MINUTE ITEM 8/21/75
EPW

5. RIGHT OF WAY; PACIFIC GAS AND ELECTRIC COMPANY; W 8755; PRC 5039.

After consideration of Calendar Item 3 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 AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF PRC 21085; 14 CAL. ADM. CODE 15100, ET SEQ.; AND 2 CAL. ADM. CODE 2907(a).

2. AUTHORIZES THE ISSUANCE TO PACIFIC GAS AND ELECTRIC COMPANY OF A 15-YEAR RIGHT OF WAY FROM MARCH 18, 1970, WITH LESSEE'S OPTION TO RENEW FOR THREE SUCCESSIVE PERIODS OF TEN YEARS EACH; IN CONSIDERATION OF $20 PER ANNUM THROUGH JUNE 29, 1975; $100 PER ANNUM THEREAFTER; PROVISION FOR A CHANGE IN RENTAL ANY TIME PRIOR TO JULY 24, 1976, RETROACTIVE TO JULY 24, 1975 WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL OF EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF PUBLIC LIABILITY INSURANCE IN AMOUNTS OF $1,000,000 EACH OCCURRENCE AGGREGATE FOR BODILY INJURY AND PROPERTY DAMAGE, FOR ONE EXISTING 26-INCH SUBMERGED GAS LINE; ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachments:
Calendar Item 3 (3 pages)

A 7
S 1

CALENDAR ITEM

3.

8/75
DR
W 8755

RIGHT OF WAY

APPLICANT: Pacific Gas and Electric Company
77 Beale Street
San Francisco, California 94106

AREA, TYPE LAND AND LOCATION:
A 0.026 acre parcel of submerged land in the bed of Sonoma Creek, south of the City of Sonoma, Sonoma County.

LAND USE: One existing 26-inch submerged gas line.

TERMS OF PROPOSED LEASE:
Initial Period: 15 years, from March 18, 1970.

Renewal Options: 3 successive period of 10 years each.

Public Liability Insurance:
$1,000,000 each occurrence aggregate for bodily injury and property damage.

CONSIDERATION: $20 per annum through June 29, 1975; $100 per annum thereafter and provision for a change in rental any time prior to July 24, 1976, retroactive to July 24, 1975, with the State reserving the right to fix a different rental on each fifth anniversary of the lease.

BASIS FOR CONSIDERATION:
$20 annual minimum rental through June 29, 1975; $100 annual minimum rental thereafter.

PREREQUISITE TERMS, FEES AND EXPENSES:
Applicant is permittee of upland.

Filing fee received.

STATUTORY AND OTHER REFERENCES:
a. Public Resources Code: Div. 6, Parts 1 & 2
b. Administrative Code: Title 2, Div. 3, Arts. 1, 2 & 10.

A 7
S 1

897

OTHER PERTINENT INFORMATION:

An Environmental Impact Report is not required. This transaction is within the purview of 2 Cal. Adm. Code 2907(a) which exempts an existing structure or facility that is in an acceptable state of repair and there is no evidence of record to show injury to adjacent property, shoreline erosion, or other type of environmental degradation.

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 AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF PRC 21085; 14 CAL. ADM. CODE 15100, ET SEQ.; AND 2 CAL. ADM. CODE 2907(a).

2. AUTHORIZE THE ISSUANCE TO PACIFIC GAS AND ELECTRIC COMPANY OF A 15-YEAR RIGHT OF WAY FROM MARCH 18, 1970, WITH LESSEE'S OPTION TO RENEW FOR THREE SUCCESSIVE PERIODS OF TEN YEARS EACH; IN CONSIDERATION OF $20 PER ANNUM THROUGH JUNE 29, 1975; $100 PER ANNUM THEREAFTER; PROVISION FOR A CHANGE IN RENTAL ANY TIME PRIOR TO JULY 24, 1976, RETROACTIVE TO JULY 24, 1975 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 $1,000,000 EACH OCCURRENCE AGGREGATE FOR BODILY INJURY AND PROPERTY DAMAGE, FOR ONE EXISTING 26-INCH SUBMERGED GAS LINE; ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

W 8755

A strip of tide and submerged land, 25 feet wide, lying in the bed of Sonoma Creek near Schellville, Sonoma County, State of California, said strip being southeasterly of and parallel with and contiguous to the northwesterly right of way line of Route 121 as said line is shown on the Department of Public Works, Division of Highways Map recorded in Book 7 of Highway Maps at Page 12 records of said County, and bounded on the northeast and southwest by the ordinary high water mark of said Sonoma Creek.

END OF DESCRIPTION