

**MINUTE ITEM**  
This Calendar Item No. C23 was approved as  
Minute Item No. 23 by the California State Lands  
Commission by a vote of 3 to 0 at its  
06/28/07 meeting.

**CALENDAR ITEM**  
**C23**

A	34		06/28/07
		PRC 1778	WP 1778.2
		PRC 2167	WP 2167.2
S	18		M. Clark

**TERMINATION OF A RIGHT OF WAY EASEMENT AND ISSUANCE OF A GENERAL  
LEASE – RIGHT OF WAY USE**

**LESSEE/APPLICANT:**

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

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

Two parcels of school land within the South ½ of Section 16, Township 12 North,  
Range 7 East, SBM, near the town of Baker; and within the South ½ of the  
Southeast ¼ of Section 36, Township 16 North, Range 11 East, SBM (Tract 37)  
near the town of Halloran Springs, San Bernardino County.

**AUTHORIZED USE:**

Continued use and maintenance of an existing 115 kV electrical transmission  
line.

**LEASE TERM:**

20 years, beginning May 23, 2007.

**CONSIDERATION:**

\$990 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 in the amount of no less than \$2,000,000.

**OTHER PERTINENT INFORMATION:**

1. Applicant has the right to use the lands adjoining the lease premises.
2. On September 27, 1956, the Commission authorized a 49-year Right of  
Way Easement, Lease No. PRC 1778.2, beginning August 28, 1956, to

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the California Electric Power Company for an electrical transmission line. That lease expired on August 27, 2005. The total rent for the 49-year period was \$835.50. Lessee has agreed to pay rent from August 28, 2005 to May 22, 2007 in the amount of \$1,716.93.

3. On September 2, 1958, the Commission authorized a second Right of Way Easement, Lease No. PRC 2167.2, beginning May 23, 1958, to the California Electric Power Company for an electrical transmission line. This lease expired May 22, 2007.
4. On December 31, 1963, California Electric Power Company merged with Southern California Edison Company, who has been the State's Lessee since the merger.
5. These two leases authorized the construction, use and maintenance of an overhead electrical transmission line from Hoover Dam to Southern California along Interstate Highway I-5. Because the leases are a part of the same transmission line system, staff is recommending that the two leases be combined into one lease with a new effective date of May 23, 2007. Southern California Edison Company agrees and has applied for a new lease.
6. Southern California Edison Company's maintenance program of the transmission line involves annual routine patrol, road maintenance and emergency repairs, when necessary.
7. **Termination of Lease No. PRC 1778.2:** 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.

8. **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

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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, section 15300 and Title 2, California Code of Regulations, section 2905.

9. 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 state school lands 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. Site and Location Map
- B. Land Description

**RECOMMENDED ACTION:**

IT IS RECOMMENDED THAT THE COMMISSION:

**CEQA FINDING:**

**TERMINATION OF LEASE NO. PRC 1778.2:** FIND THAT THE ACTIVITY IS NOT SUBJECT TO 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 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).

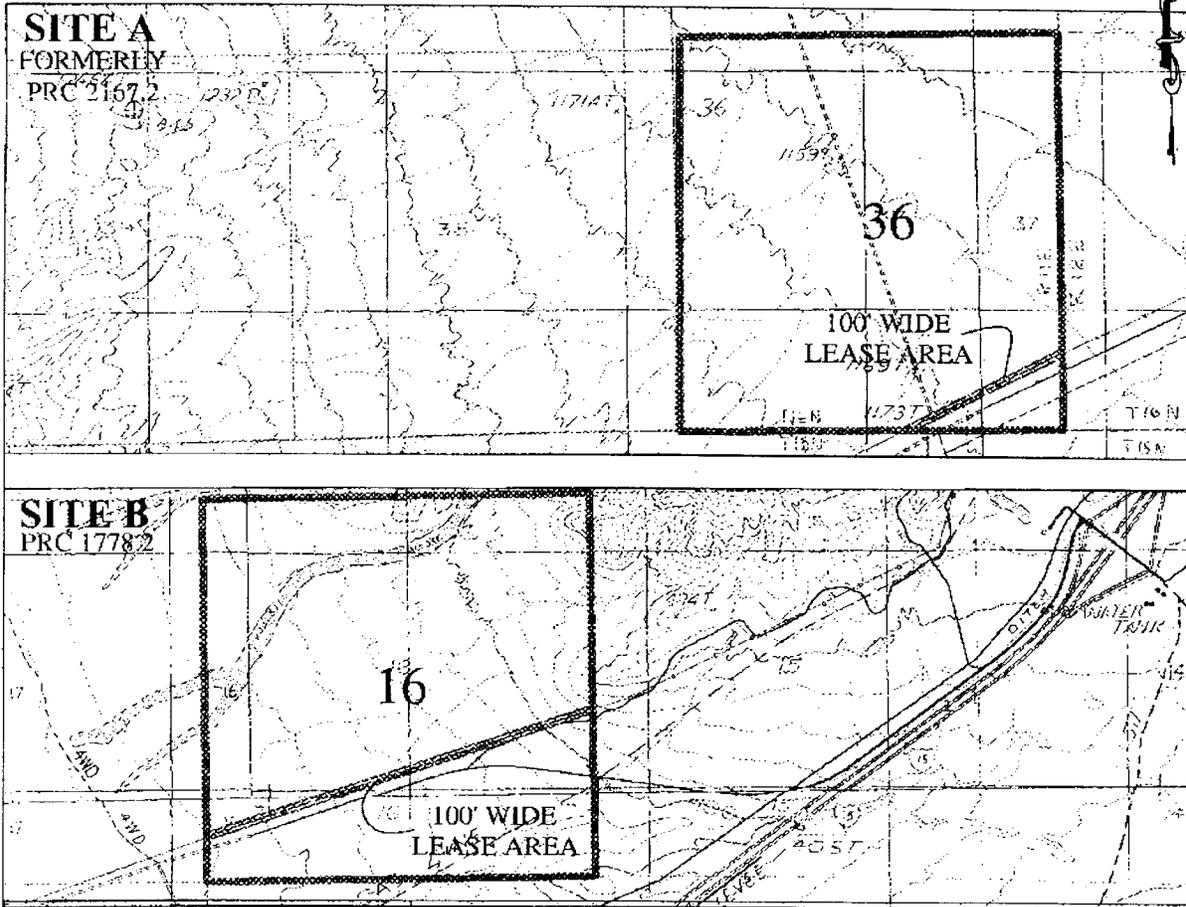
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**AUTHORIZATION:**

1. AUTHORIZE TERMINATION OF LEASE NO. PRC 1778.2, A RIGHT OF WAY EASEMENT, EFFECTIVE MAY 22, 2007.
  
2. AUTHORIZE ISSUANCE TO SOUTHERN CALIFORNIA EDISON COMPANY OF A GENERAL LEASE – RIGHT OF WAY USE, BEGINNING MAY 23, 2007, FOR A TERM OF 20 YEARS, FOR THE CONTINUED USE AND MAINTENANCE OF AN EXISTING 115 KV ELECTRICAL TRANSMISSION 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 \$990 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.

NO SCALE

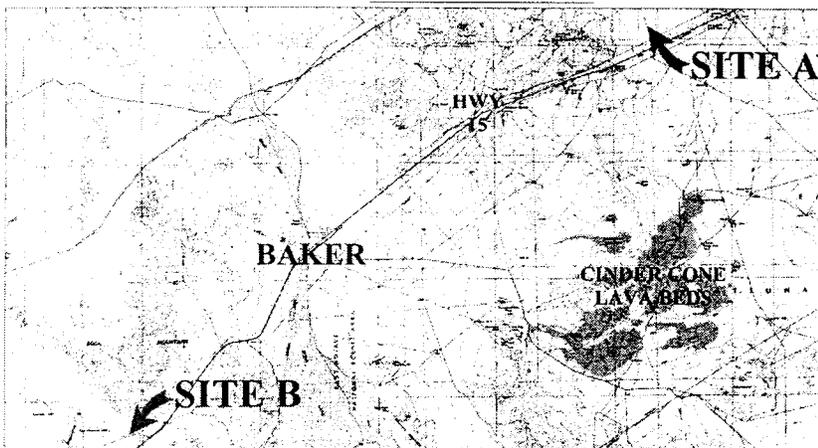
### SITE



PORTIONS OF SECTION 36(TRACT 37), T. 16N. R.11E., S.B.M.  
& SECTION 16, T. 12N. R.7E., S.B.M.

NO SCALE

### LOCATION



MAP SOURCE: USGS QUAD

### Exhibit A

PRC 2167.2  
SOUTHERN CALIFORNIA  
EDISON COMPANY  
GENERAL LEASE  
RIGHT-OF-WAY USE  
SAN BERNARDINO COUNTY



MJP 4/09/07

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**

**LAND DESCRIPTION**

**PRC 2167.2**

**PARCEL 1**

A strip of state owned school land, 100 feet in width in the S ½ Section 16, T12N, R7E, SBB&M as shown on General Land Office township plat approved 1/21/1856, and lying 50 feet on each side of the following described centerline:

BEGINNING at a point on the West line of said Section 16, said point being 500.1 feet North of the SW section corner of said Section 16; thence N 72°10' E, 5,570 feet, more or less, to a point on the East line of said Section 16.

The sidelines of said strip shall be lengthened or shortened so as to terminate on said West and East lines of said Section 16.

**PARCEL 2**

A strip of state owned school land, 100 feet in width in Section 36 (Tract 37), T16N, R11E, SBB&M and lying 50 feet on each side of the following described centerline:

BEGINNING at a point in the southerly line of Section 36, which bears East 495.5 feet from the ¼ corner; thence N 65°15' E, 2405.3 feet to a point in the easterly line of Section 36, which bears North 1021.6 feet from the section corner common to Sections 31 and 36.

The sidelines of said strip shall be lengthened or shortened so as to terminate on said West and East lines of said Section 36.

**END OF DESCRIPTION**

PREPARED 4/09/07 BY THE CALIFORNIA STATE LANDS COMMISSION BOUNDARY UNIT



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