MINUTE ITEM
This Calendar Item No. C03 was approved as Minute Item No. 03 by the California State Lands Commission by a vote of 3 to ∅ at its 9-17-01 meeting.

CALENDAR ITEM
C03

A 8

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09/17/01
PRC 8327.9 W 24641
L. Burks

GENERAL LEASE - PUBLIC AGENCY USE

APPLICANT:

California Department of Transportation
District 3
P. O. Box 911
Marysville, California 95901

AREA, LAND TYPE, AND LOCATION:

3.12 acres, more or less, of tide and submerged lands in the Sacramento River, near Courtland, Sacramento County.

AUTHORIZED USE:

Continued use and maintenance of the Isleton Bridge (#24-51).

LEASE TERM:

Continuous use plus one year.

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.

OTHER PERTINENT INFORMATION:

1. Applicant has a right to use the uplands adjoining the lease premises.

2. The Isleton Bridge (#24-51) was constructed in 1923 and is listed in the National Register of Historic Places. The California Department of Transportation (Caltrans) is proposing to rehabilitate this bridge. Caltrans is applying for a lease.

3. A Mitigated Negative Declaration was prepared and adopted for this project by Caltrans. The California State Lands Commission's staff has reviewed such document.

4. 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:

United States Coast Guard; State Reclamation Board; Sacramento Metropolitan Air Quality Management District; United States Army Corps of Engineers.

EXHIBITS:

A. 101.5 Map
B. Location Map
C. Mitigation Monitoring Program

PERMIT STREAMLINING ACT DEADLINE:

October 1, 2001

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

1. FIND THAT A MITIGATED NEGATIVE DECLARATION AND A MITIGATION MONITORING PROGRAM WERE PREPARED AND ADOPTED FOR THIS PROJECT BY THE CALIFORNIA DEPARTMENT OF TRANSPORTATION AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.

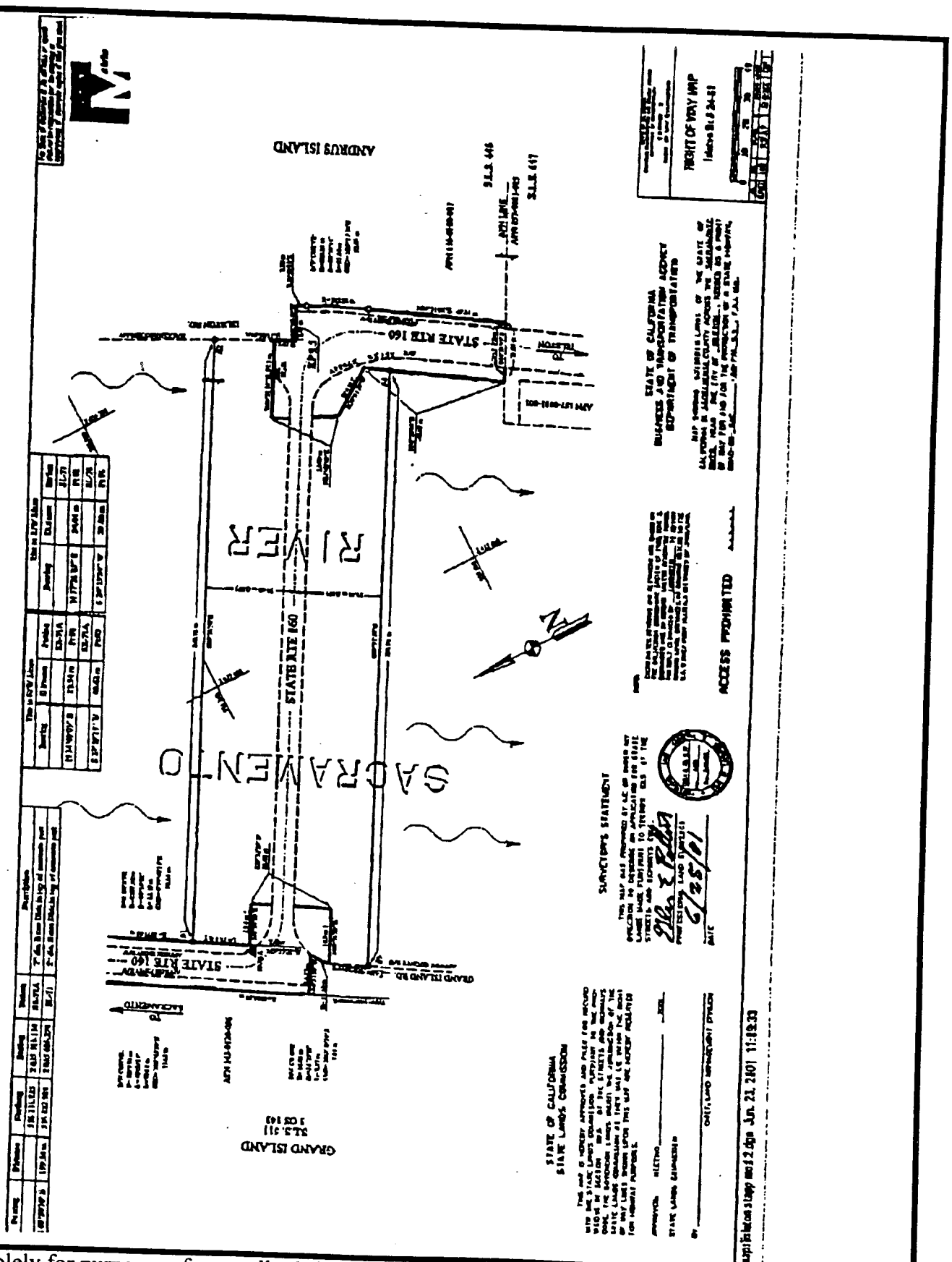
2. ADOPT THE MITIGATION MONITORING PROGRAM, AS CONTAINED IN EXHIBIT C, ATTACHED HERETO.

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 TO THE CALIFORNIA DEPARTMENT OF TRANSPORTATION, DISTRICT 3, OF A GENERAL LEASE - PUBLIC AGENCY USE, FOR CONTINUOUS USE PLUS ONE YEAR; FOR CONTINUED USE AND MAINTENANCE OF THE ISLETON BRIDGE (#24-51) ON THE LANDS SHOWN ON EXHIBIT A 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 RENTAL IF THE COMMISSION FINDS SUCH ACTION TO BE IN THE STATE'S BEST INTEREST.



This exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by 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 other property.

Exhibit A
W 24641

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Exhibit B
W 24641
SITE
SACRAMENTO
Rancho Cordova
SACRAMENTO ARMY DEPOT
MATHER AIR FORCE BASE
Davis
University
El Macero
South Port
Riverview
USAF Radio Transmitter Station
Freeport
Sheldon
Elk Grove
Clarksburg
Hood
Courtland
Paintersville
Point Pleasant
Franklin
Bruceville
Ryde
Walnut Grove
Thornton
NEW HOPE
GRAND ISLAND
RYER ISLAND
TYLER ISLAND
STATEN ISLAND
BRANNAN ISLAND
TWITCHELL ISLAND
BOULDIN ISLAND
TERMINOUS TRACT
Terminous
SHERMAN ISLAND
WEBB TRACT
FRANKS TRACT STATE REC AREA
MANDEVILLE ISLAND
KING ISLAND
SACRAMENTO CO
SAN JOAQUIN CO
Collierville
Galt
US GOVT RES
U S NAVAL RES
Sycamore Park
Rio Vista
ANTIOCH
000015

Exhibit C
W 24641

VIII. MITIGATION MEASURES AND PERMITS REQUIRED

The following measures have been developed to minimize the environmental impacts of the project:

AIR

Caltrans Standard Specifications, a required part of all construction contracts, should effectively reduce and control fugitive dust impacts during construction. The provisions of Caltrans Standard Specifications, Section 7-1.01F, "Air Pollution Control" and Section 10, "Dust Control" require the contractor to comply with the Sacramento Valley Air Basin as well as other local jurisdiction rules, regulations, ordinances and statues.

BIOLOGICAL RESOURCES

The easiest way to prevent an incidental take of a Cliff Swallow, its nest or egg, is to avoid scheduling any work during the nesting season (March 1 through July 31).

If bridge work begins after March 1, the bridge shall be inspected by the Caltrans Engineer for evidence of swallow nesting before February 28th of the year in which work is anticipated. If nesting is taking place, the swallows or their nests shall not be disturbed. Note that once a nest is approximately one-third constructed, it is considered an active nest and cannot be removed. Disturbance of swallows or their nests shall result in suspension of work.

Swallows can be prevented from nesting on the bridge. Prevention of nesting can be accomplished first by removing existing nests during winter, before March 1. A permit is not necessary to remove unoccupied nests. Secondly once the swallows return, they need to be prevented from constructing new nests.

One method of preventing swallows from constructing new nests is to monitor the site every two to three days, depending on the swallows ability to build nests at the site, removing any partially constructed nests either by knocking or washing them down. Inspection of the bridges for nesting activity shall begin by March 1. If Cliff Swallows begin colonizing the bridge, all nest precursors (mud placed by swallows for the construction of nests) shall be washed down at least once daily until swallows cease trying to construct nests. Under no circumstances can this activity result in the harm or death to any adult swallows or their eggs. Nests that are approximately one-third constructed or more cannot be removed without a permit from the USFWS.

Another method used to prevent swallows from nesting is to place some sort of barrier, which prevents access to the structure. Special netting can be purchased for this. There are companies specializing in animal damage control who sell and install these nets.

Swallows do not need to be excluded entirely from the bridge. Only portions that are to be worked on (e.g., control houses, walkways to control houses, concrete counter weights, and locations beneath the bridge where work is to be done) and areas within 6 m (20 ft) need to have swallows excluded. The cost of swallow exclusion depends on the method, the amount of area that needs to be excluded, and the length of time exclusion would last.

If contract award does not occur until after March 1 and if swallows are nesting on the structure, no work that would interfere with or discourage swallows from returning to their nests would be permitted. The Caltrans Engineer shall be contacted before July 31 to conduct an inspection for evidence of swallow nesting. If no swallow nesting is occurring, bridge work may begin. If nesting is taking place, the swallows and their nests shall not be disturbed. Once swallows cease nesting, construction can begin and continue unabated until March 1 of the following year.

CULTURAL RESOURCES

The proposed project would have no adverse effect based on incorporation of the conditions described below. The Undertaking is conditioned as follows:

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EXHIBIT PAGE 001368

1. Documentation. Caltrans shall contact the National Park Service, HABS/HAER Office, Pacific Great Basin System Support Office, 600 Harrison Street, Suite 600, San Francisco, CA 94107, to determine what level and kind of recordation is required for the property, for submission to the Library of Congress, prior to any construction or rehabilitation work occurring on the Isleton, Steamboat Slough and Paintersville bridges. Documentation may include:

A. Large format photographs with prints labeled as to view, perspective and date.

i. View perspectives shall be as agreed upon by SHPO.

ii. All negatives and two sets of photographs shall be archival quality. Additional sets do not need to be archival quality.

B. History of the three bridges comprised of descriptions of the bridges from the 1985 California Historic Bridge Inventory, National Register of Historic Places Determination of Eligibility: Historic Truss Bridges in California (Thematic), submitted to and determined eligible by the Keeper of the National Register of Historic Places in 1985, and the Historic Architectural Survey Report for the Steamboat Slough and Threemile Slough Bridges, Bridge Numbers 24-52 and 24-121, Seismic Retrofit Projects, 3-Sac-160, PM 19.3 and 6.98, EA 3-428000, prepared in January, 1996 by Frank Lortie, Staff Architectural Historian, Caltrans Environmental Program, Sacramento, California.

C. Copies of existing drawings with the site plans detailing "as built" condition of each of the three bridges. Drawings shall be reduced to 8 ½ x 11 inch sheets.

D. Extant original plans for each of the three bridges, reduced to 8 ½ x 11 inch sheets.

E. For each of the three bridges, two sets of all recordation data collected shall be reproduced on archival quality paper and bound within an 8 ½ x 11 inch presentation binder labeled "[Name of bridge] Recordation Documentation Prior to Rehabilitation." Additional sets do not need to be archival quality.

F. The FHWA shall ensure that all documentation is completed and that copies of this documentation are made available to the Library of Congress, to the SHPO and to appropriate local archives designated by the SHPO. Local repositories may include the California State Library, the Bancroft Library of the University of California at Berkeley, the Sacramento River Delta Historical Society, the Walnut Grove Library, and the Sacramento County Historical Society.

2. New Bridge Operator's Houses. In order for the proposed work to be completed in a manner consistent with the *Secretary of the Interior's Standards for the Treatment of Historic Properties*, Caltrans shall ensure the following: new exterior siding and roofing for the Paintersville (24-53) and Steamboat Slough (24-52) bridges shall be painted corrugated steel siding that matches the existing in material, pattern, dimension and color. New exterior siding for the Isleton (24-51) bridge shall be painted wood 4" x 1-1/2" beveled siding with 1"x4" wood trim, to match the existing in material, pattern, dimension and color. Synthetic siding shall not be used. The new roof on the Isleton Bridge shall be wood shingle. Windows at each of the three bridge operator's houses would either be wood sash, 8/1 lights or wood sash with single lights. Aluminum sash windows or windows with snap-in synthetic muntins or muntins encased within dual-pane windows shall not be used.

3. New Protective Railing. In order for the proposed work to be completed in a manner consistent with the *Secretary of the Interior's Standards for the Treatment of Historic Properties*, Caltrans shall complete the following: New protective railing shall be installed in front of the original concrete approach portals in a way that the railing could be removed in the future without damaging the existing approach portals. The protective railing shall not be physically attached to the approach portals.

4. Review of Plans. The FHWA and Caltrans shall ensure that the SHPO is afforded the opportunity to review the final design plans and specifications for the proposed rehabilitation on each of the three bridges. Failure of the SHPO to respond within thirty (30) calendar days after receipt of the plans shall not preclude the FHWA and Caltrans from implementing the plans. Should the SHPO or the Advisory Council on

Historic Preservation (ACHP) object within thirty (30) calendar days to any plans and specifications submitted for review, then the FHWA shall consult with the objecting party, for a period not to exceed ten (10) calendar days, to resolve the objection. If the objection cannot be resolved within this time period, the FHWA shall request the Council review the Finding in accordance with 36 CFR 800.5(c)(3).

5. Old Bridge Operator's House and Equipment. Caltrans shall make a good faith effort for a period of ninety (90) days to identify an appropriate museum or historical society to accept and preserve either one of the bridge operator's houses with its original electrical and operating equipment intact, or just the original electrical and operating equipment from one bridge operator's house. In the event that no recipient can be identified, Caltrans shall so notify the SHPO, providing evidence of good faith effort, and upon HAER recordation, the equipment would be disposed of.

6. Professional Qualifications Standards. FHWA shall ensure that all historic preservation work is carried out by or under the direct supervision of a person or persons meeting at a minimum the "Secretary of the Interior's Professional Standards" (48 FR 44738-9) in the appropriate discipline(s).

HAZARDOUS WASTE

Permit coordination would be required with the Sacramento Metropolitan Air Quality Management District (SMAQMD). Local air quality districts require an Asbestos Abatement/Removal Permit from applicants if a structure proposed for demolition or rehabilitation contains asbestos.

The following precautions would be followed for Asbestos Containing Materials (ACM):

- All applicable laws and regulations should be followed with respect to an operations and maintenance (O&M) plan and demolition activities, including those provisions requiring notification to building demolition contractors and workers who would be in the presence of asbestos.
- A properly certified asbestos abatement contractor should abate ACM that would be disturbed by demolition or renovation activities.
- The following immediate precautions should be taken prior to any repair, renovation or demolition activities that would involve disturbing ACM present at the site:
  - ACM should be incorporated into a site-specific O&M plan.
  - ACM should not be disturbed (scraped, cut, broken, sawed, sanded, drilled, etc.) and should be monitored for further deterioration that may release asbestos fibers.
  - Follow federal, state, and local regulations for work with, removal, and proper disposal of ACM.

The following precautions would be followed for Lead-Based Paint (LBP):

- All applicable laws and regulations should be followed, including those provisions requiring notification to building contractors and workers of the presence of LBP.
- The LBP that is intact and subject to disturbance during the building demolition activities should be encapsulated or removed without disturbing painted surfaces and releasing lead paint dust, prior to disturbance
- The following immediate precautions should be taken prior to any demolition activities that would involve LBP:
  - Lead-based painted surfaces should be incorporated into a cite-specific O&M program.
  - LBP should not be disturbed (scraped, cut, broken, sawed, sanded, drilled, etc...) and should be monitored for deterioration that may release lead dust.
  - Follow federal, state, and local regulations for work with, removal, and proper disposal of LBP.

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NOISE

Noise generated during construction could be contained if the contractor conforms to the provisions of Caltrans Standard Specifications, Section 7-1.01 I, "Sound Control Requirements". This section requires the contractor to comply with all local sound control and noise level rules, regulations and ordinances that apply to any work performed pursuant to the contract. Each internal combustion engine, used for any purpose on the job or related to the job, shall be equipped with a muffler of a type recommended by the manufacturer. No internal combustion engine shall be operated on the project without the muffler.

SCENIC RESOURCES

The majority of the proposed work would occur on the bridges, with minimal trenching done on the levee for electrical and sanitation purposes. It is recommended that if any landscape is disturbed during construction, it would be replaced. No trees would be removed or damaged. The only exception to this would be the possible damage to a privately owned, terraced landscape area at the north west end of the Steamboat Slough Bridge. Replacement costs would be based on the access needs for replacement of the control house, and may cost up to $15,000.00. The outcome of the completed project would not produce additional light, glare, or shadows of significance to motorists or non-highway users. Scenic resources would not be affected and would not create new obstructions or offensive elements in or around the project area.

PERMITS REQUIRED

Asbestos Abatement/Removal Permit

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