

MINUTE ITEM

9/75
WP 499

10. AMENDMENT AND 10-YEAR RENEWAL OF RIGHT OF WAY LEASE PRC 499, TIDE AND SUBMERGED LAND IN BED OF WHISKEY SLOUGH, SAN JOAQUIN COUNTY; PACIFIC GAS AND ELECTRIC COMPANY - WP 499; PRC 499; PRC 5075; PRC 5079.

Technical changes were made to Calendar Item 8 to clarify the numbering of the parcel designations. 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 SECTION 21085, 14 CAL. ADM. CODE SECTION 15100 ET SEQ., AND 2 CAL. ADM. CODE SECTION 2907.
2. AUTHORIZES ISSUANCE TO THE PACIFIC GAS AND ELECTRIC COMPANY OF A 10-YEAR RENEWAL AND AMENDMENT OF PRC 499, PARCEL 1, DESIGNATED AND REFERENCED AS LEASE PRC 499, IN CONSIDERATION OF RENT IN THE AMOUNT OF \$7.67 FOR PERIOD FEBRUARY 10, 1975, TO JUNE 29, 1975, \$61.64 FOR THE PERIOD JUNE 30, 1975 TO FEBRUARY 9, 1976; \$100 PER ANNUM FROM FEBRUARY 10, 1976 WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON OR BEFORE FEBRUARY 10, 1976 AND ON EACH FIFTH ANNIVERSARY OF THE LEASE, WITH PROVISION OF PUBLIC LIABILITY INSURANCE IN AMOUNTS OF \$1,000,000 PER OCCURRENCE FOR BODILY INJURY AND \$1,000,000 FOR PROPERTY DAMAGE, AND OTHER AMENDMENTS TO SAID LEASE PRC 499 AS MORE FULLY SET FORTH IN A DOCUMENT ENTITLED "AMENDMENT AND RENEWAL OF LEASE PRC 499" ON FILE IN THE OFFICE OF THE STATE LANDS COMMISSION AND BY REFERENCE MADE A PART HEREOF, FOR THE MAINTENANCE OF ONE EXISTING 8-INCH NATURAL GAS PIPELINE.
3. AUTHORIZES ISSUANCE TO THE PACIFIC GAS AND ELECTRIC COMPANY OF A 10-YEAR RENEWAL AND AMENDMENT OF LEASE PRC 499, PARCEL 2, DESIGNATED AND REFERENCED AS LEASE PRC 5075, IN CONSIDERATION OF RENT IN THE AMOUNT OF \$7.67 FOR PERIOD FEBRUARY 10, 1975 TO JUNE 29, 1975; \$61.64 FOR THE PERIOD JUNE 30, 1975 TO FEBRUARY 9, 1976 AND \$100 PER ANNUM FROM FEBRUARY 10, 1976 WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON OR BEFORE FEBRUARY 10, 1976 AND ON EACH FIFTH ANNIVERSARY OF THE LEASE, WITH PROVISION OF PUBLIC LIABILITY INSURANCE IN AMOUNTS OF \$1,000,000 FOR PROPERTY DAMAGE, AND OTHER AMENDMENTS TO SAID LEASE PRC 499 AS MORE FULLY SET FORTH IN A DOCUMENT ENTITLED "AMENDMENT AND RENEWAL OF LEASE PRC 5075" ON FILE IN THE OFFICE OF THE STATE LANDS COMMISSION AND BY REFERENCE MADE A PART HEREOF FOR THE MAINTENANCE OF ONE EXISTING 10-INCH NATURAL GAS PIPELINE.

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MINUTE ITEM NO. 10 (CONTD)

4. AUTHORIZES ISSUANCE TO THE PACIFIC GAS AND ELECTRIC COMPANY OF A 10-YEAR RENEWAL AND AMENDMENT OF LEASE PRC 499, PARCEL 3, DESIGNATED AND REFERENCED AS LEASE PRC 5079, IN CONSIDERATION OF RENT IN THE AMOUNT OF \$7.67 FOR PERIOD FEBRUARY 10, 1975 TO JUNE 29, 1975, \$61.64 FOR THE PERIOD JUNE 30, 1975, TO FEBRUARY 9, 1976 AND \$100 PER ANNUM FROM FEBRUARY 10, 1976 WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON OR BEFORE FEBRUARY 10, 1976 AND ON EACH FIFTH ANNIVERSARY OF THE LEASE, WITH PROVISION OF PUBLIC LIABILITY INSURANCE IN AMOUNTS OF \$1,000,000 PER OCCURRENCE FOR BODILY INJURY AND \$1,000,000 FOR PROPERTY DAMAGE, AND OTHER AMENDMENTS TO SAID LEASE PRC 499 AS MORE FULLY SET IN A DOCUMENT ENTITLED "AMENDMENT AND RENEWAL OF LEASE PRC 5079" ON FILE IN THE OFFICE OF THE STATE LANDS COMMISSION AND BY REFERENCE MADE A PART HEREOF, FOR THE MAINTENANCE OF ONE EXISTING 4-INCH NATURAL GAS PIPELINE.

Attachment:

Calendar Item 8 (3 pages)

CALENDAR ITEM

8.

9/75
EPW
WP 499

AMENDMENT AND RENEWAL OF RIGHT OF WAY LEASE PRC 499

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

AREA, TYPE LAND AND LOCATION:
0.150 acre, 0.087 acre and 0.162 acre parcels
of tide and submerged land in bed of Whiskey
Clough, San Joaquin County.

LAND USE: Maintenance of three separate existing natural
gas pipelines of 8-inches, 10-inches, and 4-
inches respectively.

TERMS OF ORIGINAL LEASE:

Initial Period: 15 years from February 10, 1950.

Renewal Options: 1 successive period of 10 years.

Surety Bond: \$1,000.

Consideration: \$46.96 per annum.

Special: The right of renewal for one
additional 10-year period was
granted in Paragraph 3 of Lease
Renewals dated February 28, 1966.

TERMS OF PROPOSED RENEWAL:

Second Period: 10 years, from February 10, 1975.

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

CONSIDERATION: \$7.67 for period of February 10, 1975 through
June 29, 1975; \$61.64 for period of June 30,
1975 through February 9, 1976; and \$100 per
annum, thereafter for each parcel, with the
State reserving the right to fix a different
rental on or before February 10, 1976 and on
each fifth anniversary of the lease.

BASIS FOR CONSIDERATION:

\$20 annual minimum rental prorated for period
February 10, 1975 through June 29, 1975 and \$100
annual minimum prorated for period June 30, 1975
through February 9, 1976 and \$100 annual minimum
thereafter for each parcel.

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PREREQUISITE TERMS, FEES AND EXPENSES:

Applicant is permittee of upland.

A rental sum in the amount of \$1,407.93 has been deposited with the State Lands Division.

STATUTORY AND OTHER REFERENCES:

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

OTHER PERTINENT INFORMATION:

1. An Environmental Impact Report is not required. This transaction is within the purview of 2 Cal. Amd. Code 2907(a) which exempts an existing structure 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 types of environmental degradation.
2. Inasmuch as Lease PRC 499 was originally issued March 1, 1950, Division staff has reviewed Lease PRC 499 and recommends amendments in the language of the lease to conform to present practice. These amendments involve monetary consideration, indemnity bond and insurance, interest on deferred rent during renewal or extension, and paragraph headings.

EXHIBITS: A. 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 SECTION 21085, 14 CAL. ADM. CODE SECTION 15100 ET SEQ., AND 2 CAL. ADM. CODE SECTION 2907.
2. AUTHORIZE ISSUANCE TO THE PACIFIC GAS AND ELECTRIC COMPANY OF A 10-YEAR RENEWAL AND AMENDMENT OF PRC 499, PARCEL 1, DESIGNATED AND REFERENCED AS LEASE PRC 499(a), IN CONSIDERATION OF RENT IN THE AMOUNT OF \$7.67 FOR PERIOD FEBRUARY 10, 1975, TO JUNE 29, 1975, \$61.64 FOR THE PERIOD JUNE 30, 1975 TO FEBRUARY 9, 1976; \$100 PER ANNUM FROM FEBRUARY 10, 1976 WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON OR BEFORE FEBRUARY 10, 1976 AND ON EACH FIFTH ANNIVERSARY OF THE LEASE, WITH PROVISION OF PUBLIC LIABILITY INSURANCE IN

CALENDAR ITEM NO. 8. (CONTD)

AMOUNTS OF \$1,000,000 PER OCCURRENCE FOR BODILY INJURY AND \$1,000,000 FOR PROPERTY DAMAGE, AND OTHER AMENDMENTS TO SAID LEASE PRC 499 AS MORE FULLY SET FORTH IN A DOCUMENT ENTITLED "AMENDMENT AND RENEWAL OF LEASE PRC 499(A)" ON FILE IN THE OFFICE OF THE STATE LANDS COMMISSION AND BY REFERENCE MADE A PART HEREOF, FOR THE MAINTENANCE OF ONE EXISTING 8-INCH NATURAL GAS PIPELINE.

3. AUTHORIZE ISSUANCE TO THE PACIFIC GAS AND ELECTRIC COMPANY OF A 10-YEAR RENEWAL AND AMENDMENT OF LEASE PRC 499, PARCEL 2, DESIGNATED AND REFERENCED AS LEASE PRC 499(B), IN CONSIDERATION OF RENT IN THE AMOUNT OF \$7.67 FOR PERIOD FEBRUARY 10, 1975 TO JUNE 29, 1975, \$61.64 FOR THE PERIOD JUNE 30, 1975 TO FEBRUARY 9, 1976 AND \$100 PER ANNUM FROM FEBRUARY 10, 1976 WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON OR BEFORE FEBRUARY 10, 1976 AND ON EACH FIFTH ANNIVERSARY OF THE LEASE, WITH PROVISION OF PUBLIC LIABILITY INSURANCE IN AMOUNTS OF \$1,000,000 FOR PROPERTY DAMAGE, AND OTHER AMENDMENTS TO SAID LEASE PRC 499 AS MORE FULLY SET FORTH IN A DOCUMENT ENTITLED "AMENDMENT AND RENEWAL OF LEASE PRC 499(B)" ON FILE IN THE OFFICE OF THE STATE LANDS COMMISSION AND BY REFERENCE MADE A PART HEREOF FOR THE MAINTENANCE OF ONE EXISTING 10-INCH NATURAL GAS PIPELINE.
4. AUTHORIZE ISSUANCE TO THE PACIFIC GAS AND ELECTRIC COMPANY OF A 10-YEAR RENEWAL AND AMENDMENT OF LEASE PRC 499, PARCEL 3, DESIGNATED AND REFERENCED AS LEASE PRC 499(C), IN CONSIDERATION OF RENT IN THE AMOUNT OF \$7.67 FOR PERIOD FEBRUARY 10, 1975 TO JUNE 29, 1975, \$61.64 FOR THE PERIOD JUNE 30, 1975, TO FEBRUARY 9, 1976 AND \$100 PER ANNUM FROM FEBRUARY 10, 1976 WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON OR BEFORE FEBRUARY 10, 1976 AND ON EACH FIFTH ANNIVERSARY OF THE LEASE, WITH PROVISION OF PUBLIC LIABILITY INSURANCE IN AMOUNTS OF \$1,000,000 PER OCCURRENCE FOR BODILY INJURY AND \$1,000,000 FOR PROPERTY DAMAGE, AND OTHER AMENDMENTS TO SAID LEASE PRC 499 AS MORE FULLY SET IN A DOCUMENT ENTITLED "AMENDMENT AND RENEWAL OF LEASE PRC 499(C)" ON FILE IN THE OFFICE OF THE STATE LANDS COMMISSION AND BY REFERENCE MADE A PART HEREOF, FOR THE MAINTENANCE OF ONE EXISTING 4-INCH NATURAL GAS PIPELINE.