

**CALENDAR ITEM  
C82**

A 56  
S 28, 40

02/20/15  
C. Hudson  
PRC 8150.2

**REVISION OF RENT**

**LESSEE:**

SFPP, L.P.  
1100 Town & Country Road  
Orange, CA 92868

**AREA, LAND TYPE, AND LOCATION:**

4.63 acres, more or less, of State indemnity school lands within portions of Section 34, Township 8 South, Range 11 East, SBM, Riverside County and Section 12, Township 9 South, Range 11 East and Section 30, Township 9 South, Range 13 East, SBM, Imperial County.

**AUTHORIZED USE:**

Continued use and maintenance of one existing 12-inch diameter underground pipeline housing an 8-inch diameter conduit with three 1.5-inch diameter innerducts, one of which contains a single fiber optic cable.

**LEASE TERM:**

24 years, beginning April 20, 2010.

**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 revised from \$2,420 per year to \$6,051 per year, effective April 20, 2015.

**BACKGROUND:**

School Lands were granted to the State of California by the federal government under the Act of March 3, 1853 (10 Stat. 244), and consisted of the 16<sup>th</sup> and 36<sup>th</sup> sections of land in each township (with the exceptions of lands reserved for public use, lands taken by private land claims, and lands known to be mineral in character). In cases of preemption due to the exceptions described above, the State was given the opportunity to select replacement lands from the United States in lieu of a

CALENDAR ITEM NO. **C82** (CONT'D)

Section 16 or a Section 36. These replacement lands are now known as Indemnity School Lands or Lieu Lands.

**OTHER PERTINENT INFORMATION:**

1. On October 29, 2010, the Commission authorized a General Lease – Right-of-Way Use with SFPP, L.P. and authorized a sublease between SFPP, L.P. and Williams Communications, Inc. for continued use of one existing 12-inch diameter underground pipeline housing an 8-inch diameter conduit with three 1.5-inch diameter innerducts, one of which contains a single fiber optic cable having 96 hair-thin glass fibers. The lease will expire on April 19, 2034.
  
2. The staff recommends that the Commission find that the subject revision of rent does not have a potential for resulting in either a direct or a reasonably foreseeable indirect physical change in the environment, and is, 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:

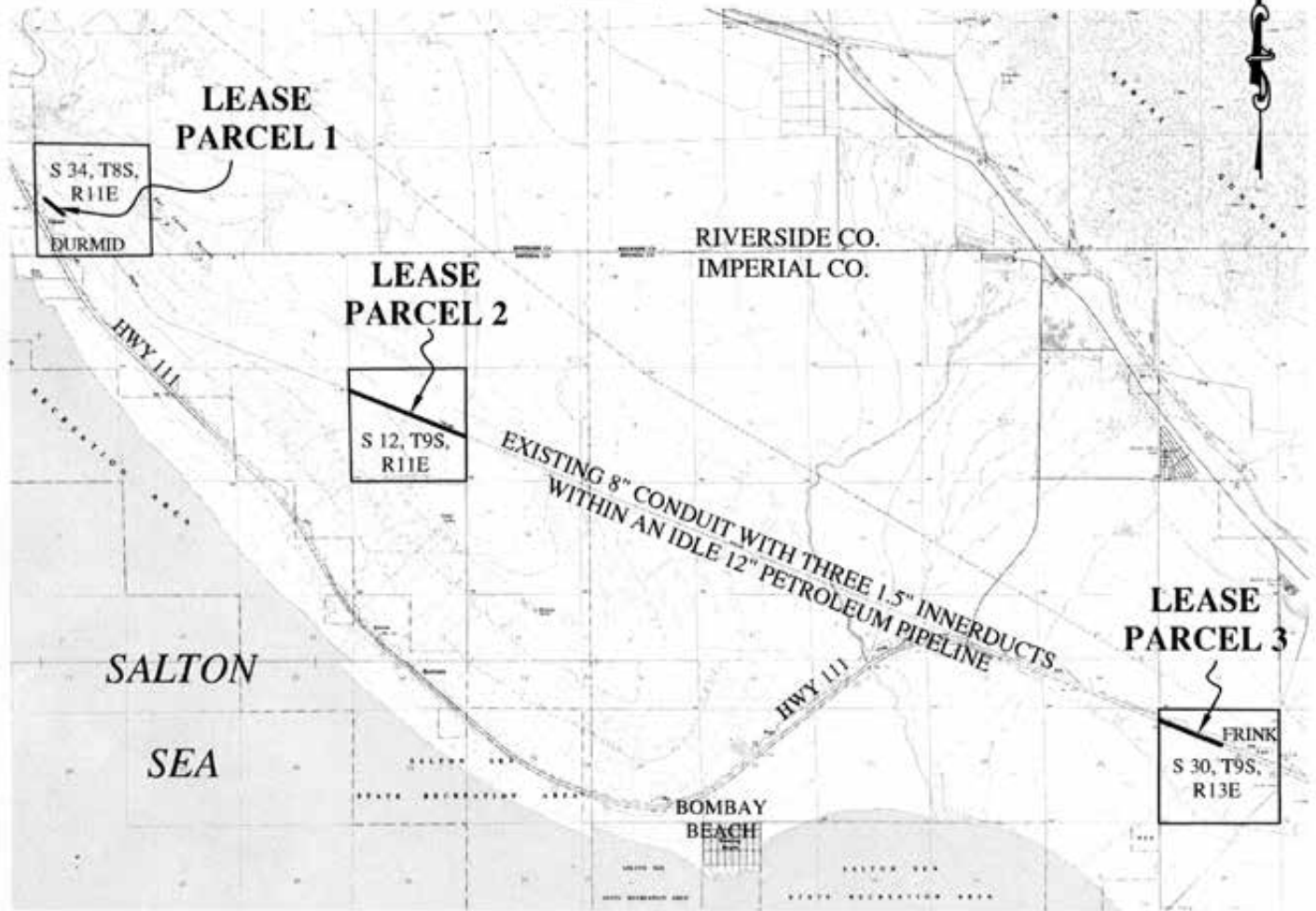
**CEQA FINDING:**

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

**AUTHORIZATION:**

Approve the revision of rent for Lease No. PRC 8150.2 from \$2,420 per year to \$6,051 per year, effective April 20, 2015.

# SITE



PORTIONS OF SECTION 34, T.8S., R.11E., SECTION 12, T.9S., R.11E.  
AND SECTION 30 T.9S., R.13E., SBM

NO SCALE

## LOCATION



MAP SOURCE: USGS QUAD

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 A**

PRC 8150.2  
SFPP, L.P.  
GENERAL LEASE -  
RIGHT-OF-WAY USE  
IMPERIAL & RIVERSIDE  
COUNTIES



TS 11/17/14