

Staff Report 64

LESSEE:

California Broadband Cooperative, Inc.

PROPOSED ACTION:

Revision of Rent

AREA, LAND TYPE, AND LOCATION:

0.71 acre, more or less, of State school land within a portion of Section 36, Township 1 South, Range 31 East, MDM, northeast of the community of Benton Hot Springs, Mono County.

AUTHORIZED USE:

Continued use and maintenance of an existing buried fiber optic innerduct containing four microducts, one containing a single fiber optic line, and two buried concrete access vaults.

TERM:

20 years, beginning January 26, 2012.

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 rent be revised from \$450 per year to \$503 per year, effective January 26, 2022.

OTHER PERTINENT INFORMATION:

1. Approval or denial of the revision of rent is a discretionary action by the Commission. Each time the Commission approves or rejects a revision of rent, it exercises legislatively delegated authority and responsibility as trustee of the State's Public Lands as authorized by law. Upon expiration or prior termination of

the lease, the Lessee has no right to a new lease or to renewal of any previous lease.

2. On January 26, 2012, the Commission authorized a General Lease – Right-of-Way Use to California Broadband Cooperative, Inc. for an existing buried fiber optic innerduct containing four microducts, one containing a single fiber optic line, and two buried concrete access vaults ([Item 69, January 26, 2012](#)). On December 6, 2016, the Commission approved ([Item 48, December 6, 2016](#)) an increase in the annual rent from \$100 to \$450, effective January 26, 2017. The lease will expire on January 25, 2032.
3. Approving the revision of rent 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).

EXHIBIT:

A. Site and Location Map

RECOMMENDED ACTION:

It is recommended that the Commission:

AUTHORIZATION:

Approve the revision of rent for Lease PRC 8971 from \$450 per year to \$503 per year, effective January 26, 2022.

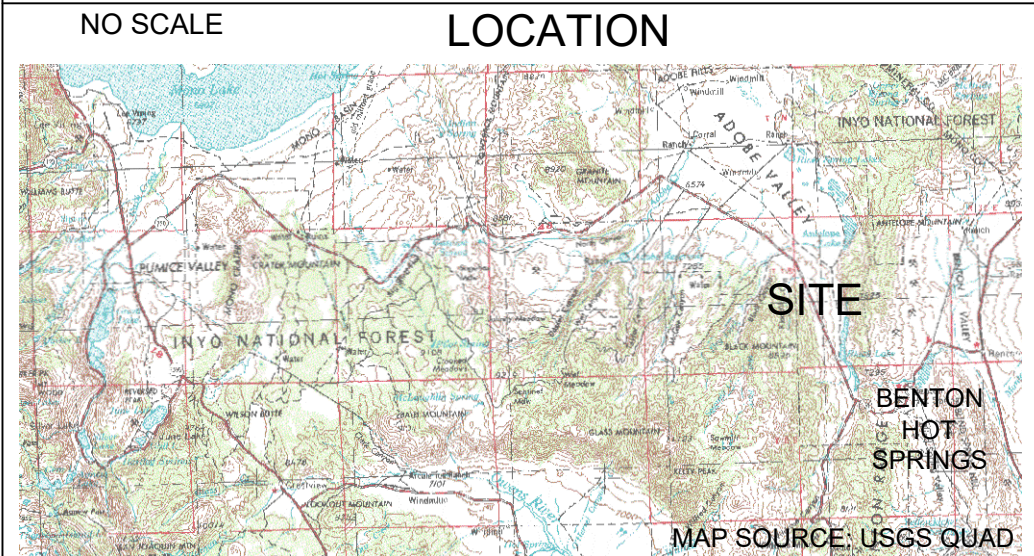
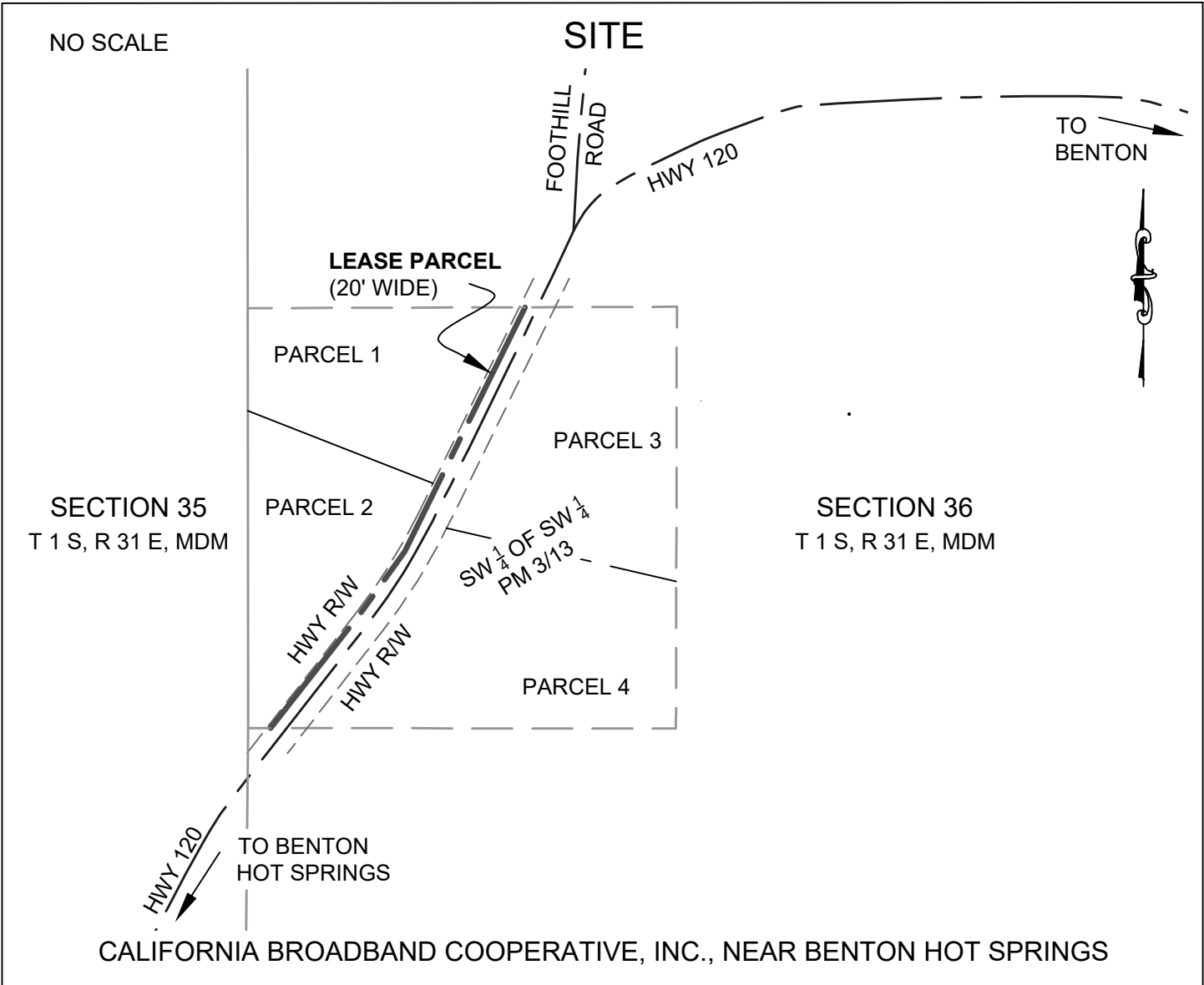


EXHIBIT A

LEASE 8971
 CALIFORNIA BROADBAND
 COOPERATIVE
 APN 024-070-009
 GENERAL LEASE -
 RIGHT - OF - WAY USE
 MONO COUNTY



DJF 11/10/2021

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.