MINUTE ITEM
This Calendar Item No. C12 was approved as Minute Item No. 12 by the California State Lands Commission by a vote of 3 to 0 at its 2-21-03 meeting.

CALENDAR ITEM
C12

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PRC 5863

02/21/03
WP 5863.9
L. Burks

AMENDMENT OF LEASE

APPLICANT:

Sacramento Muncipal Utility District
Real Estate Services, Mail Stop B-304
P. O. Box 15830
Sacramento, California 95852-1830

AREA, LAND TYPE, AND LOCATION:

2.99 acres, more or less, of submerged lands in the Cosumnes River, near the city of Galt, Sacramento County.

AUTHORIZED USE:

Original Lease:
Continued use and maintenance of a double-circuit three-phase 230kV overhead transmission line and other appurtenant facilities.

LEASE TERM:

49 years, beginning July 1, 1980.

CONSIDERATION:

The public use and benefit; with the State reserving the right at any time to set a monetary rent if the Commission finds such action to be in the State's best interest.

PROPOSED AMENDMENT:

1. Replace an existing overhead communication line with a fiber optic cable, which will enable critical communications to monitor, control and protect SMUD's power grid, including generating stations, transmission lines and substations.

2. All other terms and conditions of the lease shall remain in effect without amendment.

OTHER PERTINENT INFORMATION:

1. Applicant has a right to use the uplands adjoining the lease premises.

2. On July 24, 1980, the Commission issued a 49-year General Permit – Public Agency Use to the Sacramento Municipal Utility District (SMUD) for a double-circuit three-phase 230kV overhead transmission line and other appurtenant facilities. The Lessee is proposing to upgrade its older communication lines with a new fiber optic cable. The proposed fiber optic cable replaces the existing microwave radio communication link between the Elk Grove Substation and Rancho Seco. The existing microwave network has limited capability and no longer meets SMUD's needs due to ever increasing demand for additional bandwidth for data and voice transmission. This project is only for SMUD's use.

3. 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 under the general rule that the CEQA applies only to projects, which have the potential for causing a significant effect on the environment. The staff believes, based on the information available to it, that there is no possibility that this project may have a significant effect on the environment.

   Authority: Title 14, California Code of Regulations, section 15061(b)(3).

4. This activity involves lands which have NOT been identified as possessing significant environmental values pursuant to Public Resources Code sections 6370, et seq. However, the Commission has declared that all tide and submerged lands are "significant" by nature of their public ownership (as opposed to "environmentally significant"). Since such declaration of significance is not based upon the requirements and criteria of Public Resources Code sections 6370, et seq., use classifications for such lands have not been designated. Therefore, the finding of the project's consistency with the use classification as required by Title 2, California Code of Regulations, section 2954 is not applicable.

EXHIBIT:

A. Location Map

PERMIT STREAMLINING ACT DEADLINE:

N/A

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

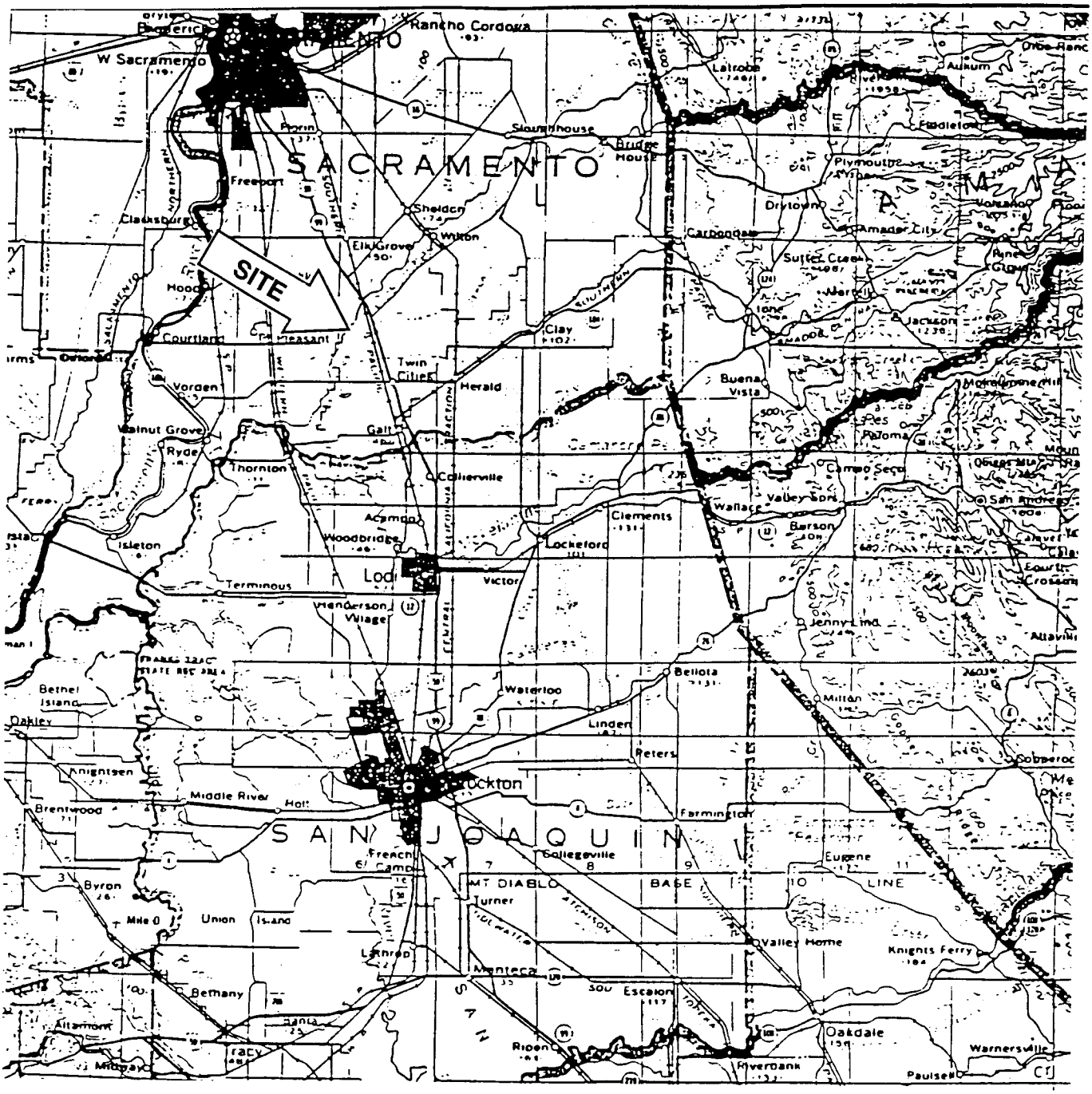
CEQA FINDING:

FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 BECAUSE THERE IS NO POSSIBILITY THAT THE ACTIVITY MAY HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT; TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061(b)(3).

AUTHORIZATION:

AUTHORIZE THE AMENDMENT OF LEASE NO. PRC 5863.9, A GENERAL LEASE - PUBLIC AGENCY USE, OF LANDS SHOWN ON EXHIBIT A ATTACHED, AND BY THIS REFERENCE MADE A PART HEREOF, EFFECTIVE FEBRUARY 18, 2003, TO REPLACE AN EXISTING COMMUNICATION LINE WITH A FIBER OPTIC CABLE; ALL OTHER TERMS AND CONDITIONS OF THE LEASE WILL REMAIN IN EFFECT WITHOUT AMENDMENT.

Location Map



This exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by Lessee or other parties, and is not intended to be, nor shall it be construed as, a waiver or limitation of any state interest in the subject or other property.

Exhibit A
WP 5863

LMB 1/15/03