MINUTE ITEM
This Calendar Item No. C53
was approved as Minute Item
No. 53 by the State Lands
Commission by a vote of 3
to 0 at its 12-17-92
meeting.

CALENDAR ITEM

53

A 3

S 1

12/17/92
PRC 5634
W 21216
D. Jones

CONSIDER A NON-PREJUDICIAL DENIAL OF APPLICATION TO CONSTRUCT A MARINA ON SOVEREIGN LANDS IN THE BED OF THE SACRAMENTO RIVER AT VERONA, SUTTER COUNTY

APPLICANT:

Auburn Investors
Attn: Gary Kaveney
4201 Midas Avenue
Rocklin, California 95677

AREA, TYPE LAND AND LOCATION:

A 1.32-acre parcel of tide and submerged lands in the bed of the Sacramento River at Verona, Sutter County.

PROPOSED LAND USE:

Marina with 22 covered berths, a day-use dock accommodating six (6) boats, a side-tie dockage to accommodate up to 20 boats, sewage pumpout, debris deflector, and potential dredging of 100 cubic yards of sediment over a five-year period, together with previously authorized improvements described below.

STATUTORY AND OTHER REFERENCES:

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

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

AB 884:

12/12/92

OTHER PERTINENT INFORMATION:

1. Applicant operates a campground on the uplands and has a lease for a boat-launch ramp and debris deflector.

2. Applicant has been discussing establishment of a marina at this location for a number of years with two substantively different configurations. Two years ago, a formal application was made to the Commission.

3. After performing an Initial Study for the proposal, staff determined that an Environmental Impact Report would be necessary to address several potential significant environmental impacts that were identified.

4. Applicant has attempted to redesign the project and to avoid some of the impacts; however, after review, it is still the staff's belief that an EIR is necessary. Applicant disagrees with this position.

5. The Permit Streamlining Act requires that once an application has been accepted as complete, the Commission must act on the application within specified time periods. Failure to act within the time allowed, either by approving or denying the project, could result in approval of the project. To date, staff and the applicant are not in agreement as to the need for and scope of an EIR for the project. The provisions of the Permit Streamlining Act, as they apply to the application, necessitate Commission action at this time. Staff proposes that the project be denied without prejudice. Should the Applicant wish to proceed with the project, he may reapply to the Commission for the necessary lease. Applicant has been advised that, should he choose to reapply and agree to the preparation of an adequate EIR, he still may not succeed in acquiring a Commission lease. Staff remains concerned that the potential impacts of the proposed project may not be able to be reduced to an insignificant level, and that the project may be found to be an inappropriate use of the subject State-owned lands.

EXHIBIT:

A. Location Map

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. CODE REGS. 15061 AS A STATUTORILY EXEMPT PROJECT PURSUANT TO P.R.C. 21080(b)(5) AND 14 CAL. CODE REGS. 15270, PROJECTS WHICH A PUBLIC AGENCY REJECTS OR DISAPPROVES.

2. DENY, WITHOUT PREJUDICE, THE APPLICATION BY AUBURN INVESTORS FOR A MARINA IN THE BED OF THE SACRAMENTO RIVER AT VERONA, SUTTER COUNTY.

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PROPOSED FLOATING DOCK FACILITIES
SACRAMENTO RIVER MILE 79.5
for
GARY KAVENEY
VERONA MARINA
SUTTER COUNTY, CALIFORNIA

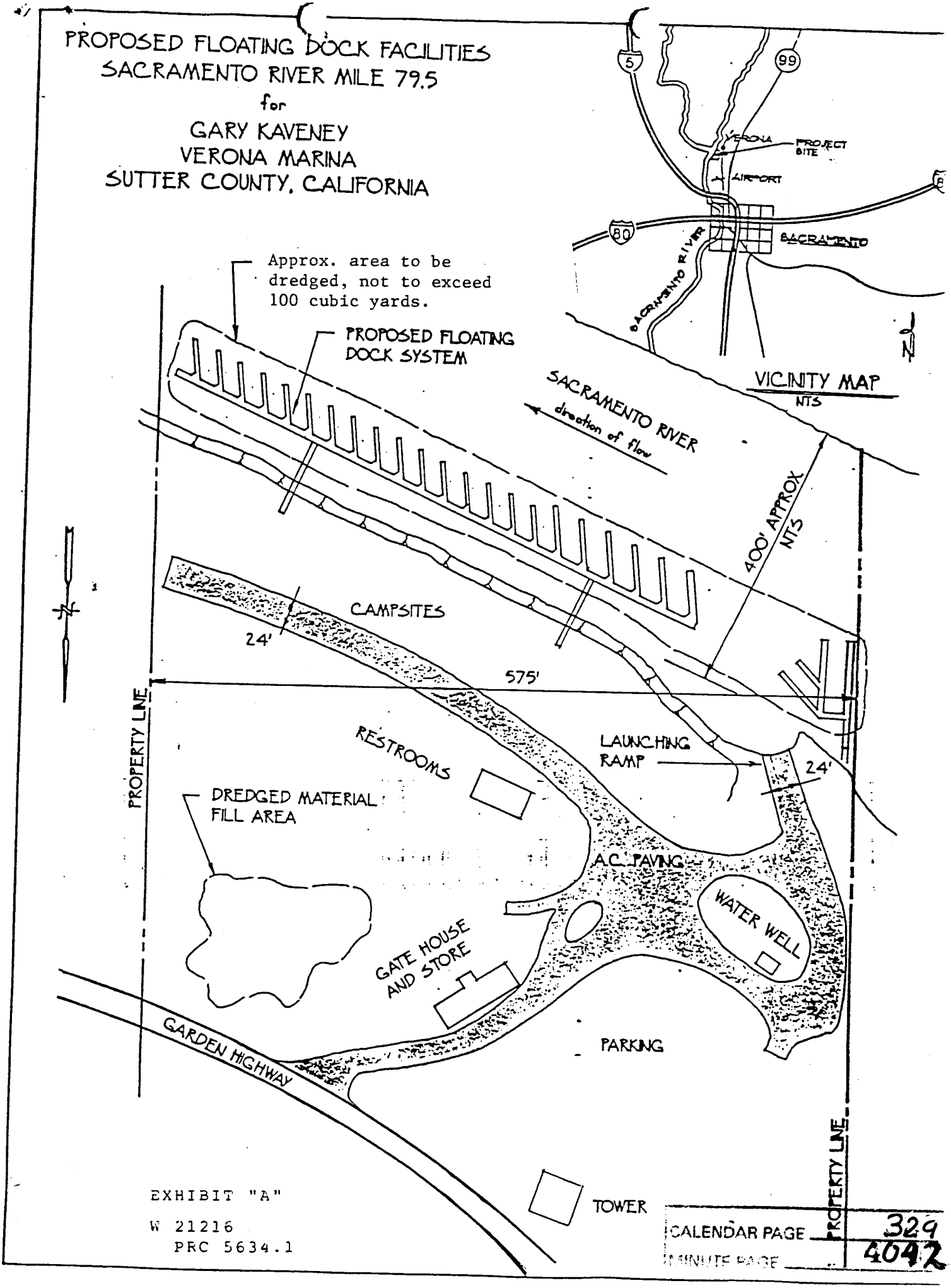

EXHIBIT "A"

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PRC 5634.1

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