

MINUTE ITEM

This Calendar Item No. C21  
was approved as Minute Item  
No. C21 by the State Lands  
Commission by a vote of 3  
to 0 at its 8-22-90  
meeting.

MINUTE ITEM

C21

08/22/90

PRC 7429

W 24336

MARICLE

GENERAL LEASE - RIGHT-OF-WAY USE

Calendar Item C21 was approved as amended by deleting the references to an existing pipeline. Existing pipelines will be dealt with by another application inasmuch as a negative declaration needs to be determined.

Upon consideration of Calendar Item C21 as amended, the Commission adopted the staff recommendation by a vote of 3-0.

Attachment: Calendar Item C21

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**MINUTE ITEM**

This Calendar Item No. 021  
was approved as Minute Item  
No. 021 by the State Lands  
Commission by a vote of 2  
to 0 at its 8-22-90  
meeting.

**CALENDAR ITEM**

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08/22/90  
PRC 7429 W 24336  
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**GENERAL LEASE - RIGHT-OF-WAY USE**

**APPLICANT:** Rancho Murieta Community Services District  
14670 Cantova Way  
P. O. Box 1050  
Rancho Murieta, California 95683

**AREA, TYPE LAND AND LOCATION:**  
A 0.152-acre parcel, submerged land, Cosumnes  
River, Sacramento County.

**LAND USE:** One 20-inch-diameter water line inside a  
42-inch casing.

**TERMS OF PROPOSED LEASE:**  
Initial period: Forty-nine (49) years  
beginning August 22, 1990.

**CONSIDERATION:** \$100 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. Code Regs. 2003.

**APPLICANT STATUS:**  
Applicant is permittee of upland.

**PREREQUISITE CONDITIONS, FEES, AND EXPENSES:**  
Filing fee has been received.

CALENDAR ITEM NO 021 CONT'D

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:

12/05/90.

OTHER PERTINENT INFORMATION:

1. This is an application to place a proposed 20-inch-diameter line, under permit. The 20-inch line, to be housed in a 42-inch casing, will be used to convey drinking water to new residences.
2. A Negative Declaration was prepared and adopted for this project (SCH NO. 88110713) by Rancho Murieta Community Services District. The State Lands Commission's staff has reviewed such document and believes that it complies with the requirements of the CEQA.
3. The Applicant has advised that local approval is not required pursuant to Government Code Section 53091. That section provides, in part, that zoning ordinances of a county or city shall not apply to the location or construction of facilities for the production, generation, storage, or transmission of water.

APPROVALS OBTAINED:

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

FURTHER APPROVALS REQUIRED:

None.

EXHIBITS:

- A. Land Description.
- B. Location Map.
- C. Notice of Determination and Negative  
Declaration.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT A NEGATIVE DECLARATION WAS PREPARED AND ADOPTED FOR THIS PROJECT BY RANCHO MURIETA COMMUNITY SERVICES DISTRICT 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.
3. AUTHORIZE ISSUANCE TO RANCHO MURIETA COMMUNITY SERVICES DISTRICT OF A 49-YEAR GENERAL LEASE - RIGHT-OF-WAY USE, BEGINNING AUGUST 22, 1990; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$100, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; FOR A 20-INCH-DIAMETER PIPE LINE INSIDE A 42-INCH-DIAMETER CASING, ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

**EXHIBIT "A"**

**W 24336**

**LAND DESCRIPTION**

A strip of submerged land in the State owned bed of the Cosumnes River, Sacramento County, California, said strip being 50 feet wide lying 25 feet on each side of the following described centerline:

COMMENCING at the common corner to Sections 34 and 35, T8N, R8E, MDM and Sections 2 and 3, T7N, R8E, MDM; thence S 89° 11' 12" E 1970.85 feet to the POINT OF BEGINNING; thence, in and along the centerline alignment of an existing water line the following two (2) courses and distances, S 23° 05' 33" E 36.88 feet; thence S 45° 25' 13" E 458.05 feet to a the end of the herein described centerline.

EXCEPTING THEREFROM any portion lying landward of the ordinary low water marks of the Cosumnes River.

**END OF DESCRIPTION**

**PREPARED JUNE 28, 1990 BY LLB.**

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