

MINUTE ITEM NO. 20
APPROVED 2-26-76

CALENDAR ITEM

2/76
EPW
WP 407

20.

RIGHT OF WAY AND PROTECTIVE STRUCTURE

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

AREA, TYPE LAND AND LOCATION: An 0.60 acre and an 0.01 acre parcel of submerged land in the San Joaquin River, near Vernalis, San Joaquin County.

LAND USE: Maintenance of four 8-inch natural gas mains, one jetty, cut-off walls and signboards.

TERMS OF PROPOSED LEASE: Initial period: 15 years, from April 27, 1974.

Renewal options: 3 successive periods of 10 years each.

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

CONSIDERATION: \$199.99 for the period April 27, 1974, to June 29, 1975;
\$209.95 for the period June 30, 1975, to April 26, 1976; and
\$254.60 per annum thereafter with the State reserving the right to fix a different rent on August 1, 1976, retroactive to April 27, 1976, and on each fifth anniversary of the lease.

BASIS FOR CONSIDERATION:

6% of appraisal value of land for period April 27, 1974 to June 29, 1975. 8% of appraised value of land (for jetty) for period commencing June 30, 1975. 1 cent per diameter inch of pipeline per lineal foot for period April 27, 1974, to June 29, 1975. 1.5 cents per diameter inch of pipeline per lineal foot (for gas mains) for period commencing June 30, 1975.

PREREQUISITE TERMS, FEES AND EXPENSES:

Applicant is permittee of upland.

A deposit in amount of \$302.60 has been received.

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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 activity was previously covered under lease PRC 407.J, which expired April 26, 1974.
2. This project is situated on State land identified as environmentally significant, 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.
3. 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.

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 THAT THE GRANTING OF THE APPLICATION WILL HAVE NO SIGNIFICANT EFFECT UPON THE ENVIRONMENTAL VALUES IDENTIFIED PURSUANT TO PRC 6370.1, ET SEQ.
3. AUTHORIZE ISSUANCE TO PACIFIC GAS AND ELECTRIC COMPANY OF A 15-YEAR RIGHT OF WAY AND PROTECTIVE STRUCTURE FROM APRIL 27, 1974, WITH LESSEE'S OPTION TO RENEW FOR 3 SUCCESSIVE PERIODS OF 10-YEARS EACH IN CONSIDERATION OF \$199.99 FOR THE PERIOD APRIL 27, 1974. TO JUNE 29, 1975; \$209.95 FOR THE PERIOD JUNE 30, 1975, TO APRIL 26, 1976, AND \$254.60 PER ANNUM THEREAFTER WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENT ON AUGUST 1, 1976, RETROACTIVE TO APRIL 27, 1976, AND ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF PUBLIC LIABILITY INSURANCE IN AMOUNTS OF \$1,000,000 PER OCCURRENCE FOR COMBINED SINGLE LIMIT BODILY INJURY AND

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PROPERTY DAMAGE; FOR THE MAINTENANCE OF FOUR 8-INCH NATURAL GAS MAINS, ONE JETTY, CUT-OFF WALLS AND SIGNBOARDS ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

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Two parcels of submerged land lying in the State owned bed of the San Joaquin River, San Joaquin County, California, more particularly described as follows:

PARCEL 1

A strip of land 50.0 feet wide lying 25.0 feet on each side of the following described centerline:

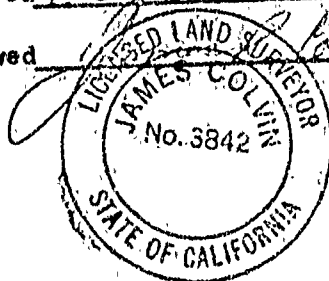
COMMENCING at a point which is the most southerly corner of that certain 104.50 acre parcel of land conveyed to Ross Garrison by William Beal, et al., by deed dated June 14, 1927, and recorded in Volume 184 page 163 of Official Records of San Joaquin County; thence N 24° 29' 26" E 462.17 feet to the TRUE POINT OF BEGINNING; thence S 61° 39' W 620 feet to a point herein after referred to as Point "A", and the end of the herein described centerline: EXCEPTING THEREFROM that portion above the ordinary high watermark.

PARCEL 2

A strip of land 20.0 feet wide lying 10.0 feet on each side of the following described centerline:

COMMENCING at Point "A", as described in Parcel 1 above; thence S 28° 21' E 46.1 feet to the TRUE POINT OF BEGINNING; thence N 74° 11' E 160 feet to the end of the herein described centerline: EXCEPTING THEREFROM that portion above the ordinary high water mark.
END OF DESCRIPTION

Prepared E.C. Jacobsen Checked W. H. Downing
Reviewed J. Polin Date 3/6/75



Rev: 1-26-76

James Colvin