

**CALENDAR ITEM
C66**

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S 4

01/26/12
WP 8145.2
C. Hudson

GENERAL LEASE - RIGHT-OF-WAY USE

APPLICANT:

Citizens Telecommunications Company of California Inc.
P.O. Box 860
Palo Cedro, CA 96073

AREA, LAND TYPE, AND LOCATION:

1.36 acre parcel, more or less, of State school land in a portion of Section 16, Township 35 North, Range 5 East, MDM, near the unincorporated town of Burney, Shasta County.

AUTHORIZED USE:

Operation, use, and maintenance of an existing aerial 0.51-inch diameter, 24-strand fiber optic cable encased in a high-density polyethylene outer sheath and approximately 20 wood poles as shown on the attached Exhibit B.

LEASE TERM:

20 years, beginning February 8, 2010.

CONSIDERATION:

\$153 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:

Insurance: Liability coverage of not less than \$1,000,000, or an equivalent staff-approved self-insurance program.

Bond: \$20,000

OTHER PERTINENT INFORMATION:

1. Applicant has the right to use the upland adjoining the lease premises.
2. On February 9, 2006, the Commission authorized a General Lease - Right-of-Way Use with Citizens Telecommunications Company of

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California Inc. (Citizens). That lease expired on February 7, 2010. The Applicant is now applying for a new General Lease – Right-of-Way Use.

3. There are two other State leases involving the Lease Premises. The existing wood poles and lines within the Lease Premises are currently leased to Pacific Gas and Electric Company (PG&E) under Lease No. PRC 5391.2 for the same right-of-way. The existing wood poles and lines are jointly owned by PG&E and Citizens. Additionally, the right-of-way for the two leases traverses a grazing lease, Lease No. PRC 3353.2, to Bidwell Ranches, Inc.
4. PG&E maintains the existing wood poles and lines within the right-of-way and conducts inspections every two years. PG&E will contact Citizens for cost sharing if maintenance is necessary.
5. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Cal. Code Regs., tit. 14, § 15061), the staff has determined that this activity is exempt from the requirements of CEQA as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905 subdivision (a)(2).

Authority: Public Resources Code section 21084 and California Code of Regulations, Title 14, section 15300 and California Code of Regulations, Title 2, section 2905.

6. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370, et seq., but such activity will not affect those significant lands. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

EXHIBITS:

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

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that the activity is exempt from the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15061 as a

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categorically exempt project, Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905 subdivision (a)(2).

SIGNIFICANT LANDS INVENTORY FINDING:

Find that this activity is consistent with the use classification designated by the Commission for the land pursuant to Public Resources Code section 6370 et seq.

AUTHORIZATION:

Authorize issuance of a General Lease – Right-of-Way Use to Citizens Communications Company of California Inc., beginning February 8, 2010, for a term of 20 years, for the operation, use, and maintenance of an existing aerial 0.51-inch diameter, 24-strand fiber optic cable encased in a high-density polyethylene outer sheath and approximately 20 wood poles as described in Exhibit A and shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof; annual rent in the amount of \$153, 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 \$1,000,000 or an equivalent staff-approved self-insurance program; and surety in the amount of \$20,000.

EXHIBIT A

LAND DESCRIPTION

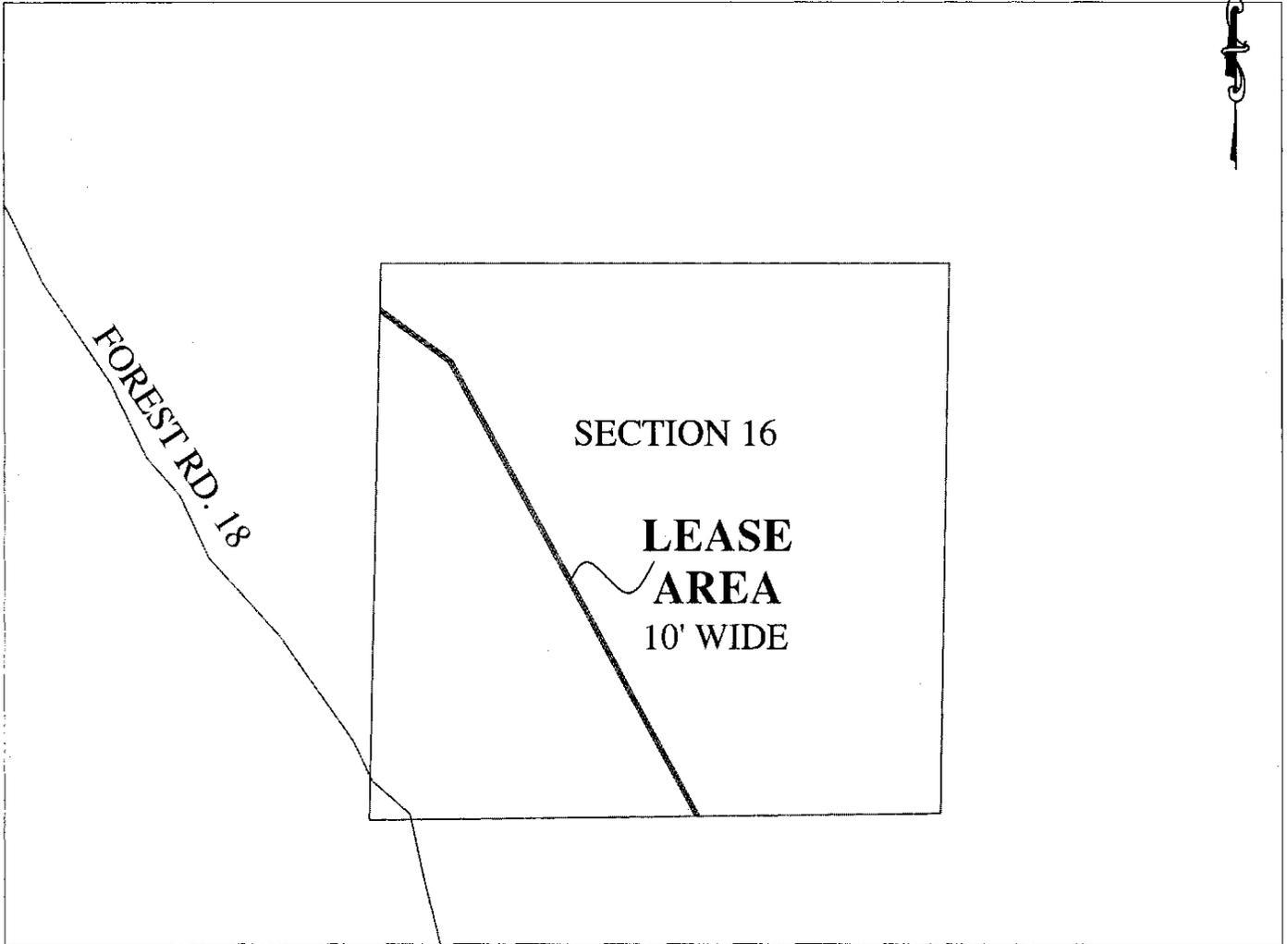
A strip of land 10 feet in width situated in Section 16, T35N, R5E, MDM, Shasta County, California, said strip being within that same strip leased to PG and E under State of California lease PRC5391.2, said strip being 5 feet on each side of following described centerline:

BEGINNING at a point on the south line of Section 16 distant 2258.0 feet from the southeast corner of said Section 16; thence leaving said south line N27°10'West, 4960.6 feet; thence N52°03'30"W, 960 feet, more or less, to a point on the westerly line of said Section 16 and the termination of the herein described centerline.

END OF DESCRIPTION

NO SCALE

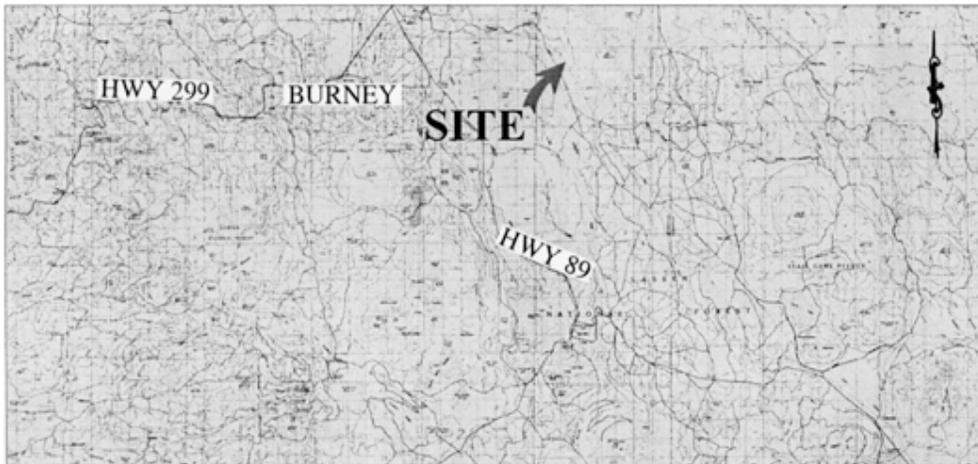
SITE



Section 16, T35N, R5E, MDM - near Burney

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

WP 8145.2

CITIZENS TELECOM.
COMPANY OF CA, INC.

APN 031-270-006

GENERAL LEASE -
RIGHT-OF-WAY USE
SHASTA COUNTY



MJF 1/10/12

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.