

CALENDAR ITEM

C41

MINUTE ITEM
This Calendar Item No. C41
was approved as Minute Item
No. 41 by the State Lands
Commission by a vote of 3
to 0 at its 4/6/94
meeting.

04/06/94

W 22421

SLL 75

A. Scott

FOSSUM

S 17

AMENDMENT OF EXISTING TITLE SETTLEMENT AGREEMENT SLL 75
COVERING PROPERTY ALONG THE COLORADO RIVER,
CITY OF NEEDLES, SAN BERNARDINO COUNTY

APPLICANT:

Colorado River Landing,
a California General Partnership
950 N. Tustin Avenue
Anaheim, California 92807

AREA, TYPE LAND AND LOCATION:

A strip of land adjoining the current channel of the
Colorado River approximately 2 miles north of downtown
Needles.

LAND USE:

This area was the subject of a Title Settlement Agreement
SLL 75 that provided for the use of a limited area of the
settlement parcel for the construction of an access channel
to the waters of the current channel of the Colorado River.

APPLICANT STATUS:

Applicant is owner of upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

Filing and processing fees have been received.

STATUTORY AND OTHER REFERENCES:

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

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

AB 884:

N/A

OTHER PERTINENT INFORMATION:

1. In 1982 the Commission and the Applicant entered into a
Title Settlement Agreement that settled title to lands
which had been part of the historic bed of the Colorado

NO TEXT THIS PAGE 302

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River. The agreement resulted in the State holding title to a strip of land which separates the upland of the applicant from the current channel of the Colorado River. As part of the consideration for the settlement and in order to provide access to the current channel of the river the settlement agreement provided an option to the applicant to construct two water access channels. The option expired during the process of the applicant seeking local approval. The applicant has now received approval for this project from the Corps of Engineers in the form of an extension to their permit and approval of local government in the form of approval of a subdivision map covering this area. During the approval process the access channels have been reduced to only one channel.

2. The applicant is now ready to proceed with the upland development and requests that they be given an extension of time to exercise the access channel option. Staff feels that because the option was part of the consideration for the title settlement and that the delay in exercising the option was caused by local permit processing not under the direct control of the applicant that the option period should be extended. Such an extension will allow the applicant to develop the upland which will also activate other requirements of the settlement agreement that provide for enhanced public access and development of public parking at this location. The extension of the option period will have no effects on the environment that have not been addressed in CEQA documents prepared by local government during the processing of local approval of the applicants upland project.
3. The City of Needles has prepared and circulated a Initial Study followed by a Negative Declaration (ND) covering the subdivision that is proposed by the applicant for this property. The subdivision as designed and covered by the City's ND includes the river access channel (SCH# 91112064).
4. The Corps of Engineers has issued a permit and extension to the applicant covering the construction of the river access channel (83-136-TM).

CALENDAR ITEM NO. C41 (CONT'D)

5. Pursuant to the terms of Title Settlement Agreement SLL 75 the Staff has approved the Final Subdivision Map for this project. The Final Map contains specific reference to the settlement agreement and the ownership by the State of the property between the subdivision and the current channel of the Colorado River. This State ownership is the area impacted by the option for the river access channel.

Public access to the lands of the State adjoining the current river channel are provided for in the settlement agreement and by the public access provisions shown on the subdivision map approved by staff.

6. 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.
7. A Negative Declaration was prepared and adopted for this project by the City of Needles (SCH# 91112064). The State Lands Commission's staff has reviewed such document.
8. A Mitigation Monitoring Plan was adopted by the City of Needles.

EXHIBITS:

- A. Location Map
- B. Site of Dredging for River Access Channel
- C. Negative Declaration of the City of Needles

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT A NEGATIVE DECLARATION AND A MITIGATION MONITORING PLAN WERE PREPARED AND ADOPTED FOR THIS PROJECT BY THE CITY OF NEEDLES AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.
2. FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO P.R.C. 6370, ET SEQ.

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3. AUTHORIZE ISSUANCE TO COLORADO RIVER LANDING, A CALIFORNIA GENERAL PARTNERSHIP OF AN AMENDMENT TO TITLE SETTLEMENT AGREEMENT SLL 75, WHICH WAS RECORDED IN THE OFFICIAL RECORDS OF SAN BERNARDINO COUNTY AS INSTRUMENT NUMBER 82-149807, THAT WILL EXTEND THE "CHANNEL OPTION PERIOD" FROM TEN YEARS TO FIFTEEN YEARS ENDING JULY 30, 1997. ALL OTHER TERMS AND CONDITIONS OF TITLE SETTLEMENT AGREEMENT SLL 75 TO REMAIN UNCHANGED AND IN FULL FORCE AND EFFECT.

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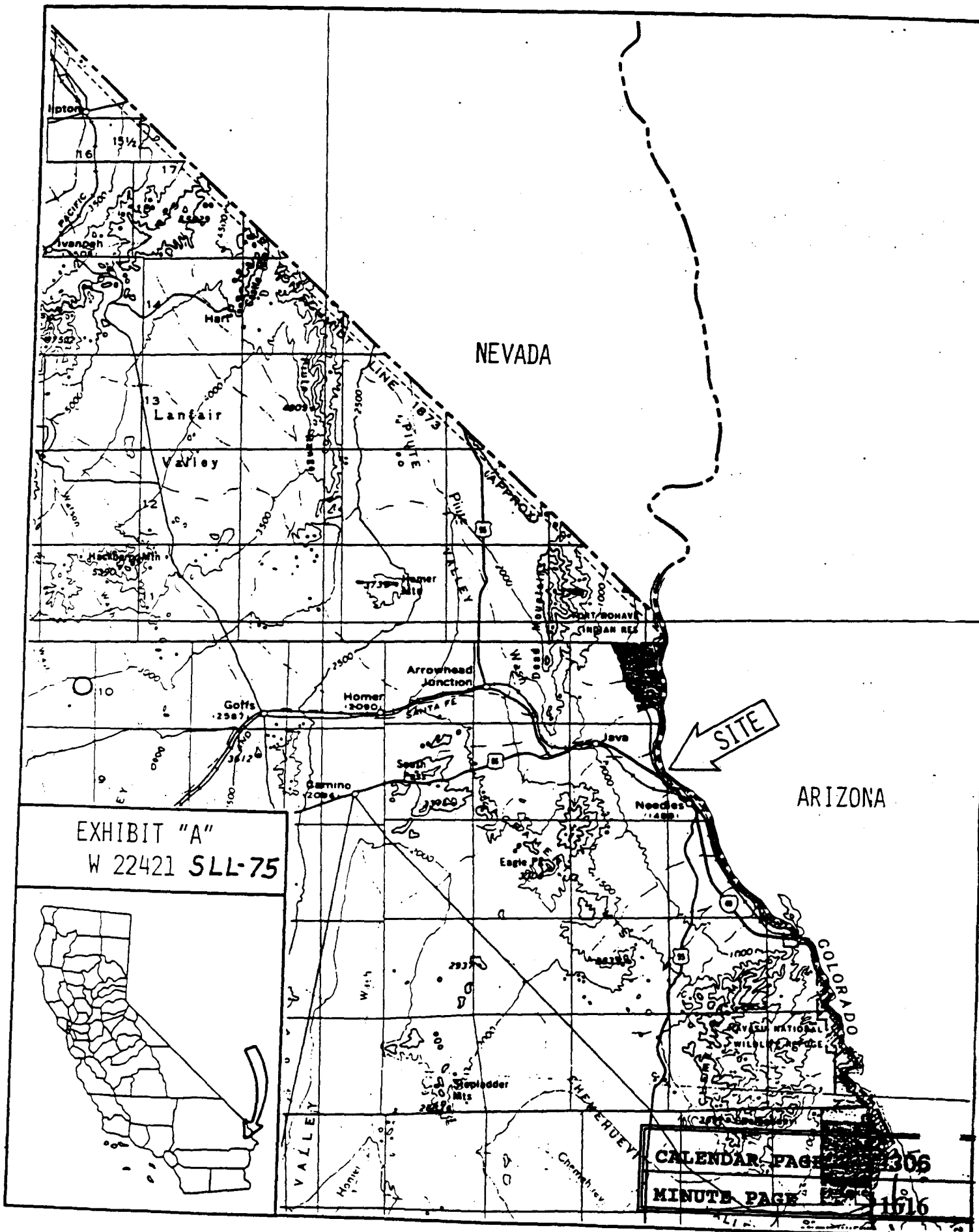


EXHIBIT "A"
W 22421 SLL-75

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Colorado River Landing City of Needles, California

113 Acres
 402 Residential Lots
 7 Acre Marina
 8.8 Acre Marina Commercial
 11.2 Acre Mobile Home & RV Parks

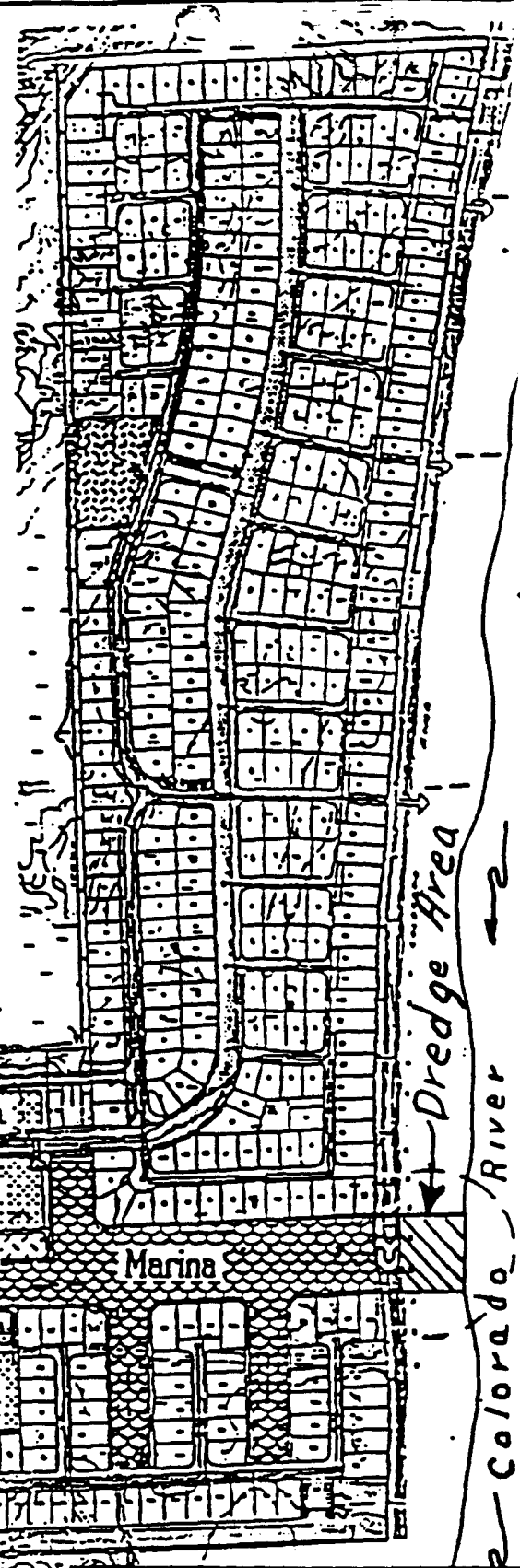
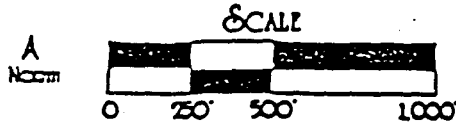


EXHIBIT "B"
 W 22421 SLL-75



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EXHIBIT "C"

RESOLUTION 2-18-92-2

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEEDLES, CALIFORNIA, ADOPTING THE NEGATIVE DECLARATION FOR TRACT 15276 (COLORADO RIVER LANDING) PURSUANT TO THE PROVISIONS OF C.E.Q.A. (CALIFORNIA ENVIRONMENTAL QUALITY ACT) AND APPROVING THE TENTATIVE MAP WITH CONDITIONS

WHEREAS, Colorado River Landing Partners have submitted Tentative Tract Map 15276 for the property described as:

The E 1/2 of the NW 1/4 and the N 1/2 of the SW 1/4 of Section 12, T. 9 N., R. 22 E., S. B. & M. Also known as Assessors Parcel Numbers 660-231-25 and 660-221-2, 3 and 4, City of Needles, County of San Bernardino; and

WHEREAS, an Environmental Impact Report (SCH #80121902), dated January 1983, was prepared for a similar project (Sportsmans Cove) on this site; and

WHEREAS, an Environmental Assessment (update to the original EIR) was completed on the proposed project (Colorado River Landing) in November, 1991; and

WHEREAS, the new project proposes no significant changes in the overall scope, character or intensity between the project approved in 1983 that would suggest new or more severe impacts; and

WHEREAS, a draft Negative Declaration and Environmental Assessment was sent to the State Clearing House for review; and

WHEREAS, notice of public hearing was published in the Desert Star Newspaper on December 18, 1991 and notices were sent to property owners within 300 feet of the project; and

WHEREAS, a public hearing was held by the Planning Commission on January 14, 1992 at which time no opposition was received.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Needles, California, hereby adopts the Negative Declaration for Tract 15276 and approval of the Tentative Map with the following conditions of approval:

1. The tentative map proposes that this development be constructed in three phases. All final maps shall comply with the Subdivision Map Act and City of Needles requirements.

EXHIBIT "C"

W22421

SLL - 75

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2. Applicant shall pay all costs associated with preparation and recording of the maps including all City application and map check fees.
3. All improvement plans for construction of public facilities (including landscaping, all site grading and private roadways) shall be designed in accordance with City standards and shall be approved by the City Engineer prior to start of construction.
4. Developer shall provide adequate security in conformance with the Subdivision Map Act to ensure construction of all necessary facilities.
5. Developer shall provide a copy of the proposed Covenants, Conditions and Restrictions (C.C. & R.'s) to the Community Development Department for review and approval prior to filing of any final map.
6. Developer shall increase the size of the maintained park area to conform to General Plan requirements.
7. The street names on the tentative map are alphabetical which conflict with existing street names and shall be changed before final map submittal.
8. Developer shall provide the engineering, surveying and other professional services, or costs, to secure utility right-of-ways over Federal lands for primary and secondary access and utility services.
9. All conditions required in the Corps of Engineer Permit for this project shall be met prior to any certificate of occupancy being issued for the project.
10. The project's drainage design shall adequately protect on-site building pads (and future structures) from tributary and main-stream Colorado River flows during a 100-year event. This design shall not have negative off-site flooding impacts. This report shall be prepared by a Civil Engineer registered to practice in California. The Project Engineer is responsible for the adequacy of the design of the proposed drainage improvements.
11. All drainage improvements and channels shall be located within defined easements. These easements shall be dedicated to a homeowner's association for maintenance (i.e., siltation removal and repairs).
12. All sewer and water facilities, after construction to City standards, shall be dedicated to the City for operation and maintenance.

13. Street widths shall be reviewed and widened to provide for on-street parking and/or additional off-street parking shall be provided where necessary.
14. Hammer-head turnarounds should be redesigned to circular cul-de-sacs with minimum 35 foot radius to accommodate automated trash collection pickup vehicles.
15. Developer shall install a left turn lane pocket for Needles Highway eastbound traffic turning into the development and a right hand turn lane pocket for Needles Highway westbound traffic turning into the development. Developer shall be responsible for design and road widening to accomplish the turn lanes. Design shall meet the City Engineers approval.
16. Developer shall participate in their fair-share of the funding for future improvements to Needles Highway to serve cumulative traffic growth based on traffic volume for the development.
17. Developer shall design and construct the water well, storage tank and distribution lines to provide water service to serve the project. The City will enter into an agreement with Developer to provide for the rebate of a portion of these costs as other developments connect to or utilize the facilities.
18. Developer shall design and construct sewer facilities to handle the expected flows from this development to the City wastewater treatment plant located several miles from the proposed development. City will enter into an agreement with Developer to provide for the rebate of a portion of these costs as other developments connect to or utilize the facilities.
19. Developer shall provide the fire department with two copies of the water system improvement plans for approval.
20. Water system and fire protection facilities shall be approved and operational prior to any framing construction occurring.
21. Water systems shall have a minimum of eight inch mains, six inch laterals and six inch risers. All hydrants shall have a minimum flow of 1250 gallons per minute.
22. All construction shall comply with Uniform Fire Code requirements and all applicable statutes, codes, ordinances and standards of the fire department.
23. All flammable vegetation shall be removed a minimum distance of 30 feet from any flammable building material prior to framing construction occurring.

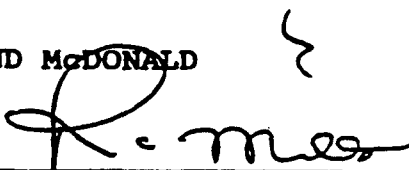
24. Developer shall submit written documentation to the fire department for private road maintenance. Private fire access roads shall provide an all weather surface with a minimum paving width of twenty (20) feet.
25. Fire hydrant spacing shall be a minimum of 300 feet in commercial areas and 600 feet in residential areas.
26. Approved turnarounds shall be provided at the end of each roadway 150 feet or more in length for emergency vehicles.
27. The development and each phase of development shall have 2 points of vehicular access for fire and other emergency equipment and for routes of escape which will safely handle evacuations.
28. Private roadways which exceed 150 feet in length shall need fire department approval and shall provide reasonable access to all portions of exterior walls of any building.
29. Approved fire department key box is required if automatic electric security gates are used and approved lock switch is required on each gate in lieu of key box.
30. Developer shall participate in their fair-share of funding to provide for adequate fire department response to all emergencies. Acquisition of a fire station site would apply toward developers fair-share.
31. Developer shall provide Southwest Gas Corporation a copy of 1. Tract Map; 2. Sewer & Water Plans; 3. Grading & Street Improvement Plans; and 4. Electric Service Plan; as soon as available.
32. Developer shall record all streets and five feet of all road frontages on individual lots as public utility easements.
33. Developer shall contact San Bernardino County Flood Control and obtain a storm drain permit if required. Storm drainage system is to be designed and constructed to the satisfaction of the City and the Flood Control District.
34. Future mobilehome park site shall conform to City of Needles Mobilehome Park Ordinance and General Plan.
35. Improvement plans shall designate boat launch area and boat launch parking facility.
36. All internal streets and common recreation areas are to remain private and should be properly maintained by the homeowner's association or other mechanism.
37. Mitigation measures for the desert tortoise in conformance with the Environmental Assessment, Appendix Biological

Resources, Page 2, shall be accomplished before grading permits are issued or in conformance with Fish & Game requirements.

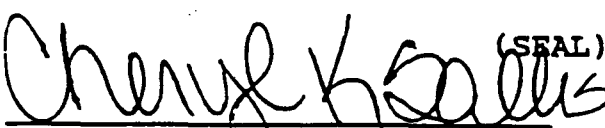
38. Pursuant to Section 21080(c) of the Public Resources Code, all projects for which a Negative Declaration has been prepared shall incur a fee of \$1,250.00, plus a County administrative fee of \$25.00. This is the Department of Fish and Game's Environmental Filing Fee. A check for \$1,275.00 made payable to San Bernardino County shall be submitted to the City.

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council of the City of Needles, California, held on the 18th day of February, 1992, by the following vote:

AYES: COUNCIL MEMBERS PROCHASKA, YEE, JERNIGAN
AND CHRISTENSEN
NOES: NONE
ABSENT: COUNCIL MEMBERS PUGEL AND McDONALD



Mayor

ATTEST:  (SEAL)

City Clerk




City Attorney

CLERK'S CERTIFICATE

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO) ss.
CITY OF NEEDLES)

I, CHERYL K. SALLIS, City Clerk of the City of Needles,
California, DO HEREBY CERTIFY that the foregoing Resolution No.
2-18-92-2 was duly approved and adopted and made of
record by the City Council of the said City at a _____
regular meeting held on the 18th day of February, 1992.

Dated: February 19, 1992


Cheryl K. Sallis, City Clerk
City of Needles, California

(SEAL)

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RESOLUTION NO. 4-18-83-1

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF NEEDLES, CALIFORNIA, CERTIFYING
THE DRAFT ENVIRONMENTAL IMPACT REPORT
FOR TRACT NO. 10675 (SPORTSMAN COVE)

WHEREAS, a draft environmental impact report for Tract No. 10675 (Sportsman Cove) has been filed with the City of Needles; and

WHEREAS, the review period for comments by appropriate agencies has lapsed; and

WHEREAS, comments and responses have been included in and made a part of the draft E.I.R. and attached as an addendum; and

WHEREAS, the Environmental Review Board of the City of Needles approved the draft E.I.R. at a meeting held April 14, 1983.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Needles, California, hereby certify that the Draft Environmental Impact Report for Tract No. 10675 (Sportsman Cove) with the addendum and the wildlife enhancement conditions as adequate and complete and that any potentially adverse environmental effects have been mitigated through project design or conditions.

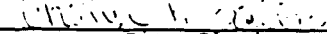
PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council of the City of Needles, California, held on the 18th day of April, 1983, by the following roll call vote:

AYES: COUNCIL MEMBERS LACKEY, PROCHASKA, COREY,
WILLMAN, VALENZUELA AND DWYER
NOES: NONE
ABSENT: NONE



Mayor

(SEAL)

ATTEST: 

City Clerk

APPROVED AS TO FORM:



City Attorney

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City of Needles

P.O. BOX 887 • 1111 BAILEY AVENUE • NEEDLES, CALIFORNIA 92363
619-326-2113

STAFF REPORT

DATE: January 8, 1992

REPORT TO: The Planning Commission and City Council

SUBMITTED BY: Cathy Weaver, Director of Community Development

APPLICANT/
OWNER: Colorado River Landing Partners

REQUESTED
ACTION: Adoption of Negative Declaration and approval of
Tentative Tract Map 15276

PROJECT
DESCRIPTION: A subdivision of a 113 acre parcel into a Commercial,
Residential, Resort Community. Project includes:

402	Residential Lots
7.9 acres	Mobilehome Park Site
3.3 acres	RV Park Site
6.6 acres	Commercial Areas
2.0 acres	Boat Storage
1.0 acres	Fast Food Site
7.0 acres	Marina
8.4 acres	Open Space & Park Area

ZONING/
GENERAL PLAN: Zoning is CR (Commercial Resort)

LOCATION: Between River Road and the Colorado River, north of
Park Road, approximately 2-1/2 miles northerly of the
central business district

EXISTING
LAND USE: Vacant

EXHIBITS:

- A) Project Map
- B) Draft Negative Declaration
- C) Mitigation Implementation Report
- D) Notice of Completion
- E) Environmental Checklist dated November 1991
- F) Response to Comments -- Environmental Assessment
and Negative Declaration, dated January 6, 1992

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REMARKS:

COMMUNITY DEVELOPMENT

- 1) This project is a Planned Unit Development located in a CR Zone. The intent of the CR Zone is to set aside areas where establishments catering to the dining, lodging and recreational needs of tourists or seasonal residents may be located. The zone shall generally be located adjacent to major tourist routes and attractions. Development will be encouraged which is characterized by open space attractive landscaping and ample off street parking areas. Small shops and retail stores may be located within this district if they meet the intent and requirements of this ordinance.
- 2) Tract Map 15276 essentially meets all of those requirements. There are some problems with the map which can be addressed easily.
- 3) The RV Park Site does not meet minimum area requirements as per City Code requirements. RV Parks require a minimum of 5 acres. Because of the close location to the future mobilehome park the two facilities can share amenities (i.e., laundry room and recreational facilities). Staff feels the smaller size of the R.V. Park will not create any problems.
- 4) The Park located within the gated residential lot area does not meet minimum lot size requirements for a 402 lot residential subdivision. The City's General Plan requires 3.5 acres of Park land per 1000 population. Estimating 3.1 person per household would require 4.4 acres minimum. Staff feels that in this type of subdivision a large playing field is not essential. But, the residential lot area is quite crowded and one or two more of these smaller green lot areas would fill out and make the residential area more livable.
- 5) The open space area would have to be developed and maintained in order to count against the 4.4 acres of park land.
- 6) Boat launch areas need a large parking facility for boat trailers. The tentative map does not show those details. The city's parking ordinance does not detail requirements for boat launch facilities. The developer shall submit a detailed parking design when the improvement plans are submitted.
- 7) Different uses need to be screened from one another. An opaque fence would be sufficient between the open space and RV Park; however, a block wall would be better suited between the commercial use and residential areas. Block walls should be noted on final maps.

ENGINEERING

- 1) This development will be required to participate in the improvement of Needles Highway (River Road) in proportion to the projected traffic volume from the site.
- 2) Water service to the proposed development will require construction of a new well, storage tank and distribution lines. Developer shall be responsible for the design and construction of all facilities as required by the City. City will enter into an agreement with Developer to provide for the rebate of a portion of these costs as other developments connect to or utilize these facilities.
- 3) The City of Needles has capacity in its Waste Water Treatment Plant to handle the expected flows from this development. However, the WWTP is located several miles from the proposed development and will require the construction of extensive facilities, lift stations, force mains and gravity flow trunk lines to convey wastewater flows from the site to the plant. Developer shall be responsible for the design and construction of all facilities required by the City. City will enter into an agreement with Developer to provide for the rebate of a portion of these costs as other developments connect to or utilize these facilities.

Construction of these off-site facilities was addressed in the initial EIR and the revised project design does not materially change the requirements.

- 4) The Tentative Map proposes that this development be constructed in three phases. All Final Maps shall comply with the requirements of the Subdivision Map Act and City of Needles requirements.
- 5) All improvement plans for construction of public facilities (including all site grading and private roadways) shall conform to City of Needles requirements and be approved by the City Engineer prior to construction.
- 6) Developer shall provide adequate security (performance bond, letter of credit, etc.) to ensure construction of all necessary facilities.
- 7) Developer shall provide a copy of the proposed Covenants, Conditions and Restrictions (CC&Rs) or other documentation which ensures the maintenance of common facilities to the Community Development Department for review and approval prior to filing of any Final Map.
- 8) All sewer and water facilities shall, after construction to City standards is completed, be dedicated to the City of Needles for operation and maintenance.

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- 9) Developer shall dedicate public utility easements to the City of Needles over all private streets and other areas containing water, sewer or electrical facilities or required as access to these facilities.
- 10) The developer shall provide engineering, surveying and other assistance as necessary to secure public access over or public purpose leases on Federal lands (BLM) which are necessary to the development of this project.
- 11) The final development plan should include more parks, open space, green belt or other amenities typically associated with recreation oriented developments. We did not note a boat launching ramp on the Tentative Map.

CALTRANS & SHERIFFS OFFICE

- 1) Caltrans stated that the development should participate in its fair share in the funding of future improvements to Needles Highway.
- 2) The Sheriffs Office recommends turn lane pockets for traffic accessing the development from Needles Highway. They are concerned that during heavy rains the washes would be covered with water, thus causing cars to hydroplane, making steering and braking more difficult to avoid cars turning into the development.

SOUTHWEST GAS

- 1) Is requesting that prior to committing to the extension of their facilities they must be provided with the following city/county approved plans:
 1. Plot Plan (Tract Map)
 2. Sewer & Water Plans
 3. Grading & Street Improvement Plans
 4. Electric Plan (if available).This will allow them to develop design drawings and an accurate cost for the extension of their facilities.

NEEDLES ELECTRIC & WATER SERVICES

- 1) We have reviewed the map and supporting information for this project. Since the water and electric utilities will be in the streets we ask that all streets and five feet of all road frontages on individual lots be recorded as Public Utility Easements. This will save us the time and expense of requiring this later as lines are installed.
- 2) Since the project does not go all the way to River Road we will also require some type of "fee exempt" permanent right-of-way across the BLM land which separates the project from River Road

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FIRE DEPARTMENT

- 1) Private road maintenance, written documentation shall be submitted to the fire department and private fire access roads shall provide an all weather surface with a minimum paving width of twenty (20) feet.
- 2) Water systems designed to meet the required fire flow of this development shall be approved by the fire department. The developer shall furnish the fire department with two copies of the water system improvement plan for approval. Water systems shall be operational and approved by the fire department prior to any wood framing construction occurring. The required fire flow shall be determined by the appropriate calculations using the San Bernardino County "Guide for the Determination of Fire Flow". Water systems shall have a minimum of eight (8) inch mains, six (6) inch laterals, and six (6) inch risers. All hydrants shall have a minimum flow of 1250 gallons per minute.
- 3) All construction shall comply with existing Uniform Fire Code requirements and all applicable statutes, codes, ordinances and standards of the fire department.
- 4) Prior to framing construction occurring, all flammable vegetation shall be removed from each building site a minimum distance of thirty (30) feet from any flammable building material.
- 5) Prior to framing construction approved fire hydrants shall be installed, fire hydrants shall be six (6) inch in diameter with a minimum of one four (4) inch and two (2) 2-1/2 inch fire department connections.
- 6) All fire hydrants spacing shall be three hundred feet (300) in commercial areas and six hundred (600) feet residential.
- 7) An approved turnaround shall be provided at the end of each roadway one hundred fifty (150) feet or more in length. Cul-de-sac length shall not exceed six hundred (600) feet, except as identified in the development code and approved by the fire chief.
- 8) The development and each phase thereof shall have two (2) points of vehicular access for fire and other emergency equipment and for routes of escape which will safely handle evacuations as required by the development code.
- 9) Private roadways which exceed one hundred fifty (150) feet in length shall need approval by the fire department, and shall provide reasonable access to all portions of exterior walls of any buildings.

- 10) An approved fire department key box is required if automatic electric security gates are used and approved lock switch is required on each gate in lieu of the key box.
- 11) Developer shall participate in a fair share agreement to provide adequate fire department response to all emergencies a fire station site acquisition will apply toward developers fair share.

ENVIRONMENTAL

ASSESSMENT: It has been determined that through the implementation of mitigation measures, this project will not have a significant impact on the environment and a Negative Declaration is recommended.

RECOMMENDATION:

Approval with conditions noted in Resolution.

Colorado River Landing City of Needles, California

113 Acres
402 Residential Lots
7 Acre Marina
8.8 Acre Marina Commercial
11.2 Acre Mobile Home & RV Parks

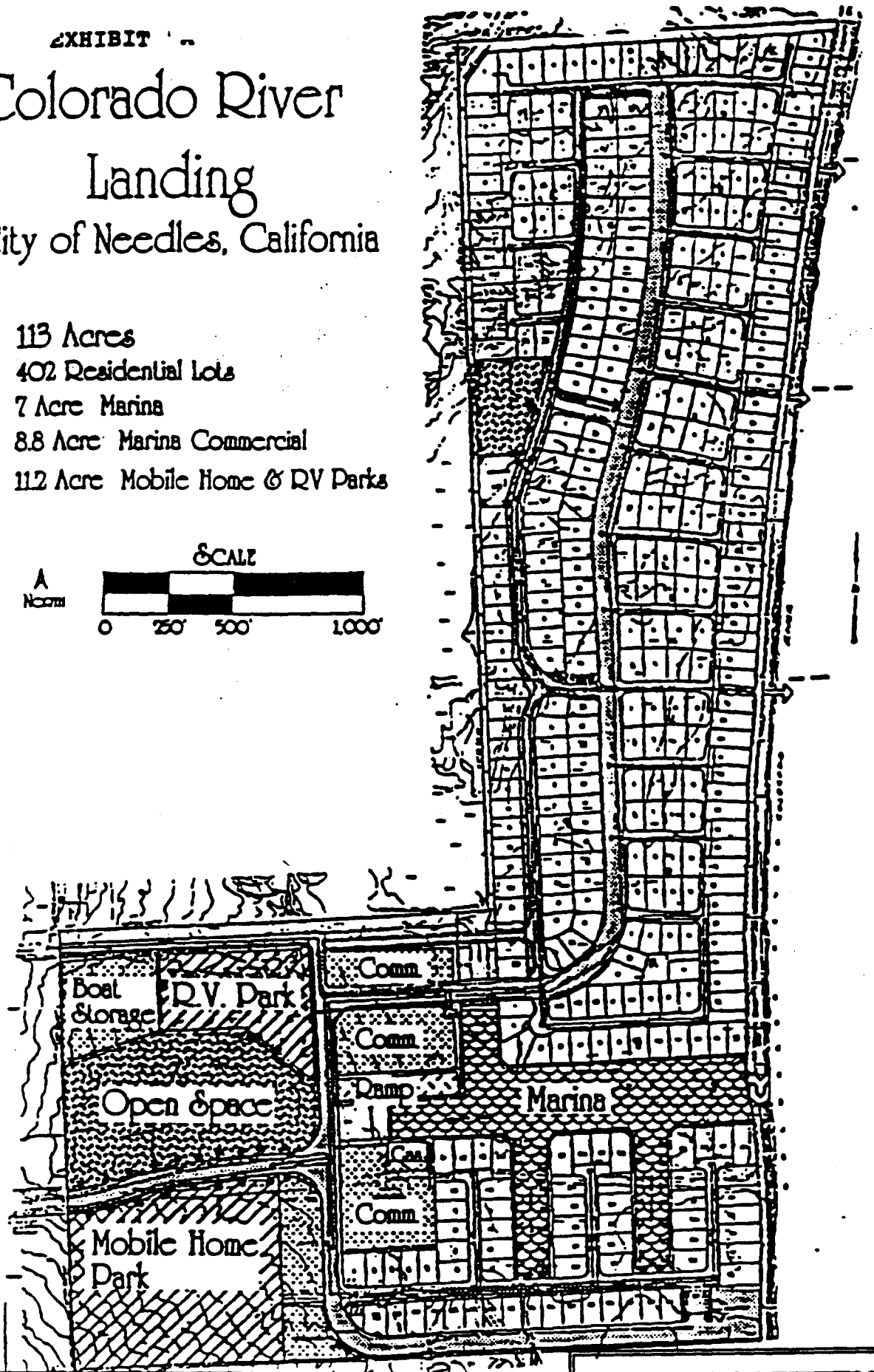


Figure 3: Current 1991 Development Plan

Draft

NEGATIVE DECLARATION

- 1. Name, if any, and a brief description of project:
"Colorado River Landing"- 113 acre Commercial/Residential devel-
opment project w/402 lots, 7 ac. marina, 9.6 ac. commercial
recreation, 11.2 ac. mobile/RV parks & 8.4+ ac.park- open space.
- 2. Location: City of Needles, California
- 3. Entity or person undertaking project:

- A. _____
- X B. Other (Private)
 - (1) Name: Arclero & Sons, Inc.
 - (2) Address: 950 N Tustin, Anaheim, CA. 92807

The City Council, having reviewed the Initial Study of this proposed project and having reviewed the written comments received prior to the public meeting of the City Council, including the recommendation of the City's Staff, does hereby find and declare that the proposed project will not have a significant effect on the environment. A brief statement of the reasons supporting the City Council's findings are as follows:

In 1983 City Council Certified an EIR (SCH# 80121902) for this property w/
similar project. In 1991 the City reviewed the EIR based on current informa-
tion. The review is contained in our Environmental Assessment (11/91).
Mitigation measures included in this approval will prevent significant effects.

A copy of the Initial Study may be obtained at:

Community Development Dept.
City of Needles
1111 Bailey Ave.
Needles, Ca. 92363
Phone: (619) 326-2113

Staff Cathy Weaver

Date

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DRAFT

MITIGATION IMPLEMENTATION REPORT

Responsibility for monitoring the incorporation of all conditions of approval and ensuring the implementation of all mitigation measures shall rest with the various departments as listed and scheduled herein.

Prior to City Council approval of Tentative Map:

A check for \$1,275.00 made payable to San Bernardino County.

*Submitted to the Community Development Department prior to City Council action on the Tentative Subdivision Map.

Prior to grading permits or clear & grub permit:

Mitigation measures for the desert tortoise complete.

Prior to final map being submitted to the engineering department:

Copy of the proposed Covenants, Conditions and Restrictions (C.C. & R.'s) to Community Development.

Adequate security to ensure construction of all necessary facilities submitted to Engineering.

Utility right-of-ways over Federal lands for primary and secondary access and utility services secured - Engineering.

Map changes -

- *Increase the size of the park area
- *Street names need to be changed
- *Street widths widened and/or additional off-street parking shown
- *Hammer-head turnarounds redesigned
- *All streets and five feet of road frontages on individual lots shown as public utility easements.

Prior to start of construction

Storm drainage system design submitted to Engineering and San Bernardino County Flood Control.

Developer shall provide the fire department with two copies of the water system improvement plans for approval.

Water system and fire protection facilities approved by fire department

Flammable vegetation shall be removed a minimum distance of 30 feet from any flammable building material - fire department

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Mitigation Implementation Report
January 8, 1992 / Page 2

Improvement plans and cost estimate submitted to Engineering Department.

Design of turn lane pockets and road widening for Needles Highway to Engineering.

Copies of 1. Tract Map; 2. Sewer & Water Plans; 3. Grading & Street Improvement Plans; and 4. Electric Service Plan; to Southwest Gas as soon as available.

Water & Sewer System designs to Engineering Dept.

Rebate agreement submitted to Community Development.

Prior to any building permit being pulled:

Site plan submitted to Community Development Department before building permits applied for.

Prior to any certificate of occupancy being issued

Army Corps of Engineer Permit conditions completed. Proof to Community Development

*Submitted to Community Development Department for review and approval prior to filing of any final map.

Documentation to the fire department for private road maintenance

Prior to project being completed:

Developer shall participate in their fair-share of funding to provide for adequate fire department response to all emergencies. Acquisition of a fire station site would apply toward developers fair-share.

All sewer and water facilities, after construction to City standards is completed, shall be dedicated to the City for operation and maintenance.

*Review by City Engineer, City Council action.

Developer shall participate in their fair-share of the funding for future improvements to Needles Highway based on traffic volume for the development.

*Developer will be notified when studies complete.

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Notice of Completion

ALABIT "D"

Mail to: State Clearinghouse, 1400 Tenth Street, Sacramento, CA 95814 916/445-6613

Project Title: Colorado River Landing

Lead Agency: City of Needles

Contact Person: Cathy Waever

Street Address: 1111 Bailey Ave

Phone: 619-326-2113

City: Needles

Zip: 92883

County: San Bernardino

Project Location

County: San Bernardino

City/Nearest Community: Needles

Cross Streets: River Rd. 1.3 mi N of Park Rd.

Total Acres: 113

Assessor's Parcel No. Section: 12

Twp. 17 N

Range: 22E

Base: SBarb

Within 2 Miles: State Hwy #: I-40

Waterways: Colorado River

Airports:

Railways: AT&SF

Schools:

Document Type

CEQA:

NOP

Early Cons

Neg Dec

Draft EIR

Supplement/Subsequent

EIR (Prior SCH No.) 80121902

Other EA

Local Action Type

General Plan Update

Specific Plan

Rezone

Annexation

General Plan Amendment

Master Plan

Prezone

Redevelopment

General Plan Element

Planned Unit Development

Use Permit

Coastal Permit

Community Plan

Site Plan

Land Division*

Other

*(Subdivision, Parcel Map, Tract Map, etc.)

Development Type

Residential: Units 402

Acres

Water Facilities: Type

MCD

Office: Sq.ft.

Acres

Employees

Transportation: Type

Commercial: Sq.ft.

Acres 9.6

Employees 15

Mining: Mineral

Industrial: Sq.ft.

Acres

Employees

Power: Type

Watts

Educational

Waste Treatment: Type

Recreational 7 AC MARINA

Hazardous Waste: Type

Other:

Project Issues Discussed in Document

Aesthetic/Visual

Schools/Universities

Agricultural Land

Septic Systems

Air Quality

Sewer Capacity

Archeological/Historical

Soil Erosion/Compaction/Grading

Coastal Zone

Solid Waste

Drainage/Absorption

Toxic/Hazardous

Economic/Jobs

Traffic/Circulation

Fiscal

Vegetation

Flood Plain/Flooding

Water Quality

Forest Land/Fire Hazard

Water Supply/Groundwater

Geologic/Seismic

Wetland/Riparian

Minerals

Wildlife

Noise

Growth Inducing

Population/Housing Balance

Land Use

Public Services/Facilities

Cumulative Effects

Recreation/Parks

Other desert tortoise?

Current Land Use/Zoning/General Plan Use

vacant/consistent w/zone & GP (CR)

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Project Description 402 res. lots, 7 ac marina, 9.6 ac. commercial

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RVs and 8.4+ park/OS.

Public Notices to the Public

Public review to be concurrent with Clearinghouse review.

ENVIRONMENTAL CHECKLIST FORM
(To be completed by Lead Agency)

I. BACKGROUND

Colorado River Landing Partners

A. Name of Proponent (Arciero & Sons, Inc.)

B. Address and Phone Number of Proponent:
950 N. Tustin Ave.
Anaheim CA 92807
714-632-0134

C. Date of Checklist submitted 11/8/91

D. Agency Requiring Checklist City of Needles

E. Name of Proposal, if applicable Colorado River Landing

II. ENVIRONMENTAL IMPACTS

(Explanations of all "Yes" and "Maybe" answers are required on attached sheets.)

	<u>YES</u>	<u>MAYBE</u>	<u>NO</u>
1. <u>Earth.</u> Will the proposal result in:			
a. Unstable earth conditions or in changes in geologic sub-structures?	—	—	<u>X</u>
b. Disruptions, displacements, compaction or overcovering of the soil?	<u>X</u>	—	—
c. Change in topography or ground surface relief features?	<u>X</u>	—	—
d. The destruction, covering or modification of any unique geologic or physical features?	—	—	<u>X</u>
e. Any increase in wind or water erosion of soils, either on or off the site?	—	—	<u>X</u>
f. Changes in deposition or erosion of beach sands, or changes in siltation, deposition or erosion which may modify the channel of a river or stream or the bed of the ocean or any bay, inlet or lake?	<u>X</u>		

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g. Exposure of people or property to geologic hazards such as earthquakes, landslides, mudslides, ground failure or similar hazards?

___ ___ X

2. Air. Will the proposal result in:

a. Substantial air emissions or deterioration of ambient air quality?

___ ___ X

b. The creation of objectionable odors?

___ ___ X

c. Alteration of air movement, moisture or temperature, or any change in climate, either locally or regionally?

___ ___ X

d. Emission of hazardous air pollutants within one-fourth of a mile of a school?

___ ___ X

e. Burning of municipal wastes, hazardous waste or refuse-derived fuel and consists of either the construction of a new facility or the expansion of an existing facility by more than 10 percent?

___ ___ X

3. Water. Will the proposal result in:

a. Changes in currents, or the course or direction of water movements, in either marine or fresh waters?

X ___ ___

b. Changes in absorption rates, drainage patterns, or the rate and amount of surface water runoff?

X ___ ___

c. Alterations to the course of flow of flood waters?

___ X ___

d. Change in the amount of surface water in any water body?

X ___ ___

FORM "J"
Page 2 of 10

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YES MAYBE NO

e. Discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen or turbidity?

— X —

f. Alteration of the direction or rate of flow of ground waters?

— — X

g. Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations?

X — —

h. Substantial reduction in the amount of water otherwise available for public water supplies?

— — X

i. Exposure of people or property to water related hazards such as flooding or tidal waves?

— X —

j. Significant changes in the temperature, flow or chemical content of surface thermal springs?

— — X

4. Plant Life. Will the proposal result in:

a. Change in the diversity of species, or number of any species of plants (including trees, shrubs, grass, crops, microflora and aquatic plants)?

X — —

b. Reduction of the numbers of any unique, rare or endangered species of plants?

— X —

c. Introduction of new species of plants into an area, or in a barrier to the normal replenishment of existing species?

X — —

	<u>YES</u>	<u>MAYBE</u>	<u>NO</u>
d. Reduction in acreage of any agricultural crop?	—	—	<u>X</u>
5. <u>Animal Life.</u> Will the proposal result in:			
a. Change in the diversity of species, or numbers of any species of animals (birds, land animals including reptiles, fish and shellfish, benthic organisms or insects)?	<u>X</u>	—	—
b. Reduction of the numbers of any unique, rare or endangered species?	—	<u>X</u>	—
c. Introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals?	<u>X</u>	—	—
d. Deterioration to existing fish or wildlife habitat?	—	—	<u>X</u>
6. <u>Noise.</u> Will the proposal result in:			
a. Increases in existing noise levels?	<u>X</u>	—	—
b. Exposure of people to severe noise levels?	—	—	<u>X</u>
7. <u>Light and Glare.</u> Will the proposal produce new light and glare?	—	—	<u>X</u>
8. <u>Land Use.</u> Will the proposal result in a substantial alteration of the present or planned land use of an area?	—	—	<u>X</u>
9. <u>Natural Resources.</u> Will the proposal result in:			
a. Increase in the rate of use of any natural resources?	—	—	<u>X</u>

	<u>YES</u>	<u>MAYBE</u>	<u>NO</u>
f. Increase in traffic hazards to motor vehicles, bicyclists or pedestrians?	—	—	<u>X</u>
14. <u>Public Services.</u> Will the proposal have an effect upon, or result in a need for new or altered governmental services in any of the following areas:			
a. Fire protection?	<u>X</u>	—	—
b. Police protection?	<u>X</u>	—	—
c. Schools?	<u>X</u>	—	—
d. Parks or other recreational facilities?	<u>X</u>	—	—
e. Maintenance of public facilities, including roads?	—	—	<u>X</u>
f. Other governmental services?	—	—	<u>X</u>
15. <u>Energy.</u> Will the proposal result in:			
a. Use of substantial amounts of fuel or energy?	—	—	<u>X</u>
b. Substantial increase in demand upon existing sources of energy, or require the development of new sources of energy?	—	—	<u>X</u>
16. <u>Utilities.</u> Will the proposal result in a need for new systems, or substantial alterations to the following utilities:			
a. Power or natural gas?	<u>X</u>	—	—
b. Communications systems?	<u>X</u>	—	—
c. Water?	<u>X</u>	—	—
d. Sewer or septic tanks?	<u>X</u>	—	—
e. Storm water drainage?	<u>X</u>	—	—

	<u>YES</u>	<u>MAYBE</u>	<u>NO</u>
f. Solid waste and disposal?	—	—	<u>X</u>
17. <u>Human Health.</u> Will the proposal result in:			
a. Creation of any health hazard or potential health hazard (excluding mental health)?	—	—	<u>X</u>
b. Exposure of people to potential health hazards?	—	—	<u>X</u>
18. <u>Aesthetics.</u> Will the proposal result in the obstruction of any scenic vista or view open to the public, or will the proposal result in the creation of an aesthetically offensive site open to public view?	—	—	<u>X</u>
19. <u>Recreation.</u> Will the proposal result in an impact upon the quality or quantity of existing recreational opportunities?	<u>X</u>	—	—
20. <u>Cultural Resources.</u>			
a. Will the proposal result in the alteration or destruction of a prehistoric or historical archeological site?	—	<u>X</u>	—
b. Will the proposal result in adverse physical or aesthetic effects to a prehistoric or historic building, structure or object?	—	—	<u>X</u>
c. Does the proposal have the potential to cause a physical change which would affect unique ethnic cultural values?	—	—	<u>X</u>
d. Will the proposal restrict existing religious or sacred uses within the potential impact area?	—	—	<u>X</u>

21. Mandatory Finding of Significance.

a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

— — X

b. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? (A short-term impact on the environment is one which occurs in a relatively brief, definitive period of time while long-term impacts will endure well into the future.)

— — X

c. Does the project have impacts which are individually limited, but cumulatively considerable? (A project may impact on two or more separate resources where the impact on each resource is relatively small, but where the effect of the total of those impacts on the environment is significant.)

— — X

d. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

— — X

22. EIR Tiering Determination.
(See § 12 Tiering Guidelines.)

a. Is this project consistent with a program, plan, policy or ordinance for which an EIR has been prepared and certified?

X — —

b. Is this project consistent with applicable local land use plans and zoning of the city and county in which it is located?

X — —

c. May this project cause significant effects on the environment that were not examined in the prior EIR?

— — X

III. DISCUSSION

On attached sheets, discuss:

1. The environmental evaluation.
2. Ways, if any, to mitigate any significant effects identified.
3. Compatibility with existing zoning and plans.

IV. DETERMINATION

(To be completed by the Lead Agency.)

On the basis of this initial evaluation:


— I find the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.

X I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project by the applicant. A **NEGATIVE DECLARATION WILL BE PREPARED.**

— I find the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.

I find that the proposed project may have a significant effect on the environment, but that this project is consistent with a previously prepared TIERED EIR on the overall program, plan, policy or ordinance, and that such TIERED EIR adequately examines the possible environmental effects of this project.

Date: 11-12-91


Cathy Weaver (Signature)
COMMUNITY DEVELOPMENT DIRECTOR
For CITY OF NEEDLES

Response to Comments EA & Negative Declaration

SCH No. 91112064

Colorado River Landing
Tentative Tract 15276

City of Needles
California

January 6, 1992

Prepared By:
mia Environmental Consultants
790 N. Stephens Ave.
Fullerton, California 92633

1.0 REVIEW PROCESS

In accordance with California Environmental Quality Act guideline (§ 15200), the Environmental Assessment and Negative Declaration (SCH# 91112064) for the proposed Colorado River Landing project was circulated for review and evaluation.

Ten copies were delivered to the State Clearinghouse in Sacramento (per § 15205). The Clearinghouse is responsible for identifying and distributing copies to appropriate State agencies. The State review period was from November 19 to December 19, 1991. The City's transmittal document to the Clearinghouse and the Clearinghouse's acknowledgement of compliance are provided as Exhibits 1 & 2.

Concurrent with State review, the City conducted its own review (per § 15203). In addition to direct mailing to appropriate agencies, a copy of the report was available at City Hall as well as the Public Library. The local review period extended from November 18 to December 19, 1991. Exhibit 3 is the local Notice of Completion.

Under guideline § 15204 reviewers of Negative Declarations are to focus on the lead agency's proposed finding. For this project, the City of Needles' proposed CEQA finding is: with identified mitigation measures the project will not have a significant effect on the environment.

1.1 AGENCIES SENT COPIES FOR REVIEW

Organizations that the City of Needles sent copies of the report are listed below.

Charles M. Holt, Chief Regulatory Branch
Department of Planning, City of Los Angeles
PO Box 2711
Los Angeles, California 90053-2325
Re: FN 83-136-TM

Bureau of Reclamation
PO Box 427
Boulder City, Nevada 89005
Re: LC-440 WTR-4.00

U.S. Fish and Wildlife Service
3616 W, Thomas Road, Suite 6
Phoenix, Arizona 85019
Att. Sam Spiller- Ecological Services

Ray Brandsfield- USF&WS- Ventura

Frank Hoover- DFG- Chino

Ron Powell- DFG- Blyth

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2.0 RESPONSE TO COMMENTS

Of the sixteen agencies that were sent copies of the Environmental Assessment, two provided comments. These were the Colorado River Board of California the US Fish and Wildlife Service. These comments are included as Exhibits 4 & 5. Under State Guidelines (§ 15207), when there is no response from a person or an agency within the specified review period, it shall be assumed that they have no comment to make. Which taken in conjunction with the focus of review means that there is no known opposition to the proposed Negative Declaration from reviewing agencies.

The two agencies responding represent two important environmental factors relating to this project.

- The Colorado River Board confirms the Environmental Assessment and Negative Declaration's finding that that the property has sufficient water rights to develop the proposed marina.

- The Fish and Wildlife Service confirms the Environmental Assessment and Negative Declaration's finding that the property can be developed without adverse impact to protected species. Both comments confirm information contained in the Environmental Assessment and Negative Declaration.

2.1 RESPONSE TO COLORADO RIVER BOARD:

The Board confirms the information in the EA with respect to the property's perfected water right and that the proposed 7 acre marina would be compatible with the existing water rights. The Board also provides information on the requirement for the applicant and the City to contract with the US Bureau of Reclamation for water supply, in accordance with the Lower Colorado River Water Supply Act of 1986. The information contained in this comment is hereby incorporated by reference into the environmental documentation.

2.2 RESPONSE TO US FISH & WILDLIFE SERVICE

USF&WS indicates that the document adequately evaluates the impact of the project and the proposed mitigation measures provide the necessary mitigation. Proposed mitigation measures include a program to mitigate potential impacts on the desert tortoise. The information contained in this comment is hereby incorporated by reference into the environmental documentation.

Project Title: Colorado R Landing
Lead Agency: City of Needles Contact Person: Cathy Wacver
Street Address: 1111 Bailey Ave Phone: 619-326-2113
City: Needles Zip: 92863 County: San Bernardino

Project Location
County: San Bernardino City/Nearest Community: Needles
Cross Streets: River Rd. 1.3 mi N of Park Rd. Total Acres: 113
Assessor's Parcel No. _____ Section: 12 Twp. 17 N Range: 22E Base: SBC
Within 2 Miles: State Hwy #: 140 Waterways: Colorado River
Airports: _____ Railways: AT&SF Schools: _____

Document Type CEQA: NOP Supplement/Subsequent
Early Cons EIR (Prior SCE No.) 80121902
 Neg Dec Other EA
Draft EIR

Local Action Type
General Plan Update Specific Plan Rezons Annexation
General Plan Amendment Master Plan Prezons Redevelopment
General Plan Element Planned Unit Development Use Permit Costal Permit
Community Plan Site Plan Land Division* Other
*(Subdivision, Parcel Map, Tract Map, etc.)

Development Type
 Residential: Units 402 Acres _____ Water Facilities: Type MCD
Office: Sq.ft. _____ Acres _____ Employees _____ Transportation: Type _____
 Commercial: Sq.ft. _____ Acres 9.6 Employees 15 Mining: Mineral _____
Industrial: Sq.ft. _____ Acres _____ Employees _____ Power: Type Watts
Educational _____ Waste Treatment: Type _____
 Recreational 7 AC MARINA Hazardous Waste: Type _____
Other: _____

Project Issues Discussed in Document
Aesthetic/Visual Schools/Universities
Agricultural _____ Septic Systems
 Air Quality Sewer Capacity
 Archeological/Historical Soil Erosion/Compaction/Grading
Coastal Zone _____ Solid Waste
Drainage/Absorption _____ Toxic/Hazardous
Economic/Jobs Traffic/Circulation
Fiscal _____ Vegetation
 Flood Plain/Flooding _____ Water Quality
Forest Land/Fire Hazard Water Supply/Groundwater
Geologic/Seismic _____ Wetland/Riparian
Minerals Wildlife
 Noise _____ Growth Inducing
 Population/Housing Balance _____ Land Use
 Public Services/Facilities _____ Cumulative Effects
Recreation/Parks Other desert tortoise?

Present Land Use/Zoning/General Plan Use vacant/consistent w/zone & GP (CR)

Project Description 402 res. lots, 7 ac marina, 9.6 ac. commercial recreation, 11.2 ac. mobile/RVs and 8.4+ park/OS.
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State Project Notices to the Public Public review to be concurrent with Clearinghouse review.

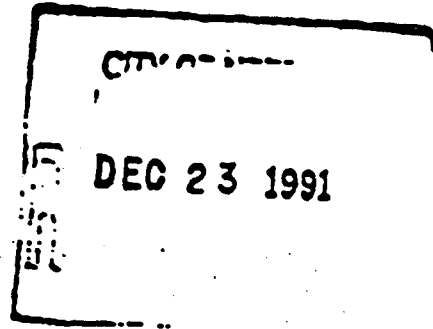
GOVERNOR'S OFFICE OF PLANNING AND RESEARCH

1400 TENTH STREET
SACRAMENTO, CA 95814



Dec 19, 1991

CATHY WAEVER
CITY OF NEEDLES
1111 BAILEY AVENUE
NEEDLES, CA 92363



Subject: COLORADO RIVER LANDING
SCH # 91112064

Dear CATHY WAEVER:

The State Clearinghouse has submitted the above named proposed Negative Declaration to selected state agencies for review. The review period is now closed and the comments from the responding agency(ies) is(are) enclosed. On the enclosed Notice of Completion form you will note that the Clearinghouse has checked the agencies that have commented. Please review the Notice of Completion to ensure that your comment package is complete. If the comment package is not in order, please notify the State Clearinghouse immediately. Remember to refer to the project's eight-digit State Clearinghouse number so that we may respond promptly.

Please note that Section 21104 of the California Public Resources Code required that:

"a responsible agency or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency."

Commenting agencies are also required by this section to support their comments with specific documentation. Should you need more information or clarification, we recommend that you contact the commenting agency at your earliest convenience.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact Russell Colliau at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

David C. Nunenkamp
Deputy Director, Permit Assistance

Enclosures

cc: Resources Agency

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NOTICE OF COMPLETION

ENVIRONMENTAL ASSESSMENT/ INITIAL STUDY

City of Needles
Department of Community Development
1111 Bailey Avenue
Needles, California 92363

November 14, 1991

Colorado River Landing- Tentative Tract 15276

Project Title

East of River Road approximately 1.3 miles north of Park Road

Project Location—Specific

Needles

Project Location—City

San Bernardino

Project Location—County

113 Ac. Commercial Recreation/Residential project with 7 acre marina. Purpose is to provide additional recreation and housing opportunities along the Colorado River. Beneficiaries are the public and future residents.

Description of Nature, Purpose, and Beneficiaries of Project

City of Needles

Lead Agency

Community Development

Division

Department of Community Development, 1111 Bailey Avenue Needles, California 92363

Main Library, 1111 Bailey Avenue Needles, California 92363

Address Where Copies Of Documents Are Available

November 18, to December 17, 1991 (30 days)- Any comments should be forwarded to the City by December 17, 1991 to be included. Comments may also be made in person at public hearings- Contact City Hall for hearing dates.

Review Period

Cathy Weaver

Contact Person

(619) 326-2113

Phone

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RECEIVED
STATE 13 1991
SACRAMENTO

December 17, 1991

Office of the Lieutenant Governor
State Clearinghouse
1400 Tenth Street
Sacramento, California 95814


12/19

Attn: Russ Colliau

SCH # 91112064 Colorado River Landing

The proposed project in the City of Needles involves parcels of land that have a Miscellaneous Present Perfect Right (PPR) to Colorado River water under the 1979 U.S. Supreme Court Supplemental Decree in Arizona v. California. The subject PPR, listed under the name of the Colorado River Sportsmen's League, is for an annual diversion right of 96 acre-feet per year with a priority date of 1921. The consumptive use associated with this diversion right is based on 0.60 of the diversion right, or 57.6 acre-feet. The proposed marina development would have a 7 acre water surface area and, with a local evaporation rate of 7.39 acre-feet per year, would consume 51.73 acre-feet per year. The proponent will be required to enter into a contract with the U.S. Bureau of Reclamation (USBR) to exercise its PPR under the Supreme Court decree.

With regard to the water supply required for the other elements of the marina, it is our understanding that the City of Needles will provide a domestic water supply to the marina development. The City of Needles, while not currently under contract with the USBR, will be contracting with the USBR under the Lower Colorado Water Supply Act of 1986 for a water supply to meet the municipal needs of the marina development as well as other City water supply needs in excess of the City's PPR.


Gerald R. Zimmerman
Executive Director

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UNITED STATES
DEPARTMENT OF THE INTERIOR
FISH AND WILDLIFE SERVICE
ECOLOGICAL SERVICES
3616 W. Thomas, Suite 6
Phoenix, Arizona 85019

December 16, 1991

Ms. Cathy Weaver
City of Needles
Department of Community Development
1111 Bailey Ave.
Needles, California 92363

Dear Ms. Weaver:

We have reviewed the Environmental Assessment (EA) and Negative Declaration for the Colorado River Landing, Tentative Tract 15276 and have the following comments.

The EA provides a adequate evaluation of the impact of the proposed project on the environment in the project area. The special conditions in the Army Corps of Engineers Permit No. 83-136 will provide the necessary mitigation for fish and wildlife resources in the project area.

If we can be of further assistance, or if you have any questions call Ron McKinstry or Don Metz. ((602)379-4720).

Sincerely,

for Sam F. Spiller
Field Supervisor

cc: Regional Director, Fish and Wildlife Service, Albuquerque,
New Mexico (AWE)
Director, California Fish and Game, Blythe, California

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