

MINUTE ITEM

This Contract Item No. C7
was presented at the meeting
of the Board of Directors
at its meeting held on 2/23/78
at its meeting.

CALENDAR ITEM

C7.

2/78
WP 2964
Maricle
PRC 2964

TERMINATION AND REPLACEMENT
OF GENERAL LEASE

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

AREA, TYPE LAND AND LOCATION: 21.02 acres, tide and submerged land, Carquinez
Strait, Contra Costa and Solano Counties.

LAND USE: Overhead electrical transmission facility.

TERMS OF ORIGINAL LEASE:
Initial period: 15 years from May 13,
1962.

Renewal options: 3 successive periods
of 10 years each.

Consideration: \$580.90 per annum.

TERMS OF REPLACEMENT:
Initial period: 15 years from May 13,
1977.

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: \$1,512 per annum, with the State reserving
the right to fix a different rental on
each fifth anniversary of the lease.

BASIS FOR CONSIDERATION:
8% of appraised value of land.

PREREQUISITE TERMS, FEES AND EXPENSES:
Applicant is permittee of upland.

Filing fee has been received.

A 4, 7
S 8, 11

CALENDAR ITEM NO. C7. (CONTD)

STATUTORY AND OTHER REFERENCES:

- A. Public Resources Code: Div. 6, Parts 1 & 2.
- B. Administrative Code: Title 2, Div. 3,
Arts. 1, 2, 6.5,
10 & 11.

OTHER PERTINENT INFORMATION:

1. This transaction terminates an existing lease between Pacific Gas and Electric Company and the State Lands Commission, Lease PRC 2964.1, dated January 17, 1962, and replaces it with a new agreement which incorporates the Commission's current leasing policies.
2. An EIR 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.
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 C which authorizes Multiple Use.

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

EXHIBIT: A. Land Description.

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.

CALENDAR ITEM NO. C7. (CONTD)

3. AUTHORIZE TERMINATION OF LEASE PRC 2964.1, DATED JANUARY 17, 1962, AND THE ISSUANCE OF A REPLACEMENT AGREEMENT TO PACIFIC GAS AND ELECTRIC COMPANY FOR A 15-YEAR GENERAL LEASE - RIGHT-OF-WAY USE FROM MAY 13, 1977, WITH LESSEE'S OPTION TO RENEW FOR 3 SUCCESSIVE PERIODS OF 10 YEARS EACH; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$1,512, 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 AN EXISTING TOWER LINE ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

WP 2964

A strip of submerged land 275 feet in width across the Carquinez Strait, Solano and Contra Costa Counties, lying 50 feet on the southeasterly side and 225 feet on the northwesterly side of the following described line:

COMMENCING at Station 126 as shown upon the map entitled "Survey of the Mean Low Water Line Along the Banks of the Carquinez Strait, Vicinity of Sempile Point, Solano County," dated July 1955 and filed in Book 7 of Surveys at Page 9 Solano County Records; thence N 03° 21' 22" E, 638.72 feet to the POINT OF BEGINNING; thence S 23° 52' 29" W, 4900 feet to the end of the herein described line.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of Carquinez Strait.

ALSO EXCEPTING THEREFROM those interests - in - land, if any, which passed by virtue of the Patent issued to (1) Thomas Grennan, June 3, 1869, for the land described in Tideland Survey No. 11, Contra Costa County; (2) Port Coast Lumber Co., June 24, 1903, for the land described in Tideland Location No. 226, Contra Costa County; (3) Wm. W. Fitch, April 1, 1868, for the land described in Tideland Survey No. 13, Solano County.

END OF DESCRIPTION

Prepared Frank F. Owens Checked A. H. Hummel
Reviewed Robert B. ... Date 9/21/71