MINUTE ITEM
This Calendar Item No. C14
was approved as Minute Item
No. C14 by the State Lands
Commission by a vote of 2
to 0 at its 10/29/90
meeting.

CALENDAR ITEM

C 14

A 2, 11

S 4, 7

10/29/90
W 24301 PRC 7464
Bancroft

RIGHT-OF-WAY EASEMENT

APPLICANT: Southern Pacific Transportation Company
One Market Plaza, Room 1007
San Francisco, California 94105

AREA, TYPE LAND AND LOCATION:
A 25.728-acre parcel of tide and submerged land located in Carquinez Strait, Solano and Contra Costa counties.

LAND USE: Continuing use and maintenance of an existing railroad bridge.

TERMS OF ORIGINAL LEASE:
Initial period: Continuous.

CONSIDERATION: None.

BASIS FOR CONSIDERATION:
California Public Utilities Code Section 7553.

APPLICANT STATUS:
Applicant is owner of upland.

PREREQUISITE CONDITIONS, FEES, AND EXPENSES:
Filing fee and processing costs have been received.

(ADDED pgs. 63-63.12)

STATUTORY AND OTHER REFERENCES:

A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.

B. Cal. Code Regs.: Title 2, Div. 3; Title 14, Div. 6.

AB 884: 04/17/91.

OTHER PERTINENT INFORMATION:

1. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Code Regs. 15025), the staff has prepared a Proposed Negative Declaration identified as EIR ND 529, State Clearinghouse No. 90030751. Such Proposed Negative Declaration was prepared and circulated for public review pursuant to the provisions of CEQA.

   Based upon the Initial Study, the Proposed Negative Declaration, and the comments received in response thereto, there is no substantial evidence that the project will have a significant effect on the environment. (14 Cal. Code Regs. 15074(b))

2. Southern Pacific is exercising its right to secure a right-of-way for the subject bridge under provisions of California Public Utilities Code Sec. 7553, which requires a plat of the proposed right-of-way be transmitted to State Lands for verification. Upon verification, State Lands will endorse the plat and issue a permit to Southern Pacific.

   Southern Pacific is in the process of preparing a plat pursuant to California Public Utilities Code Section 7553 and will transmit it to the staff within the next week.

3. The annual rental value of the site is estimated to be $90,000 per annum.

CALENDAR ITEM NO. C 14 (CONT'D)

EXHIBITS:

A. Land Description.
B. Location Map.
C. Negative Declaration

IT IS RECOMMENDED THAT THE COMMISSION:

1. CERTIFY THAT A NEGATIVE DECLARATION, EIR ND 529, STATE CLEARINGHOUSE NO. 90030751, WAS PREPARED FOR THIS PROJECT PURSUANT TO THE PROVISIONS OF THE CEQA AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.

2. DETERMINE THAT THE PROJECT, AS APPROVED, WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.

3. AUTHORIZE ISSUANCE TO SOUTHERN PACIFIC TRANSPORTATION COMPANY OF A RIGHT-OF-WAY EASEMENT EFFECTIVE NOVEMBER 1, 1990 CONTINGENT UPON THE RECEIPT, PREVIEW, AND APPROVAL OF A PLAT BY THE eXECUTIVE oFFICER OF THE EXISTING RAILROAD BRIDGE ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION

W 24301

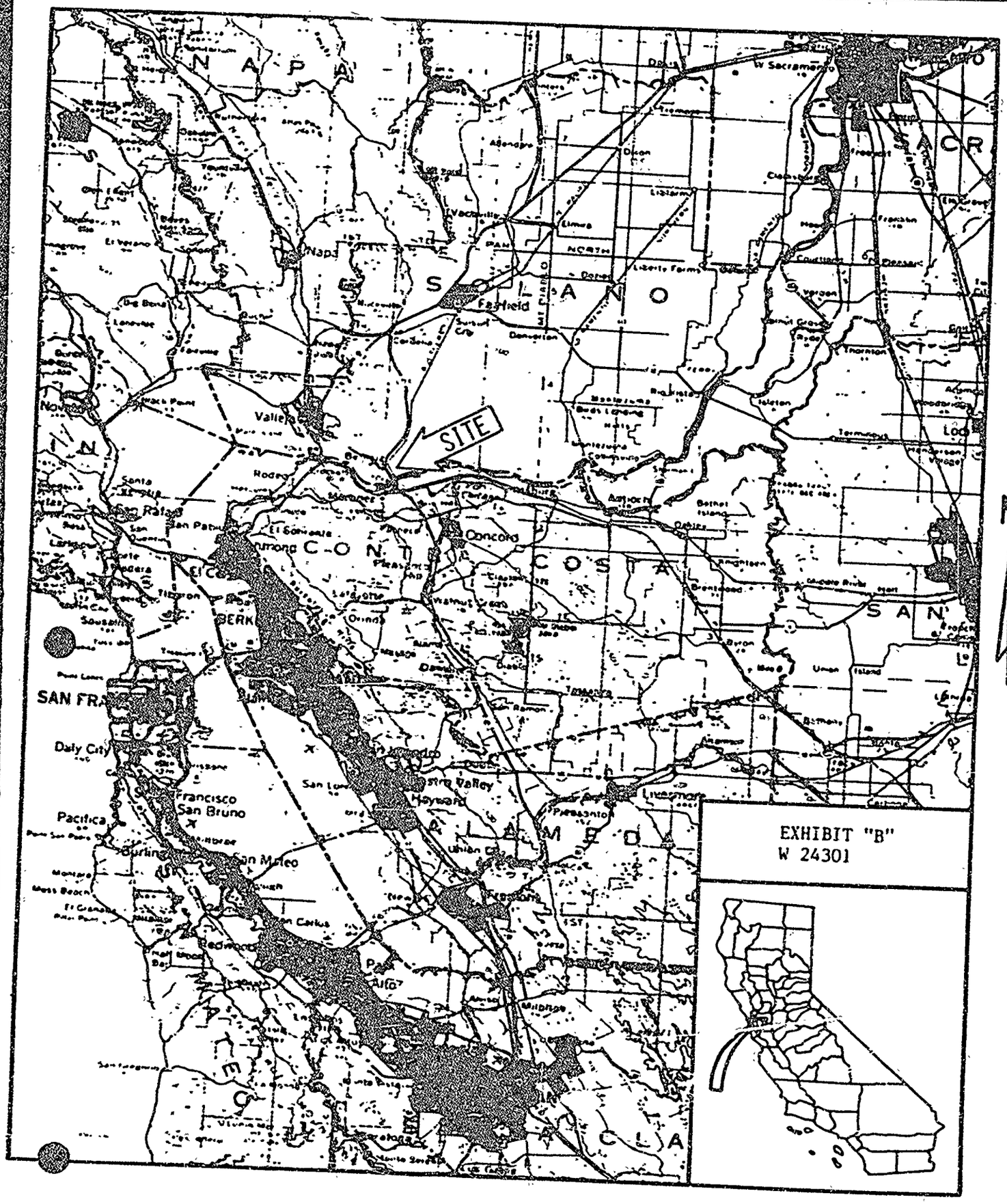
All that State owned tide and submerged land in Suisun Bay, Contra Costa and Solano Counties, California, lying immediately beneath and extending 100 feet on each side of the centerline of Southern Pacific Transportation Co. Suisun Bay Bridge MP. 33.31.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water marks of Suisun Bay.

ALSO EXCEPTING THEREFROM any portion lying landward of Boundary Line Agreement Number 56, Recorded November 24, 1971 in Book 1718, page 189 Official Records of Solano County and Boundary Line Agreement Number 124, Recorded July 1, 1971 in Book 6573, page 223 Official Records of Contra Costa County.

END OF DESCRIPTION

PREPARED AUGUST 7, 1990 BY LLB.



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STATE OF CALIFORNIA
STATE LANDS COMMISSION
LEO T. McCARTHY, Lieutenant Governor
GRAY DAVIS, Controller
JESSE R. HUFF, Director of Finance

GEORGE DEUKMEJIAN, Governor
EXECUTIVE OFFICE
1807 - 13th Street
Sacramento, CA 95814
CHARLES WARREN
Executive Officer

EXHIBIT "C"

PROPOSED NEGATIVE DECLARATION

EIR ND: 529

File Ref.: W 24301

Project Title: Reconstruction of Southern Pacific Railroad Bridge

Project Proponent: Southern Pacific Transportation Company

Project Location: Southern Pacific Railroad Bridge across Suisun Bay between Martinez and Benicia

Project Description: Authorization of and current repair to existing bridge which carries Southern Pacific's main rail line over the entrance to the Suisun Bay between Suisun Point and Army Point, Contra Costa and Solano Counties.

Contact Person: Betty Eubanks Telephone: (916) 322-2795

This document is prepared pursuant to the requirements of the California Environmental Quality Act (Section 21000 et seq., Public Resources Code), the State CEQA Guidelines (Section 15000 et seq., Title 14, California Code Regulations), and the State Lands Commission regulations (Section 2901 et seq., Title 2, California Code Regulations).

Based upon the attached Initial Study, it has been found that:

/X/ the project will not have a significant effect on the environment.

/__/ mitigation measures included in the project will avoid potentially significant effects.

STATE LANDS COMMISSION

ENVIRONMENTAL IMPACT ASSESSMENT CHECKLIST – PART II

Form 13.20 (7/82)

File Ref.: W 24301

I. BACKGROUND INFORMATION

A. Applicant: Southern Pacific Transportation Company
1 Market Plaza
San Francisco, CA 94105

B. Checklist Date: 9 /05 /90

C. Contact Person: Betty Eubanks

Telephone: (916) 3,2-2795

D. Purpose: Authorize existing bridge and reconstruction/repair to bridge fenders, pilings and dolphins to protect the bridge and vessel traffic.

E. Location: Southern Pacific Railroad Bridge across Suisun Bay between Martinez and Benicia.

F. Description: Reconstruct fenders, pilings and dolphins at piers 11-18 of railroad bridge which spans Suisun Bay between Suisun Point and Army Point.

G. Persons Contacted: John Whitzel, Regional Water Quality Control Board (415) 464-0516
Michael Rugg, Department of Fish & Game, Region 3 (707) 944-5524

II. ENVIRONMENTAL IMPACTS. *(Explain all "yes" and "maybe" answers)*

A. *Earth.* Will the proposal result in:

	Yes	Maybe	No
1. Unstable earth conditions or changes in geologic substructures?	☐	☐	X
2. Disruptions, displacements, compaction, or overcovering of the soil?	☐	☐	X
3. Change in topography or ground surface relief features?	☐	☐	X
4. The destruction, covering, or modification of any unique geologic or physical features?	☐	☐	X
5. Any increase in wind or water erosion of soils, either on or off the site?	☐	☐	X
6. Changes in deposition or erosion of beach sands, or changes in siltation, deposition or erosion which may modify the channel of a river or stream or the bed of the ocean or any bay, inlet, or lake?	☐	☐	X
7. Exposure of all people or property to geologic hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards?			

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B. *Air.* Will the proposal result in:

	Yes	Maybe	No
1. Substantial air emmissions or deterioration of ambient air quality?	☐	☐	[x]
2. The creation of objectionable odors?	☐	☐	[x]
3. Alteration of air movement, moisture or temperature, or any change in climate, either locally or regionally?	☐	☐	[x]

C. *Water.* Will the proposal result in:

1. Changes in the currents, or the course or direction of water movements, in either marine or fresh waters?	☐	[x]	☐
2. Changes in absorption rates, drainage patterns, or the rate and amount of surface water runoff?	☐	☐	[x]
3. Alterations to the course or flow of flood waters?	☐	☐	[x]
4. Change in the amount of surface water in any water body?	☐	☐	[x]
5. Discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen or turbidity?	☐	[x]	☐
6. Alteration of the direction or rate of flow of ground waters?	☐	☐	[x]
7. Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations?	☐	☐	[x]
8. Substantial reduction in the amount of water otherwise available for public water supplies?	☐	☐	[x]
9. Exposure of people or property to water-related hazards such as flooding or tidal waves?	☐	☐	[x]
10. Significant changes in the temperature, flow or chemical content of surface thermal springs?	☐	☐	[x]

D. *Plant Life.* Will the proposal result in:

1. Change in the diversity of species, or number of any species of plants (including trees, shrubs, grass, crops, and aquatic plants)?	☐	☐	[x]
2. Reduction of the numbers of any unique, rare or endangered species of plants?	☐	☐	[x]
3. Introduction of new species of plants into an area, or in a barrier to the normal replenishment of existing species?	☐	☐	[x]
4. Reduction in acreage of any agricultural crop?	☐	☐	[x]

E. *Animal Life* Will the proposal result in:

1. Change in the diversity of species, or numbers of any species of animals (birds, land animals including reptiles, fish and shellfish, benthic organisms, or insects)?	☐	[x]	☐
2. Reduction of the numbers of any unique, rare or endangered species of animals?	☐	☐	[x]
3. Introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals?	☐	☐	[x]
4. Deterioration to existing fish or wildlife habitat?	☐	[x]	☐

F. *Noise.* Will the proposal result in:

1. Increase in existing noise levels?	☐	[x]	☐
2. Exposure of people to severe noise levels?	☐	☐	[x]

G. *Light and Glare.* Will the proposal result in:

1. The production of new light or glare?	☐	☐	[x]

H. *Land Use.* Will the proposal result in:

1. A substantial alteration of the present or planned land use of an area?	☐	☐	[x]

I. *Natural Resources.* Will the proposal result in:

1. Increase in the rate of use of any natural resources?	☐	☐	[x]
2. Substantial depletion of any nonrenewable resources?	☐	☐	[x]

	Yes	Maybe	No
J. *Risk of Upset.* Does the proposal result in:			
1. A risk of an explosion or the release of hazardous substances (including, but not limited to, oil, pesticides, chemicals, or radiation) in the event of an accident or upset conditions?	☐	☐	☒
2. Possible interference with emergency response plan or an emergency evacuation plan?	☐	☐	☒
K. *Population.* Will the proposal result in:			
1. The alteration, distribution, density, or growth rate of the human population of the area?	☐	☐	☒
L. *Housing.* Will the proposal result in:			
1. Affecting existing housing, or create a demand for additional housing?	☐	☐	☒
M. *Transportation/Circulation.* Will the proposal result in:			
1. Generation of substantial additional vehicular movement?	☐	☒	☐
2. Affecting existing parking facilities, or create a demand for new parking?	☐	☐	☒
3. Substantial impact upon existing transportation systems?	☐	☐	☒
4. Alterations to present patterns of circulation or movement of people and/or goods?	☐	☐	☒
5. Alterations to waterborne, rail, or air traffic?	☐	☐	☒
6. Increase in traffic hazards to motor vehicles, bicyclists, or pedestrians?	☐	☒	☐
N. *Public Services.* Will the proposal have an effect upon, or result in a need for new or altered governmental services in any of the following areas:	☐	☐	☒
1. Fire protection?	☐	☐	☒
2. Police protection?	☐	☐	☒
3. Schools?	☐	☐	☒
4. Parks and other recreational facilities?	☐	☐	☒
5. Maintenance of public facilities, including roads?	☐	☐	☒
6. Other governmental services?	☐	☐	☒
O. *Energy.* Will the proposal result in:			
1. Use of substantial amounts of fuel or energy?	☐	☐	☒
2. Substantial increase in demand upon existing sources of energy, or require the development of new sources?	☐	☐	☒
P. *Utilities.* Will the proposal result in a need for new systems, or substantial alterations to the following utilities:			
1. Power or natural gas?	☐	☐	☒
2. Communication systems?	☐	☐	☒
3. Water?	☐	☐	☒
4. Sewer or septic tanks?	☐	☐	☒
5. Storm water drainage?	☐	☐	☒
6. Solid waste and disposal?	☐	☐	☒
Q. *Human Health.* Will the proposal result in:			
1. Creation of any health hazard or potential health hazard (excluding mental health)?	☐	☐	☒
2. Exposure of people to potential health hazards?	☐	☐	☒
R. *Aesthetics.* Will the proposal result in:			
1. The obstruction of any scenic vista or view open to the public, or will the proposal result in the creation of an aesthetically offensive site open to public view?	☐	☐	☒
S. *Recreation.* Will the proposal result in:			
1. An impact upon the quality or quantity of existing recreational opportunities?	☐	☐	☒

	Yes	Maybe	No
T. *Cultural Resources.*			
1. Will the proposal result in the alteration of or the destruction of a prehistoric or historic archeological site?	☐	☐	☒
2. Will the proposal result in adverse physical or aesthetic effects to a prehistoric or historic building, structure, or object?	☐	☐	☒
3. Does the proposal have the potential to cause a physical change which would affect unique ethnic cultural values?	☐	☐	☒
4. Will the proposal restrict existing religious or sacred uses within the potential impact area?	☐	☐	☒
U. *Mandatory Findings of Significance.*			
1. Does the project have the potential to degrade the quality of the environment, reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☒
2. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?	☐	☐	☒
3. Does the project have impacts which are individually limited, but cumulatively considerable?	☐	☐	☒
4. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒

III. DISCUSSION OF ENVIRONMENTAL EVALUATION *(See Comments Attached)*

IV. PRELIMINARY DETERMINATION

On the basis of this initial evaluation:

☒ I find the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A NEGATIVE DECLARATION will be prepared.

☐ I find the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is requied.

Betty Eubanks
For the State Lands Commission

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Date: 9/10/90.

ENVIRONMENTAL EVALUATION
ATTACHMENT TO ENVIRONMENTAL IMPACT ASSESSMENT CHECKLIST - PART II
SOUTHERN PACIFIC TRANSPORTATION COMPANY
W 24301

C1.

During the construction phase, water flow around the existing bridge will be temporarily disturbed as piles are inserted, increasing turbidity.

C5.

During construction activities, temporary bottom sediment disturbance may be caused by the driving of replacement piles. No dredging or trenching is anticipated.

E1.

Timbers and timber piles are pretreated with creosote. The Regional Water Quality Control Board and the Department of Fish & Game have been consulted and believe that the use materials that are properly treated with creosote are acceptable for this project.

E4.

The possibility of increased turbidity due to construction activities may temporarily effect existing fish or wildlife habitat.

F1.

There may be a temporary increase in existing noise levels from pile drivers during construction. Due to the location of the railroad bridge in close proximity to the State Highway, this impact should not be significant.

M1.

There may be a minor increase in vehicular movement during the course of reconstruction from trucks bringing workers to the site. Loading of the barge will be at the staging area in Vallejo.

M5.

Temporary alterations to existing vessel traffic/recreational boaters may be caused by reconstruction activities in the project area. However, the U. S. Coast Guard is fully aware of the proposed reconstruction activity.

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S1.

Due to the additional vehicular movement and reconstruction activities, recreational fishing may be temporarily displaced from the area.

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SOUTHERN PACIFIC TRANSPORTATION COMPANY
PROJECT DESCRIPTION
W 24301

The proposed project includes both authorization of and current repair to the existing Southern Pacific Transportation Company Bridge which carries Southern Pacific's main rail line over the entrance to the Suisun Bay between Suisun Point and Army Point (Benicia and Martinez), Contra Costa and Solano Counties. The proposed project will result in the increased protection to both the bridge and to passing vessels.

Reconstruction will include modification and repair to the fender pier protection system. The proposal includes repairs to piers 11 through 18 of the railroad's bridge, which entails replacing decayed, damaged or missing fenders, pilings, dolphins, bracings, vertical and diagonal sheathing, walers, hardware, cables, and cinch anchors; and, replacing or restoring to their original position, dolphins at piers 16, 17 and 18. In its current condition, except for the main channel, the fenders provide little protection for the bridge and vessels.

Anticipated duration of the project is 22 weeks. Work will begin as soon as possible to ensure maximum protection to the bridge structure and to the safety of marine traffic.

Access to the project site will be via barge and construction material will be stored on the barge and at a yard site in Vallejo. Staging will be at Kiewit Pacific Co. yard at Vallejo.