

MINUTE ITEM

This Calendar Item No. C22 was approved as Minute Item 22 by the State Lands Commission by a vote of 3 to 0 at its 7-17-79 meeting.

CALENDAR ITEM

C22.

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Maricle
PRC 463.9

AMENDMENT OF PUBLIC AGENCY PERMIT

APPLICANT: State of California
Department of Transportation
150 Oak Street
San Francisco, California 94102

Attn: Mr. R. E. Giegling
Senior Design Engineer

AREA, TYPE LAND AND LOCATION:
0.52 acres, tide and submerged land, San Joaquin River, Contra Costa County.

LAND USE: Conversion of highway bridge remnant to fishing pier.

TERMS OF ORIGINAL PERMIT:
Indefinite period from December 21, 1949.

TERMS OF PROPOSED AMENDMENT:
Initial period: 25 years from July 17, 1979.

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:
2 Cal. Adm. Code 2005.

BACKGROUND: 1. Original Purpose:
On December 21, 1949, under Minute Item 6, the Commission approved the continued use of a bridge ("the Old Bridge") for highway purposes crossing the San Joaquin River. This structure spanned the river and served as a highway connection between Contra Costa and Sacramento Counties. A permit for a new crossing, westerly of the present structure, was approved by the Commission on October 29, 1975.

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2. Present Situation:

The Old Bridge is to be removed from the waterway, except for an approximate 535-foot section which has been proposed for retention and conversion to a public fishing pier. The portion of the Old Bridge to be retained is on the Contra Costa County side of the San Joaquin River.

3. Details of Proposed Conversion:

A. The applicant, Department of Transportation, has submitted its request for Commission approval of this project. The project consists of structural modification of the Old Bridge and an upland development; this latter segment of the project is outside the Commission's jurisdiction.

B. There are 3 agencies working on this project. They include:

1. Department of Transportation
2. East Bay Regional Park District
3. State Wildlife Conservation Board

C. The above agencies have prepared agreements pertaining to this project. These agreements provide for cooperation by each of them as to monetary contribution, upkeep and operation. Those agreements are on file with the staff of the State Lands Commission and are summarized below:

CONTRACT

Cal Trans to
East Bay Regional
Park District

IDENTIFICATION
NO.

4-765-C
(Executed 4-17-79)

PURPOSE

Grant to District
to operate a public
fishing facility.

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Cal Trans and Wildlife Conservation Board (through the Dept. of Fish and Game	4-700-C (Executed 4-20-79)	Agreement as to amounts and modes of contribution regarding structural conversion.
Wildlife Conservation Board (through Fish and Game) and the East Bay Regional Park District	- - - (Executed 4-17-79)	Provides for operation of pier by the District, with conditions, based on terms of WCB's financial contribution.

4. In general, the 3 agencies have agreed to the modification of the structure for the proposed use, and the terms of contribution, and that the East Bay Regional Park District shall operate the finished structure. Since the facility is presently under a 101.5 (Streets and Highway Code) Permit to the Department of Transportation (PRC 463.9), State Lands Commission approval is necessary to amend the terms of the permit and allow for implementation of the current proposal.
5. In order to provide monies for this project, the regulations of the Department of Fish and Game, acting through the Wildlife Conservation Board, require a proprietary interest in the project. The agreements above so provide.
6. The agreement between the East Bay Regional Park District and the Wildlife Conservation Board provides for the transfer of operation and maintenance to the State Department of Parks and Recreation (paragraph 9), under certain conditions. Such transfer would be only with the written consent of the State Lands Commission.

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7. A filing fee and processing fee have not been received. The staff believes that these fees should be waived in view of the public benefits to flow from the project.
8. The proposed activity is to occur on that certain land shown on Exhibit "A" of Agreement No. 4-765-C, dated April 17, 1979, between the Department of Transportation and the East Bay Regional Park District.

STATUTORY AND OTHER REFERENCES:

- A. P.R.C.: Div. 6, Parts 1 & 2.
- B. Cal. Adm. Code: Title 2, Div. 3.

OTHER PERTINENT INFORMATION:

1. The annual rental value of the site is estimated to be \$1,200.
2. A negative declaration was prepared by the Department of Transportation, pursuant to CEQA and implementing regulations.
3. This project is situated on State land identified as possessing significant environmental values pursuant to P.R.C. 6370.1, and is classified in a use category, Class C, which authorizes Multiple Use.

Staff review indicates that there will be no significant effect upon the identified environmental values. This is a modification of an existing facility for which no adverse comments have been received.

APPROVALS OBTAINED:

United States Army Corps of Engineers.

EXHIBITS:

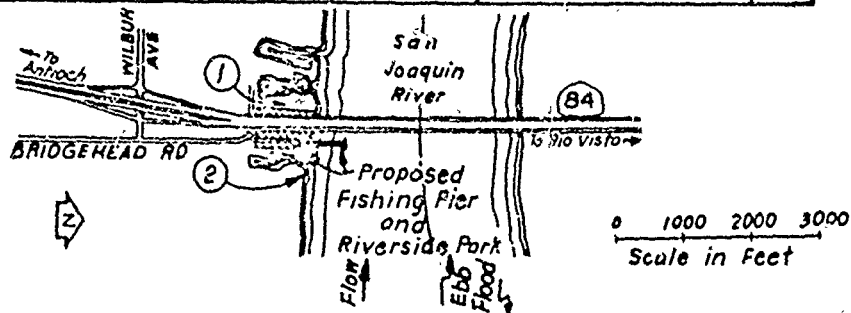
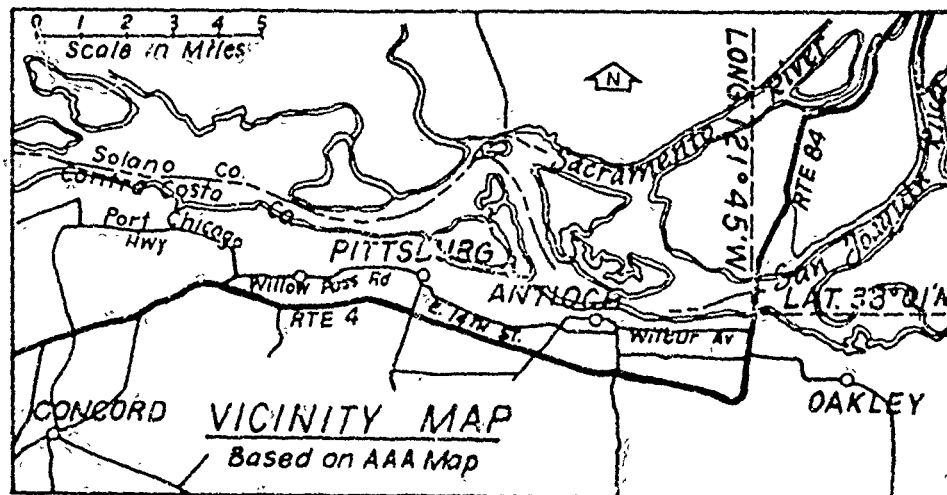
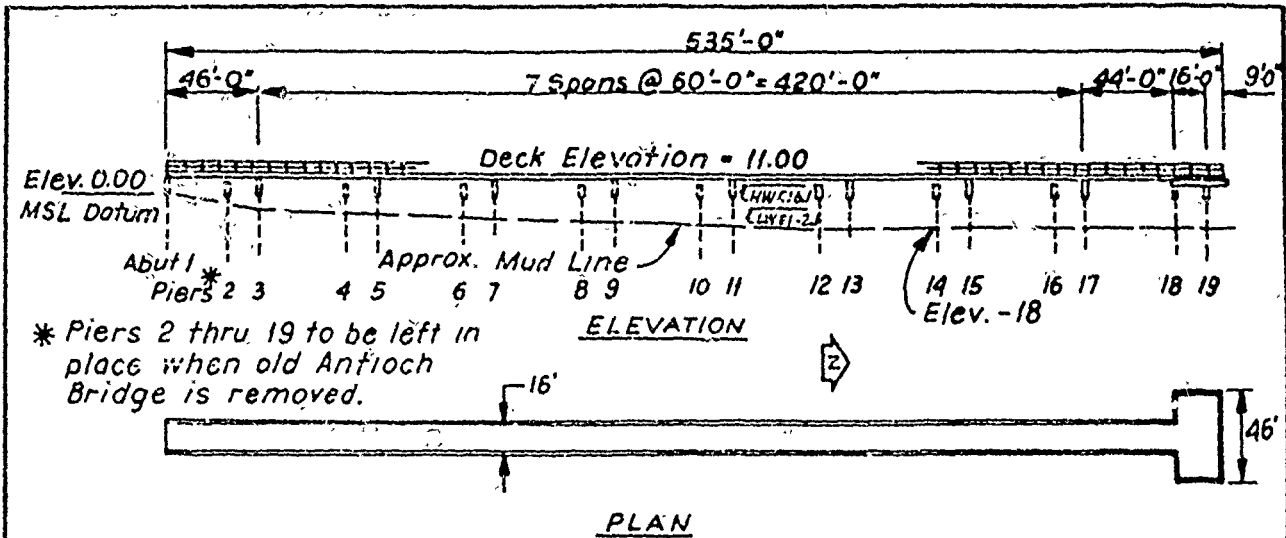
- A. Vicinity Map.
- B. Project Location.
- C. Negative Declaration Summary.

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IT IS RECOMMENDED THAT THE COMMISSION:

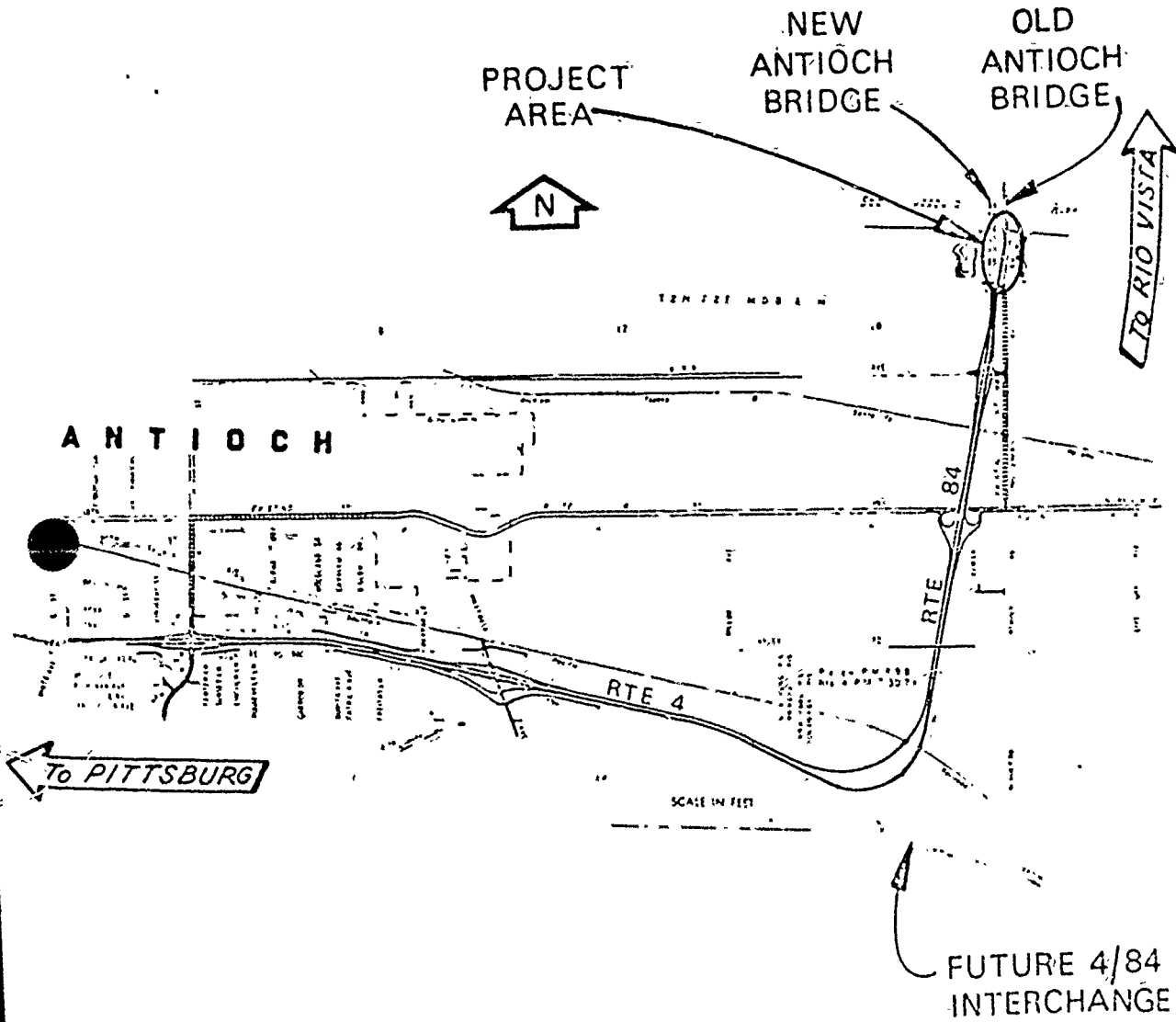
1. DETERMINE THAT AN EIR HAS NOT BEEN PREPARED FOR THIS PROJECT BUT THAT A NEGATIVE DECLARATION HAS BEEN PREPARED BY THE DEPARTMENT OF TRANSPORTATION IN JULY 1978.
2. CERTIFY THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED IN THE NEGATIVE DECLARATION.
3. DETERMINE THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
4. FIND THAT GRANTING OF THE PERMIT WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1 OF THE P.R.C.
5. WAIVE THE STANDARD FILING FEE AND PROCESSING FEE.
6. AUTHORIZE ISSUANCE OF AN AMENDMENT OF PRC 463.9 TO THE DEPARTMENT OF TRANSPORTATION, AND TO EXPRESS COMMISSION APPROVAL BY ENDORSEMENT OF THE CITED AGREEMENTS, ALL RELATING TO THE CONVERSION OF A PORTION OF THE OLD ANTIOCH BRIDGE TO PUBLIC FISHING PIER USE, AS DESCRIBED IN SAID AGREEMENTS BETWEEN DEPARTMENT OF TRANSPORTATION, THE DEPARTMENT OF FISH AND GAME, ACTING THROUGH THE WILDLIFE CONSERVATION BOARD, AND THE EAST BAY REGIONAL PARK DISTRICT, FOR A 25-YEAR TERM FROM JULY 17, 1979, ON THAT CERTAIN LAND DESCRIBED ON EXHIBIT "A" OF AGREEMENT NO. 4-765-C DATED APRIL 17, 1979, BETWEEN THE DEPARTMENT OF TRANSPORTATION AND THE EAST BAY REGIONAL PARK DISTRICT. THE AGREEMENTS ARE ON FILE IN THE OFFICE OF THE COMMISSION AND APPROVAL IS SUBJECT TO THE FOLLOWING CONDITIONS:
 - A. THE CONSIDERATION FOR SUCH APPROVAL IS THE PUBLIC USE AND BENEFIT, WITH THE STATE RESERVING THE RIGHT TO SET A MONETARY RENTAL AT ANY TIME IF THE COMMISSION FINDS SUCH ACTION TO BE IN THE STATE'S BEST INTEREST.
 - B. ANY ASSIGNMENT OF INTEREST OF THE SUBJECT PROPERTY SHALL BE VALID ONLY UPON THE WRITTEN CONSENT OF THE COMMISSION.



Purpose: Provide Public Recreational Facility.
 Datum: N.G.V.D. of 1929
 Adjacent Property Owners:
 ① Petri Yacht Harbor
 ② Driftwood Marina

PROPOSED FISHING PIER
 NEAR ANTIOCH (RIVER MILE 7.6)
 CONTRA COSTA CO. STATE OF CALIF.
 APPLICATION BY CALIF. DEPT. OF TRANSP.
 SHEET 1 OF 2
 DATE 9/21/78

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PROJECT LOCATION

EXHIBIT "C"

W 21004

ENVIRONMENTAL SUMMARY

I. Introduction

The following is a summary of a negative declaration for conversion of a portion of the Old Antioch Bridge to a public fishing pier and riverside park. The project, which will be maintained by the East Bay Regional Park District, is being proposed by CALTRANS.

II. Project Description

The proposed project will be developed in three increments:

Phase I - Removal of existing bridge except for abutment 1 and piers 2-12;

Phase II - Removal of temporary connection of the old bridge to the Route 1 Freeway, widening of the entrance to Petri's Yacht Harbor, and building an off-ramp for CALTRANS maintenance;

Phase III - Construction of park facility, roadway entrance, parking lot and fencing.

III. Alternatives

Complete removal of existing bridge and construction of a new fishing pier.

IV. Environmental Setting

The project site is 7.5 miles east of the mouth of the San Joaquin River in the Delta region of the Sacramento and San Joaquin Rivers. The site is surrounded by an atmosphere of water-oriented activity. The Petri Yacht Harbor is to the west and the Driftwood Marina is to the east. The shoreline between the two marinas is a popular fishing area. The north end of the bridge leads to Sherman Island. The Lower Sherman Island Wildlife Area is known as an important fishing source. Fish species common to the area include: black bass, sturgeon, crappie, sunfish, salmon, steelhead, shad, carp, striped bass and white catfish.

V. Environmental Impacts

1. Grading could result in changed topography.
2. Heavy damage may result from seismic activity.
3. Potential siltation could occur on the riverbottom near the riverbank.
4. The facility could be vulnerable to flooding, tidal waves, etc.
5. Potential increased vandalism.
6. Potential increased littering.
7. It is anticipated the project will enhance recreational use of the Delta.

VI. Mitigation Measures

1. The Coast Guard Permit for construction of the new bridge requires the old bridge be removed within 90 days from the time the new bridge begins operating, thus grading will occur even if the proposed project is not developed.
2. The pier will be designed using improved designed forces that are estimated to be able to withstand heavy seismic excitation from a major earthquake without total collapse.

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3. The CALTRANS Office of Structures has concluded the proposed project is likely to reduce the rate of silting in the marina channel.
4. Periodic flooding at the project site will be reduced by project grading operations.
5. Since the area has been used by fishermen for years, there is little reason to believe that providing a pier and park to improve fishing conditions will significantly increase vandalism. However, East Bay Regional Park District staff will patrol the facility daily and/or nightly. Also, the proposed fencing will be a deterrent to trespassing on nearby privately-owned commercial marinas.
6. Garbage and litter will be picked up on a daily basis by East Bay Regional Park District staff.

VII. Growth-Inducing Impact

The proposed project is not likely to induce population growth in the project area.

VIII. Irreversible Environmental Changes

Energy and materials used to convert the old bridge into a fishing pier are the major irreversible resource commitments.

IX. Short-Term v. Long-Term

The proposal does not have the potential to achieve short-term, to the disadvantage of long-term, environmental goals.

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