

**CALENDAR ITEM
C29**

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06/01/09
W 26062
K. Foster

GENERAL LEASE - PUBLIC AGENCY USE

APPLICANT:

County of Fresno
Department of Public Works and Planning
2220 Tulare Street, 7th Floor
Fresno, CA 93721

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in the Kings River, near the city of Sanger, Fresno County.

AUTHORIZED USE:

Demolition of the existing Goodfellow Avenue Bridge crossing the Kings River; and the construction, use, and maintenance of a new bridge within the same alignment, placement of rock bank protection, and the potential abandonment in place of two bridge pilings.

LEASE TERM:

20 years, beginning June 1, 2009.

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.

SPECIFIC LEASE PROVISIONS:

1. Lessee shall not place, attach, or authorize the placement of any utilities or other improvements on the Bridge or within the Lease Premises without the Lessor's prior review and approval. Separate leases shall be obtained for all utilities not operated by Lessee.

2. Lessee shall place warning signage and/or buoys, clearly visible from the shore and in the water, both upstream and downstream of the construction site, to provide notice of the bridge replacement project and to advise the public to exercise caution. Lessee shall place and maintain such signage

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at all times during bridge removal and construction activities, and shall notify the California Department of Boating and Waterways of the location, description, and purpose of such signage upon their installation and removal.

OTHER PERTINENT INFORMATION:

1. Applicant owns and has the right to use the uplands adjoining the lease premises.
2. The existing Goodfellow Avenue bridge crossing the Kings River in Fresno County was constructed in 1938, but was not authorized by the Commission. A California Department of Transportation (CalTrans) inspection determined that the Bridge is structurally deficient and functionally obsolete, and therefore qualifies for federal replacement funding under the Federal Highway Administration's (FHWA) Federal Highways Bridge Replacement and Rehabilitation Program. CalTrans will provide oversight authority for the project on behalf of the FHWA.

The replacement bridge will consist of a single, undivided, two-lane approximately 34-foot wide by 520-foot long cast-in-place concrete box girder structure supported on each end by abutments anchored with concrete cast-in-steel-shell piles, with two concrete cast-in-drilled-hole piles supporting the span.

3. The Bridge will be closed to traffic during construction and the existing structure will be removed in its entirety, with the exception that the existing foundation piles may be cut-off below the mud line and left in place if the County is unsuccessful in its attempts to remove the piles completely. Removal of the Bridge and construction of the substructure will begin in September when River flows are low. Once this phase is completed, construction of the superstructure will begin in December and end in June, at the beginning of irrigation season. Rock slope protection will be placed at each abutment to protect the roadway embankments from scour. A construction cofferdam is proposed to be located on the upstream side of the River to divert water and to allow construction access across the River. Alternatively, the contractor may construct a temporary low water trestle bridge to access both sides of the River. Whichever River access is constructed, the River bed and banks will be returned to their original condition upon completion of construction activities. The County will place warning signage and/or buoys, clearly visible from the shore and in the water, both upstream and downstream of the construction site to provide notice of the Bridge replacement project and to advise the public to

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exercise caution. The signage will remain in place by the County at all times during bridge removal and construction activities.

4. In the event the County is unable to remove the piles completely, the County will remain responsible for any abandoned structures. Should the Commission determine that any abandoned structures have become a hazard to the public, the County will be required to remedy the hazard.
5. A Mitigated Negative Declaration was prepared and adopted for this project by the county of Fresno on December 18, 2007. The California State Lands Commission's staff has reviewed such document. A Mitigation Monitoring Program was adopted by the county of Fresno on December 18, 2007.
6. 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.

APPROVALS OBTAINED:

County of Fresno; California Regional Water Quality Control Board; United States Fish and Wildlife Service; and the United States Army Corps of Engineers

FURTHER APPROVALS REQUIRED:

California Department of Fish and Game; and the Central Valley Flood Protection District

EXHIBITS:

- A. Location And Site Map
- B. Legal Land Description
- C. Mitigation Monitoring Program

PERMIT STREAMLINING ACT DEADLINE:

June 8, 2009

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT A MITIGATED NEGATIVE DECLARATION AND A MITIGATION MONITORING PROGRAM WERE PREPARED AND ADOPTED FOR THIS PROJECT BY THE COUNTY OF FRESNO ON

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DECEMBER 18, 2007 AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.

ADOPT THE MITIGATION MONITORING PROGRAM, ATTACHED AS EXHIBIT C.

SIGNIFICANT LANDS INVENTORY FINDING:

FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE ISSUANCE OF A GENERAL LEASE - PUBLIC AGENCY USE TO THE COUNTY OF FRESNO BEGINNING JUNE 1, 2009, FOR A TERM OF 20 YEARS, FOR THE DEMOLITION OF THE EXISTING GOODFELLOW AVENUE BRIDGE AND THE CONSTRUCTION, USE, AND MAINTENANCE OF A NEW BRIDGE CROSSING THE KINGS RIVER, ROCK BANK PROTECTION, AND THE POTENTIAL ABANDONMENT IN PLACE OF TWO BRIDGE PILINGS, AS SHOWN ON EXHIBIT A (FOR REFERENCE PURPOSES ONLY) AND AS DESCRIBED IN EXHIBIT B ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; CONSIDERATION IS 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.