

MINUTE ITEM

This Calendar Item No. C9
was adopted as a Calendar Item
No. 9 by the Lands
Commission by a vote of 2
to 0 at its 4/26/79
meeting.

C9.

4/79
WP 3099
Reese
PRC 3099

GENERAL LEASE
RIGHT-OF-WAY USE

APPLICANT: Pacific Gas and Electric Company
5555 Florin-Perkins Road
P.O. Box 7444
Sacramento, California 95828

AREA, TYPE LAND AND LOCATION:
A 6.246 acre parcel of tide and submerged
land in the Petaluma River, 1 mile east
of Novato, Marin and Sonoma Counties.

LAND USE: Operation and maintenance of existing overhead
powerlines.

TERMS OF ORIGINAL LEASE:

Initial period: 15 years from January 30,
1964.

Renewal options: 3 successive periods
of 10 years each.

Consideration: \$248.25 per annum.

TERMS OF PROPOSED AMENDMENT AND RENEWAL:

Initial period: 30 years from January 30,
1979.

CONSIDERATION: \$300 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.

STATUTORY AND OTHER REFERENCES:

A. P.R.C.: Div. 6, Parts 1 & 2.

B. Cal. Adm. Code: Title 2, Div. 3.

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OTHER PERTINENT INFORMATION:

1. Original lease is being amended to reflect:
 - a. Rental update.
 - b. To bring the lease format under current leasing policy.
2. An EIR is not required. This transaction is within the purview of 2 Cal. Adm. Code 2907, Class 1(B), 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 P.R.C. 6370.1, and is classified in a use category, Class B, which authorizes Limited Use.

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 P.R.C. 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 P.R.C.
3. AUTHORIZE ISSUANCE TO PACIFIC GAS AND ELECTRIC COMPANY OF A 30-YEAR AMENDMENT AND RENEWAL OF A GENERAL LEASE - RIGHT-OF-WAY USE FROM JANUARY 30, 1979; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$300, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; FOR OVERHEAD WIRE CROSSING FOR TRANSMISSION OF POWER FOR COMMERCIAL USE ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT A

WP 3099

A strip of tide and submerged land 50 feet on each side of that centerline as shown on Pacific Gas and Electric Company drawing entitled "Proposed overhead wire crossing over Petaluma Creek 1 mile N.W. of Black Point, Marin and Sonoma Counties, California", dated October 19, 1967 and on file with the staff on the State Lands Commission.

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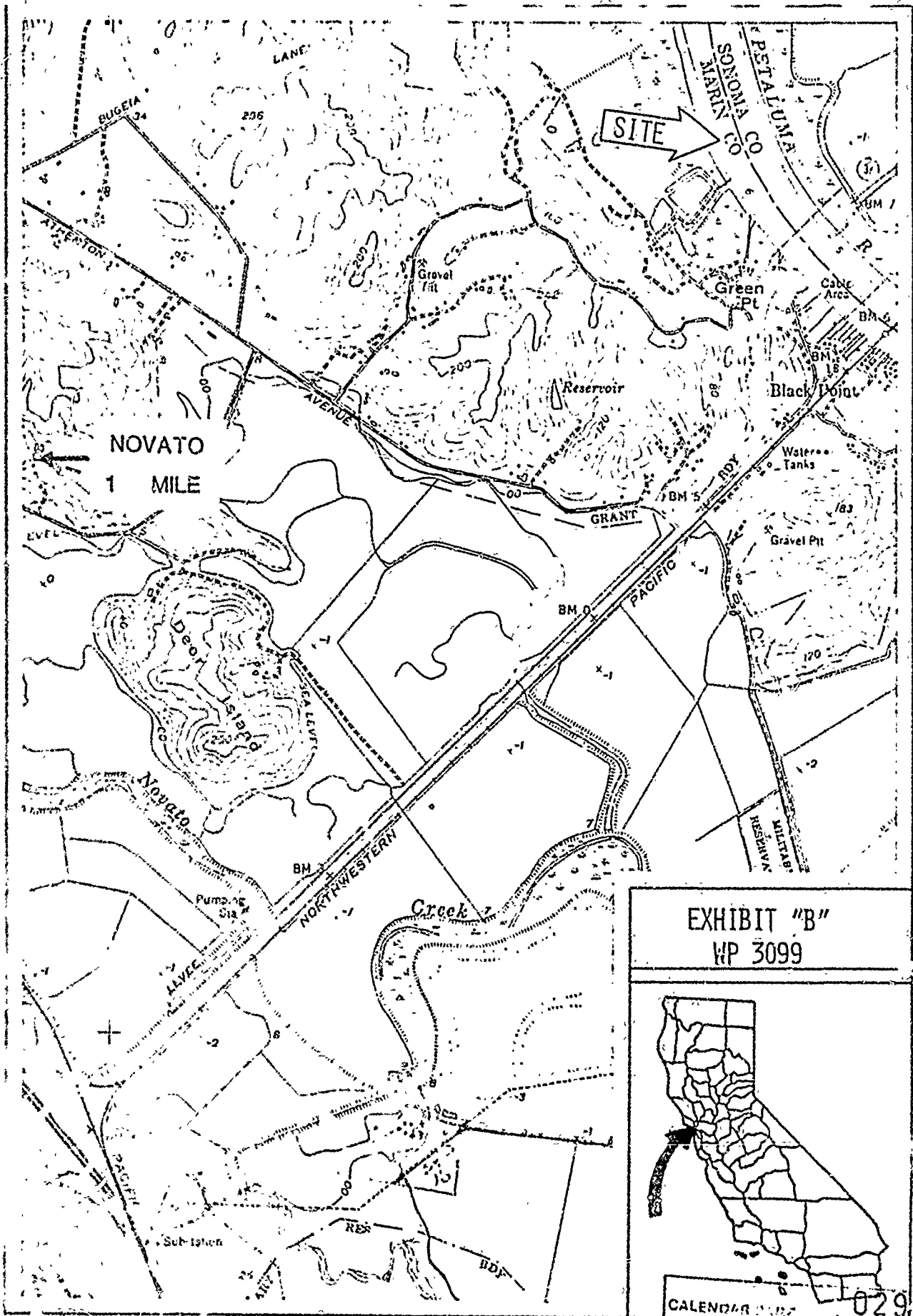


EXHIBIT "B"
 WP 3099



CALENDAR 029
 MINUTI 674