

MINUTE ITEM

4/4/74  
HAM

6. RIGHT-OF-WAY FOR INDEFINITE PERIOD, SUBMERGED LAND IN THE PACIFIC OCEAN, AT SAN LUIS OBISPO COUNTY; AMERICAN TELEPHONE AND TELEGRAPH COMPANY - W 20685, PRC 4892.9.

After consideration of Calendar Item 4 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION:

1. DETERMINES THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF PRC SECTION 21080, 14 CAL. ADM. CODE SECTION 15073, AND 2 CAL. ADM. CODE SECTION 2910.
2. AUTHORIZES THE ISSUANCE TO AMERICAN TELEPHONE AND TELEGRAPH COMPANY OF A RIGHT-OF-WAY FOR AN INDEFINITE PERIOD FROM APRIL 4, 1974, PURSUANT TO THE PROVISIONS OF SECTION 7901 OF THE PUBLIC UTILITIES CODE FOR THE INSTALLATION AND MAINTENANCE OF A SUBMARINE COAXIAL TELEPHONE AND TELEGRAPH CABLE WITH THE NECESSARY APPURTENANCES, ACROSS THE UNGRANTED TIDE AND SUBMERGED LANDS DESCRIBED IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment:

Calendar Item 4 (3 pages)

CALENDAR ITEM

3/74  
HAM  
W 20685

4.

RIGHT-OF-WAY

APPLICANT: American Telephone and Telegraph Company.

AREA, TYPE LAND AND LOCATION:  
A 2,131,500 square foot parcel of submerged land in the Pacific Ocean, at San Luis Obispo County.

LAND USE: Installation and maintenance of a submerged coaxial telephone and telegraph cable.

TERMS: Initial period: Indefinite period, from April 4, 1974.

PREREQUISITE TERMS:  
Applicant is lessee or permittee of upland.

STATUTORY AND OTHER REFERENCES:

- a. Public Resources Code: Div. 6, Parts 1 and 2.
- b. Administrative Code: Title 2, Div. 3, Arts. 1, 2 and 10.
- c. Public Utilities Code: Section 7901.

OTHER PERTINENT INFORMATION:

1. The annual rental value of the site is estimated to be \$2,500.
2. This project is a ministerial project and is exempt from the requirements of California Environmental Quality Act pursuant to PRC Code Section 2180, 14 Cal. Adm. Code Section 15073, and 2 Cal. Adm. Code Section 2910.
3. On May 28, 1964, under Minute Item No. 3, the Commission approved a right of way for the American Telephone and Telegraph Company for a submarine coaxial telephone and telegraph cable in tide and submerged lands in Estero Bay (Lease PRC 3135.9). The existing cable provides telephone and telegraph service between California and Hawaii. The currently proposed cable easement (commencing at the same upland point as the existing facility, but veering southerly therefrom at the proposed installation location), has been requested to provide additional communication services between California and Hawaii.
4. Under current procedures, the Corps of Engineers withholds issuance of its permits until State approval for the project is granted. The proposed easement agreement will require the applicant to obtain clearance from the Corps.

CALENDAR ITEM NO. 4. (CONTD)

5. This project is exempt from a fee pursuant to Section 7901 of the Public Utilities Code.

EXHIBITS:           A. Land Description.           B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF PRC SECTION 21080, 14 CAL. ADM. CODE SECTION 15073, AND 2 CAL. ADM. CODE SECTION 2910.
2. AUTHORIZE THE ISSUANCE TO AMERICAN TELEPHONE AND TELEGRAPH COMPANY OF A RIGHT OF WAY FOR AN INDEFINITE PERIOD FROM APRIL 4, 1974; PURSUANT TO THE PROVISIONS OF SECTION 7901 OF THE PUBLIC UTILITIES CODE FOR THE INSTALLATION AND MAINTENANCE OF A SUBMARINE COAXIAL TELEPHONE AND TELEGRAPH CABLE WITH THE NECESSARY APPURTENANCES, ACROSS THE UNGRANTED TIDE AND SUBMERGED LANDS DESCRIBED IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

W 20685

A strip of tide and submerged lands 100 feet wide in the bed of Estero Bay and the Pacific Ocean, San Luis Obispo County, State of California, and lying 50 feet on each side of the following described centerline:

COMMENCING at the intersection of the North line of Section 27, T 30 S, R 10 E, MDM, and the ordinary high water mark; thence 50 feet southwesterly along the ordinary high water mark to the TRUE POINT OF BEGINNING; thence N 89° 30' W, 21765 feet more or less to the intersection with the ownership boundary of the State of California (as determined according to the decree entered by the United States Supreme Court in United States v. California Original No. 5 on January 31, 1966).

END OF DESCRIPTION