

**CALENDAR ITEM
C45**

A 34
S 17

12/05/12
PRC 7510.1
R. Collins

**REVISION OF RENT AND
AMENDMENT OF LEASE**

LESSEE:

Mojave Pipeline Company
P. O. Box 1087
Colorado Springs, CO 80944

AREA, LAND TYPE, AND LOCATION:

0.44 acres, more or less, of sovereign land in the Colorado River, near Topock, San Bernardino County.

AUTHORIZED USE:

Operation and maintenance of a 30-inch diameter natural gas pipeline.

LEASE TERM:

Thirty years, beginning March 7, 1991.

CONSIDERATION:

This 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 reduced from \$229 per year to \$152 per year, effective March 7, 2013.

PROPOSED AMENDMENT:

Amend Section 3 Description of Lease Premises to change the length of the strip of land subject to this lease from 381 feet to 253 lineal feet. All other terms and conditions of the lease shall remain in effect without amendment.

OTHER PERTINENT INFORMATION:

1. On March 6, 1991, the Commission authorized a General Lease – Right-of-Way Use to Mojave Pipeline Company for the installation, maintenance, and operation of a 30-inch diameter natural gas pipeline across the Colorado River. The pipeline is part of an interstate natural gas pipeline system that extends from Topock, Arizona through portions of San

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Bernardino and Kern Counties to points of termination in Kern County. The lease was issued for a term of 30 years beginning March 7, 1991. The pipeline is under the authority of the Federal Department of Transportation (DOT).

2. A review by the Commission's Boundary Unit of the lease determined that a portion of the 0.44 acres heretofore considered as the impact area of this lease was actually in and owned by the State of Arizona. As a result of this discovery, the length of the pipeline on the California side of the border was shortened from 381 to 253 feet in length. The lease area width continues to be 50 feet wide which reduces the total impact area to 0.29 acres. Staff conducted the rent review using the new reduced lease area and concludes a rent reduction from \$229 to \$152 should apply to this lease.

3. The staff recommends that the Commission find that the subject revision of rent and lease amendment do not have a potential for resulting in either a direct or a reasonably foreseeable indirect physical change in the environment, and are, therefore, not a project in accordance with the California Environmental Quality Act (CEQA).

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

EXHIBIT:

- A. Site and Location Map

RECOMMENDED ACTION:

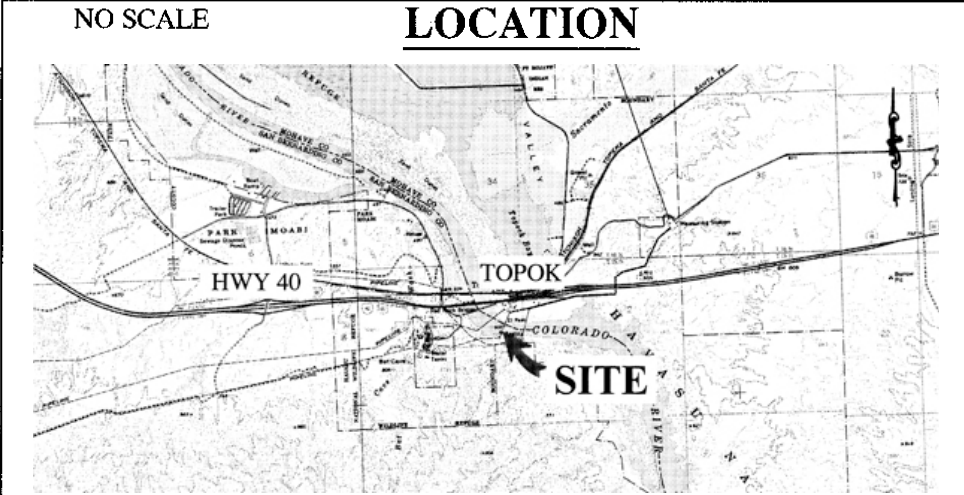
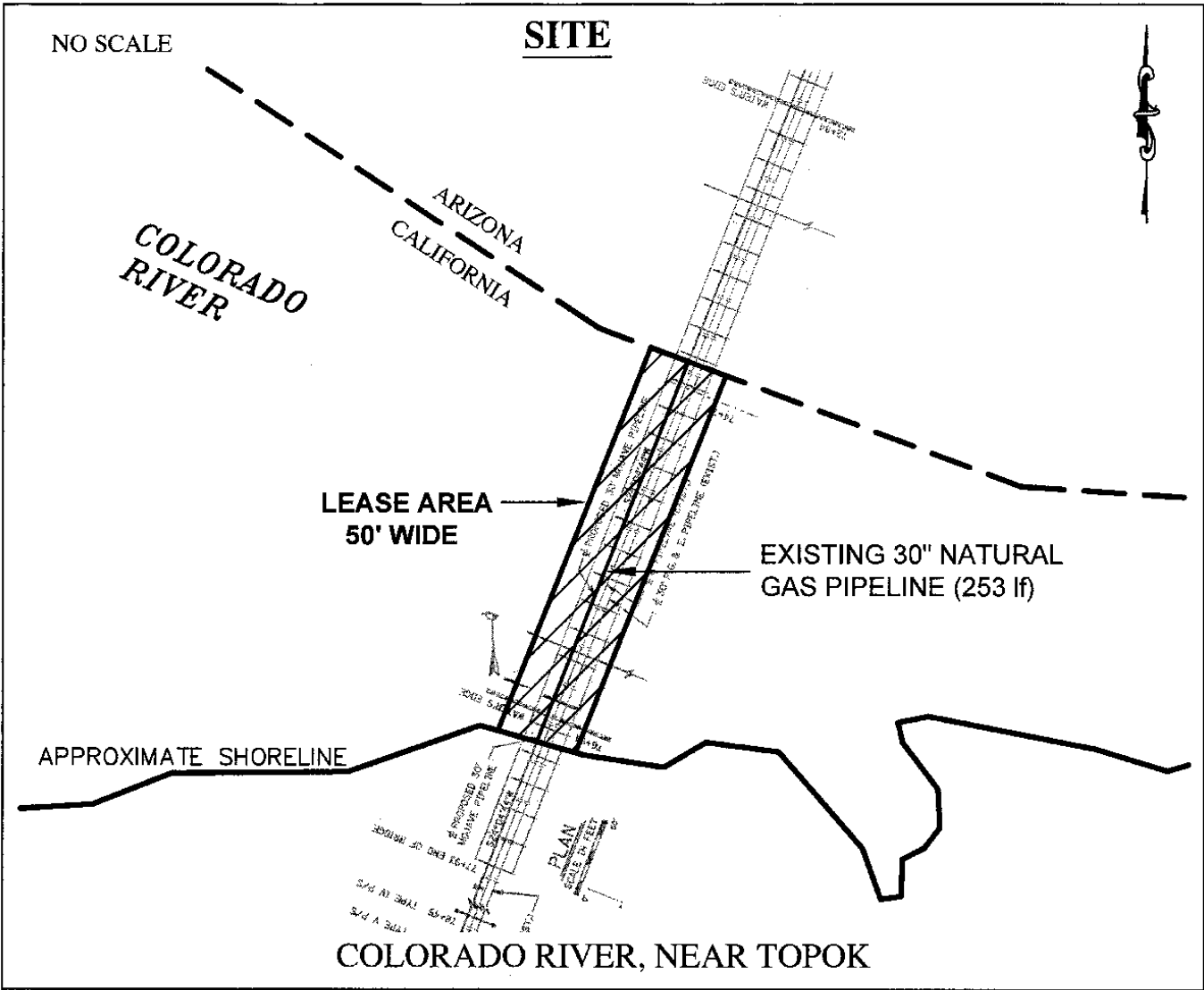
It is recommended that the Commission:

CEQA FINDING:

Find that the subject revision of rent and lease amendment are not subject to the requirements of CEQA pursuant to Title 14, California Code of Regulations, section 15060(c)(3) because the subject activity is not a project as defined by Public Resources Code section 21065 and Title 14, California Code of Regulations, section 15378.

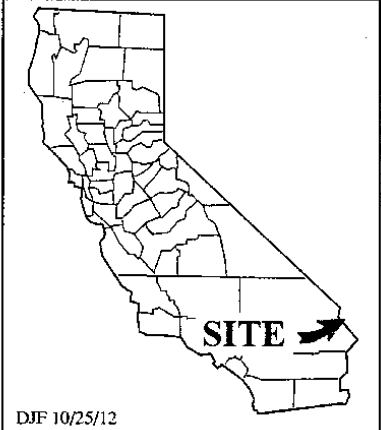
AUTHORIZATION:

Authorize the Amendment of Lease PRC 7510.1, a General Lease – Right-of-Way Use to revise the length of the impact area from 381 feet to 253 feet in length as described on Exhibit A and by this reference made a part hereof and to approve the revision of rent for Lease No. PRC 7510.1 from \$229 per year to \$152 per year, effective March 7, 2013.



MAP SOURCE: USGS QUAD

Exhibit A
 PRC 7510.1
 MOJAVE PIPELINE CO.
 GENERAL LEASE -
 RIGHT - OF - WAY USE
 SAN BERNARDINO
 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.