

MINUTE ITEM

This Calendar Item No. 206
was approved as Minute Item
No. 6 by the State Lands
Commission by a vote of 3
to 0 of its 5-1-91
meeting.

CALENDAR ITEM

C 0 6

A 31, 32

S 15

05/01/91
W 24410 PRC 7533
Fong

**APPROVAL OF A PUBLIC AGENCY PERMIT
AND RIGHT-OF-WAY MAP**

APPLICANT:

California Department of Transportation
P.O. Box 12616
1352 West Olive Avenue
Fresno, California 92778

AREA, TYPE LAND AND LOCATION:

A 0.56-acre parcel of sovereign land located in the bed of
the Kings River near Sanger, Fresno County.

LAND USE:

Highway purposes, specifically to reconstruct the
Highway 180 bridge crossing of the Kings River.

TERMS OF PROPOSED:

Initial period:
Indefinite period from May 1, 1991.

CONSIDERATION:

As set forth within Section 101.5, Streets and Highways
Code, and the public use and benefit.

BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Code Regs. 2003.

APPLICANT STATUS:

N/A.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

Filing fee has been received.

STATUTORY AND OTHER REFERENCES:

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

AE 884:

N/A.

CALENDAR ITEM NO. 06 (CONT'D)

OTHER PERTINENT INFORMATION:

1. 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.
2. 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 of Existing Facilities, 14 Cal. Code Regs. 15302.

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

3. The Department of Transportation has submitted an application for the required right-of-way over State sovereign lands to reconstruct the existing bridge over the Kings River at the Highway 180 crossing near Sanger. The project, as submitted, includes a number of environmental features which have been incorporated in response to the U. S. Fish and Wildlife Service (avoidance of elderberry bushes, the host of the endangered Valley Longhorn Elderberry Beetle, and the State Department of Fish and Game (a revegetation plan and the off-site protection and enhancement, in conjunction with the County of Fresno, of a wetland and riparian area which includes Valley Oak).
4. Staff recommends waiver of the processing fee because this application was received and was being processed prior to the Commission's authorization of the collection of processing fees at the December 1990 Commission meeting.

EXHIBITS:

- A. Land Description
- B. Location Map.

CALENDAR ITEM NO. C 0 6 (CONT'D)

IT IS RECOMMENDED THAT THE COMMISSION:

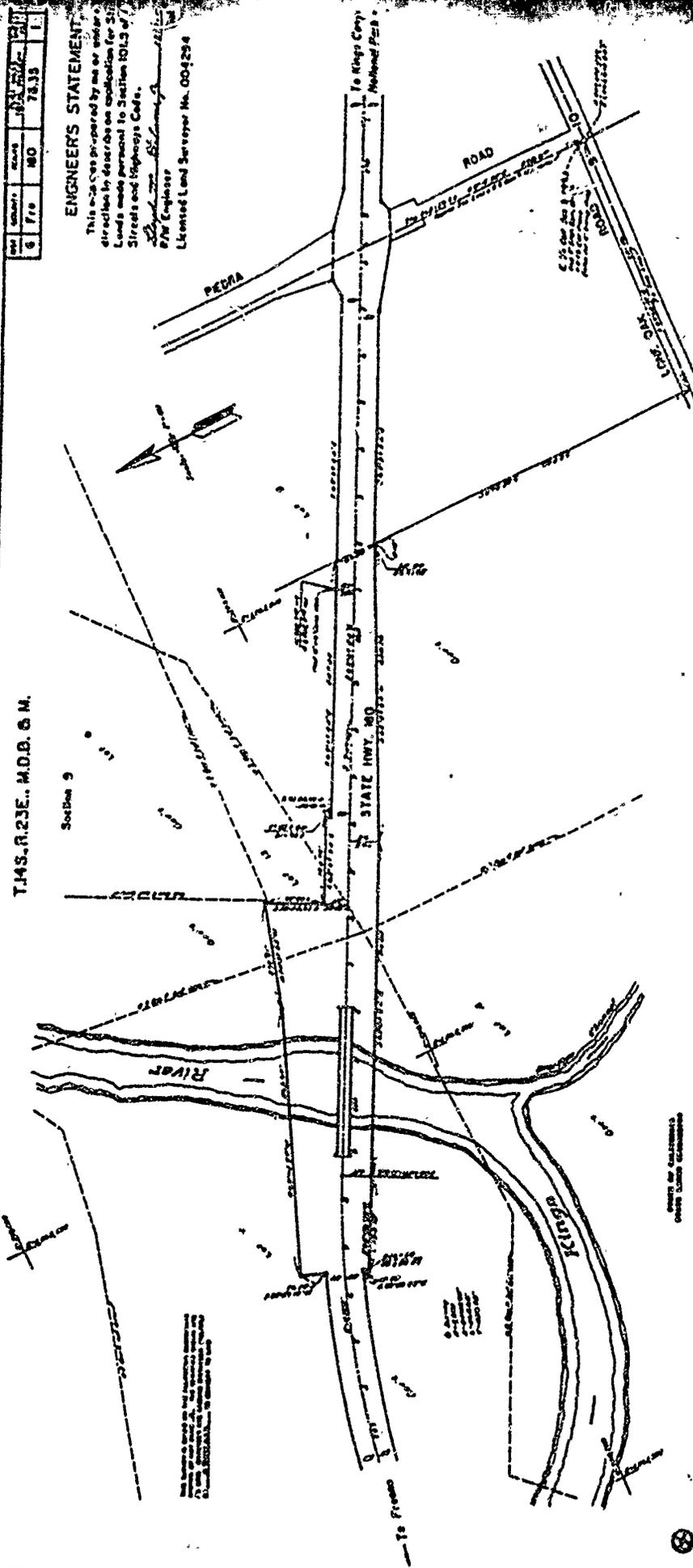
1. FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO P.R.C. 6370, ET SEQ.
2. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. CODE REGS. 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 2, REPLACEMENT OR RECONSTRUCTION OF EXISTING FACILITIES, 14 CAL. CODE REGS. 15302.
3. WAIVE EXPENSE AND PROCESSING FEES FOR THIS TRANSACTION.
4. AUTHORIZE ISSUANCE TO CALIFORNIA DEPARTMENT OF TRANSPORTATION OF A PUBLIC AGENCY PERMIT FOR AN INDEFINITE PERIOD BEGINNING MAY 1, 1991; FOR HIGHWAY PURPOSES IN CONSIDERATION OF FUNDS DEPOSITED INTO THE STATE PARKS AND RECREATION FUND AND THE PUBLIC USE AND BENEFIT ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

TJAS. R. 23E.. M.D.B. 6 M.

Section 9

NO.	DATE	BY	REVISION
1	7/10	MO	7833

ENGINEER'S STATEMENT
 This map was prepared by me or under my direction in accordance with the provisions of the Public Lands Act of 1916, as amended, for the purpose of showing the location of the proposed streets and highways in the above described lands. I am a duly Licensed Land Surveyor No. 004294.



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1941 or thereafter
under the provisions of the
Public Lands Act of 1916

Map showing Surveyor's Land of the State of California in Fresno County across the Kings River near Fresno, located on a right of way for and for the construction of a State Highway. Need OS-Fr-490-7633

STATE OF CALIFORNIA
 COUNTY OF FRESNO
 I, _____, County Clerk, do hereby certify that the above described lands are the property of the State of California.

Map showing Surveyor's Land of the State of California in Fresno County across the Kings River near Fresno, located on a right of way for and for the construction of a State Highway. Need OS-Fr-490-7633

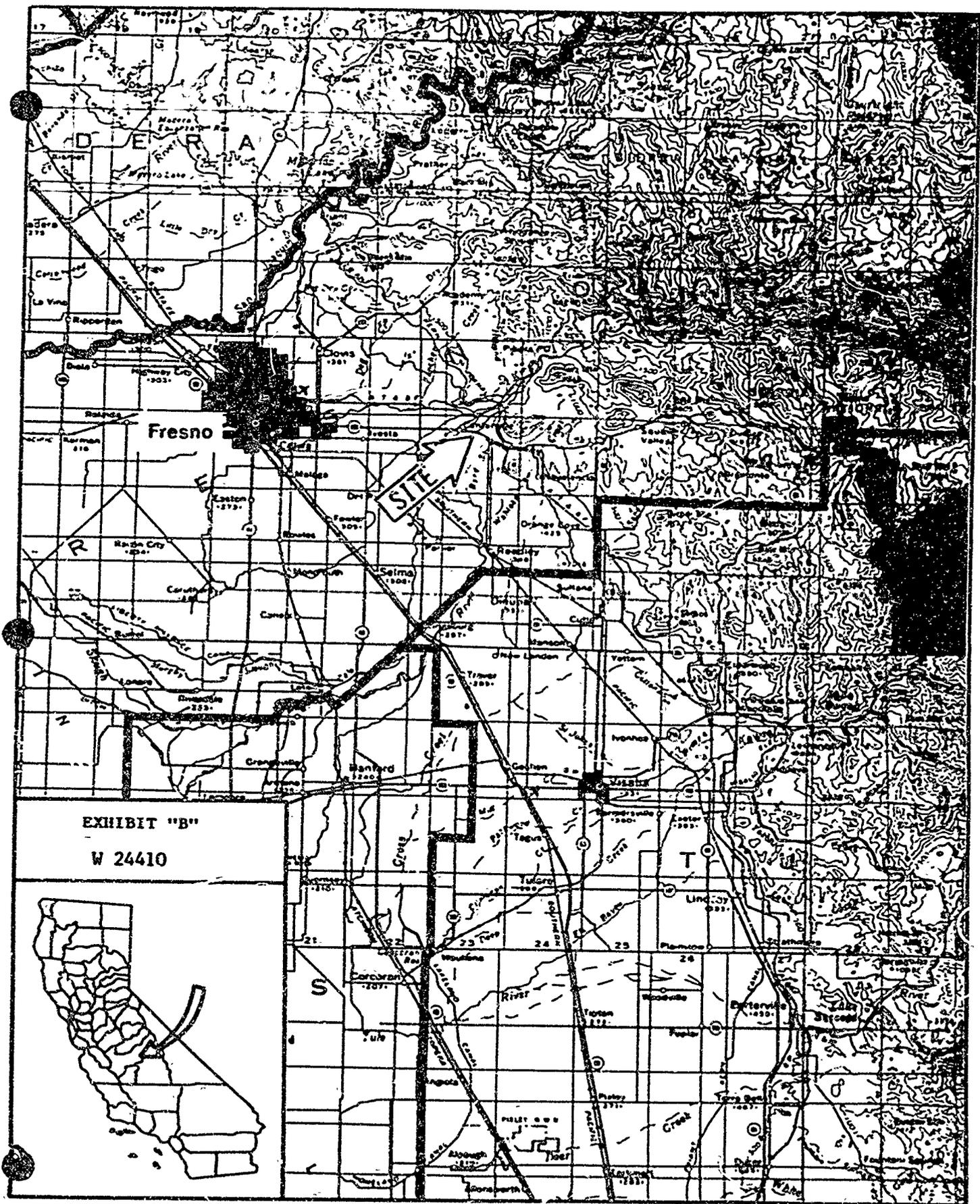


EXHIBIT "B"
W 24410

