

**CALENDAR ITEM  
C10**

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08/22/08  
WP 2071.9  
M. Clark

**GENERAL LEASE - PUBLIC AGENCY USE**

**APPLICANT:**

Sacramento Municipal Utility District  
6201 S Street  
Sacramento, California 95817

**AREA, LAND TYPE, AND LOCATION:**

0.34 acre, more or less, of sovereign lands across the American River, adjacent to Assessor's Parcel Nos. 001-0160-006 and 275-0270-031, city of Sacramento, Sacramento County.

**AUTHORIZED USE:**

Continued use and maintenance of an existing 115 kV overhead electrical transmission line and a fiber optic telecommunication line as shown on the attached Exhibit A.

**LEASE TERM:**

20 years, beginning February 24, 2007.

**CONSIDERATION:**

The public use and benefit; with the State reserving the right at any time to set a monetary rent if the Commission finds such action to be in the State's best interest.

**OTHER PERTINENT INFORMATION:**

1. Applicant owns and has the right to use the uplands adjoining the lease premises.
2. On February 24, 1958, the Commission authorized a 49-year right of way easement to the Sacramento Municipal Utility District (SMUD) for the use and maintenance of the 115 kV electrical transmission line. On February 21, 2003, the Commission authorized the amendment of Lease No. PRC 2071.9 to include a fiber optic telecommunications line within the

CALENDAR ITEM NO. C10 (CONT'D)

existing right of way. The Applicant has now applied for a new General Lease – Public Agency Use.

3. The overhead electrical transmission line and fiber optic communications cable serves the Hurley, Elverta, Natomas, and North City substations. SMUD's maintenance program for these facilities involves minor testing and regularly scheduled maintenance and repairs, when necessary.
4. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; Title 2, California Code of Regulations, section 2905 (a)(2).

Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300 and Title 2, California Code of Regulations, section 2905.

5. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

**EXHIBITS:**

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

**RECOMMENDED ACTION:**

IT IS RECOMMENDED THAT THE COMMISSION:

**CEQA FINDING:**

FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 1, EXISTING FACILITIES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (a)(2).

**SIGNIFICANT LANDS INVENTORY FINDING:**

FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE

CALENDAR ITEM NO. **C10** (CONT'D)

LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370,  
ET SEQ.

**AUTHORIZATION:**

AUTHORIZE ISSUANCE OF A GENERAL LEASE – PUBLIC AGENCY USE TO THE SACRAMENTO MUNICIPAL UTILITY DISTRICT, BEGINNING FEBRUARY 24, 2007, FOR A TERM OF 20 YEARS, FOR THE CONTINUED USE AND MAINTENANCE OF AN EXISTING 115 KV ELECTRICAL OVERHEAD TRANSMISSION LINE AND A FIBER OPTIC TELECOMMUNICATION LINE AS SHOWN (FOR REFERENCE PURPOSES ONLY) ON EXHIBIT A AND AS DESCRIBED IN EXHIBIT B ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; CONSIDERATION TO BE THE PUBLIC USE AND BENEFIT, WITH THE STATE RESERVING THE RIGHT AT ANY TIME TO SET A MONETARY RENT IF THE COMMISSION FINDS SUCH ACTION TO BE IN THE STATE'S BEST INTEREST.