

# Staff Report 71

**LESSEE:**

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U.S. Borax, Inc.

**PROPOSED ACTION:**

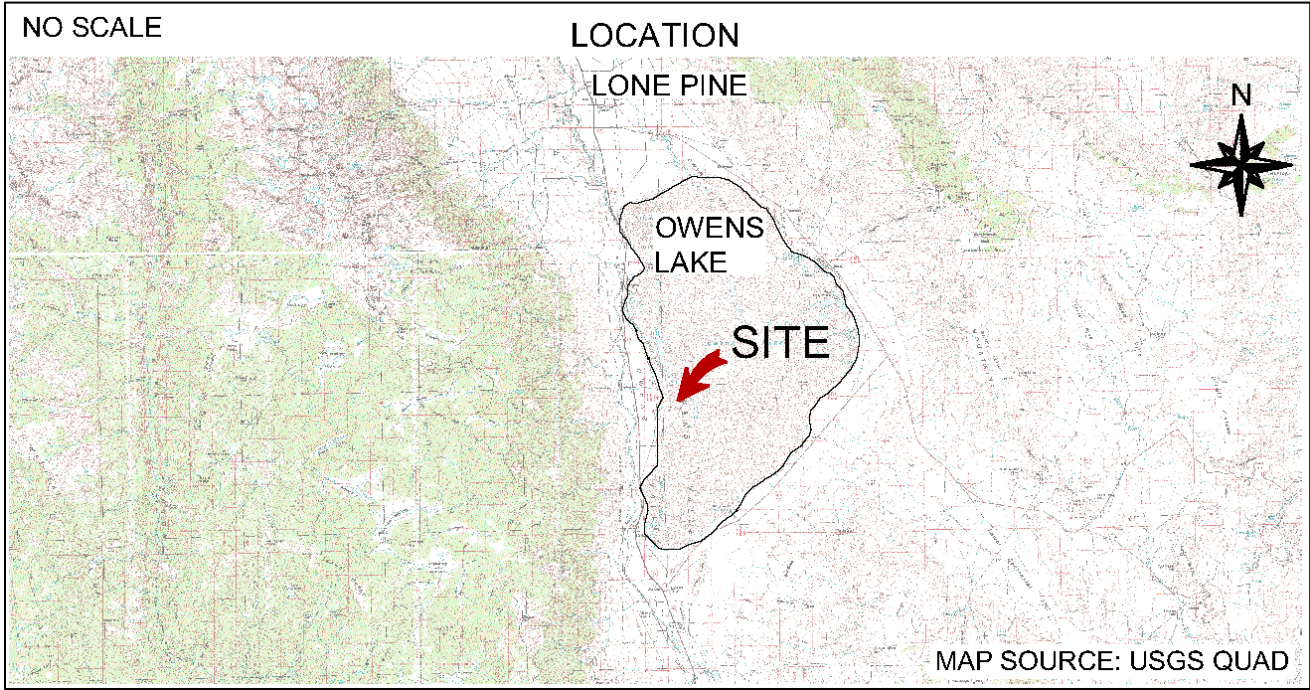
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Revision of Rent

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

50.04 acres, more or less, of sovereign land in the dry lakebed of Owens Lake, Inyo County (as shown in Figure 1).

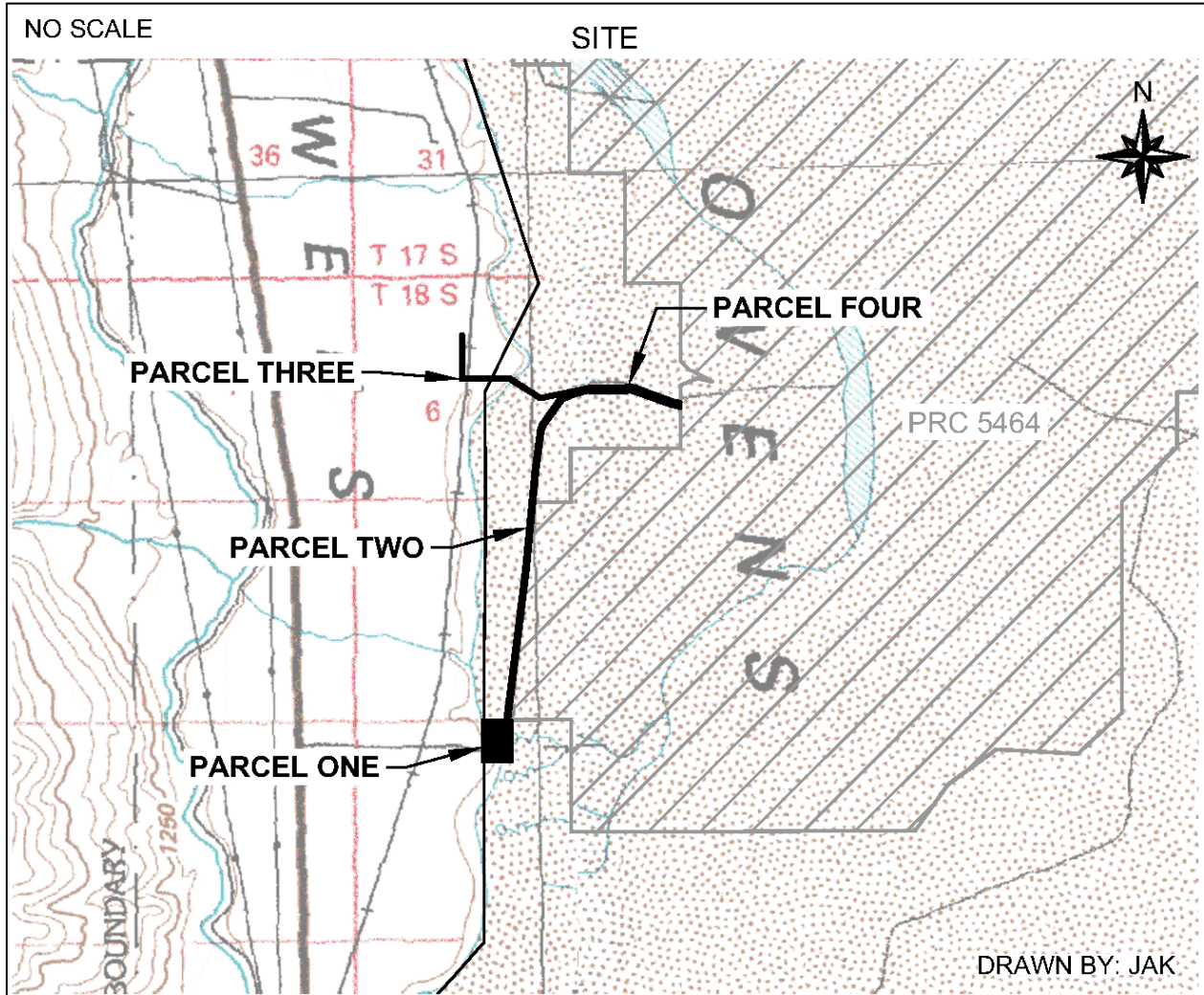
Figure 1. Location



**AUTHORIZED USE:**

Continued use and maintenance of a mineral processing site, access road, water wells, solar evaporation ponds, and an electrical transmission facility (as shown in Figure 2).

Figure 2. Site Map



NOTE: This depiction of the lease premises is based on unverified information provided by the Applicant or other parties and is not a waiver or limitation of any State interest in the subject or any other property.

**TERM:**

20 years, beginning August 1, 2008.

**CONSIDERATION:**

The lease provides that Lessor may modify the rent periodically during the lease term. Pursuant to this provision, staff has conducted a review of the rent under this lease and recommends that the rent be revised from \$2,952 per year to \$4,674 per year, effective August 1, 2023.

**OTHER PERTINENT INFORMATION:**

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1. Approval or denial of the revision of rent is a discretionary action by the Commission. Each time the Commission approves or rejects a revision of rent, it exercises legislatively delegated authority and responsibility as trustee of the State's Public Lands as authorized by law. The Lessee has no right to a new lease or to renewal of any previous lease.
2. On December 17, 2009, the Commission authorized a 20 year General Lease – Industrial Use ([December 17, 2009, Item 30](#)) to the lessee for the a mineral processing site, access road, water wells, solar evaporating ponds, and electrical transmission facility. On April 26, 2013, the Commission authorized an increase in rent ([April 26, 2013, Item 75](#)) from \$2,500 to \$2,606 effective August 1, 2013, and on June 21, 2018, the Commission authorized an increase in rent ([June 21, 2018, Item 72](#)) from \$2,606 to \$2,952, effective August 1, 2018. The lease will expire on July 31, 2028.
3. This action is consistent with addressing the “Meeting Evolving Public Trust Needs” Strategic Focus Area of the Commission’s 2021-25 Strategic Plan.
4. Approving the revision of rent is not a project as defined by the California Environmental Quality Act because it is an administrative action that will not result in direct or indirect physical changes in the environment.

Authority: Public Resources Code section 21065 and California Code of Regulations, title 14, section 15378, subdivision (b)(5).

**RECOMMENDED ACTION:**

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It is recommended that the Commission:

**AUTHORIZATION:**

Approve the revision of rent for Lease PRC 2976 from \$2,952 per year to \$4,674 per year, effective August 1, 2023.