

MINUTE ITEM

11/21/74
HAM

5. 49-YEAR PUBLIC AGENCY PERMIT, TIDE AND SUBMERGED LAND IN MIDDLE RIVER AT UNDINE ROAD, SAN JOAQUIN COUNTY; COUNTY OF SAN JOAQUIN - W 20664, PRC 4965.

After consideration of Calendar Item 3 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION:

1. DETERMINES THAT AN ENVIRONMENTAL IMPACT REPORT 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.; AND 2 CAL. ADM. CODE 2910.
2. AUTHORIZES THE ISSUANCE TO THE COUNTY OF SAN JOAQUIN OF A 49-YEAR PUBLIC AGENCY PERMIT FROM NOVEMBER 1, 1974; IN CONSIDERATION OF 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; FOR REPLACEMENT OF AN EXISTING BRIDGE ON THE LAND DESCRIBED IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment:

Calendar Item 3 (3 pages)

CALENDAR ITEM

11/74
HAM
W 20664

3.

PUBLIC AGENCY PERMIT

APPLICANT: County of San Joaquin.

AREA, TYPE LAND AND LOCATION:

A 0.634-acre parcel of tide and submerged land in Middle River at Undine Road, San Joaquin County.

LAND USE: Replacement of an existing bridge.

TERMS OF PROPOSED LEASE:

Initial period: 49 years, from November 1, 1974.

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.

PREREQUISITE TERMS:

Applicant is lessee or permittee of upland on the westerly limit of the proposed structure. On the easterly terminus, the applicant is negotiating rights-of-way acquisition for access to the new bridge alignment.

STATUTORY AND OTHER REFERENCES:

- a. Public Resources Code: Div. 6, Parts 1 and 2.
- b. Administrative Code: Title 2, Div. 3, Arts. 1, 2 & 10.

OTHER PERTINENT INFORMATION:

The annual rental value of the site is estimated to be \$100.

The existing bridge, which has not been under permit, is structurally deficient and is to be replaced with a reinforced concrete slab bridge on a new alignment. The existing bridge will be completely removed. Structural and traffic safety are the primary objectives.

The applicant, under "Guidelines for Implementation of the California Environmental Quality Act of 1970", adopted by the Board of Supervisors of San Joaquin County on April 3, 1970, finds that this project is within CLASS 2 of CATEGORICAL EXEMPTIONS because it is a replacement of an existing highway bridge in substantially the same location.

Under memorandum dated November 5, 1973, staff counsel indicated that a review of the basis for categorical exemption had been conducted and that it is within the scope and meaning of existing regulations.

CALENDAR ITEM NO. 3. (CONTD)

EXHIBITS: A. Land Description. B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL IMPACT REPORT 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.; AND 2 CAL. ADM. CODE 2910.
2. AUTHORIZE THE ISSUANCE TO THE COUNTY OF SAN JOAQUIN OF A 49-YEAR PUBLIC AGENCY PERMIT FROM NOVEMBER 1, 1974; IN CONSIDERATION OF 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; FOR REPLACEMENT OF AN EXISTING BRIDGE ON THE LAND DESCRIBED IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

W 20664

All that certain tide and submerged land in the bed of Middle River, San Joaquin County, California, lying within the following described boundary:

COMMENCING at a found iron pin marking the most southerly corner of that certain 280.32 acre parcel of land conveyed to Mrs. C. A. Moran by deed dated November 8, 1941, recorded November 25, 1941, in Volume 743 of Official Records, page 433, San Joaquin County Records, and being a portion of that certain property designated as Parcel No. 3 on map of survey filed for record in Book of Surveys, Volume 5, page 194, San Joaquin County Records, said iron pin bears S 63° 25' E, 62.9 feet from a found iron pin marking the intersection of Undine Road and "Wing Levee", as shown on said map of survey; thence continuing S 63° 25' E along the centerline of Undine Road (40 feet wide), 329.21 feet; thence leaving said centerline at a right angle, S 26° 35' W, 10.00 feet; thence southeasterly on a curve to the left, radius 2217.90 feet (the long chord of which bears S 69° 06' 18" E, 439.66 feet), an arc distance of 440.39 feet to a point on the westerly levee of Middle River and being the TRUE POINT OF BEGINNING; thence S 55° 35' W along said westerly levee, 52.17 feet; thence leaving said levee and crossing Middle River, southeasterly on a curve to the left, radius 2257.90 feet (the long chord of which bears S 76° 53' 38" E, 233.06 feet), an arc distance of 233.16 feet to a point on the easterly levee of said Middle River; thence N 58° 35' E along said easterly levee, 123.54 feet; thence leaving said easterly levee and crossing Middle River, northwesterly on a curve to the right, radius 2177.90 feet (the long chord of which bears N 78° 59' 22" W, 250.38 feet), an arc distance of 250.52 feet to a point on the aforesaid westerly levee of Middle River; thence S 55° 35' W, along said westerly levee, 52.86 feet to the true point of beginning.

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