUTHORIZED USE:

Cattle grazing and the continued use and maintenance of an existing barbed wire fence and two water troughs.

LEASE TERM:

10 years, beginning July 1, 2016.

CONSIDERATION:

\$2,340 per year, with an annual Consumer Price Index adjustment.

SPECIFIC LEASE PROVISIONS:

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

OTHER PERTINENT INFORMATION:

1. Applicant has the right to access property via an access easement adjacent to the lease premises.
2. On September 1, 2011, the Commission authorized a General Lease – Grazing Use to Bar CR Cattle Company. That lease expires on June 30, 2016. The Applicant is now applying for a new General Lease – Grazing Use.
3. The lease premises were conveyed to the State by the United States in 1984 pursuant to Sovereign Land Location 111, Hamilton Air Force Base

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Title Settlement Agreement. The United States quitclaimed to the State certain lands known as the Black Point Transmitter Field (Black Point Antenna Field). The agreement includes a perpetual access easement along an existing private road connecting the site with the San Rafael-Napa Highway (Highway 37).

4. 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 of the lease premises in animal unit months (AUM) is approximately 35 AUM. Applicant proposes to graze 26 AUM on the lease premises. In years when ephemeral forage is available cattle graze the lease premises between January and September.
5. The Lessee is required to use good grazing practices to avoid overgrazing of the lease premises. At any time during the Lease term, Commission staff may analyze 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. Commission staff can require Lessee 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.
6. **Grazing Activity:** 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).
7. **Barbed Wire Fence and Two Water Troughs:** The staff recommends that the Commission find that this activity is exempt from the requirements of 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.

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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 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:

Grazing Activity: 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).

Barbed Wire Fence and Two Water Troughs: 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).

AUTHORIZATION:

Authorize issuance of a General Lease – Grazing Use to Bar CR Cattle Company beginning July 1, 2016, for a term of 10 years, for cattle grazing and the continued use and maintenance of a barbed wire fence and two water troughs as described in Exhibit A and shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof; annual rent in the amount of \$2,340 with an annual Consumer Price Index adjustment, as provided in the lease; and liability insurance in the amount of no less than \$1,000,000.

EXHIBIT A

PRC 6991.1

LAND DESCRIPTION

A parcel of California State proprietary land near Black Point, Marin County, California, described as follows:

Parcels 1 and 2 of that land described in the Quitclaim Deed from the United States of America to the State of California recorded January 17, 1985 in File No. 85002145, Official Records of Marin County.

TOGETHER WITH the perpetual easement along the existing private road connecting the site with the San Rafael-Napa Highway as said easement is described in the above mentioned recorded Quitclaim Deed.

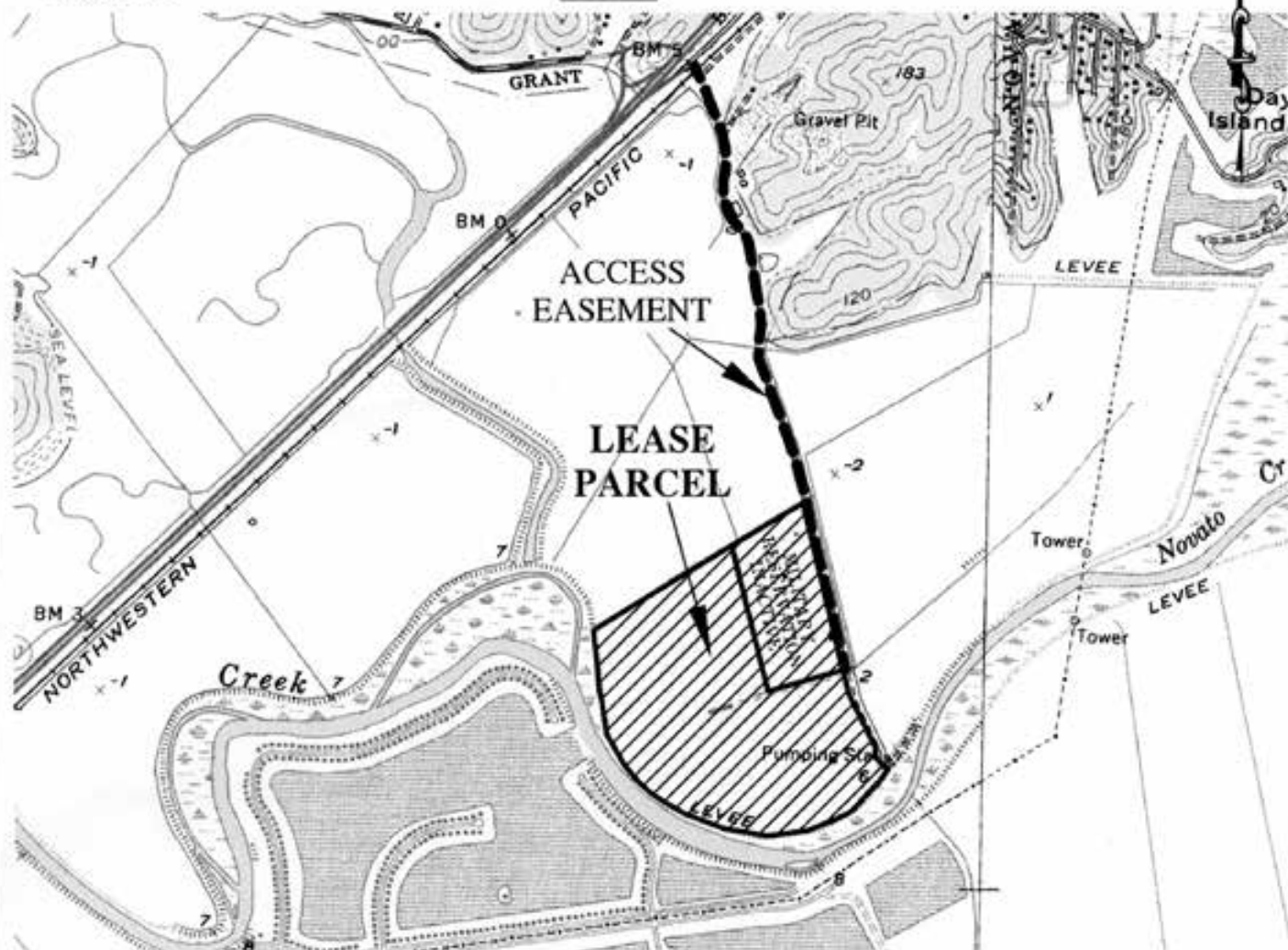
EXCEPTING THEREFROM that 0.680 acre portion thereof described in State Lands Commission Lease PRC 6877.1.

END OF DESCRIPTION

PREPARED MAY 28, 1986 BY BOUNDARY SERVICES UNIT, M. L. SHAFER, SUPERVISOR.

NO SCALE

SITE



BLACK POINT ANTENNA FIELD, NEAR NOVATO

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

PRC 6991.1
 BAR CR CATTLE COMPANY
 APNs 157-160-06 & 07
 GENERAL LEASE -
 GRAZING USE
 MARIN COUNTY



TS 08/07/15

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.