

Staff Report 32

LESSEE:

Comcast of California XII, LLC

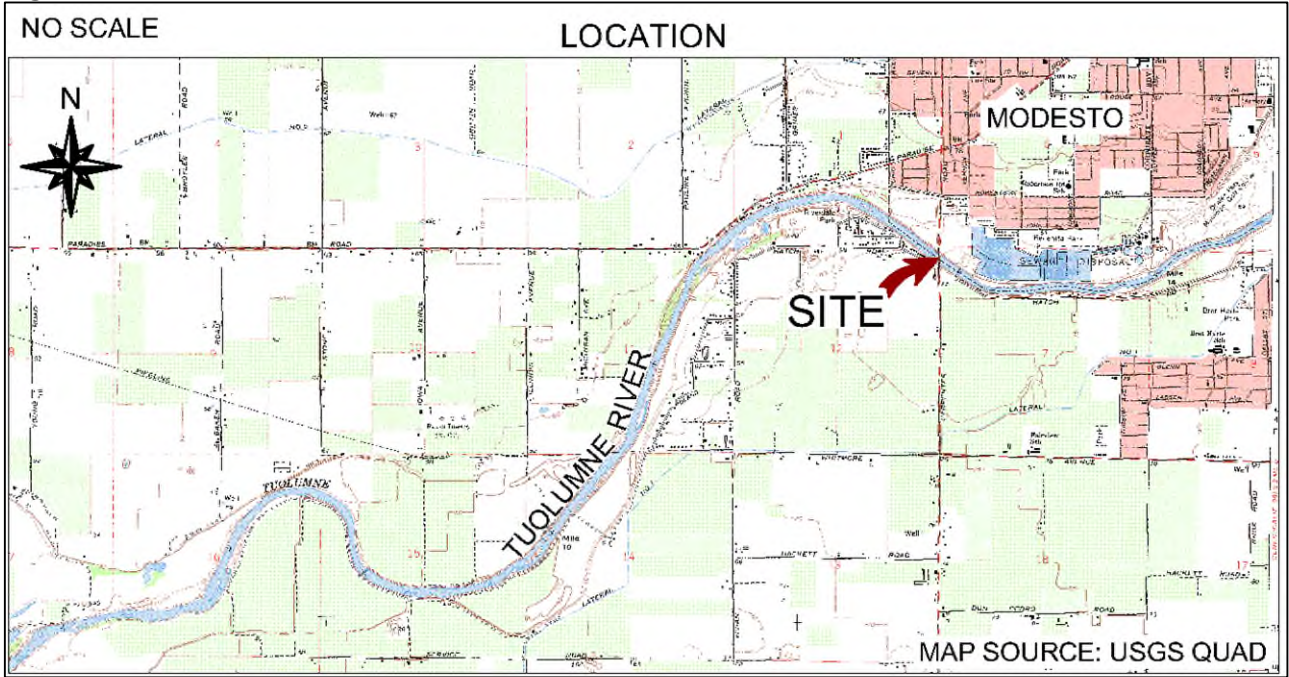
PROPOSED ACTION:

Revision of Rent.

AREA, LAND TYPE, AND LOCATION:

0.064 acre, more or less, of sovereign land located over the Tuolumne River, attached to the Carpenter Road Bridge, Modesto, Stanislaus County (as shown in Figure 1).

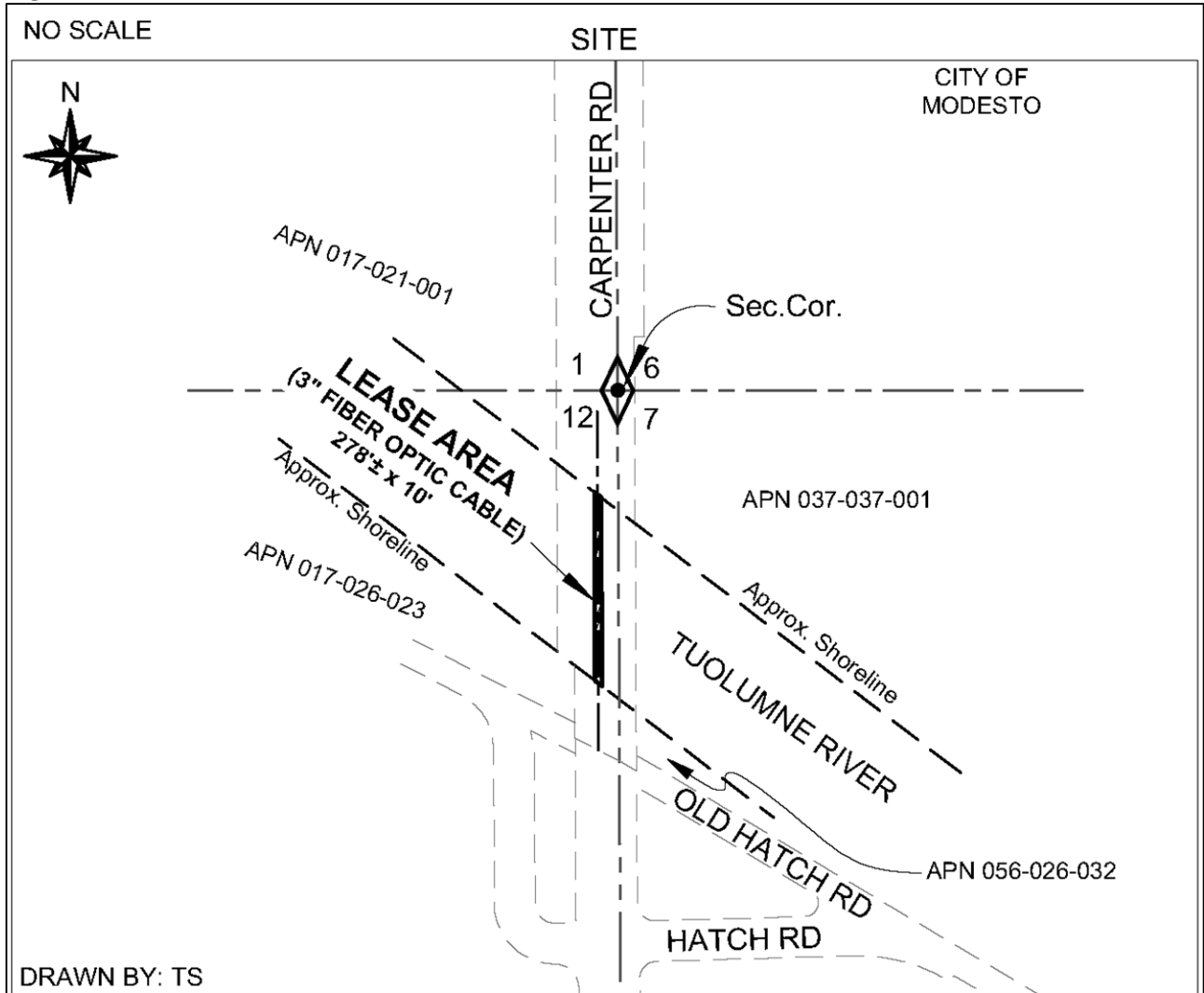
Figure 1. Location



AUTHORIZED USE:

Continued use and maintenance of an existing fiber optic communication cable contained in a 3-inch-diameter conduit (as shown in Figure 2).

Figure 2. Site Map



NOTE: This depiction of the lease premises is based on unverified information provided by the Applicant or other parties and is not a waiver or limitation of any State interest in the subject or any other property.

TERM:

21 years, 1 month, and 25 days beginning October 14, 2014.

CONSIDERATION:

The lease provides that Lessor may modify the rent periodically during the lease term. Pursuant to this provision, the staff has conducted a review of the rent under this lease and recommends that the rent be revised from \$1,390 per year to \$1,579 per year, effective October 14, 2024.

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. The Lessee has no right to a new lease or to renewal of any previous lease.
2. On October 14, 2014, the Commission authorized a General Lease – Right-of-Way Use ([Item 63, October 14, 2014](#)) to Comcast of California XII, LLC, for use and maintenance of an existing fiber optic communication cable in a conduit attached to the Carpenter Road Bridge crossing the Tuolumne River in Modesto, Stanislaus County. On August 23, 2019, the Commission authorized a revision of rent ([Item 25, August 23, 2019](#)) from \$450 to \$1,390, effective October 14, 2019. The lease will expire on December 9, 2035.
3. This action is consistent with the "Efficient and effective management of the revenue-generation portfolio" in the "Meeting Evolving Public Trust Needs" Strategic Focus Area of the Commission's 2021-25 Strategic Plan.
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, sections 15060, subdivision (c)(3), and 15378, subdivision (b)(5).

RECOMMENDED ACTION:

It is recommended that the Commission:

AUTHORIZATION:

Approve the revision of rent for Lease PRC 9163 from \$1,390 per year to \$1,579 per year, effective October 14, 2024.