

**STAFF REPORT  
C77**

A 1  
S 1

04/19/18  
W 26977/PRC 9359.2  
C. Hudson

**CONSIDER RESCISSION OF APPROVAL OF A  
GENERAL LEASE – RIGHT-OF-WAY USE**

**APPLICANT:**

Bonneville Power Administration

**PROPOSED LEASE:**

*AREA, LAND TYPE, AND LOCATION:*

0.55-acre parcel, more or less, of State-owned school land located within a portion of Section 16 (Lot 4), Township 48 North, Range 6 East, MDM, near the California-Oregon border, Modoc County

*AUTHORIZED USE:*

Use and maintenance for an existing unpaved access road not previously authorized by the Commission.

*LEASE TERM:*

10 years, beginning August 9, 2016.

*CONSIDERATION:*

\$450 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, or equivalent staff-approved self-insurance program.

**STATE'S BEST INTERESTS ANALYSIS:**

On August 9, 2016, the Commission authorized Lease No. PRC 9359.2, a General Lease – Right-of-Way Use, to the Bonneville Power Administration for an existing unpaved access road to its new radio station reflector site in Oregon ([Item 43, August 9, 2016](#)). After the Commission's approval, staff was informed that the Bonneville Power Administration had not been using the existing access road and therefore no longer needs access through California to its radio station reflector site in Oregon. Staff is now requesting that the August 9, 2016 authorization be rescinded.

STAFF REPORT NO. **C77** (CONT'D)

**OTHER PERTINENT INFORMATION:**

1. Rescission of the lease approval 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).

**EXHIBITS:**

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

**RECOMMENDED ACTION:**

It is recommended that the Commission:

**AUTHORIZATION:**

1. Rescind its August 9, 2016 approval for Lease No. PRC 9359.2, a General Lease – Right-of-Way Use.

**EXHIBIT A**

**W 26977**

**LAND DESCRIPTION**

A strip of State owned School Land, 20 feet in width, being situate in Lot 4 of Section 16, Township 48 North, Range 6 East, M.D.B.&M., as shown on Official Government Township Plat approved October 18, 1872, County of Modoc, State of California, more particularly described as follows:

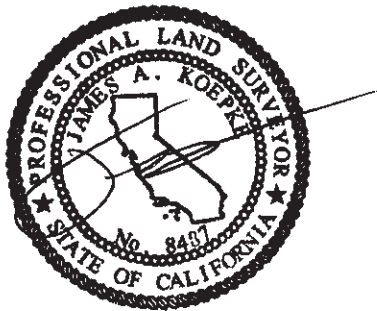
COMMENCING at a point on the southwest corner of said Section 16, Township 48 North, Range 6 East, M.D.B.&M.; thence North 89° 32' 55" West, along the southerly line of said Section 16, a distance of 656.13 feet to the centerline of an existing road also being the POINT OF BEGINNING; thence northwesterly approximately 1199 feet along the centerline of said existing road to the northerly line of said Section 16 also being the Oregon and California border, and the POINT OF TERMINATION of said strip.

The sidelines of the said strip shall be prolonged or shortened so as to terminate on the North and South boundary lines of the said Section 16.

Accompanying plat is hereby made part of this description.

**END OF DESCRIPTION**

Prepared 06/24/2016 by the California State Lands Commission Boundary Unit.



NO SCALE

# SITE

OREGON  
CALIFORNIA

SECTION 16  
LOT 4

APN 006-010-03

LEASE AREA  
EXISTING UNPAVED  
ACCESS ROAD  
20' WIDE

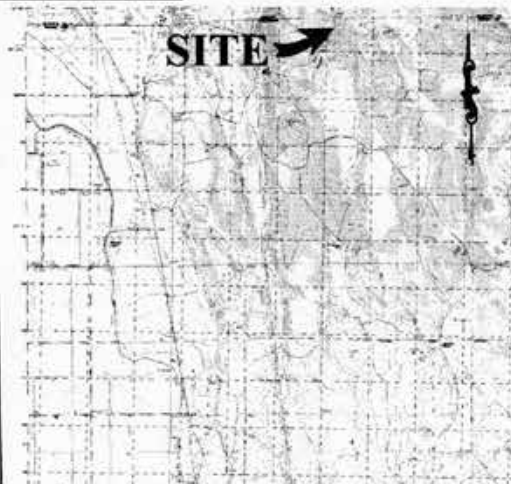
LOT 4, SW 1/4 OF THE SW 1/4, SECTION 16, T48N, R6E, MDM

NO SCALE

# LOCATION



TULELAKE



**SITE**

MAP SOURCE: USGS QUAD

# **Exhibit B**

W 26977  
BONNEVILLE POWER  
ADMINISTRATION  
APN 006-010-03  
GENERAL LEASE -  
RIGHT-OF-WAY USE  
MODOC COUNTY



**SITE**

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.