

MINUTE ITEM NO. 22
APPROVED 2-26-76

CALENDAR ITEM

2/76
EPW
WP 596

22.

AMENDMENT AND RENEWAL OF A RIGHT OF WAY

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

AREA, TYPE LAND AND LOCATION: An 0.103 acre parcel of tide and submerged land in Georgiana Slough, near Isleton, Sacramento County.

LAND USE: Maintenance of two 4 1/2 inch O. D. seamless steel pipes for the transmission of natural gas.

TERMS OF ORIGINAL LEASE: Initial period: 15 years, from February 28, 1951.

Renewal options: 3 successive periods of 10 years each.

Surety bond: \$1,000.

Consideration: \$44 per annum.

Special: Renewed for a period of 10 years to February 27, 1976.

TERMS OF PROPOSED AMENDMENT AND RENEWAL: Initial period: 10 years, from February 28, 1976.

Renewal options: One successive period of 10 years.

Public liability insurance: \$1,000,000 per occurrence for combined single limit bodily injury and property damage.

CONSIDERATION: \$100 per annum, with the State reserving the right to fix a different rental on August 1, 1976, retroactive to February 28, 1976, and on each fifth anniversary of the lease.

BASIS FOR CONSIDERATION: \$100 minimum rental for this type of lease.

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PREREQUISITE TERMS, FEES AND EXPENSES:

Applicant is permittee of upland.

A rental deposit in the amount of \$500 has been 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 & 11.

OTHER PERTINENT INFORMATION:

1. Inasmuch as Paragraphs 20 and 21 of the parent lease PRC 596.1 executed June 4, 1951, provides for changes, alternations, amendments and such other reasonable terms and conditions as the State might impose, staff recommends that all amendments to the terms and conditions of the existing lease document, and amendments thereto, be accomplished by the issuance of a lease document in current use, a copy of which is on file in the office of the State Lands Commission.
2. 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 types of environmental degradation.
3. This project is situated on State land identified possessing significant environmental values, pursuant to Public Resources Code 6370.1, and is classified in a significant use category, Class B: Limited Use. Staff review indicates that there will be no significant effect upon the identified environmental values. This is an existing facility for which no adverse comments have been received.

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

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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. DETERMINE THE GRANTING OF THE APPLICATION WILL HAVE NO SIGNIFICANT EFFECTS UPON THE ENVIRONMENTAL VALUES IDENTIFIED PURSUANT TO SECTION 6370.1 ET SEQ. OF THE PUBLIC RESOURCES CODE.
3. AUTHORIZE ISSUANCE TO PACIFIC GAS AND ELECTRIC COMPANY OF A 10 YEAR AMENDMENT AND RENEWAL OF RIGHT OF WAY LEASE PRC 596.1, FROM FEBRUARY 28, 1976, WITH LESSEE'S OPTION TO RENEW FOR ONE SUCCESSIVE PERIOD OF 10 YEARS; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$100 WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON AUGUST 1, 1976, RETROACTIVE TO FEBRUARY 28, 1976, AND ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF PUBLIC LIABILITY INSURANCE IN THE AMOUNT OF \$1,000,000 PER OCCURRENCE FOR COMBINED SINGLE LIMIT BODILY INJURY AND PROPERTY DAMAGE; FOR THE MAINTENANCE OF TWO 4 1/2-INCH O. D. SEAMLESS STEEL PIPES FOR THE TRANSMISSION OF NATURAL GAS ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

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A strip of tide and submerged land 25 feet wide extending entirely across the State owned bed of Georgiana Slough, Sacramento County, California, and lying 12.5 feet on each side of the following described center line:

BEGINNING at a point from which U.S.C.&G.S. Station "Grand" 1931 (California Zone II Coordinates X=2,118,808.11, Y=187,980.69) bears S 84° 16' W a distance of 5444.0 feet; thence S 14° 19' E a distance of 324 feet to the point of termination.

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

Bearings are from true North based on a solar observation.

END OF DESCRIPTION

Prepared

Robert L. Blok

Checked

Phyllis C. [unclear]

Reviewed

James Colvin

Date

10/7/75

