MINUTE ITEM NO. 5
APPROVED 12/1/75

12/75
EPW
WP 5023

CALENDAR ITEM

5.

AMENDMENT TO RIGHT OF WAY PRC 5023

APPLICANT: General Telephone Company of California
P.O. Box 176
Courtland, California 95615

AREA, TYPE LAND AND LOCATION:
An 0.34-acre parcel of tide and submerged land in the Mokelumne River approximately 1,400 feet north of State Highway 12 in San Joaquin County and Sacramento County.

LAND USE: Installation and maintenance of submarine telephone cables.

TERMS OF APPROVED PERMIT:
Indefinite period from August 1, 1975.

Consideration: Exempt by law pursuant to Public Utilities Code 7901.

TERMS OF PROPOSED AMENDMENT:
Initial Period: Indefinite term from August 1, 1975.

Special: Revise Exhibit "A" (legal description).

CONSIDERATION:
Exempt by law, pursuant to Public Utilities Code, Div. 4, Section 7901.

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

STATUTORY AND OTHER REFERENCES:
a. Public Resources Code: Div. 6, Parts 1 & 2.

b. Administrative Code: Title 2, Div. 3, Arts. 1, 2 & 10.

c. Public Utilities Code: Div. 4, Section 7901.

OTHER PERTINENT INFORMATION:
1. The annual rental value of the site is estimated to be $25.

2. Approximately 1,100 feet of submarine telephone cable will be installed across the Mokelumne River from Andrus Island to Bouldin Island, approximately 1,400 feet north of State Highway 12.

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3. While preparing the site for installation, workcrews discovered an old abandoned concrete siphon in the path of the approved right of way. The Lessee has requested approval of a right of way slightly changed so as to bypass the concrete structure.

4. The project is exempt from CEQA becuase this activity is not a project within the definitions as set forth in CEQA and no environmental assessment is required.

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 21065, 14 CAL. ADM. CODE 15037.

2. AUTHORIZE ISSUANCE TO GENERAL TELEPHONE COMPANY OF AN AMENDMENT TO LEASE PRC 5023, EFFECTIVE AUGUST 1, 1975, THAT:

   A. DELETES THE LEGAL DESCRIPTION OF SAID LEASE AND SUBSTITUTES EXHIBIT "A" ATTACHED HERETO AND BY REFERENCE MADE A PART HEREOF.

   ALL OTHER TERMS AND CONDITIONS OF SAID LEASE SHALL REMAIN UNCHANGED AND IN FULL FORCE AND EFFECT.

Attachment: Exhibit "A"

EXHIBIT "A"

WP 5023

A 2 foot wide strip of tide and submerged land in the bed of the Mokelumne River lying within Sacramento and San Joaquin Counties, State of California. The centerline of said strip being more particularly described as follows:

> COMMENCING at the most easterly corner of that certain parcel of land described in the deed recorded in Book 4237 page 462, Official Records of Sacramento County; thence S 29° 00' 44" W 13.50 feet; thence N 89° 48' 05" E 8.66 feet; thence N 82° 12' 27" E 110.92 feet to the TRUE POINT OF BEGINNING; thence S 59° 29' 30" E 735.36 feet to the end of the herein described centerline.

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

END OF DESCRIPTION