

MINUTE ITEM

This Calendar Item No. C12  
was approved as Minute Item  
No. 12 by the State Lands  
Commission by a vote of 3  
to 0 at its 5/26/77  
meeting.

CALENDAR ITEM

5/77  
WP 2770  
ACS

C12.

AMENDMENT OF RIGHT OF WAY LEASE  
PRC 2770.9

APPLICANT: The Pacific Telephone & Telegraph Company  
1426 Howe Ave., Suite 50  
Sacramento, California 95825

AREA, TYPE LAND AND LOCATION:  
A 100' x 425' (0.976 acre) strip of tide and  
submerged land in the bed of Middle River at  
Tracy Blvd. Bridge, San Joaquin County.

LAND USE: Relocate an existing telephone cable to  
accommodate reconstruction of existing county  
road bridge.

TERMS OF ORIGINAL LEASE:

Initial period: Continuous use plus 1 year  
from August 28, 1961.

Consideration: Exempt pursuant to Section  
7901, of the Public Utilities  
Code.

TERMS OF PROPOSED AMENDED LEASE:

Initial period: Continuous use plus 1 year  
from August 28, 1961.

Consideration: Exempt pursuant to Section  
7901, of the Public Utilities  
Code.

PREREQUISITE TERMS, FEES AND EXPENSES:

Applicant is permittee of upland.

Filing fee and processing costs have 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.

C. Public Utilities Code Section 7901.

OTHER PERTINENT INFORMATION:

1. The annual rental value of the site is  
estimated to be \$200.

2. The existing telephone cable is being re-  
located temporarily to accommodate the

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reconstruction of an existing county road bridge. Upon completion of bridge construction, cable will be reinstalled in a permanent conduit on the bridge.

3. An Environmental Impact Report is not required. This transaction is within the purview of 2 Cal. Adm. Code 2907, Class 1B 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. This section also provides for the minor modification of an existing facility.

4. This project is situated on State land identified as possessing significant environmental values pursuant to Public Resources Code 6370.1, and is classified in a use category, Class B which authorizes limited use.

Staff review indicates that there will be no significant effect upon the identified environmental values. This is a minor modification of an existing facility for which no adverse comments have been received.

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 AMENDMENT WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1, OF THE PUBLIC RESOURCES CODE.
3. AUTHORIZE ISSUANCE TO THE PACIFIC TELEPHONE & TELEGRAPH COMPANY OF AN AMENDMENT TO LEASE PRC 2770.9 DATED AUGUST 28, 1961; WHICH IS EXEMPT FROM CONSIDERATION PURSUANT TO SECTION 7901 OF THE PUBLIC RESOURCES CODE; FOR THE TEMPORARY RELOCATION AND REPLACEMENT OF AN EXISTING TELEPHONE CABLE ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

WP 2770

A strip of tide and submerged land in the bed of the Middle River at Tracy Boulevard, San Joaquin County, California, said strip being 50 feet on each side of the following described centerline:

BEGINNING at the centerline of the south abutment of Bridge No. 1438 (Tracy Boulevard bridge); thence N 13° 00' W, 464 feet to the end of the herein described centerline.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of Middle River.

END OF DESCRIPTION

Prepared *M. D. [Signature]* Checked *R. H. [Signature]*  
Reviewed *[Signature]* Date 2/23/77

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