

MINUTE ITEM

This Calendar Item No. C5  
was considered by the Board  
at its 3/30/78  
meeting.

CALENDAR ITEM

C5.

GENERAL LEASE  
RIGHT-OF-WAY USE

3/78  
W 21708  
Scott  
PRC 5458

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

AREA, TYPE LAND AND LOCATION:  
A strip 145' x 10' (.033 acres) of inland  
submerged land in the bed of the Mokelumne  
River adjacent to the existing State Highway 99  
Bridge crossing near Lodi in San Joaquin  
County.

LAND USE: Installation and maintenance of a conduit  
structure for telephone cables.

TERMS OF PROPOSED LEASE:  
Term: Continuous use plus 1  
year from April 1, 1978.

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

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

Filing fee and processing cost have 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: Section 7901.

OTHER PERTINENT INFORMATION:  
1. The annual rental value of the site  
is estimated to be \$100.  
2. This project involves the replacement  
of an existing conduit structure located  
in the adjacent State Highway 99 Bridge

A 7

S 13

CALENDAR ITEM NO. 05. (CONTD)

structure which is being severed by settlement of the bridge abutments. The replacement conduit structure will be placed in a trench near the bridge and will involve only minor disturbance of the natural vegetation.

3. An emergency permit for the installation of this conduit structure was previously issued by the Executive Officer by letter dated February 16, 1978. This lease is being issued as a permanent replacement pursuant to conditions contained in the emergency permit.
4. This project is exempt from CEQA because as a minor modification or alteration to land involving minor trenching with restoration of the surface.

Authority: 14 Cal. Adm. Code Section 15104 Class 4(f).

5. This project is situated on State land identified as possessing significant environmental values pursuant to Public Resources Code 6370.1, and is classified in a use category, Class B which authorizes Limited Use.

Staff has coordinated this project with those agencies and organizations who nominated the site as containing significant environmental values. They have found this project to be compatible with their nomination.

APPROVALS OBTAINED:

State Reclamation Board, February 22, 1978;  
Department of Fish and Game, March 2, 1978;  
United State Army Corps of Engineers emergency  
letter permit, February 7, 1978.

EXHIBITS:

A. Land Description. B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN EIR 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.,

CALENDAR ITEM NO. C5. (CONTD)

AND 2 CAL. ADM. CODE 2907.

2. FIND THAT GRANTING OF THE LEASE WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1, OF THE PUBLIC RESOURCES CODE.
3. AUTHORIZE ISSUANCE TO THE PACIFIC TELEPHONE AND TELEGRAPH COMPANY OF A CONTINUOUS USE PLUS ONE YEAR GENERAL LEASE - RIGHT-OF-WAY USE FROM APRIL 1, 1978; WHICH IS EXEMPT FROM CONSIDERATION BY LAW UNDER SECTION 7901, PUBLIC UTILITIES CODE FOR THE INSTALLATION AND MAINTENANCE OF A CONDUIT STRUCTURE FOR TELEPHONE CABLES ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

W 21708

A parcel of land 10 feet wide across the Mokelumne River, San Joaquin County, California, situated within Section 36, T.4N.; R.6E., M.D.M., lying 5 feet on each side of the following described centerline:

COMMENCING at the southeast corner of said Section 36; thence N 21° 37' 45" W, 156.24 feet to a point on the centerline of State Highway U.S. 99, said point also being the northerly end of a curve having a radius of 3600 feet, a central angle of 24° 10' and an arc length of 1518.44 feet; thence along said centerline N 1° 17' 30" W, 607.00 feet; thence S 88° 42' 30" W, 35 feet to the centerline of the north bound lane of said highway; thence N 1° 17' 30" W, 433.75 feet to State Highway Engineer's Station 688+ 43.75; thence S 88° 42' 30" W, 90.00 feet; thence S 1° 17' 30" E, 100 feet to the POINT OF BEGINNING; thence N 1° 17' 30" W, 345.0 feet to the end of the herein described centerline.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water marks of the Mokelumne River.

END OF DESCRIPTION

Prepared

*Fred J. Camp*

Checked

*RW*

Reviewed

*J. H. Kunnecke*  
280

Date

*3/2/78*