

MINUTE ITEM

This Calendar Item No. C11
was approved as Minute Item
No. 11 by the State Lands
Commission by a vote of 2
to 0 at its 9-25-76 CALENDAR ITEM
meeting C11

3/76
HPW
W 20943
PRC 5103

RIGHT OF WAY

APPLICANT: Pacific Telephone and Telegraph Company
1426 Howe Avenue, Suite 50
Sacramento, California 95825

AREA, TYPE LAND AND LOCATION:
An 0.689 acre parcel of submerged land in the
San Joaquin River, City of Firebaugh; Fresno
and Madera Counties.

LAND USE: Installation and maintenance of a submarine
cable for the transmission of voice communications.

TERMS OF PROPOSED LEASE:
Initial Period: For an indefinite term, from
March 25, 1976.

CONSIDERATION: Exempt by law, pursuant to Public Utilities Code
Division 4, Section 7901.

PREREQUISITE TERMS, FEES AND EXPENSES:
Applicant is permittee of upland.

Filing fee of \$25, processing costs of \$350 and
Environmental costs of \$160 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.
 - C. Public Utilities Code: Div. 4 Section 7901.

- OTHER PERTINENT INFORMATION:
- 1. The annual value of the site is estimated
to be \$100.
 - 2. This project will reinforce existing cable
facilities, backlog of service orders and
forecasted growth demands in the eastern
portion of the Firebaugh exchange for the
next 39 years.

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CALENDAR ITEM NO. C11 (CONTD)

3. A negative declaration was prepared by the Division pursuant to CEQA and implementing regulations. A Notice of Determination has been received.
4. 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. An initial study for environmental purposes was circulated to those agencies making nominations of significant environmental values pursuant to PRC 6370.1. Since no comments were received, and upon further inquiry, staff finds that granting of the application will have no significant effect upon environmental characteristics.

EXHIBITS: A. Land Description.
 B. Location Map.
 C. Negative Declaration.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS PROJECT BUT THAT A NEGATIVE DECLARATION HAS BEEN PREPARED BY THE DIVISION.
2. CERTIFY THAT THE NEGATIVE DECLARATION, ND EIR 188, HAS BEEN COMPLETED IN COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT OF 1970, AS AMENDED, AND THE STATE GUIDELINES AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.
3. DETERMINE THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
4. DETERMINE THAT THE GRANTING OF THE APPLICATION WILL HAVE NO SIGNIFICANT EFFECT UPON THE ENVIRONMENTAL VALUES IDENTIFIED PURSUANT TO SECTION 6370.1 ET SEQ. OF THE PUBLIC RESOURCES CODE.
5. AUTHORIZE ISSUANCE TO THE PACIFIC TELEPHONE AND TELEGRAPH COMPANY OF A RIGHT OF WAY FOR AN INDEFINITE TERM, FROM MARCH 25, 1976, PURSUANT TO SECTION 7901, DIVISION 4, OF THE PUBLIC UTILITIES CODE; FOR THE INSTALLATION AND MAINTENANCE OF A SUBMARINE CABLE FOR THE TRANSMISSION OF VOICE COMMUNICATIONS ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

W 20943

A strip of land 20 feet in width in the state owned bed of the San Joaquin River, situated in the Counties of Fresno and Madera, vicinity of the City of Firebaugh, California and being 10 feet on each side of the following described centerline:

COMMENCING at the point where the centerline of a county road known as Avenue 7 $\frac{1}{2}$ intersects the west end of the most westerly bridge over said San Joaquin River; thence North, a distance of 48 feet to the TRUE POINT OF BEGINNING; thence easterly, parallel with said centerline of Avenue 7 $\frac{1}{2}$, a distance of 1500 feet to the point of termination.

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

END OF DESCRIPTION

Prepared R. L. Blake Checked Frank Spring
Reviewed A. H. Zimmerman Date 2/9/76