

MINUTE ITEM

4/24/74
GRH

9. 10-YEAR RIGHT-OF-WAY, SUBMERGED LAND ACROSS THE BED OF THE MOKELUMNE RIVER, SAN JOAQUIN COUNTY; PACIFIC GAS AND ELECTRIC COMPANY - WP 362, PRC 4902.1.

After consideration of Calendar Item 8 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 21085; 14 CAL. ADM. CODE SECTIONS 15100, ET SEQ.; AND 2 CAL. ADM. CODE SECTION 2910.
2. AUTHORIZES THE ISSUANCE TO PACIFIC GAS AND ELECTRIC COMPANY OF A 10-YEAR RIGHT-OF-WAY FROM JUNE 25, 1973, WITH LESSEE'S OPTION TO RENEW FOR 2 ADDITIONAL PERIODS OF 10 YEARS EACH; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$20, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; AND PROVISION OF PUBLIC LIABILITY INSURANCE IN AMOUNTS OF \$600,000 COMBINED SINGLE LIMIT FOR PERSONAL INJURY AND \$100,000 FOR PROPERTY DAMAGE; FOR THE CONTINUED MAINTENANCE OF A 6-INCH GAS PIPELINE ON THE LAND DESCRIBED IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment:
Calendar Item 8 (3 pages)

CALENDAR ITEM

8.

4/74
GRH
WP 362

RIGHT-OF-WAY

APPLICANT: Pacific Gas and Electric Company.

AREA, TYPE LAND AND LOCATION:

A 50-foot wide parcel of submerged land across the bed of the Mokelumne River, 4.5 miles north of Lodi, San Joaquin County.

LAND USE: Continued maintenance of a 6 inch gas pipeline.

TERMS OF PROPOSED LEASE:

Initial period: 10 years, from June 25, 1973.

Renewal options: 2 additional periods of 10 years each.

Public liability insurance:

\$600,000 combined single limit for personal injury and \$100,000 for property damage.

CONSIDERATION: \$20 per annum, with the State reserving the right to fix a different rental on each fifth anniversary of the lease.

BASIS FOR CONSIDERATION:

\$20 minimum rental for this type of permit.

PREREQUISITE TERMS:

U. S. Army Corps of Engineers permit issued.

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.

OTHER PERTINENT INFORMATION:

This site was previously covered by Lease PRC 362.1 issued on June 25, 1948. The improvement authorized at that time was a submerged pipeline. Inasmuch as the pipeline is an existing facility that is maintained in an acceptable state of repair, and there is no evidence of record showing injury to adjacent property, shoreline erosion or other types of environmental degradation, an environmental impact report is not required pursuant to 2 Cal. Adm. Code. 2910.

EXHIBITS:

- A. Land Description.
- B. Location Map.

CALENDAR ITEM NO. 8. (CONTD)

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 21085; 14 CAL. ADM. CODE SECTIONS 15100, ET SEQ.; AND 2 CAL. ADM. CODE SECTION 2910.
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Attachment: Exhibit "A"

EXHIBIT "A"

WP 362

A strip of submerged land 50 feet wide lying in the bed of the Mokelumne River, approximately 4 miles northwest of the City of Lodi, San Joaquin County, State of California, being 25 feet on each side of the following described centerline:

COMMENCING at a steel axle and gear marking the north quarter corner of Section 21, T 4 N, R 6 E, MDM; thence S 82° 48' E, 1267.65 feet to the TRUE POINT OF BEGINNING; thence N 46° 19' E, 200 feet across the Mokelumne River to the terminus of the herein-described centerline.

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

END OF DESCRIPTION