

MINUTE ITEM

1/26/72
EWC

5. 49-YEAR RIGHT-OF-WAY PERMIT, SUBMERGED LAND IN THE OLD BED OF THE FEATHER RIVER NEAR YUBA CITY, SUTTER AND YUBA COUNTIES; PACIFIC GAS AND ELECTRIC COMPANY - W 8830, PRC 4640.1.

After consideration of Calendar Item 10 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION:

1. FINDS THAT, IN ACCORDANCE WITH ENVIRONMENTAL IMPACT REPORT NO. 33 ON FILE IN THE OFFICE OF THE STATE LANDS COMMISSION AND BY REFERENCE MADE A PART HEREOF, A RIGHT-OF-WAY PERMIT AS RECOMMENDED HEREIN WILL NOT HAVE A SIGNIFICANT DETRIMENTAL ENVIRONMENTAL EFFECT.
2. AUTHORIZES THE ISSUANCE TO PACIFIC GAS AND ELECTRIC COMPANY OF A 49-YEAR RIGHT-OF-WAY PERMIT FROM JANUARY 1, 1972, IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$20.00, WITH THE STATE RESERVING THE RIGHT TO RESET A REASONABLE RENTAL ON EACH FIFTH ANNIVERSARY, FOR THE CONSTRUCTION, OPERATION, AND MAINTENANCE OF A 115 kv TRANSMISSION LINE ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment:

Calendar Item 10 (3 pages)

CALENDAR ITEM

1/72
W 8830
EWC

10.

RIGHT-OF-WAY PERMIT

APPLICANT: Pacific Gas and Electric Company.

LOCATION: A 1.1-acre parcel of submerged land in the old bed of the Feather River near Yuba City, in Sutter and Yuba counties.

LAND USE: The construction, maintenance, and operation of a 115 kv transmission line.

TERMS: Initial period: 49 years, from January 1, 1972.

CONSIDERATION: \$20 per annum, with the State reserving the right to review and reset a reasonable rental on each fifth anniversary.

BASIS FOR CONSIDERATION:

6% of appraised value of land.

PREREQUISITE ITEMS:

U.S. Army Corps of Engineers permit applied for. No lease will be issued without one.

Applicant is owner of upland easements.

OTHER PERTINENT INFORMATION:

An environmental impact report on this project has been prepared and circulated to interested agencies and persons. No adverse comments were received. However, comments regarding the scope and depth of the report were received, and they have been incorporated into the report.

Of the impacts reported, some cannot be reliably linked to construction of the power line, such as the impact upon growth of the south Yuba City service area. Some can be linked to construction but cannot be called unacceptably adverse since the affected county planners have approved construction with the consideration of aesthetic impacts at certain locations along the entire project. In summary, there are environmental effects, but they do not appear to be directly attributable solely to this project.

The Division is working cooperatively with the Pacific Gas and Electric Company in interjecting environmental considerations in the early stages of planning for power-distribution facilities. The purpose is to anticipate conflicts in land use and to mitigate or avoid impacts before they occur.

EXHIBITS:

A. Land description.

B. Location map.

CALENDAR ITEM 10. (CONTD.)

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT, IN ACCORDANCE WITH ENVIRONMENTAL IMPACT REPORT NO. 33 ON FILE IN THE OFFICE OF THE STATE LANDS COMMISSION AND BY REFERENCE MADE A PART HEREOF, A RIGHT-OF-WAY PERMIT AS RECOMMENDED HEREIN WILL NOT HAVE A SIGNIFICANT DETRIMENTAL ENVIRONMENTAL EFFECT.
2. AUTHORIZE THE ISSUANCE TO PACIFIC GAS AND ELECTRIC COMPANY OF A 49-YEAR RIGHT-OF-WAY PERMIT FROM JANUARY 1, 1972, IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$20.00, WITH THE STATE RESERVING THE RIGHT TO RESET A REASONABLE RENTAL ON EACH FIFTH ANNIVERSARY, FOR THE CONSTRUCTION, OPERATION, AND MAINTENANCE OF A 115 kv TRANSMISSION LINE ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

Lessee: Pacific Gas and Electric Company

A parcel of land in the bed of the Feather River adjacent to the New Helvetia Rancho, T. 14 N., R. 3 E., M.D.M., Yuba and Sutter counties, California, said parcel being 80 feet wide and lying 40 feet on each side of the following described centerline:

COMMENCING at a 5-inch diameter concrete monument marking the southeast corner of Lot 11, Block 12 as said monument is shown on the plat of Farm Land Colony No. 1 recorded in Book 1 of Maps, page 23, Yuba County records; thence S. $89^{\circ} 52' 06''$ W., 2,458.6 feet to the TRUE POINT OF BEGINNING; thence N. $89^{\circ} 09' 06''$ W., 600 feet to the end of the herein described centerline.

EXCEPTING THEREFROM any portions lying landward of the ordinary low water mark.