

Staff Report 46

APPLICANT:

Travis M. Stewart

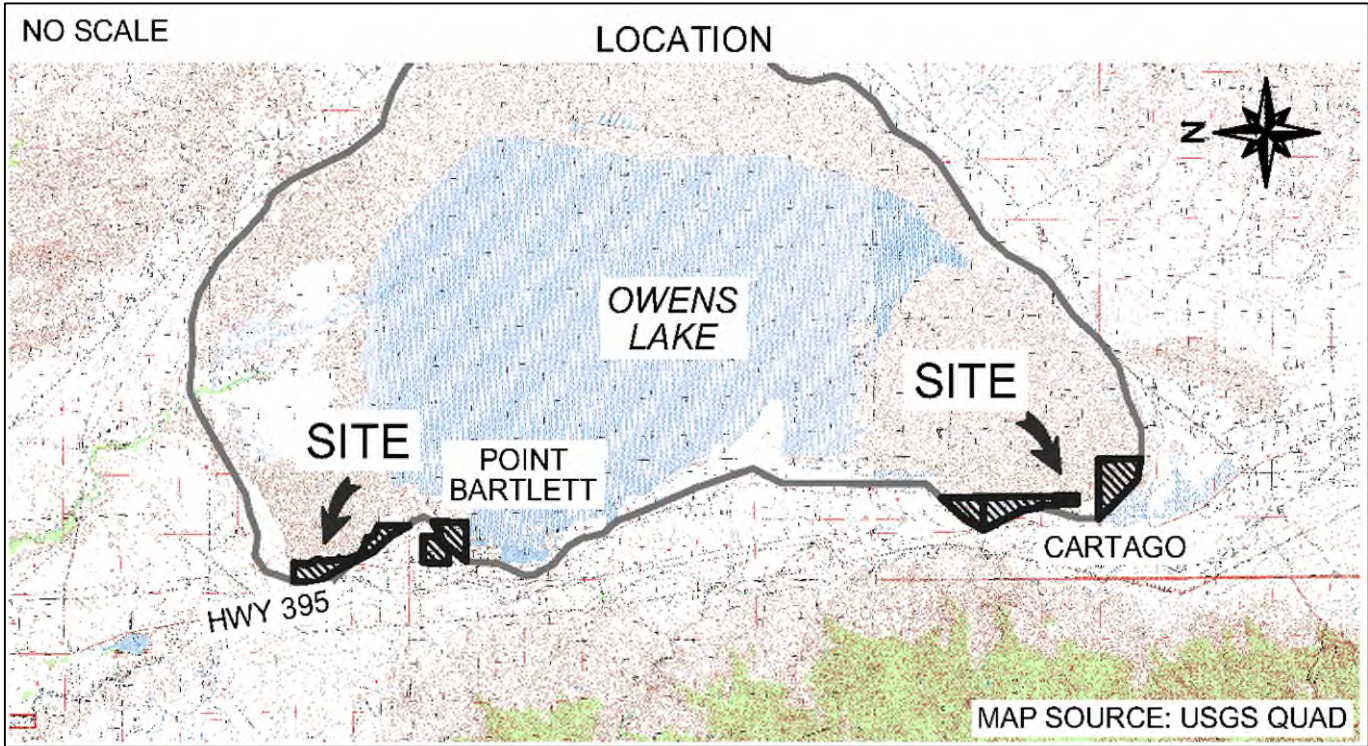
PROPOSED ACTION:

Issuance of a General Lease – Grazing Use.

AREA, LAND TYPE, AND LOCATION:

Approximately 1,228.9 acres, more or less, of State sovereign land, in the dry lakebed of Owens Lake, Inyo County (as shown in Figure 1).

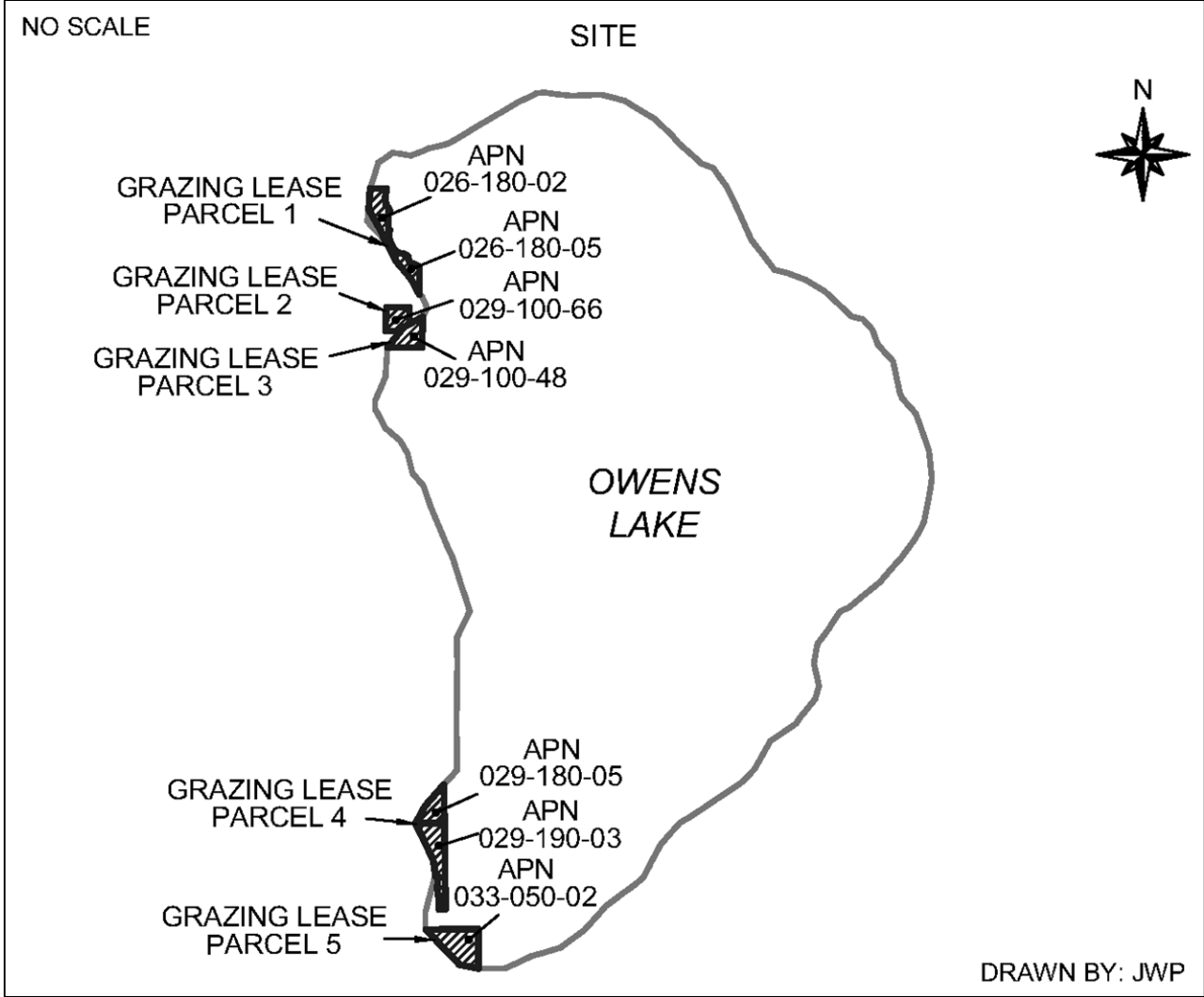
Figure 1. Location



AUTHORIZED USE:

Livestock grazing (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:

10 years, beginning April 23, 2025.

CONSIDERATION:

\$1,554 per year, with an annual Consumer Price Index adjustment.

SPECIFIC LEASE PROVISIONS:

- Liability insurance in an amount no less than \$1,000,000 per occurrence.
- The number of animals permitted on the lease premises is restricted to those that can be supported by vegetation.
- The lease contains various terms regarding good grazing practices and the avoidance of overgrazing by livestock.
- Lessee agrees to work cooperatively with Los Angeles Department of Water and Power (LADWP) to resolve any adverse impacts to managed vegetation or dust control activities.

STAFF ANALYSIS AND RECOMMENDATION:

AUTHORITY:

Public Resources Code sections 6005, 6216, 6301, 6501.1, 6503, and 8701; California Code of Regulations, title 2, sections 2000 and 2003.

PUBLIC TRUST AND STATE'S BEST INTERESTS:

On April 23, 2015, the Commission authorized a General Lease – Grazing Use to Steven M. Stewart and Gail L. Stewart for livestock grazing ([Item 101, April 23, 2015](#)). The lease is set to expire on April 22, 2025.

Staff were informed that the Applicant Travis M. Stewart, an individual related to the current lessee, would be taking over the livestock grazing operations following the expiration of the previous lease. The Applicant is now applying for a General Lease – Grazing Use for livestock grazing. The estimated carrying capacity for this land is 1,050 animal unit months (AUM) from September 1 through March 31 and 750 AUM from July 1 through November 30.

The proposed lease does not alienate the State's fee simple interest or permanently impair public rights. The lease is limited to a 10-year term, does not grant the lessee exclusive rights to the lease premises, and reserves an easement to the public for Public Trust-consistent use. The lease includes land stewardship provisions such as requiring good grazing practices to avoid overgrazing and the use of certified weed-free feed for any supplemental feeding.

The proposed lease requires the lessee to insure the lease premises and indemnify the State for any liability incurred as a result of the lessee's activities thereon. The

lease also requires the payment of annual rent to compensate the people of the State for the occupation of the public land involved.

CLIMATE CHANGE:

The combination of more frequent and longer duration weather patterns contributing to high winds, low humidity, extreme heat, and thunderstorm and lightning events for California's desert regions has contributed to an increasingly aggressive wildland fire season as a related product of climate change. In addition, as stated in the [Safeguarding California Plan: 2018 Update](#) (California Natural Resources Agency 2018), climate change is projected to increase the frequency and severity of natural disasters related to flooding, drought, and storms. The lease area is open lands with moderate to low vegetation fuels, and is vulnerable to the above events, including dust storms and flash flooding from thunderstorms, and to a lesser extent, wildland fires.

Pursuant to the proposed lease, the Applicant acknowledges that the lease premises are in an area that may be subject to the effects of climate change.

CONCLUSION:

For all the reasons stated above, staff believe the issuance of the lease is in the best interests of the State.

OTHER PERTINENT INFORMATION:

1. Approval or denial of the application is a discretionary action by the Commission. Each time the Commission approves or rejects a use of sovereign land, it exercises legislatively delegated authority and responsibility as trustee of the State's Public Trust lands as authorized by law. If the Commission denies the application, the Applicant would not be allowed to graze livestock on the lease premises. The lessee has no right to a new lease or to renewal of any previous lease.
2. This action is consistent with the "Leading Climate Activism" and "Meeting Evolving Public Trust Needs" Strategic Focus Areas of the Commission's 2021-2025 Strategic Plan.
3. Staff recommend 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).

Authority: Public Resources Code section 21084 and California Code of Regulations, title 14, section 15061 and California Code of Regulations, title 2, section 2905.

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that the activity is exempt from the requirements of CEQA pursuant to the 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).

PUBLIC TRUST AND STATE'S BEST INTERESTS:

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

AUTHORIZATION:

Authorize issuance of a General Lease – Grazing Use to the Applicant beginning April 23, 2025, for a term of 10 years, for livestock grazing; annual rent in the amount of \$1,554, with an annual Consumer Price Index adjustment; and liability insurance in an amount no less than \$1,000,000.