

MINUTE ITEM
C17
17
6
7/25/85

CALENDAR ITEM

A 4
S 2

C17

07/25/85
W 23441
Lane

APPROVAL OF A GENERAL LEASE - RIGHT-OF-WAY USE

APPLICANT: Rawson Kelham
P. O. Box 2707
Yountville, California 94599

AREA, TYPE LAND AND LOCATION:
A 0.039-acre parcel of tide and submerged land
in Boynton Slough, Suisun Marsh, Solano County.

LAND USE: Construction and use of a vehicular bridge.

TERMS OF PROPOSED LEASE:
Initial period: 20 years beginning August 1,
1985.

Surety bond: \$3,000.

Public liability insurance: Combined single
limit coverage of \$200,000.

CONSIDERATION: \$100 per annum; with the State reserving the
right to fix a different rental on each fifth
anniversary of the lease.

BASIS FOR CONSIDERATION:
Pursuant to 2 Cal. Adm. Code 2003.

APPLICANT STATUS:
Applicant is owner of upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:
Filing fee has been received.

77
CALENDAR PAGE
MINUTE PAGE 2153

CALENDAR ITEM NO. C 17 (CONT'D)

STATUTORY AND OTHER REFERENCES:

- A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.
- B. Cal. Adm. Code: Title 2, Div. 3; Title 14, Div. 6.

AB 884: 12/17/85.

OTHER PERTINENT INFORMATION:

1. The applicant proposes to construct a bridge over tide and submerged lands to gain access to "Fat Hen Farm Duck Club". Construction of the bridge will consist of laying two 85-foot flatcars end to end on pilings. A minimum clearance of four feet at mean high tide will be maintained over the waterway.
2. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 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.
3. A Negative Declaration was prepared and adopted for this project by Solano County. The State Lands Commission's staff has reviewed such document and believes that it complies with the requirements of the CEQA.

APPROVALS OBTAINED:

United States Army Corps of Engineers, County of Solano, Department of Fish and Game, Suisun Resource Conservation District and State Water Quality Board.

FURTHER APPROVALS REQUIRED:

Bay Area Conservation and Development Commission.

EXHIBITS:

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

CALENDAR ITEM NO. C 1 7 (CONT'D)

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO P.R.C. 6370, ET SEQ.
2. FIND THAT A NEGATIVE DECLARATION WAS PREPARED AND ADOPTED FOR THIS PROJECT BY SOLANO COUNTY AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.
3. DETERMINE THAT THE PROJECT, AS APPROVED, WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
4. AUTHORIZE ISSUANCE TO RAWSON KELHAM OF A 20-YEAR GENERAL LEASE - RIGHT-OF-WAY USE BEGINNING AUGUST 1, 1985; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$100, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF A \$3,000 SURETY BOND; PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF \$200,000; FOR CONSTRUCTION AND USE OF A VEHICULAR BRIDGE ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION

W 23441

A parcel of California State tide and submerged land lying immediately beneath a bridge over Boynton Slough in S&O Survey 88, Solano County, California, said bridge being 1700 feet, more or less, northerly of the north line of projected Section 11, T4N, R2W, MDM, and adjacent to the easterly line of the Southern Pacific Railroad right-of-way through said Section 11.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of Boynton Slough.

END OF DESCRIPTION

PREPARED JUNE 24, 1905, BY BOUNDARY SERVICES UNIT, M. L. SHAFER, SUPERVISOR.

CALENDAR PAGE	80
MINUTE PAGE	2156

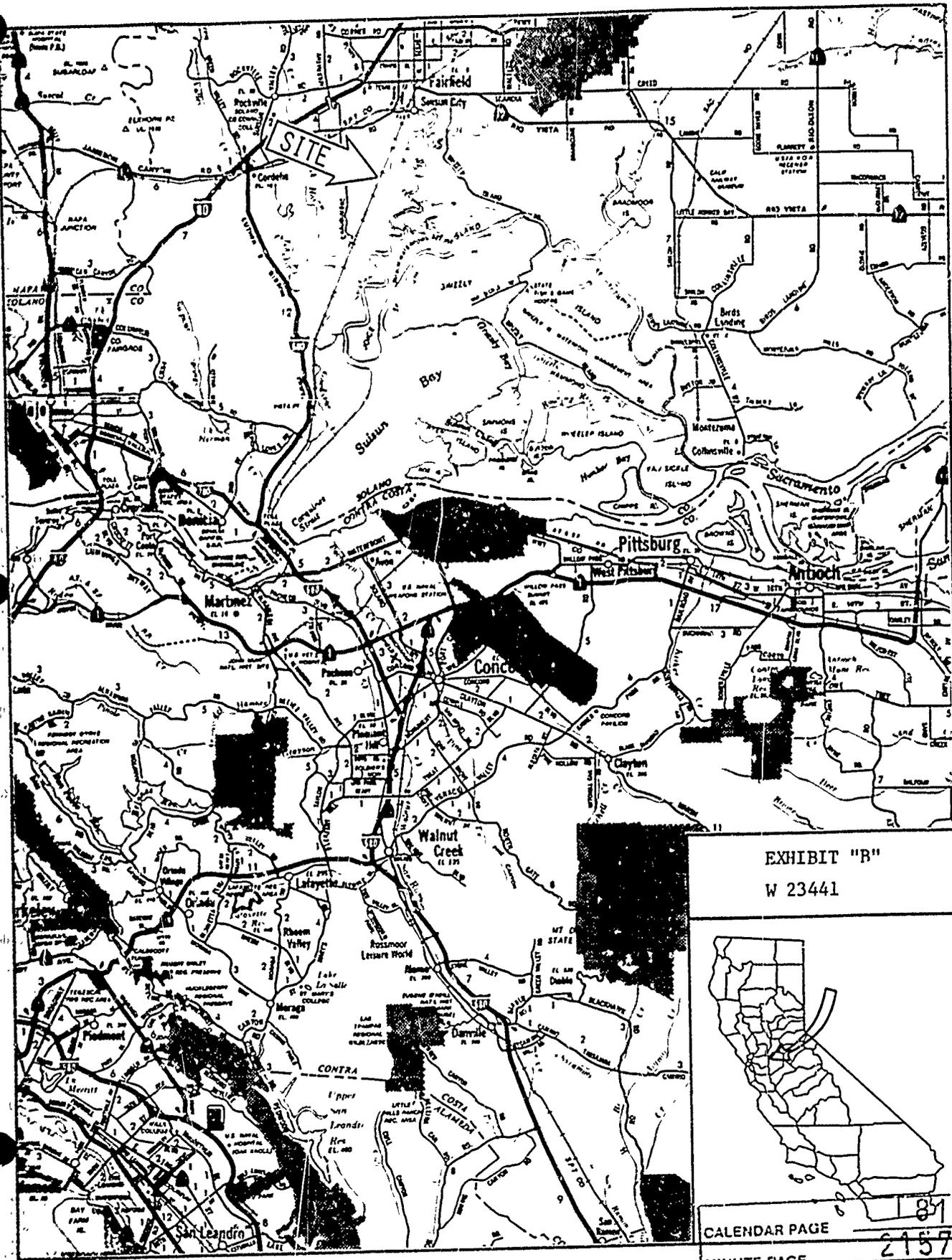


EXHIBIT "B"
W 23441



CALENDAR PAGE 81
MINUTE PAGE 2157

EXHIBIT "C"
NOTICE OF DETERMINATION

TO: Secretary for Resources
1416 Ninth Street, Room 1311
Sacramento, California 95814

FROM: Solano County Dept. of
Environmental Management
(Public Agency)
Courthouse
580 Texas Street
(Address)

or

County Clerk
County of Solano

Fairfield, CA 94533

SUBJECT: Filing of Notice of Determination in compliance with Section
21108 or 21152 of the Public Resources Code.

Faz Hen Farm Duck Club
Project Title

84062606 State Clearinghouse Number
Katherine Hammer Contact Person
707/429-6561 Telephone Number
(If submitted to Clearinghouse)

Approximately one mile east of Chadbourne Road and 4 miles south of
Suisun City in the Primary Management Area of the Suisun Marsh
Project Location

To establish a duck club including a residential structure,
Project Description

Bridging of Boynton Slough, road access along the levee and 3 parking
spaces

This is to advise that the Solano County Planning Commission
(Lead Agency or Responsible Agency)
has approved the above described project and has made the following deter-
minations regarding the above described project:

1. The project will, will not, have a significant effect on the environment.
2. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
 A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.

The EIR or Negative Declaration and record of project approval may be examined at:

Department of Environmental Management
Courthouse, 580 Texas Street, Fairfield, CA 94533

3. Mitigation measures were, were not, made a condition of the approval of the project.
4. A statement of Overriding Considerations was, was not, adopted for this project.

Date Received for Filing: _____

Katherine Hammer
Signature

Planner II
Title

Reference: DATE: August 7, 1984
California Administrative Code, Title 14,
15083 (f), 15083 (h), 15085 (1).

CALENDAR PAGE 82
MINUTE PAGE 2032158

NEGATIVE DECLARATION
OF THE
SOLANO COUNTY ENVIRONMENTAL REVIEW COMMITTEE

Meeting of June 13, 1984

PROJECT TITLE

Use Permit Application U-84-25 of Rawson Kelham (Fat Hen Farm Duck Club)

PROJECT DESCRIPTION AND LOCATION

To establish a duck club located approximately one mile east of the end of Chadbourne Road, four miles south of Suisun City in an "MP-250" Marsh Protection District in the Primary Management Area of the Suisun Marsh.

FINDINGS

The Solano County Environmental Review Committee has evaluated the initial study which was prepared in regard to the project. The committee found no significant impacts likely to occur which cannot be mitigated were this project to be approved. Details of the initial study, findings, and disposition are attached.

MITIGATION MEASURES

The following potential adverse impacts have been found to be mitigable as noted:

1. The project site is located within the Primary Management Area of the Suisun Marsh. While the proposed use is consistent with state and local plans and Marsh protection policies, it will be necessary for the applicant to meet the regulations and obtain all necessary approvals from other responsible government agencies including, but not limited to, the U.S. Army Corps of Engineers, the Department of Fish and Game and the Bay Conservation and Development Commission.
2. Potential impacts of road and parking area construction can be mitigated through Solano County grading permit requirements and through adherence to the principles and standards for diking, dredging, and filling contained in Solano County's Local Protection Program for the Suisun Marsh.
3. Potential health and water quality hazards related to the proposed water supply and sewage disposal systems can be avoided through installation of alternative systems which meet the requirements of the Environmental Health Division of the Solano County Department of Environmental Management.

All of the above mitigations are embodied in conditions of approval which will be recommended by the Department of Environmental Management to the Solano County Planning Commission. Other conditions in support of those measures may also be recommended.

PREPARATION

This Negative Declaration was prepared by the Solano County Department of Environmental Management. Copies may be obtained at the address listed below.

Robert J. Pennoley
ROBERT J. PENNOLEY, Director
Environmental Management
580 Texas Street
Fairfield, CA 94533

RJP/sk

CALENDAR PAGE

83

MINUTE PAGE

2159

Suisun County Planning Department

COURTHOUSE • FAIRFIELD, CALIFORNIA • 94533 • (707) 429-6561

PLANNING DEPARTMENT REVIEW
PART II OF INITIAL STUDY
OF
ENVIRONMENTAL IMPACTS

APPLICATION NUMBER: U-84-25
 ENVIRONMENTAL REVIEW COMMITTEE MEETING DATE: June 13, 1984

The following information is provided by the Planning Department as a review of and supplement to the applicant's completed "Part I of Initial Study". These two documents, Part I and II, comprise the Initial Study required by the State EIR Guidelines, Section 15080.

I. ADDITIONAL DATA:

- A. USGS Quad. Map: Fairfield South County Base Map No. 12
- B. Zoning "MP-250" Marsh Protection
- C. SCS Soil Classification Class VI
- D. Is project site in an agricultural preserve? Yes #945
- E. Is project site in an airport runway approach zone? No
- F. Is project site in an irrigation district? No
- G. In which APCD is this project located? BAAQMD
- H. In which fire district is this project located? Suisun
- I. In which WQRC is this project located? Region 2 San Francisco Bay
- J. In which Corps of Engineers district? Sacramento
- K. In which school district is this project located? Fairfield-Suisun
- L. In what city's sphere of influence? None
- M. Is project site located within a seismic special study zone? No
- N. Is project site located within the Suisun Marsh study area? Yes

II. GENERAL PLAN CONFORMANCE:

Project is in conformance with the General Plan and with the Local Protection Program for the Suisun Marsh. Both documents state that uses in the Marsh should be comparable with protection of Marsh habitat. Duck clubs provide habitat protection and enhancement.

III. ENVIRONMENTAL REVIEW CHECKLIST:

A. General:	Yes	Maybe	No
1. Does it appear that any feature of the project will generate major public controversy?	---	---	X
2. Will approval of the project set an important precedent for future projects?	---	---	X
3. Could this project have any significant impact upon the existing character of the immediate vicinity, or alter the present or planned land use of an area?	---	---	X

CALENDAR PAGE	84
MINUTE PAGE	2160

	Yes	Maybe	No
4. Could it result in a major depletion of any non-renewable natural resources?	---	---	<u>X</u>
5. Could it result in the obstruction of any scenic view open to the public or create a visually offensive site open to public view?	---	---	<u>X</u>
B. Land:			
1. Is it located in an area of environmental importance, hazard or critical concern (e.g., Suisun Marsh, Sacramento River, lake, gravel deposits, canal, slough, park, airport)?	<u>X</u>	---	---
2. Could it cause significant disruptions, displacement, or removal of soils from the site?	---	---	<u>X</u>
3. Could it change significantly the topography or any unique geologic or physical features?	---	---	<u>X</u>
C. Air:			
1. Could it result in a substantial detrimental effect on air quality during and/or after construction?	---	---	<u>X</u>
2. Could it deter the attainment and/or prevent the maintenance of any published national or state air quality standards (e.g., additional source of auto emissions, dust, smoke, etc.)?	---	---	<u>X</u>
3. Could it result in the emission of objectionable odors?	---	---	<u>X</u>
D. Water:			
1. Could it result in a substantial detrimental effect on water quality?	---	---	<u>X</u>
2. Could it deter the attainment and/or prevent the maintenance of any national or state water quality standards?	---	---	<u>X</u>
3. Could it involve the possibility of contamination of a public water supply system or adversely affect ground water quality or supply?	---	---	<u>X</u>
4. Could it cause or contribute to substantial flooding, erosion or siltation?	---	---	<u>X</u>
5. Could it significantly alter drainage patterns or the rate or amount of surface runoff of an area?	---	---	<u>X</u>
6. Will it involve construction of facilities within an area subject to flooding?	<u>X</u>	---	---
E. Animal Life:			
1. Could it substantially affect a rare or endangered species or its habitat?	---	---	<u>X</u>
2. Could it cause substantial interference with the movement of any migratory fish or wildlife species?	---	---	<u>X</u>

CALENDAR PAGE	85
MINUTE PAGE	2167

	Yes	Maybe	No
3. Could it result in significant changes in the diversity or numbers of any species of animals (including birds, fish, insects and microfauna)?	---	---	<input checked="" type="checkbox"/>
4. Deterioration to existing fish or wildlife habitat?	---	---	<input checked="" type="checkbox"/>
F. Plant Life:			
1. Could it substantially affect a rare or endangered species of plant?	---	---	<input checked="" type="checkbox"/>
2. Could it result in significant changes in the diversity or numbers of any species of plants (including trees, shrubs, microflora or aquatic plants)?	---	---	<input checked="" type="checkbox"/>
G. Agriculture:			
1. Will it result in the removal of prime agricultural land from production?	---	---	<input checked="" type="checkbox"/>
2. Will it result in the reduction in acreage of any agricultural crop?	---	---	<input checked="" type="checkbox"/>
3. Will it result in the reduction in acreage of grazing land?	---	---	<input checked="" type="checkbox"/>
4. Could it create significant conflicts between agricultural and non-agricultural uses?	---	---	<input checked="" type="checkbox"/>
H. Noise, Light and Glare:			
1. Could it significantly increase existing noise levels?	---	---	<input checked="" type="checkbox"/>
2. Could it introduce significant new amounts of light or glare?	---	---	<input checked="" type="checkbox"/>
I. Human Health, Safety:			
1. Could it subject people or structures to significant geologic or fire hazards?	---	---	<input checked="" type="checkbox"/>
2. Does it involve a risk of an explosion or the release of hazardous substances in the event of any accident?	---	---	<input checked="" type="checkbox"/>
3. Could it result in the creation of any health hazard or potential health hazard?	---	<input checked="" type="checkbox"/>	---
4. Could it violate any state or local standards relating to solid waste or litter control?	---	---	<input checked="" type="checkbox"/>
J. Population, Housing:			
1. Could it significantly alter the distribution or density of the human population of an area?	---	---	<input checked="" type="checkbox"/>
2. Will it reduce the existing housing stock or create a significant demand for additional housing?	---	---	<input checked="" type="checkbox"/>
3. Could it have a significant growth-inducing effect?	---	---	<input checked="" type="checkbox"/>

CALENDAR PAGE	86
MINUTE PAGE	2162

	Yes	Maybe	No
X. Transportation, Circulation:			
1. Could it generate significant additional vehicular movement?	---	---	<u>X</u>
2. Could it cause significant alterations to present transportation patterns?	---	---	<u>X</u>
3. Could it necessitate significant road improvements or constructions or significantly increase the need for road maintenance?	---	---	<u>X</u>
4. Could it create significant additional waterborne, rail or air traffic?	---	---	<u>X</u>
5. Could it significantly increase traffic hazards to motor vehicles, bicyclists or pedestrians?	---	---	<u>X</u>
L. Public Services, Utilities:			
1. Could it have a significant effect upon or result in the need for new or altered governmental services or facilities involving:			
a. Fire protection?	---	---	<u>X</u>
b. Law enforcement?	---	---	<u>X</u>
c. Parks and recreational opportunities?	---	---	<u>X</u>
d. Other governmental services?	---	---	<u>X</u>
2. Could it have a significant effect upon or result in the need for new systems or major alterations to the following utilities:			
a. Power or natural gas?	---	---	<u>X</u>
b. Water?	---	---	<u>X</u>
c. Sewers?	---	---	<u>X</u>
d. Storm water drainage?	---	---	<u>X</u>
e. Solid waste and disposal?	---	---	<u>X</u>
f. Irrigation facilities?	---	---	<u>X</u>
M. Energy:			
1. Could it use substantial amounts of fuel or energy?	---	---	<u>X</u>
2. Could it create a significant new demand upon existing sources of energy?	---	---	<u>X</u>
N. Archaeological, Historic:			
1. Could it result in destruction or disturbance of a significant archaeological site?	---	---	<u>X</u>
2. Could it result in destruction, disturbance or removal of a significant historical site, structure or object?	---	---	<u>X</u>

O. Mandatory Findings of Significance (Section 15062)

Yes Maybe No

1. Does the project have the potential to degrade the quality of the environment, substantially 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? ___ ___ X
2. Does the project have the potential to achieve short-term private goals to the disadvantage of long-term environmental goals? ___ ___ X
3. Does the project have possible environmental effects which are individually limited but cumulatively considerable? As used in the subsection, "cumulatively considerable" means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects. ___ ___ X
4. Will the environmental effects of the project cause substantial adverse effects on human beings, either directly or indirectly? ___ ___ X

IV. Discussion of Items indicated in I, II and III above. (Include mitigation measures and alternatives designed to reduce significant effects, causing them to be significant)

Item No.

B-1

Site is located in the Primary Management Area of the Suisun Marsh.
Mitigation - Applicant should meet the regulations and obtain all necessary approvals and permits from other responsible government agencies including, but not limited to the U.S. Army Corps of Engineers, Dept. of Fish & Game and the Bay Conservation and Development Commission.

B-2, D-1, 4, 6, E-4, F-2

Project will involve construction of a road on a levee. Some fill behind the levee may also be planned to provide three parking spaces as shown in the project application. It is unknown whether the levee is private or whether it is the responsibility of a public agency. The entire project site is in a flood hazard area as shown on the adopted County flood maps.

Mitigation - Potential erosion, water quality impacts and impacts on plant and animal life can be mitigated through grading permit requirements of the County Public Works Department and by requiring the project to be carried out according to the diking, dredging and filling policies contained in the Local Protection Program for the Suisun Marsh as shown below:

In order to minimize adverse effects on desirable plant and wildlife communities and to minimize the potential for erosion and sedimentation, all diking, dredging and filling activities shall be carried out in conformity with the following general principles and standards:

(1) Existing native vegetation shall be retained, protected, and supplemented wherever practical. Development shall be accomplished so that existing trees will be preserved wherever practical.

(2) Exposure of soil to erosion by removal of vegetation shall be limited to the smallest area practical and for the shortest time practical. Soil exposure should not exceed an area in which work can be completed during a single construction season to

CALENDAR PAGE 88
 MINUTE PAGE 2164

V. COORDINATION:

1. Agencies having jurisdiction by law (Section 15029.6).

Dept. of Fish & Game _____

2. Responsible agencies (Section 15039).

U.S. Army Corps of Engineers _____
Bay Conservation & Development Commission _____

ENVIRONMENTAL EVALUATION AND RECOMMENDATION:

No significant environmental impacts which could not be mitigated are anticipated. Recommend that a Negative Declaration of Environmental Impact be prepared with mitigation as shown in Section IV.

PREPARATION OF PART II OF INITIAL STUDY:

Prepared by: Katherine Hammer Date: June 12, 1984
Title: Planner II

ENVIRONMENTAL REVIEW COMMITTEE DETERMINATION:

Disposition: _____ Categorical Exemption, Class _____
X Negative Declaration required
_____ EIR required
_____ Referred back to submitting agency for additional information
_____ Other action _____

This disposition constitutes the official action of the Committee pursuant to Article III.B of the Solano County EIR Guidelines.

Tim Haddad by K. Hammer
ERC Secretary
June 13, 1984
Date

Copies of this initial study are available at the Solano County Planning Department.

CALENDAR PAGE	89
MINUTE PAGE	2165

SUPPLEMENTAL SIGNET PERTAINING TO SECTION IV. Discussion of items indicated in I, II and III

Item No.

- (2) cont... insure that soil stability is established well in advance of the rainy season. In general, soil disturbances shall be limited to the period between April 1 and October 1.
- (3) Permanent control structures should be installed and final vegetation established as soon as practical.
- (4) Facilities shall be constructed in a manner which will minimize erosion and sediment deposition in adjacent waterways and wetlands.
- (5) Slopes, both cut and fill shall not be steeper than 2:1, unless a thorough geological and engineering analysis indicates that steeper slopes are safe and appropriate erosion control measures are specified.
- (6) Cuts and fills shall not encroach upon existing watercourses, or constructed channels in a manner so as to adversely affect adjacent properties or the carrying capability of the watercourse.
- (7) Disposal of cleared vegetation and excavated materials shall be done in a manner which reduces the risk of erosion and sedimentation and shall conform to the provisions of these standards.
- (8) Diking, filling and dredging activities shall be conducted so as to minimize interference with critical wildlife activities such as nesting and breeding.

Any proposed fills, dikes or piers should be thoroughly evaluated to determine their effects on sloughs, managed wetlands and marshes and then modified as necessary to minimize any harmful effects.

I-3

Applicant proposes to use bottled water for human consumption and rainwater for washing activities. Sewage disposal is proposed to be provided through a septic system. These facilities do not meet Health Department requirements. The water supply would be inadequate and new septic systems are not permitted in the Suisun Marsh.

Mitigation - Applicant shall provide alternate water supply and sewage disposal systems which meet the requirements of the Health Department.