

**MINUTE ITEM**

This Calendar Item No. 42  
was submitted for information  
only, no action thereon  
being necessary.

INFORMATIONAL  
CALENDAR ITEM

42

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S 1

04/28/93  
W 21216  
Jones

STATUS OF APPLICATION OF  
GARY KAVENEY FOR A COMMERCIAL MARINA  
AT VERONA, SUTTER COUNTY

**APPLICANT:**

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, Sutter County.

**LAND USE:**

Marina with a capacity to accommodate 48 boats including 22  
covered berths, a day-use dock accommodating six (6) boats,  
and side-tie dockage to accommodate up to 20 boats; sewage  
pumpout; debris deflector; gabion wall; access ramps; and  
potential dredging of 100 cubic yards of sediment over a  
five-year period.

**BACKGROUND:**

In 1979, the Commission authorized a 20-year General Lease-  
Commercial Use to Auburn Investors for the construction of a  
marina. The lease was not executed because the applicant  
was unable to fulfill certain requirements under the terms  
of the lease. In addition, because of financial problems,  
Auburn Investors requested that the use area be reduced to  
include only authorization of existing facilities. Thus, in  
1981, the Commission rescinded its 1979 authorization and  
authorized a 20-year General Lease-Commercial Use to Auburn  
Investors for a debris deflector and boat ramp. Auburn  
Investors owns the upland and operates a campground on it.  
Mr. Gary Kaveney is the General Partner for Auburn  
Investors.

In 1991, Gary Kaveney applied as an individual to the  
Commission to amend the lease to Auburn Investors for the

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purpose of constructing a marina. After performing an Initial Study for the proposal, staff determined that an Environmental Impact Report (EIR) would be necessary to address several potentially significant environmental impacts that were identified. The application was deemed complete pursuant to the Permit Streamlining Act (PSA). Mr. Kaveney and Commission staff disagreed over the need and scope of the EIR. Because the specified time periods had run under which the Commission must act pursuant to the PSA, the Commission at its December 17, 1992 meeting, denied Mr. Kaveney's application without prejudice to his right to reapply.

Prior to the Commission action, staff had advised Mr. Kaveney that it has serious concerns regarding the location of the project and the critical types of habitat which may be affected. Although the merits of the project were not before the Commission at the December 17 meeting, Mr. Kaveney's representative appeared and gave testimony in support of the project at the proposed location. The Commission was neutral on the project, but directed staff to present a status report on this project at its April meeting.

**CURRENT STATUS:**

Since the December meeting, staff has met with Mr. Kaveney and his consultant regarding his proposed application and the EIR. As to the application staff has advised Mr. Kaveney that a Feasibility Report is required demonstrating, among other things, that there is sufficient demand for the berth sizes for which he is applying, and that the project is financially feasible. Staff received the Feasibility Report from the applicant on April 21, 1993 and is currently reviewing it.

On February 22, 1993, Mr. Kaveney submitted an application for the marina and associated facilities as described above. The application is presently incomplete per staff letter to the applicant dated March 25, 1993.

As to the preparation of an EIR, the Applicant has concurred staff's assessment and on February 17, 1993, Commission staff approved the award of the contract for the EIR to Miriam Green Associates. A Notice of Preparation (NOP) of an EIR was mailed to public agencies and interested parties on March 11, 1993; comments are due to the Commission 30

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days after receipt of the NOP. The Draft EIR will be prepared during April and May. It is scheduled to be circulated to the public around the middle of May for a 45-day public review period. After responding to all comments received on the DEIR, a Final EIR is scheduled to be sent to all concerned parties during the middle of July. Staff expects to schedule the project for Commission consideration at its July or August meeting.

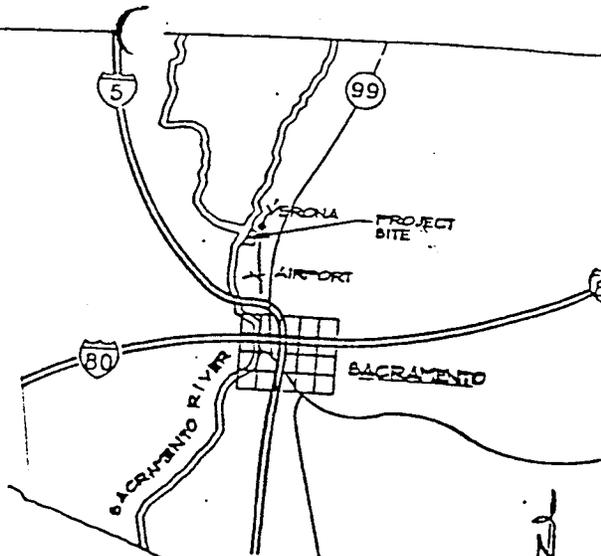
**EXHIBIT:**

- A. Location Map.

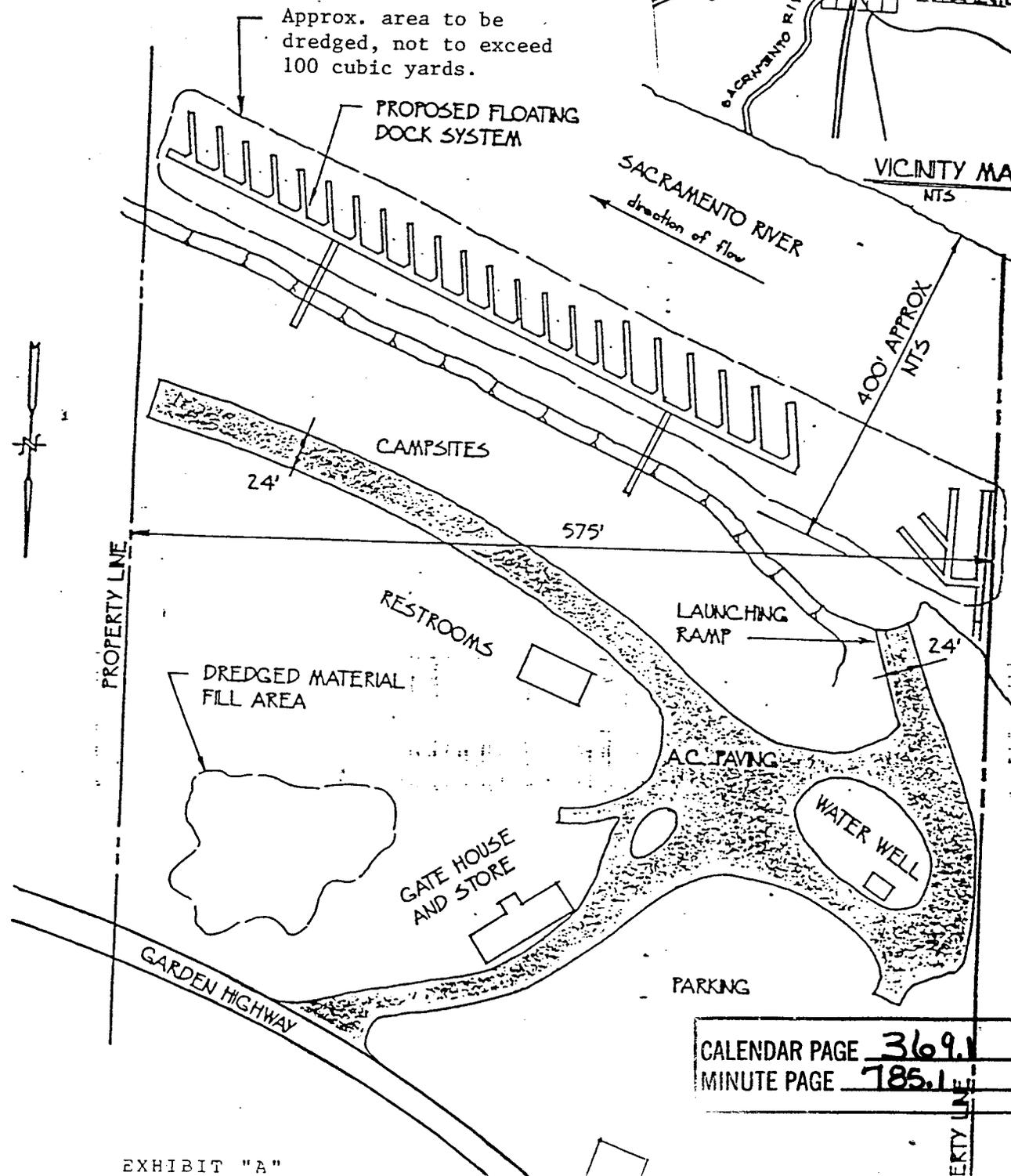
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PROPOSED FLOATING DOCK FACILITIES  
SACRAMENTO RIVER MILE 79.5

for  
GARY KAVENEY  
VERONA MARINA  
SUTTER COUNTY, CALIFORNIA



Approx. area to be dredged, not to exceed 100 cubic yards.



VICINITY MAP  
NTS

400' APPROX  
NTS

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