

MINUTE ITEM

This Calendar Item No. C14
was approved as Minute Item
No. 14 by the State Lands
Commission by a vote of 3
2 at its 9/29/81
meeting.

CALENDAR ITEM

C 1 4

9/29/81
W 22768
Gordon
PRC 6058

GENERAL PERMIT - RIGHT-OF-WAY USE

APPLICANT: The Pacific Telephone and Telegraph Company
1260 Fulton Avenue
Sacramento, California 95825

AREA, TYPE LAND AND LOCATION:
A 0.016-acre area of submerged lands in
Merced River near Livingston, Merced County.

LAND USE: Construction, operation and maintenance
of telephone and telegraph facilities.

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

CONSIDERATION: Exempt by law, Public Utilities Code 7901.

BASIS FOR CONSIDERATION:
Pursuant to 2 Cal. Adm. Code 2005 and
P.U.C. 7901.

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

Filing fee 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.
 - C. Public Utilities Code Section 7901.

AB 884: 8/12/82.

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OTHER PERTINENT INFORMATION:

1. The annual rental value of the site is estimated to be \$100.
2. 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.

APPROVALS REQUIRED:

This facility is 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 Merced. The proposed permit is 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 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 GRANTING OF THE PERMIT WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1, OF THE P.R.C.

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3. AUTHORIZE ISSUANCE TO THE PACIFIC TELEPHONE AND TELEGRAPH COMPANY OF A CONTINUOUS USE PLUS ONE YEAR GENERAL PERMIT - RIGHT-OF-WAY USE FROM OCTOBER 1, 1981, WHICH IS EXEMPT FROM CONSIDERATION PURSUANT TO P.U.C. 7901; FOR CONSTRUCTION, OPERATION AND MAINTENANCE OF TELEPHONE AND TELEGRAPH FACILITIES OVER, ACROSS AND UNDER THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

(Revised 9/24/81)

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EXHIBIT "A"

LAND DESCRIPTION

W 22768

A strip of land 15 feet wide, in the bed of the Merced River, in Merced County, California, said strip lying in Section 22, T6S, R11E, MDM, lying 7.5 feet on each side of the following described centerline:

COMMENCING at construction centerline Station 208+00 as shown on the right of way map, State of California, Department of Public Works, Division of Highways, District 10, dated March, 1951 on record in District 10 headquarters for State Highway in Merced County across lands of Fred R. Stephenson, et al.; thence leaving said construction centerline at a right angle, N 56° 21' 30" E 95.88 feet more or less to a point 7.5 feet westerly of the common line of the lands of Southern Pacific Railroad and the lands of the State of California, said point being the TRUE POINT OF BEGINNING; thence N 33° 38' 30" W, parallel to and 7.5 feet westerly of said common line, 1350 feet more or less to the end of the herein described centerline.

EXCEPTING THEREFROM any portion lying landward of the ordinary low water mark of the Merced River.

END OF DESCRIPTION

REVISED AUGUST 18, 1981 BY TECHNICAL SERVICES UNIT, ROY MINNICK, SUPERVISOR.

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