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8/21/84

CALENDAR ITEM

A 27,25

C11 4

08/21/84
WP 5439
Lipphardt
PRC 5439

S 12,14

AMENDMENT TO LEASE PRC 5439.1,
GENERAL LEASE - RIGHT-OF-WAY USE

APPLICANT: Southern Pacific Pipe Lines, Inc.
610 South Main Street
Los Angeles, California 90014

AREA, TYPE LAND AND LOCATION:
Three parcels of submerged lands totalling
0.244 acres. Parcel One, 0.065 acres, is
located in the San Joaquin River, Stanislaus
County; Parcel Two, 0.067 acres, is located in
the Merced River, Merced County; Parcel Three,
0.112 acres, is located in San Joaquin River in
Fresno, and Madera Counties.

LAND USE: Construction and maintenance of a 12.75 inch
diameter pipeline for transportation of refined
petroleum products.

TERMS OF ORIGINAL LEASE:
Initial period: Twenty years from July 1,
1978.
Renewal options: Two successive periods of ten
years each.
Public liability insurance: \$1,000,000
per occurrence for bodily
injury and \$2,000,000 for
property damage.

CALENDAR ITEM NO. 011 (CONT'D)

Consideration: Annual rental is calculated by multiplying each barrel of petroleum products passing through SPPL's Northern California Pipeline System by \$0.00024. The minimum annual rental is \$15,000; 10-year rent review.

TERMS OF PROPOSED LEASE:
Special:

This amendment shall modify Lease PRC 5439.1 to provide for three additional crossings of State lands totalling 0.244 acres.

CONSIDERATION: Annual rental shall remain the same.

BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Adm. Code 2003.

APPLICANT STATUS:

Applicant is owner, lessee or permittee of upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

Processing fee has 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:

01/17/85.

OTHER PERTINENT INFORMATION:

1. On January 26, 1978, by Calendar Item No. 25, the State Land Commission approved Master Lease PRC 5439.1, whereby 19 SPPL petroleum pipelines leases were consolidated into one lease to streamline them into a systemwide approach. Rental was determined using the proration procedure contained in the Commission's general leasing regulations in 2 Cal. Adm. Code 2007.

CALENDAR ITEM NO. C 1 1 (CONT'D)

Changes, alterations or amendments to the lease can be made by mutual agreement of the parties. SPPL has proposed to add three additional crossings of State land to Lease PRC 5439.1, as part of a 145 mile pipeline project which provides transportation of petroleum products from Brentwood to Fresno. The proposed amendment adds only 0.244 acres to the master lease and will not materially change the calculation of volumetric rental.

2. In response to SPPL's desire to begin construction by August 1, 1984, in order to have adequate time to complete the 145 mile project before unsatisfactory weather conditions develop, the Executive Officer issued a letter authorizing the pipeline construction work on July 20, 1984.

The Letter of Authorization provided for an August 1, 1984 construction start date, and was conditional upon SPPL obtaining an Amendment to their Master Lease to reflect the new pipeline crossings in accordance with Commission's rules and regulations.

3. A Negative Declaration (SCH #84052213) was prepared and adopted for this project by Stanislaus County, on July 17, 1984. The State Lands Commission's staff has reviewed such document and believes that it complies with the requirements of the CEQA.
4. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

CALENDAR ITEM NO. C11 (CONT'D)

APPROVALS OBTAINED:

Fresno, Merced, Madera, and Stanislaus
Counties, United States Corps of Engineers,
California Department of Water Resources,
California Department of Transportation,
California Water Quality Control Board and the
California Department of Fish and Game.

EXHIBITS:

- A. Land Description.
- B. Location Map.
- C. Negative Declaration.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT A NEGATIVE DECLARATION WAS PREPARED AND ADOPTED FOR THIS PROJECT BY STANISLAUS COUNTY ACTING AS THE LEAD AGENCY AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.
2. DETERMINE THAT THE PROJECT AS APPROVED WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT, AND FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO P.R.C. 6370, ET SEQ.
3. AUTHORIZE ISSUANCE TO SOUTHERN PACIFIC RISE LINES OF AN AMENDMENT TO LEASE PRC 5439.1, ON FILE IN THE PRINCIPAL OFFICE OF THE STATE LANDS COMMISSION, WHICH MODIFIES SAID LEASE TO INCLUDE THREE ADDITIONAL CROSSINGS ON THE LANDS DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF. THE EFFECTIVE DATE OF THIS AMENDMENT IS AUGUST 1, 1984. ALL REMAINING TERMS AND CONDITIONS OF LEASE PRC 5439.1, REMAIN UNCHANGED AND IN FULL FORCE AND EFFECT.

EXHIBIT "A"

LAND DESCRIPTION

P 5439.1

Three parcels of California State Lands described as follows:

PARCEL 1

A 10 foot wide strip of land across the bed of the San Joaquin River in Section 7, T6S R9E, MDM, Stanislaus County, California, the centerline of said strip of land being 330 feet northwesterly of the Crows Landing Road Bridge and 282 feet in length.

PARCEL 2

A 10 foot wide strip of land across the bed of Merced River in Section 22, T6S, R17E, MDM, Merced County, California, the centerline of said strip of land being 85 feet northeasterly of the Southern Pacific Railroad main line track over the Merced River and 294 feet in length.

PARCEL 3

A 10 foot wide strip of land across the bed of the San Joaquin River in Section 31, T12S, R19E, MDM, Fresno and Madera Counties, California, the centerline of said strip of land being 48 feet southwesterly of the Southern Pacific main line track over the San Joaquin River and 490 feet in length.

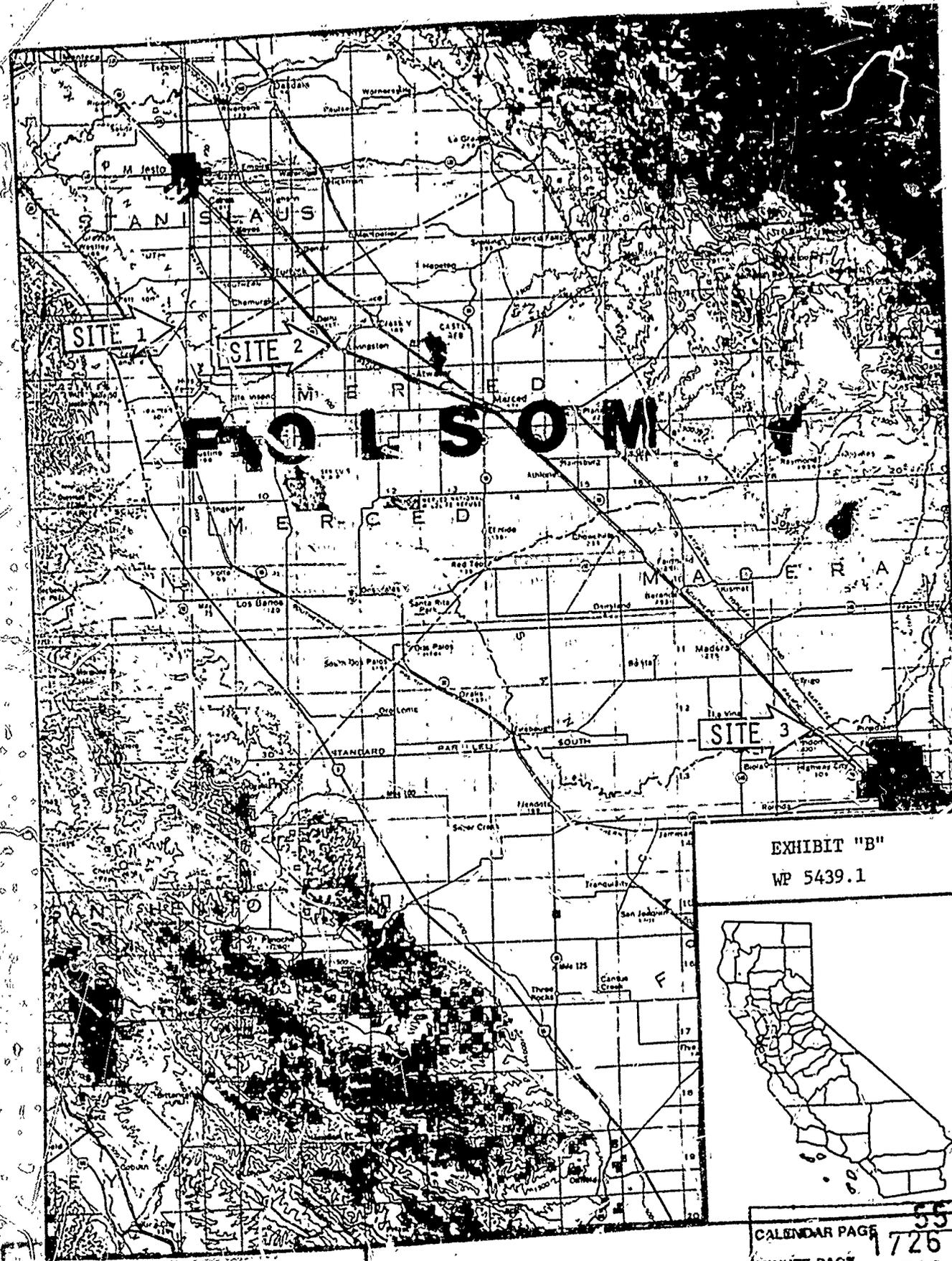
EXCEPTING THEREFROM the above described parcels any portion thereof landward of the ordinary low water mark.

END OF DESCRIPTION

PREPARED JUNE 11, 1984 BY BOUNDARY AND TITLE UNIT, LEROY WEED, SUPERVISOR.

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54
1725



FOLSOM

SITE 1

SITE 2

SITE 3



EXHIBIT "B"
WP 5439.1



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84052213

COUNTY OF STANISLAUS
NEGATIVE DECLARATION
ERC DATE May 22, 1984

A. NAME OF PROJECT: Brentwood to Fresno Pipeline Project - Department of Public Works

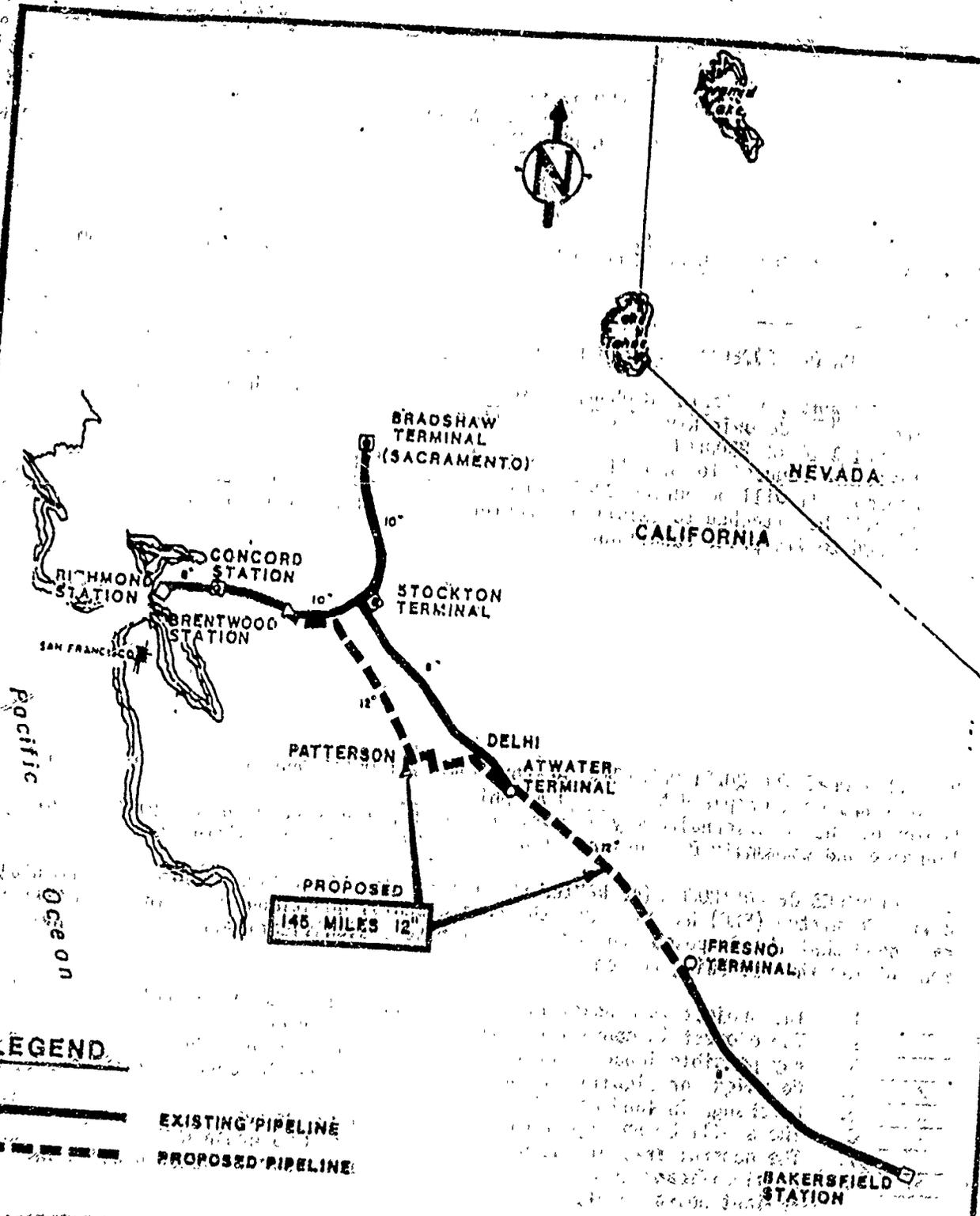
B. LOCATION OF PROJECT: Extending from the north to the south county lines of Stanislaus County, following Highway 33 to south of Patterson, then heading east, crossing the San Joaquin River at Crows Landing.

C. DESCRIPTION OF PROJECT:
This is a request to install a petroleum products pipeline from Brentwood to Fresno. It will be buried 30-48 inches deep except at water crossing where it will be attached to existing structures. All disturbed land will be restored to its prior condition.

D. ENVIRONMENTAL QUESTIONNAIRE: An Environmental Questionnaire on the proposed project has been prepared by J.A. Whitelaw. Copies of the Questionnaire may be obtained at the Stanislaus County Department of Planning and Community Development, 1100 "H" Street, Modesto, California.

E. FINDINGS OF ENVIRONMENTAL REVIEW COMMITTEE: The Stanislaus County Environmental Review Committee (ERC) has reviewed the environmental questionnaire. The Committee has found that the proposed project will not have a significant effect on the environment for the following reasons:

- 1. The project is consistent with all applicable local general plans.
- 2. The project is consistent with the area's zoning.
- 3. Any possible impacts can be mitigated by permit procedures.
- 4. No unique or significant natural features will be adversely affected.
- 5. No change in land use will result.
- 6. There will be no significant growth inducing impact.
- 7. The general area of the project is committed to urban uses.
- 8. No significant adverse effects will occur to air or water quality or ambient noise levels.
- 9. Other: _____



LEGEND

-  EXISTING PIPELINE
-  PROPOSED PIPELINE

REVISIONS:

SCALE	NONE
DESIGNED	
DRAWN	RBS
CHECKED	
APPROVED	

**PROPOSED EXTENSION OF BAY
 AREA PIPELINE SYSTEM
 TO FRESNO, CALIFORNIA**
Southern Pacific Pipe Lines
 LOS ANGELES, CALIFORNIA

DATE 3-30-84
 A-PK11-001

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STANISLAUS COUNTY - ENVIRONMENTAL QUESTIONNAIRE

1. Who is the contact person for information regarding this project?

NAME J. A. Whitelaw
 ADDRESS 610 South Main Street
Los Angeles, CA. 90014
 Phone 213-629-6691

OFFICIAL USE ONLY

DATE _____
 APPLICATION NO. _____
 LOCATION _____

2. Describe the proposed project in detail including design concepts, number and type of buildings, parking areas, number of employees and customers daily, type of water and sewage disposal system, operating hours, and similar information. (Use separate sheet if necessary.)

The proposed project is a refined petroleum products pipeline from Brentwood to Fresno. The pipeline route is on Southern Pacific Transportation Company (SPT Co) railroad right of way from Brentwood to Patterson and from Delhi to Fresno. It will cross over County and private lands from Patterson to Delhi. The proposed pipeline will be buried 30-48 inches along the entire route except at the California Aqueduct and other minor water crossings where it will cross on existing structures. Construction will take about four months. All disturbed land will be returned to its original condition. An Environmental Assessment is attached.

3. Describe in detail the nature of the area in which the project will be located. List land use of both the subject parcel and surrounding properties to the north, south, east and west. Describe any existing structures on the site, and on all adjacent properties.

The project will be located along the SPT Co railroad from Brentwood to ^{Marshall Road} Olive Avenue in Patterson. The proposed route will cross the San Joaquin Valley from Patterson to Delhi along County roads and across private property. The route joins another SPT Co railroad at Delhi and follows it to Atwater and Fresno. The route leaves the SPT Co right-of-way for a short distance to tie into Southern Pacific Pipe Line's Atwater terminal.

The segment of the route across the San Joaquin Valley between SPT Co right-of-ways is predominantly agricultural.

The following information is required under Division 6, Title 14,
Chapter 3, Article 9 of the California Administration Code.

4. Describe the objectives of the proposed project.

The objective of this project is to extend Southern Pacific's Bay Area Pipeline System to Fresno, California. The proposed pipeline will tie into an existing pipeline at Brentwood, California. It will transport refined petroleum products.

5. Describe all mitigation measures proposed to minimize all possible environmental impacts. Such measures can include landscaping, street improvements, limited hours of operation, fencing or anything else which serves to lessen the potential impacts of the project.

The proposed pipeline will be installed by trenching and backfill with right-of-way restored to original condition. Therefore, all possible environmental impacts will be temporary and directly related to construction. Mitigation measures are described in Section 5 of Southern Pacific Pipe Lines Environmental Assessment, copy attached.

6. Describe any known alternatives to the proposed project, or to the location of the project, which could feasibly obtain the same objectives, and why they were rejected.

See Section 3 of the Environmental Assessment.

7. Explain why this project is justified now, rather than reserving an option for further alternatives in the future.

It will significantly reduce truck transportation of petroleum products. This will result in a beneficial impact of improved safety and better air quality.

SIGNED: J. J. L. L.

DATE: 5-15-68

INITIAL STUDY

Please answer the following questions concerning the proposed projects possible effects. Discuss the nature and degree of effect of an "yes" answer. Consider each question carefully, as incorrect answers may result in delays in processing the application. Each application will be reviewed by Planning Department staff and by the County Environmental Review Committee.

Could the project--

Yes No If yes, discuss degree of effect.

Could the project--	Yes	No	If yes, discuss degree of effect.
1. affect climate?		X	
2. affect local or regional air quality?	X		temporary minor increase in dust.
3. have substantial effects on, or be affected by, ambient noise levels?	X		temporary moderate increase in noise levels in the immediate vicinity of construction.
4. remove prime soils?		X	
5. remove land from agricultural use?		X	
6. increase erosion or cause siltation?	X		temporary moderate increase in siltation during construction at river crossings.
7. be in an area of unstable soils?		X	
8. be on a slope of 10% or greater?		X	
9. be in an area of seismic or geologic hazard?		X	
10. affect surface water quality?	X		temporary increase in turbidity.
11. affect ground water levels or quality?		X	
12. affect flood potential or floodplain?		X	
13. affect an endangered or rare species of animal or plant or its habitat?		X	
14. interfere with the movement of any resident or migratory fish or wildlife species?		X	
15. affect riparian or wetland habitat or mature trees?		X	

yes no degree of effect

	yes	no	degree of effect
16. affect sites of archaeological or historical importance?		X	
17. have a substantial effect on a mineral resource?		X	
18. have a substantial effect on traffic patterns and amount of traffic?		X	
19. have a substantial effect on energy demands?		X	
20. require major modification or expansion of public utility facilities?		X	
21. have a substantial and demonstrable negative aesthetic effect?		X	
22. breach any published national, state, or local standards relating to solid waste or litter control?		X	
23. be in conflict with adopted Stanislaus County plans or regulations?		X	
24. have impacts which achieve short-term, to the disadvantage of long-term, environmental goals?		X	
25. have impacts which are individually limited, but cumulatively considerable?		X	
26. have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?		X	
27. have impacts on local school districts?		X	
28. affect an existing or planned recreational area?		X	

**Stanislaus County
ENVIRONMENTAL CHECKLIST**

I. General Questions and Mandatory Findings of Significance

This section identifies the project's consistency with the General Plan of Stanislaus County and any affected city. Yes or Maybe answers to Question 2 usually require preparation of an Environmental Impact Report or a Negative Declaration with Explanation. Any "Yes" or "Maybe" answers are to be discussed at the end of this checklist.

1. Land Use

- | | <u>Yes</u> | <u>Maybe</u> | <u>No</u> |
|---|------------|--------------|-------------|
| a. Does the project involve a substantial change or alteration from planned land use as set forth in the General Plan or adopted zoning and development policy of Stanislaus County or any effected city? | _____ | _____ | _____X_____ |
| b. Could the project have a significant adverse impact on the functioning of the neighborhood in which it is located? | _____ | _____ | _____X_____ |

2. Mandatory Findings of Significance

- | | | | |
|---|-------|-------|-------------|
| a. Does the project have the potential to degrade the quality of the environment, or curtail the diversity of species or habitats in the environment? | _____ | _____ | _____X_____ |
| b. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? | _____ | _____ | _____X_____ |
| c. Does the project have impacts which are individually limited, but cumulatively considerable? | _____ | _____ | _____X_____ |
| d. Does the project have environmental effects which will cause substantial adverse effects on people, either directly or indirectly? | _____ | _____ | _____X_____ |

II. Environmental Impacts Beyond that Anticipated by Development in Accordance with the General Plan

The Environmental Assessment requires consideration of impacts in the following areas: Earth, Air, Water, Plant Life, Animal Life, Noise, Light and Glare, Natural Resources, Hazard, Population, Housing, Transportation/Circulation, Public Services, Energy, Utilities, Health, Aesthetics, Recreation, Agriculture, Archeological/Historical. The potential impacts on each of these areas is considered by the Environmental Review Committee in responding to the following question:

Will the project have significant impacts in any of the above listed areas?

_____	_____	_____X_____
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If the answers to the above question or the questions in Section I are yes or maybe, pages 2-4 are attached to clarify those questions and concerns of the Committee arising from the Project Description.

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All projects are tested against the Stanislaus County General Plan as well as the plans of any affected city. Thus potential adverse impacts identified by "yes" and "maybe" checks are impacts over and above those which might result from a project which is fully consistent with the General Plan.

	Yes	Maybe	No
1. Earth. Will the project significantly result in:			
a. destruction, covering or modification of any unique biologic or physical features?			X
b. An increase in wind or water erosion of soils, either on or off the site?			X
c. Changes in siltation or deposition which may modify the channel of a river or stream?			X
2. Air. Will the project significantly result in:			
a. Air emissions or deteriorations of ambient air quality?			X
b. The creation of objectionable odors?			X
3. Water. Will the project significantly result in:			
a. Changes in absorption rates, drainage patterns or the rate and amount of surface water runoffs?			X
b. Alterations to the course or flow of flood water?			X
c. Discharge into surface waters, or the alteration of surface water quality, including but not limited to temperature, dissolved oxygen or turbidity?		X	
d. Change in the quantity or quality of ground waters, either through direct additions or withdrawals?			X
4. Plant and Animal Life. Will the project significantly result in:			
a. Reduction of the numbers of any unique, rare or endangered species of plants?			X
b. Reduction of the numbers of any unique, rare or endangered species of animals?			X
c. Deterioration to existing fish or wildlife habitat?			X
d. Impacts to riparian habitat?			X
5. Agriculture. Will the project:			
a. Remove land from agricultural use?			X

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
b. <u>Remove prime soils?</u>	—	—	<u>X</u>
c. <u>Impact existing or potential agricultural operations, including tilling soil, raising animals, spraying or harvesting?</u>	—	<u>X</u>	—
6. <u>Noise.</u> Will the project significantly increase existing noise levels or result in exposure of people to severe noise levels?	—	<u>X</u>	—
7. <u>Light and Glare.</u> Will the project produce unusual light and glare?	—	—	<u>X</u>
8. <u>Hazard.</u> Will the project:			
a. Involve a risk of an explosion or the release of hazardous substances (including, but not limited to, oil, pesticides, chemicals, or radiation) in the event of an accident or upset conditions?	—	—	<u>X</u>
b. Be in an area of seismic or geologic hazard, or in an area of unstable soil?	—	<u>X</u>	—
9. <u>Population.</u> Will the project significantly alter the location, distribution, density, or growth rate of the population of an area?	—	—	<u>X</u>
10. <u>Housing.</u> Will the project significantly affect existing housing, or create a demand for additional housing?	—	—	<u>X</u>
11. <u>Transportation/Circulation.</u> Will the project result in significant:			
a. Generation of additional vehicular movement?	—	<u>X</u>	—
b. Impact on existing parking facilities, or demand for new parking?	—	—	<u>X</u>
c. Impact upon existing transportation systems?	—	—	<u>X</u>
d. Alterations to present patterns of circulation or movement of people and/or goods?	—	<u>X</u>	—
e. Alterations to rail or air traffic?	—	—	<u>X</u>
f. Increase in traffic hazards to motor vehicles, bicyclists or pedestrians?	—	—	—
12. <u>Public Services.</u> Will the project have a significant effect upon, or result in a need for significantly new or altered governmental services in any of the following areas:			
a. Fire protection?	—	—	<u>X</u>

	Yes	Maybe	No
b. Police protection?	—	—	X
c. Schools?	—	—	X
d. Parks or other recreational facilities?	—	—	X
e. Maintenance of public facilities?	—	—	X
f. Other governmental services?	—	—	X
13. Energy. Will the project result in:			
a. Use of substantial amounts of fuel or energy?	—	—	X
b. Substantial demand upon existing sources of energy, or require the development of new sources of energy?	—	—	X
14. Utilities. Will the project result in a significant need for new systems, or alterations to the following utilities:			
a. Power or natural gas?	—	—	X
b. Communications systems?	—	—	X
c. Water?	—	—	X
d. Sewer or septic tanks?	—	—	X
e. Storm water drainage?	—	—	X
f. Solid waste and disposal?	—	X	—
15. Health. Will the project result in the creation of any health hazard or potential health hazard or exposure of people to potential health hazards?			
	—	—	X
16. Aesthetics. Will the project adversely affect in area of important aesthetic value or have a substantial and demonstrable aesthetic effect?			
	—	—	X
17. Recreation. Will the project result in an impact upon the quality or quantity of existing recreational facilities?			
	—	—	X
18. Archeological/Historical. Will the project result in an alteration of a significant archeological or historical site, structure, object or building?			
	—	—	X

VII. Discussion of Any "Yes" or "Maybe" Answers. (Use additional paper if needed)

See Attached Sheet.

STANISLAUS COUNTY
ENVIRONMENTAL CHECKLIST

III.

- 3.c Installation of a pipeline across rivers and streams requires an open-cut trench. If water flow cannot be stopped or temporarily re-routed, increased turbidity will occur during construction.
- 5.c SPPL will obtain easements from all land owners. Since most of the land is used for agricultural operations, some disruption may be necessary during construction of the pipeline.
6. Equipment used in the construction of the pipeline may cause increased noise levels in the immediate vicinity of the construction activity.
- 8.a There are no known geological hazards or areas of unstable soil. If such areas are encountered during construction, accepted industry practices and applicable regulations will be followed.
- 11.a Additional vehicular movement will occur during construction.
- 11.d Temporary alternations to traffic may be necessary at road crossings.
- 11.f Construction equipment and material delivery may cause a temporary increase in traffic hazards.
- 14.f Excess soil remaining after burying the pipeline may require disposal. Agency and land owners requirements will be followed.