

MINUTE ITEM

C13

9/27/90

W23677

MARICLE

GENERAL LEASE - COMMERCIAL USE

Calendar Item C13, attached, was pulled from the agenda prior to the meeting.

Attachment: Calendar Item C13.

A 10

S 5

CALENDAR PAGE _____
MINUTE PAGE 2579

CALENDAR ITEM

A 10
S 5

C 13

09/27/90
W 23677
Maricle

GENERAL LEASE - COMMERCIAL USE

APPLICANT: Uollman-Clark Ranch, a general partnership
953 Keith Drive
Roseville, California 95661

AREA, TYPE LAND AND LOCATION:
A 1.139-acre parcel of tide and submerged land
in the Sacramento River, Sacramento County.

LAND USE: Commercial marina.

TERMS OF PROPOSED LEASE:

Initial period: Twenty-five (25) years
beginning October 1, 1990.

Surety bond: \$10,000.

Public liability insurance: Combined single
limit coverage of \$1,000,000.

Special: Lessee to provide and
maintain appropriate waste
receptacles for benefit of
lease premises.

CONSIDERATION: \$2,500 per annum, minimum rent or three percent
(3%) of gross income per annum, whichever is
greater, with the State reserving the right to
fix a different rental on each
fifth anniversary of the lease

CALENDAR ITEM NO. 013 (CON'D)

BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Code Regs. 2003.

APPLICANT STATUS:

Applicant is owner of upland.

PREREQUISITE CONDITIONS, FEES, AND EXPENSES:

Filing fee has been received.

STATUTORY AND OTHER REFERENCES:

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

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

AB 884:

01/16/91.

OTHER PERTINENT INFORMATION:

1. A Negative Declaration was prepared and adopted for this project by the County of Sacramento. The County determined that the project, as amended, would not have a significant effect on the environment. The State Lands Commission's staff has reviewed such document.
2. The improvements to be covered under a lease include two access ramps, a header float, pilings, and 30 berths, all as described and shown on Public Notice No. 9407, dated September 5, 1986, published by the United States Army, Corps of Engineers.
3. The State Department of Fish and Game, in 1985, recommended denial of the marina project on the basis that such would interfere with established striped bass trolling by fishermen in this area. The Applicant subsequently engaged Mr. George Bruns, licensed by Fish and Game, as a guide between 1977 and 1985, who concluded, in a written report, that the subject area has very little to offer to recreational fishermen and has repeatedly advised anglers that the most popular and productive trolling areas are downstream of

CALENDAR ITEM NO. 13 (CON'D)

this site. Mr. Bruns has served on the Board of Directors of the California Striped Bass Association, helped in the founding of the Executive Council of the California Striped Bass Association, and founded the Lodi Chapter of the California Striped Bass Association.

APPROVALS OBTAINED:

United States Army, Corps of Engineers, County of Sacramento, and State Reclamation Board.

FURTHER APPROVALS REQUIRED:

State Lands Commission.

EXHIBITS:

- A. Land Description.
- B. Location Map.
- C. Notice of Determination with accompanying Negative Declaration.
- D. Use Permit, County of Sacramento.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT A NEGATIVE DECLARATION WAS PREPARED AND ADOPTED FOR THIS PROJECT BY THE COUNTY OF SACRAMENTO 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 VOLLMAN-CLARK RANCH, A GENERAL PARTNERSHIP, OF A 25-YEAR GENERAL LEASE - COMMERCIAL USE, BEGINNING OCTOBER 1, 1990; IN CONSIDERATION OF A BASE ANNUAL RENT IN THE AMOUNT OF \$2,500 OR THREE PERCENT OF GROSS INCOME PER ANNUM, WHICHEVER IS GREATER, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF A \$10,000 SURETY BOND; PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF \$1,000,000; FOR A 30-BERTH MARINA, TOGETHER WITH TWO RAMPS, PILING, AND A HEADER FLOAT, ALL ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

W 23677

LAND DESCRIPTION

A parcel of tide and submerged land in the bed of the Sacramento River, Walnut Grove, Sacramento County, California, said parcel lying immediately beneath a dock **TOGETHER WITH** a necessary use area extending 10 feet from the extremities of said dock, said dock, being adjacent to the land described in the document recorded April 17, 1957, in Book 3283, page 563, of Official Records said County.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of the Sacramento River.

END OF DESCRIPTION

PREPARED AUGUST 24, 1989 BY BIU 1

CALENDAR PAGE 212
MINUTE PAGE 2583

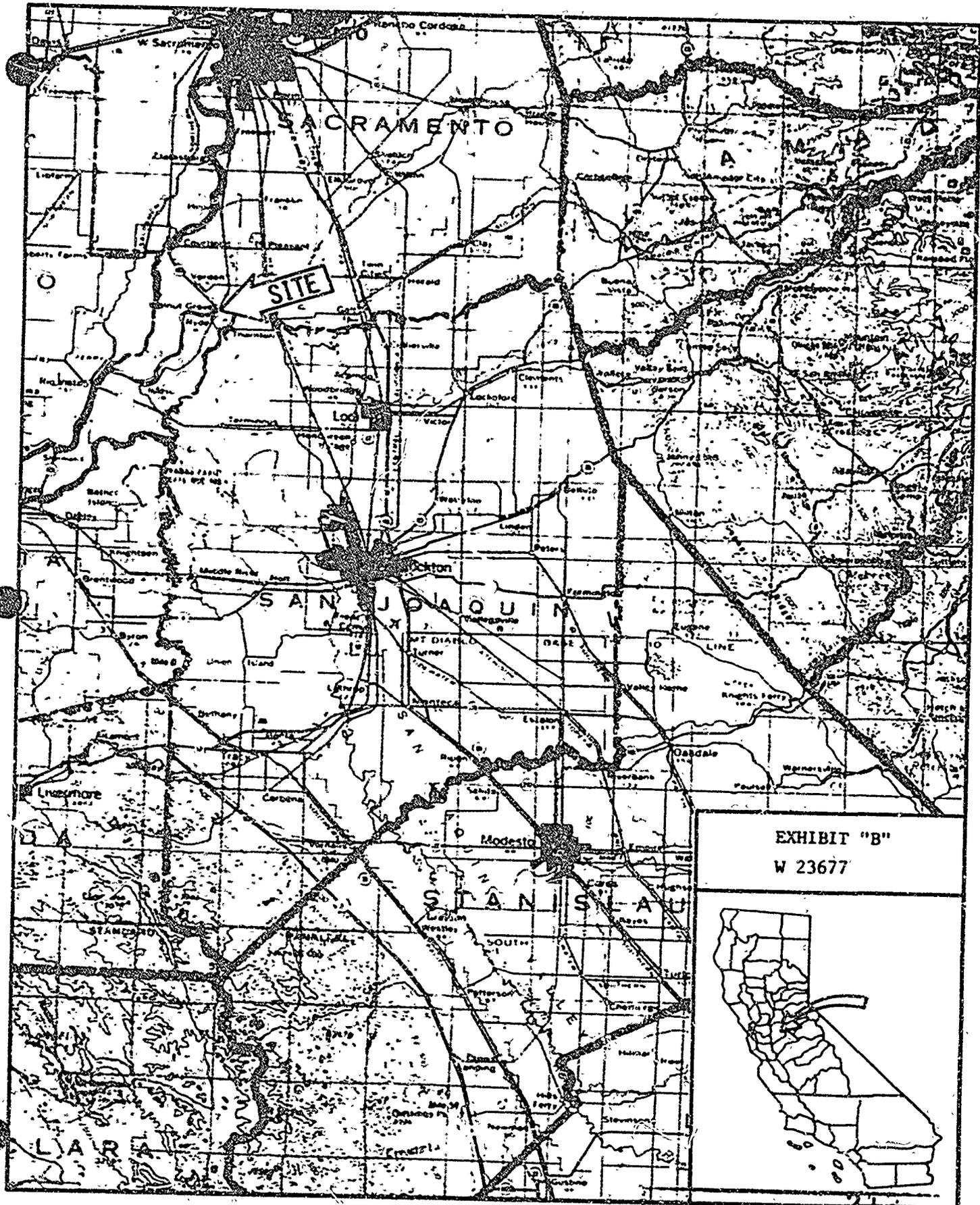


EXHIBIT "B"
W 23677



CALENDAR PAGE 213
MINUTE PAGE 2584

EXHIBIT "C"

NOTICE OF DETERMINATION

TO:

State of California
OFFICE OF PLANNING AND RESEARCH
1400 Tenth Street
Sacramento, CA 95814

FROM: Environmental Impact Section
County of Sacramento
827 - 7th Street, Rm. 101
Sacramento, CA 95814

County Clerk
County of Sacramento
720 - 9th Street, Rm. 103
Sacramento, CA 95814

SUBJECT: Filing of Notice of Determination in compliance with Section 21103 or 21152 of the Public Resources Code.

Project Title: VOLLMAN CLARK RANCH USE PERMIT		Control No.: 85-UP-830
State Clearinghouse No.: (If submitted) 87061514	Contact Person Alcides Freitas	Phone No.: 440-7914
Project Location: The project is located on the west and east sides of State Highway 160, just south of the Walnut Grove Bridge, in Walnut Grove.		
Assessor's Parcel No.: 142-0070-028 & 029		
Project Description: The proposed project consists of a request for a use permit to allow a 30 berth marina in the DN-R zone. Parking would occur on the landside of the levee road (State Highway 160) within the GC zone.		

This is to advise that the County of Sacramento has made the following determination regarding the above described project:

- The project has been approved by: Project Planning Commission
 disapproved on: August 31, 1987
(date)
- The project will* *(Findings of overriding considerations attached.)
will not have a significant effect on the environment.
- 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.
- Mitigation measures were made a condition of the approval
 were not of the project.

Date Received: **ENDORSED**
SEP 10 1987
JOYCE RUSSELL SMITH, CLERK
80 V. ANDREWS, Deputy

Environmental Coordinator of
Sacramento County, State of
California

By: Robert DeMuelles
for Alcides Freitas
Environmental Coordinator
214
385
MINUTE PAGE

NEGATIVE DECLARATION

Pursuant to Division 6, Title 14, Chapter 3, Article 6, Sections 15070 and 15071 of the California Administrative Code and pursuant to the Procedures for Preparation and Processing of Environmental Impact Reports adopted by the County of Sacramento pursuant to Sacramento County Ordinance No. SOC-116, the Environmental Coordinator of Sacramento County, State of California, does prepare, make, declare, publish, and cause to be filed with the County Clerk of Sacramento County, State of California, this Negative Declaration re: The Project described as follows:

1. Title and Short Description of Project:
VOLLMAN CLARK RANCH USE PERMIT
The proposed project consists of a request for a Use Permit to allow a 30 berth marina in the DW-R zone. Parking would occur on the landside of the levee road (State Highway 160) within the CC zone.
2. Location of Project and Assessor's Parcel Number:
The project is located on the west and east sides of State Highway 160 just south of the Walnut Groves Bridge in Walnut Groves.
APN: 142-0070-028 and 142-0070-029
3. Project Proponent: Gilbert Labrie
4. Said project will not have a significant effect on the environment for the following reasons:
 - a) It will not 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 restrict important examples of the major periods of California history or prehistory.
 - b) It will not have the potential to achieve short-term, to the disadvantage of long-term, environmental goals.
 - c) It will not have impacts which are individually limited, but cumulatively considerable.
 - d) It will not have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly.
5. As a result thereof, the preparation of an environmental impact report pursuant to the Environmental Quality Act (Division 13 of the Public Resources Code of the State of California) is not required.
6. The attached Initial Study has been performed by the Sacramento County Environmental Impact Section in support of this Negative Declaration. Further information may be obtained by contacting the Section at 827 Seventh Street, Room 101, Sacramento, California, 95814, or phone (916) 440-7914.

ENDORSED

JUN 13 1987

JOYCE RUSSELL SMITH, CLERK
By V. ANDREWS, Deputy

Environmental Coordinator of
Sacramento County, State of
California

By *Alcides Freitas*
Alcides Freitas
Environmental Coordinator

AF/31/12/5/83

CALENDAR PAGE 215
MINUTE PAGE 2586

ENVIRONMENTAL IMPACT SECTION
INITIAL STUDY

NAME: VOLLMAN - CLARK RANCH USE PERMIT

ASSESSOR'S PARCEL NUMBER: 142-0070-028 and 142-0070-029

CONTROL NUMBER: 85-UP-830

LOCATION: On the west and east sides of State Highway 160, just south of the Walnut Grove Bridge, in Walnut Grove.

OWNER:

Vollman - Clark Ranch
P.O. Box 161086
Sacramento, CA 95816

APPLICANT:

Gilbert Labrie
P.O. Box 183
Walnut Grove, CA 95690

I. PROJECT DESCRIPTION:

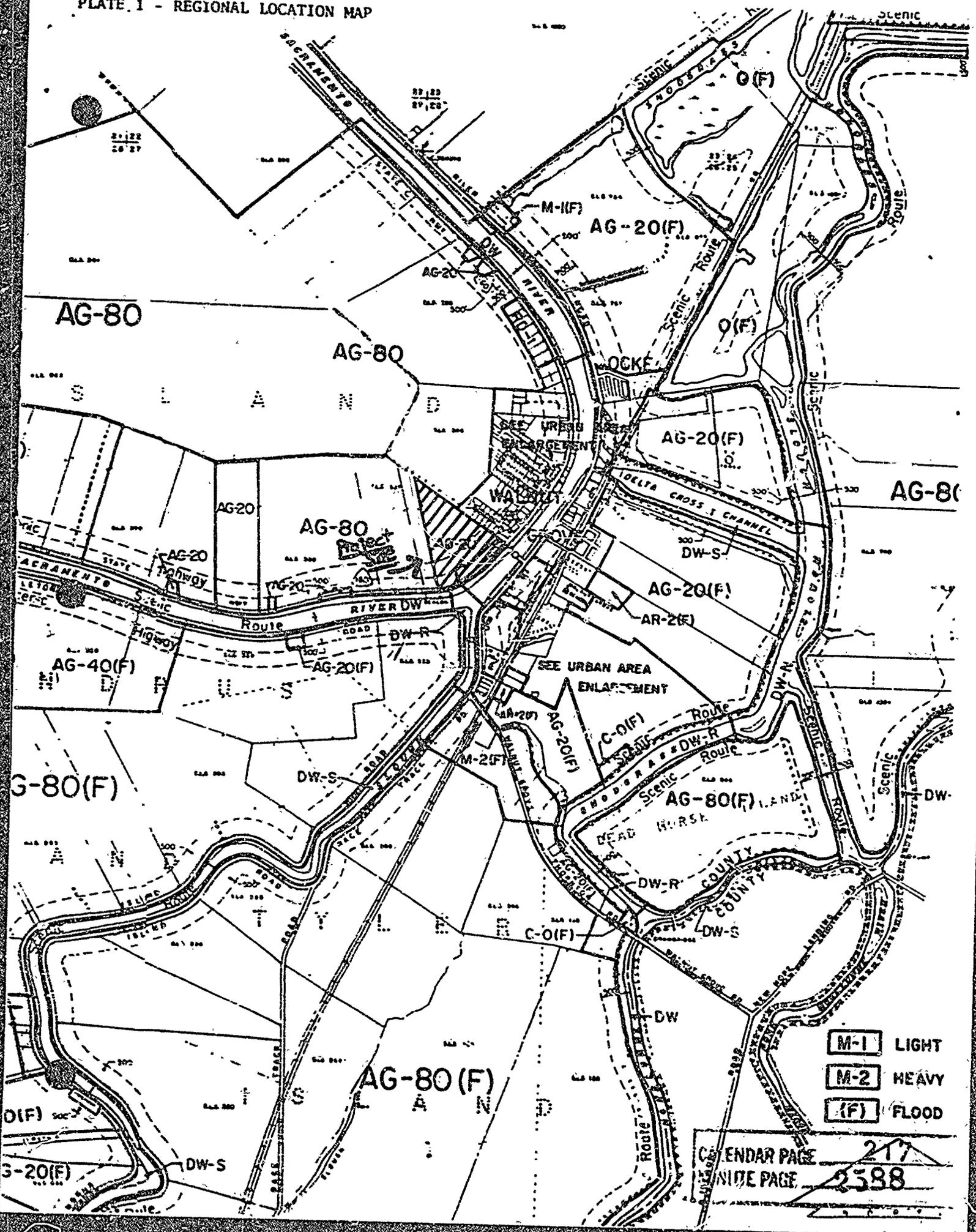
The proposed project consists of a request for a Use Permit to allow a 30 berth marina in the DW-R zone. Parking would occur on the landside of the levee road (State Highway 160) within the GC zone.

II. ENVIRONMENTAL SETTING:

The project site is located on the west side (right bank) of the Sacramento River, south of the Walnut Grove Bridge, on the southeast portion of Grand Island in the Delta area. State Highway 160 (a levee road) separates the easterly waterward portion of the site (approximately 1.1 acres zoned DW-R) from the westerly landward side of the site (39+ acres). Development on the waterside of the levee consists of a irrigation pump station and an abandoned wooden platform. Vegetation on the waterside of the levee consists of a dense growth of riparian vegetation which includes numerous alders, willow and oak trees along the waterline; berry vines, wild anise and common grasses cover the waterside slope. The landside of the levee is developed with a pear orchard (zoned AG-20) except for commercial and industrial uses adjacent to the levee road. These uses include a grocery store and auto repair business in the GC zone, and an agricultural related industrial use (Wilcox Agricultural Products) in the M-1 zone. Surrounding land uses are agricultural uses (pear orchards) to the west and south, residential and commercial uses to the north, and commercial uses to the east (across the Sacramento

CALENDAR PAGE 216
MINUTE PAGE 2537

PLATE 1 - REGIONAL LOCATION MAP



- M-1 LIGHT
- M-2 HEAVY
- (F) FLOOD

ENDAR PAGE 217
 SIDE PAGE 2388

