MINUTE ITEM

This Calendar Item No. C7. was approved as Minute Item CALENDAR ITEM No. _____ by the State Lands Commission by a vote of to ____ at its _____ meeting.

C7.

8779 W 21703 De La Cruz PRC 5705

GENERAL LEASE RIGHT-OF-WAY USE

APPLICANT:

Pacific Telephone Company

1426 Howe Avenue

Sacramento, California 95825

AREA, TYPE LAND AND LOCATION:

A 0.129 acre parcel of submerged land in the bed of the Yuba River at the City of

Marysville, Yuba County.

LAND USE:

Construction and maintenance of an undergroung conduit system.

TERMS OF PROPOSED LEASE:

Special:

Continuous use plus 1 year

from August 1, 1979.

CONSIDERATION:

Exempt by law, Section 7901, Public Utilities

PREREQUISITE TERMS, FEES AND EXPENSES:

Applicant is permittee of upland.

Filing fee and processing costs have been

STATUTORY AND OTHER REFERENCES:

A. P.R.C.: Div 6, Parts 1 & 2.

B. Cal. Adm. Code: Title 2, Div. 3.

OTHER PERTINENT INFORMATION:

- The annual rental value of the site is estimated to be \$100.
- A negative declaration was prepared by Yuba County, pursuant to CEQA and implementing regulations. A notice of determination has been received.
- This project is situated on State land identified as possessing significant environmental values pursuant to P.R.C. 6270.1, and is classified in a use category, Class B, which authorizes Limited Use.

3.

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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:

United States Army Corps of Engineers, Yuba County, State Reclamation Board.

EXHIBITS:

- A. Land Description. B. Location Map.
- C. Negative Declaration.
 D. Notice of Determination.

IT IS RECOMMENDED THAT THE COMMISSION:

- 1. DETERMINE THAT AN EIR HAS NOT BEEN PREPARED FOR THIS PROJECT BUT THAT A NEGATIVE DECLARATION HAS BEEN PREPARED BY YUBA COUNTY ON JUNE 1, 1979.
- 2. CERTIFY THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED IN THE NEGATIVE DECLARATION.
- 3. DETERMINE THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVICENMENT.
- 4. FIND THAT GRANTING OF THE LEASE WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1, OF THE P.R.C.
- AUTHORIZE ISSUANCE TO PACIFIC TELEPHONE COMPANY OF A CONTINUOUS USE PLUS 1 YEAR GENERAL LEASE RIGHT-OF-WAY USE FROM AUGUST 1, 1979; WHICH IS EXEMPT FROM CONSIDERATION BY LAW UNDER SECTION 7901, PUBLIC UTILITIES CODE; FOR CONSTRUCTION AND MAINTENANCE OF AN UNDERGROUND CONDUIT SYSTEM ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

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EXHIBIT "A"

I AND DESCRIPTION

W 21703

A strip of land of varying widths across the State-owned bed of the Yuba River, City of Marysville, Yuba County, California, lying on each side of the following described line*

COMMENCING at a 2 1/4 inch State Division of Highways brass cap situate on the northerly line of Block 2, Range letter "F" of said City of Marysville, said brass cap being 43.09 feet right of Engineers Station 10+77.94 "R," line for State Highway Route 03-YUBA-70, as shown on State Highway right-of-way Map No. A-911012.1; thence along the boundary of said Block 2 the following two courses:

1. S 83° 37' 12" W, 193.11 feet;

2. S 06° 34' 03" E, 326.92 feet to the southwest corner

of said Block 2; thence along the westerly prolongation of the southerly line of said Block 2, S 83° 41' 35" W, 12.00 feet to the POINT OF BEGINNING of said line; said strip of land being 20.00 feet in width lying 10.00 feet on each side of the following three courses:

3. S 06° 34' 03' E, 80.00 feet; 4. S 09° 05' 00" E, 747.22 feet;

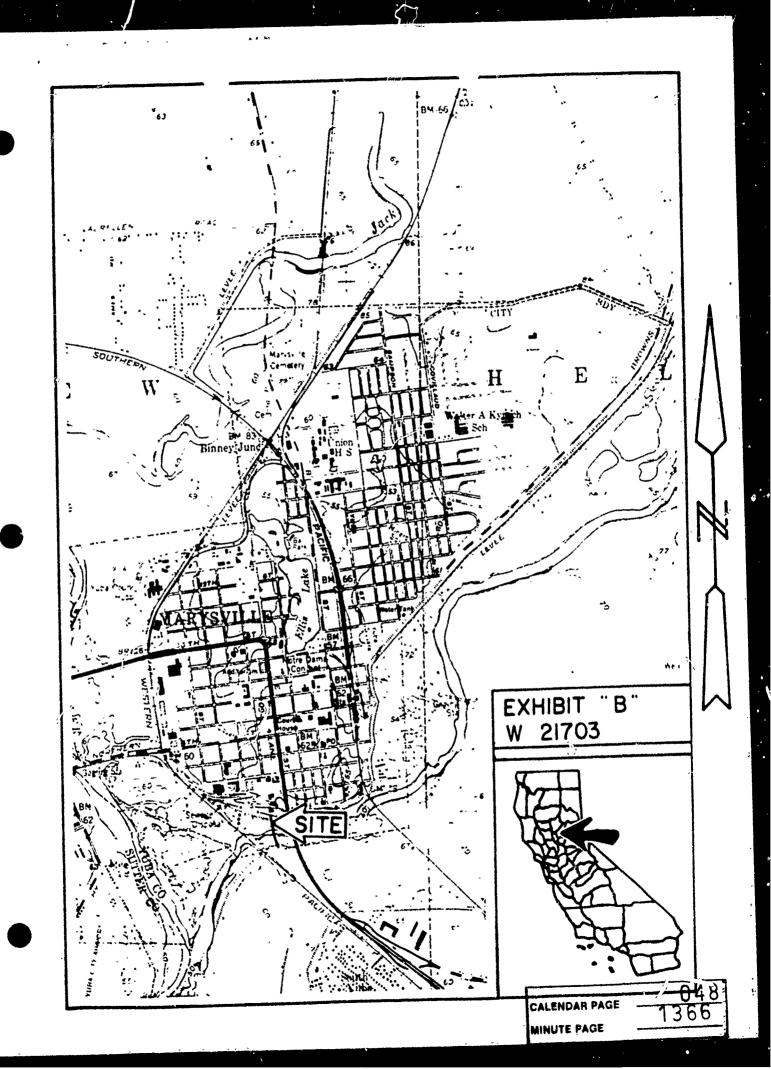
5. along a curve concave to the east having a radius of

300.00 feet, through a central angle of 7° 38' 19", an arc distance of 40.00 feet to the end of said 20.00-foot in width strip and the beginning of strip of land 100.00 feet in width lying 40.00 feet westerly and 60.00 feet easterly of the following course: thence continuing along said curve through a central angle of 32° 19' 21", an arc distance of 164.24 feet to the end of said 100.00-foot in width strip and the beginning of a strip of land 20.00 feet in width lying 10.00 feet on each side of the following course: thence S 4° 25' 40" E, 56.95 feet to the end of the herein described line.

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

	ENI	O OF DESCRIPTION		ب
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Reviewed	Ran	Date	June 27	19.73
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This declaration is filed in compliance with the requirements of Yube County Ordinance No. 600, as amended.

EXHIBIT "C"

The Environmental Protection Committee has completed an initial Assessment of Environmental Impact of the following project and this Assessment is made a part of this Declaration:

Application:

Conditional Use Permit 78-14-CUP

Applicant:

Pacific Telephone 939 Live Oak Blvd Yuba City, CA 95991

Project Description:

Proposed excavation and placement of telephone conduit and access manholes on Tax Assessor's Parcel No. 20-020-02 & 03 located in the A-1-R Zone in south Marysville and the flood plain of the Yuba River, west of Highway 70 "E" Street Bridge, east of the Western Pacific Railroad crossing, Marysville. The conduit will provide telephone service

to Beale AFB, Linda, and Olivehurst areas.

Findic	

It has been determined that the project will not have significant environmental effects (no mitigation measures required).

X It has been determined that although the project could have significant environmental effects there will not be a significant effect in this case because the mitigation measures described below have been added to the project.

Mitigation measures included to avoid potentially significant affects:

- 1b: During construction 10 foot cuts will be made in both levees north and south of the Yuba River paralell to Highway 70. Plans call for the existing levee soil to be replaced and compacted to 90% relative density in 6 inch layers. Damage to levee patrol road surfacing will be repaired.
- 2a: The proposed conduit itself will not affect air quality, however, during the construction phase of the conduit project proper dust control measures must be practiced to maintain the ambient air quality of the area.
- 3a: During the construction phase of the conduit project that will cross the main channel of the Yuba River the crossing will be made in two stages, half the channel at a time, using gravel cofferdams to direct flow to the alternate halves.

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Handing Director

June 1, 1979

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(To be completed by the Environmental Protection Committee) e. Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception BACKGROUND of an aquifer by cuts or agreevations. I Pacific Telephone Name of Proponent h. Substantial reduction in the amount of water otherwise Address and phone number of Proponents 939 Live Oak Blvd evallable for public water supplies 7/ Yuba City, CA 95991 Exposure of people or property to water related hazards 742-7249 such as flooding or tidal waves ? F 1 DCT .11 June 1, 1979 Whi the proposal result in a Date of Checkist Submitted . a. Change in the diversity of species or number of any species Name of Proposal, If applicable Conditional Use Permit 78-14-CUP of plants (including trees, shrubs, grass, crops, microflora and aquatic plants 1 ? 11 [] b. Reductions of the numbers of any unique, rare or endang-ENVIRONMENTAL IP PACTS (Emplanation of all "yes" and "maybe" answers are required on attached sheets.) ered species of plants ? 1 1 DC1 c. Introduction of new species of plants into an area, or in a Will the proposal result in : 240 M/A barrier to the normal replenishment of existing species 7 a. Unstable earth conditions or in changes in d. Reduction in acresse of any sericultural crop. 7 K1 esploeic substructures ? Will the proposal result in a 5. Animal Life. b. Disruptions, displacements, compaction or overcovering of the soil ? a. Change in the diversity of species, or numbers of any species 1 1 11 of animals (birds, land animals including reptiles, fish and Change in topography or ground surface shellfish, benthic organisms, insects or microfaune) ? 11 11 relief features ? 11 b. Reductions of the numbers of any unique, rare or endangered d. The destruction, covering or modification of species of animels ? 11 any unique septosic or physical features? c. Introduction of new species of animals into an area, or result Any increase in wind or water erosion of soils. in a parrier to the migration or movement of animals 7 DO either on or off the site ? i. I d. Deterioration to existing fish or wildlife habitat ? bd 1 1 1 1 f. Changes in deposition or erosion of beact/ sands. 6. Noise. Will the proposal result in a or changes in slitation, deposition or erosion which may modify the channel of a river or stream or the a. Increases in existing noise levels ? had of the ocean or any bay, inlet or lake ? 11 [] 11 b. Exposure of people to severe noise levels K1 g. Exposure of people or property to geologic hazards 7. Light and Glare. Will the proposal produce new light or such as earthquakes, landslides, mudslides, ground glare ? fallure, or similar liazards ? () bci [] \$. Land Use. Will the proposal result in a substantial alteration 2. Air. Will the proposal result in : of the present or planned land use of an area ? a. Substantial air emissions or deterioration of 9. Natural Resources. Will the proposal result in : ambient air quality ? a. Increase in the rate of use of any natural resources ? b. The creation of objectionable odors (DC) 11 b. Substantial depletion of any nonrecewable natural resource? bel c. Alteration of air movement, moisture or temp-10. Risk of Upset. Does the proposal involve a risk of an explosion erature, or any change in climate, either locally or the release of hazardous, substances (including, but not limited or regionally ? [] { } DC1 [] to oil, pesticides, chemicals or radiation) in the event of an accidator. Will the proposal result in: dent or upset conditions ? K) 1 1 11 Changes in currents, or the course or direction 11. Population. Will the proposal after the location; distribution, of water movements, in either marine or fresh [] density, or growth rate of the human population of an area ? waters 7 [] 1 1 Changes in absorption rates, drainage patterns, 12. Housing. Will the proposal affect existing housing, or create a or the rate and amount of surface water runoff? demand for additional housing? [] IINUTE PAGE Alterations to the course or flow of flood waters ? 13. Transportation / Circulation. Will the proposal result in : Change in the amount of surface water in any water a. Generation of substantial additional vehicular movement ? [] (3d [] ody ? b. Effects on existing parking facilities, or demand for new Discharge of substances into surface or ground parking ? water, or in any attenation of water quality inc. Substantial impact upon existing transportation systems ? fluding but not limited to temperature, discolved [] [] [] pxygen or turbidity to cause significant deterioration. d. Alterations to present patterns of circulation or movement R() **()** of people and/or goods ? Attenation of the direction or rate of flow of ground e. Alterations to waterborne, rail or air traffic ? IX [] [] vetara ? f. Increase in traffic hazards to motor vehicles, bicyclists or pedestrians ? ()

111. DI	SCUSSION OF ENVI	RONMENTAL FV	BLUATION / MITH	BATION MEASURES

- * Not Environmentally Significant for this Project
- 1b: During construction 10 foot cuts will be made in both levees north and south of the Yuba River parallel to Highway 70. Plans call for the existing levee soil to be replac and compacted to 90% relative density in 6 in layers. Damage to levee patrol road surfacing
- 2a: will be repaired.
- 2a: The proposed conduit itself will not affect air quality, however, during the construction phase of the conduit project proper dust control measures must be practiced to maintai the ambient air quality of the area.
- 3a: During the construction phase of the conduit project that will cross the main channel of the Yuba River the crossing will be made in two stages, half the channel at a time, using gravel cofferdams to divert flow to the alternate halves.

IV. DETERMINATION

On the basis of this initial evaluation:

- We find the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- We find that although the proposed project could have a significant effect on the environment, there will not be significant effect in this case because the mitigation measures described above have been added to the project.

 A NEGATIVE DECLARATION WILL BE PREPARED.
- We find the proposed project MAY have a significant effect on the environment, and the preparation of an ENVIRONMENTAL IMPACT REPORT will be recommended to the Planning Commission.

Herbert C. Welling

Director of Public Works

Director of Environmental Health

June 1, 1979
Date of Declaration

DEFORE THE PLANNING CONVISSION OF THE COUNTY OF YURA

II: RE:

RESOLUTION ADOPTING NEGATIVE DECLARATION AND FILING NOTICE OF DETERMINATION ON PROJECTS CONDITIONAL USE PERMIT 78-14-CUP Pacific Telephone Company

RESOLUTION NO. PC79-64

PURSUANT TO ORDINANCE NO. 600

WHEREAS. AN APPLICATION FOR ASSESSMENT OF ENVIRONMENTAL IMPACT FOR A PROPUSED PRIVATE FROJECT OR ACTION for excavation and placement of telephone conduit and access manholes in the A-1-R Zone on Tax Assessor's Parcel Nos. 20-020-02 and 03, south Marysville and in the flood plair of the Yuba River, west of the Highway 70 "E" Street Bridge, east of the Western Pacific Railroad Crossing, Marysville

HAS BEEN FILED WITH THE ENVIRONMENTAL PROTECTION COMMITTEE: AND

WHEREAS, THE ENVIRONMENTAL PROTECTION COMMITTEE HAS MADE A FORMAL EVALUATION TO DETERMINE WHETHER SUCH PROJECT OR ACTION MAY HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT;

WHEREAS, THIS FORMAL EVALUATION WAS CONSISTED WITH THE GUIDELINES FOR IMPLEMENTATION OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT OF 1970 PROMULGATED BY THE OFFICE OF THE SECRETARY FOR RESOURCES OF THE STATE OF CALIFORNIA, AS FROM TIME TO TIME AMENDED AND INCORPORATED BY REFERENCE IN URDINANCE NO. 690: AND

WHEREAS, THE ENVIRONMENTAL PROTECTION COMMITTEE HAS MADE A FINDING THAT THE PROPOSED PROJECT OR ACTION WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT AND HAS PREPARED AND FILED A "NEGATIVE DECEMBATION" WITH THE COUNTY CLERK IN COMPLIANCE OF THE PROVISIONS OF CRDINANCE NO. 600: AND

WHEREAS, THE SECRETARY OF THE YUBA COUNTY PLANNING COMMISSION IN COMPLIANCE WITH THE PROVISIONS OF OPPORTUNE NO. 600 has published a notice in a newspaper of general circulation in the County informing all interested persons that such negative declaration has been prepared and filed; and

MHEREAS, SUCH NOTICE INDICATED THE PLANNING COMMISSION WOULD CONSIDER THE MATTER AT 115 NEXT REGULAR OR ADJOURNED REGULAR MEETING IF NO WRITTEN PROTEST IS FILED WITH THE SECRETARY WITHIN TEN DAYS FROM THE DATE OF PUBLICATION OF THE NOTICE; AND

WEREAS, THE PLANNING COMMISSION HAS CONSIDERED THE MATTER AT A REGULAR-MEETING! ATA-SURVED ATBULAR MEETING ON

- FOR. THEREFORE, THE PLANNING COMMISSION HEREBY FINDS, DECLARES AND CADERS:
-). Pursuant to and in accordance with the requirements of Law, notice was duly rublished in the Appeal-Democrat, a newspaper of general circulation published in Yuba County, at least ten (10) days prior to the date fixed for consideration and action.
- 2. NO WLITTEN PROTESTS OR GBJECTIONS HERE FILED TO THE NEGATIVE DECLARATION WITHIN THE TIME PERIOD PRESCRIBED BY PUBLIC NOTICE.
- 3. THE COMMISSION HAS REVIEWED AND STUDIED THE RECOMMENDATION AND FINDINGS OF THE ENVIRONMENTAL PROTECTION COMMITTEE.
- 4. THE COMMISSION HEREBY APPROVES THE FINDINGS SET FORTH IN THE NEGATIVE DECLARATION AND BASED UPON ALL OF THE EVIDENCE SUBMITTED FIND. THAT THE PROPOSED PROJECT OR ACTION FILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT AND FURTHER FINDS THAT BY REASON THEREOF THERE IS NO NECESSITY FOR THE PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT.
- 5. THE COMMISSION HEREBY ACCEPTS THE NEGATIVE DECLARATION AND ORDERS THE SAME FILED AS THE ASSESSMENT OF THE ENVIRONMENTAL IMPACT OF THE PROPOSED PROJECT OR ACTION.
- 6. THE COMMISSION HEREBY DECLARES THAT THE ADOPTION OF THIS RESOLUTION SHALL CONSTITUTE NOTICE OF THE DETERMINATION PURSUANT TO ORDINANCE NO. 600 AND HEREBY ORDERS THE SAME TO BE FILED WITH THE OFFICE OF THE COUNTY CLERK.
- 7. ALL OFFICES AND DEPARTMENTS OF THE COUNTY OF YUBA HAVING AUTHORITY IN THE MATTER MAY. IF THE PROPOSED PROJECT OR ACTION IS OTHERWISE IN CONFORMITY WITH LAW. ISSUE SUCH LEASE, PERMIT, LICENSE, CERTIFICATE, OR OTHER ENTITLEMENT FOR USE AS IN THE CIRCUMSTANCES IS DEEMED APPROPRIATE.

PASSED AID HIDPHED AT A REGULAR HEETING/ADJOURNED REGULAR HEETING OF THE PLANNING COMMISSION OF THE COUNTY OF YUDA, STATE OF CALIFORNIA, ON THE 13th DAY OF JUDE 1979. BY THE FOLLOWING YOTE:

Commissionens: Campton, Rose, Sealo, te, mb AYES: NOES: Cornissioners: none

AUSENT: Commissioners: Fairey

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ATTEST: SECRETAIN

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