

3. RIGHT-OF-WAY FOR AN INDEFINITE PERIOD, TIDE AND SUBMERGED LAND IN THE SOUTH FORK OF THE MCKELUMNE RIVER AT NEW HOPE LANDING, SAN JOAQUIN COUNTY; PACIFIC TELEPHONE AND TELEGRAPH COMPANY - W 20321, PRC 4715.9.

After consideration of Calendar Item 1 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION:

1. FINDS THAT, IN ACCORDANCE WITH ENVIRONMENTAL IMPACT REPORT NO. 77 ON FILE IN THE OFFICE OF THE STATE LANDS COMMISSION AND BY REFERENCE MADE A PART HEREOF, A RIGHT-OF-WAY AS RECOMMENDED HEREIN WILL NOT HAVE A SIGNIFICANT DETRIMENTAL ENVIRONMENTAL EFFECT.
2. AUTHORIZES THE ISSUANCE TO THE PACIFIC TELEPHONE AND TELEGRAPH COMPANY OF A RIGHT-OF-WAY FOR AN INDEFINITE PERIOD FROM NOVEMBER 1, 1972, PURSUANT TO SECTION 7901 OF THE PUBLIC UTILITIES CODE, FOR THE INSTALLATION AND MAINTENANCE OF A SUBMARINE TELEPHONE CABLE ON TIDE AND SUBMERGED LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment:

Calendar Item 1 (3 pages)

CALENDAR ITEM

11/72  
ATD  
W 20321

1.

RIGHT-OF-WAY

APPLICANT: Pacific Telephone and Telegraph Company.

LOCATION: A 0.06-acre parcel of tide and submerged land in the South Fork of the Mokelumne River at New Hope Landing, San Joaquin County.

LAND USE: The installation and maintenance of a submarine telephone cable.

TERMS OF PROPOSED LEASE:

Indefinite period from November 1, 1972.

CONSIDERATION: Exempt by law (Section 7901, Public Utilities Code).

PREREQUISITE TERMS:

Applicant is lessee or permittee of upland.

STATUTORY AND OTHER REFERENCES:

- a. Public Resources Code: Division 6; Parts 1 and 2.
- b. Administrative Code: Title 2, Division 3, Articles 1 and 2.
- c. Public Utilities Code: Section 7901.

OTHER PERTINENT INFORMATION:

1. The annual rental value of the site is estimated to be \$20 per annum.
2. An environmental impact report has been prepared and circulated to affected governmental agencies. In general the comments that were received question the effect that the buried cable will have on the riverbed and banks. All comments were answered by the Company. The responses were declared adequate and satisfactory by the agencies concerned and have been incorporated into the report.

EXHIBITS: A. Land Description. B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT, IN ACCORDANCE WITH ENVIRONMENTAL IMPACT REPORT NO. 77 ON FILE IN THE OFFICE OF THE STATE LANDS COMMISSION AND BY REFERENCE MADE A PART HEREOF, A RIGHT-OF-WAY AS RECOMMENDED HEREIN WILL NOT HAVE A SIGNIFICANT DETRIMENTAL ENVIRONMENTAL EFFECT.

CALENDAR ITEM NO. 1. (CONTD)

2. AUTHORIZE THE ISSUANCE TO THE PACIFIC TELEPHONE AND TELEGRAPH COMPANY OF A RIGHT-OF-WAY FOR AN INDEFINITE PERIOD FROM NOVEMBER 1, 1972, PURSUANT TO SECTION 7901 OF THE PUBLIC UTILITIES CODE, FOR THE INSTALLATION AND MAINTENANCE OF A SUBMARINE TELEPHONE CABLE ON TIDE AND SUBMERGED LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

A strip of tide and submerged land ten feet wide lying in the bed of the Mokelumne River, at New Hope Landing, San Joaquin County, State of California and lying five feet on each side of the following described line:

COMMENCING at the most northerly corner of that certain 2.918 acre parcel of land described in that certain deed recorded in Volume 2251, official records, page 81, San Joaquin County Records and as shown on the map of Survey recorded in Volume 14, of Surveys, page 105 of said county records, thence N 33° 31' 36" W 119.60 feet to the TRUE POINT OF BEGINNING, thence S 70° 16' 30" W 274.42 feet more or less to the westerly bank of the Mokelumne River and the end of the here-in-described centerline.

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

END OF DESCRIPTION