MINUTE ITEM
This Calendar Item No. C02
was approved as Minute Item
No. 02 by the State Lands
Commission by a vote of 3
to Ø at its 7/6/95
meeting.

CALENDAR ITEM
C02

A 8

S 4

PRC 7832 W 25209
Burks
07/06/95

GENERAL LEASE - RIGHT-OF-WAY USE

APPLICANT:

Delta Gas Gathering Inc.
555 University Avenue, Suite 180
Sacramento California 95825

AREA, TYPE LAND AND LOCATION:

A 0.230±acre parcel of tide and submerged land located in Miner Slough and Elkhorn Slough (aka Elk Slough), Ryer Island, ten miles northeast of Rio Vista, Solano County.

LAND USE:

Proposed construction of a six-inch welded steel pipeline to carry natural gas from the Delta Gas Gathering Inc. Meter Station to a Sacramento Valley Pipeline Company Interconnect Point in the vicinity of Jefferson Boulevard and Willow Point Road in Yolo County.

TERMS OF PROPOSED LEASE:

Initial period:

20 years beginning July 1, 1995 and ending June 30, 2015.

Consideration:

$100 per annum, with the State reserving the right to fix a different rental on each fifth anniversary of the beginning date of this lease.

Surety bond:

$5,000.

Public liability insurance:

Combined single limit coverage of $500,000.

BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Code Regs. 2003.

APPLICANT STATUS:

Applicant is permittee of upland.

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:

12/02/95

APPROVALS OBTAINED:

County, U.S Army Corps of Engineers, Fish and Game.

FURTHER APPROVALS REQUIRED:

State Lands Commission.

EXHIBITS:

A. Land Description
B. Location Map
C. Negative Declaration and Monitoring Measures
D. Notice of Determination

OTHER PERTINENT INFORMATION:

1. A Negative Declaration (SCH 95043028) was prepared and adopted for this project by the County of Solano. The State Lands Commission's staff has reviewed such document.

2. A Mitigation Monitoring Plan was adopted by the County of Solano.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT A NEGATIVE DECLARATION (SCH 95043028) AND MITIGATION MONITORING PLAN WERE PREPARED AND ADOPTED FOR THIS PROJECT BY THE COUNTY OF SOLANO AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.

2. 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 DELTA GAS GATHERING INC. OF A 20-YEAR GENERAL LEASE - RIGHT-OF-WAY USE, BEGINNING JULY 1, 1995; IN CONSIDERATION OF $100 PER ANNUM, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE BEGINNING DATE OF THIS LEASE; PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT

COVERAGE OF $500,000; PROVISION OF A $5,000 SURETY BOND; FOR THE PROPOSED CONSTRUCTION OF A SIX-INCH WELDED STEEL PIPELINE CROSSING MINER AND ELKHORN SLOUGH TO CARRY NATURAL GAS FROM THE DELTA GAS GATHERING INC. METER STATION TO A SACRAMENTO VALLEY PIPELINE COMPANY INTERCONNECT POINT IN THE VICINITY OF JEFFERSON BOULEVARD AND WILLOW POINT ROAD IN YOLO COUNTY; ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

W 25209

LAND DESCRIPTION
Two parcels of Land

Parcel 1
Miner Slough Crossing

A parcel of State owned tide and submerged land lying in the bed of Miner Slough, Solano County, California, within projected Section 10, T05N, R03E, MDM, adjacent to Swamp and Overflowed Surveys 143 and 534, said parcel described as follows:

A strip of land fifty (50.00) feet in width, lying twenty-five (25.00) feet on each side of the following described centerline:

> BEGINNING at a point on the south levee of Miner Slough that is South 36° 38' 51" West, 51.37 feet from the northeast corner of Ranch 14 as said corner appears on that map of "Ryer Nixon Ranch 14", filed January 8, 1957, in Book 5 of Surveys, at page 64, Solano County Records; thence from said point of beginning North 04° 17' 08" East, 322.22 feet to a point on the north levee of Miner Slough and the end of said strip.

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

Parcel 2
Elkhorn Slough Crossing

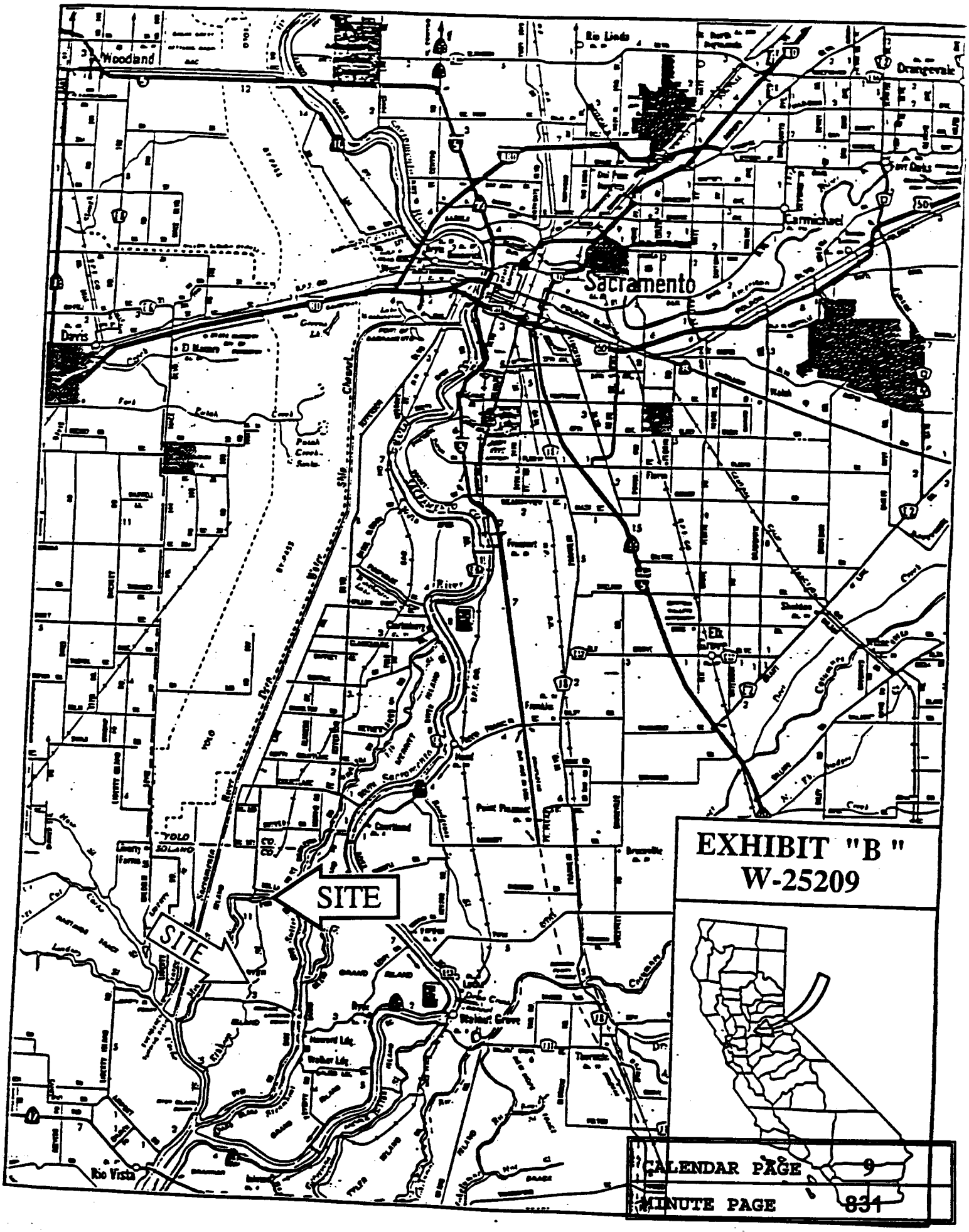
A parcel of State owned tide and submerged land lying in the bed of Elkhorn Slough (Also known as Elk Slough), Solano County, California, within projected Section 22, T05N, R03E, MDM, also within Swamp and Overflowed Survey 619 described as follows:

> A strip of land fifty (50.00) feet in width, lying twenty-five (25.00) feet on each side of a 6 inch pipe, said pipe extending northerly from the Delta Gas Gathering Inc. Meter Station crossing the Elevator Road and Elkhorn Slough.

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

END OF DESCRIPTION

REVISED JUNE 22, 1995 BY DELTA UNIT BOUNDARY STAFF.


Woodland
Rio Linda
Orangevale
Carmichael
Sacramento
Davis
SITE
SITE
Walnut Grove
Rio Vista
EXHIBIT "B"
W-25209

NEGATIVE DECLARATION
OF THE
SOLANO COUNTY ENVIRONMENTAL REVIEW COMMITTEE
Meeting of April 4, 1995

PROJECT TITLE: Use Permit Application No. U-95-08

PROJECT DESCRIPTION AND LOCATION:

Use Permit Application No. U-95-08 of welded steel pipeline 60,780 feet in length to carry natural gas from the existing gas wells, Nixon 22-1 and Nixon 22-2 to Jefferson Blvd. in Yolo County. The 18,500 ft. portion of the pipeline proposed in Solano County is located east of Miner Slough in the Sacramento - San Joaquin Delta Protection Zone in an "A-80" Exclusive Agricultural Zoning District 10 miles N.E. at the City of Rio Vista. APN: 42-220-02, 19, 21, 42-230-04, and 42-200-14, 10, 28.

FINDINGS:

The Solano County Environmental Review Committee has evaluated the initial study which was prepared in regard to the project. The committee found no significant adverse environmental impacts likely to occur which are not mitigated by the amended project description to incorporate county requirements and comply with agency standards to reduce to a level of insignificance or eliminate all potential adverse effects. The Committee determined that the project qualifies for a Negative Declaration based the mitigation addressed in Section IV and incorporated in the amended project description. Details of the Project description, initial study, findings, and disposition are attached.

MITIGATION MEASURES INCORPORATED INTO PROJECT DESCRIPTION:

1. **Land**

Mitigation: In order to minimize impacts on Miner Slough and the applicant shall submit acceptable verification of approved clearances from all agencies having jurisdiction over Miner Slough including, but not limited to the following agencies: State Lands Commission, State Reclamation Board, U.S. Army Corps of Engineers, and the Regional Water Quality Control Board and comply with the requirements of those agencies.

Verification: Receipt of acceptable verification of approved clearances by the Planning Division constitutes verification prior to the issuance of a use permit.

Mitigation: In order to minimize impacts to State Highways and County Roads, the applicant shall obtain encroachment permits from Caltrans for the crossing of State HWY 84, from the Solano County Department of Transportation for Elevator Road and Oxford Road, and from the Yolo County Department of Transportation for Valdex Road, North Courtland Road, Central Avenue, Gaffney Road and Clarksburg

Verification: The Planning Division shall ensure that this requirement has been met prior to the issuance of a use permit.

Mitigation: In order to prevent adverse impacts to human health, all requirements of the Solano County Environmental Health Division shall be met including:

a) Prior to the issuance of the use permit, the applicant shall submit a copy of a contract agreement with a licensed sanitation company to provide and maintain the portable chemical toilets. The agreement shall include the frequency of toilet cleaning and pumping.

b) Bottled drinking water shall be available to construction workers at all times.

Verification: Receipt of a copy of the contract agreement prior to the issuance of a use permit and monitoring by the Division of Environmental Health constitutes verification.

Mitigation: In order to minimize adverse impacts to human health, the applicant will be required to dispose of these tailings at an off-site authorized waste facility and inform the Planning Division of disposal location.

Verification: Planning Division will monitor compliance to ensure that this mitigation is met.

PREPARATION:

This Negative Declaration was prepared by the Solano County Department of Environmental Management. Copies may be obtained at the address listed below.

Christopher L. Monske
Planning Program Manager
Solano County Department of
Environmental Management
601 Texas Street
Fairfield, CA 94533
(707) 421-6765

JET/CLM/bf
ASU9508.NEG
4-06-95

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Road, prior to issuance of a use permit.

Verification: Issuance of an encroachment permit by Caltrans and Solano County Transportation Department and receipt of verification by the Planning Division prior to the issuance of a use permit constitutes verification.

2. **Air**

Mitigation: In order to control dust during construction, water shall be applied to exposed earth during clearing, grading, earth moving, and other site preparation work. An adequate supply of water and water compounds shall be available to contractors at all times.

Verification: Planning Division will respond to nuisance complaints regarding dust generation.

3. **Water**

Mitigation: The applicant shall obtain a National Pollution Discharge Elimination System (NPDES) Permit from the Regional Water Quality Control Board in order to minimize impact to water quality associated with the construction of the pipelines. The applicant shall submit a copy of the permit or other acceptable verification that the requirements of that agency have been met prior to the issuance of the use permit.

Verification: Receipt by the Planning Division, of an approved permit or other acceptable verification that the requirements of the Regional Water Quality Control Board have been met prior to the issuance of the use permit constitutes verification.

Mitigation: In order to reduce the potential threat of flooding, the applicant shall obtain encroachment permits from the State Reclamation Board and local reclamation districts 501 and 999 for the crossing of the levees of Miner Slough and submit adequate verification to the Planning Division which indicates that the requirements of those authorities have been met.

Verification: Receipt by the Planning Division, of an approved permit or other acceptable verification that the requirements of the State Board of Reclamation and local reclamation districts have been met prior to the issuance of the use permit constitutes verification.

4. **Human Health, Safety**

Mitigation: In order to prevent the potential release of hazardous materials, the applicant shall submit a Hazardous Materials Management Plan to the Solano County Environmental Health Division prior to the issuance of a use permit.

NOTICE OF DETERMINATION EXHIBIT D

TO: X Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

X County Clerk
County of Solano

FROM: Department of Environmental Management
601 Texas Street
Fairfield, CA 94533

FILING OF NOTICE OF DETERMINATION IN COMPLIANCE WITH SECTION 21108 OR 21152 OF THE PUBLIC RESOURCES CODE.

Use Permit U-95-08 of Delta Gas Gathering c/o AA Production Services

Project Title

95043026 | Alison Sand, Planner | (707)421-6765

State Clearinghouse Number (If submitted to Clearinghouse) | Lead Agency Contact Person | Area code/telephone/extension

Solano County, APN:42-220-02,19,21; 42-230-04; 42-200-14,10,28

Project Location (include county & APN)

Project Description:

Installation of a 6" natural gas pipeline, 60,780 feet in length from a location east of Miner Slough in the Sacramento-San Joaquin Delta Protection Zone to a location in Yolo County in the vicinity of Jefferson Blvd. near Willow Point Road. The length of the pipeline would be 18,500 feet in Solano County and 42,280 feet in Yolo County. A surface facility of 600sq.ft. would be established in Solano County. The use permit authorizes that portion established in Solano County.

This is to advise that the County of Solano ☒ Lead Agency ☐ Responsible Agency has approved the above described project on May 18, 1995 (date) and has made the following determinations regarding the above described project:

1. The project [☐will ☒will not] have a significant effect on the environment.
2. ☐ An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
   ☒ Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [☒were ☐were not] made a condition of the approval of the project.
4. A Statement of Overriding Consideration [☐was ☐was not] adopted for this project.
5. Findings [☐were ☐were not] made pursuant to the provisions of CEQA.

This is to certify that the Final EIR with comments and responses and record of project approval is available to the General Public at the Department of Environmental Management, 601 Texas Street, Fairfield, CA 94533 (707) 421-6765.

Alison Sand | May 23, 1995 | Planner

Signature (public agency) | Date | Title

Date received for filing at OPR:

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