MINUTE ITEM
This Calendar Item No. C12
was approved as Minute Item
No. 12 by the State Lands
Commission by a vote of 3
0 at its 9-9-93
meeting.

CALENDAR ITEM

C12

PRC 5438

A 26

S 12, 14

09/09/93
W 24935
W 23892
Jones

GENERAL LEASE - RIGHT-OF-WAY USE

APPLICANT:
Pacific Gas and Electric Company
650 "O" Street
Fresno, California 93760

AREA, TYPE LAND AND LOCATION:
An 0.11-acre parcel of submerged land in the bed of the Merced River, Merced County, California.

LAND USE:
Relocation and replacement of an existing 6" natural gas pipeline with a 12" pipeline at a new site to be bored under and across the Merced River 100 feet from the existing site; in connection with the widening of the Caltrans Highway 99 Bridge near Livingston, Merced County.

TERMS OF EXISTING MASTER LEASE:
Initial period:
Twenty (20) years beginning January 1, 1978.

Surety bond:
None.

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

Consideration:
$24,292 per annum; five-year rent review.

TERMS OF PROPOSED AMENDMENT:
Addition of a parcel to the master lease to bore a 12" natural gas pipeline across the Merced River near the City of Livingston, Merced County.

BASIS FOR CONSIDERATION:
Pursuant to 2 Cal. Code Regs. 2003.

APPLICANT STATUS:
Applicant will obtain easements from Caltrans, which holds title to one side of the river and is in the process of eminent domain proceedings on the other side. See other pertinent information.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:
Filing fee and processing costs have been received.

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

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

AB 884:
03/09/93.

OTHER PERTINENT INFORMATION:

1. At its January 26, 1978 meeting (Minute Item No. 24), the Commission authorized issuance of a master natural gas pipeline lease to Pacific Gas and Electric Company (PG&E) covering its then existing 89 State Lands leases. Twelve amendments have been made to the master lease since it was originally issued.

2. PG&E has now applied to the Commission for a 13th amendment to the lease to bore a 12" pipeline across the Merced River in connection with the widening of the Caltrans Highway 99 Bridge near the City of Livingston. A 6" natural gas pipeline currently crosses the river (GL 118). Since it is in the way of the bridge widening, the pipeline must be relocated. It does not appear that the 6" pipeline was ever under lease with the Commission.

   PG&E proposes to relocate and replace approximately 600 feet of the 6" pipeline with approximately 750 feet of 12" steel pipe to be located approximately 100 feet westerly from the existing crossing.

The project must be completed in early October prior to the winter natural gas loads increasing. The gas line serves approximately 300,000 customers in Merced County.

3. Since the pipeline relocation is necessitated due to the widening of the Highway 99 bridge by Caltrans, Caltrans is responsible for obtaining the rights of way on each side of the river. Caltrans is the littoral owner on the south side of the river (APN 047-080-006 - Lester and Inger Jonsen), but it is in the process of eminent domain proceedings with regard to APN 047-060-013 (Stewart-Thomas, Inc., aka Merced River Resorts, Inc.) which is located on the north side of the river. The effective date of the Amendment is September 30, 1993, which is the effective date of the "Order of Possession" issued by the Merced County Superior Court for APN 047-060-013. This Order authorizes Caltrans to begin construction prior to it actually obtaining title to the property. PG&E will obtain the required easements from Caltrans.

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.

5. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Code Regs. 15025), the staff has prepared a Proposed Negative Declaration identified as ND 622, State Clearinghouse No. 93052061. Such Proposed Negative Declaration was prepared and circulated for public review pursuant to the provisions of CEQA.

   Based upon the Initial Study, the Proposed Negative Declaration, and the comments received in response thereto, there is no substantial evidence that the project will have a significant effect on the environment. (14 Cal. Code Regs. 15074(b))

6. A Mitigation Monitoring Plan has been prepared in conformance with the provisions of the CEQA. (Section 21081.6, P.R.C.)

APPROVALS OBTAINED:
Central Valley Regional Water Quality Control Board, U.S. Army Corps of Engineers.

FURTHER APPROVALS REQUIRED:
State Lands Commission; State Reclamation Board, Department of Fish and Game Streambed Alteration Agreement.

EXHIBITS:
A-98. Land Description
B-98. Location Map
C. Mitigation Monitoring Plan

IT IS RECOMMENDED THAT THE COMMISSION:

1. CERTIFY THAT A PROPOSED NEGATIVE DECLARATION, ND 622, STATE CLEARINGHOUSE NO. SCH 93052061, WAS PREPARED FOR THIS PROJECT PURSUANT TO THE PROVISIONS OF THE CEQA AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.

2. ADOPT THE NEGATIVE DECLARATION AND DETERMINE THAT THE PROJECT, AS APPROVED, WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.

3. ADOPT THE MITIGATION MONITORING PLAN, AS CONTAINED IN EXHIBIT "C", ATTACHED HERETO.

4. FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO P.R.C. 6370, ET SEQ.

5. AUTHORIZE ISSUANCE TO PACIFIC GAS AND ELECTRIC COMPANY OF AMENDMENT NO. 13 TO MASTER LEASE PRC 5438.1, EFFECTIVE SEPTEMBER 30, 1993; FOR THE INSTALLATION OF A 12" DIAMETER NATURAL GAS PIPELINE ON THE LAND DESCRIBED ON EXHIBIT "A-98" ATTACHED AND BY REFERENCE MADE A PART HEREOF; ALL OTHER TERMS AND CONDITIONS OF THE LEASE TO REMAIN IN FULL FORCE AND UNCHANGED.

EXHIBIT "A-98"

PRC 5438.1
Merced River

LAND DESCRIPTION

A parcel of submerged land 30 feet wide lying in the bed of the Merced River, in Section 22, T6S, R11E, MDM, in Merced County, California, described as follows:

COMMENCING at an angle point shown on Department of Transportation map 10-MER-99-R28.6/R31.7 sheet 12 approved 7-5-89, having California State Plane Coordinate System, Zone 3 coordinates Y=328,141.038; X=1,929,152.950 NAD 27; thence S 34° 05' 15" E, 714 feet along the southeasterly R/W of the Livingston Freeway to the TRUE POINT OF BEGINNING of said parcel, said point being located on the northerly side of the Merced River, and also being located on the southeasterly R/W of the Livingston Freeway; thence continuing S 34° 05' 15" E, 160 feet to the southerly side of the Merced River; thence S 82° W, 33.4 feet along the southerly side of the Merced River to the southeasterly line of the 30 foot easement; thence N 34° 05' 15" W, 160 feet to the northerly side of the Merced River; thence N 82° E, 33.4 feet along the northerly side of the Merced River to the point of beginning.

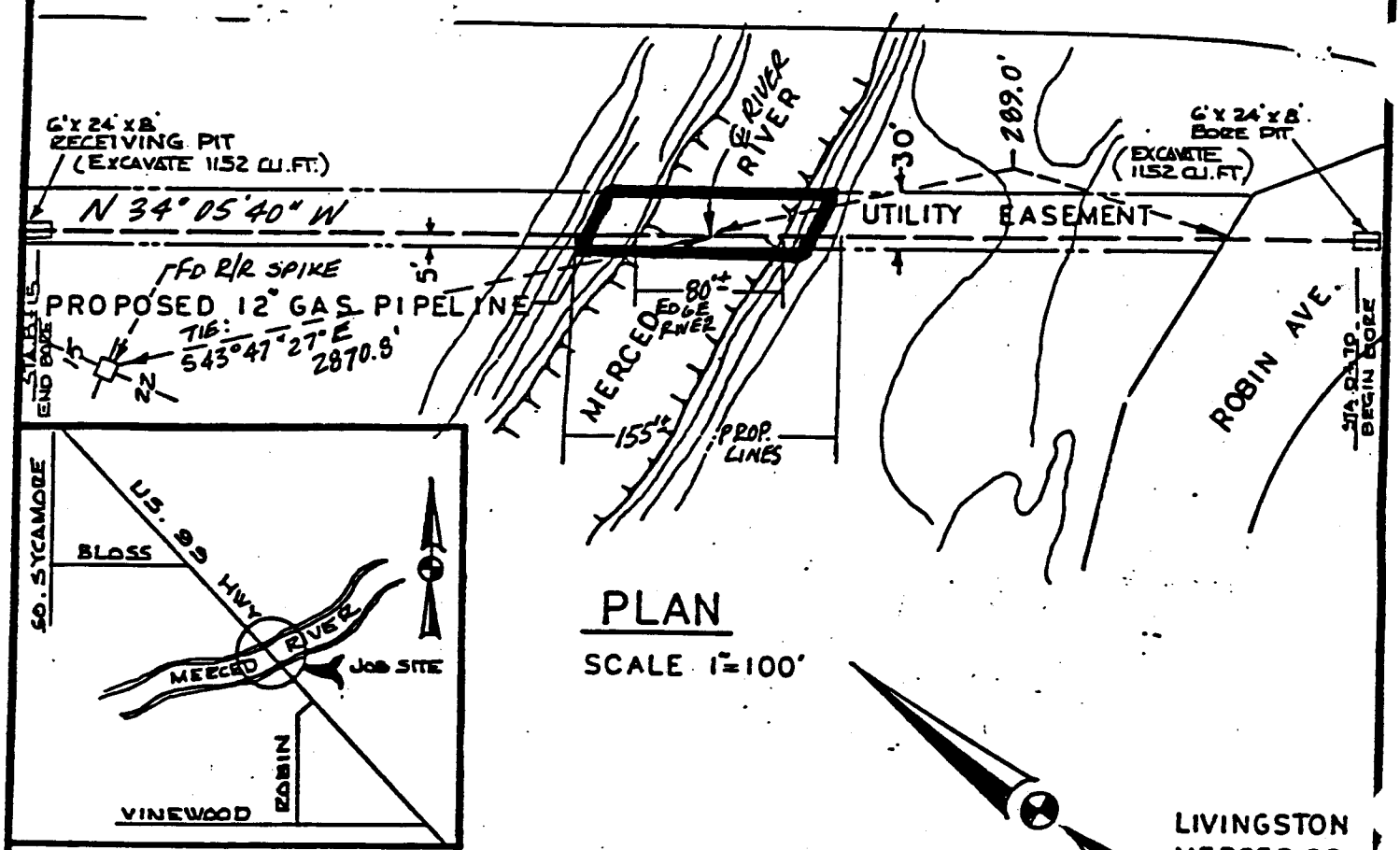
EXCEPTING THEREFROM any portion lying landward and northerly of the northerly low water mark; and any portion lying landward and southerly of the southerly low water mark of the Merced River.

END OF DESCRIPTION

PREPARED AUGUST 11, 1993 BY DELTA TEAM, RICHARD HANSEN LS 3951

MERCED COUNTY, CALIFORNIA

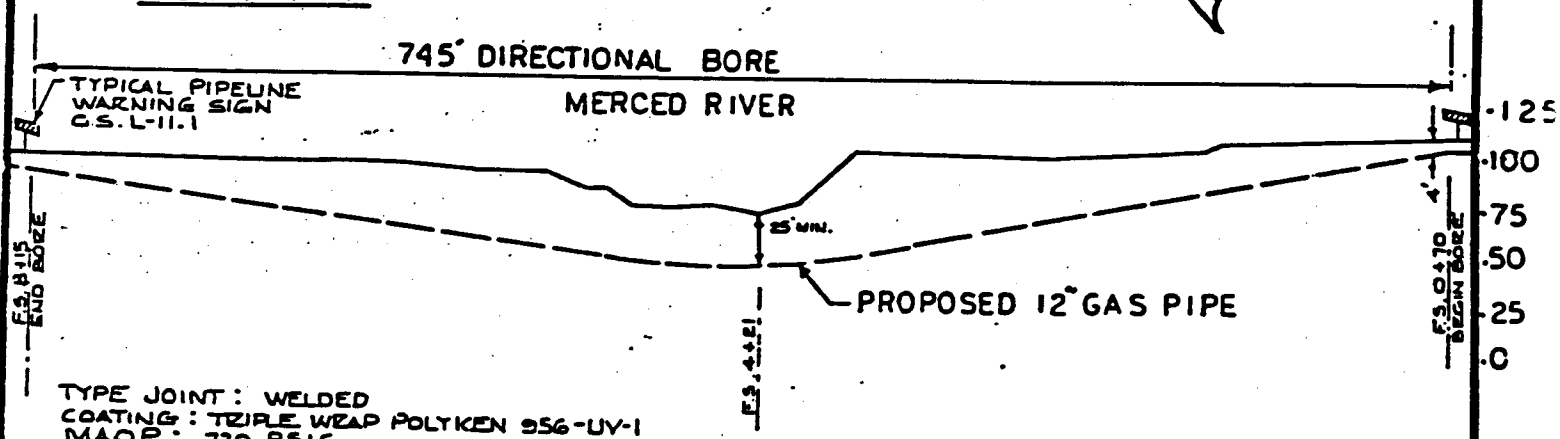
S/E COR, N/E COR, SEC. 22, T. 6 S., R 11 E



PLAN

SCALE 1" = 100'

VICINITY MAP



TYPE JOINT: WELDED
COATING: TRIPLE WRAP POLYKEN 956-UV-1
MAOP: 720 PSIG
CONTENTS: NATURAL GAS
METHOD OF INSTALLATION - BORING

PROFILE

SCALE HORIZONTAL: 1" = 100'
VERTICAL: 1" = 100'

03-92-025

This Land description is solely for purposes of generally defining the lease premises, and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

EXHIBIT B-98
PRC 5438.1

GM	4957189
SUPV.	BBO
DSGN.	DHG
DWN.	DHG
CHKD.	
O.K.	
DATE 6-24-92	SCALE 1" = 100'

PROPOSED 12" GAS PIPELINE CROSSING
MERCED RIVER - MERCED COUNTY, CALIFORNIA

LINE 118 G/L - LIVINGSTON BYPASS RELOC.

PACIFIC GAS AND ELECTRIC COMPANY
SAN FRANCISCO, CALIFORNIA

B/M	
DWG. LIST	
SUPSDE	68
SUPSD BY	
SHEET NO.	SHEETS
JL-295	REV. 1911

EXHIBIT "C"

MITIGATION MONITORING PROGRAM
FOR THE
IN PLACE ABANDONMENT OF AN EXISTING 6" NATURAL GAS PIPELINE
AND
RELOCATION AND REPLACEMENT WITH A 12" NATURAL GAS PIPELINE

1. Impact: The proposed project may create overcovering of the grassy, area adjacent to the drillpit, with drilling waste materials.

Project Modification:

a) All drilling waste materials will be collected at the drillpit and hauled to a predetermined certified disposal area (dump site).

Monitoring:

Caltrans staff while inspecting this project will periodically monitor the drilling operation to assure that all drilling wastes are removed from the site and are properly disposed of.

2. Impact: This proposed project may possibly cause a blow-out during the drilling operation under the Merced River.

Project Modification:

a) The drilling machine operator will constantly monitor the pressure of the drilling fluids to avoid a blow-out.

b) If a blow-out should occur, all drilling operations will be immediately stopped and corrective operations will be undertaken.

c) Prior to drilling operations a hog wire fence supported by steel fence posts will be constructed across the Merced River at least 50 feet down stream from the vertical plane of the 12" pipeline. In the event of a drilling blow-out, straw bales will be immediately placed on the upstream side of the hog wire fence to filter the drilling mud from the Merced River.

Monitoring:

Caltrans staff will periodically monitor the drilling operations to assure that the hog wire fence is installed and the straw bales are readily available, and precautuions described above are taken to avoid a blow-out contaminating the Merced River.

3. Impact: This project may cause field erosion when pumping out the 12" pipeline after hydrostatic testing.

Project Modification:

a) The end of the discharge hose will be placed against a bale of straw to act as an energy dissapator to prevent field erosion.

Monitoring:

Caltrans staff will monitor the draining of the 12" pipeline to assure that there is no erosion caused by the discharge of water from the 12" pipeline and that a straw bale is placed at the end of the discharge hose to act as an energy dissipator.

4. Impact: This project will result in the defoliation of the staging areas and the drill pits.

Project Modification:

a) Caltrans has developed a vegetation rehabilitation plan which will be impemented upon completion of this project.

Monitoring:

Caltrans staff will conduct a final inspection to assure that their crews or contractors have implemented their rehabilitation plan.

5. Impact: Equipment from this project could unknowingly damage an Environmentally Sensitive Area (ESA) which has been designated near, but not within, the work site. This ESA has been designated to protect a known site of Elderberry bushes which are host to the Federally protected Valley Longhorn elderberry beetle and also to protect mixed vegetation compising the riparian community along the Merced River.

Project Modification:

a) This ESA will be identified and designated on the ground by Caltrans personnel to eliminate the possibility of damage to the ESA.

Monitoring:

Caltrans staff will monitor the project to assure protection of the ESA by making certain that no men or equipment on or near the project are unknowingly near this area.