

**CALENDAR ITEM
C32**

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S 1, 6

08/14/12
PRC 2393.9
N. Lavoie

GENERAL LEASE – PUBLIC AGENCY USE

APPLICANT:

County of Sacramento

AREA, LAND TYPE, AND LOCATION:

Sovereign land in the American River, adjacent to Assessor's Parcel Numbers 056-0023-013, 069-0010-021, 244-0303-008, and 244-0293-007, between the cities of Rancho Cordova and Fair Oaks, Sacramento County

AUTHORIZED USE:

Continued use and maintenance of an existing six-lane automobile and light rail bridge crossing, known as the Sunrise Boulevard Bridge.

LEASE TERM:

25 years, beginning April 30, 2008.

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.

OTHER PERTINENT INFORMATION:

1. Applicant has the right to use the uplands adjoining the lease premises.
2. On April 30, 1959, the Commission authorized a right-of-way easement to Sacramento County for the construction, operation, and maintenance of a bridge crossing the American River. On April 2, 1991, the Commission authorized a lease amendment to include the addition of two traffic lanes, creating a six-lane expressway. On December 21, 1994, the lease was amended again to authorize the after-the-fact construction of a light rail crossing. The crossing was constructed to accommodate a future set of single tracks; however, to date, the tracks have not been installed. This lease expired April 29, 2008. The Applicant has applied for a new General Lease – Public Agency Use.

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3. On July 20, 2010, the bridge was inspected by the California Department of Transportation (DOT). The inspection report has been reviewed and three work recommendations were made by the DOT. The recommendations are to periodically remove debris from all piers, noting that there was no debris present at the time of inspection; determine the source of drainage causing erosion in the Abutment 13 slope, which will be further inspected and repaired this summer; and to replace Type A pourable joint seals with Type B compression joint seals.

4. An eight-inch diameter natural gas pipeline owned and operated by Pacific Gas and Electric Company (PG&E) is attached to the bridge and in use. PG&E originally placed the pipeline on the bridge sometime after the bridge was constructed in the late 1950's, and in 1992 replaced the pipeline. Sacramento County has a Franchise Agreement in place with PG&E dated 1994, ordinance number 341. PG&E submitted a lease application to the Commission for the natural gas pipeline which was not previously authorized by the Commission. PG&E's application will be brought for the Commission's consideration at a future meeting.

5. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Cal. Code Regs., tit. 14, § 15061), the staff has determined that this activity is exempt from the requirements of CEQA as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

Authority: Public Resources Code section 21084 and California Code of Regulations, Title 14, section 15300 and California Code of Regulations, Title 2, section 2905.

6. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et seq., but such activity will not affect those significant lands. 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.

EXHIBITS:

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

CALENDAR ITEM NO. **C32** (CONT'D)

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that the activity is exempt from the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15061 as a categorically exempt project, Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

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 section 6370 et seq.

AUTHORIZATION:

Authorize issuance of a General Lease – Public Agency Use to the County of Sacramento, beginning April 30, 2008, for a term of 25 years, for the continued use and maintenance of an existing six-lane automobile and light rail bridge crossing as described in Exhibit A and shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof; consideration being the public use and benefit, with the State reserving the right, at any time, to set a monetary rent as specified in the lease if the Commission finds such action to be in the State's best interest.

EXHIBIT A

PRC 2393.9

LAND DESCRIPTION

A strip of submerged land 120 feet wide situated in the bed of American River in Sacramento County, California, lying 60 feet on the right and 60 feet on the left of the following described line:

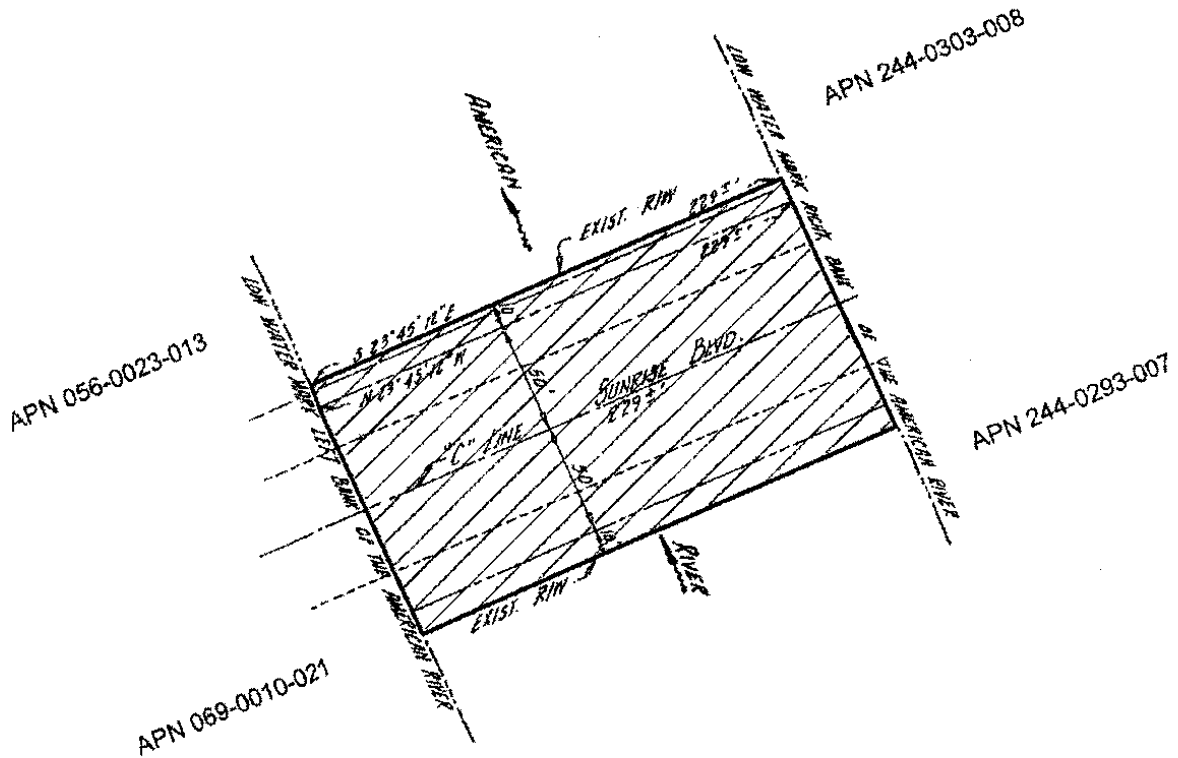
COMMENCING at a point on the centerline and the north end of the American River Bridge at Fair Oaks, said point being further described as "Engineers Station C 22+72 Fair Oaks Bridge Approach", from which a 1-1/4 inch iron pipe stamped LS 2217 bears N 23° 45'12" W 323.28 feet and S 59° 00'00" W 90.73 feet, said iron pipe marks the southeasterly corner of the lands of Harold A. Spellman being that portion of Lot 2, Block 40, Fair Oaks City, as shown on the "Record of Survey of Wilson Street Approach to American River Bridge" recorded September 8, 1955 in Book 11 of Surveys, Survey No. 41, records of said county; thence S 23° 45'12"E 357.00 feet more or less to the ordinary low water mark on the right bank of the American River and the POINT OF BEGINNING; thence S 23° 45'12" E 229.00 feet more or less to the ordinary low water mark on the left bank of said river and the end of this herein described line.

EXCEPTING THEREFROM any portions lying above the ordinary low water mark of said river.

END OF DESCRIPTION

NO SCALE

SITE



AMERICAN RIVER SUNRISE BRIDGE CROSSING, NEAR RANCHO CORDOVA AND FAIR OAKS

NO SCALE

LOCATION



Exhibit B

PRC 2393.9
 SACRAMENTO COUNTY
 GENERAL LEASE—
 PUBLIC AGENCY USE
 SACRAMENTO COUNTY



MAP SOURCE: USGS QUAD

This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.