

MINUTE ITEM NO. 24
APPROVED 2-26-76

CALENDAR ITEM

2/76
EPW
WP 461

24.

AMENDMENT AND RENEWAL OF A RIGHT OF WAY
PRC 461.1

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

AREA, TYPE LAND AND LOCATION: A 1.905 acre parcel of tide and submerged land in the Sacramento River, three miles northwest of Sacramento, Sacramento and Yolo Counties.

LAND USE: For the maintenance of two 12 3/4-inch O. D. seamless steel pipes for the transmission of natural gas.

TERMS OF ORIGINAL LEASE:

Initial period: 15 years, from September 15, 1949.

Renewal options: 3 successive periods of 10 years each.

Surety bond: \$1,000.

Consideration: \$52 per annum.

Special: Renewed for a period of 10 years.

TERMS OF PROPOSED AMENDMENT AND RENEWAL:

Initial period: 10 years, from September 15, 1974.

Renewal options: One successive period of 10 years.

Public liability insurance: \$1,000,000 per occurrence for combined single limit bodily injury and property damage.

CONSIDERATION: \$158.99 for the period September 15, 1974 to June 29, 1975;
\$63.76 for the period June 30, 1975, to September 14, 1975; and
\$302.25 per annum thereafter with State reserving the right to fix a different rental on August 1, 1976, retroactive to June 30, 1975 and on each fifth anniversary of the lease.

A 5
S 3

CALENDAR ITEM NO. 24. (CONTD)

BASIS FOR CONSIDERATION:

\$.01 per diameter inch of pipeline, per lineal foot for period September 15, 1974, to June 29, 1975. 1 1/2 cents per diameter inch of pipeline per lineal foot thereafter.

PREREQUISITE TERMS, FEES AND EXPENSES:

Applicant is permittee of upland.

Rental deposit in the amount of \$222.75 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. Inasmuch as Paragraphs 19 and 20 of the parent lease PRC 461.1 executed December 7, 1949, provides for changes, alterations, amendments and such other reasonable terms and conditions as the State might impose, staff recommends that all amendments to the terms and conditions of the existing lease document, and amendments thereto, be accomplished by the issuance of a lease document in current use, a copy of which is on file in the office of the State Lands Commission.
2. An Environmental Impact Report 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 significant use category, Class B: Limited 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.

CALENDAR ITEM NO. 24. (CONTD)

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. DETERMINE THE GRANTING OF THE APPLICATION WILL HAVE NO SIGNIFICANT EFFECTS UPON THE ENVIRONMENTAL VALUES IDENTIFIED PURSUANT TO SECTION 6370.1 ET SEQ. OF THE PUBLIC RESOURCES CODE.
3. AUTHORIZE ISSUANCE TO PACIFIC GAS AND ELECTRIC COMPANY OF A 10 YEAR AMENDMENT AND RENEWAL OF RIGHT OF WAY LEASE PRC 461.1, FROM SEPTEMBER 15, 1974, WITH LESSEE'S OPTION TO RENEW FOR 1 SUCCESSIVE PERIOD OF 10 YEARS EACH, IN CONSIDERATION OF RENT IN THE AMOUNT OF \$158.99 FOR THE PERIOD SEPTEMBER 15, 1974, TO JUNE 29, 1975; \$63.76 FOR THE PERIOD JUNE 30, 1975 TO SEPTEMBER 14, 1975, AND \$302.25 PER ANNUM THEREAFTER WITH STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON AUGUST 1, 1976, RETROACTIVE TO JUNE 30, 1975 AND ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF PUBLIC LIABILITY INSURANCE IN AMOUNT OF \$1,000,000 PER OCCURRENCE FOR COMBINED SINGLE LIMIT BODILY INJURY AND PROPERTY DAMAGE; FOR THE MAINTENANCE OF TWO 12 3/4-INCH O. D. SEAMLESS STEEL PIPES 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"

WP 461

A parcel of tide and submerged land 100 feet wide in the State owned bed of the Sacramento River, situated in the Counties of Sacramento and Yolo, State of California, lying 50 feet on each side of the following described centerline:

COMMENCING at a railroad spike marking the southeasterly terminus of a course shown on the map filed for record in Book 2 of Parcel Maps at page 18, Sacramento County Records, which course according to said map has a bearing of N 44° 11' 30" W and a length of 859.07 feet; thence N 49° 58' 17" W 173.47 feet to the TRUE POINT OF BEGINNING; thence S 46° 36' W 830 feet, more or less, across the Sacramento River to the terminus of the herein described centerline.

EXCEPTING THEREFROM that portion lying above the ordinary high water mark of the Sacramento River.

END OF DESCRIPTION

Prepared Det. Kimmiche Checked 10/15/76
Reviewed Donald P. Butttracher Date 1/16/76

