

**CALENDAR ITEM
C37**

A 30, 32
S 18

04/06/10
WP 6704.1
J. Smith

AMENDMENT OF LEASE

LESSEE:

Southern California Edison Company
2244 Walnut Grove Avenue
Rosemead, California 91770

AREA, LAND TYPE, AND LOCATION:

1.066 acres, more or less, of sovereign lands in the Kern River, northeast of Bakersfield, Kern County.

AUTHORIZED USE:

Continued use and maintenance of a 220 kV overhead transmission line.

LEASE TERM:

25 years, beginning February 15, 2009.

CONSIDERATION:

\$2,878 per year; with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease.

PROPOSED AMENDMENT:

Amend the liability insurance provision to authorize an equivalent self-insurance program. All other terms and conditions of the lease shall remain in effect without amendment.

OTHER PERTINENT INFORMATION:

1. Lessee has the right to use the uplands adjoining the lease premises.
2. On July 12, 1984, the Commission authorized a General Lease - Right of Way Use to Southern California Edison Company (SCE) for a 220kV overhead transmission line that crosses the Kern River, northeast of Bakersfield in Kern County. That lease expired on February 14, 2009. On April 9, 2009, the Commission authorized the issuance of a new 25-year General Lease - Right of Way Use to SCE for the continued use and

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maintenance of the transmission line. The lease requires SCE to maintain liability insurance coverage in an amount no less than \$2,000,000. SCE is self-insured for comprehensive and general liability up to \$2,000,000. Staff is requesting that the lease be amended to authorize SCE's equivalent self-insurance program.

3. Pursuant to the Commission's delegation of authority and State CEQA Guidelines [Title 14, California Code of Regulations, section 15060(c)(3), staff has determined that this activity is not subject to the provisions of CEQA because it is not a "project" as defined by CEQA and State CEQA Guidelines.

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

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 tide 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.

EXHIBITS:

- A. Location and Site Map
- B. Land Description

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

Find that the activity is not subject to the requirements of 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.

AUTHORIZATION:

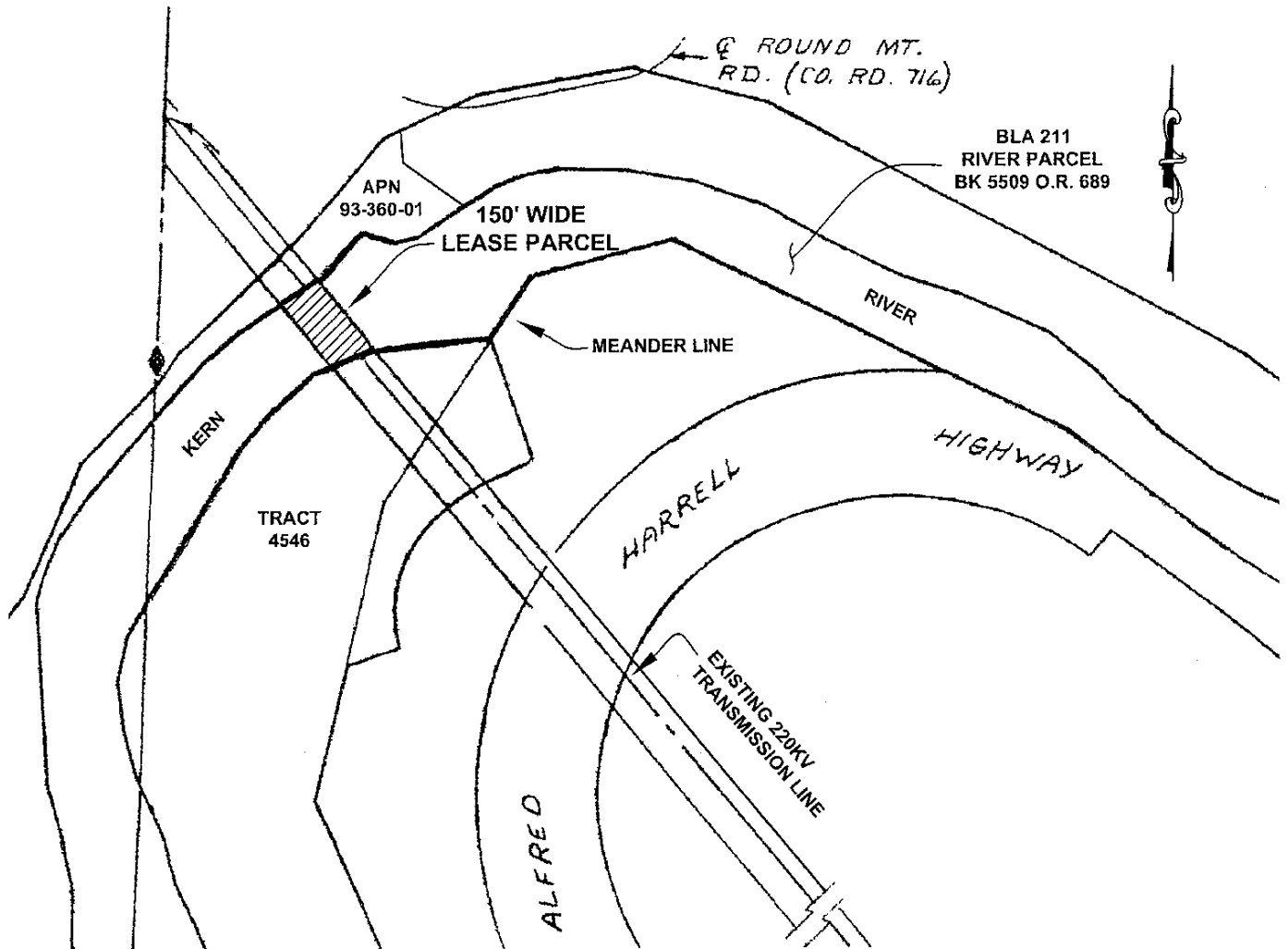
Authorize the amendment of Lease No. PRC 6704.1, a General Lease – Right of Way Use, of lands shown on Exhibit A (for reference purposes only) and described on Exhibit B, attached and by this reference made a

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part hereof, effective February 15, 2009, to amend the liability insurance provision to authorize an equivalent self-insurance program; all other terms and conditions of the lease will remain in effect without amendment.

NO SCALE

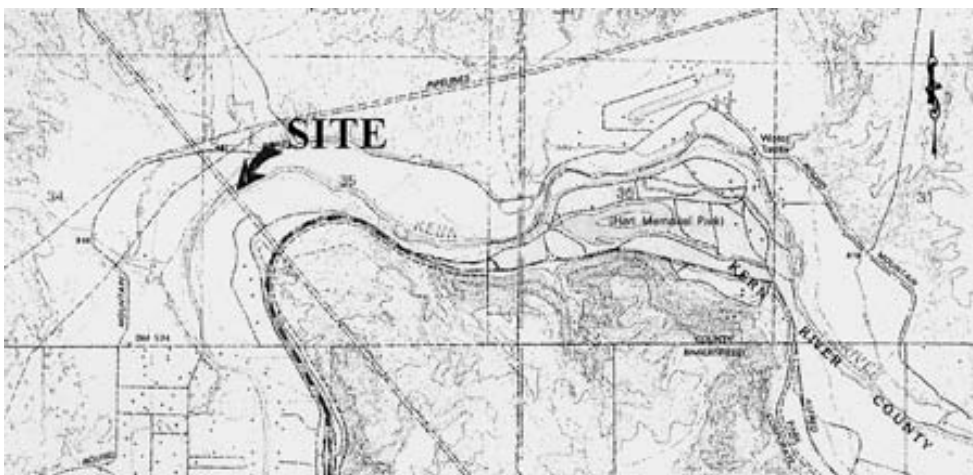
SITE



GENERAL LEASE-EXISTING 220kV TRANSMISSION LINE

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit A

WP 6704

Southern California Edison

APN: 093-190-46

GENERAL LEASE
RIGHT OF WAY USE
KERN 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.

EXHIBIT "B"

LAND DESCRIPTION

A strip of land 150 feet wide across the Kern River, Kern County, California, in Section 35, T28S, R28E, MDM, and being a portion of the lands described in the quitclaim deed to the State of California in Boundary Line Agreement 211, recorded December 9, 1982, in the Official Records of Kern County, the side-lines of said strip of land lying 56 feet northeasterly and 94 feet southwest-erly, measured at right angles, from the following described line:

BEGINNING at a point in the southerly line of said Section 35, said point being N 89° 57' 17" E, 297.69 feet, measured along said south-erly line, from a found two inch iron pipe with brass disk, stamped "K.C.S. S 1/4 Sec. 35 C.L.P. July, 1958" set for the south quarter corner of said Section 35, said point also being S 89° 57' 17" W, 2368 feet, measured along said southerly line, from a found Kern County Surveyors brass cap monument, set for the southeast corner of said Section 35, thence N 39° 50' 30" W, 4527.97 feet to a point in the westerly line of said Section 35, said last mentioned point being N 01° 00' 11" E, 825.28 feet, measured along said westerly line, from a found 2 1/2 inch iron pipe and tag marked "R.C.E. 17564", set for the west quarter corner of said Section 35, said last men-tioned point also being S 01° 00' 11" W, 1814.94 feet, measured along said westerly line, from a found 2 1/2 inch by 2 1/2 inch post with S26-S27 scribed thereon, set for the northwest corner of said Section 35.

END OF DESCRIPTION

REVIEWED APRIL 9, 1984 BY BOUNDARY AND TITLE UNIT, LEROY WEED, SUPERVISOR.