

MINUTE ITEM
This Calendar Item No. C12
was approved as Minute Item
No. 12 by the State Lands
Commission by a vote of 3
to 0 at its 8/10/88
meeting.

A 27

S 14

CALENDAR ITEM

C12

08/10/88
W 24155 PRC 7228
Lipphardt

GENERAL PERMIT - RIGHT-OF-WAY

APPLICANT: Continental Telephone Company of California
P.O. Box 992
Manteca, California 95336

AREA, TYPE LAND AND LOCATION:
A 0.241-acre parcel of submerged land in the
Merced River near Snelling, Merced County.

LAND USE: Construction, operation, and maintenance of
telephone facilities.

TERMS OF PROPOSED PERMIT:
Special: Continuous use plus one year
from September 1, 1988.

CONSIDERATION: Exempt by law, Public Utilities Code 7901.

BASIS FOR CONSIDERATION:
Pursuant to 2 Cal. Adm. Code 2003, and Public
Utilities Code 7901.

APPLICANT STATUS: Applicant is permittee of upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:
Filing fee and processing costs have been
received.

STATUTORY AND OTHER REFERENCES:
A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.
B. Cal. Adm. Code: Title 2, Div. 3; Title 14;
Div. 6.

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C. Public Utilities Code 7901.

AB 884:

02/22/89.

OTHER PERTINENT INFORMATION:

1. Applicant has applied to install an aerial telephone cable across the Merced River on existing power poles owned by Pacific Gas and Electric Company (PG&E). Applicant has received approval from PG&E to install the cable. During the processing of this application, staff found the State Lands Commission had not permitted the existing crossing to PG&E. Staff is currently preparing the amendments for both PG&E master leases; PRC 6827 for over 60kv electrical transmission lines, and PRC 6205 for under 60kv electrical distribution lines, to include the subject crossing. These amendments will come before the Commission for approval at the next Commission meeting.
2. The annual rental value of the site is estimated to be \$100.
3. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. but will not affect those significant lands.
4. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Adm. Code 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorically exempt project. The project is exempt under Class 1, Existing Facilities, 14 Cal. Adm. Code 15301.

Authority: P.R.C. 21084 and 14 Cal. Adm. Code 15300.

EXHIBITS:

- A. Land Description.
- B. Location Map.

CALENDAR ITEM NO. C 12 (CONT'D)

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. ADM. CODE 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 1, EXISTING FACILITIES, 14 CAL. ADM. CODE 15301.
2. FIND THAT THIS ACTIVITY WILL INVOLVE LANDS IDENTIFIED AS POSSESSING SIGNIFICANT ENVIRONMENTAL VALUES PURSUANT TO P.R.C. 6370, ET SEQ., BUT THAT SUCH ACTIVITY WILL HAVE NO DIRECT OR INDIRECT EFFECT ON SUCH LANDS.
3. AUTHORIZE ISSUANCE TO CONTINENTAL TELEPHONE COMPANY OF CALIFORNIA OF A CONTINUOUS USE PLUS ONE YEAR GENERAL PERMIT - RIGHT-OF-WAY USE BEGINNING SEPTEMBER 1, 1988; WHICH IS EXEMPT FROM CONSIDERATION PURSUANT TO PUBLIC UTILITIES CODE 7901; FOR CONSTRUCTION, OPERATION, AND MAINTENANCE OF TELEPHONE FACILITIES ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

W 24155

LAND DESCRIPTION

A strip of land 50 feet wide in the bed of the Merced River in Section 8, T5S, R15E, MDM, Merced County, California, described as follows:

COMMENCING at a point on the east line of Lot 1 of Section 9, T5S, R15E, MDM, said point lying South 1175 feet from the southerly line of the County Road in Section 4, T5S, R15E, MDM; thence from said point of commencement the following seven courses:

1. S 44°46' W, 103.0 feet;
2. S 24°24' W, 1202.0 feet;
3. S 4°56' W, 403.0 feet;
4. S 22°42' W, 1081.5 feet;
5. S 36°55' W, 953.8 feet;
6. S 66°51' W, 525.6 feet to the POINT OF BEGINNING; thence
7. S 46°59' W, 550.0 feet to the end of the herein described line.

EXCEPTING THEREFROM any portion lying landward of the ordinary low water marks of the Merced River.

END OF DESCRIPTION

PREPARED JULY 25, 1988, BY BIU 1.

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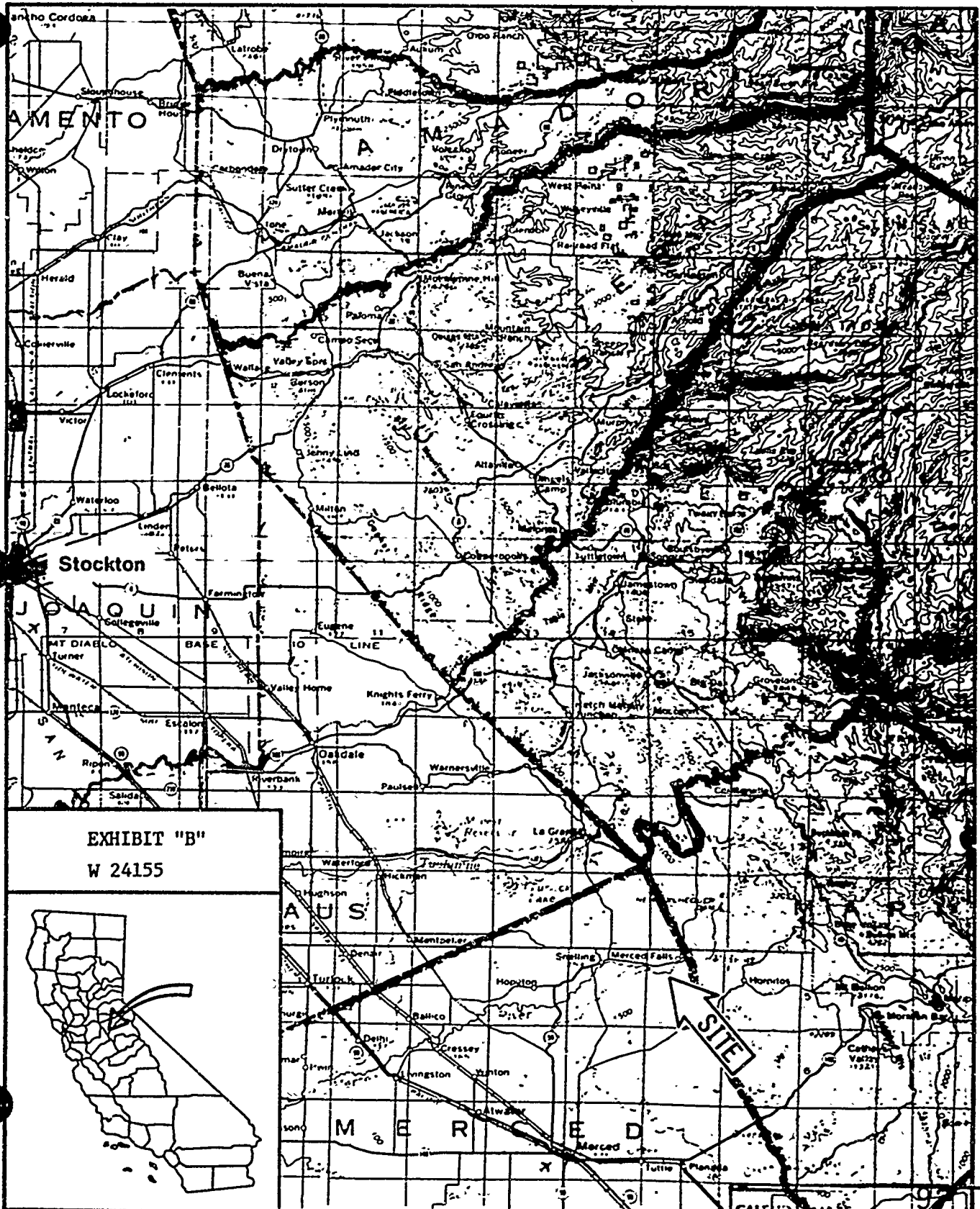


EXHIBIT "B"
W 24155