

**MINUTE ITEM**

This Calendar Item No. C14 was approved as Minute Item No. 14 by the California State Lands Commission by a vote of 3 to 0 at its 6-27-00 meeting.

**CALENDAR ITEM  
C14**

A 12, 27, 33, 35, 53, 78

06/27/00

S 8, 15, 18, 28, 39

PRC 8168.9

B. Dugal

**ASSIGNMENT OF PERMIT**

**PERMITTEE/ASSIGNOR:**

Global Photon Systems, Inc.  
600 West Broadway, #1200  
San Diego, California 92101

**ASSIGNEE:**

Global West Network, Inc.  
600 West Broadway, #1200  
San Diego, California 92101

**AREA, LAND TYPE, AND LOCATION:**

76 acres, more or less, of sovereign lands in the Pacific Ocean, offshore of San Francisco, Santa Cruz, Monterey, San Luis Obispo and Santa Barbara counties.

**AUTHORIZED USE:**

Construction, installation, operation, maintenance, and use of five steel conduits and one fiber optic cable for use in connection with or to facilitate communication by telephone.

**PERMIT TERM:**

Continuous use plus one year, commencing April 20, 2000.

**CONSIDERATION:**

No monetary consideration shall be charged for the placement, use and maintenance of fiber optic cables or other similar transmission devices placed by those qualifying under the scope of Section 7901 of the Public Utilities Code.

**BACKGROUND INFORMATION:**

On April 20, 2000, the California State Lands Commission (CSLC) authorized the issuance of Permit No. PRC 8168.9 to Global Photon Systems, Inc. (Global Photon) as a rent-free Right of Way Permit pursuant to Public Utilities Code Section 7901 (PUC §7901). Global Photon has now requested the CSLC's

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approval to assign the Permit to its wholly owned subsidiary, Global West Network, Inc.

**OTHER PERTINENT INFORMATION:**

1. Pursuant to PUC §7901, telephone corporations may construct and operate lines and equipment along and upon any public road, highway or the navigable waters of the State, without payment of compensation, provided the lines and facilities do not interfere with the public use. In order to qualify for the rent-free use of public lands under PUC §7901, an applicant must be authorized to provide telecommunication services within the State of California, and the facilities in question must be operated for the purpose of providing telecommunication services to the public. The Assignee has represented that (i) it is a "telephone corporation" within the meaning of Public Utilities Code section 234, (ii) that the authorized improvements to be located within the right of way applied for in the Permit constitute a "telephone line" within the meaning of Public Utilities Code section 233, (iii) that the Assignee is authorized to provide intrastate telephone services pursuant to California Public Utilities Commission (CPUC) Decision No. 99-06-076 (CPCN), (iv) that the Assignee is authorized to handle interstate and international telecommunication traffic in accordance with 47 USC section 214 and (v) that the authorized improvements as described in and categorized by Permit No. PRC 8168 will be operated by the Assignee as a public utility under the authority of the CPCN issued by the CPUC for the purpose of providing telephone service to the public on a nondiscriminatory basis.
  
2. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of the CEQA because the activity is not a "project" as defined by the CEQA and the State CEQA Guidelines.

Authority: Public Resources Code section 21065 and Title 14, California Code of Regulations, section 15378.

**EXHIBITS:**

- A. Location/Site Map – San Francisco Landing
- B. Location/Site Map – Manressa Beach Landing
- C. Location/Site Map – Carmel Highlands Landing
- D. Location/Site Map – San Luis Obispo North End Landing

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CALENDAR ITEM NO. **C14** (CONT'D)

- E. Location/Site Map – San Luis Obispo South End Landing
- F. Location/Site Map – Santa Barbara Channel Cable Southern Portion
- G. Location/Site Map – Santa Barbara Channel Cable Northern Portion
- H. Location/Site Map – Santa Barbara Channel Cable Parcel 2

**PERMIT STREAMLINING ACT DEADLINE:**

N/A

**RECOMMENDED ACTION:**

IT IS RECOMMENDED THAT THE COMMISSION:

**CEQA FINDING:**

FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY PUBLIC RESOURCES CODE SECTION 21065 AND TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15378.

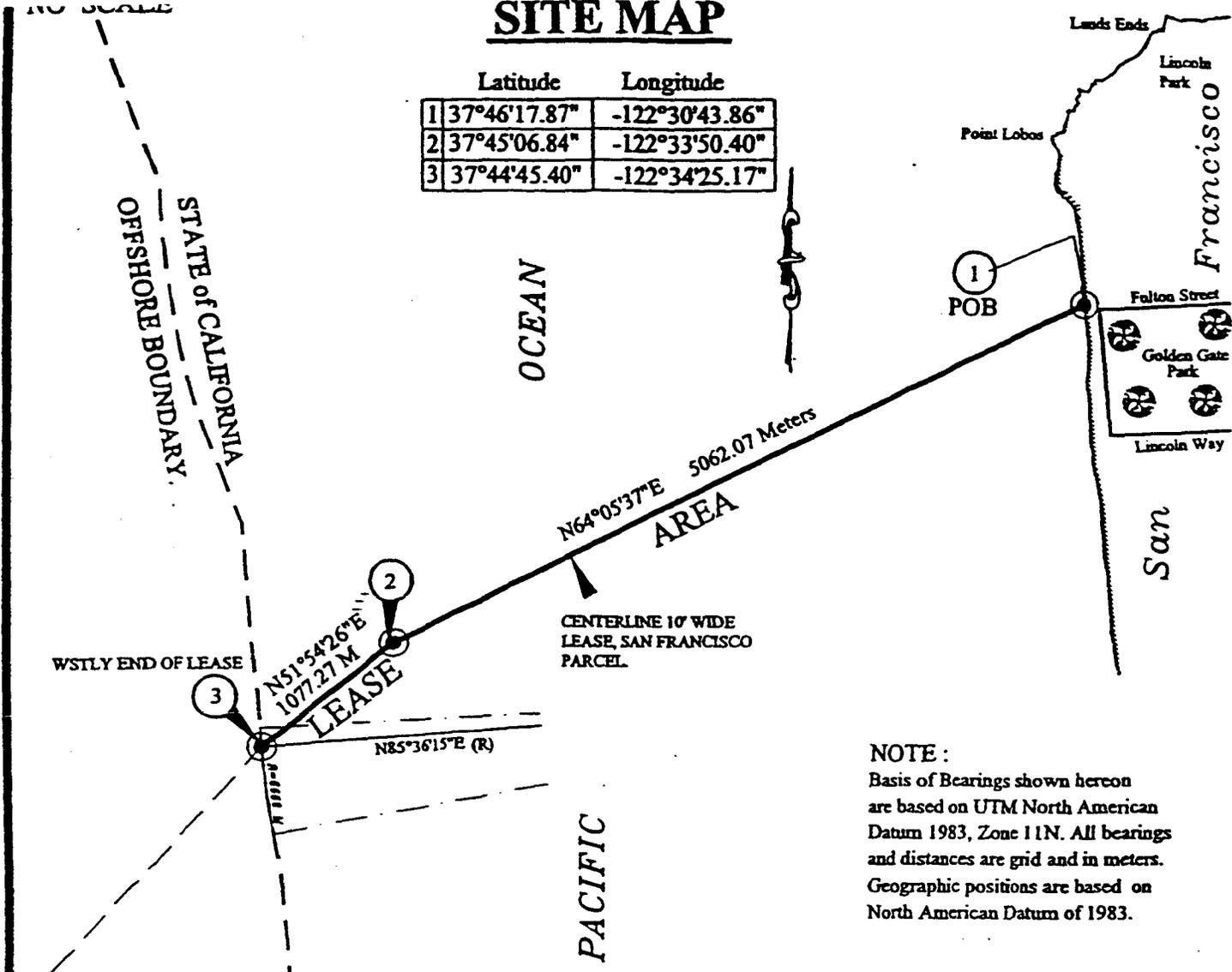
**AUTHORIZATION:**

AUTHORIZE THE ASSIGNMENT OF PERMIT NO. PRC 8168.9, A GENERAL PERMIT - TELEPHONE LINE RIGHT OF WAY USE, OF SOVEREIGN LANDS SHOWN ON EXHIBITS A THROUGH H ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF, FROM GLOBAL PHOTON SYSTEMS, INC., TO GLOBAL WEST NETWORK, INC.; EFFECTIVE JULY 1, 2000.

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# SITE MAP

	Latitude	Longitude
1	37°46'17.87"	-122°30'43.86"
2	37°45'06.84"	-122°33'50.40"
3	37°44'45.40"	-122°34'25.17"

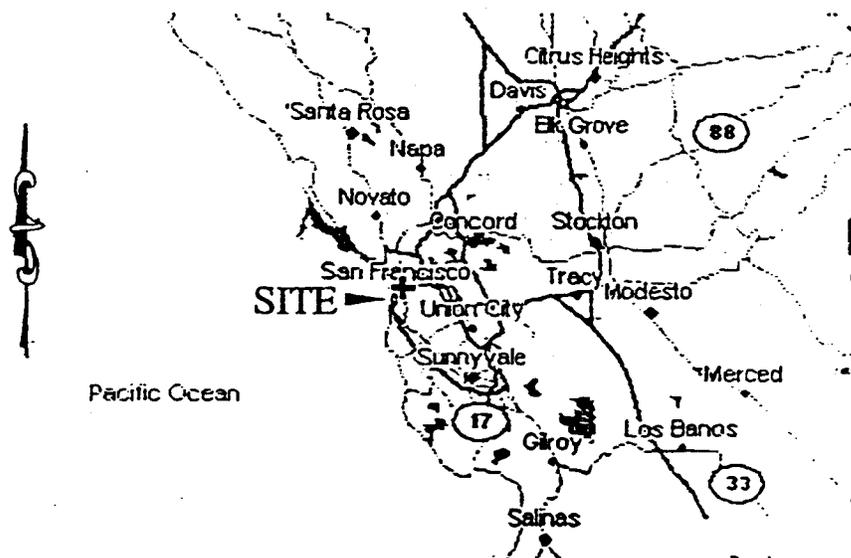


**NOTE :**

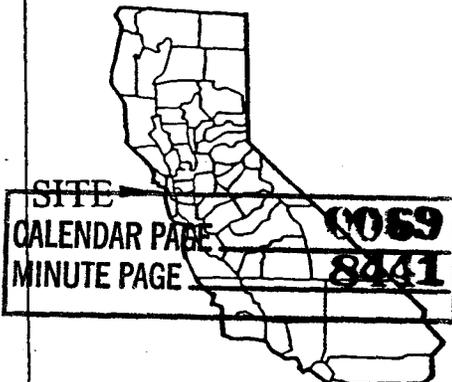
Basis of Bearings shown hereon are based on UTM North American Datum 1983, Zone 11N. All bearings and distances are grid and in meters. Geographic positions are based on North American Datum of 1983.

NO SCALE

# LOCATION MAP



**EXHIBIT A**  
**PRC 8168**  
**GLOBAL PHOTON**  
**SYSTEMS INC.**  
**MANRESSA LANDING**  
 to  
**SAN FRANCISCO**



This Exhibit is solely for purposes of generally defining the lease premises, and is not intended to be, nor shall it be construed as, a waiver of limitation of any state interest in the subject or any other property.

**PRELIMINARY - CONCEPTUAL**  
 Actual position will vary from this description and plat. Final land description plat will be based on asbuilt cable loca supplied by the lessee.

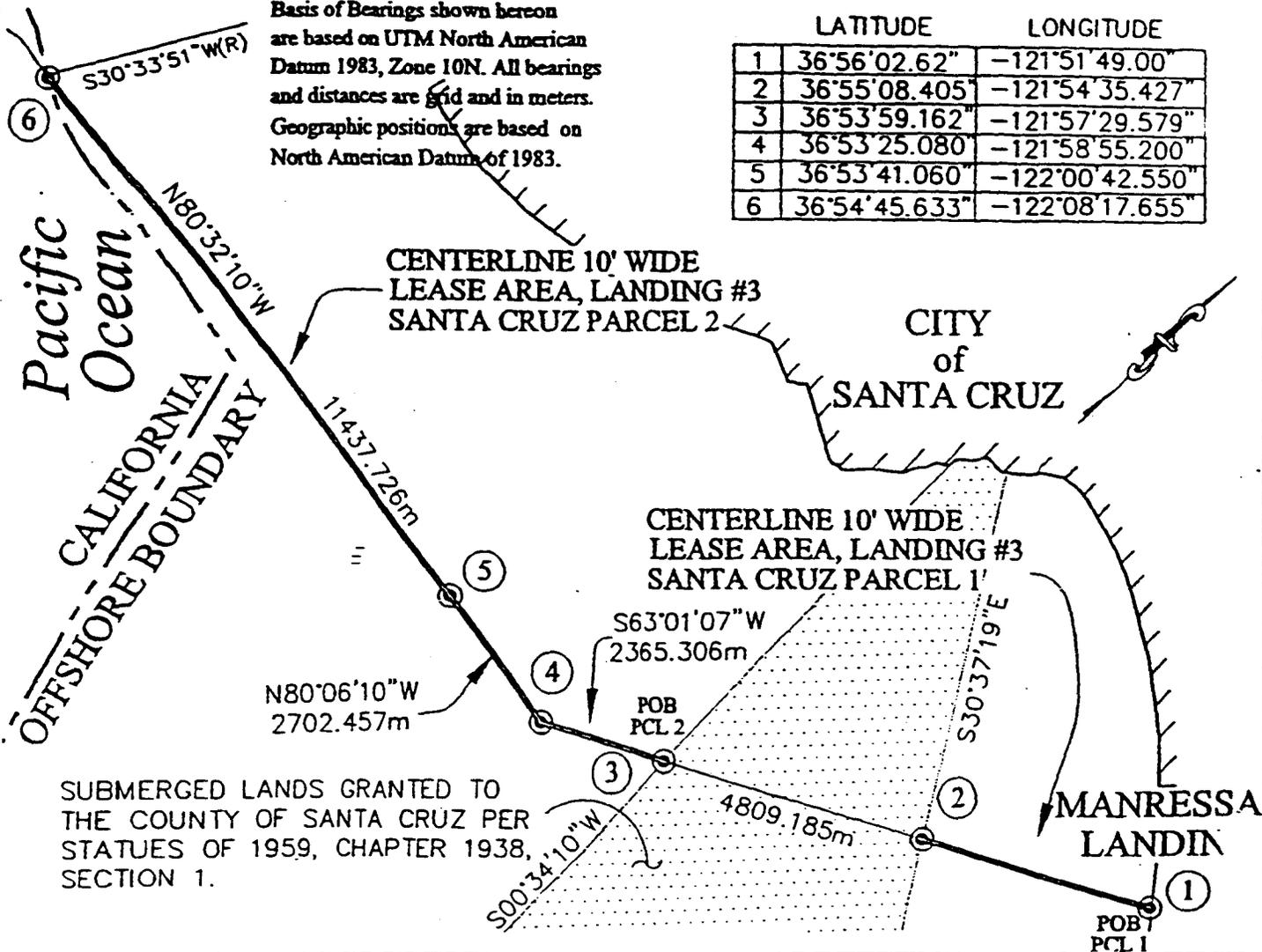
NO SCALE

**NOTE:**

**SITE MAP**

Basis of Bearings shown hereon are based on UTM North American Datum 1983, Zone 10N. All bearings and distances are grid and in meters. Geographic positions are based on North American Datum of 1983.

	LATITUDE	LONGITUDE
1	36°56'02.62"	-121°51'49.00"
2	36°55'08.405"	-121°54'35.427"
3	36°53'59.162"	-121°57'29.579"
4	36°53'25.080"	-121°58'55.200"
5	36°53'41.060"	-122°00'42.550"
6	36°54'45.633"	-122°08'17.655"



NO SCALE

**LOCATION MAP**

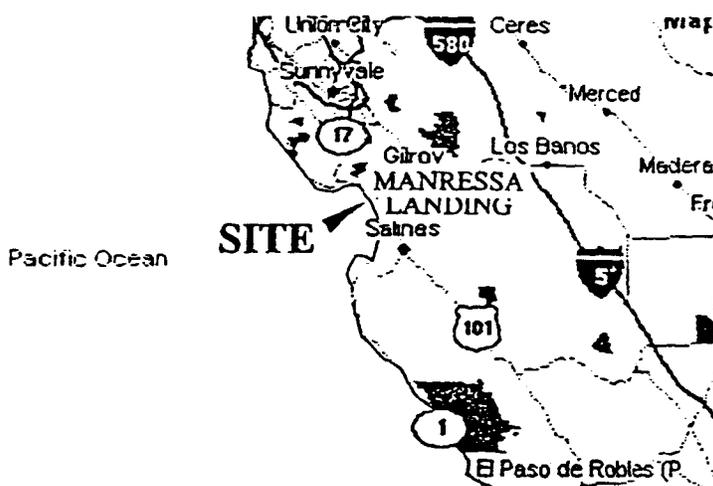


EXHIBIT B / PRC 8168

GLOBAL PHOTON SYSTEMS INC. MANRESSA LANDING to SAN FRANCISCO



CALENDAR PAGE 0070 MINUTE PAGE 8442

SITE

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Pacific Ocean  
NO SCALE

**SITE MAP**

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STATE OF CALIFORNIA  
OFFSHORE  
BOUNDARY

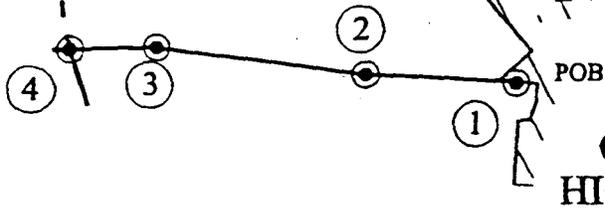
CITY of MONTEREY

CARMEL BY THE SEA

CENTERLINE 10' WIDE LEASE AREA, LANDING #2 CARMEL

LATITUDE LONGITUDE

1	36°30'19.6"	-121°56'15"
2	36°30'03"	-121°57'52"
3	36°00'02.95"	-121°00'02.95"
4	36°29'38.044"	-122°00'54.013"



CARMEL HIGHLANDS

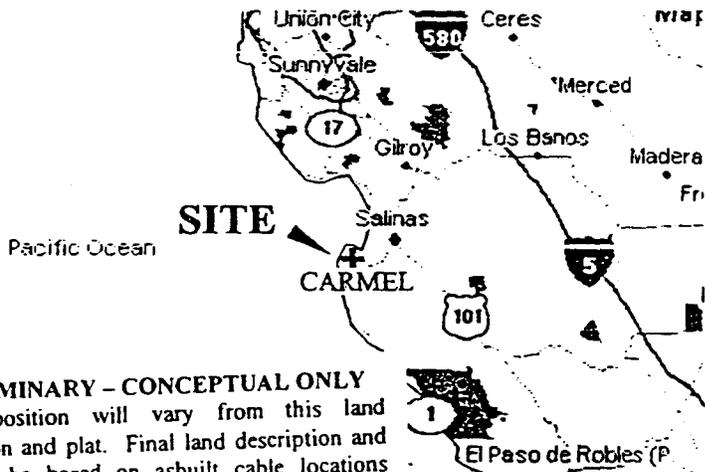
NO SCALE

**LOCATION MAP**

EXHIBIT C  
PRC 8168

GLOBAL PHOTON  
SYSTEMS INC.

MORRO BAY  
to  
CARMEL

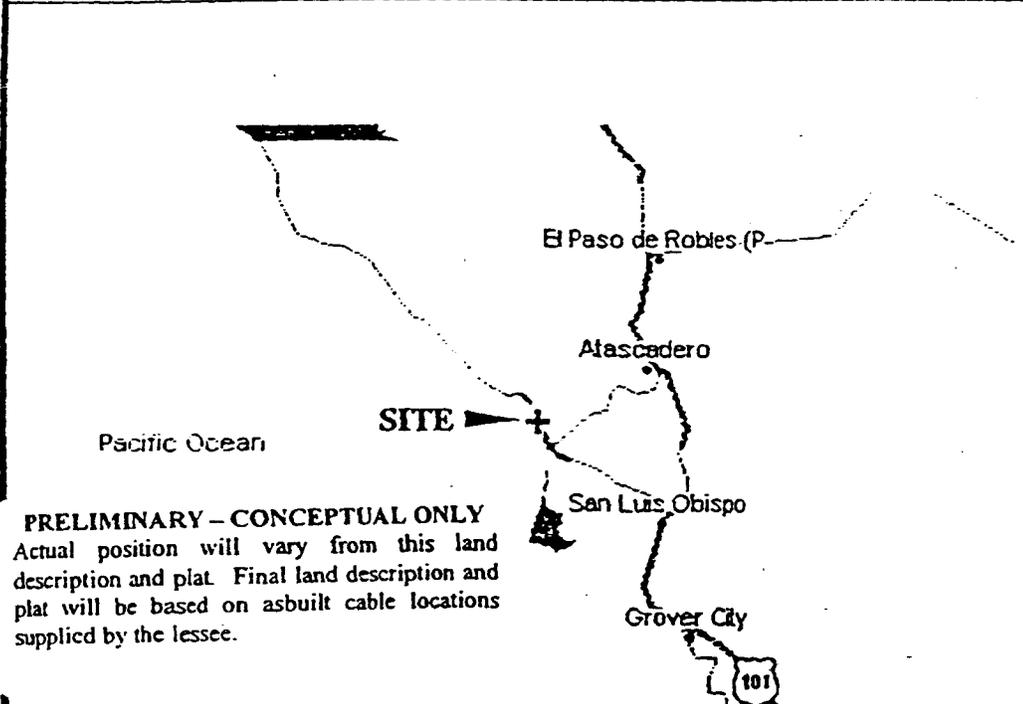
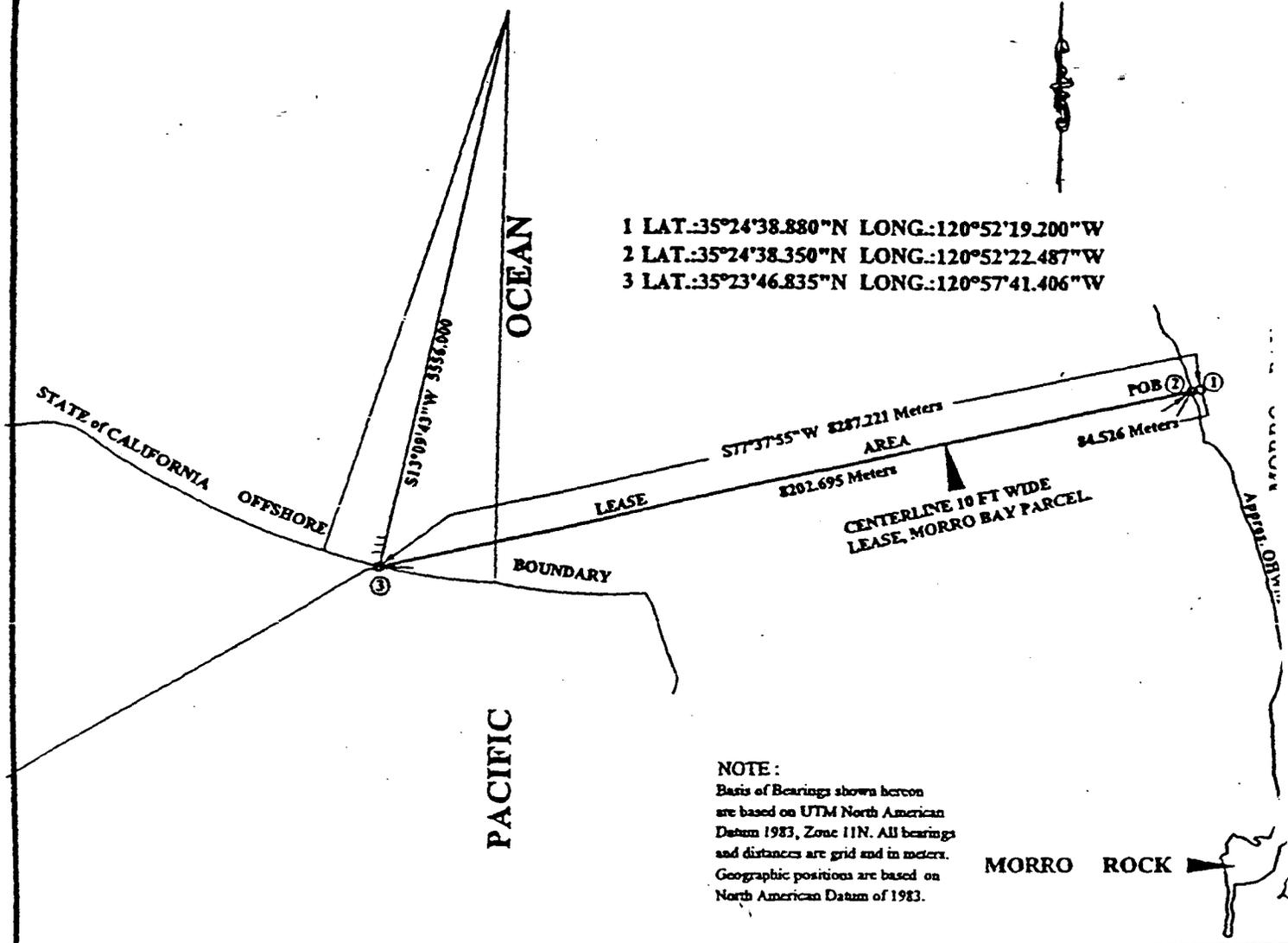


CALENDAR PAGE 0071  
SITE MINUTE PAGE 8443

**PRELIMINARY - CONCEPTUAL ONLY**  
Actual position will vary from this land description and plat. Final land description and plat will be based on asbuilt cable locations supplied by the lessee:

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# SITE MAP



**EXHIBIT D**  
**PRC 8168**  
**GLOBAL PHOTON**  
**SYSTEMS INC**  
**SANTA BARBARA TO**  
**SAN LUIS OBISPO**  
**NORTH END**

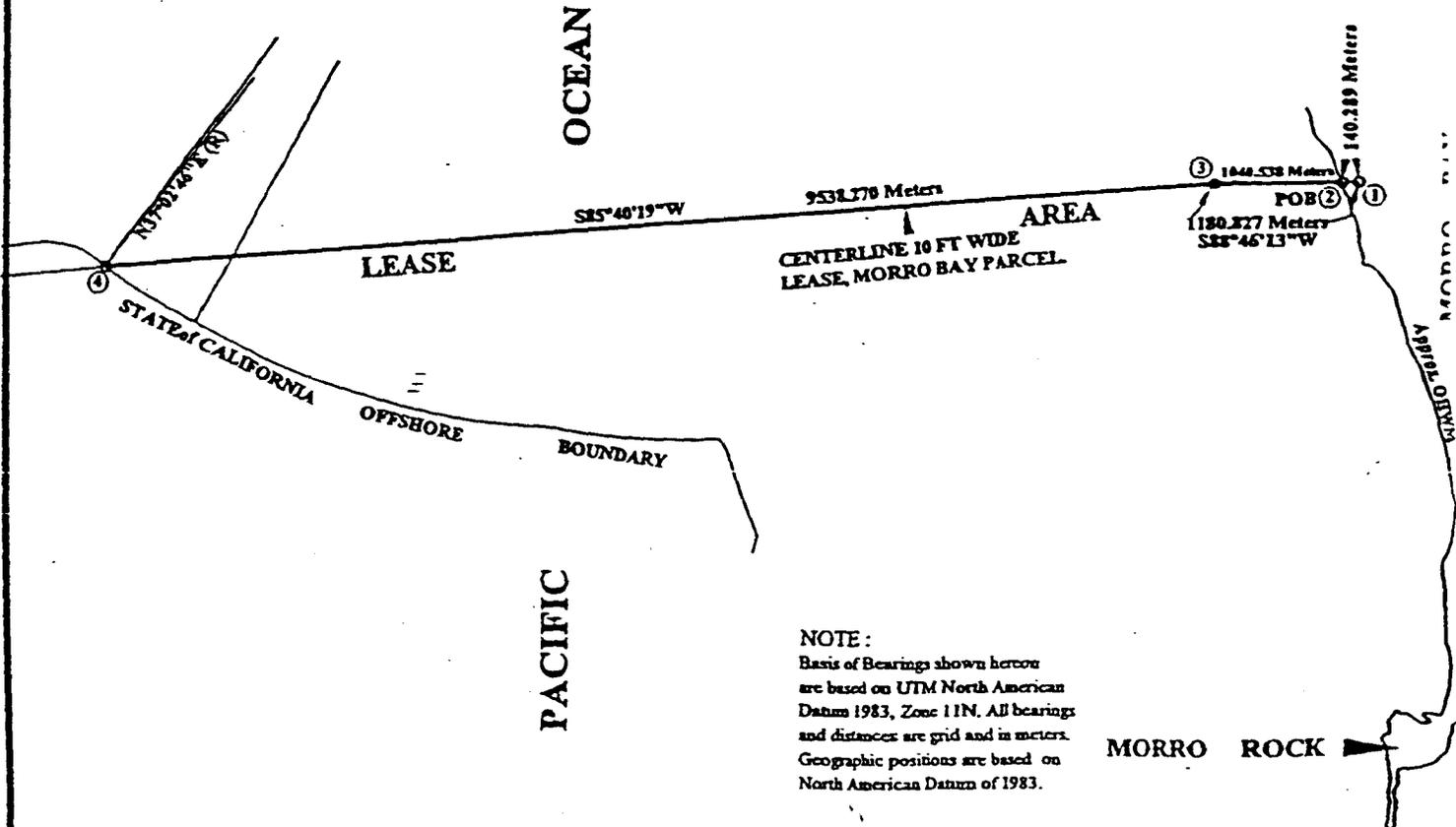
CALENDAR PAGE **0072**

MINUTE PAGE **8444**

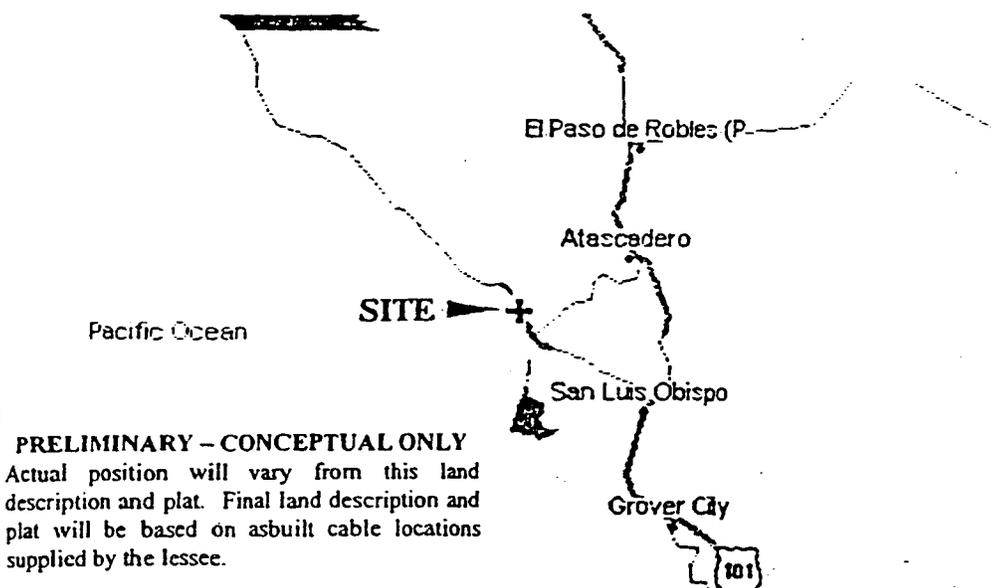
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# SITE MAP

- 1 LAT.:35°24'45.000"N LONG.:120°52'19.200"W
- 2 LAT.:35°24'45.000"N LONG.:120°52'24.760"W
- 3 LAT.:35°24'45.000"N LONG.:120°53'06.000"W
- 4 LAT.:35°24'28.088"N LONG.:120°59'23.466"W



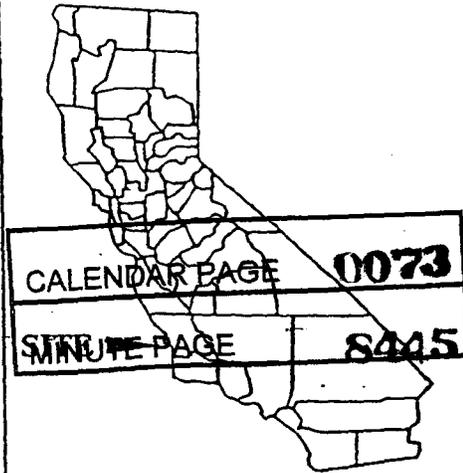
**NO SCALE LOCATION MAP**



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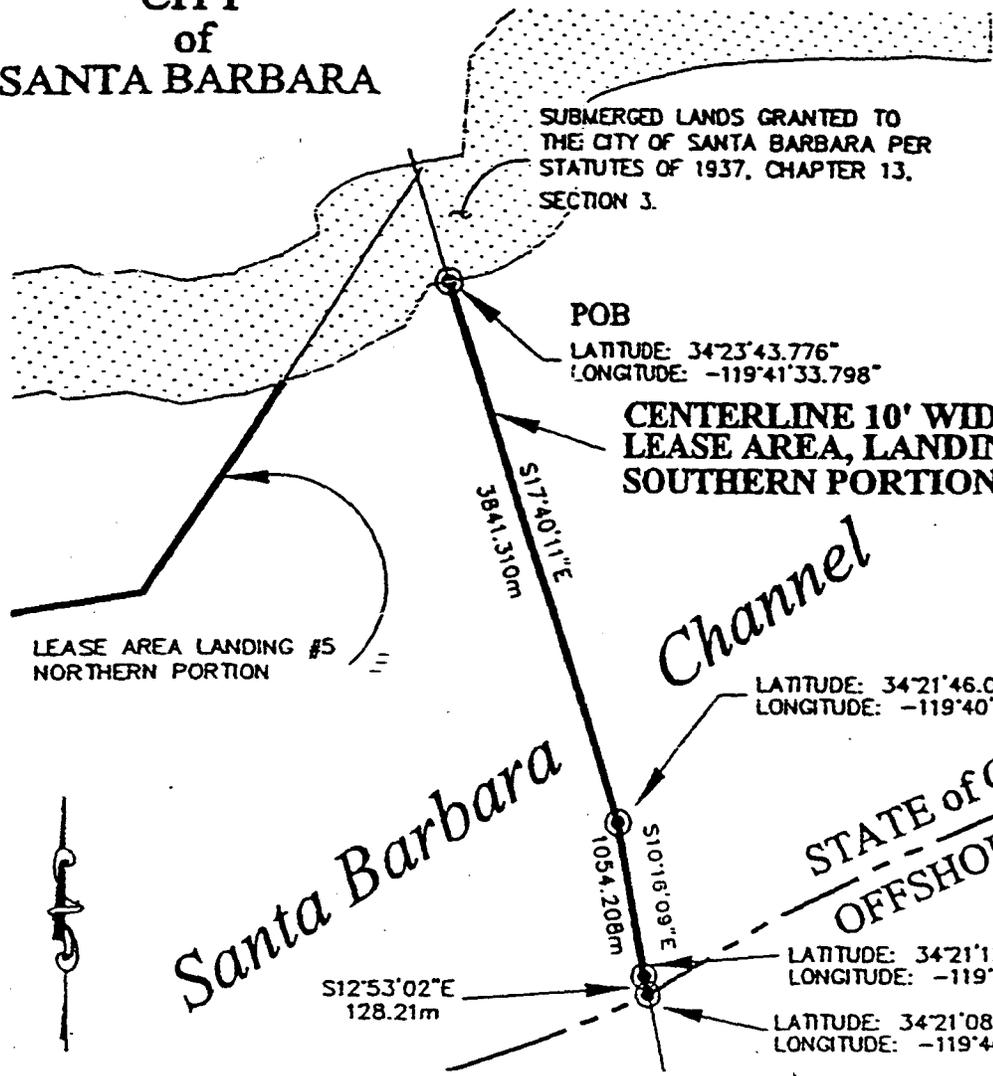
**EXHIBIT E**  
**PRC 8168**  
**GLOBAL PHOTON**  
**SYSTEMS INC**  
**MORRO BAY TO**  
**MONTEREY**  
**SOUTH END**



**CITY  
of  
SANTA BARBARA**

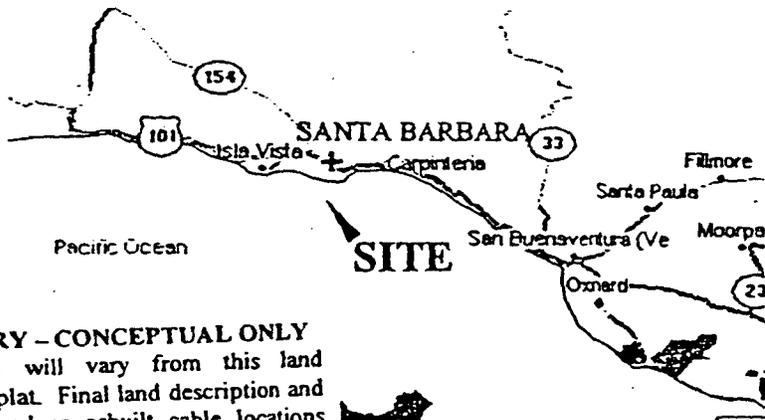
**SITE MAP**

**NOTE :**  
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Datum 1983, Zone 11N. All bear-  
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NO SCALE

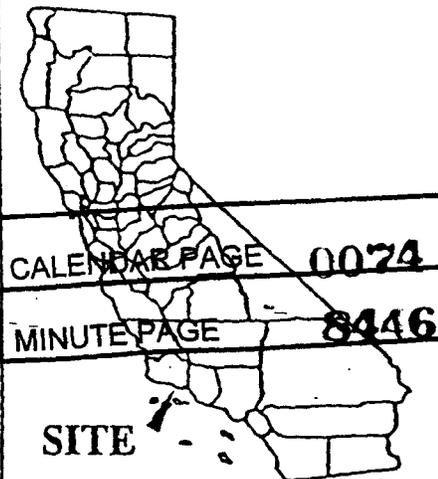
**LOCATION MAP**



**EXHIBIT F  
PRC 8168**

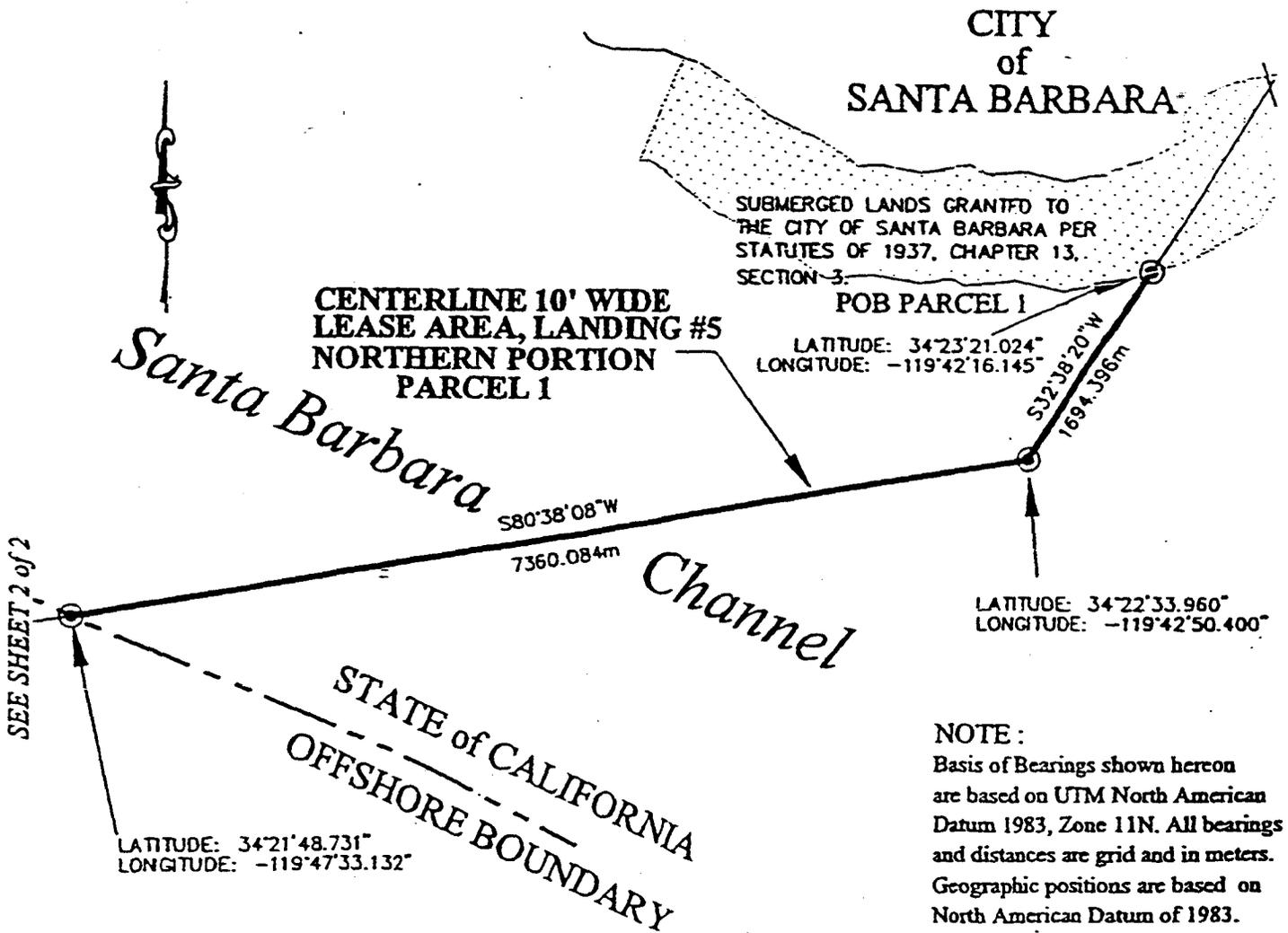
**GLOBAL PHOTON  
SYSTEMS INC.  
MANHATTAN BEACH  
to  
SANTA BARBARA**

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supplied by the lessee.



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**SITE MAP**



NO SCALE

**LOCATION MAP**

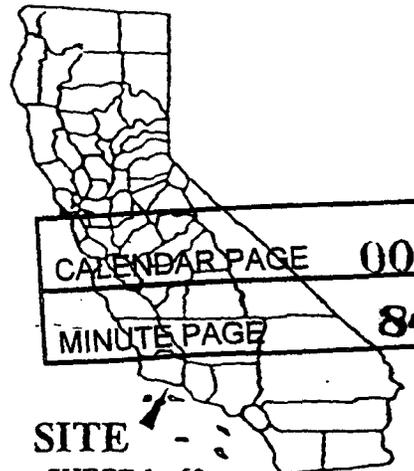


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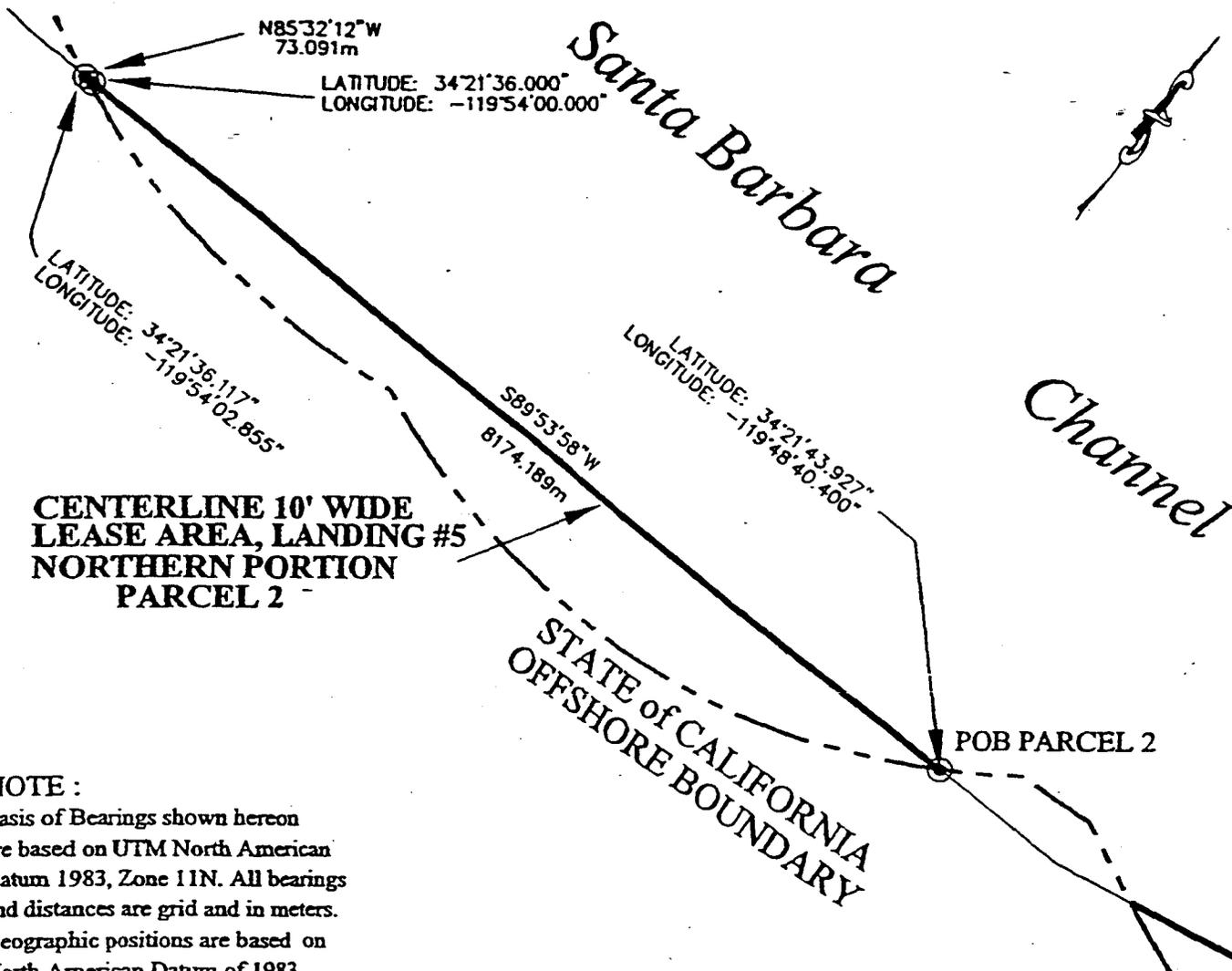
**EXHIBIT G  
PRC 8168**

**GLOBAL PHOTON  
SYSTEMS INC.  
SANTA BARBARA  
to  
MORRO BAY**



NO SCALE

# SITE MAP



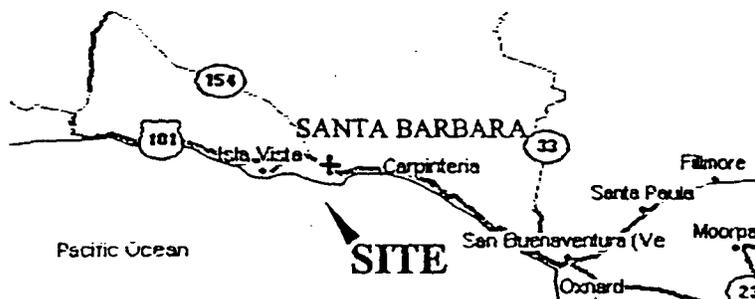
### NOTE :

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SEE SHEET 1 of 2

NO SCALE

# LOCATION MAP



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**EXHIBIT H  
PRC 8168**

**GLOBAL PHOTON  
SYSTEMS INC.  
SANTA BARBARA  
to  
MORRO BAY**

