

MINUTE ITEM

This Calendar Item No. C29 was approved as Minute Item No. 29 by the California State Lands Commission by a vote of 3 to 0 at its 02/05/07 meeting.

CALENDAR ITEM

C29

A	34		02/05/07
		PRC 3463	WP 3463.2, PRC 3464.2, PRC 3465.2,
S	18		PRC 3466.2, PRC 3467.2, and PRC 3468.2
			J. Porter

TERMINATION OF SIX GENERAL LEASES - RIGHT OF WAY USE AND THE ISSUANCE OF A GENERAL LEASE - RIGHT OF WAY USE

APPLICANT:

Southern California Edison
9500 Cleveland Ave., Suite 100
c/o CRE
Rancho Cucamonga, CA 91730

AREA, LAND TYPE, AND LOCATION:

17.26 acres, more or less, of State school lands south of Death Valley in Inyo County.

AUTHORIZED USE:

Operation, use and maintenance of an existing overhead 33 kV electrical power line.

LEASE TERM:

20 Years, beginning April 1, 2007.

CONSIDERATION:

\$544 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 with combined coverage of no less than \$2,000,000.

OTHER PERTINENT INFORMATION:

1. On March 26, 1987, the Commission authorized Lease No. PRC 3463.2, a General Lease - Right of Way Easement to Southern California Edison Company for a term of 20 years. The easement is for an overhead 66kV

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- electrical power line on approximately 2.83 acres of school lands located north of Shoshone. The lease will expire on March 31, 2007.
2. Additionally, on March 26, 1987, the Commission authorized five other General Leases - Right of Way Use to Southern California Edison Company for a term of 20 years for the overhead 66KV electrical power line. Those leases will all expire on March 31, 2007. The five leases with their approximate acreage are: PRC 3464.2, 3.06 acres; PRC 3465.2, 3.05 acres; PRC 3466.2, 2.93 acres; PRC 3467.2, 3.75 acres; and PRC 3468.2, 1.72 acres.
 3. Although each of the original leases authorized operation and maintenance of a 66 kV power line, the Applicant has confirmed that the capacity of the power line as installed is 33 kV.
 4. Since each of the leases expires on the same day and covers portions of the same power line, and to improve efficiency and reduce paperwork, the Applicant is requesting and staff is recommending the consolidation of the six leases into one new lease.
 5. **Termination of the existing leases:** Pursuant to the Commission's delegation of authority and the State CEQA Guidelines [Title 14, California Code of Regulations, section 15060(c)(3)], the staff has determined that this activity is not subject to the provisions of the CEQA because it is not a "project" as defined by the CEQA and the State CEQA Guidelines.

Authority: Public Resources Code section 21065 and Title 14, California Code of Regulations, sections 15060 (c)(3) and 15378.

6. **Issuance of new lease:** 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, sections 15300 and Title 2, California Code of Regulations, section 2905 (a)(2).

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EXHIBITS:

- A. Location Map
- B. Legal Description

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

TERMINATION OF THE EXISTING LEASES: FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15060(c)(3) BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY PUBLIC RESOURCES CODE SECTION 21065 AND TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15378.

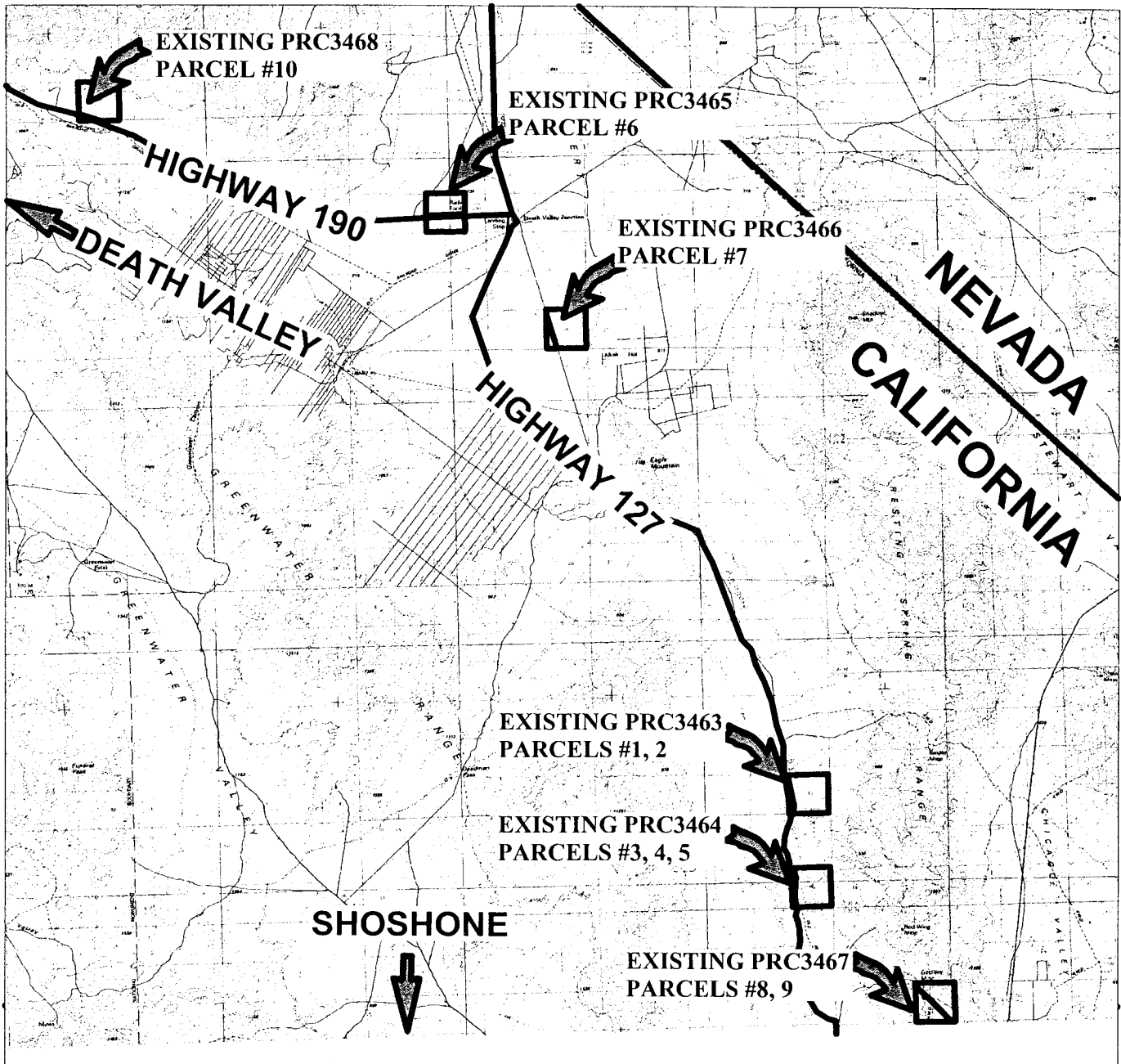
ISSUANCE OF THE NEW LEASE: FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 1, EXISTING FACILITIES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (a)(2).

SIGNIFICANT LANDS INVENTORY FINDING:

FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE THE TERMINATION OF LEASES NO. PRC 3464.2, 3465.2, 3466.2, 3467.2 AND 3468.2 EFFECTIVE MARCH 31.2007, AND AUTHORIZE ISSUANCE TO SOUTHERN CALIFORNIA EDISON OF A GENERAL LEASE, RIGHT OF WAY USE, BEGINNING APRIL 1, 2007, FOR A TERM OF 20 YEARS, FOR OPERATION, USE, AND MAINTENANCE OF AN EXISTING OVERHEAD 33 KV POWER LINE AS SHOWN ON EXHIBIT A ATTACHED AND AS DESCRIBED ON EXHIBIT B ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; ANNUAL RENT IN THE AMOUNT OF \$544, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENT PERIODICALLY DURING THE LEASE TERM, AS PROVIDED IN THE LEASE; LIABILITY INSURANCE WITH COVERAGE OF NO LESS THAN \$2,000,000.



NEAR SHOSHONE AND DEATH VALLEY JUNCTION,
 INYO COUNTY, CALIFORNIA

MAP SOURCE: USGS QUAD

PARCEL #	PRC	LOCATED WITHIN
10	3468	SEC 36, T26N, R3E, SBM
6	3465	SEC16, T25N, R5E, SBM
7	3466	SEC36, T25N, R5E, SBM
1, 2	3463	SEC 36, T23N, R6E, SBM
3, 4, 5	3464	SEC36, T22 1/2N, R6E, SBM
8, 9	3467	SEC 16, T22N, R7E, SBM

Exhibit A
 PRC3463
 SOUTHERN CAL. EDISON
 GENERAL LEASE
 RIGHT OF WAY
 CALIFORNIA DESERT
 INYO COUNTY



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.

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EXHIBIT B

PRC3463

LAND DESCRIPTION

Ten parcels of California State School Land, situated in Inyo County, California more particularly described as follows:

PARCEL 1 (Formerly PRC 3463)

A strip of land 25.00 feet wide, situated in the west half of Section 36, T23N, R6E, SBM, said County and State, said strip being 12.50 feet on each side of the following described centerline:

BEGINNING at a point in the line extending from a rock mound set for the Northwest corner of Section 26, T23N, R6E, SBM, to a mound of rocks set for the Northeast corner of said Section 26, said point of beginning being N 88°33'04" W, 227.94 feet measured along said line from said Northeast corner; thence from said point of beginning S 01°46'57" W, 3294.35 feet; thence S 11°45'19" E, 6065.07 feet to a point hereinafter referred to as Point A; thence S 01°30'51" W, 1450.58 feet to a point located S 65°22'54" E, 472.16 feet from a monument with a brass cap marked U.S. Cadastral Survey, Bureau of Land Management, set for the Northeast corner of Section 23, T22 1/2N, R6E, SBM.

EXCEPTING THEREFROM any portion lying outside Section 36, T23N, R6E, SBM.

PARCEL 2 (Formerly PRC 3463)

A strip of land 2.00 feet wide, situated in the West half of Section 36 T23N, R6E, SBM, said County and State, said strip being 1.00 foot on each side of the following described centerline:

BEGINNING at the aforementioned point referred to as Point A as described in Parcel 1; thence N 84°52'01" E, 55.00 feet to the end of the described centerline.

PARCEL 3 (Formerly PRC 3464)

A strip of land 25.00 feet wide, situated in the West half of the West half of Section 36, T22 1/2N, R6E, SBM, said County and State, said strip being 12.50 feet on each side of the following described centerline:

BEGINNING at a point in a line extending from a rock mound set for the Northwest corner of Section 26, T23N, R6E, SBM to a mound of rocks set for the Northeast corner of said Section 26, said point of beginning being N 88°33'04" W, 227.94 feet measured along said line from said Northeast corner; thence from said point of beginning S 01°46'57" W, 3294.35 feet; thence S 11°45'19" E, 6065.07 feet; thence

S 01°30'51" W, 1450.58 feet to a point located S 65°22'54" E, 472.16 feet from a monument with a brass cap marked U.S. Cadastral Survey Bureau of Land Management, set for the Northeast corner of Section 23, T22 1/2N, R6E, SBM; thence S 17°23'48" W, 2739.67 feet; thence S 11°20'53" E, 5931.01 feet to a point hereinafter referred to as Point B; thence S 03°36'09" W, 2347.59 feet to a point hereinafter referred to as point C; thence S 08°54'34" E, approximately 2000.00 feet.

EXCEPTING THEREFROM any portion lying outside Section 36, T23N, R6E, SBM.

PARCEL 4 (Formerly PRC 3464)

A strip of land 2.00 feet wide, situated in the West half of the West half of Section 36, T22 1/2N, R6E, SBM, said County and State, said strip being 1.00 foot on each side of the following described centerline:

BEGINNING at the aforementioned point referred to as Point B as described in Parcel 3; thence N 86°07'28" E, 55.00 feet to the end of the described centerline.

PARCEL 5 (Formerly PRC 3464)

A strip of land 2.00 feet wide, situated in the West half of the West half of Section 36, T22 1/2N, R6E, SBM, said County and State, said strip being 1.00 foot on each side of the following described centerline:

BEGINNING at the aforementioned point referred to as Point C as described in Parcel 3; thence S 87°20'48" W, 55.00 feet to the end of the described centerline.

PARCEL 6 (Formerly PRC 3465)

A strip of land 25.00 feet wide, situated in Section 16, T25N, R5E, SBM, said County and State, said strip being 12.50 feet on each side of the following described centerline:

BEGINNING at a monument with brass cap, set in a concrete mound for a triangulation station, marked "JUNCTION 1950 – USC&GS"; thence N 57°53'43" W, 535.09 Feet to a 2 ½ inch iron pipe set for the East quarter corner of Section 15, in said Township and Range; thence S 02°58'26" E, 33.73 feet to the TRUE POINT OF BEGINNING of this description; thence S 87°01'34" W, 8425.75 feet; thence S 87°04'49" W, 1193.46 feet to a point located S 22°12'48" E, 3143.99 feet from a rock mound set for the Northwest corner of said Section 16; thence continuing S 87°04'49" W, approximately 1600.00 feet, to the end of the described centerline.

EXCEPTING THEREFROM any portion lying outside Section 16, T25N, R5E, SBM.

PARCEL 7 (Formerly PRC 3466)

A strip of land 25.00 feet wide, situated in Section 36, T25N, R5E, SBM, said County and State, said strip being 12.50 feet on each side of the following described centerline:

BEGINNING at a monument with brass cap, set in a concrete mound for a triangulation station, marked "JUNCTION 1950 – USC&GS"; thence N 57°53'43" W, 535.09 feet to a 2 ½ inch iron pipe set for the East quarter corner of Section 15, in said Township and Range; thence S 02°58'26" E, 33.73 feet to the TRUE POINT OF BEGINNING of this description; thence N 87°01'34" E, 978.23 feet; thence S 17°28'02" E, 1610.12 feet; thence S 51°49'59" E, 349.55 feet; thence S 17°25'08" E, 30322.12 feet to a point located S 71°35'58" E, 5551.36 feet from a 12 inch by 5 inch by 4 inch rock with 4 notches on the South edge and 1 notch on the East edge, set in a rock mound for the Northwest corner of Section 13, T24N, R5E, SBM.

EXCEPTING THEREFROM any portion lying outside Section 36, T25N, R5E, SBM

PARCEL 8 (Formerly PRC 3467)

A strip of land 25.00 feet wide, situated in Section 16, T22N, R7E, SBM, said County and State, said strip being 12.50 feet on each side of the following described centerline:

Beginning at a 1 1/4 inch iron pipe with brass cap set for the common quarter corner to Sections 23 and 24, of said Township and Range; thence N 01°39'07" W, 2636.55 feet to a 2 inch iron pipe with brass cap set for the common corner to Sections 13, 14, 23, and 24 of said Township and Range; thence N 88°24'28" E, 89.26 feet to the TRUE POINT OF BEGINNING of this description; thence S 52°44'23" W, 4879.38 feet; thence S 77°24'38" W, 3079.74 feet; thence N 67°15'04" W, 2001.57 feet; thence N 44°53'51" W, 8107.43 feet to a point hereinafter referred to as Point D; thence N 48°15'01" W, 3004.49 feet; thence S 88°25'24" W, 2343.02 feet to a point located N 82°32'53" W, 406.68 feet from a 1 inch iron pipe with brass cap set for the common quarter corner to Sections 8 and 17 of said Township and Range.

EXCEPTING THEREFROM any portion lying outside Section 16, T22N, R7E, SBM.

PARCEL 9 (Formerly PRC 3467)

A strip of land 2.00 feet wide, situated in Section 16, T22N, R7E, SBM, said County and State, said strip being 1.00 foot on each side of the following described centerline:

BEGINNING at the above mentioned Point D as described in Parcel 8; thence N 43°25'34" E, 55.00 feet to the end of the described centerline.

PARCEL 10 (Formerly PRC 3468)

A strip of land 25.00 feet wide, situated in Section 36, T26N, R3E, SBM, said County and State, said strip being 12.50 feet on each side of the following described centerline:

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BEGINNING at a point in the South line of the Southeast quarter of said Section 36, said point bears N 88°32'07" E, 213.20 feet from a 1 3/4 inch iron pipe with brass cap, set for the South quarter corner of said Section 36; thence from said point of beginning N 72°30'23" W, 3000.00 feet, more or less to the Westerly line of said Section 36.

These descriptions are based upon the California Coordinate System of 1927, Zone 4.

END OF DESCRIPTION

PREPARED 08/17/2006 BY CALIFORNIA STATE LANDS COMMISSION BOUNDARY UNIT, BASED ON DESCRIPTIONS REVIEWED OCTOBER 15, 1986 BY BOUNDARY SERVICES UNIT, M.L. SHAFER, SUPERVISOR.

