

# Staff Report 55

## **LESSEE:**

Tulare County Resource Management Agency

## **PROPOSED ACTION:**

Revision of Rent.

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

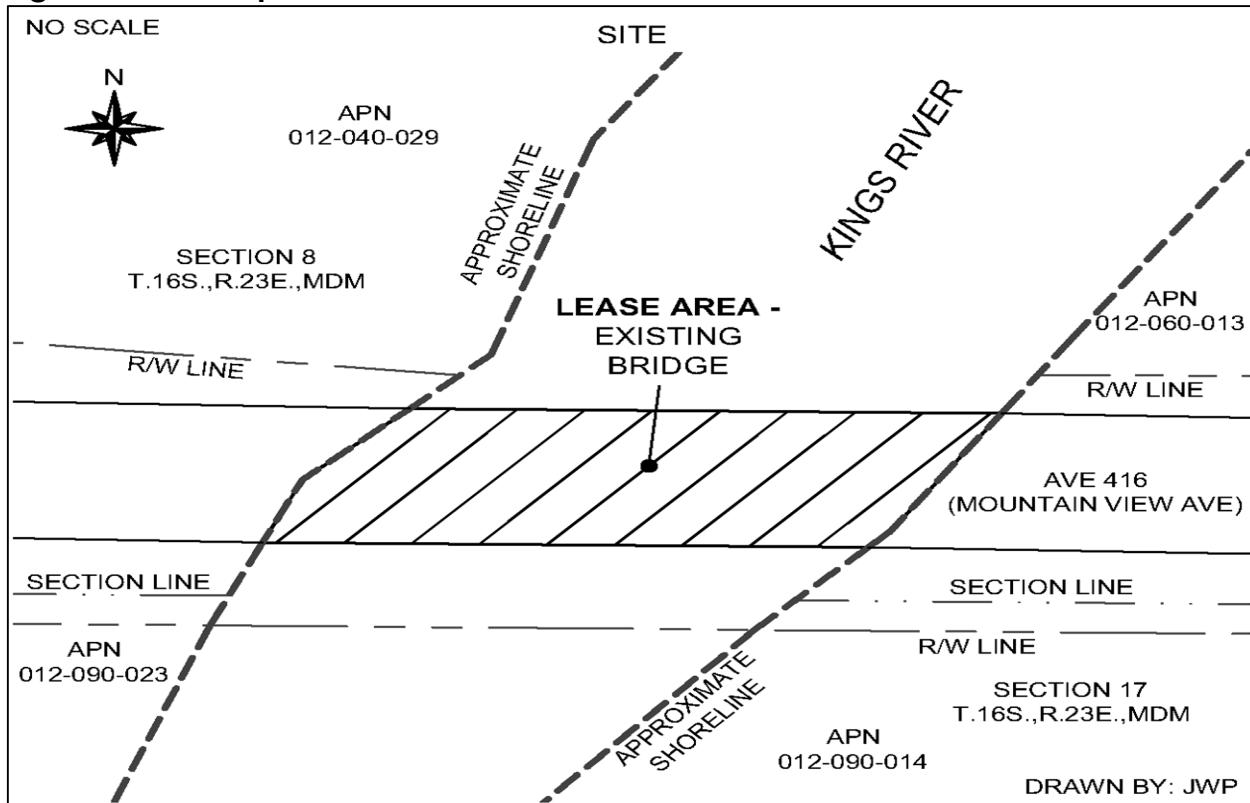
0.66 acres, more or less, of sovereign land in the bed of the Kings River, near Dinuba, Tulare County (as shown in Figure 1).

**Figure 1. Location**



**AUTHORIZED USE:**

Construction, use, and maintenance of a bridge, rock slope protection, and utility conduits (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:**

20 years, beginning October 29, 2010.

**CONSIDERATION:**

The 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. The prior rent was based on a CPI adjustment of the pipeline/conduit method. It is not Staff practice to CPI this method which is set by regulation and therefore is not continued as the rent method in this rent analysis. Staff

recommends that the rent be revised from \$223 per year to \$167 per year, effective October 29, 2025.

## **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 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 29, 2010, the Commission authorized a 20-year General Lease – Public Agency Use ([Item 19, October 29, 2010](#)) to the County of Tulare for the construction, use, and maintenance of a new bridge and rock slope protection on sovereign land in the bed of the Kings River, near Dinuba, Tulare County; the use of a temporary construction easement; the temporary retention, use, and maintenance of the existing Avenue 416 bridge; the demolition of the existing bridge and the potential abandonment in place of piers and pilings upon completion of the new bridge; and the construction, use, and maintenance of utility conduits on the new bridge. On June 22, 2017, the Commission authorized an amendment of lease and acceptance of a quitclaim deed, ([Item 49, June 22, 2017](#)) amending Exhibit A, Site and Location Maps, and replacing Section 3, Land Description, to reflect the demolition of the existing bridge and removal of the associated parcel, and revision of rent from \$195 to \$223 per year, effective October 29, 2017. On August 20, 2020, the Commission authorized a continuation of rent ([Executive Officer's Report, August 20, 2020](#)) at \$223 per year, effective October 29, 2020. The lease expires on October 29, 2030.
3. This action is consistent with the “efficient and effective management of the revenue generation portfolio” elements 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:**

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It is recommended that the Commission:

### **AUTHORIZATION:**

Approve the revision of rent for Lease PRC 8900 from \$223 per year to \$167 per year, effective October 29, 2025.