

MINUTE ITEM

This Calendar Item No. 19  
was approved as Minute Item  
No. 19 by the State Lands  
Commission by a vote of 3  
to 0 at its 8/26/82  
meeting.

CALENDAR ITEM

8/26/82  
W. 22877  
Horn  
PRC 6205

19  
APPROVAL OF THE TERMINATION  
OF 82 RIGHT-OF-WAY LEASES  
AND ISSUANCE OF ONE NEW MASTER  
GENERAL LEASE - RIGHT-OF-WAY USE

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

AREA, TYPE LAND AND LOCATION: Tidelands, and submerged lands throughout California.

LAND USE: Distribution of electrical energy.

TERMS OF PROPOSED LEASE:  
Initial period: 30 years from September 1, 1982 with an option to extend the term an additional 15 years upon such terms as may be negotiated between the parties.

Public liability insurance: combined single single limit average of \$2,000,000 for bodily injury and/or property damage or alternatives acceptable to the State.

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Special: State agrees to waive normal filing and processing fees for future minor modifications to the lease.

CONSIDERATION: \$6,000 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 2003.

PREREQUISITE TERMS, FEES AND EXPENSES:

Lessee is owner, lessee or permittee of uplands adjacent to the State's lands.

STATUTORY AND OTHER REFERENCES:

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

AB 884: N/A.

OTHER PERTINENT INFORMATION:

1. For some time staff has been negotiating with the Pacific Gas and Electric Company (PG & E) to develop a master lease for its many electrical distribution lines. Combining the existing 82 leases into one new agreement will result in greater efficiency and less cost to both the State and PG & E. In addition to the minor increase in annual rental, the State will gain greater discretion and flexibility than it currently has with the existing leases.

In order to maximize the benefits that are possible under the master lease concept, staff is recommending that the Commission delegate authority to its staff to approve minor modifications to the master lease, once fully executed and operative. Such minor modifications may include: the addition of new lines, the abandonment, repair, replacement

or reconstruction of existing facilities together with minor land use changes to accomplish such activities. Provided, however, that such minor modifications do not require the preparation of environmental documents pursuant to CEQA and its implementing guidelines. Staff has already been delegated authority by the Commission to file any notices that may be required under CEQA and its implementing guidelines.

2. A listing of affected leases is attached. For convenience, staff has not redescribed the State parcels under lease. The new lease will incorporate, by reference, those descriptions now appearing in the various leases, as modified by the Commission-approved Lyon/Fogerty policy statement.
3. This activity is exempt from CEQA in that it is a non-project within the meaning of CEQA and its implementing guidelines.

Authority: PRC 21065 and 14 Cal. Adm. Code 15037 and 15060.

4. Many of the existing electrical distribution facilities cross State lands which have been identified as possessing significant environmental values pursuant to P.R.C. Section 6370.1 and are classified in one or other of the use categories. Inasmuch as this action of the Commission is administrative in nature, there will be no significant effect upon the identified environmental values. Future modifications to the lease will be governed by the existing regulations of the Commission in 2 Cal. Adm. Code, Article 11, which provide for the permanent protection of any identified significant environmental values.

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EXHIBIT: A. List of affected leases.

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. 21065 AND 14 CAL. ADM. CODE 15037 AND 15060; AND THAT THE LEASE IS COMPATIBLE WITH THE USE CLASSIFICATIONS OF THE RESPECTIVE STATE PARCELS OCCUPIED BY ELECTRICAL DISTRIBUTION FACILITIES.
2. AUTHORIZE ISSUANCE TO PACIFIC GAS AND ELECTRIC COMPANY OF A 30-YEAR GENERAL LEASE - RIGHT OF WAY USE FROM SEPTEMBER 1, 1982, WITH LESSEE'S OPTION TO RENEW FOR ONE SUCCESSIVE PERIOD OF 15 YEARS; IN CONSIDERATION OF \$6,000 PER ANNUM; WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF PUBLIC LIABILITY INSURANCE IN THE AMOUNT OF \$2,000,000 FOR COMBINED SINGLE LIMIT OR ALTERNATIVES ACCEPTABLE TO THE STATE; FOR THE CONSTRUCTION, OPERATION, MAINTENANCE, REPAIR AND REPLACEMENT OF ELECTRICAL DISTRIBUTION FACILITIES ON THOSE STATE LANDS LISTED IN THE ATTACHED LIST OF AFFECTED STATE LEASES.
3. DELEGATE AUTHORITY TO STAFF TO APPROVE MINOR MODIFICATIONS TO THE LEASE REFERENCED ABOVE; WHICH MODIFICATIONS MAY INCLUDE THE ADDITION OF NEW LINES, RECONDUCTORING, THE ABANDONMENT, REPAIR, REPLACEMENT OR RECONSTRUCTION OF EXISTING FACILITIES TOGETHER WITH MINOR LAND USE ALTERATIONS NECESSARY TO ACCOMPLISH SUCH MODIFICATIONS; PROVIDED THAT SUCH MINOR MODIFICATIONS DO NOT REQUIRE THE PREPARATION OF ENVIRONMENTAL DOCUMENTS PURSUANT TO CEQA AND ITS IMPLEMENTING GUIDELINE.
4. TERMINATE THOSE LEASES LISTED ON THE ATTACHED EXHIBIT "A" INCORPORATED HEREIN AND BY REFERENCE MADE A PART HEREOF; SAID TERMINATION TO BE EFFECTIVE AUGUST 31, 1982.
5. WAIVE NORMAL FILING AND PROCESSING FEES ON FUTURE MINOR MODIFICATIONS TO THE LEASE.
6. AUTHORIZE STAFF TO TAKE ALL STEPS NECESSARY TO EFFECTUATE THIS ITEM.

Exhibit "A"

PACIFIC GAS AND ELECTRIC COMPANY  
ELECTRIC DISTRIBUTION FACILITIES  
(UNDER 60KV)

	<u>LAND DEPT. NO.</u>	<u>P.R.C.'S</u>	<u>COUNTY</u>
1.	2201-04-0140	1750.1	
2.	2304-02-0766	3411.1	Alameda
3.	2305-01-0986	5153.1	Alameda
4.	2423-02-0063	848.1	Alameda
5.	2422-01-0127	1565.1	Butte/Tehama
6.	2421-01-0082	2174.1	Butte/Glen
7.	2117-03-0277	5448.1	Butte/Glen
8.	2423-01-0033	6012.1	Butte
9.	2416-01-0192 (0248)	3723.1	Butte
10.	2416-01-0265 (Amend)	4084.1	Colusa
11.	2417-01-0106	4646.1	Colusa
12.	2418-01-0192	4984.1	Colusa
13.	2402-02-1728	741.1	Colusa/Glen
14.	2102-04-0068	789.1	Contra Costa
15.	2402-02-1727	790.1	Contra Costa/San Joaquin
16.	2103-04-0055	2155.1	Contra Costa
17.	2102-04-0086	2157.1	Contra Costa/San Joaquin
18.	2102-04-0199	4628.1	Contra Costa/San Joaquin
19.	2419-01-0085	923.1	Contra Costa/San Joaquin
20.	1111-06-0051	513.1	Glen
21.	1403-02-0020	2903.1	Humboldt
22.	2218-20-0147	4988.1	Humboldt
23.	2403-06-0363	2419.1	Kings
24.	2403-09-0188	4659.1	Marin
25.	2403-09-0230	5154.1	Marin
26.	2207-10-0015	5973.1	Marin
27.	2405-04-0756	2251.1	Merced
28.	2103-02-0095	406.1	Napa
29.	2103-03-0143	534.1	Sacramento
30.	2106-04-0136	727.1	Sacramento
31.	2109-04-0208	840.1	Sacramento/Yolo
32.	2105-04-0202	2758.1	Sacramento/Yolo
33.	2104-03-0316	3192.1	Sacramento
34.	2104-03-0442	3770.1	Sacramento
35.	2103-03-0314	4118.1	Sacramento
36.	2103-03-0289	4181.1	Sacramento
37.	2104-03-0463	4466.1	Sacramento
38.	2106-04-0167	4710.1	Sacramento
39.	2105-03-0217	4814.1	Sacramento/Yolo
40.	2104-04-0016	4848.1	Sacramento/Solano
41.	2103-04-0095	5197.1	Sacramento
42.	2101-05-0105	804.1	Sacramento/San Joaquin
43.	2101-04-0090	872.1	San Joaquin
44.	2102-04-0072	959.1	San Joaquin
45.	2104-04-0147	1447.1	San Joaquin
46.	2202-05-0622	1456.1	San Joaquin
47.	2102-04-0073	1477.1	San Joaquin

<u>LAND DEPT. NO.</u>	<u>P.R.C.'S</u>	<u>COUNTY</u>	
48.	2201-04-0141	1753.1	San Joaquin
49.	2104-06-0349	2356.1	San Joaquin
50.	2104-06-0406	2463.1	San Joaquin
51.	2102-05-0129	2474.1	San Joaquin
52.	2101-06-1432	3290.1	San Joaquin
53.	2104-07-0470	3769.1	San Joaquin
54.	2104-06-1045	4019.1	San Joaquin
55.	2101-06-1070	4083.1	San Joaquin
56.	2103-04-0093	4636.1	San Joaquin
57.	2202-06-0388	5094.1	San Joaquin
58.	2202-06-0008	5927.1	San Joaquin
59.	2102-04-0188	6001.1	San Joaquin
60.	2431-04-1207	3002.1	Shasta
61.	2105-03-0179	764.1	Solano
62.	2404-05-0056	1408.1	Solano/Sonoma
63.	2105-03-0180	1530.1	Solano
64.	2103-01-0102	1640.1	Solano
65.	2103-01-0081	3025.1	Solano
66.	2104-03-0385	3218.1	Solano
67.	2105-03-0118	1446.1	Solano
68.	2404-04-0274	3799.1	Solano
69.	2104-03-0445	4022.1	Solano
70.	2105-02-0179	4606.1	Solano
71.	2404-01-0082	5163.1	Solano
72.	2403-04-0502	803.1	Sonoma
73.	2403-05-0034	845.1	Sonoma
74.	2407-11-0174	3797.1	Sonoma
75.	2407-11-0175	3798.1	Sonoma
76.	2404-05-0005	6018.1	Sonoma
77.	2114-03-0253	2759.1	Sutter
78.	2112-01-0049	3219.1	Sutter/Yolo
79.	2115-03-1344	5704.1	Sutter/Yolo
80.	2106-04-0171	4903.1	Yolo
81.	2106-04-0175	5093.1	Yolo
82.	2106-04-0002	5620.1	Yolo