

MINUTE ITEM NO. 17  
APPROVED 2-16-76

MINUTE ITEM

2/26/76  
RPW

17. RIGHT OF WAY, TIDE AND SUBMERGED LAND IN THE WALTHALL  
SLOUGH, NEAR MANTECA, SAN JOAQUIN COUNTY; PACIFIC GAS &  
ELECTRIC COMPANY - W 20960, PRC 5094.

During consideration of Calendar Item 17, Chairman Kenneth  
Cory stressed concern over P.G. & E.'s inability to cooperate  
with public power companies in Northern California in arranging  
for transmittal of its power. Mr. Cory stated that he is  
questioning whether the State Lands Commission should lease  
its public property to P.G. & E. if the uncooperative attitude  
continues.

Mr. Phil DeYoung, Planning Analyst, representing P.G. & E.  
appeared and stated that he was unaware of the problem, but  
would investigate it.

Mr. William F. Northrop, Executive Officer, noted for the  
record that he had informed Mr. Clem Whitaker, Legislative  
Advocate for P.G. & E. of the situation, and indicated  
Mr. Whitaker is also looking into the matter.

After instructing the staff to enter into discussions with  
P.G. & E. concerning the above, and report the results of  
those discussions at the next Commission meeting, the  
Commission unanimously approved the resolution as presented  
on Calendar Item 17 attached.

Attachment:  
Calendar Item 17 (3 pages)

(NOTE: The above also applies to Minute Items 16 and 19  
of this meeting.)

CALENDAR ITEM

17.

2/76  
EPW  
W 20960

RIGHT OF WAY

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

AREA, TYPE LAND AND LOCATION:  
An 0.350 acre parcel of tide and submerged  
land in the Walthall Slough, near Manteca,  
San Joaquin County.

LAND USE: Installation and maintenance of an overhead 17  
kv electrical line for the transmission of  
electrical energy.

TERMS OF PROPOSED LEASE:  
Initial period: 15 years, from January 14, 1976.  
Renewal options: 3 successive periods of 10  
years each.

CONSIDERATION: \$500 per annum with the State reserving the  
right to fix a different rental on August 1, 1976,  
retroactive to January 14, 1976, and on each fifth  
anniversary of the lease.

BASIS FOR CONSIDERATION:  
\$100 per annum minimum rental for this type of  
lease.

PREREQUISITE TERMS, FEES AND EXPENSES:  
Applicant is permittee of upland.  
Filing fee of \$25 environmental processing costs  
of \$160 and a rental deposit in amount of \$500  
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 & 11.

OTHER PERTINENT INFORMATION:  
1. This project is not situated on State land  
identified as environmentally significant,  
pursuant to Public Resources Code 6370.1.

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CALENDAR ITEM NO. 17. (CONTD)

2. After an initial study, a Negative Declaration was prepared by the Division, pursuant to CEQA and implementing regulations.

EXHIBITS: A. Land Description B. Location Map  
C. Negative Declaration

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS PROJECT BUT THAT A NEGATIVE DECLARATION HAS BEEN PREPARED BY THE DIVISION.
2. CERTIFY THAT THE NEGATIVE DECLARATION EIR ND 184, HAS BEEN COMPLETED IN COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT OF 1970, AS AMENDED, AND THE STATE GUIDELINES AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.
3. DETERMINE THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
4. AUTHORIZE ISSUANCE TO PACIFIC GAS AND ELECTRIC COMPANY OF A 15-YEAR RIGHT OF WAY FROM JANUARY 14, 1976, WITH LESSEE'S OPTION TO RENEW FOR THREE SUCCESSIVE PERIODS OF 10-YEARS EACH, IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$100 WITH THE STATE RESERVING THE RIGHT OF FIX A DIFFERENT RENTAL ON AUGUST 1, 1976, RETROACTIVE TO JANUARY 14, 1976, AND ON EACH FIFTH ANNIVERSARY OF THE LEASE FOR THE CONSTRUCTION AND MAINTENANCE OF A 17 KV ELECTRICAL LINE FOR TRANSMISSION OF ELECTRICAL ENERGY ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

W 20960

A strip of tide and submerged land 100.0 feet wide lying in the bed of Walthall Slough, adjacent to Wetherbee Lake Subdivision, filed in Vol. II Book of Maps and Plats at page 10, in the office of the Recorder, San Joaquin County, California, being 50.0 feet on each side of the following described center line:

COMMENCING at the 3/4 inch iron pipe marking the southwest corner of Parcel "A" as shown on that Record of Survey filed October 13, 1972 in Book 23 of Surveys, page 58, in the office of the Recorder, San Joaquin County; thence N 56°11'19"W 1409.6 feet to the TRUE POINT OF BEGINNING; thence N 6°29'E 340.3 feet to the end of the herein described center line.

EXCEPTING THEREFROM any portion lying landward of the ordinary high watermark.

END OF DESCRIPTION

Prepared: John C. Martin Checked: R. L. Blake  
Reviewed: James L. Martin Date: 10/27/75

