

MINUTE ITEM

11/21/74  
ACS

15. AMENDMENT AND RENEWAL OF LEASE PRC 459, SUBMERGED LAND IN THE SAN JOAQUIN RIVER BETWEEN MADERA AND FRESNO COUNTIES; PACIFIC GAS AND ELECTRIC COMPANY - WP 459, PRC 459.

After consideration of Calendar Item 13 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 21085; 14 CAL. ADM. CODE 15100, ET SEQ.; AND 2 CAL. ADM. CODE 2910(a).
2. AUTHORIZES THE ISSUANCE TO PACIFIC GAS AND ELECTRIC COMPANY OF A 10-YEAR RENEWAL OF LEASE PRC 459, FROM SEPTEMBER 15, 1974, WITH LESSEE'S OPTION TO RENEW FOR 1 ADDITIONAL PERIOD OF 10 YEARS; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$20 (TOTAL 10 YEAR PERIOD TO BE PAID IN ADVANCE), WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; AND
3. THE ISSUANCE OF AN AMENDMENT TO ADD PUBLIC LIABILITY INSURANCE IN AMOUNTS OF \$200,000/\$600,000 FOR PERSONAL INJURY AND \$100,000 FOR PROPERTY DAMAGE; AND CHANGE THE LAND DESCRIPTION TO THAT SHOWN ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF; PROVIDED THAT ALL OTHER TERMS AND CONDITIONS OF LEASE PRC 459 SHALL REMAIN IN FULL FORCE AND EFFECT.

Attachment:

Calendar Item 13 (3 pages)

CALENDAR ITEM

11/74  
ACS  
WP 459

13.

AMENDMENT AND RENEWAL OF LEASE PRC 459.1

APPLICANT: Pacific Gas and Electric Company.

AREA, TYPE LAND AND LOCATION: A 1.05-acre parcel of submerged land in the San Joaquin River, between Madera and Fresno Counties.

LAND USE: Maintenance and use of a 4" pipeline for transportation of natural gas.

TERMS OF ORIGINAL LEASE:

Initial period: 15 years, from September 15, 1949.

Renewal options: 3 additional periods of 10 years each.

Surety bond: \$1,000.

Consideration: \$47 per annum.

TERMS OF LEASE DURING FIRST RENEWAL:

Period: 10 years, from September 15, 1964, with 2 remaining periods of 10 years each.

Surety bond: \$1,000.

Consideration: \$33.08 per annum. (Total 10-year period paid in advance.)

TERMS OF LEASE DURING SECOND RENEWAL:

Period: 10 years, from September 15, 1974, with 1 additional period of 10 years.

Public liability insurance: \$200,000/\$600,000 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. (Total for 10 year period shall be payable in advance.)

TERMS FOR CONSIDERATION:

\$20 per annum minimum rental for this type of lease.

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Consideration: \$20 per annum, with the State reserving the right to fix a different rental on each fifth anniversary of the lease. (Total for 10 year period shall be payable in advance.)

BASIS FOR CONSIDERATION:

\$20 per annum minimum rental for this type of lease.

CALENDAR ITEM NO. 13. (CONTD)

PREREQUISITE TERMS:

Applicant is 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 & 10.

OTHER PERTINENT INFORMATION:

1. An environmental impact report is not required. This transaction is within the purview of 2 Cal. Adm. Code 2910(a) which exempts an existing structure that is in an acceptable state of repair and there is no evidence of record to show injury to adjacent property, shoreline erosion, or other types of environmental degradation.
2. The proposed rental is based on current regulations of one cent per diameter inch per foot of length. Earlier appraisals were based on land value for an exclusive right-of-way. The proposed lease is now nonexclusive.

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 21085; 14 CAL. ADM. CODE 15100, ET SEQ.; AND 2 CAL. ADM. CODE 2910(a).
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3. THE ISSUANCE OF AN AMENDMENT TO ADD PUBLIC LIABILITY INSURANCE IN AMOUNTS OF \$200,000/\$600,000 FOR PERSONAL INJURY AND \$100,000 FOR PROPERTY DAMAGE; AND CHANGE THE LAND DESCRIPTION TO THAT SHOWN ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF; PROVIDED THAT ALL OTHER TERMS AND CONDITIONS OF LEASE PRC 459.1 SHALL REMAIN IN FULL FORCE AND EFFECT.

Attachment: Exhibit "A"

EXHIBIT "A"

WP 459

A strip of submerged land 100 feet in width extending across San Joaquin River in Madera and Fresno Counties from the low water line at the southerly side of the said river to the low water line at the northerly side of the said river, 2 feet of which lies on the southwesterly side and 98 feet on which lies on the northeasterly side of a line parallel to and 52 feet measured at right angles northeasterly from the centerline of the so-called Skaggs Bridge in Sections 6 and 7, T 13 S, R 18 E, MDM, said centerline bearing N 15° 15' 45" W; EXCEPTING THEREFROM any interest of the Division of Highways, State of California.

END OF DESCRIPTION