

MINUTE ITEM

This Calendar Item No. C49 was approved as Minute Item No. 49 by the California State Lands Commission by a vote of 3 to 0 at its 12-3-99 meeting.

**CALENDAR ITEM
C49**

A 11
S 7

12/03/99
PRC 5040.1 WP 5040.1
N. Smith

AMENDMENT OF LEASE

LESSEE:

Pacific Gas and Electric Company
Attn: Mr. Randy Burton
1030 Detroit Avenue
Concord, CA 94518-2487

AREA, LAND TYPE, AND LOCATION:

3 acres, more or less, of sovereign lands in the beds of Pacheco Creek and Hastings Slough in the town of Crockett, Contra Costa County.

AUTHORIZED USE:

Continued use and maintenance of a 16-inch hot oil pipeline.

LEASE TERM:

15 years beginning August 1, 1975, with two successive ten-year renewal options.

CONSIDERATION:

\$5,040 per year; with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease.

PROPOSED AMENDMENT:

The proposed amendment will authorize the relocation of a portion of the pipeline in the town of Crockett.

OTHER PERTINENT INFORMATION:

1. This project is occurring because of the California Department of Transportation's construction of a new west span for the Carquinez Strait Bridge, as part of the seismic retrofit project.
2. The California Fire Marshall will inspect the relocated pipeline.

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3. This entire pipeline has not been in service since May 1998.
4. The California Department of Transportation, the Lead Agency pursuant to the California Environmental Quality Act (CEQA), has determined that the Carquinez Bridge Project is statutorily exempt from the requirements of the CEQA under California Streets and Highways Code Section 180.2 and CEQA section 21080 (b)(4). An EIS was adopted for the bridge project by the Federal Highway Administration and United States Coast Guard. Relocation of the hot oil pipeline is a necessary component of the Carquinez Bridge Project.

Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a statutorily exempt project. The project is exempt because it involves specific actions necessary to prevent or mitigate an emergency.

Authority: Public Resources Code section 21080 (b)(4) and Title 14, California Code Regulations, section 15269 (c).

5. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 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.

EXHIBITS:

- A. Land Description
- B. Location Map

PERMIT STREAMLINING ACT DEADLINE:

April 23, 2000

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RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A STATUTORILY EXEMPT PROJECT PURSUANT TO PUBLIC RESOURCES CODE SECTION 21080 (b)(4) AND TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15269 (c), SPECIFIC ACTIONS NECESSARY TO PREVENT OR MITIGATE AN EMERGENCY.

SIGNIFICANT LANDS INVENTORY FINDING:

FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE THE AMENDMENT OF LEASE NO. PRC 5040.1, A GENERAL LEASE - INDUSTRIAL USE, OF LANDS DESCRIBED ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF, EFFECTIVE DECEMBER 3, 1999, TO RELOCATE A 16-INCH PIPELINE IN THE TOWN OF CROCKETT;.

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EXHIBIT A

LAND DESCRIPTION

WP 5040

A portion of State-owned tide and submerged land in the Carquinez Straits, Contra Costa County, California described as follows:

An underground utility easement for an oil pipe and incidents thereto, upon, across and under a 9.200 meter wide strip of land, the centerline of which is described as follows:

Beginning for reference at the corner common to Sections 31 and 32, T3N, R3W, and Sections 5 and 6, T2N, R3W, MDM, thence N.73°44'42"W., 99.588 meters to the TRUE POINT OF BEGINNING of said strip; thence S.53°33'23"E., 20.470 meters; thence S.89°26'12"E., 65.100 meters; thence N.22°32'03"E., 61.650 meters to the end of said centerline.

Containing 1,354 square meters, more or less.

The bearings and distances used in the above description are on the California Coordinate System of 1927, Zone 3. Multiply the above distances by 1.0000715 to obtain ground level distances.

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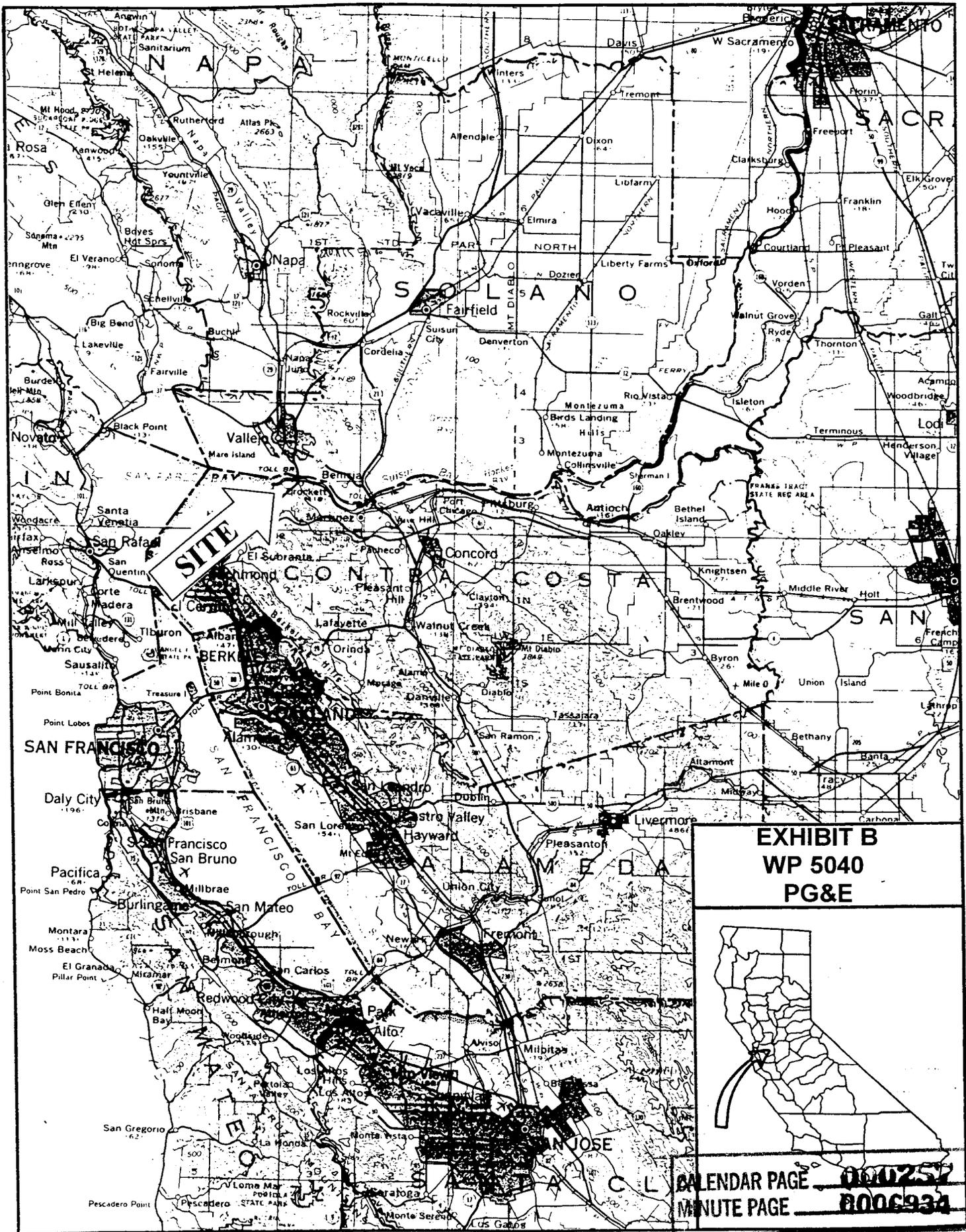
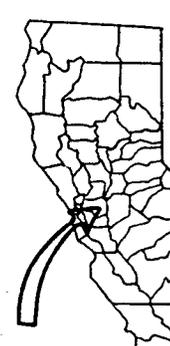


EXHIBIT B
WP 5040
PG&E



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