

**CALENDAR ITEM  
C15**

A 2  
S 4

01/26/12  
WP 3933.1  
N. Lavoie

**GENERAL LEASE – COMMERCIAL USE**

**APPLICANT:**

Butte Creek Farms

**AREA, LAND TYPE, AND LOCATION:**

Sovereign land in the Sacramento River, adjacent to Assessor's Parcel Numbers 015-130-013 and -045, 3249 Butte Slough Road, near the city of Colusa, Colusa County.

**AUTHORIZED USE:**

Continued use and maintenance of a commercial marina, consisting of an existing uncovered floating boat dock with a fish cleaning station and an inactive fueling facility, gangway, and stairs previously authorized by the Commission, and construction, use, and maintenance of a new boat ramp with an accommodation dock and bank protection.

**LEASE TERM:**

20 years, beginning January 26, 2012.

**CONSIDERATION:**

\$1,602 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:**

**Insurance:**

Liability insurance with combined coverage of no less than \$2,000,000.

**Bond:**

Surety Bond in the amount of \$10,000.

**Other:**

1. Construction activities in the Sacramento River may only occur between May 15 and October 15, and must be completed by October 15, 2015.

CALENDAR ITEM NO. **C15** (CONT'D)

2. At all times during construction, Lessee agrees to install precautionary signage or warning buoys upstream and downstream of the construction in the river to provide adequate warning to recreational users on the Sacramento River of the potential safety hazards associated with project construction.
3. The lease contains provisions that Lessee agrees to the implementation of the Commission's "Best Management Practices for Marina Owners/Operators" and "Best Management Practices for Berth Holders and Boaters," including additional Best Management Practices (BMPs) the Commission subsequently deems appropriate for either of the above categories. Lessee shall post the "BMPs for Marina Owners/Operators" and "BMPs for Berth Holders and Boaters" in prominent places within the lease premises. The Lessee shall provide the Commission, on the first anniversary of the lease and tri-annually thereafter, a report on compliance with all BMPs.

**OTHER PERTINENT INFORMATION:**

1. Applicant owns the upland adjoining the lease premises.
2. On July 24, 1986, the Commission authorized a 10-year General Lease – Commercial Use to Ralph Moffitt and Lydia Moffitt. On March 2, 1988, the Commission authorized the assignment of the lease from Ralph Moffitt and Lydia Moffitt to Albert A. Wheeler and Lorene S. Wheeler, dba Bert's Steelhead Marina, effective November 1, 1987. That lease expired August 3, 1996.
3. Starting at the expiration of the lease, the Wheelers stopped paying the annual rent in the amount of \$630. Beginning in 1996 until 2004, staff sent letters and had several conversations with the Wheelers attempting to bring the Wheelers under lease. During this period, staff discontinued sending invoices. In 2007, staff again attempted to bring the Wheelers under lease. At this time, staff learned that ownership of the marina facilities had transferred to Harry Robison in 2005. Staff was unable to locate Mr. Robison and bring him under lease.
4. In November 2010, staff received notice that the upland owner, Butte Creek Farms, made application with Colusa County to construct a boat launch ramp adjacent to the marina facility. Staff immediately contacted Butte Creek Farms and worked with them, resulting in submission of a

CALENDAR ITEM NO. **C15** (CONT'D)

new lease application on March 8, 2011, for the existing marina facilities and the proposed boat ramp facility and bank protection.

5. Butte Creek Farms has owned the upland site for more than 50 years. In 1987, they leased the marina upland site to the Moffitts, then to the Wheelers and finally, in 2005, to Harry Robison, the most recent owner of the marina facilities. In February 2009, Butte Creek Farms entered into an agreement to acquire the improvements and the Colusa Landing business operation owned by Mr. Robison and several partners.
6. Since the lease expired on August 3, 1996, there has been no lease in place; however, the Wheelers continued to occupy the lease premises in trespass. The five-year statute of limitations has expired on collecting nearly all the outstanding rent from the Wheelers for years 1996 to 2007 (11 years) totaling \$6,390. Accounting records show that the Wheelers were invoiced up to August 4, 2007 without staff's knowledge that they no longer owned the marina facilities. Staff believes that to seek payment of rent from the interim marina owners for their trespass would not be cost effective when estimating staff time and resources to collect, and will seek discharge of accountability from the Victims Compensation and Government Claims Board. Staff negotiated with the Applicant for back rent and recommends acceptance of back rent in the amount of \$2,322 for the period of May 12, 2010, when Butte Creek Farms purchased the marina facilities, through January 25, 2012. Staff recommends waiving any penalties and interest due for that period.
7. The marina has historically provided private parking, a restaurant, and restroom facilities on the upland. The existing facilities on the lease premises in the Sacramento River consist of an existing tethered and uncovered floating side-tie boat dock with a fish cleaning station and an inactive fueling facility, gangway, and stairs which serve marina customers. The marina facility is used by seasonal fishermen and recreational users during the summer months. Butte Creek Farms is currently considering future reactivation of the existing fueling facility on the marina dock, which would require approval by the Commission.
8. The Applicant is now proposing the construction of a boat ramp with an accommodation dock adjacent to the ramp and bank protection. The proposed boat launch facility will provide marina customers with additional amenities and provide the Sacramento River Fire District with an emergency draft point to fill fire apparatus in the event of a large fire incident in the area. Along with the proposed boat launch facility, the Applicant is proposing to expand marina parking by developing a

CALENDAR ITEM NO. **C15** (CONT'D)

1.7-acre parking area on the inland side of the levee directly across from the marina to provide thirty four, 60-foot long pull-through parking spaces for vehicles and trailers. This parking area will be located on an upland parcel, not on State-owned land.

9. **Boat Dock, Gangway, and Stairs:** Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Cal. Code Regs., tit 14, § 15061), the staff has determined that this activity is exempt from the requirements of CEQA as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905 subdivision (a)(2).

Authority: Public Resources Code section 21084 and, California Code of Regulations, Title 14, section 15300 and California Code of Regulations, Title 2, section 2905.

10. **Boat Ramp with an Accommodation Dock and Bank Protection:** A Mitigated Negative Declaration State Clearinghouse No. 2010112006 was prepared by Colusa County Planning Commission and adopted on December 13, 2010 for this project. Commission staff has reviewed such document. A Mitigation Monitoring Program was adopted by Colusa County Planning Commission, (Exhibit C).
11. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370, et seq., but such activity will not affect those significant lands. 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:**

Colusa County  
California Department of Fish and Game

**FURTHER APPROVALS REQUIRED:**

U.S. Army Corps of Engineers  
Central Valley Flood Protection Board  
Central Valley Regional Water Quality Control Board

**EXHIBITS:**

- A. Land Description
- B. Site and Location Map
- C. Mitigation Monitoring Program

CALENDAR ITEM NO. **C15** (CONT'D)

**RECOMMENDED ACTION:**

It is recommended that the Commission:

**CEQA FINDING:**

**Boat Dock, Gangway, and Stairs:** Find that the activity is exempt from the requirements of CEQA pursuant to California Code of Regulations, section Title 14, 15061 as a categorically exempt project, Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905 subdivision (a)(2).

**Boat Ramp with an Accommodation Dock and Bank Protection:** Find that a Mitigated Negative Declaration State Clearinhouse No. 2010112006 and a Mitigation Monitoring Program were prepared by Colusa County Planning Commission and adopted on December 13, 2010, for this Project 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 section 6370 et seq.

**AUTHORIZATION:**

1. Authorize acceptance of back rent in the amount of \$2,322 for the period of May 12, 2010 through January 25, 2012, waiving any penalty and interest due.
2. Refer to the Victims Compensation and Government Claims Board for discharge of accountability the uncollectable rent in the amount of \$6,930, for the period of August 4, 1996 to August 3, 2007.
3. Authorize issuance of a General Lease – Commercial Use to Butte Creek Farms beginning January 26, 2012, for a term of 20 years, for a commercial marina, consisting of an existing uncovered floating boat dock with a fish cleaning station and an inactive fueling facility, gangway, and stairs previously authorized by the Commission and construction, use, and maintenance of a new boat ramp with an accommodation dock and bank protection as described in Exhibit A and shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof; annual rent in the amount of \$1,602, with the State reserving the right to fix a different rent periodically during the lease term, as

CALENDAR ITEM NO. **C15** (CONT'D)

provided in the lease; and liability insurance in the amount of no less than \$2,000,000; and surety in the amount of \$10,000.

**EXHIBIT A**

**PRC 3933**

**LAND DESCRIPTION**

Two (2) parcels of submerged land in the bed of the Sacramento River, County of Colusa, State of California, lying adjacent to that certain parcel of land as described in deed, dated October 2<sup>nd</sup>, 1909, recorded in Book 67 Deeds, page 241, Records of Colusa County and being more particularly described as follows:

**PARCEL 1 (Dock, Ramp, Rip-Rap)**

**BEGINNING** at a point on the left bank of said river from which the northwest corner of said parcel bears N 01°53'56" E 112.20 feet; thence along said bank S 49°22'34" E 54.21 feet; thence S 56°21'13" E 73.54 feet; thence leaving said bank S 38°22'14" W 31.16 feet; thence N 59°39'16" W 95.80 feet; thence N 49°08'19" W 181.22 feet; thence N 42°57'50" E 28.89 feet to a point on said bank; thence along said bank S 53°10'12" E 146.18 feet to the POINT OF BEGINNING.

**PARCEL 2 (Main Dock)**

**BEGINNING** at a point on the left bank of said river from which the northwest corner of said parcel bears N 34°39'30" W 277.74 feet; thence along said bank S 53°25'00" E 25.00 feet; thence leaving said bank along the following thirteen (13) courses:

- 1) S 36°35'00" W 35.00 feet;
- 2) S 53°25'00" E 262.50 feet;
- 3) S 36°35'00" W 25.00 feet;
- 4) N 53°25'00" W 146.50 feet;
- 5) S 36°35'00" W 30.00 feet;
- 6) N 53°25'00" W 141.00 feet;
- 7) N 36°35'00" E 30.00 feet;
- 8) N 53°25'00" W 55.00 feet;
- 9) N 36°35'00" E 25.00 feet;
- 10) S 53°25'00" E 41.00 feet;
- 11) N 36°35'00" E 5.00 feet;
- 12) S 53°25'00" E 14.00 feet;
- 13) N 36°35'00" E 30.00 feet to the POINT OF BEGINNING.

EXCEPTING THERFROM any portions lying landward of the low water mark of said river.

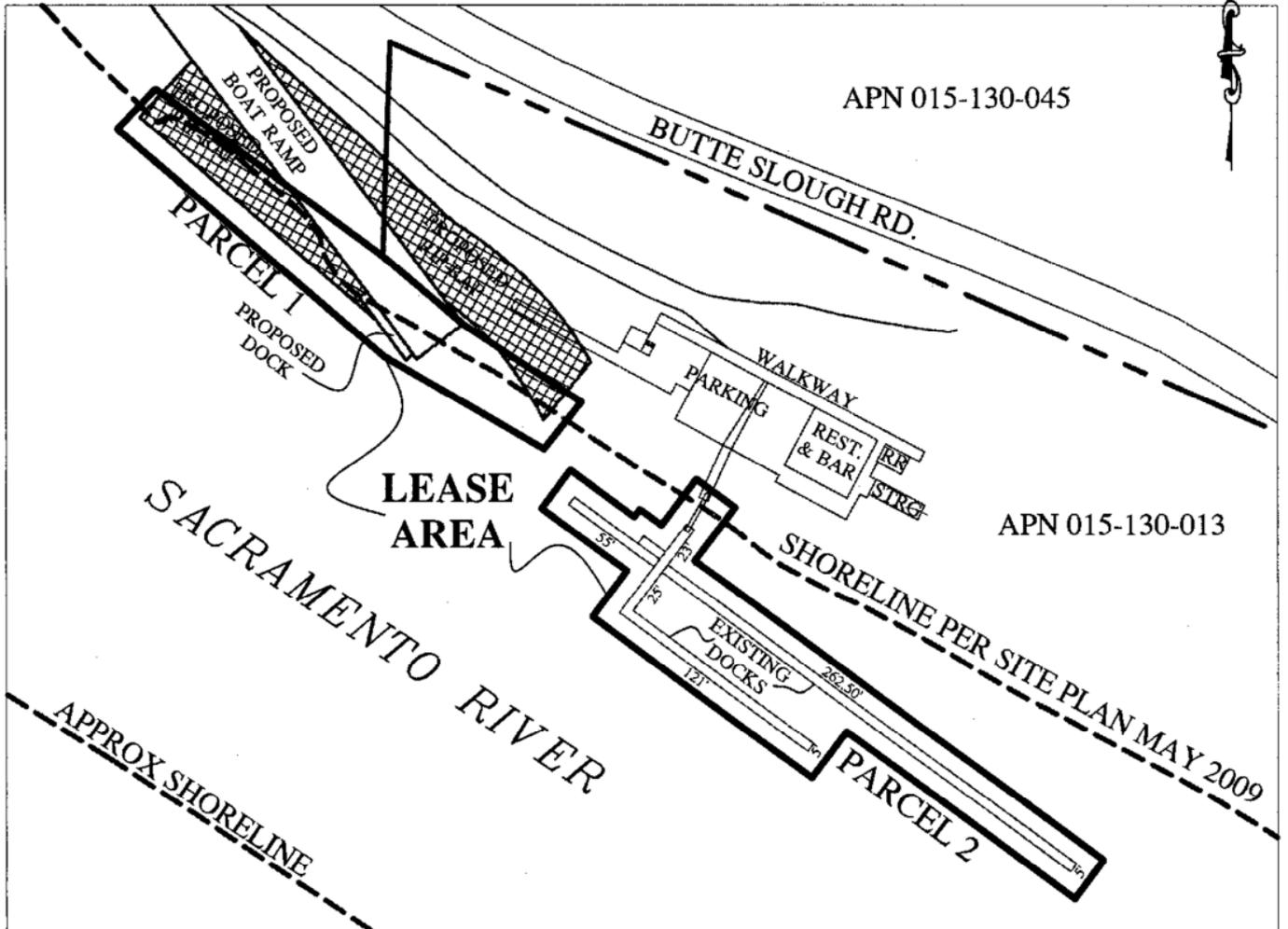
**END OF DESCRIPTION**

PREPARED 6/7/11 BY THE CALIFORNIA STATE LANDS COMMISSION BOUNDARY UNIT



NO SCALE

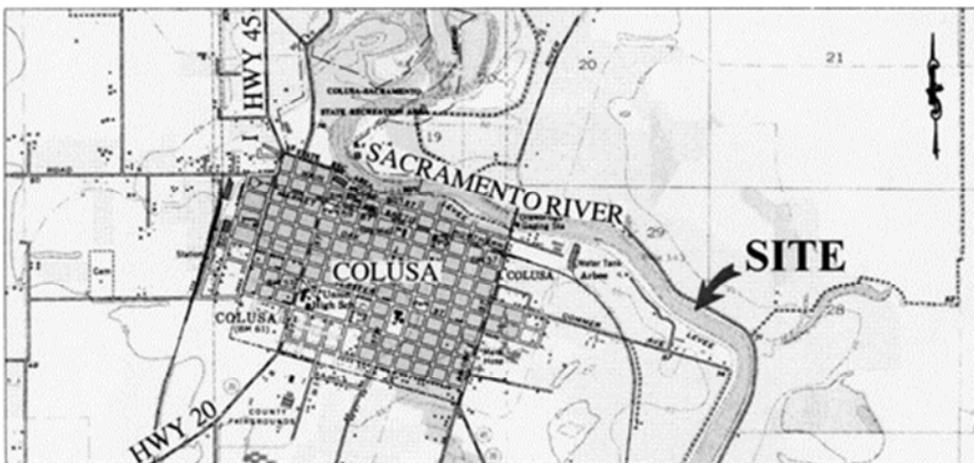
### SITE



3249 Butte Slough Rd, Colusa - Sacramento River

NO SCALE

### LOCATION



MAP SOURCE: USGS QUAD

This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties 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.

### Exhibit B

PRC 3933.1

BUTTE CREEK FARMS

APN 015-130-013,045

GENERAL LEASE -

COMMERCIAL USE

COLUSA COUNTY



MJF 6/7/11

**EXHIBIT C**

## **Appendix D**

**Mitigation Monitoring Plan and Forms**

## Mitigation Monitoring Plan

Implementation of a mitigation monitoring or reporting program is required under CEQA whenever a public agency approves a project that may have a significant adverse effect on the environment and the agency requires modification of the project or implementation of mitigation measures to avoid or substantially lessen the adverse effects of the project. The requirement to prepare a mitigation monitoring or reporting program applies to projects for which either a Mitigated Negative Declaration or Environmental Impact Report has been prepared. The objective of the program is to ensure that the required modifications and/or mitigation measures are indeed implemented.

Due to the nature of the proposed project and the sensitivity of the surrounding environment a formal mitigation monitoring program will be required to ensure that mitigations are carried out in all stages. Monitoring will involve review and approval of the construction bid package and other documentation, as well as site inspections, follow-up studies, and/or other actions. Monitoring is divided into three categories related to the timing of activities and implementation of mitigations.

1. **Pre-Construction Mitigations.** These are activities that precede any actual land disturbance. Included among these mitigations are the development of drainage, erosion control and tree management programs. Also included are the delineation of any wetlands that may be subject to development impact and the establishment of Environmentally Sensitive Areas (ESAs) or Zones (ESZs) around archaeological sites and specimen oak trees.
2. **Construction-Related Mitigations.** These include implementation of the drainage and erosion control plans and all other measures required to reduce the impacts of construction and development.
3. **Post-Construction Mitigations.** These include the maintenance programs necessary to ensure long-term control of erosion, protection of surface water quality runoff, and protection of plant and wildlife and their habitats within the project.

The lead agency (County of Colusa), upon adopting an Initial Study/Mitigated Negative Declaration, will be responsible for any mitigation and shall adopt a mitigation monitoring program which will ensure the successful completion of mitigation measures during project implementation (Section 21081(a)). The project proponent shall negotiate with the County to determine a reasonable fee to recover the costs of mitigation monitoring programs (section 21081(a)). The County will establish success criteria for each required mitigation measure. All mitigation monitoring reports and forms will be filed with the Planning Division of the County of Colusa.

Mitigation Measures forms developed specifically for this project identify the specific measures recommended for adoption by the applicant, describe the monitoring actions to be taken, and identify the timing and frequency of monitoring actions. In some cases, a single review of written documentation will satisfy the monitoring requirement. In other cases, monitoring may involve site-specific resource surveys followed by periodic field checks during construction and beyond. The required monitoring frequency is a minimum; additional monitoring may be required as a condition of project permits or may otherwise be warranted, particularly if there are repeated violations of conditions. Where inspection indicates that mitigation measures have not been fully implemented, the environmental monitor will submit a written description of all noted deficiencies to the lead agency, which will be responsible working with project staff and/or contractors to remedy any lack of compliance. Following this, a verification inspection will be conducted and the results will be documented.

All inspection reports, noncompliance notices, and verification reports prepared following rectification of noncompliance will be kept on file at the County of Colusa Planning Office. The documentation will be kept up to date at all times and will be made available to the public upon request.

## MITIGATION MONITORING FORM AIR-1

**ISSUE:** Fugitive Dust & Air Pollutants

**IMPACT(S):** The project has the potential to generate short-term increases in fugitive dust.

### MITIGATION MEASURE AIR-1

Fugitive dust and air pollution emissions shall be minimized. Construction contracts shall require the primary contractor to implement the following practices during all construction activities.

- Construction equipment shall use diesel fuel and shall be equipped with particulate traps and catalytic converters.
- All disturbed areas, including soil piles, areas that have been graded, and unpaved roads shall be watered twice daily and, when feasible, covered and enclosed.
- When materials are transported offsite, loads shall be wetted and covered securely; at least two feet of freeboard shall be maintained.
- Limit traffic speeds on unpaved roads to 15 mph and install sandbags or other erosion control measures to prevent silt runoff to public roadways from sites with a slope greater than one percent.
- Install wheel washers for all exiting trucks or wash off all trucks and equipment leaving the site.
- Turn off equipment not in use for more than ten minutes.
- Curtail construction activities when the County's Air Quality Index exceeds 150 for ozone, PM<sub>2.5</sub>, or PM<sub>10</sub>.

### MONITORING ACTION:

Before Construction: The developer shall obtain a Fugitive Dust Permit from, and submit a construction emission/dust control plan to, the Colusa County Air Pollution Control District.

During Construction: The provisions for this mitigation measure shall be complied with at all times.

**LEAD AGENCY:** County of Colusa

**IMPLEMENTED BY:** Developer

**MONITORED BY:** County of Colusa

**COMPLIANCE VERIFICATION:** County of Colusa Air Pollution Control District and Colusa County Planning Department

**FUNDED BY:** Developer or Successors in Real Property

### MONITORING FREQUENCY:

Before Construction: Check for required copy of Fugitive Dust Permit form and copy of dust control plan.

During Construction: The provisions of this mitigation measure shall be complied with at all times.

**PERFORMANCE STANDARDS (Standards for Success):** Construction contracts and bid documents reflect specified requirements; field checks indicate compliance with the requirement.

**MONITORING RECORD:**

Date	Signature of Monitor	% of Completion	Actions/ Accomplishment

**MITIGATION MONITORING FORM BIO-1**

**ISSUE:** Western Pond Turtle

**IMPACT(S):** The project has the potential to have an adverse impact on special-status wildlife species.

**MITIGATION MEASURE BIO-1**

Should any Western Pond Turtles be encountered within the project area during project implementation, a qualified biologist should be contacted and the turtle be immediately transported and released into a suitable aquatic habitat at least one mile upstream from the project area. Suitable habitats include pools, ponds, and slow-moving streams with abundant surrounding vegetation.

**MONITORING ACTION:**

During Construction: The provisions of this mitigation measure shall be complied with at all times.

**LEAD AGENCY:** County of Colusa

**IMPLEMENTED BY:** Developer

**MONITORED BY:** County of Colusa

**COMPLIANCE VERIFICATION:** County of Colusa

**FUNDED BY:** Developer or Successors in Real Property

**MONITORING FREQUENCY:**

Before Construction: Check bid documents to ensure contractor's understanding of requirements.

**PERFORMANCE STANDARDS (Standards for Success):** Construction contracts and bid documents reflect specified requirements; field checks indicate compliance with the requirement.

**MONITORING RECORD:**

Date	Signature of Monitor	% of Completion	Actions/ Accomplishment

**MITIGATION MONITORING FORM BIO-2**

**ISSUE:** Swainson's Hawks and Nesting Migratory Birds

**IMPACT(S):** The project has the potential to have an adverse impact on migratory birds.

**MITIGATION MEASURE BIO-2**

The project applicant shall hire a qualified avian biologist to survey the project area, particularly the trees and shrubs to be removed, for bird nests and activity by nesting raptors prior to commencement of construction on the site if it will occur between March 1 and September 15. In addition, if the project plan cannot be modified to avoid removal of the tree containing the large nest and the trees directly adjacent to it, the applicant shall consult with the California Department of Fish and Game (CDFG) to determine if a Management Authorization is required before the tree may be removed and if other mitigations pertaining to Swainson's Hawk habitat may be necessary.

**MONITORING ACTION:**

Before Construction:

- Hire a qualified avian biologist
- Consult with CDFG if tree removal is required

During Construction: If any raptor nest building activity occurs, contact the qualified avian biologist.

**LEAD AGENCY:** County of Colusa

**IMPLEMENTED BY:** Developer

**MONITORED BY:** County of Colusa

**COMPLIANCE VERIFICATION:** County of Colusa

**FUNDED BY:** Developer or Successors in Real Property

**MONITORING FREQUENCY:**

Before Construction:

- Check bid documents to ensure nest survey has been performed.
- Check bid documents to ensure contractor's understanding of requirements.

During Construction: The provisions of this mitigation measure shall be complied with at all times.

**PERFORMANCE STANDARDS (Standards for Success):** Construction contracts and bid documents reflect specified requirements; field checks indicate compliance with the requirement.

**MONITORING RECORD:**

Date	Signature of Monitor	% of Completion	Actions/ Accomplishment

**MITIGATION MONITORING FORM BIO-3**

**ISSUE:** Informal Consultation with National Marine Fisheries Service

**IMPACT(S):** The project has the potential to have an adverse impact on special-status fish species.

**MITIGATION MEASURE BIO-3**

The project applicant or their agent shall informally consult with the National Marine Fisheries Service (NMFS) to determine if the bank modifications proposed constitute adverse modification of habitat and/or if construction activities require permitting of mitigation under the U.S. Endangered Species Act.

**MONITORING ACTION:**

Before Construction: Informal consultation with NMFS

During Construction: Provisions required by NMFS, if any, shall be complied with.

**LEAD AGENCY:** County of Colusa

**IMPLEMENTED BY:** Developer

**MONITORED BY:** County of Colusa

**COMPLIANCE VERIFICATION:** County of Colusa

**FUNDED BY:** Developer or Successors in Real Property

**MONITORING FREQUENCY:**

Before Construction: Check bid documents to ensure contractor's understanding of requirements.

During Construction: The provisions of this mitigation measure shall be complied with at all times.

**PERFORMANCE STANDARDS (Standards for Success):** Construction contracts and bid documents reflect specified requirements; field checks indicate compliance with the requirement.

**MONITORING RECORD:**

Date	Signature of Monitor	% of Completion	Actions/ Accomplishment

**MITIGATION MONITORING FORM CULT-1**

**ISSUE:** Unanticipated Discovery

**IMPACT(S):** Discovery of and impacts to unanticipated cultural resource material within the work area.

**MITIGATION MEASURE CULT-1**

During any excavation or other substantial subsurface disturbance activities, individuals conducting the work should be advised to watch for cultural resource materials. Should any evidence of prehistoric cultural resources be observed (freshwater shells, beads, bone tool remnants or an assortment of bones, soil changes including subsurface ash lens or soil darker in color than the surrounding soil, lithic materials such as flakes, tools or grinding rocks, etc.), or historical cultural resources (adobe foundations or walls, structures and remains with square nails, refuse deposits or bottle dumps, often associated with wells or old privies); all work should immediately cease, and the California State Lands Commission and a qualified archeologist must be consulted to assess the significance of the cultural materials.

**MONITORING ACTION:**

During Construction: The provisions of this mitigation measure shall be complied with at all times.

**LEAD AGENCY:** County of Colusa

**IMPLEMENTED BY:** Developer

**MONITORED BY:** County of Colusa

**COMPLIANCE VERIFICATION:** County of Colusa

**FUNDED BY:** Developer or Successors in Real Property

**MONITORING FREQUENCY:**

Before Construction: Check bid documents to ensure contractor's understanding of requirements.

During Construction: The provisions of this mitigation measure shall be complied with at all times.

**PERFORMANCE STANDARDS (Standards for Success):** Construction contracts and bid documents reflect specified requirements; field checks indicate compliance with the requirement.

**MONITORING RECORD:**

Date	Signature of Monitor	% of Completion	Actions/ Accomplishment

**MITIGATION MONITORING FORM CULT-2**

**ISSUE:** Human Remains

**IMPACT(S):** Discovery of and impacts to unanticipated cultural resource materials within the work area.

**MITIGATION MEASURE CULT-2**

If human remains are discovered, all work must immediately cease, and the local coroner must be contacted. Should the remains prove to be of cultural significance, the Native American Heritage Commission in Sacramento, California must be contacted, and the Colusa-Indian Community Council must be notified.

**MONITORING ACTION:**

During Construction: Provisions of this mitigation measure shall be complied with at all times.

**LEAD AGENCY:** Colusa County

**IMPLEMENTED BY:** Developer

**MONITORED BY:** Colusa County

**COMPLIANCE VERIFICATION:** Colusa County

**FUNDED BY:** Developer or Successors in Real Property

**MONITORING FREQUENCY:**

Before Construction: Check bid documents to ensure contractor's understanding of requirements.

**PERFORMANCE STANDARDS (Standards for Success):** Construction contracts and bid documents reflect specified requirements; field checks indicate compliance with the requirement.

**MONITORING RECORD:**

Date	Signature of Monitor	% of Completion	Actions/ Accomplishment

**MITIGATION MONITORING FORM GEO-1**

**ISSUE:** Bank Stabilization Requirements

**IMPACT(S):** The project has the potential to increase erosion of the river bank.

**MITIGATION MEASURE GEO-1**

Bank stabilization techniques consistent with the California Department of Fish and Game (CDFG) guidelines detailed in a completed Streambed Alteration Agreement shall be instituted throughout the duration of construction and development activities.

**MONITORING ACTION:**

Before Construction: Obtain a Streambed Alteration Agreement from CDFG as required.

During Construction: The provisions of the Streambed Alteration Agreement shall be complied with at all times.

After Construction: Establish a maintenance program or provide an approved surface structure to ensure long term control of erosion.

**LEAD AGENCY:** County of Colusa

**IMPLEMENTED BY:** Developer

**MONITORED BY:** County of Colusa

**COMPLIANCE VERIFICATION:** County of Colusa

**FUNDED BY:** Developer or Successors in Real Property

**MONITORING FREQUENCY:**

Before Construction: Check bid documents to ensure contractor's understanding of requirements.

During Construction: The provisions of this mitigation measure shall be complied with at all times.

**PERFORMANCE STANDARDS (Standards for Success):** Construction contracts and bid documents reflect specified requirements; field checks indicate compliance with the requirement.

**MONITORING RECORD:**

Date	Signature of Monitor	% of Completion	Actions/ Accomplishment

**MITIGATION MONITORING FORM HAZ-1**

**ISSUE:** Equipment and Fuel Storage

**IMPACT(S):** The project has the potential to increase the risk of accidental fuel releases or spills.

**MITIGATION MEASURE HAZ-1**

Construction equipment and fuel storage shall be located within the parking lot of the of the project area northeast of Butte Slough Road. Fuel storage, including fuel trucks, shall occur only on impervious surfaces. Plastic or mylar films or a functional equivalent may be used to create temporary impervious surfaces during construction.

**MONITORING ACTION:**

During Construction: The provisions of this mitigation measure shall be complied with at all times.

**LEAD AGENCY:** County of Colusa

**IMPLEMENTED BY:** Developer

**MONITORED BY:** County of Colusa

**COMPLIANCE VERIFICATION:** County of Colusa

**FUNDED BY:** Developer or Successors in Real Property

**MONITORING FREQUENCY:**

During Construction: Field check weekly to ensure compliance with the provisions of this mitigation measure.

**PERFORMANCE STANDARDS (Standards for Success):** Construction contracts and bid documents reflect specified requirements; field checks indicate compliance with the requirement.

**MONITORING RECORD:**

Date	Signature of Monitor	% of Completion	Actions/ Accomplishment

**MITIGATION MONITORING FORM HAZ-2**

**ISSUE:** Spill Kit

**IMPACT(S):** The project has the potential to increase the risk of accidental fuel releases or spills.

**MITIGATION MEASURE HAZ-2**

A spill kit shall be made available near the boat ramp area. It shall be clearly indicated through highly visible signage and shall include fuel dispersant, absorbent pads, and containment booms for spills occurring in water.

**MONITORING ACTION:**

**LEAD AGENCY:** County of Colusa

**IMPLEMENTED BY:** Developer

**MONITORED BY:** County of Colusa

**COMPLIANCE VERIFICATION:** County of Colusa

**FUNDED BY:** Developer or Successors in Real Property.

**MONITORING FREQUENCY:**

Before Construction: Check site for compliance with this mitigation measure.

During Construction: Check spill kit and site once daily for compliance with this mitigation measure.

**PERFORMANCE STANDARDS (Standards for Success):** Construction contracts and bid documents reflect specified requirements; field checks indicate compliance with the requirement.

**MONITORING RECORD:**

Date	Signature of Monitor	% of Completion	Actions/ Accomplishment

**MITIGATION MONITORING FORM HAZ-3**

**ISSUE:** (Recommended) Hydraulic Fluid

**IMPACT(S):** The project has the potential to increase the risk of accidental hydraulic fluid releases or spills

**MITIGATION MEASURE** (Recommended) HAZ-3

Use of a vegetable-oil based hydraulic fluid alternative should be used in all hydraulic equipment to reduce the long term impact of potential hydraulic fluid leaks into the project site.

**LEAD AGENCY:** County of Colusa

**IMPLEMENTED BY:** Developer

**MONITORED BY:** County of Colusa

**COMPLIANCE VERIFICATION:** County of Colusa

**FUNDED BY:** Developer or Successors in Real Property

During Construction: Check bid documents to ensure contractor's understanding of recommended mitigation.

**PERFORMANCE STANDARDS (Standards for Success):** Construction contracts and bid documents reflect specified requirements; field checks indicate compliance with the requirement.

**MONITORING RECORD:**

Date	Signature of Monitor	% of Completion	Actions/ Accomplishment

MITIGATION MONITORING FORM HYD-1

ISSUE: SWPPP

IMPACT(S): The project has the potential to significantly increase erosion which may impact water quality.

MITIGATION MEASURE HYD-1

Project engineers shall prepare a Stormwater Pollution Prevention Plan or similar instrument to minimize the project's contribution to runoff to adjacent lands and the Sacramento River. The SWPPP shall be reviewed by the Central Valley Regional Water Quality Board as part of their National Pollution Discharge Elimination System permitting requirements.

MONITORING ACTION:

Before Construction: File SWAPPP with the Central Valley Regional Water Quality Board.

LEAD AGENCY: County of Colusa

IMPLEMENTED BY: Developer

MONITORED BY: County of Colusa

COMPLIANCE VERIFICATION: County of Colusa

FUNDED BY: Developer or Successors in Real Property

MONITORING FREQUENCY:

Before Construction: Check bid documents for copy of SWPPP.

During Construction: The provisions of this mitigation measure shall be complied with at all times.

PERFORMANCE STANDARDS (Standards for Success): Construction contracts and bid documents reflect specified requirements; field checks indicate compliance with the requirement.

MONITORING RECORD:

Date	Signature of Monitor	% of Completion	Actions/ Accomplishment

**MITIGATION MONITORING FORM HYD-2**

**ISSUE:** Vegetated Slopes and Surfaces

**IMPACT(S):** The project has the potential to significantly increase erosion which may impact water quality.

**MITIGATION MEASURE HYD-2**

Surfaces with soil exposed through project activities shall be vegetated with grasses or other landscaping unless treated with impervious surfaces or other constructed elements in order to reduce the potential for erosion.

**LEAD AGENCY:** County of Colusa

**IMPLEMENTED BY:** Developer

**MONITORED BY:** County of Colusa

**COMPLIANCE VERIFICATION:** County of Colusa

**FUNDED BY:** Developer or Successors in Real Property

**MONITORING FREQUENCY:**

During Construction: Check condition, if implemented, of impervious surfaces or constructed elements once a week.

After Construction: The provisions of this mitigation shall be implemented during the post-construction phase of the project.

**PERFORMANCE STANDARDS (Standards for Success):** Construction contracts and bid documents reflect specified requirements; field checks indicate compliance with the requirement.

**MONITORING RECORD:**

Date	Signature of Monitor	% of Completion	Actions/ Accomplishment

**MITIGATION MONITORING FORM HYD-3**

**ISSUE:** Agency Review

**IMPACT(S):** The project has the potential to adversely impact a levee.

**MITIGATION MEASURE HYD-3**

Review of the final project design is required by the Central Valley Flood Protection Board, the Central Valley Regional Quality Control Board, and the United States Army Corps of Engineers, Sacramento District Regulatory Branch. Their review will ensure that standards for the construction, maintenance and protection of the levee are carried out.

**MONITORING ACTION:**

Before Construction: Submit final project design to the above agencies.

**LEAD AGENCY:** County of Colusa

**IMPLEMENTED BY:** Butte Creek Farms

**MONITORED BY:** County of Colusa

**COMPLIANCE VERIFICATION:** County of Colusa

**FUNDED BY:** Developer or Successors in Real Property

**MONITORING FREQUENCY:**

Before Construction: Check bid documents for final plan review and agency acceptance.

During Construction: The provisions for this mitigation measure shall be complied with at all times.

**PERFORMANCE STANDARDS (Standards for Success):** Construction contracts and bid documents reflect specified requirements; field checks indicate compliance with the requirement.

**MONITORING RECORD:**

Date	Signature of Monitor	% of Completion	Actions/ Accomplishment

**MITIGATION MONITORING FORM HYD-4**

**ISSUE:** Streambed Alteration Agreement

**IMPACT(S):** The project could cause significant water quality impacts to the Sacramento River by producing increases in turbidity through bank destabilization.

**MITIGATION MEASURE HYD-4**

Prior to commencing excavation, the proponent shall consult with the California Department of Fish and Game, North Central Division, regarding the need for a 1600 series Streambed Alteration Agreement.

**MONITORING ACTION:**

Before Construction: Consult with CDFG and obtain Streambed Alteration Agreement.

**LEAD AGENCY:** County of Colusa

**IMPLEMENTED BY:** Butte Creek Farms

**MONITORED BY:** County of Colusa

**COMPLIANCE VERIFICATION:** County of Colusa

**FUNDED BY:** Developer or Successors in Real Property

**MONITORING FREQUENCY:**

Before Construction: Check bid documents for Streambed Alteration Agreement and compliance requirements.

During Construction: Check for compliance with requirements of Streambed Alteration Agreement.

**PERFORMANCE STANDARDS (Standards for Success):** Construction contracts and bid documents reflect specified requirements; field checks indicate compliance with the requirement.

**MONITORING RECORD:**

Date	Signature of Monitor	% of Completion	Actions/ Accomplishment

**MITIGATION MONITORING FORM TRA-1**

**ISSUE:** Roadway Signage

**IMPACT(S):** The project could increase hazards to pedestrians and vehicles due to design features and project adjacency to Butte Slough Road.

**MITIGATION MEASURE TRA-1**

New roadway signage indicating pedestrian crossings, truck and boat crossing, and left turns shall be approved by Colusa County Public Works prior to final project approval.

**LEAD AGENCY:** County of Colusa

**IMPLEMENTED BY:** Butte Creek Farms

**MONITORED BY:** County of Colusa

**COMPLIANCE VERIFICATION:** County of Colusa Public Works

**FUNDED BY:** Developer or Successors in Real Property

**MONITORING FREQUENCY:**

After Construction: The provisions of this mitigation measure shall be complied with upon project completion.

**PERFORMANCE STANDARDS (Standards for Success):** Construction contracts and bid documents reflect specified requirements; fieldchecks indicate compliance with the requirement.

**MONITORING RECORD:**

Date	Signature of Monitor	% of Completion	Actions/ Accomplishment

**MITIGATION MONITORING FORM TRA-2**

**ISSUE:** Crosswalks

**IMPACT(S):** The project could increase hazards to pedestrians and vehicles due to design features and project adjacency to Butte Slough Road.

**MITIGATION MEASURE TRA-2**

Designated pedestrian crossing points from the parking area to the marina area shall be clearly indicated on the final map. The design shall minimize exposure of pedestrians to the roadway. Crosswalks shall be painted on Butte Slough Road at the locations indicated on the on the final map.

**LEAD AGENCY:** County of Colusa

**IMPLEMENTED BY:** Butte Creek Farms

**MONITORED BY:** County of Colusa Public Works

**COMPLIANCE VERIFICATION:** County of Colusa

**FUNDED BY:** Developer or Successors in Real Property

**MONITORING FREQUENCY:**

After Construction: The provisions of this mitigation measure shall be complied with upon project completion.

**PERFORMANCE STANDARDS (Standards for Success):** Construction contracts and bid documents reflect specified requirements; field checks indicate compliance with the requirement.

**MONITORING RECORD:**

Date	Signature of Monitor	% of Completion	Actions/ Accomplishment