

MINUTE ITEM

This Calendar Item No. 06
was approved as Minute Item
No. 6 by the State Lands
Commission by a vote of 2
to 0 at its 12/12/1989
meeting.

CALENDAR ITEM

C O S

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12/12/89
W 24365 PRC 7356
J. Ludlow

RIGHT OF ENTRY

APPLICANT: Department of Transportation
District 1
P. O. Box 3700
Eureka, California 95502-6463

AREA, TYPE LAND AND LOCATION:
A 1.938-acre parcel of submerged land located
in the Smith River near Hiouchi, Del Norte
County.

LAND USE: Right of entry for the purpose of constructing
a replacement bridge.

TERMS OF PROPOSED RIGHT OF ENTRY:
Initial period: One year beginning
December 2, 1989, or until
the filing and approval of
the right-of-way maps as
required by Section 101.5 of
the Streets and Highways Code
of the State of California.

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

BASIS FOR CONSIDERATION:
Pursuant to 2 Cal. Code Regs. 2003.

APPLICANT STATUS:
Applicant is permittee of upland.

CALENDAR ITEM NO. C 0 (CONT'D)

STATUTORY AND OTHER REFERENCES:

- A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.
- B. Cal. Code Regs.: Title 2, Div. 3;
Title 14, Div. 6.

AB 884:

N/A.

OTHER PERTINENT INFORMATION:

1. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Code Regs. 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 2, Replacement or Reconstruction, 14 Cal. Code Regs. 15302.

Authority: P.R.C. 21084 and 14 Cal. Code Regs. 15300.

2. The Applicant has requested this right of entry for the purpose of entering the property for work involved in the construction of a replacement bridge across the Smith River. The previous suspension bridge was so badly damaged in a truck accident that it had to be removed.

The design of the replacement structure and its appurtenant roadway approaches is in conformance with existing federal standards. The additional shoulder widths are the result of a Department of Parks and Recreation request for safe pedestrian and bicycle public access, an aspect not previously available on the old bridge.

Also, the Department of Transportation will not be utilizing the staging area as previously indicated in the United States Army Corps of Engineers Public Notice 18103N55. Although the existing gravel bar will be used, no bridge will be constructed and no material will be placed in the river.

CALENDAR ITEM NO. 003 (CONT'D)

Upon completion, Caltrans will follow through with the filing of a right-of-way map, as required by Section 101.5 of the Streets and Highways Code of the State of California.

3. The issuance of this right of entry is conditioned upon Caltrans obtaining all of the required permits to proceed with the project and not occupying the premises until all such permits have been obtained.
4. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 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.

APPROVALS OBTAINED:

Water Quality Control Board.

FURTHER APPROVALS REQUIRED:

Department of Fish and Game.

EXHIBITS:

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

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. CODE REGS. 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 2, REPLACEMENT OR RECONSTRUCTION, 14 CAL. CODE REGS. 15302.
2. AUTHORIZE ISSUANCE TO THE DEPARTMENT OF TRANSPORTATION, DISTRICT 1 OF A RIGHT OF ENTRY PERMIT, BEGINNING DECEMBER 1, 1989; FOR A PERIOD OF ONE YEAR OR UNTIL THE APPLICANT FILES AND THE COMMISSION APPROVES THE RIGHT-OF-WAY MAP AS REQUIRED BY SECTION 101.5 OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA, WHICHEVER SHALL OCCUR FIRST, FOR SURVEYING AND OTHER PRELIMINARY WORK NEEDED FOR THE PURPOSE OF CONSTRUCTING A REPLACEMENT BRIDGE ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION

W 24365

All that portion of the submerged bed of the Smith River lying within the California State Highway 199 right of way at the Hiouchi Bridge in Section 5, T16N, R1E, HBM, Del Norte County, California.

EXCEPTING THEREFROM any portion lying landward of the ordinary low water mark of the Smith River.

END OF DESCRIPTION

PREPARED NOVEMBER 15, 1989 BY BIU 1

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