MINUTE ITEM

This Calendar Item No. C5 was approved as Minute Item No. 5 by the State Lands Commission by a vote of 3 to 0 at its 8/29/85 meeting.

A 4

S 2

CALENDAR ITEM

C05

08/29/85
WP 5438 PRC 5438
Lane

AMENDMENT OF LEASE PRC 5438

LESSEE: Pacific Gas and Electric Company
P. O. Box 7444
Sacramento, California 95826

AREA, TYPE LAND AND LOCATION:
Approximately 0.099 acres in the bed of Hass Slough, Solano County.

LAND USE: Pipeline for transport of natural and synthetic gas.

TERMS OF EXISTING LEASE:

Initial period: 20 years beginning January 1, 1978.

Renewal options: Two successive periods of ten years each.

Public liability insurance: Combined single limit coverage of $1,000,000.

Consideration: Annual rental of $20.000. Five-year rent review.

TERMS OF PROPOSED AMENDMENT:
Add new parcel; no change in other lease terms.

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: 01/03/86.

CALENDAR PAGE 22
MINUTE PAGE 2303

OTHER PERTINENT INFORMATION:

1. At its meeting on January 26, 1978 (Minute Item No. 24) the Commission authorized issuance of a master gas pipeline lease to P.G. & E. covering their then existing 89 State Lands leases. P.G. & E. has now applied to the Commission for an amendment to the lease to add a new parcel for a six-inch underwater pipeline crossing at Hass Slough, Solano County.

2. This activity involves lands which have NOT been identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. However, the Commission has declared that all tide and submerged lands are "significant" by nature of their public ownership (as opposed to "environmental significant"). Since such declaration of significance is not based upon the requirements and criteria of P.R.C. 6370, et seq., use classifications for such lands have not been designated. Therefore, the finding of the project's consistency with the use classification as required by 2 Cal. Adm. Code 2954 is not applicable.

3. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Adm. Code 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorical exempt project. The project is exempt under Class 3, New Construction of Small Structure, 14 Cal. Adm. Code 15303.

Authority: P.R.C. 21084 and 14 Cal. Adm. Code 15300.

APPROVALS OBTAINED:

United States Army Corps of Engineers,
Department of Fish and Game.

FURTHER APPROVALS REQUIRED:

None.

EXHIBITS: A. Land Description.
B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. ADM. CODE 15061 AS A CATEGORICAL EXEMPT PROJECT, CLASS 3, NEW CONSTRUCTION OF SMALL STRUCTURE, 14 CAL. ADM. CODE 15303.

2. FIND THAT THE SIGNIFICANT ENVIRONMENTAL VALUES ORIGINALLY IDENTIFIED PURSUANT TO P.R.C. 6370, ET SEQ., ARE NOT WITHIN THE PROJECT SITE AND WILL NOT BE AFFECTED BY THE PROPOSED PROJECT.

3. AUTHORIZE ISSUANCE TO PACIFIC GAS AND ELECTRIC COMPANY AMENDMENT TO LEASE PRC 5438 EFFECTIVE AUGUST 29, 1985 WHICH ADDS A NEW PARCEL TO SAID LEASE AS DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF, FOR THE CONSTRUCTION AND MAINTENANCE OF A NEW SIX-INCH GAS PIPELINE; PROVIDED THAT ALL OTHER TERMS AND CONDITIONS OF SUCH LEASE SHALL REMAIN IN FULL FORCE AND EFFECT.

EXHIBIT "A"

LAND DESCRIPTION WP 5438

A strip of tide and submerged land 10 feet wide across Hass Slough in projected Section 11, T5N, R2E, MDM, Solano County, California, said strip lying 5 feet on each side of the following described centerline.

> BEGINNING at a point on the bank of Hass Slough which bears S74° 46' 51" W, 10366.65 feet from U.S.C.E. BM SA-71, said BM having California Coordinate System, Zone 2 coordinates of N = 233,271.64 and E = 2,088,269.36; thence from said point of beginning S88° 10' 30" W, 575 feet to the end of the herein described line.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water marks of Hass Slough.

This description is based on the California Coordinate System, Zone 2.

END OF DESCRIPTION

PREPARED JULY 11, 1985, BY BOUNDARY SERVICES UNIT, M. L. SHAFER, SUPERVISOR.

CALENDAR PAGE 25
MINUTE PAGE 2306

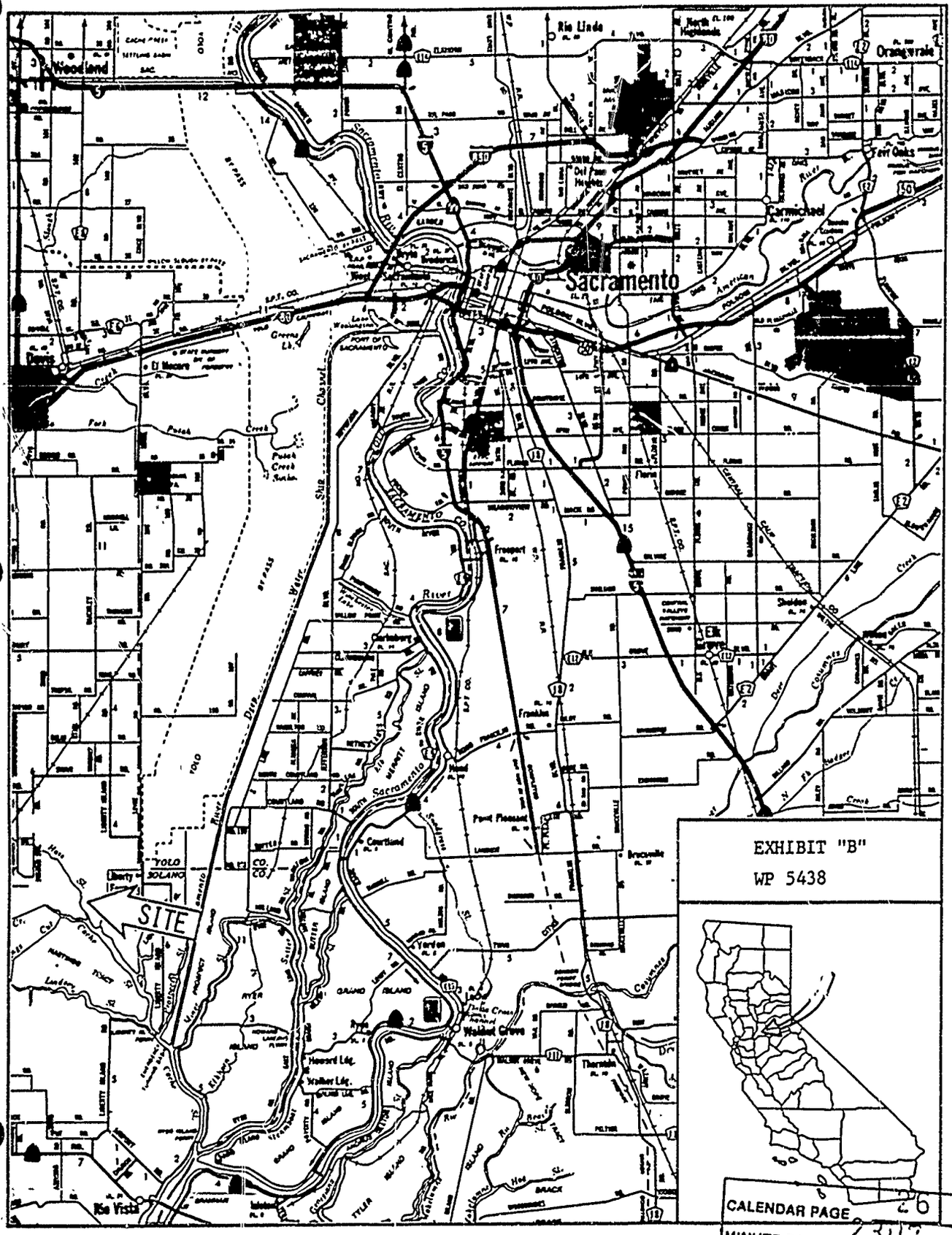

EXHIBIT "B"
WP 5438

CALENDAR PAGE 26
MINUTE PAGE 2307