

MINUTE ITEM

This Calendar Item No. 66
was approved as Minute Item
No. 6 by the State Lands
Commission by a vote of 8
to 0 at its 7-22-76
meeting.

CALENDAR ITEM

C6.

W 21.085
GRH
PRC 5153

RIGHT OF WAY

APPLICANT:

Pacific Gas & Electric Company
77 Beale Street
San Francisco, California 94106

AREA, TYPE LAND AND LOCATION:

An 0.137 acre parcel of tidelands and submerged
lands in the bed of Mud Slough, Alameda County.

LAND USE:

For the maintenance of a 4 kv overhead pole
line.

TERMS OF PROPOSED LEASE:

Initial period: 10 years, from October 1, 1975.

Renewal options: 3 successive periods of 10
years each.

Public liability insurance: \$1,000,000 per
occurrence for bodily injury
and \$1,000,000 for property
damage.

CONSIDERATION: \$100 per annum, with the State reserving the
right to fix a different rental on each fifth
anniversary of the lease.

BASIS FOR CONSIDERATION:

\$100 minimum rental for this type of permit.

PREREQUISITE TERMS, FEES AND EXPENSES:

Applicant is permittee of upland.

Filing fee has been received.

STATUTORY AND OTHER REFERENCES:

A. Public Resource Code: Div. 6, Parts 1 & 2.

B. Administrative Code: Title 2, Div. 3,
Arts. 1, 2, 10 & 11.

OTHER PERTINENT INFORMATION:

1. The applicant maintained a 12 KV submarine
electric cable on the subject site until
the line failed in September, 1975. At
that time the applicant took emergency
remedial action to restore electric service
by installing a temporary pole line crossing
at the subject site. The applicant is now

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requesting that the 4 KV pole line become the permanent electricity transmission facility crossing Mud Slough.

2. This project is situated on State land identified as environmentally significant, pursuant to Public Resources Code 6370.1, and is classified in a significant use category, Class A: Restricted Use. The Division contacted the Department of Fish and Game concerning the pole line crossing. The Department nominated Mud Slough as a significant parcel; however, the Department does not feel that the pole line facility will conflict with those identified significant environmental values. Accordingly, the staff has determined that the project is a compatible use consistent with identified significant environmental values.
3. This project is exempt from CEQA because it contemplates the reconstruction or replacement of an existing facility. Authority: 2 Cal. Adm. Code Section 2907(a).

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 2907.
2. FIND THAT GRANTING OF THE LEASE WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1 ET SEQ., OF THE PUBLIC RESOURCES CODE.
3. AUTHORIZE ISSUANCE TO PACIFIC GAS AND ELECTRIC COMPANY OF A 10-YEAR RIGHT OF WAY FROM OCTOBER 1, 1975; WITH LESSEE'S OPTION TO RENEW FOR 3 SUCCESSIVE PERIODS OF 10 YEARS EACH; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$100 WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF PUBLIC LIABILITY INSURANCE IN AMOUNTS OF \$1,000,000 PER OCCURRENCE FOR BODILY INJURY AND \$1,000,000 FOR PROPERTY DAMAGE; FOR THE MAINTENANCE OF A 4 KV OVERHEAD POLE LINE ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

W 21085

A strip of tide and submerged land 10 feet wide extending across Mud Slough, Alameda County, State of California, and lying 5 feet on each side of the following described centerline:

COMMENCING at USC&CS Triangulation Station "Red Hill", having California Coordinates, Zone 3 of $X = 1537814.54$, $Y = 386609.61$, thence $S 49^{\circ} 07' 09'' E 45,901.62$ feet to the United States Department of Interior, Fish and Wildlife monument marking the southeasterly terminus of Course #66 in the northeasterly boundary line of the parcel of land described and designated Parcel O in the deed from Leslie Salt Co., to the State of California dated January 26, 1968 and recorded on Reel 2119 of Official Records as image 305, Records of said County; thence $S 71^{\circ} 16' E 157.7$ feet to a point on the north bank of Mud Slough, which point is the TRUE POINT OF BEGINNING of the above-mentioned centerline; thence $S 4^{\circ} 25' W 600$ feet to the south bank of Mud Slough.

EXCEPTING THEREFROM any portion lying landward of the ordinary high tide line.

END OF DESCRIPTION

Prepared

J. L. Colvin

Checked

A. J. Zimmicke

Reviewed

S. Brittaschew

Date

6/27/76

