MINUTE ITEM
This Calendar Item No. C06 was approved as Minute Item No. 06 by the California State Lands Commission by a vote of 3 to 0 at its 2/27/98 meeting.

CALENDAR ITEM
C06

A 8
S 4

PRC8007
02/27/98
W 24038
L. Burks

GENERAL LEASE - COMMERCIAL USE

APPLICANT:
Walnut Grove Homeowners and
Merchants Association
P.O. Box 844
Walnut Grove, California 95690

AREA, LAND TYPE, AND LOCATION:
0.19 acres, more or less, of tide and submerged lands in the Sacramento River, (APNs 146-0360-100 and 146-0370-033), near the town of Walnut Grove Sacramento County.

AUTHORIZED USE:
250 foot long guest dock, one section of dock to be 12 feet x 100 feet and one section to be 6 feet x 150 feet; 5 foot x 60 foot connecting gangway; concrete access ramps and landings.

LEASE TERM:
20 years, beginning February 20, 1998.

CONSIDERATION:
$542 per year; with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease.

SPECIFIC LEASE PROVISIONS:
Liability insurance with coverage of no less than $1,000,000.

Bond: $5,000

OTHER PERTINENT INFORMATION:
1. Applicant owns the uplands adjoining the lease premises.

2. A Mitigated Negative Declaration (SCH 97122064) and a Mitigation Monitoring Program were prepared and adopted for this project by the

County of Sacramento. The California State Lands Commission's staff has reviewed such document.

3. This activity involves land identified as possessing significant environmental values pursuant to Public Resources Code sections 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.

APPROVALS OBTAINED:

United States Army Corps of Engineers; California Department of Fish and Game; Regional Water Quality Control Board; Reclamation District 554; Sacramento County; and California State Reclamation Board.

EXHIBITS:

A-1. Site Plan
A-2. Site Plan
B. Location Map
C. Mitigation Monitoring Program
D. Notice of Determination

PERMIT STREAMLINING ACT DEADLINE:

July 25,1998

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT A MITIGATED NEGATIVE DECLARATION (SCH 97122064) AND A MITIGATION MONITORING PROGRAM WERE PREPARED AND ADOPTED FOR THIS PROJECT BY THE COUNTY OF SACRAMENTO AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.

ADOPT THE MITIGATION MONITORING PROGRAM, AS CONTAINED IN EXHIBIT C, ATTACHED HERETO.

SIGNIFICANT LANDS INVENTORY FINDING:

FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE

CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE ISSUANCE TO THE WALNUT GROVE HOMEOWNERS AND MERCHANTS ASSOCIATION OF A GENERAL LEASE - COMMERCIAL USE, BEGINNING FEBRUARY 20, 1998, FOR A TERM OF 20 YEARS, FOR A PROPOSED GUEST DOCK ON THE LAND SHOWN ON EXHIBITS A-1 AND A-2 ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; IN CONSIDERATION OF $542 PER YEAR, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENT PERIODICALLY DURING THE LEASE TERM, AS PROVIDED IN THE LEASE; LIABILITY INSURANCE WITH COVERAGE NO LESS THAN $1,000,000; AND A SURETY BOND IN THE AMOUNT OF $5,000.

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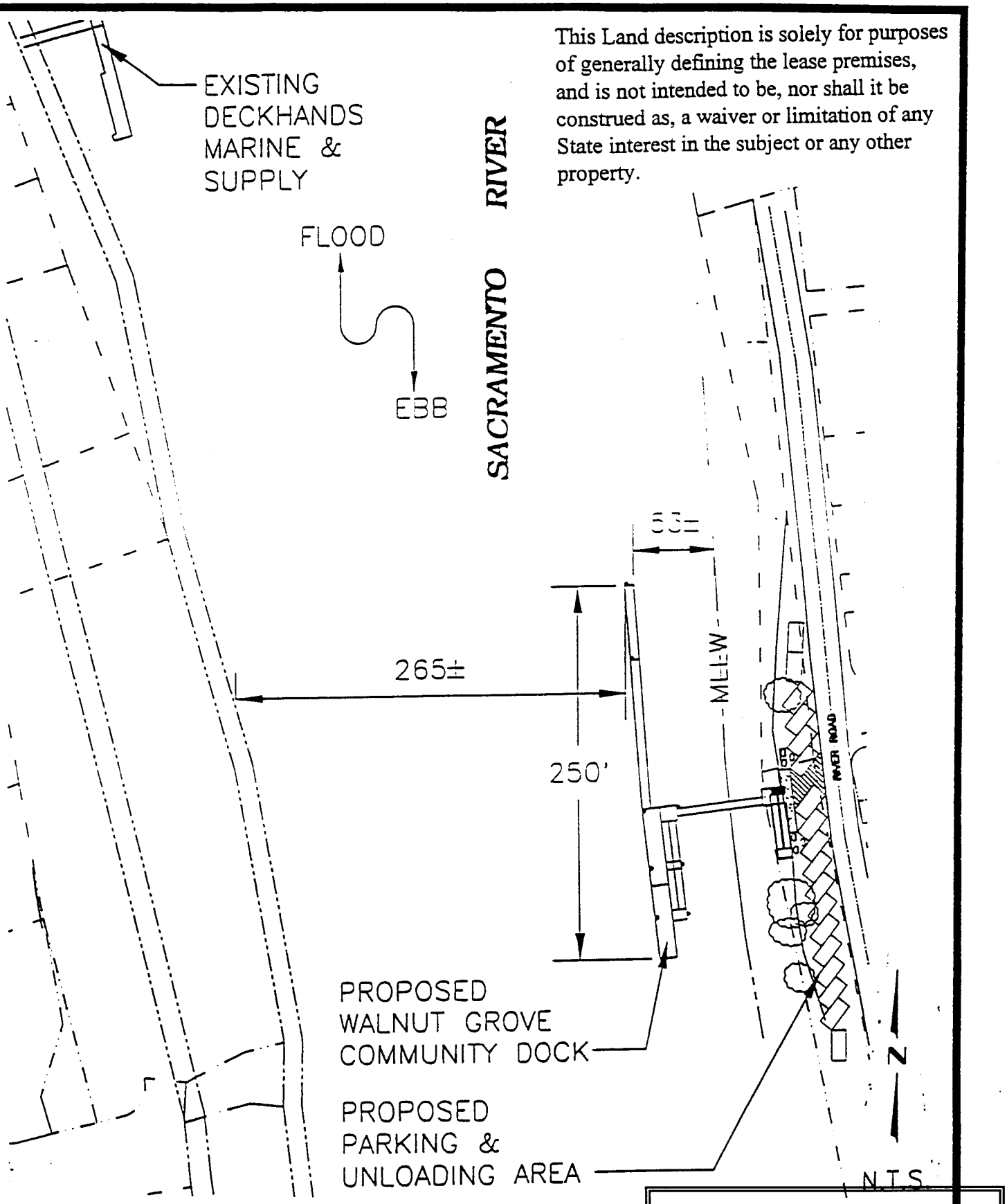
This Land description is solely for purposes of generally defining the lease premises, and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.



PURPOSE: WATER SIDE ACCESS FOR PUBLIC DATUM: NGVD	CONTENTS: PROPOSED OVERALL PLAN VIEW	PROJECT: WALNUT GROVE COMMUNITY GUEST DOCK Exhibit A-1 W 24038

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This Land description is solely for purposes of generally defining the lease premises, and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

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Exhibit A

W 24038

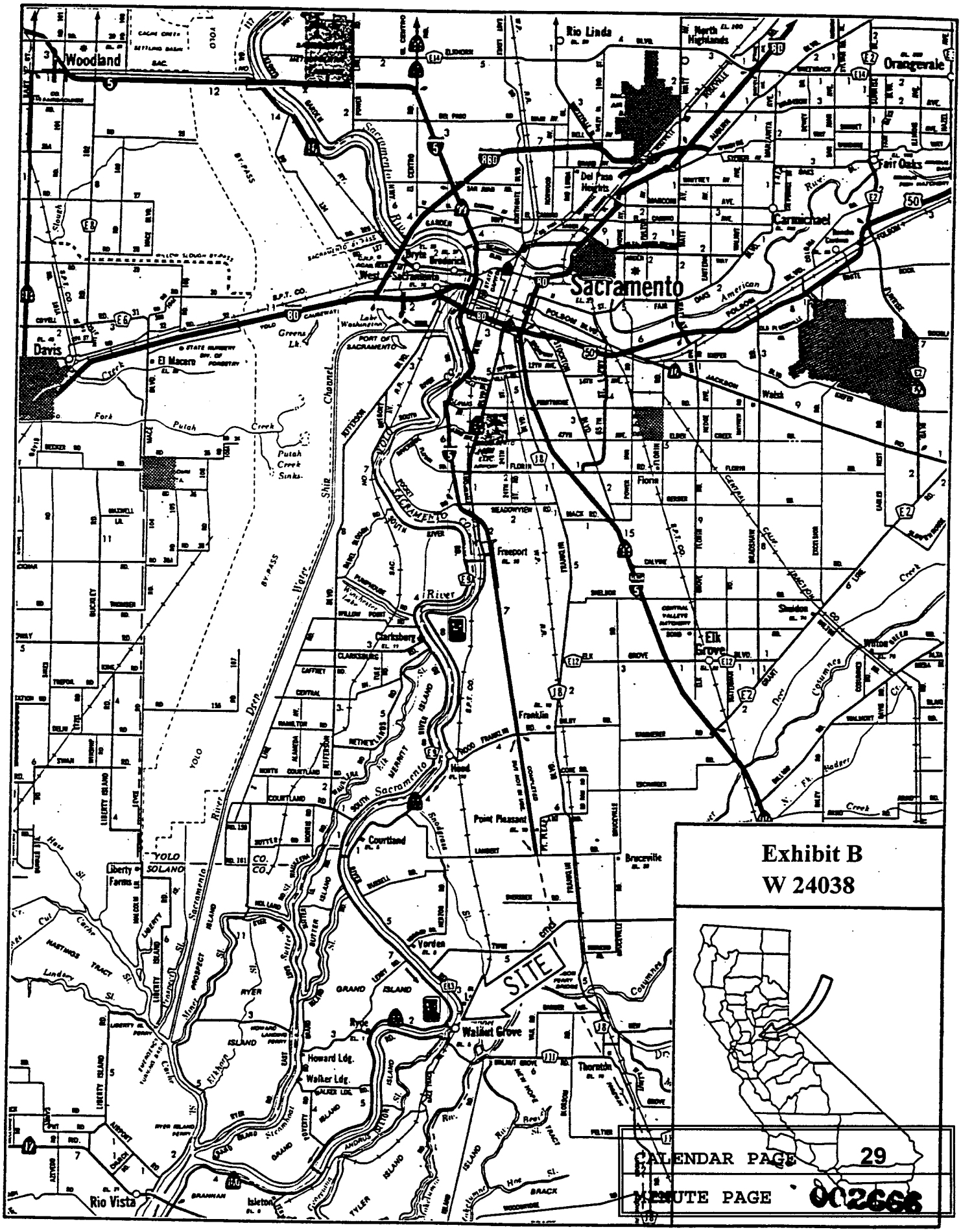
Woodland
Davis
Rio Linda
North Highlands
Orangevale
Fair Oaks
Carmichael
Del Paso Heights
Sacramento
West Sacramento
Broderick
Bryte
El Macero
Freeport
Florin
Elk Grove
Sheldon
Clarksburg
Franklin
Hood
Courtland
Point Pleasant
Bruceville
Yorden
Walnut Grove
Thornton
Liberty Farms
Howard Ldg.
Walker Ldg.
Rio Vista
Isleton
Sacramento River
Yolo Bypass
Deep Water Ship Channel
Fort Putah Creek
Putah Creek Sinks
Cache Creek Settling Basin
Lake Washington
Port of Sacramento
Greens Lk.
Elkhorn
Natomas
Grand Island
Ryer Island
Prospect Island
Liberty Island
Hass Slough
Lindsey Slough
Cut
Carlos
Landers
Martinos Tract
Howard Landing
Walker Landing
Brack
Tyler
Brannan
Andrus Island
Reclamation Island
Sutter Island
Merritt Island
Netherlands
Pocket
Meadowview
Calvine
Laguna
Elder Creek
Union House Creek
Morrison Creek
Beach Stone Lake
Willow Slough
Willow Creek
Cosumnes River
Dry Creek
Laguna Creek
Strawberry Manor
Florin Perkins
Central Valley Authority
Sacramento Co.
Yolo Co.
Solano Co.
SITE
Exhibit B
W 24038
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EXHIBIT C

RECORDING REQUESTED BY AND WHEN RECORDED MAIL TO:

NAME:

COUNTY MAIL CODE:

SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

AGREEMENT TO MITIGATION MONITORING AND REPORTING PROGRAM FOR WALNUT GROVE GUEST DOCK USE PERMIT

County Control Number: 97-UPP-XXP-0518

Assessor's Parcel Number: 146-0360-100 and 146-0370-033

Project Description: The project consists of a Use Permit to allow the construction and operation of a 250-foot long guest dock in the Delta Waterways-Restricted (DW-R) land use zone.

Location: The project site is located on the west side of River Road, approximately 450 feet north of the Walnut Grove Bridge and across from "C" Street, in the town of Walnut Grove.

Project Applicant: DCC Engineering Co., Inc.
P.O. Box 929
Walnut Grove, CA 95690

Phone: (916) 776-2277

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Type of Environmental Document:

____Environmental Impact Report	____Prior Environmental Impact Report
_X__Negative Declaration	____Prior Negative Declaration

Prepared by the: Sacramento County Department of Environmental Review and Assessment **Date:** December 11, 1995

Mitigation Monitoring and Reporting Program Adopted By: **Date:**

Attest:_____
Clerk

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DECLARATION OF AGREEMENT

This Mitigation Monitoring and Reporting Program applies to certain real property, a Legal Description of which is attached as Exhibit A. I (We) the undersigned agree that this Mitigation Monitoring and Reporting Program applies to the real property described in Exhibit A. I (We) the undersigned am (are) the legal owner(s) of that property, and agree to comply with the requirements of this Mitigation Monitoring and Reporting Program (Summary and Mitigation Measures attached).

IN WITNESS WHEREOF, this declaration is hereby executed by the undersigned named legal owner(s) of the subject property on this _____ day of _____, 19__.

OWNER(S):

_____ _____

_____ _____

ALL-PURPOSE ACKNOWLEDGMENT NO.

State of _____ }
County of _____ }

On _____ before me, _____ (name, title of officer), personally appeared _____,
☐ personally known to me — OR — ☐ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

_____
Signature

CAPACITY CLAIMED BY SIGNER

☐ INDIVIDUAL(S) SIGNING FOR ONESELF/THEMSELVES
☐ CORPORATE OFFICER(S) _____ TITLE(S)
_____ COMPANY
☐ PARTNER(S) _____ PARTNERSHIP
☐ ATTORNEY-IN-FACT _____ PRINCIPAL(S)
☐ TRUSTEE(S) _____ TRUST
☐ OTHER _____ TITLE(S)
_____ TITLE(S)
_____ ENTITY(IES) REPRESENTED
_____ ENTITY(IES) REPRESENTED

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ALL-PURPOSE ACKNOWLEDGMENT

NC

State of _____

County of _____

On _____ before me, _____ (name, title of officer), personally appeared _____,

❑ personally known to me — OR — ❑ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

_____

Signature

CAPACITY CLAIMED BY SIGNER

❑ INDIVIDUAL(S) SIGNING FOR ONESELF/THEMSELVES

❑ CORPORATE OFFICER(S) _____ TITLE(S)

_____ COMPANY

❑ PARTNER(S) _____ PARTNERSHIP

❑ ATTORNEY-IN-FACT _____ PRINCIPAL(S)

❑ TRUSTEE(S) _____ TRUST

❑ OTHER _____ TITLE(S)

_____ TITLE(S)

_____ ENTITY(IES) REPRESENTED

_____ ENTITY(IES) REPRESENTED

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ALL-PURPOSE ACKNOWLEDGMENT

NO

State of _____

County of _____

On _____ before me, _____ (name, title of officer), personally appeared _____,

❑ personally known to me — OR — ❑ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

_____

Signature

CAPACITY CLAIMED BY SIGNER

❑ INDIVIDUAL(S) SIGNING FOR ONESELF/THEMSELVES

❑ CORPORATE OFFICER(S) _____ TITLE(S)

_____ COMPANY

❑ PARTNER(S) _____ PARTNERSHIP

❑ ATTORNEY-IN-FACT _____ PRINCIPAL(S)

❑ TRUSTEE(S) _____ TRUST

❑ OTHER _____ TITLE(S)

_____ TITLE(S)

_____ ENTITY(IES) REPRESENTED

_____ ENTITY(IES) REPRESENTED

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PROJECT TITLE: WALNUT GROVE GUEST DOCK USE PERMIT

CONTROL NUMBER: 97-UPP-XXP-0518

SUMMARY

Pursuant to Section 21081.6 of the Public Resources Code and Chapter 20.02 of the Sacramento County Code, a Mitigation Monitoring and Reporting Program has been established for the project entitled **"WALNUT GROVE GUEST DOCK USE PERMIT" (Control Number: 97-UPP-XXP-0518).**

The purpose of this program is to assure diligent and good faith compliance with the Mitigation Measures which have been recommended in the environmental document, and adopted as part of the project or made conditions of project approval, in order to avoid or mitigate potentially significant effects on the environment.

It shall be the responsibility of the project applicant to provide written notification to the Environmental Coordinator, in a timely manner, of the completion of each Mitigation Measure as identified on the following pages. The Department of Environmental Review and Assessment will verify, within ten (10) business days of notification, that the project is in compliance. Any non-compliance will be reported to the project applicant, and it shall be the project applicant's responsibility to rectify the situation by bringing the project into compliance and re-notifying the Environmental Coordinator. Any indication that the project is proceeding without good-faith compliance could result in the imposition of administrative, civil and/or criminal penalties upon the project applicant in accordance with Chapter 20.02 of the Sacramento County Code.

It shall be the responsibility of the project applicant to reimburse the County for all expenses incurred in the implementation of the Mitigation Monitoring and Reporting Program, including any necessary enforcement actions. The initial estimate of County monitoring costs for this project is **$2,250.00,** which must be paid to the Department of Environmental Review and Assessment. If actual County monitoring costs are less than the initial estimate, the difference will be refunded to the applicant; and if the actual County monitoring costs exceed the initial estimate, a supplemental bill will be submitted to the applicant.

Pursuant to Sacramento County Code Section 20.02.060, upon the determination of the Environmental Coordinator that compliance with the terms of the approved Mitigation Monitoring and Reporting Program has been achieved, and that there has been full payment of

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all fees for the project, the Environmental Coordinator shall issue and the Clerk of the Board shall record a Program Completion Certificate for the project.

In order to record the adopted Mitigation Monitoring and Reporting Program with the County Recorder as required by Sacramento County Code Section 20.02.050(b)(2), the project applicant shall provide the Department of Environmental Review and Assessment a Legal Description for the real property that is the subject of the project.

The requirements of this adopted Program run with the real property that is the subject of the project, as described in Exhibit A. Successive owners, heirs and assigns of this real property are bound to comply with all of the requirements of the adopted Program.

Prior to any lease, sale, transfer or conveyance of any portion of the real property that is the subject of the project, the record owner(s) at the time of the application for the project, or his or her successor's in interest, shall provide a copy of the adopted Program to the prospective lessee, buyer, transferee, or one to whom he conveyance is made.

Chapter 20.02 of the Sacramento County Code permits civil remedies and criminal penalties to be imposed in the event of non-compliance with an adopted Mitigation Monitoring and Reporting Program. The civil remedies, which are found in Sacramento County Code Section 20.02.090, include injunctive relief, stop work orders, revocation of any special permit granted concurrently with the approval of a Program, and the abatement of any resulting nuisance. The criminal penalties, which are found in Sacramento County Code Section 20.02.080, include a fine not to exceed five hundred dollars or imprisonment in the County jail not to exceed six months, or both.

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PROJECT TITLE: **WALNUT GROVE GUEST DOCK USE PERMIT**

CONTROL NUMBER: **97-UPP-CCP-0518**

STANDARD PROVISIONS

1. Any/all Preliminary Grading Plans, Improvement Plans and Building/Development Plans which are submitted to the Department of County Engineering and/or the Planning Department for this project, and any/all revisions to those Plans which are subsequently submitted, shall be in full compliance with the adopted Mitigation Monitoring and Reporting Program (MMRP). The project applicant shall submit one copy of all such Plans and/or revisions to the Department of Environmental Review and Assessment no later than 24 hours after the approval is obtained. If the Department of Environmental Review and Assessment determines that the approved Plans are not in full compliance with the adopted MMRP, the Plans shall be returned to the project applicant with a letter specifying the items of non-compliance, and instructing the applicant to revise the Plans, resubmit them to the approving department, and then resubmit one copy of the approved revised Plans to the Department of Environmental Review and Assessment no later than 24 hours after the approval is obtained.

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PROJECT TITLE: **WALNUT GROVE GUEST DOCK USE PERMIT**

CONTROL NUMBER: **97-UPP-CCP-0518**

Mitigation Measure:

A. To alleviate potential erosion and sedimentation impacts, the project applicant shall comply with one of the following options:

Either:

1. All grading activity on the site shall be limited to the dry season (March through September). If grading activities have not been completed prior to September 15, the proponent shall install groundcover on any exposed portions of the site. The installation of the groundcover shall consist of the following:

   All bare graded slopes shall be stabilized by hydroseeding or dry broadcast seeding pursuant to County Standard Specification SS-6 and the Best Management Practices in the "Guidance Manual For Development of Erosion and Sediment Control Plans" prepared by the Water Resources Division. Seeding shall be implemented in advance of the time when there is risk of erosion and not later than September 15. There shall be a minimum of 80% cover established by October 1. Irrigation and soil preparation shall be used to promote adequate seed germination and establishment. All slopes greater than 3:1 shall require biodegradable erosion control matting placement in addition to seeding.

   Or:

2. Silt fences, silt traps, or hay bales shall be installed along graded slopes, within swales, and around drop inlets as necessary to prevent the flow of eroded sediment into adjacent properties and local drainage systems, and to lessen runoff velocity.

Implementation and Notification (Action by Project Applicant):

1. If Mitigation Measure A.1 is to be implemented:

   a. Include Measure A.1 verbatim as a Construction Note on any/all Preliminary Grading Plans, Improvement Plans and Building/Development Plans ~~which are submitted to the~~

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Department of County Engineering and/or the Planning Department for this project, and any/all revisions to those Plans which are subsequently submitted.

b. Comply fully with item #1 in the Standard Provisions section of this Mitigation Monitoring and Reporting Program.

c. Notify the Department of Environmental Review and Assessment no later than 48 hours prior to the start of (1) clearing and grubbing, (2) grading, and (3) hydroseeding and/or dry broadcast seeding, and no later than 24 hours after their completion.

d. Comply fully with Mitigation Measure A.1 above.

e. During the last week of August, notify the Department of Environmental Review and Assessment as to whether or not the grading will be completed by September 15. Install the required groundcover by September 15 if grading has not been completed by September 15.

f. Notify the Department of Environmental Review and Assessment no later than 48 hours prior to any/all Final Inspection(s) by the Department of County Engineering.

2. If Mitigation Measure A.2 is to be implemented:

a. Incorporate Measure A.2 into any/all Preliminary Grading Plans, Improvement Plans and Building/Development Plans which are submitted to the Department of County Engineering and/or the Planning Department for this project, and any/all revisions to those Plans which are subsequently submitted.

b. Comply fully with item #1 in the Standard Provisions section of this Mitigation Monitoring and Reporting Program.

c. Notify the Department of Environmental Review and Assessment no later than 48 hours prior to the start of (1) clearing and grubbing, (2) grading, and (3) silt fence or silt trap construction, or hay bale placement, and no later than 24 hours after their completion.

d. Comply fully with Mitigation Measure A.2 above.

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e. Notify the Department of Environmental Review and Assessment no later than 48 hours prior to any/all Final Inspection(s) by the Department of County Engineering.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the approved Plans pursuant to item #1 in the Standard Provisions section of this Mitigation Monitoring and Reporting Program.

2. Monitor compliance during periodic site inspections of the construction work.

3. Participate in any/all Final Inspection(s), as necessary.

Comments:

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PROJECT TITLE: **WALNUT GROVE GUEST DOCK USE PERMIT**

CONTROL NUMBER: **97-UPP-CCP-0518**

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature:_____

Date:_____

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PROJECT TITLE: **WALNUT GROVE GUEST DOCK USE PERMIT**

CONTROL NUMBER: **97-UPP-CCP-0518**

Mitigation Measure:

B. All trees 4 inches diameter at breast height (dbh) or larger within the construction areas shall be preserved and protected using the following measures:

1. Prior to the start of construction, highly visible mesh fabric fencing shall be installed at least one foot outside the driplines of all riparian vegetation.

2. All barriers shall be maintained in an upright position at all times during project construction, and shall remain in place until completion of each seasons' work or Final Inspection by the Department of County Engineering.

3. No grading or trenching shall be allowed within the fenced driplines of the riparian vegetation.

4. No vehicles, construction equipment, mobile home/office, supplies, materials or facilities shall be driven, operated, parked, stockpiled, or located within the fenced areas.

5. No signs, ropes, cables, fencing materials, or any other items shall be attached to the riparian vegetation.

6. Drainage patterns on the site shall not be modified so that water collects or stands within the dripline of any tree.

Implementation and Notification (Action by Project Applicant):

1. Incorporate above measures B. 1. through B.6. and/or include them verbatim as Construction Notes on any/all Preliminary Grading Plans, Improvement Plans and Building /Development Plans which are submitted to the Department of County Engineering and/or the Planning Department for this project, and any/all revisions to those Plans which are subsequently submitted.

2. Comply fully with item #1 in the Standard Provisions section of this Mitigation Monitoring and Reporting Program.

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PROJECT TITLE: **WALNUT GROVE GUEST DOCK USE PERMIT**

CONTROL NUMBER: **97-UPP-CCP-0518**

3. Notify the Department of Environmental Review and Assessment no later than 48 hours prior to the start of each phase of construction work (including clearing and grubbing), and no later than 24 hours after their completion.

4. Comply fully with the above measures.

5. Notify the Department of Environmental Review and Assessment no later than 48 hours prior to any/all Final Inspection(s) by the Department of County Engineering.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the approved Plans pursuant to item #1 in the Standard Provisions section of this Mitigation Monitoring and Reporting Program.

2. Monitor compliance during periodic site inspections of the construction work.

3. Participate in any/all Final Inspection(s), as necessary.

Comments:

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PROJECT TITLE: **WALNUT GROVE GUEST DOCK USE PERMIT**

CONTROL NUMBER: **97-UPP-CCP-0518**

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature:_____

Date:_____

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PROJECT TITLE: **WALNUT GROVE GUEST DOCK USE PERMIT**

CONTROL NUMBER: 97-UPP-CCP-0518

Mitigation Measure:

C. To protect the Federally listed as endangered Sacramento River winter-run chinook salmon (*Oncorhynchus tshawytscha*), and the Federally listed as threatened delta smelt (*Hypomesus transpacificus*), in-water work (driving of 17 pilings) may only take place between August 1 and November 30.

Implementation and Notification (Action by Project Applicant):

1. Include the above measure verbatim as a Construction Note on any/all Preliminary Grading Plans, Improvement Plans and Building/Development Plans which are submitted to the Department of County Engineering and/or the Planning Department for this project, and any/all revisions to those Plans which are subsequently submitted.

2. Comply fully with item #1 in the Standard Provisions section of this Mitigation Monitoring and Reporting Program.

3. Notify the Department of Environmental Review and Assessment no later than 48 hours prior to the start of in-water work (driving of 17 pilings), and no later than 24 hours after its completion.

4. Comply fully with the above measure.

5. Notify the Department of Environmental Review and Assessment no later than 48 hours prior to any/all Final Inspection(s) by the Department of County Engineering.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the approved Plans pursuant to item #1 in the Standard Provisions section of this Mitigation Monitoring and Reporting Program.

2. Monitor Compliance during periodic site inspections of the construction work.

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PROJECT TITLE: **WALNUT GROVE GUEST DOCK USE PERMIT**

CONTROL NUMBER: 97-UPP-CCP-0518

3. Participate in any/all Final Inspection(s), as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature:_____

Date:_____

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PROJECT TITLE: **WALNUT GROVE GUEST DOCK USE PERMIT**

CONTROL NUMBER: **97-UPP-CCP-0518**

Mitigation Measure:

D. If project construction will occur any time during the breeding season of the Swainson's hawk (March through September), a pre-construction survey of all suitable nesting trees within 1/4 mile of the project site shall be conducted. The pre-construction survey shall be performed by a qualified raptor biologist during early April through early May. No construction activities shall occur until completion of this survey.

   If an active Swainson's hawk nest is found within the survey area, intensive monitoring, as directed by the California Department of Fish and Game, shall be undertaken by a qualified raptor biologist (subject to Department of Fish and Game approval) during all demolition and construction. Exact implementation of this measure will be determined by the Department of Fish and Game based upon specific on-site conditions. If during monitoring it is determined that project construction is significantly disturbing the birds, all construction shall be halted until September 15 or fledging.

   If no occupied nests are discovered, a written report documenting the findings of the survey shall be provided to the Department of Environmental Review and Assessment prior to beginning demolition or construction at the project site.

Implementation and Notification (Action by Project Applicant):

1. If necessary, submit the raptor nesting survey, prepared by a qualified biologist, to the Department of Environmental Review and Assessment for review and approval if construction activities are to occur during breeding season. If active raptor nests are identified, the California Department of Fish and Game shall be contacted to determine appropriate protective measures.

2. Incorporate any approved protective measures into any/all Preliminary Grading Plans, Improvement Plans and Building/Development Plans which are submitted to the Department of County Engineering and/or the Planning Department for this project, and any/all revisions to those Plans which are subsequently submitted.

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PROJECT TITLE: **WALNUT GROVE GUEST DOCK USE PERMIT**

CONTROL NUMBER: 97-UPP-CCP-0518

3. Comply fully with item #1 in the Standard Provisions section of this Mitigation Monitoring and Reporting Program.

4. Notify the Department of Environmental Review and Assessment no later than 48 hours prior to the start of (a) each phase of construction work (including clearing and grubbing) and (b) implementation of any approved protective measures, and no later than 24 hours after their completion.

5. Comply fully with the above measure.

6. Notify the Department of Environmental Review and Assessment no later than 48 hours prior to any/all Final Inspection(s) by the Department of County Engineering.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review any submitted raptor nesting survey, and consult with the qualified biologist and the California Department of Fish and Game as necessary to determine appropriate protective measures.

2. Review the approved Plans pursuant to item #1 in the Standard Provisions section of this Mitigation Monitoring and Reporting Program.

3. Monitor compliance during periodic site inspections of (a) the construction work and (b) the implementation of any approved protective measures.

4. Consult with the California Department of Fish and Game as necessary to determine compliance.

5. Participate in any/all Final Inspection(s), as necessary.

Comments:

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PROJECT TITLE: **WALNUT GROVE GUEST DOCK USE PERMIT**

CONTROL NUMBER: **97-UPP-CCP-0518**

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature:_____

Date:_____

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PROJECT TITLE: **WALNUT GROVE GUEST DOCK USE PERMIT**

CONTROL NUMBER: **97-UPP-CCP-0518**

Mitigation Measure:

E. Prior to the issuance of any building permits for the project, a site Flood Evacuation Plan shall be submitted to and approved by the Emergency Operations Division of the Sacramento County Department of General Services.

Implementation and Notification (Action by Project Applicant):

1. Prior to the issuance of building permits, submit to the Department of Environmental Review and Assessment a copy of the approved Flood Evacuation Plan and written evidence of its approval by the Emergency Operations Division of the Sacramento County Department of General Services.

2. Properly implement the approved Flood Evacuation Plan, as necessary.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the approved Flood Evacuation Plan, and consult with Emergency Operations Division of the Sacramento County Department of General Services.

2. Conduct periodic site inspections as necessary to determine compliance.

3. Participate in any/all Final Inspection(s), as necessary.

Comments:

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MINUTE PAGE 002686

PROJECT TITLE: **WALNUT GROVE GUEST DOCK USE PERMIT**

CONTROL NUMBER: **97-UPP-CCP-0518**

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature:_____

Date:_____

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PROJECT TITLE: **WALNUT GROVE GUEST DOCK USE PERMIT**

CONTROL NUMBER: **97-UPP-CCP-0518**

Mitigation Measure

F. Should any cultural resources, such as structural features, unusual amounts of bone or shell, artifacts, human remains, or architectural remains be encountered during any development activities, work shall be suspended and the Department of Environmental Review and Assessment shall be immediately notified at 440-7914. At that time, the Department of Environmental Review and Assessment will coordinate any necessary investigation of the find with appropriate specialists as needed. The project applicant shall be required to implement any mitigation deemed necessary for the protection of the cultural resources. In addition, pursuant to Section 5097.97 of the State Public Resources Code and Section 7050.5 of the State Health and Safety Code, in the event of the discovery of human remains, all work is to stop and the County Coroner shall be immediately notified. If the remains are determined to be Native American, guidelines of the Native American Heritage Commission shall be adhered to in the treatment and disposition of the remains.

Implementation and Notification (Action by Project Applicant:)

1. Include the above measure verbatim as a Construction Note on any/all Preliminary Grading Plans, Improvement Plans and Building/Development Plans which are submitted to the Department of County Engineering and/or the Planning Department for this project, as well as any/all revisions to those Plans which are subsequently submitted.

2. Comply fully with item #1 int he Standard Provisions section of this Mitigation Monitoring and Reporting Program.

3. If cultural resources are encountered, notify the Department of Environmental Review and Assessment immediately.

4. If human remains are encountered, notify the County Coroner and the Department of Environmental Review and Assessment immediately.

5. If no cultural resources are encountered, the applicant shall provide the Department of Environmental Review and Assessment with a signed statement to that effect.

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CONTROL NUMBER: 97-UPP-CCP-0518

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the approved Plans pursuant to item #1 in the Standard Provisions section of this Mitigation Monitoring and Reporting Program.

2. If cultural resources are encountered, the Department of Environmental Review and Assessment will coordinate an investigation of the site with appropriate specialists as needed. After investigation, the applicant may be required to implement additional mitigation for the cultural resources.

3. Review the signed statement if no resources are encountered.

Comments:

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PROJECT TITLE: **WALNUT GROVE GUEST DOCK USE PERMIT**

CONTROL NUMBER: **97-UPP-CCP-0518**

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____

Date: _____

(970518.mm/dhe)

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3563.

RECORDING REQUESTED

WHEN RECORDED MAIL TO:

EXHIBIT D

County of Sacramento, Department of
Environmental Review and Assessment
827 Seventh Street, Room 220
Sacramento, CA 95814

CONTACT PERSON: Dennis E. Yeast
TELEPHONE: (916) 440-7914

~~SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE~~

NOTICE OF DETERMINATION

SUBJECT: FILING OF NOTICE OF DETERMINATION IN COMPLIANCE WITH SECTION 21108 OR 21152 OF THE PUBLIC RESOURCES CODE

PROJECT TITLE: WALNUT GROVE GUEST DOCK USE PERMIT CONTROL NUMBER(S): 97-UPP-XXP-0518 STATE CLEARINGHOUSE NUMBER (IF SUBMITTED): 97122064
PROJECT LOCATION: The project site is located on the west side of River Road, approximately 450 feet north of the Walnut Grove Bridge and across fro m "C" Street, in the town of Walnut Grove.
ASSESSOR'S PARCEL NUMBER(S): 146-0360-100 and 146-0370-033
DESCRIPTION OF PROJECT: The proposed project consists of a Use Permit to allow the construction and operation of a 250-foot long guest dock in the Delta Waterways-Restricted (DW-R) land use zone.

This is to advise that the County of Sacramento (X Lead Agency __Responsible Agency) has approved the above described project on January 26, 1998 and has made the following determinations concerning the above described project:

1. The project [__will X 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.
   X A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [X were __were not] made a condition of the approval of the project.
4. A mitigation monitoring and reporting program [X was __was not] adopted.
5. A statement of Overriding Considerations [__was X was not] adopted for this project.
6. Findings [__were X were not] made pursuant to the provisions of CEQA.
7. California State Department of Fish and Game Fees (AB 3158)
   a. [ ] The project has been found to be de minimis thus not subject to the provisions of AB 3158.
   b. [X] The project is not de minimis and is, therefore, subject to the following fees:
      [X] $1,250 for review of a Negative Declaration
      [ ] $ 850 for review of an Environmental Impact Report
      [X] $ 25 for County Fish and Game program processing fees.

This is to certify that the environmental document and record of project approval is available to the General Public at: 827 Seventh Street, Room 220, Sacramento, CA 95814.

ENVIRONMENTAL COORDINATOR OF
SACRAMENTO COUNTY
STATE OF CALIFORNIA

BY: Robert J. DeMonte for Dennis E. Yeast
Environmental Coordinator

Copy To: X State of California
Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

X County of Sacramento
County Clerk
600 8th Street, Room 101
Sacramento, CA 95814

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(970518.nod/de)