

MINUTE ITEM

This Calendar Item No. C7  
was approved as Minute Item  
No. 7 by the State Lands  
Commission by a vote of 2  
to 0 at its 7-22-76  
meeting.

CALENDAR ITEM

C7.

RIGHT OF WAY

7/76  
R 21029  
GRU  
PRC 5154

APPLICANT: Pacific Gas and Electric Company  
77 Beale Street  
San Francisco, California 94106

AREA, TYPE LAND AND LOCATION: An 0.112 acre parcel of tide and submerged  
land in the bed of Lagunitas Creek, vicinity  
of Point Reyes Station, Marin County.

LAND USE: Maintenance of a 12 KV overhead electricity  
transmission line.

TERMS OF PROPOSED LEASE:

Initial period: 10 years, from July 1, 1976.

Renewal options: 5 successive periods of 10  
years each.

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

Special: As consideration for prior  
occupation of the described  
land, Lessee shall pay back  
rental in the amount of \$541.86.

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 lease.

PREREQUISITE TERMS, FEES AND EXPENSES:

Applicant is permittee of upland. Filing fee  
has been received.

STATUTORY AND OTHER REFERENCES:

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

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

OTHER PERTINENT INFORMATION:

1. The subject electricity transmission line  
was constructed in 1953, to service the  
nearby community of Point Reyes Station.

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CALENDAR ITEM NO. C7. (CONT'D)

The Division was unaware of the subject facility until receipt of a Corps of Engineers Public Notice received in October, 1975. The applicant has now applied for a lease of the subject lands and tendered back rent for prior occupation of the lands.

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 B: Limited Use. Inasmuch as the line has been in existence for over 20 years, the project is determined to be a compatible use consistent with identified significant environmental values.
3. An Environmental Impact Report is not required. This transaction is within the purview of 2 Cal. Adm Code 2907(a) which exempts an existing structure or facility 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.

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 15109 ET SEQ., AND 2 CAL. ADM. CODE 2907.
2. FIND THAT GRANTING OF THE APPLICATION 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 JULY 1, 1976, WITH LESSEE'S OPTION TO RENEW FOR 3 SUCCESSIVE PERIODS OF 10 YEARS EACH; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$100 WHICH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; PAYMENT OF BACK RENTAL IN THE AMOUNT OF \$541.86 FOR PRIOR OCCUPATION OF THE PREMISES; 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 12 KV OVERHEAD ELECTRICITY TRANSMISSION LINE ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

W 21029

A 25 foot wide strip of land extending entirely across the state owned bed of Lagunitas Creek, approximately one(1) mile westerly of the community of Point Reyes Station, 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 Park 1967," and having California State Zone 3 Coordinates of, x- 1,332,319.30, y- 577,418.59; thence from said point of commencement N 23° 25' W 922.5 feet to an existing powerpole; thence N 61° 51' E 189.79 feet to the TRUE POINT OF BEGINNING, said point being on a line between Sta #15 and Sta #16, shown on that certain map (CB-1162) entitled, "Map of the Boundary between Sovereign Lands and the W.G. & L.G. Giacomini Property, along Lagunitas Creek", and recorded under serial #35248 Nov. 8, 1961 (can H) of Marin County records, and from said point, Sta #16 of said boundary bears along said line S 21° 06' 17" E 83.24 feet; thence from said point of beginning, continuing N 61° 51' E 195.58 feet to the end of the herein described centerline, and being a point on a line between Sta #37 and Sta #38 shown on the aforementioned map, and from said point, Sta #38 of said boundary bears along said line N 00° 39' 04" W 218.09 feet.

END OF DESCRIPTION

Prepared *John K. Herin* Checked *R. L. Blake*  
Reviewed *J. P. Kinnick* Date *1/27/76*