

MINUTE ITEM

9/29/75
EPW
W 20974

8. 15-YEAR RIGHT OF WAY, TIDE AND SUBMERGED LAND IN MIDDLE RIVER, 6 MILES NORTHEAST OF TRACY, SAN JOAQUIN COUNTY; PACIFIC GAS AND ELECTRIC COMPANY - W 20974, PRC 5049.

After consideration of Calendar Item 6 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION:

1. DETERMINES 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(a).
2. AUTHORIZES ISSUANCE TO PACIFIC GAS AND ELECTRIC COMPANY OF A 15-YEAR RIGHT OF WAY FROM SEPTEMBER 29, 1975, WITH LESSEE'S OPTION TO RENEW FOR 3 SUCCESSIVE PERIODS OF 10 YEARS EACH; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$100 WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON SEPTEMBER 29, 1976 AND ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF PUBLIC LIABILITY INSURANCE IN THE AMOUNTS OF \$1,000,000 PER OCCURRENCE FOR BODILY INJURY AND \$500,000 FOR PROPERTY DAMAGE; FOR A 12-INCH CARRIER WITHIN A 16-INCH CASING FOR THE TRANSMISSION OF NATURAL GAS; ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment:
Calendar Item 6 (3 pages)

A 26
S 13

CALENDAR ITEM

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6.

RIGHT OF WAY

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

AREA, TYPE LAND AND LOCATION:
A 0.058 acre parcel of tide and submerged land
in Middle River, 6 miles northeast of Tracy,
San Joaquin County.

LAND USE: A 12-inch carrier within a 16-inch casing for
the transmission of natural gas.

TERMS OF PROPOSED LEASE:

Initial Period: 15 years, from September 29, 1975.

Renewal Options: 3 successive periods of 10 years
each.

Public liability

insurance:

\$1,000,000 per occurrence for
bodily injury and \$500,000 for
property damage.

CONSIDERATION: \$100 per annum with the State reserving the right
to fix a different rental on September 29, 1976
and on each fifth anniversary of the lease.

BASIS FOR CONSIDERATION:

\$100 minimum rental for this type of lease.

PREREQUISITE TERMS, FEES AND EXPENSES:

Applicant is permittee of upland.

Filing fee has 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.

OTHER PERTINENT INFORMATION:

1. This project calls for the placement of a 16-inch pipe casing which will house a 12-inch carrier pipe for the transmission of natural gas. The 16-inch casing is to be placed within a special utility compartment of Undine Road Bridge (see Lease PRC 4963).

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1055

CALENDAR ITEM NO. 6. (CONTD)

2. This project is situated on State land identified as environmentally significant, pursuant to Public Resources Code 6370.1. The project is determined to be a compatible use consistent with identified significant environmental values. Therefore, an Environmental Impact Report is not required. This transaction is within the purview of 2 Cal. Adm. Code 2907(a) which exempts the construction of minor structures accessory to an existing facility. The environmental considerations of the major project, the construction of Undine Bridge over Middle River, was reviewed and approved by the Commission on November 21, 1974.

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(a).
2. AUTHORIZE ISSUANCE TO PACIFIC GAS AND ELECTRIC COMPANY OF A 15-YEAR RIGHT OF WAY FROM SEPTEMBER 29, 1975, WITH LESSEE'S OPTION TO RENEW FOR 3 SUCCESSIVE PERIODS OF 10 YEARS EACH; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$100 WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON SEPTEMBER 29, 1976 AND ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF PUBLIC LIABILITY INSURANCE IN THE AMOUNTS OF \$1,000,000 PER OCCURRENCE FOR BODILY INJURY AND \$500,000 FOR PROPERTY DAMAGE; FOR A 12-INCH CARRIER WITHIN A 16-INCH CASING FOR THE TRANSMISSION OF NATURAL GAS; ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

W 20974

An easement 10 feet in width, lying 5 feet on each side of a centerline that is 28 feet northerly of and parallel with the southerly line, and extending across the following described parcel.

All that certain tide and submerged land in the bed of Middle River, San Joaquin County, California, lying within the following described boundary:

COMMENCING at a found iron pin marking the most southerly corner of that certain 280.32 acre parcel of land conveyed to Mr. C. A. Moran by deed dated November 8, 1941, recorded November 25, 1941, in Volume 743 of Official Records, page 433, San Joaquin County Records, and being a portion of that certain property designated as Parcel No. 3 on map of survey filed for record in Book of Surveys, Volume 5, page 194, San Joaquin County Records, said iron pin bears S 63° 25' E, 62.9 feet from a found iron pin marking the intersection of Undine Road and "Wing Levee", as shown on said map of survey; thence continuing S 63° 25' E along the centerline of Undine Road (40 feet wide), 329.21 feet; thence leaving said centerline at a right angle, S 26° 35' W, 10.00 feet; thence southeasterly on a curve to the left, radius 2217.90 feet (the long chord of which bears S 69° 06' 18" E, 439.66 feet), an arc distance of 440.39 feet to a point on the westerly levee of Middle River and being the TRUE POINT OF BEGINNING; thence S 55° 35' W along said westerly levee, 52.17 feet; thence leaving said levee and crossing Middle River, southeasterly on a curve to the left, radius 2257.90 feet (the long chord of which bears S 76° 53' 38" E, 233.06 feet), an arc distance of 233.16 feet to a point on the easterly levee of said Middle River; thence N 58° 35' E along said easterly levee, 123.54 feet; thence leaving said easterly levee and crossing Middle River, northwesterly on a curve to the right, radius 2177.90 feet (the long chord of which bears N 78° 59' 22" W, 250.38 feet), an arc distance of 250.52 feet to a point on the aforesaid westerly levee of Middle River; thence S 55° 35' W along said westerly levee, 52.86 feet to the TRUE POINT OF BEGINNING.

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

END OF DESCRIPTION