

MINUTE ITEM

12/20/73  
GRH

16. 10-YEAR RIGHT-OF-WAY, SUBMERGED LAND IN THE BED OF THE TUOLUMNE RIVER, STANISLAUS COUNTY; PACIFIC GAS AND ELECTRIC COMPANY - WP 353, PRC 353.1.

After consideration of Calendar Item 14 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION:

1. DETERMINES THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS ACTIVITY SINCE IT IS EXEMPT UNDER THE PROVISIONS OF PRC SECTION 21084, AND 14 CAL. ADM. CODE SECTIONS 15070(c) AND 15101(b).
2. AUTHORIZES THE ISSUANCE TO PACIFIC GAS AND ELECTRIC COMPANY OF A 10-YEAR RIGHT-OF-WAY FROM MAY 28, 1973; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$36.23, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF PUBLIC LIABILITY INSURANCE IN AMOUNTS OF A COMBINED SINGLE LIMIT OF \$600,000 FOR PERSONAL INJURY AND \$100,000 FOR PROPERTY DAMAGE; FOR THE MAINTENANCE OF AN 8-INCH GAS PIPELINE ON THE LAND DESCRIBED IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment:

Calendar Item 14 (3 pages)

CALENDAR ITEM

12/73  
GRH  
WP 353

14.

RIGHT-OF-WAY

APPLICANT: Pacific Gas and Electric Company.

AREA, TYPE LAND AND LOCATION:  
A 50' x 420' strip (approx.) of submerged land in the bed of the Tuolumne River, approximately 3 miles southwest of Modesto, Stanislaus County.

LAND USE: Pipeline for transmission of gas.

TERMS OF PROPOSED LEASE:

Initial period: 10 years, from May 28, 1973.

Renewal options: 2 additional periods of 10 years each.

Public liability insurance:  
\$600,000 combined single limit for personal injury and \$100,000 for property damage.

CONSIDERATION: \$36.23 per annum, with the State reserving the right to fix a different rental on each fifth anniversary of the lease.

BASIS FOR CONSIDERATION:

Fixed rental for this type of lease or permit at 1 cent per diameter inch per lineal foot.

PREREQUISITE TERMS:

Applicant is lessee or permittee of upland.

STATUTORY AND OTHER REFERENCES:

- a. Public Resources Code: Div. 6, Parts 1 and 2.
- b. Administrative Code: Title 2, Div. 3, Arts. 1, 2 and 10.

OTHER PERTINENT INFORMATION:

This site was previously covered by Lease PRC 353.1 issued on May 27, 1948. Improvement authorized at that time was: a submerged pipeline. There has been no substantial change in the structure; accordingly, an environmental impact report is not required pursuant to 14 Cal. Adm. Code 15070(c).

EXHIBITS: A. Land Description. B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS ACTIVITY SINCE IT IS EXEMPT UNDER THE PROVISIONS OF PRC SECTION 21084, AND 14 CAL. ADM. CODE SECTIONS 15070(c) AND 15101(b).

CALENDAR ITEM NO. 14. (CONTD)

2. AUTHORIZE THE ISSUANCE TO PACIFIC GAS AND ELECTRIC COMPANY OF A 10-YEAR RIGHT-OF-WAY FROM MAY 28, 1973; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$36.23, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF PUBLIC LIABILITY INSURANCE IN AMOUNTS OF A COMBINED SINGLE LIMIT OF \$600,000 FOR PERSONAL INJURY AND \$100,000 FOR PROPERTY DAMAGE; FOR THE MAINTENANCE OF AN 8-INCH GAS PIPELINE ON THE LAND DESCRIBED IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

WP 353

A strip of submerged land 50 feet wide lying in the bed of the Tuolumne River, approximately 3 miles southwest of the City of Modesto, Stanislaus County, State of California, and being 25 feet on each side of the following described centerline:

COMMENCING at the southeast corner of Section 11, T 4 S, R 8 E, MDM; thence N 89° 31' W, 2,631.3 feet to the TRUE POINT OF BEGINNING; thence N 81° 48' 30" W, 525 feet across the Tuolumne River to the terminus of the herein described centerline.

EXCEPTING THEREFROM any portion lying landward of the ordinary low water mark.

END OF DESCRIPTION