

**State of California
Department of Parks and Recreation**

NOTICE OF EXEMPTION

TO: Office of Planning and Research
1400 Tenth Street
Sacramento, CA 95814

FROM: Department of Parks and Recreation
1416 Ninth Street
P.O. Box 942896
Sacramento, CA 94296-0001

PROJECT TITLE: Right of Entry - Cingular Wireless

LOCATION: Benicia State Recreation Area

COUNTY: Solano

DESCRIPTION OF THE NATURE AND PURPOSE OF PROJECT:

Issue a Right of Entry/Temporary Use Permit to Cingular Wireless and their contractors to allow access to an existing Pacific Gas and Electric (PG&E) in-holding within the boundaries of Benicia State Recreation Area, for the purpose of installing microwave equipment and a concrete shelter at that location. Access will be authorized along an existing gravel road, for a distance of approximately one-third mile. Access to the road is through an existing gate, located where the road joins South Regata Drive; Cingular Wireless will replace and upgrade this gate to provide easy multi-party access. Staging for the proposed work will occur on the park access road and graveled turnaround/parking area on and/or adjacent to the PG&E-owned property. DPR does not assume responsibility for security of materials or equipment left in staging areas. No ground disturbance will occur within staging areas or outside existing established easement(s). Cingular Wireless will repair any damage to road surfaces or staging areas on park property, and resurface access road, immediately following completion of construction. Right of Entry permit will be valid for 60 days from start of construction. Equipment and materials may be stored within the staging areas continuously throughout the duration of the permit or until construction is complete, whichever occurs first. Environmental review of the microwave installation project is available in the Staff Report and Determination - City of Vallejo Planning Division (August 11, 2003) and Phase I Environmental Site Assessment - Cingular Wireless Site #SF-496-01, prepared for The Alaris Group, 185 Berry Street, San Francisco, California (May 16, 2003).

PUBLIC AGENCY APPROVING THE PROJECT: California Department of Parks and Recreation

NAME OF DIVISION OR DISTRICT CARRYING OUT THE PROJECT: Diablo Vista District

EXEMPT STATUS:

Categorical Exemption Class: 2, 5 Section: 15302, 15305

REASONS WHY PROJECT IS EXEMPT:

Project consists of minor alterations to land use limitations in areas with an average slope of less than 20%, which will not result in any changes in land use or density, and is included as "issuance of temporary use permits" in the Department of Parks and Recreation's list of exempt activities, in accordance with CCR §15300.2. It also includes replacement of an existing facility (gate) at the same site, with substantially the same purpose and capacity of use.

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Brian Hickey, Acting District Superintendent

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