

# Staff Report 44

## **LESSEE:**

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San Diego Gas and Electric Company

## **PROPOSED ACTION:**

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Revision of Rent

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

4.55 acres, more or less, of State indemnity school land in a portion of Lots 7 and 18 of Tract 58, Township 16 South, Range 9 East, SBM, near Ocotillo, Imperial County.

## **AUTHORIZED USE:**

Continued use and maintenance of an existing 500 kilovolt (kV) overhead electric transmission line.

## **TERM:**

49 years, beginning March 15, 1983.

## **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 \$533 per year, effective March 15, 2022.

## **OTHER PERTINENT INFORMATION:**

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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 School 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 April 28, 1983, the Commission authorized a General Lease – Right-of-Way Use to the Lessee, for an existing 500 kV overhead electric transmission line ([Item 09, April 28, 1983](#)), effective March 15, 1983. Between 1988 and 2011, the Commission approved several rent reviews pursuant to the terms of the lease. On December 18, 2015, the Commission approved ([Item 109, December 18, 2015](#)) an increase in the annual rent from \$113 to \$450, effective March 15, 2016. The lease will expire on March 14, 2032.
3. This action is consistent with addressing the challenges and opportunities described in the Commission’s 2021-25 Strategic Plan to “Embrace and safeguard multi-benefit School Lands and resource management stewardship that equitably balances responsible local and regional economic development, supports living wages, environmental protection, and revenue generation.”
4. 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:**

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- A. Site and Location Map

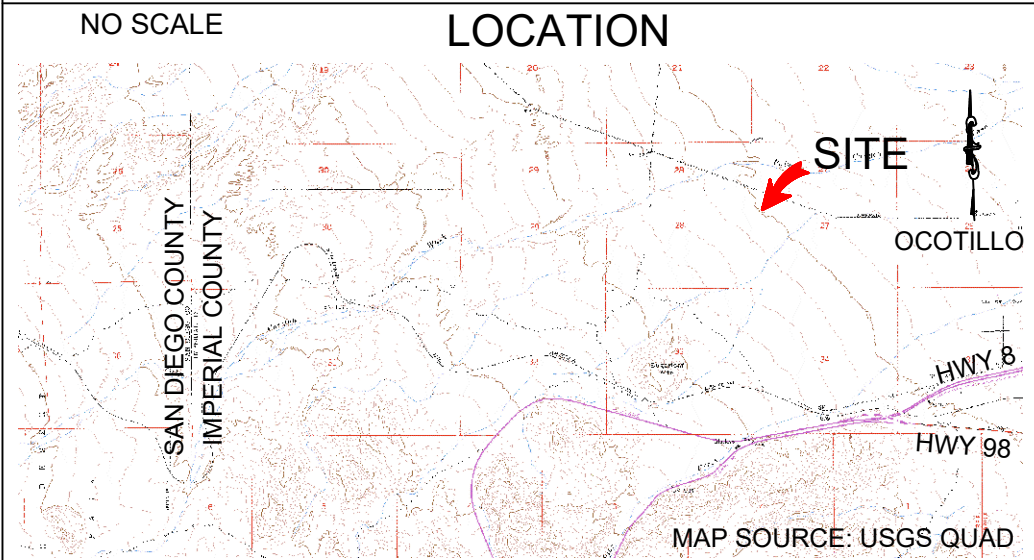
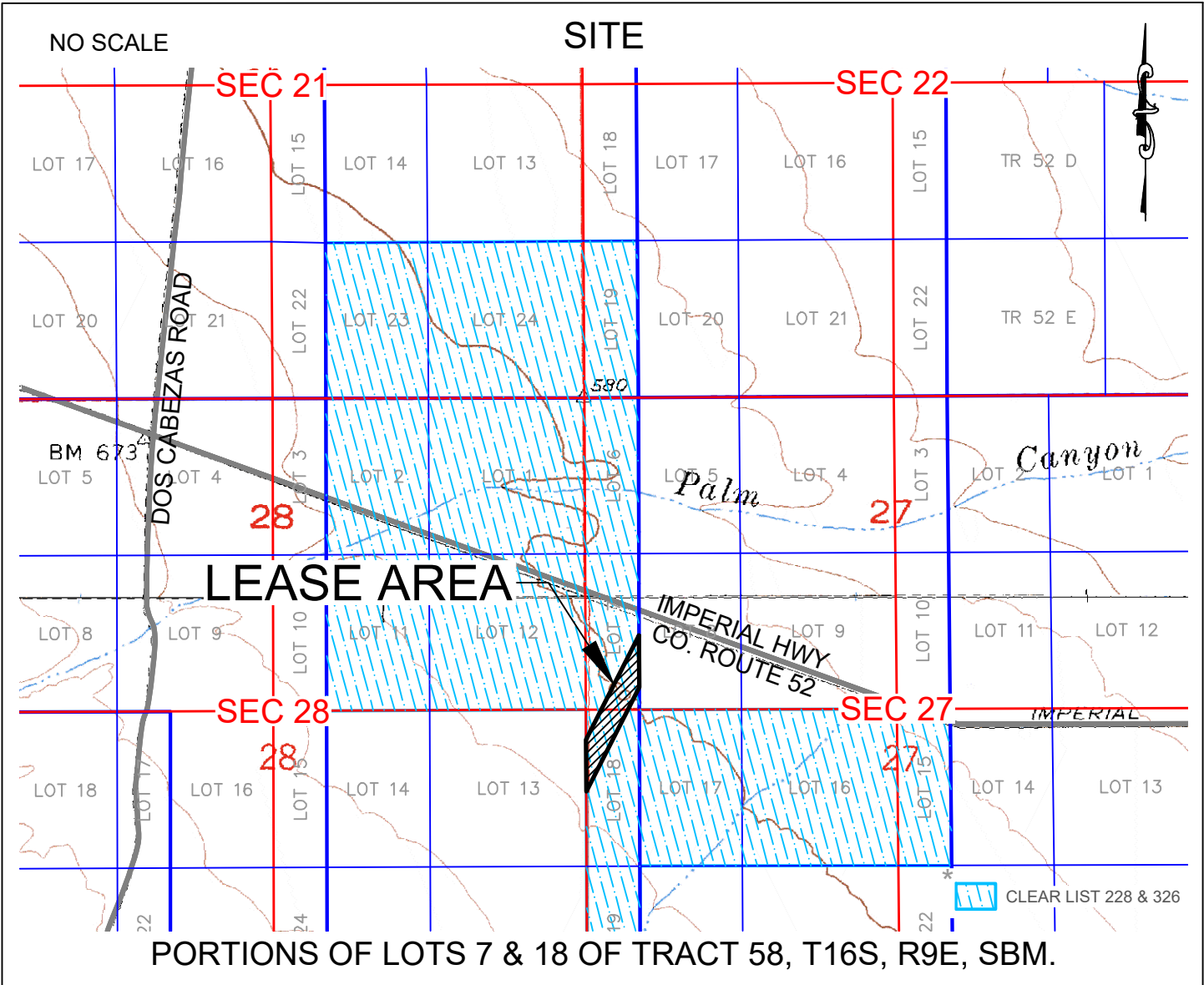
## **RECOMMENDED ACTION:**

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It is recommended that the Commission:

### **AUTHORIZATION:**

Approve the revision of rent for Lease PRC 6405 from \$450 per year to \$533 per year, effective March 15, 2022.



**EXHIBIT A**

LEASE 6405  
SAN DIEGO GAS & ELEC.  
APN 033-240-016  
GENERAL LEASE -  
RIGHT-OF-WAY USE  
IMPERIAL COUNTY



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.