

MINUTE ITEM

This Calendar Item No. C13 was approved as Minute Item No. 13 by the State Lands Commission by a vote of 3 to 0 at its 9/29/81 meeting.

CALENDAR ITEM

C 13

9/29/81  
W 22754  
Gordon

GENERAL PERMIT - RIGHT-OF-WAY USE  
GENERAL LEASE - RIGHT-OF-WAY USE

PRC 6062  
PRC 6057

- APPLICANTS:
1. Continental Telephone Company of California (Permittee)  
P: O. Box 992  
Manteca, California 95336
  2. Pacific Gas and Electric Company (Lessee)  
P. O. Box 7444  
Sacramento, California 95826

AREA, TYPE LAND AND LOCATION:  
A 0.034-acre parcel and a 0.086-acre parcel of tide and submerged lands located, respectively, in Walthall Slough and the San Joaquin River near Manteca, San Joaquin County.

LAND USE: Construction, operation and maintenance of telephone and telegraph facilities; and maintenance of an existing overhead electric power line.

TERMS OF PROPOSED CONTINENTAL TELEPHONE PERMIT:  
Special: Continuous use plus one year from August 1, 1981.

TERMS OF PROPOSED PACIFIC GAS AND ELECTRIC LEASE:  
Initial period: 20 years from August 1, 1981.

CONSIDERATION: As to Continental Telephone: Exempt by Law, Public Utilities Code 7901.  
  
As to Pacific Gas and Electric: \$100 per annum with the State reserving the right to fix a different rental on each fifth anniversary of the lease.

BASIS FOR CONSIDERATION:  
Pursuant to 2 Cal. Adm. Code 2005.

PREREQUISITE TERMS, FEES AND EXPENSES:  
Applicants are permittees of upland.

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Filing fees and processing costs have been received.

STATUTORY AND OTHER REFERENCES:

- A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.
- B. Cal. Adm. Code: Title 2, Div. 3; Title 14, Div. 6.

AB 884:

Continental Telephone - 8/13/82.  
Pacific Gas and Electric - 7/17/82.

OTHER PERTINENT INFORMATION:

As to Continental Telephone (Walthall Slough and San Joaquin River):

1. The annual rental value of the site is estimated to be \$100.
2. This project consists of attaching a new telephone line to existing poles jointly owned by applicants. An EIR is not required. This transaction is within the purview of 14 Cal. Adm. Code 15103, Class 3(d), which exempts new construction of small structures.
3. This project is situated on State land identified as possessing significant environmental values pursuant to P.R.C. 6370.1, and is classified in a use category, Class B, which authorizes Limited Use.

Staff has coordinated this project with those agencies and organizations which nominated the site as containing significant environmental values. They have found this project to be compatible with their nomination.

As to Pacific Gas and Electric (Walthall Slough only):

1. An EIR is not required. This transaction is within the purview of 2 Cal. Adm. Code 2907, Class 1(B), which exempts an existing structure or facility that is in an acceptable state of repair and there is no evidence of record

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to show injury to adjacent property, shoreline erosion, or other types of environmental degradation.

2. This project is situated on State land identified as possessing significant environmental values pursuant to P.R.C. 6370.1, and is classified in a use category, Class B, which authorizes 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.

APPROVALS REQUIRED:

These facilities are subject to the jurisdiction of the United States Army Corps of Engineers, California Department of Fish and Game, California Central Valley Regional Water Quality Control Board, California Reclamation Board and the County of San Joaquin. The proposed permit and lease are conditioned on the approval of all agencies having jurisdiction.

EXHIBITS:

- A. Land Description.
- B. Location Map.

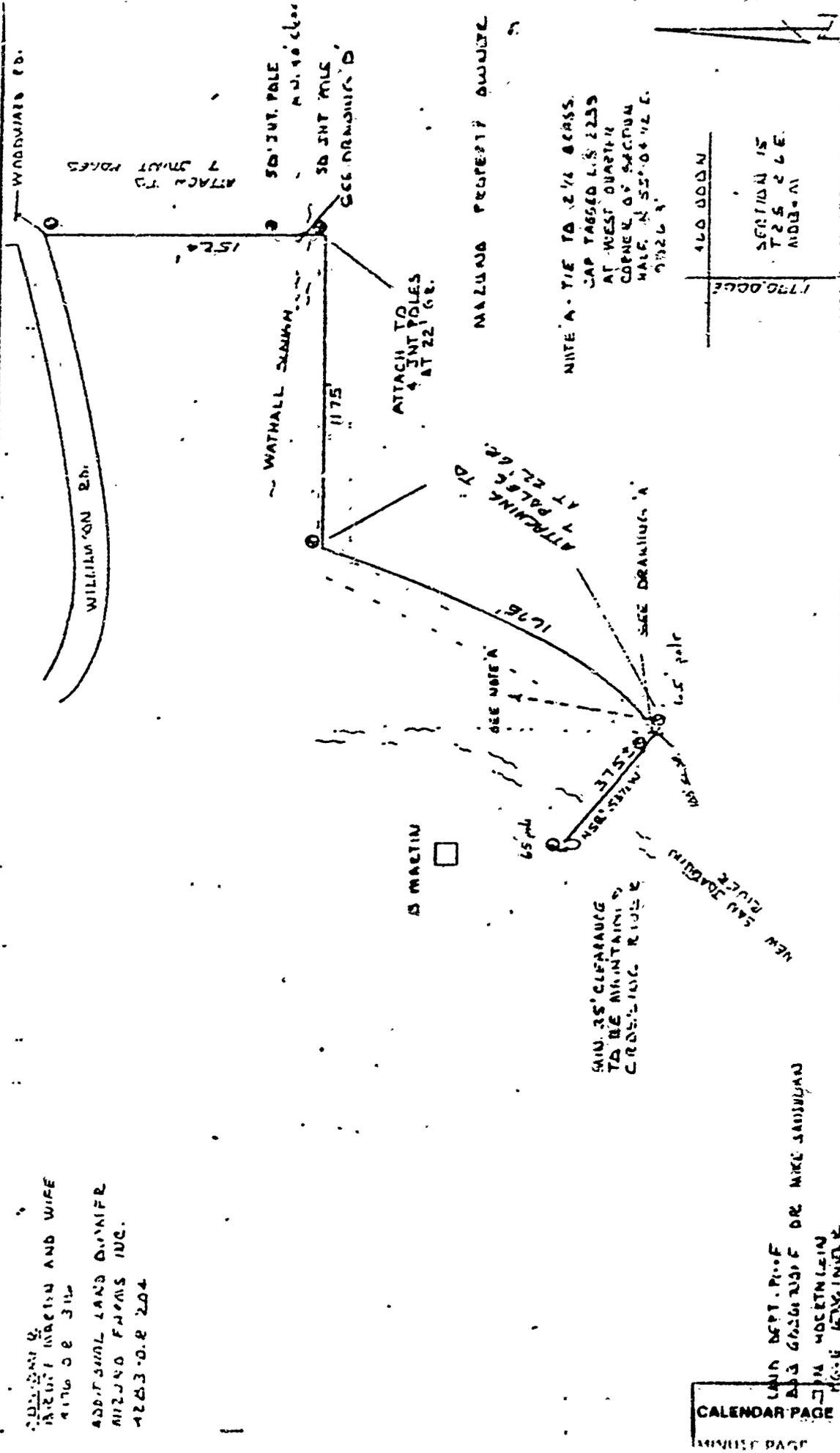
IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT ENVIRONMENTAL DOCUMENTS HAVE NOT BEEN PREPARED FOR THESE ACTIVITIES AS SUCH DOCUMENTS ARE 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 GRANTING OF THE PERMIT AND LEASE WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1, OF THE P.R.C.
3. AUTHORIZE ISSUANCE TO CONTINENTAL TELEPHONE COMPANY OF CALIFORNIA OF A CONTINUOUS USE PLUS ONE YEAR GENERAL PERMIT - RIGHT-OF-WAY USE FROM AUGUST 1, 1981, WHICH IS EXEMPT FROM CONSIDERATION PURSUANT TO P.R.C. 7901, FOR CONSTRUCTION, OPERATION AND MAINTENANCE OF TELEPHONE AND TELEGRAPH FACILITIES OVER AND ACROSS THE LAND DELINEATED

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ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART  
HEREOF.

4. AUTHORIZE ISSUANCE TO PACIFIC GAS AND ELECTRIC COMPANY  
OF A 20-YEAR GENERAL LEASE - RIGHT-OF-WAY USE FROM  
AUGUST 1, 1981; IN CONSIDERATION OF ANNUAL RENT IN  
THE AMOUNT OF \$100, WITH THE STATE RESERVING THE RIGHT  
TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY  
OF THE LEASE; FOR MAINTENANCE OF AN OVERHEAD ELECTRIC  
POWER LINE ACROSS THE LAND DELINEATED ON EXHIBIT "A"  
ATTACHED AND BY REFERENCE MADE A PART HEREOF.



JOHN B. MARTIN &  
 WIFE  
 4176 SE 31st  
 ADDITIONAL LAND DONOR  
 MIZUNO FARMS INC.  
 4283-D-2 204

LAND DEPT. PROOF  
 AND GAZETTEER OF MIKE SANDMAN  
 FROM MORTENSTEIN  
 PAGE 163-164

EXHIBIT "A"  
 LAND DESCRIPTION  
 W 22754

HOW TO BE OBTAINED FROM  
 FERRY COPTS OF EUGENE

CALENDAR PAGE 1869  
 MINUTE PAGE 57

DATE	APR 20 30
PROJECT	WATER SEWER
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BY	W. J. WILLIAMS, E.D.
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R/WI DRAWING

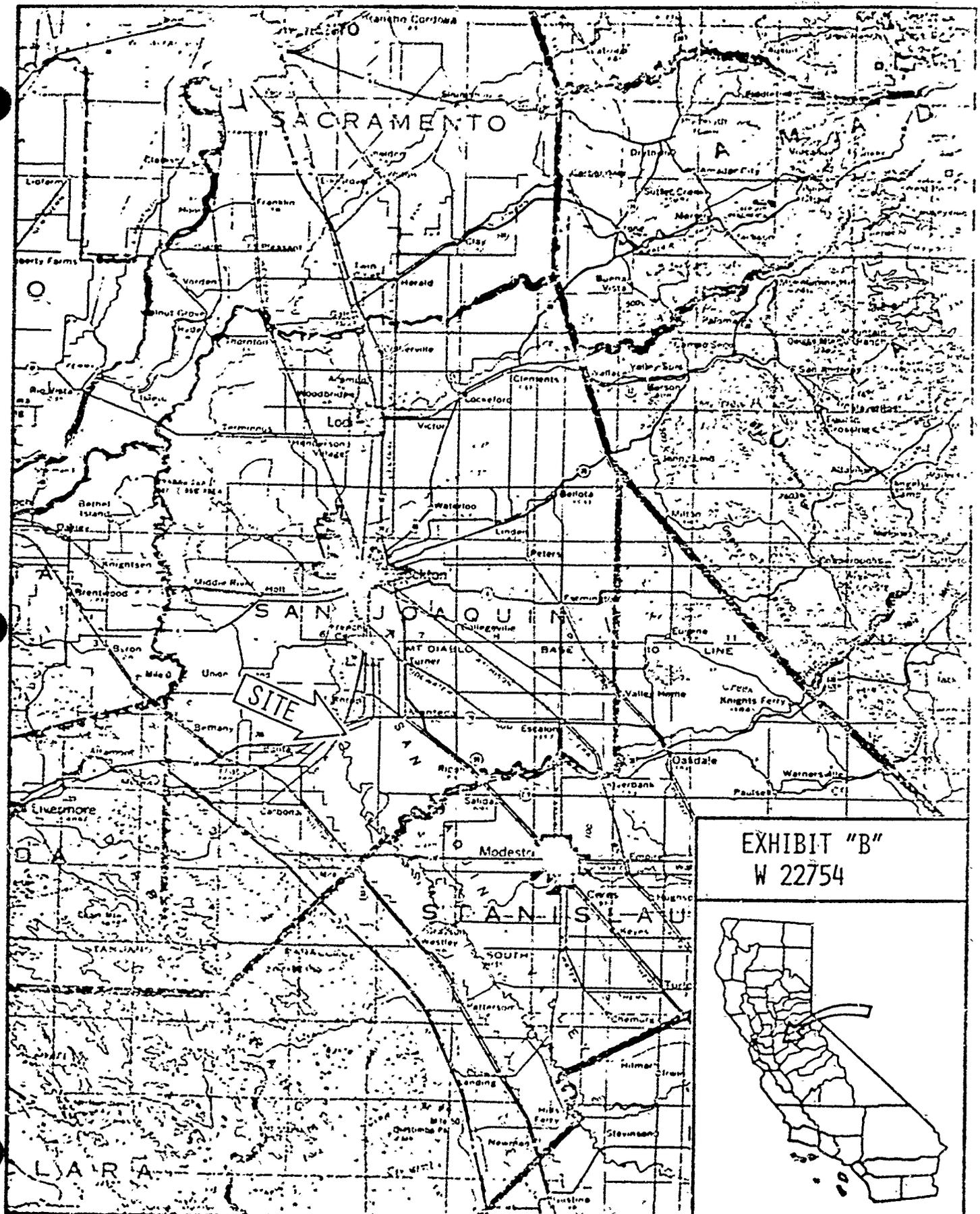


EXHIBIT "B"  
W 22754

