MINUTE ITEM
This Calendar Item No. C8
was approved as Minute Item
No. 8 by the State Lands
Commission by a vote of 3
to 0 at its 2-7-81
meeting.

CALENDAR ITEM

C08

3/81
W 22709
Reese
PRC 5974

GENERAL PERMIT - RIGHT-OF-WAY USE

APPLICANT: The Pacific Telephone and Telegraph Company
2150 Webster Street, Room 620
Oakland, California 94612

AREA, TYPE LAND AND LOCATION:
A strip of land 12 feet by 9,500 feet (2.62 acres) lying within the former right-of-way of Northwestern Pacific Railroad and portions of Richardson Bay, Marin county

LAND USE: Construction and maintenance of telephone communication facilities.

TERMS OF PROPOSED PERMIT:
Special Continuous use plus 1 year from March 1, 1981.

CONSIDERATION: Exempt by law, Section 7901, Public Utilities Code.

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

Filing fee has been received.

STATUTORY AND OTHER REFERENCES:
A. P.R.C.: Div. 6, Parts 1 & 2; Div. 13.

B. Cal. Adm. Code: Title 2, Div. 3; Title 14, Div. 6.

C. Section 7901, Public Utilities Code.

OTHER PERTINENT INFORMATION:
1. The Telephone Company's construction is being coordinated with the County of Marin Park and Recreation Department Rails to Trails project (PRC 5922.9).

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2. Because of the uncertainty of the extent of the State's title in this area, it is recommended that expense and processing fees be waived.

3. The annual rental value of the site is estimated to be $400.

4. An EIR is not required. This transaction is within the purview of Title 14, Cal. Adm. Section 15103(D), which exempts new construction of small facilities i.e. utilities.

5. This project is situated on land identified as possessing environmental values in that the State Lands Commission stated all waterways under the Commission's jurisdiction have environmental significance. Staff finds this project to be compatible with Commission policy.

6. The State Department of Fish and Game was informed of this project and there is no objection of record.

APPROVALS OBTAINED:
United States Army Corps of Engineers, Public Utility License (Easement) granted by Marin County.

EXHIBITS: A-1, A-2. Land Description.

B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL DOCUMENT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH DOCUMENT IS NOT REQUIRED UNDER THE PROVISIONS OF P.R.C. 21084, 14 CAL. ADM. CODE 15100 ET SEQ., AND 2 CAL. ADM. CODE 2907.

2. FIND THAT THIS PROJECT IS SITUATED ON LAND IDENTIFIED AS POSSESSING ENVIRONMENTAL VALUES IN THAT THE STATE LANDS COMMISSION FOUND ALL WATERWAYS UNDER THE COMMISSION'S JURISDICTION HAVE ENVIRONMENTAL SIGNIFICANCE, BUT THAT THIS PROJECT IS COMPATIBLE WITH THAT FINDING AS IT APPLIES TO THE SUBJECT LAND.

3. WAIVE EXPENSE AND PROCESSING FEES FOR THIS TRANSACTION.

4. AUTHORIZE ISSUANCE TO THE PACIFIC TELEPHONE AND TELEGRAPH COMPANY FOR CONTINUOUS USE, PLUS 1 YEAR OF A GENERAL PERMIT - RIGHT-OF-WAY USE FROM MARCH 1, 1981; FOR SUCH CONSIDERATION AS SET FORTH UNDER SECTION 7901, PUBLIC UTILITIES CODE; FOR THE CONSTRUCTION AND MAINTENANCE OF TELEPHONE COMMUNICATION FACILITIES ON THE LAND SHOWN IN EXHIBITS "A-1" AND "A-2" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

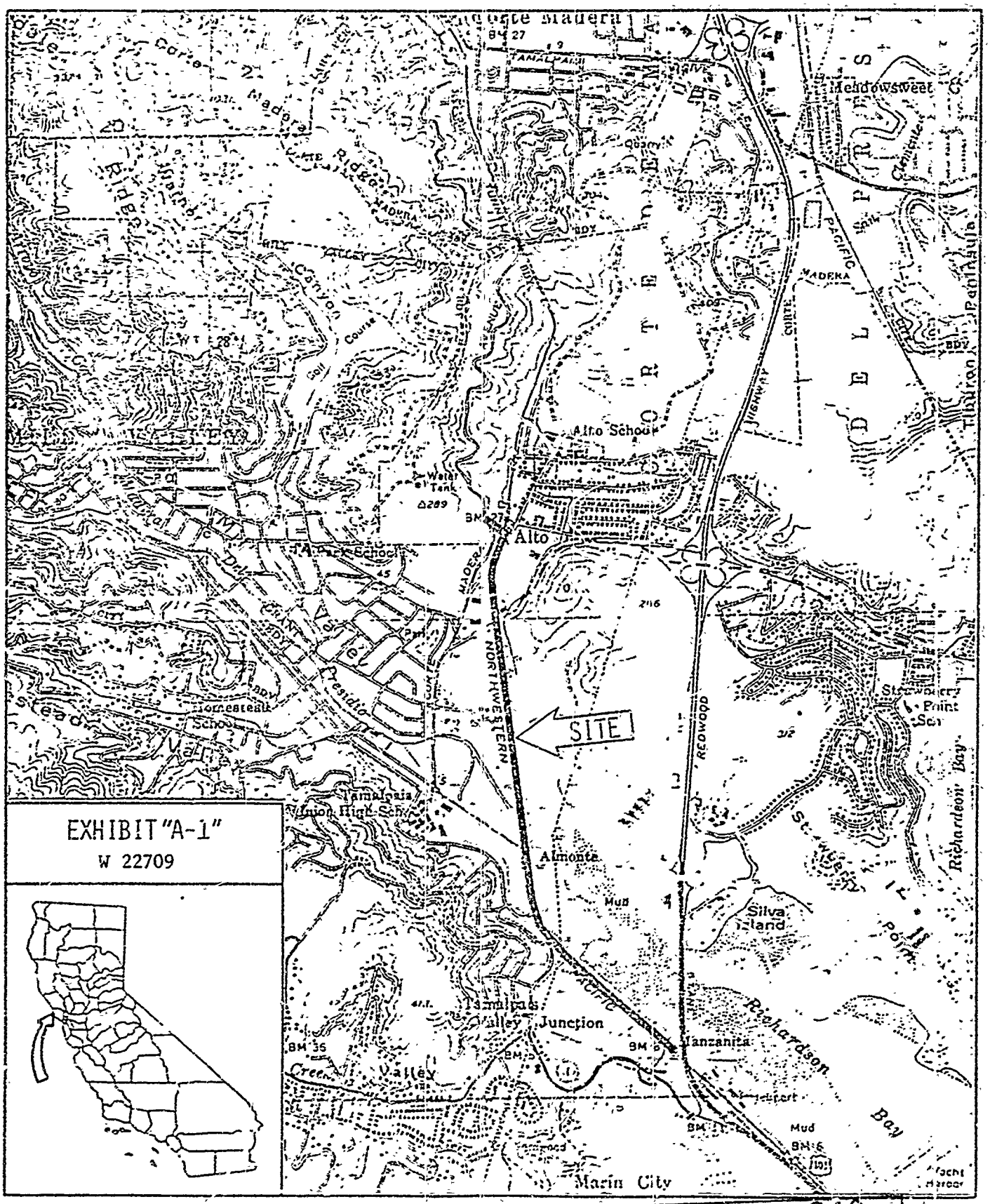

EXHIBIT "A-1"
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PROPOSED PT&T CONDUIT ROUTE ALONG N.W. R.R. R/W. FROM U.S. 101 TO AZALEA DR.

EXHIBIT "A-2"

W_22709

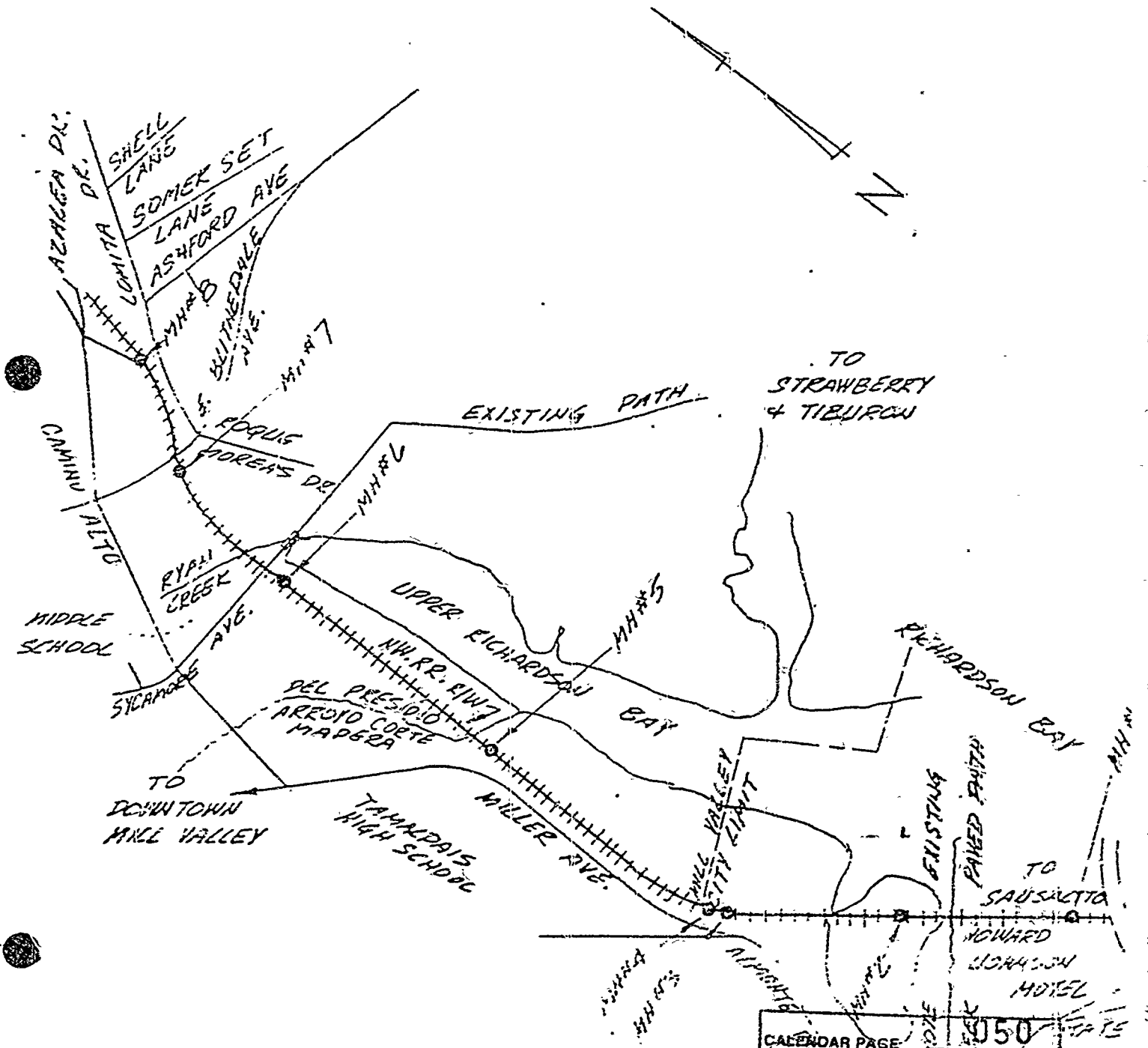

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EXHIBIT "B"

W 22709

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