

MINUTE ITEM

This Calendar Item No. 16
was approved as Minute Item
No. 16 by the State Lands
Commission by a vote of 2
to 0 at its 10/25/84
meeting.

CALENDAR ITEM

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16

10/25/84
WP 6372
Lipphardt,
PRC 6372

APPROVAL OF TERMINATION OF LEASE
PRC 6372.1 AND APPROVAL OF A GENERAL LEASE -
COMMERCIAL USE

APPLICANT: Gene K. and Carrol A. Cartwright
dba Sherwood Harbor Marina
7273 Stanwood Way
Sacramento, California 95831

AREA, TYPE LAND AND LOCATION:
A 1.77-acre parcel of tide and submerged land
in the Sacramento River, Yolo County.

LAND USE: Commercial marina.

TERMS OF ORIGINAL LEASE :

Initial period: 6 years beginning December 1,
1982.

Surety bond: \$5,000.

Public liability insurance: Combined single
limit coverage of \$300,000.

Consideration: \$360 per annum; five-year
rent review.

TERMS OF PROPOSED LEASE:

Initial period: 14 years beginning
November 1, 1984.

Surety bond: \$5,000.

Public liability insurance: Combined single
limit coverage of \$500,000.

CALENDAR ITEM NO. 16 (CONT'D)

CONSIDERATION: Five percent of the gross income derived from the rental of docks and moorings; three percent of the gross income derived from the operation of the snack shed; ten percent of the gross income derived from sources exclusive of those described above; a minimum annual rental of \$972 for the period of November 1, 1984 through October 31, 1986 and a minimum annual rental of \$2,450 thereafter; five-year rent review.

BASIS FOR CONSIDERATION:
Pursuant to 2 Cal. Adm. Code 2003.

APPLICANT STATUS:
Applicant is lessee of upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:
Lessee has submitted payment for the first year minimum annual rental period of November 1, 1984, to October 31, 1985.

STATUTORY AND OTHER REFERENCES:
A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.
B. Cal. Adm. Code: Title 2, Div. 3; Title 14, Div. 6.

AB 884: 04/03/85.

OTHER PERTINENT INFORMATION:

1. On December 22, 1983, the Commission approved an assignment of a General Lease - Commercial Use to Gen. K. and Carrol A. Cartwright for a commercial marina. Lessees have since applied to the State Lands Commission for an amendment to their lease to provide for an expansion of the existing marina. The proposed expansion will add approximately 45 berths to the existing 25 berth marina. Lessees' project was excluded from the Sacramento River moratorium because Lessees' application processing and construction plans were near completion when the moratorium was announced.
2. The original lease is being terminated, effective November 1, 1984, and a replacement lease is being issued to reflect the following:
 - a. Revised description.
 - b. New rental, surety bond, and insurance terms.
 - c. New lease term to coincide with the term of Lessees' upland lease.

CALENDAR ITEM NO. 16 (CONT'D)

3. Lessor hereby consents to Lessee's subletting of all or any portion of the lease premises for berthing or mooring purposes in conjunction with normal commercial marina subleasing practices for terms of one year or less.
4. A Negative Declaration was prepared and adopted for this project by Yolo County. The State Lands Commission's staff has reviewed such document and believes that it complies with the requirements of the CEQA.
5. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 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:

Yolo County, United States Corps of Engineers,
California Department of Water Resources,
California Department of Fish and Game,
California State Reclamation Board.

FURTHER APPROVALS REQUIRED:

None.

EXHIBITS:

- A. Land Description.
- B. Location Map.
- C. Negative Declaration.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT A NEGATIVE DECLARATION WAS PREPARED AND ADOPTED FOR THIS PROJECT BY YOLO COUNTY 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. FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO P.R.C. 6370, ET SEQ.

CALENDAR ITEM NO. 16 (CONT'D)

- AUTHORIZE TERMINATION OF ORIGINAL LEASE PRC 637211, SAID TERMINATION TO BE EFFECTIVE NOVEMBER 1, 1984, AND ISSURANCE TO GENE K. AND CARROL A. CARTWRIGHT OF A 14-YEAR GENERAL LEASE - COMMERCIAL USE BEGINNING NOVEMBER 1, 1984; IN CONSIDERATION OF FIVE PERCENT OF THE GROSS INCOME DERIVED FROM THE RENTAL OF DOCKS AND MOORINGS; THREE PERCENT OF THE GROSS INCOME DERIVED FROM THE OPERATION OF THE SNACK SHED; TEN PERCENT OF THE GROSS INCOME DERIVED FROM SOURCES EXCLUSIVE OF THOSE DESCRIBED ABOVE; A MINIMUM ANNUAL RENTAL OF \$972 FOR THE PERIOD OF NOVEMBER 1, 1984 THROUGH OCTOBER 31, 1986, AND A MINIMUM ANNUAL RENTAL OF \$2,450 THEREAFTER; WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF A \$5,000 SURETY BOND; PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF \$500,000; FOR A COMMERCIAL MARINA ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION

WP 6372

A parcel of tide and submerged land in the bed of the Sacramento River, T8N, R4E, MDM, Yolo County, California, described as follows.

BEGINNING at a point on the northeasterly line of the parcel described as Parcel 5 of the Judgement entered in Superior Court Case No. 12600 in and for the County of Yolo, recorded in Book 989, Page 306, Yolo County Official Records, said point being the most easterly point of that line shown as having a bearing of N 67° 13' 28" W and a length of 1793.22 feet on that map filed for record January 24, 1969 in Book 10 of Maps, Page 42, Yolo County Official Records; thence from said point of beginning S 67° 13' 28" E 376.00 feet; thence S 57° 39' 16" W 950.00 feet; thence N 32° 20' 44" W 297.43 feet; thence N 39° 32' 06" E 30.75 feet; thence N 3° 28' 47" E 402.96 feet; thence N 53° 28' 47" E 402.96 feet; thence N 62° 53' 39" E 305.15 feet to the point of beginning.

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

This description is based on the California Coordinate System, Zone 2.

END OF DESCRIPTION

REVISED JULY 25, 1984 BY BOUNDARY AND TITLE UNIT.

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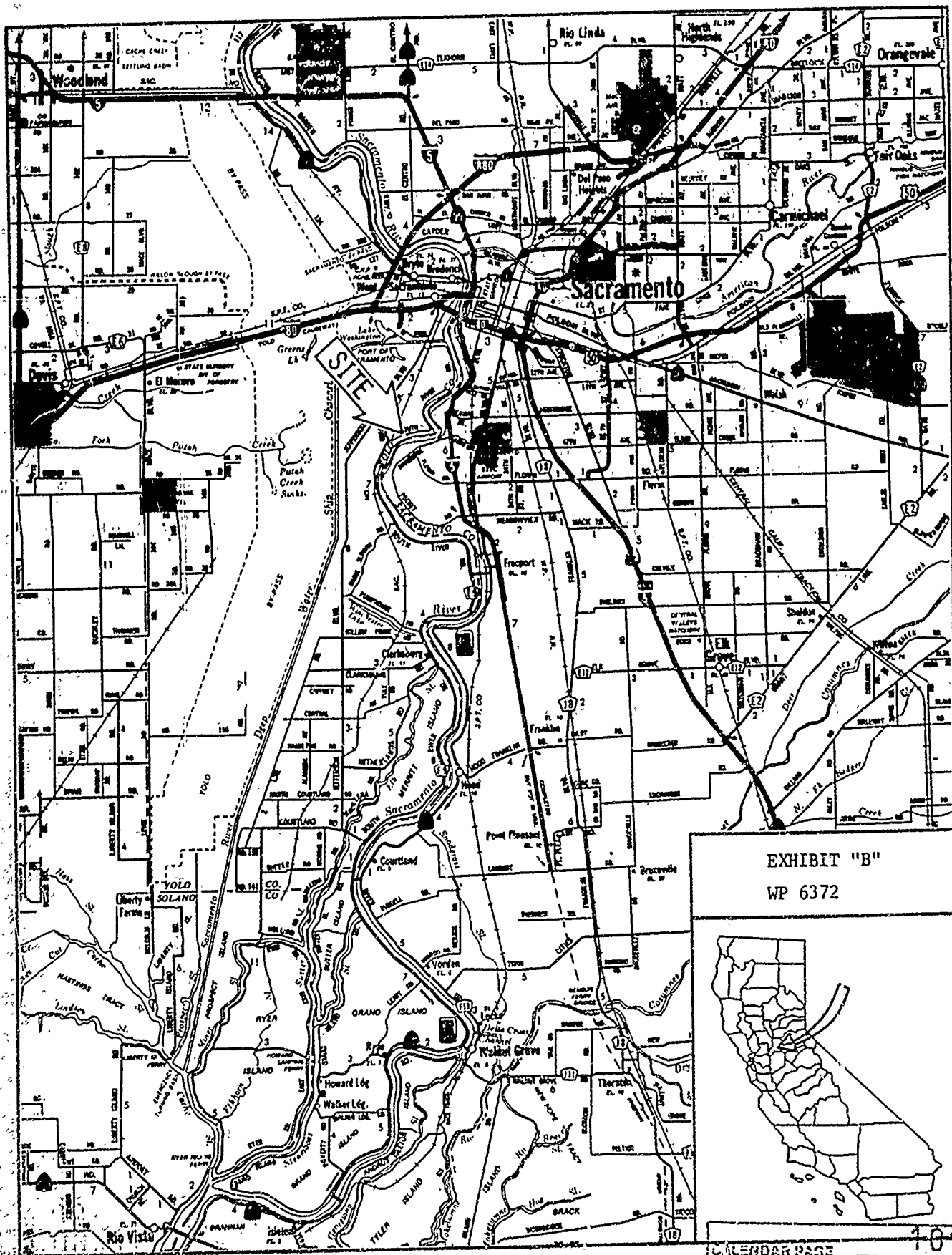


EXHIBIT "B"
 WP 6372



COUNTY OF YOLO
NEGATIVE DECLARATION

Project Title and Description:

Use Permit in the Agriculture-General Zone to provide 130 additional berths along the waterway for mooring of privately-owned boats.

Project Description: The existing marina, Sherwood Harbor, was permitted by Department of the Army Permit No. 6844NW authorized on June 11, 1979. Since that time, minor changes have been made to the marina. These changes are shown on the portion of the marina drawing labeled "Existing Facility." These changes consist of the adding about 28 feet of dock, removing 8 finger floats, and reorienting some of the floats, the bait ship, and the restroom facilities.

The Proposed expansion of the marina consists of the addition of 950 feet of floating dock parallel to and 50 feet from the waterward side of the existing marina. The new docks will have foam flotation and will be anchored with 9 inch diameter wood piling spaced 50 feet apart. The piles will be tied together with half-inch wire rope anchored to piling at both ends. The walkway from the existing docks to the new docks will be attached with 3/8" thick plate angle iron and 8 bolts, 3/8" diameter, at each joint. The finger flats will be attached by the same method. Sewage is pumped from the existing restrooms to the landside. There is also an existing gas pump and bait shop permitted by D.O.A. Permit No: 6844NW.

Location of Project: There is a berm area about 200 feet wide between the river's edge and the levee. The waterfront length of the upland parcel is about 1,115 feet. The landside of the levee is presently in agricultural use. There is a parking area on the berm. There is a subdivided residential area on the landside of the levee on the left bank opposite the marina. The Golden Empire Council Sea Scouts docks are located upstream of the facility. Two existing marinas are located about 1/2 mile upstream; one on the left bank and another on the right bank of the river. An existing marina on the opposite bank is located about one mile downstream. The marina is located approximately 900 feet south of the intersection of Linden Road and South River Road in Southport.

Vegetation on the berm area consist of mugwort, chicory, plantain, grasses, willows, and large cottonwood trees.

Project Proponent: Gene Cartwright
7273 Stanwood Way
Sacramento, CA 95831

Findings: The proposed project may have a significant effect on the environment. It has been found that:

- (a) Although the project may have the potential to degrade the quality of the environment, the addition of the following mitigation measures have been incorporated into the proposed project to reduce the potential negative impact from the project below a level of significance:

- 1) That all liquid and solid waste disposal methods meet the requirements of the Public Health Department including water for food handling.
- 2) That all permits for water supplies and sewage disposal be secured from the County Health Department.
- 3) That building permits be secured for all existing structures to the satisfaction of the Yolo County Building Inspection Division.
- 4) That all new structures have building permits secured to the satisfaction of the Building Inspection Division.
- 5) That compliance with fire flow requirements be provided to the East Yolo Fire Protection Agency.
- 6) That measures are taken to minimize turbidity and siltation in the river.
- 7) That gasoline storage facilities meet the requirements of the Yolo-Solano Air Pollution Control District and local fire district requirements.
- 8) The applicant complies with the requirements of the U.S. Corps of Army Engineers permit number 8572 when issued.
- 9) The applicant complies with the requirements of the State Reclamation Board for Approval of Plans RB13933 when issued.
- 10) That the requirements of all agencies of jurisdiction will be met.

(b) With the above mitigation measures in place, the following findings can be made:

- 1) That said project will have no impact on long term environmental goals;
- 2) That said project will have no cumulative effect upon the environment;
- 3) That said project will not cause substantial adverse effects on human beings, either directly or indirectly.

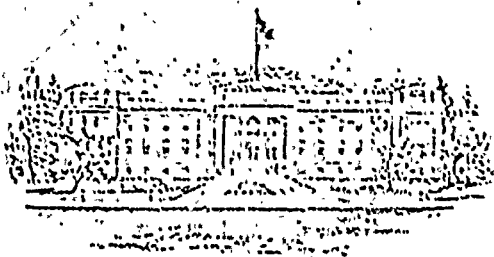
The initial study for this project is attached for your review.

County of Yolo Community Development Agency
 292 West Beamer Street
 Woodland, CA 95695
 (916) 666-8020
 Contact Person: Dan Hendrycks

Person preparing Negative Declaration: Dan Hendrycks

Dan Hendrycks
 August 28, 1984

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COUNTY OF YOLO

COMMUNITY DEVELOPMENT AGENCY
292 West Beamer Street
Woodland, CA 95695

PERMIT APPLICATION AND INITIAL STUDY REQUEST FOR COMMENTS

Date: August 6, 1984

TO: _____

APPLICATION TITLE: Cartwright/Use Permit to Expand a Marina in the A-1 Zone.

RESPONSE REQUEST DATE: August 20, 1984 FILE NO.: Prelim #929

This application (see enclosed project description and/or maps) is being sent to you for your review and comment.

With respect to environmental analysis, the County is assuming Lead Agency status for the project and will be preparing the necessary environmental documents.

Please advise us as to which of your permits is required, your environmental concerns, and whether you recommend that a Negative Declaration or an Environmental Impact Report be prepared on this project. Due to the provisions of AB 884, it is essential that we receive your comments within the next 10 days.

GENERAL QUESTIONS

1. Do you have jurisdiction by law over this project Yes No
2. Do you recommend: Approval Denial No Recommendation
3. Recommended conditions-of-approval (use additional page if needed):

4. Are you a responsible agency Yes No. If yes, indicate required permits:

5. Indicate areas of environmental concern and availability of appropriate technical data:

6. Do you recommend: Negative Declaration Environmental Impact Report

7. Have you previously reviewed an application on any portion of this project?
 Yes No

NAME OF CONTACT PERSON: DAN HENDRYCKS
TITLE: Associate Planner

TELEPHONE: 916-666-8020

NAME OF RESPONDENT: _____
TITLE: _____

DATE: _____

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COUNTY OF YOLO

COMMUNITY DEVELOPMENT AGENCY
PLANNING DIVISION
292 West Beamer Street
Woodland, CA 95695
(916) 666-8020

August 6, 1984

ENVIRONMENTAL INFORMATION FORM

1. Lead Agency:

County of Yolo Community Development Agency
292 West Beamer Street
Woodland, CA. 95695

2. Project Description:

Applicant seeks to expand the existing Sherwood Harbor Marina by adding approximately 950 feet of dock and extending 50 feet waterward from the existing marina.

3. Project Location:

Project site is located 900 feet south of the intersection of Linden Road and River Road in the Southport Area of East Yolo. Assessor's Parcel Number: 46-100-05

4. Compatibility With Existing Zoning and Plans:

Zoning is Agricultural-General which allows as a conditional use, private recreational facilities. The original use permit was approved September 16, 1969 by the Yolo County Planning Commission. The 1983 Yolo County General Plan Recreation Policy 29 is consistent with the proposed expansion.

5. Identification of Environmental Effects and Discussion of Mitigation for Significant Effects:

Refer to attached Initial Study provided by the applicant and excerpts from the Public Notice No. 8572 from the Corps of Army Engineers.

6. Contact Person for this Project:

Dan Hendrycks, Associate Planner
Community Development Agency - Planning Division
292 West Beamer Street
Woodland, California 95695
(916) 666-8020.

Certification:

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability and that the facts, statements and information presented are true and correct to the best of my knowledge and belief.

Dated: August 6, 1984

Signature: Dan Hendrycks

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FILING FEE: \$50.00

FILE # Prelim 929

**INITIAL STATEMENT
ENVIRONMENTAL REVIEW PROCESS**

This statement is used in the process established under the California Environmental Quality Act guidelines, and will be used to determine whether further review of the environmental factors of a project will be necessary and, if so, whether a Negative Declaration or Environmental Impact Report will be most appropriate. Accuracy in preparation of the report is essential. Incomplete statements will be rejected until properly developed.

Instructions: Please complete the following statements by filling in the designated blank spaces. Responses should be printed or typed so as to be legible. Do not hesitate to ask for assistance on any of the statements you don't understand. All spaces must be filled, and all required descriptive maps and plans must be attached to the form before the Initial Statement may be considered complete for filing. Additional information may be attached.

NAME OF APPLICANT: Ferris Cartwright 739-5404
421-1736
telephone no.

ADDRESS: 7273 Starwood Way Suite 95831
zip code

PROJECT DESCRIPTION: LOCATION: Increase existing dock from 550 Ft to 1450 Ft. at Sherwood Harbor Marina 1045 South River Rd.

ATTACH LEGAL DESCRIPTION.

ASSESSOR'S PARCEL NO. 46-100-05 AREA: 12 acres
sq. ft. or acres

BUILDINGS ON SITE:
EXISTING: Storage Shed AREA: 100
use and occupancy sq. ft. or acres

Storage Shed AREA: 100
use and occupancy sq. ft. or acres

AREA: _____
use and occupancy sq. ft. or acres

AREA: _____
use and occupancy sq. ft. or acres

TOTAL BUILDING AREA 200
sq. ft. or acres

EXISTING PAVED OR IMPERVIOUS AREAS 0
sq. ft. or acres

DESCRIPTION: NA
paved parking, driveways, aprons, walkways or other

EXISTING LANDSCAPED AREAS: _____
sq. ft. or acres

DESCRIPTION: NA
amounts and kinds of material and plants used

LANDSCAPE MAINTENANCE SYSTEM: NA
private landscape contractor, self-maintenance, automatic sprinklers, etc.

BUILDINGS ON SITE:

PROPOSED: _____ AREA: _____
use and occupancy sq. ft. or acres

_____ AREA: _____
use and occupancy sq. ft. or acres

_____ AREA: _____
use and occupancy sq. ft. or acres

_____ AREA: _____
use and occupancy sq. ft. or acres

TOTAL NEW BUILDING AREA: _____
sq. ft. or acres

PROPOSED PAVED OR IMPERVIOUS AREAS: _____
sq. ft. or acres

DESCRIPTION: _____
paved parking, driveways, aprons, walkways or other

PROPOSED LANDSCAPING:

DESCRIPTION: _____
amounts and kinds of materials and plants to be used

MAINTENANCE SYSTEM: _____
private landscape contractor, self-maintenance, automatic sprinklers, etc.

HOURS OF OPERATION: 8AM - 7:00PM NUMBER OF EMPLOYEES: 0

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WATER SOURCE: None
well, public system or other

EXISTING WASTE WATER DISPOSAL METHOD: Septic Tank
sewer system, septic tank or other

EXISTING SURFACE WATER DISPOSAL: on site drain
roadside drain, on-site drain or other

PROPOSED VOLUME OF WATER TO BE USED: - 0 -
gallons per day, week, month or year

PROPOSED WATER SOURCE: Well
well, public system or other

PROPOSED WASTE WATER DISPOSAL METHOD: Septic Tank
sewer system, septic tank or other

PROPOSED SURFACE WATER DISPOSAL: on site drain
roadside drain, on-site drain or other

NOTE: FOR FURTHER INFORMATION CONTACT:
Yolo County Environmental Health Services
10 Cottonwood Street
Woodland, California, 95695 and Your Local Drainage District

EARTH: DESCRIBE PROPOSED ALTERATIONS TO THE LAND SURFACE: None
grading,

excavating, filling, terracing, change of drainage, etc.

BIOLOGICAL CONDITIONS: DESCRIBE PLANT LIFE TO BE REMOVED BY THE PROJECT: None
note especially

whether any endangered plants exist

80
800

DESCRIBE ANY NON-NATIVE SPECIES OF PLANTS TO BE INTRODUCED BY THE PROJECT NA

DESCRIBE THE NUMBER AND TYPES OF ANIMALS COMMON TO THE SITE: None

OTHER IMPACTS:

DESCRIBE ANY PROCESSES INVOLVED IN THE PROJECT THAT WILL CREATE NOISE: None
special equipment, hammers, rivet guns, compressors, motors, etc.

DESCRIBE OUTDOOR LIGHTING PROPOSED AND METHODS FOR SHIELDING LIGHT FROM ADJACENT PROPERTIES: NA
wattage, number and location of lamps

ESTIMATE THE ENERGY CONSUMPTION OF THE PROJECT:

5800 kw hrs. _____ cfs.
electricity gas

INDICATE ANY SPECIAL IMPACTS NOT OTHERWISE COVERED: None

OTHER DATA: