

MINUTE ITEM

2/28/74
ATD

11. 25-YEAR RIGHT-OF-WAY, TIDE AND SUBMERGED LAND IN LATHAM SLOUGH, MIDDLE RIVER AND OLD RIVER, SAN JOAQUIN AND CONTRA COSTA COUNTIES; PACIFIC GAS AND ELECTRIC COMPANY - W 20535, PRC 4868.1.

After consideration of Calendar Item 10 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION:

1. CERTIFIES THAT AN ENVIRONMENTAL IMPACT REPORT HAS BEEN PREPARED FOR THIS PROJECT BY THE DIVISION FOLLOWING EVALUATION OF COMMENTS AND CONSULTATION WITH PUBLIC AGENCIES WHICH WILL ISSUE APPROVALS FOR THE PROJECT.
2. CONSIDERS AND ADOPTS ENVIRONMENTAL IMPACT REPORT NO. 144.
3. DETERMINES THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
4. AUTHORIZES THE ISSUANCE TO PACIFIC GAS AND ELECTRIC COMPANY OF A 25-YEAR RIGHT-OF-WAY FROM AUGUST 1, 1973; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$411.40, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF PUBLIC LIABILITY INSURANCE IN AMOUNTS OF \$600,000 (SINGLE LIMIT) FOR PERSONAL INJURY AND \$100,000 FOR PROPERTY DAMAGE; FOR THE INSTALLATION AND MAINTENANCE OF A PUBLIC UTILITY GAS LINE ON THE LAND DESCRIBED IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment:

Calendar Item 10 (3 pages)

CALENDAR ITEM

2/74
ATD
W 20535

10.

RIGHT-OF-WAY

APPLICANT: Pacific Gas and Electric Company.

AREA, TYPE LAND AND LOCATION:

Three parcels of tide and submerged land totalling 1.116 acres in Latham Slough, Middle River and Old River in San Joaquin and Contra Costa Counties.

LAND USE: Installation and maintenance of a 22-inch natural gas line.

TERMS OF PROPOSED LEASE:

Initial period: 25 years, from August 1, 1973.

Public liability insurance:

\$600,000 single limit for personal injury and \$100,000 for property damage.

CONSIDERATION: \$411.40 per annum, with the State reserving the right to fix a different rental on each fifth anniversary of the lease.

BASIS FOR CONSIDERATION:

\$0.01 per diameter inch per lineal foot of pipeline.

PREREQUISITE TERMS:

U. S. Army Corps of Engineers permit issued.

Applicant is lessee or permittee of upland.

STATUTORY AND OTHER REFERENCES:

- a. Public Resources Code: Div. 6, Parts 1 and 2.
- b. Administrative Code: Title 2, Div. 3, Arts. 1, 2 and 10.

OTHER PERTINENT INFORMATION:

A draft environmental impact report was circulated to agencies and persons having jurisdiction and expertise. No adverse comments were received. The responses to those comments received have been incorporated into the final environmental impact report. The volume of gas transmitted through the facility will be less than indicated in the draft report because of a reduction in available supply since the report was circulated.

Reclamation Board Permit No. 8778 was issued in September 1973.

EXHIBITS:

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

CALENDAR ITEM NO. 10. (CONTD)

IT IS RECOMMENDED THAT THE COMMISSION:

1. CERTIFY THAT AN ENVIRONMENTAL IMPACT REPORT HAS BEEN PREPARED FOR THIS PROJECT BY THE DIVISION FOLLOWING EVALUATION OF COMMENTS AND CONSULTATION WITH PUBLIC AGENCIES WHICH WILL ISSUE APPROVALS FOR THE PROJECT.
2. CONSIDER AND ADOPT ENVIRONMENTAL IMPACT REPORT NO. 144.
3. DETERMINE THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
4. AUTHORIZE THE ISSUANCE TO PACIFIC GAS AND ELECTRIC COMPANY OF A 25-YEAR RIGHT-OF-WAY FROM AUGUST 1, 1973; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$411.40, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF PUBLIC LIABILITY INSURANCE IN AMOUNTS OF \$600,000 (SINGLE LIMIT) FOR PERSONAL INJURY AND \$100,000 FOR PROPERTY DAMAGE; FOR THE INSTALLATION AND MAINTENANCE OF A PUBLIC UTILITY GAS LINE ON THE LAND DESCRIBED IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

W 20535

PARCEL 1:

A strip of tide and submerged land 25 feet wide extending across Latham Slough, San Joaquin County, State of California, lying 12.5 feet on each side of the following described centerline:

BEGINNING at a point on the west bank of Latham Slough, from which U.S.C. & G.S. Triangulation Station "Bacon" having Zone 3 California Coordinates of $X = 1,703,500.35$ feet, $Y = 531,950.58$ feet, bears $S 19^{\circ} 21' 06'' W$, 10,257.03 feet; thence $N 84^{\circ} 16' 42'' E$, 545 feet to a point on the east bank of Latham Slough and the end of the herein-described line.

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

PARCEL 2:

A strip of tide and submerged land 25 feet wide extending across Middle River, San Joaquin County, State of California, lying 12.5 feet on each side of the following described centerline:

BEGINNING at a point on the west bank of Middle River, from which Triangulation Station "Bacon" bears $S 12^{\circ} 44' 06'' E$, 8,737.34 feet; thence $S 88^{\circ} 18' 48'' E$, 560 feet to a point on the east bank of Middle River and the end of the herein-described centerline.

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

PARCEL 3:

A strip of tide and submerged land 25 feet wide extending across Old River, Contra Costa and San Joaquin Counties, State of California, lying 12.5 feet on each side of the following described centerline:

BEGINNING at a point on the east bank of Old River, from which the above-mentioned Triangulation Station "Bacon" bears $S 72^{\circ} 35' 24'' E$, 12,864.01 feet; thence $S 74^{\circ} 10' 18'' W$, 840 feet to a point on the west bank of Old River and the end of the herein-described centerline.

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

All bearings and distances used in the above-described parcels are based on the California Coordinate Zone 3.