

MINUTE ITEM

4/27/72
EWC

6. AUTHORIZATION FOR ISSUANCE OF 49-YEAR RIGHT-OF-WAY PERMIT, TIDE AND SUBMERGED LAND IN TOMALES BAY, MARIN COUNTY; PACIFIC GAS AND ELECTRIC COMPANY - W 8949, PRC 4659.1.

After consideration of Calendar Item 4 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. 48 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 APRIL 1, 1972, IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$20, FOR THE PLACEMENT, MAINTENANCE AND OPERATION OF A 12 KV SUBMARINE CABLE ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF, WITH STATE RESERVING THE RIGHT TO RESET A REASONABLE RENTAL ON EACH FIFTH ANNIVERSARY.

Attachment:

Calendar Item 4 (2 pages)

CALENDAR ITEM

4/72
W 8949
EWC

4.

RIGHT OF WAY PERMIT

APPLICANT: Pacific Gas and Electric Company.

LOCATION: A 1.96-acre parcel of tide and submerged land in Tomales Bay, Marin County.

LAND USE: The placement, maintenance and operation of a 12 KV submarine cable.

TERMS: 49 years, from April 1, 1972.

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

BASIS FOR CONSIDERATION:

\$20 minimum rental for this type of permit.

PREREQUISITE ITEMS:

U.S. Army Corps of Engineers permit applied for. Lease will not be issued without a permit.

Applicant is permittee of upland.

STATUTORY AND OTHER REFERENCES:

- a. Public Resources Code: Division 6, Parts 1 and 2.
- b. Administrative Code: Title 2, Division 3, Articles 1 and 2.

OTHER PERTINENT INFORMATION:

- 1. An environmental impact report has been prepared and circulated to affected governmental agencies. No adverse comments were received.

EXHIBITS: A. Land description. B. Location map.

IT IS RECOMMENDED THAT THE COMMISSION:

- 1. FIND THAT, IN ACCORDANCE WITH ENVIRONMENTAL IMPACT REPORT NO. 48 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 APRIL 1, 1972, IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$20, FOR THE PLACEMENT, MAINTENANCE AND OPERATION OF A 12 KV SUBMARINE CABLE ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF, WITH STATE RESERVING THE RIGHT TO RESET A REASONABLE RENTAL ON EACH FIFTH ANNIVERSARY.

EXHIBIT "A"

W.O.: W 8949

A strip of tide and submerged land 25 feet wide extending across the bed of Tomales Bay, Marin County, California, and lying 12.5 feet on each side of the following described centerline:

COMMENCING at a monument stamped "State Lands Commission, Inverness 1967" having California Coordinate System Zone 3 coordinates $Y = 1,323,063.53$ feet and $X = 590,825.69$ feet; thence S. $37^{\circ} 12'$ E., 167.8 feet to an existing power pole, said pole being the TRUE POINT OF BEGINNING of the above-mentioned centerline; thence S. $35^{\circ} 13'$ E., 114.9 feet; thence N. $55^{\circ} 47'$ E., 370.0 feet; thence N. $34^{\circ} 19\frac{1}{2}'$ E., 3,618.2 feet; thence N. $20^{\circ} 36'$ W., 176.6 feet, more or less, to an existing power pole and the terminus of the herein-described centerline.

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

END OF DESCRIPTION