

MINUTE ITEM

1/7/70
CRK

14. RESCISSION OF PRIOR AUTHORIZATION FOR A DREDGING PERMIT, AND AUTHORIZATION FOR ISSUANCE OF A 49-YEAR INDUSTRIAL LEASE, FOR OPERATION OF AN INTAKE COOLING WATER FACILITY, TIDE AND SUBMERGED LAND IN SAN PABLO BAY, CONTRA COSTA COUNTY; PACIFIC GAS AND ELECTRIC COMPANY - W-5848, P.R.C. 4385.1.

After consideration of Calendar Item 6 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION RESCINDS THE PRIOR AUTHORIZATION FOR ISSUANCE OF A DREDGING PERMIT (MINUTE ITEM 14, PAGE 34, MEETING OF JANUARY 23, 1969) AND AUTHORIZES THE ISSUANCE TO PACIFIC GAS & ELECTRIC COMPANY OF A 49-YEAR INDUSTRIAL LEASE FROM JANUARY 7, 1966, IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$184.80 DURING THE FIRST FOUR YEARS AND \$300.00 PER ANNUM THEREAFTER, WITH THE STATE RESERVING THE RIGHT TO REVIEW AND RESET A REASONABLE RENTAL ON EACH FIFTH ANNIVERSARY, FOR OPERATION OF AN INTAKE COOLING WATER FACILITY, INCLUDING MAINTENANCE DREDGING, ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment

Calendar Item 6 (2 pages)

6.

INDUSTRIAL LEASE

APPLICANT: Pacific Gas & Electric Company.

LOCATION: A 0.28-acre parcel of tide and submerged land in San Pablo Bay 1 mile northerly of Rodeo, Contra Costa County.

LAND USE: The operation of an intake cooling water facility, including maintenance dredging, for an electric-power generating plant on the upland.

TERMS: 49 years, from January 7, 1966.

CONSIDERATION: \$184.80 a year during the first 4 years and \$300.00 per annum thereafter, with State reserving the right to review and reset a reasonable rental on each fifth anniversary.

BASIS FOR CONSIDERATION:

6% of appraised value of land during first 4 years, and thereafter \$300.00 minimum rental for this type of lease.

PREREQUISITE ITEMS:

Applicant is owner of upland easement.

STATUTORY AND OTHER REFERENCES:

- a. Public Resources Code: Div. 6, Pt. 2, Ch. 1, Secs. 6501-6509.
- b. Administrative Code: Title 2, Div. 3, Articles 1 and 2 as amended effective May 10, 1969.

OTHER PERTINENT INFORMATION:

- (1) On January 23, 1969 (Min. Item 14, p. 34), the Commission authorized issuance to Pacific Gas & Electric Co. of a permit to perform maintenance dredging at this site. Subsequently, the applicant requested a lease instead, so that there would be a measure of control over future use of the land.
- (2) This replaces Lease P.R.C. 675/PC No. 32.9, which expired January 6, 1966.

EXHIBITS: A. Land description. B. Location map.

IT IS RECOMMENDED THAT THE COMMISSION RESCIND THE PRIOR AUTHORIZATION FOR ISSUANCE OF A DREDGING PERMIT (MIN. ITEM 14, P. 34, MEETING OF JANUARY 23, 1969) AND AUTHORIZE THE ISSUANCE TO PACIFIC GAS & ELECTRIC COMPANY OF A 49-YEAR INDUSTRIAL LEASE FROM JANUARY 7, 1966, IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$184.80 DURING THE FIRST FOUR YEARS AND \$300.00 PER ANNUM THEREAFTER, WITH THE STATE RESERVING THE RIGHT TO REVIEW AND RESET A REASONABLE RENTAL ON EACH FIFTH ANNIVERSARY, FOR OPERATION OF AN INTAKE COOLING WATER FACILITY, INCLUDING MAINTENANCE DREDGING, ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

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EXHIBIT "A"

A parcel of tide and submerged land in the Bay of San Pablo, County of Contra Costa, State of California, said parcel being a strip of land 40 feet in width lying 20 feet on each side of the following described center line:

BEGINNING at the California State Highway Station 237+30.48 (about one mile northerly of the Town of Rodeo), thence N. 17° 23' 30" W. 385.71 feet to the True Point of Beginning, thence N. 00° 08' 33" E., 2,287.82 feet and the end of the herein described center line.

EXCEPTING THEREFROM that portion lying above the ordinary low water line.