

MINUTE ITEM

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CALENDAR ITEM

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W 21585

Scott

PRC 5435

GENERAL LEASE
RIGHT-OF-WAY USE

APPLICANT: General Telephone Company
of California
15900 Los Gatos Boulevard
Los Gatos, California 95030

AREA, TYPE LAND AND LOCATION:
A .106 acre parcel of tide and submerged
land in Seven Mile Slough between Andrus
Island and Owl Island, San Joaquin County.

LAND USE: Maintenance of an existing overhead telephone
cable on an existing Pacific Gas and Electric
Company pole line.

TERMS OF PROPOSED LEASE:
Term: Continuous use plus one
year from May 27, 1977.

CONSIDERATION: Exempt by law, Section 7901, 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 \$100.

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2. An EIR 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.
3. 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 has coordinated this project with those agencies and organizations who nominated the site as containing significant environmental values. They have found this project to be compatible with their nomination.

4. The telephone cable was installed on an existing Pacific Gas and Electric Company overhead power pole line in May 1977. The telephone company did not know of our jurisdiction until notified through the United States Army Corps of Engineers public notice review program that a lease would be required. The company then applied for a lease covering the existing facilities.

EXHIBITS: A. Land Description. B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN EIR 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, OF THE PUBLIC RESOURCES CODE.

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3. AUTHORIZE ISSUANCE TO GENERAL TELEPHONE COMPANY OF CALIFORNIA OF A CONTINUOUS USE PLUS 1-YEAR, GENERAL LEASE - RIGHT-OF-WAY USE FROM MAY 27, 1977; WHICH LEASE IS EXEMPT FROM CONSIDERATION BY LAW UNDER SECTION 7901, PUBLIC UTILITIES CODE; FOR THE CONTINUED MAINTENANCE OF AN EXISTING OVERHEAD TELEPHONE CABLE ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

W 21535

A strip of tide and submerged land 25 feet wide, in Sevenmile Slough, situated between Andrus and Owl Islands, Sacramento County, California, said strip lying 12.5 feet on each side of the following described centerline:

BEGINNING at a point on Andrus Island from which U.S.C. & G.S. Triangulation Station "JACKSON" bears N 09° 29' W, 79° 5.9 feet; thence S 20° 02' W, 290 feet to a point on Owl Island.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water marks of Sevenmile Slough.

END OF DESCRIPTION

Prepared *[Signature]* Checked *F. A. T. [Signature]*
Reviewed *[Signature]* Date *11/10/77*