MINUTE ITEM
This Calendar Item No. C11
was approved as Minute Item
No. 11 by the State Lands
Commission by a vote of 3
6 at its 10/26/89
meeting.

CALENDAR ITEM

C11

A 2, 6

S 2, 4

10/26/89
WP 7083.2 PRC 7083
Miller

AGREEMENT MODIFYING RECIPROCAL ROAD-USE EASMENT

APPLICANT: Pacific Gas and Electric Company
111 Stoney Circle
Santa Rosa, California 95401

AREA, TYPE LAND AND LOCATION:
The road-use easements include approximately three-eighths mile of road on school land parcels in portions of Sections 28, 27, and 23, and approximately one-eighth mile of road on Pacific Gas and Electric Company (PG&E) lands on the old Ukiah Pine Road near the Van Arsdale Reservoir, Mendocino County. The sections referred to are in T18N R11W, MDB&M.

LAND USE: Road right-of-way.

TERMS OF EXISTING AGREEMENT:
Initial period: 49 years beginning April 1, 1987.

STATUTORY AND OTHER REFERENCES:
A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.

B. Cal. Code Regs.: Title 2, Div. 3; Title 14, Div. 6.

AB 884: N/A.

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OTHER PERTINENT INFORMATION:

1. Staff is actively seeking legal access to Commission holdings in Mendocino County. As part of this process, existing roadways and parties with an interest in reciprocal right-of-way agreements have been identified. This lease amendment assists the Commission in achieving legal access goals at minimal costs.

2. On May 5, 1989, the Commission approved a 49-year reciprocal road-use easement agreement with Pacific Gas and Electric Company (PG&E). Staff has since found that it would be to both the State's and PG&E's best interest to expand this agreement to include the State's and PG&E's right-of-ways along the old Ukiah Pine logging road within the same area.

3. The State has about three-eighths mile of right-of-way within its three school land parcels and PG&E has about one and one-eighth mile of right-of-way within its ownership. The agreement will provide legal access through the reciprocal ownerships for the State and PG&E.

4. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Code Regs. 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorically exempt project. The project is exempt under Class 1, Existing Facilities, 2 Cal. Code Regs 2905(a)(2).

   Authority: P.R.C. 21084, 14 Cal. Code Regs. 15300, and 2 Cal. Code Regs. 2905.

EXHIBITS:

A. Land Description.
B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

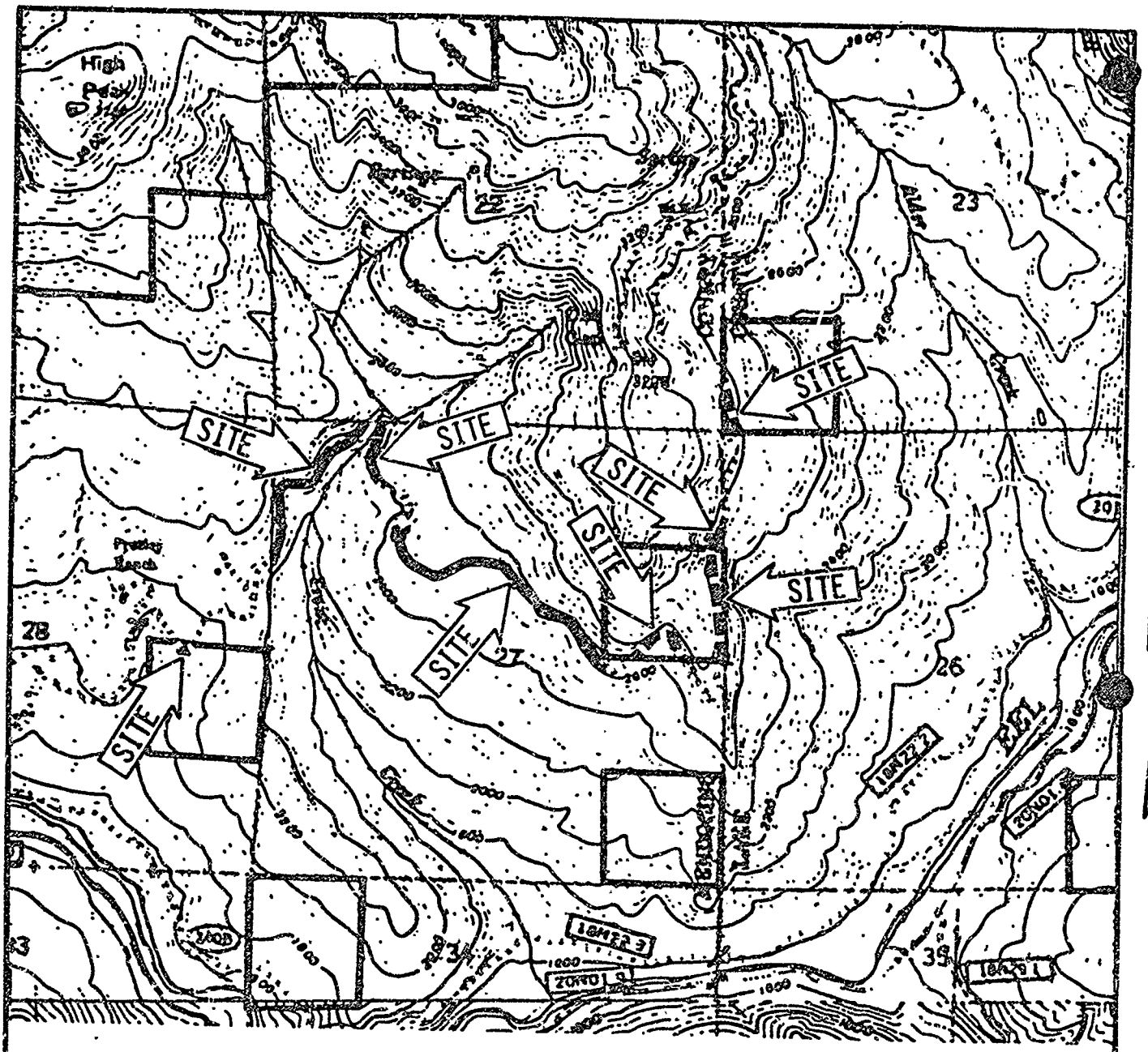
1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. CODE REGS. 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 1, EXISTING FACILITIES, 2 CAL. CODE REGS. 2905(a)(2).

2. AUTHORIZE EXECUTION OF THIS MODIFICATION GRANTING ADDITIONAL ROAD-USE EASEMENTS TO PROVIDE ACCESS TO AND ACROSS LANDS OWNED BY THE RESPECTIVE PARTIES IN MENDOCINO AND LAKE COUNTIES AS DEPICTED IN EXHIBIT "A" MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION

WP 7083.2



LEGEND

Reciprocal Road Agreement in T18N, R11W, MDM.

P.G. & E.

State Land

PREPARED SEPTEMBER 22, 1989 BY BIU 1.

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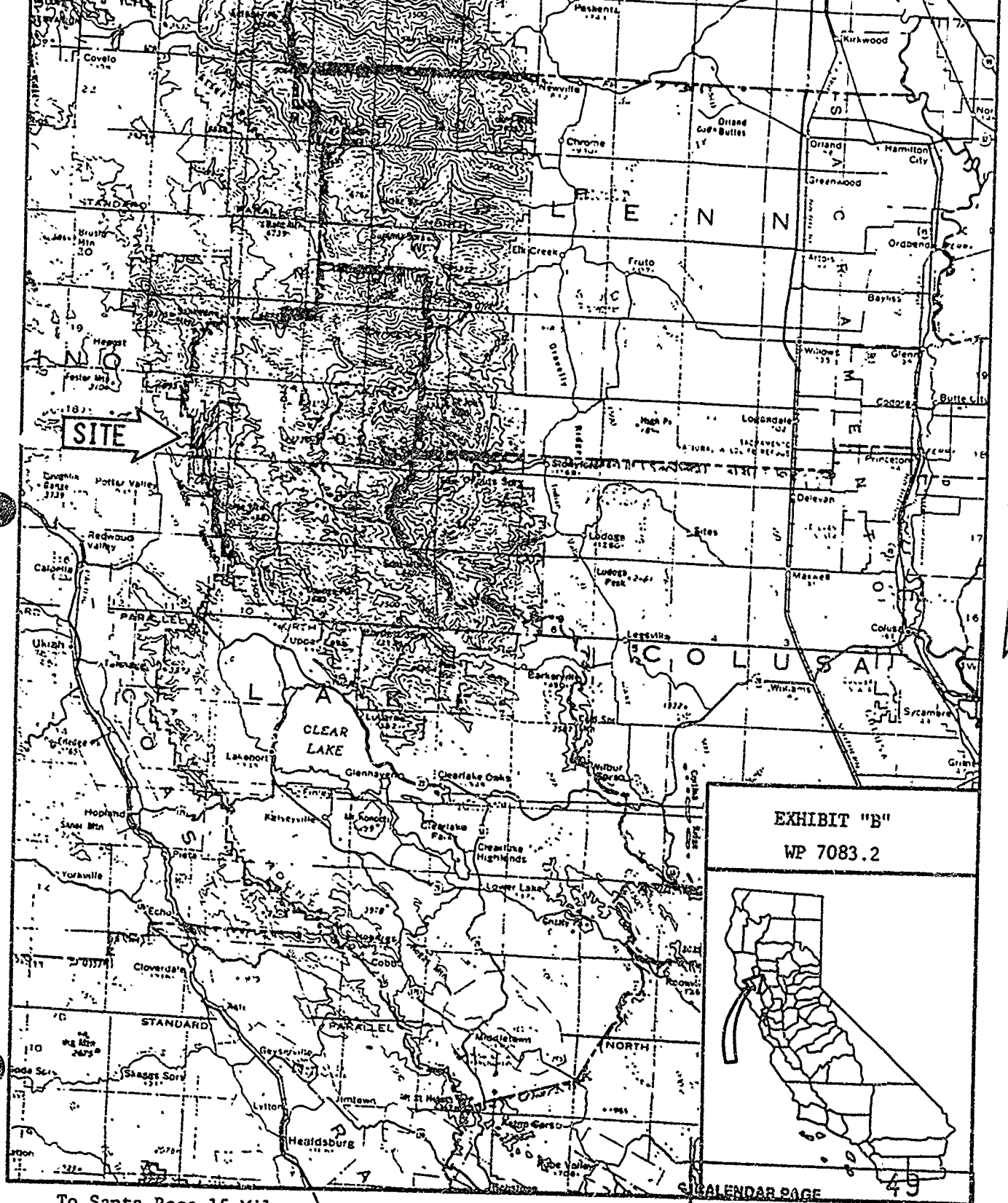

EXHIBIT "B"

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