



County of Yolo

PLANNING AND PUBLIC WORKS DEPARTMENT

John Bencomo
DIRECTOR

292 West Beamer Street
Woodland, CA 95695-2598
(530) 666-8775 FAX (530) 666-8156
www.yolocounty.org

PLANNING COMMISSION STAFF REPORT

SEPTEMBER 9, 2010

FILE #2007-047: Request for an extension of a Use Permit to construct and operate a marina on an Agricultural General (A-1) zoned parcel, on the west bank of the lower Sacramento River (**Attachment A**). The Use Permit was approved by the Planning Commission on August 14, 2008, and the Planning Director approved a one year extension in 2009. The applicant is requesting an extension in order to obtain approvals from all applicable state and federal agencies (**Attachment B**).

APPLICANT: Robert Newton
PO Box 160273
Sacramento, CA 95816

OWNER: Hugh Turner
169 North Valentine
Fresno, CA 93706

LOCATION: The project site is located on the west bank of the Sacramento River near the I-5 bridge at Elkhorn, east of the City of Woodland (APN: 057-210-17, -18) (**Attachment B**).

GENERAL PLAN: Agriculture (AG)

ZONING: Agricultural General (A-1)

FIRE SEVERITY ZONE: None


SUPERVISORIAL DISTRICT: 5
(Supervisor Rexroad)

FLOOD ZONE: AE (area within the 100-year flood plain)

SOILS: Sycamore silty clay loam (Class II), Tyndall sandy loam (Class III)

ENVIRONMENTAL DETERMINATION: "General Rule" Exemption

REPORT PREPARED BY:


Jeff Anderson, Assistant Planner

REVIEWED BY:


David Morrison, Assistant Director

RECOMMENDED ACTIONS

That the Planning Commission:

1. **HOLD** a public hearing and receive comments;
2. **CONTINUE** the item to the next regularly scheduled Planning Commission hearing.

AGENDA ITEM 6.1

REASONS FOR RECOMMENDED ACTIONS

Staff has requested a continuance of the item until the next regularly scheduled Planning Commission hearing in order to evaluate concerns raised by Reclamation District 2035 ("RD 2035"). RD 2035 is in the design phase of a Fish Screen and Intake Project, which would be located just north of the marina. RD 2035 is concerned that the marina project would impact the design, construction, and operation of the Fish Screen and Intake Project. The continuance of this item will allow staff to determine whether additional environmental analysis would be required for the Elkhorn Marina Use Permit.

The applicant for the Elkhorn Marina requested a Use Permit extension in order to obtain required approvals from numerous state and federal agencies (**Attachment B**). No changes to the project have been proposed. Please see **Attachment D** for the August 14, 2008 staff report, Mitigated Negative Declaration, and all related attachments.

BACKGROUND

On August 14, 2008, the Planning Commission granted a Use Permit for the construction and operation of a 62-slip marina on the west bank of the lower Sacramento River. The project includes a harbormaster's office and elevated platform for marina services, a 36-space automobile parking area, a 21-space boat parking area, five boat storage buildings, and a caretaker's office. The marina facilities will consist of two floating dock sections that will be accessed by an elevated landing and two bridges and stairway structures. The marina is to be used for year-round berthing of recreational boats. No boat launching or refueling facilities were proposed as part of the project.

STAFF ANALYSIS

As regulated under Section 8-2.2806(b) of the Yolo County Code, a Use Permit will expire after one year if the project has not commenced or otherwise vested in improvements. The Conditions of Approval for this project stated that after one year the Planning Director may grant a one year extension. The Planning Director granted an extension in August of 2009, based on the fact that the applicant was not able to obtain all required approvals. On August 6, 2010, prior to the expiration of the one year extension, the applicant requested an "open-ended" extension to allow sufficient time to complete the requirements provided in the Conditions of Approval.

On September 1st, shortly before the drafting of this staff report, RD 2035 submitted a letter to staff explaining their opposition to the extension of the Elkhorn Marina Use Permit (**Attachment C**). RD 2035 is in the design phase for a new Fish Screen and Intake project and anticipates construction of the project in 2012. RD 2035 is also in negotiations with the cities of Davis and Woodland to partner in this joint-use intake facility. If negotiations for a joint-use intake facility are not successful, the Woodland-Davis Clean Water Agency would have to build a stand-alone intake facility.

The primary concerns listed by RD 2035 regarding the proposed marina extension include:

- Conflicts regarding the design for County Road 117, which needs to be improved to allow water pipelines to go under the road, while providing access to both the marina and the intake facility.
- Increased vandalism and trespassing to the future water intake facility by marina users.
- Increased recreational use of the Sacramento River, which may interfere with the operation of the intake facility.

- Inadequate utilities to accommodate electrical power and phone service for both the intake facility and the marina.
- Potential for the marina to trigger requirements for 200-year flood protection.

The request for an extension of time for a Use Permit is a discretionary action on the part of the County, as it can either be approved or denied. Discretionary actions are subject to review under the California Environmental Quality Act (CEQA). As such, although environmental review was performed two years ago on the original Use Permit, the County is required to review the potential impacts of the marina given current laws and conditions in order to consider the extension.

Given the timing of RD 2035 letter, staff has not able to fully analyze the issues and therefore, is not in a position to make a recommendation regarding the extension of the Elkhorn Marina Use Permit at this time.

SUMMARY OF AGENCY COMMENTS

Date	Agency	Comment	Response
August 20, 2010	Yolo County Economic Development Division	Supportive of extension request for several reasons: (1) the marina will add new property tax and sales tax; (2) it will add a recreational facility valuable to local residents, boaters, fishermen, and tourists; and (3) it is commercial development that is compatible with the General Plan and will capitalize on the existing natural amenities and riverfront.	Comment noted.
August 23, 2010	California Department of Fish and Game (CDFG)	The project applicant shall obtain all permits from CDFG, pursuant to Fish and Game Code 1600 et sec.	Comment noted. Applicant has been advised of this comment.

APPEALS

Any person who is dissatisfied with the decisions of this Planning Commission may appeal to the Board of Supervisors by filing with the Clerk of the Board of Supervisors within **fifteen (15) days** from the date of the action. A written notice of appeal specifying the grounds for appeal and an appeal fee immediately payable to the Clerk of the Board must be submitted at the time of filing. The Board of Supervisors may sustain, modify, or overrule this decision.

ATTACHMENTS

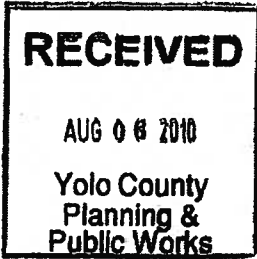
- A: Location Map
- B: Applicant letter requesting extension
- C: RD 2035 letter
- D: August 14, 2008 Planning Commission staff report and attachments



LOCATION MAP

ATTACHMENT A

Receipt # 63153
\$1,053.64



**NEWTON ASSOCIATES
CONSULTING ENGINEERS**

P.O. BOX 160273
SACRAMENTO, CA. 95816
916-483-9860
916-205-1214 cell
July 23, 2010

To: Yolo County Planning Commission

Sirs:

When the Yolo County Planning Commission approved the project "Elkhorn Marina", the project had been submitted to the Corps of Engineers since 2005. A favorable decision was expected within a few months. Shortly after your approval we were informed that National Marine Fisheries approval would be required. This entailed a Biological Assessment Study of the Sacramento River on the effects that the project would have on the possibility of Green Sturgeon in the River. This was accomplished on May, 2009 and approval was forwarded to the Corps. The Corps now informs us that the State Reclamation Board requires further information and the technical arm of the Corp of Engineers needs to review the construction aspects of the project. Other reviews include the State Fish and Game Department and State Lands Commission. There is Possibility that other approvals will be required.

Mr. Turner, owner and developer of this proposed project is mystified by these delays. It is his intent to develop this project if at all possible. This development will not only provide needed dockage for boaters but will be a boon to Yolo County and provide sort of a Key Tenant for the area.

This is a request for an extension of your approval, but we need the extension to be extended until the Corps of Engineers either approves or disapproves the project. As mentioned above, years have gone by and no assurance has been given by the Corps. They apparently have higher priorities such as 100 levee improvements along the Sacramento River so a positive schedule to you is impossible, thereby the need for an open end extension.

Sincerely

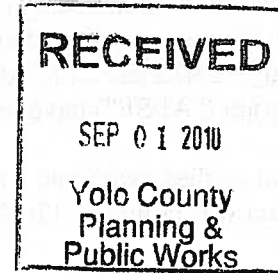

Robert Newton, RE

ATTACHMENT B

RECLAMATION DISTRICT 2035
45332 County Road 25
Woodland, CA 95776

August 31, 2010

Jeff Anderson
Assistant Planner
Yolo County Planning and Public Works Department
292 West Beamer Street
Woodland, CA 95695-8156



RE: ZF #2007-049 – Elkhorn Marina

Dear Mr. Anderson:

Jeff

On behalf of Reclamation District 2035 ("RD 2035"), the underlying property owners in RD 2035 and as the lead agency for the RD 2035 Fish Screen Project ("Fish Screen Project"), we respectfully request that the Yolo County Planning Commission deny the request for an unrestricted extension to the existing use permit to construct and operate a 62-slip marina.

The new 62-slip marina ("Marina Project") would be located on the west bank of the lower Sacramento River, just north of the Interstate-5 bridge and immediately adjacent to and south of RD 2035's existing and future intake diversion facilities.

Given the close proximity and potential impact of the Marina Project on the Fish Screen Project, which will likely include and benefit the cities of Woodland and Davis, we also request that the existing use permit be revoked or, at a minimum, re-opened to allow the Marina Project to more closely plan for and coordinate its design and construction activity with the Fish Screen Project.

RD 2035 was formed in 1919 to provide flood protection, drainage, and irrigation water to lands in eastern Yolo County. Almost 22,000 acres of farmland can receive their water supply from RD 2035 on lands west of the Sacramento River and east of Woodland and Davis, California. ~~Water from RD 2035 is also used in the fall and winter months for controlled flooding for groundwater recharge, agricultural purposes, and to maintain habitat for waterfowl.~~

For nearly 90 years, RD 2035 has diverted water from the Sacramento River through a diversion intake that was constructed in 1920. This diversion is one of the largest remaining unscreened intakes on the Sacramento River north of the Sacramento / San Joaquin Delta, with a capacity of 400 cubic feet per second ("cfs"). Currently, the intake has no safeguards to prevent the entrainment of migrating fish, several species of which are listed for protection under the Endangered Species Act.

A new diversion structure, with protective fish screens is required to prevent entrainment of the fish. The new diversion facility would meet the current criteria for fish screen design as defined by NOAA Fisheries and the California Department of Fish and Game and will improve the protection of juvenile Chinook Salmon, Steelhead Trout, and Green Sturgeon, among other migrating fish species. RD 2035 began planning this project in 2000. Project funding was

initially obtained from CALFED (Ecosystem Restoration Program) for environmental documentation and design. Local funding by RD 2035, the Water Resources Association of Yolo County, and Woodland Davis Clean Water Agency ("WDCWA"), as well as State funding through CALFED and Federal funding through the Anadromous Fish Screen Restoration Program ("AFSP") have been the source of funding in recent years.

Initial studies examined a number of methods for accomplishing the project goals. Design of the project was completed in 2005, but at that time funding for construction was unavailable.

In 2009, the United States Bureau of Reclamation and the California Natural Resources Agency both recognized the RD 2035 diversion as one of three remaining priority fish screen projects on the Sacramento River and are providing grant funding for the completion of design and permitting activities.

For the past year, RD 2035 has been engaged in negotiations with the cities of Davis and Woodland to modify its diversion quantity to 320 cfs to allow the other 80 cfs to be utilized by the Woodland-Davis Clean Water Agency (WDCWA), maintaining the existing 400 cfs capacity of this intake diversion structure.

A combined diversion facility for both RD 2035 and WDCWA are recommended for implementation in the 2007 Yolo County Integrated Water Management Plan and was identified as the preferred intake alternative in the 2007 Davis Woodland Water Supply Project ("DWWSP") Final Environmental Impact Report. The proposed dual purpose intake would provide environmental and water quality benefits, improve water supply reliability in the region, and is consistent with the ecosystem restoration goals of the CALFED Bay-Delta Program.

Importantly, a combined or joint-use facility will also allow the cities of Davis and Woodland to avoid significant cost and potential regulatory delay associated with building a stand-alone intake facility.

With the likely involvement from WDCWA, the project goals have been revised and the design is again being updated. RD 2035 has recently completed its 30% design phase of the new Fish Screen Project and will begin 100% design and permitting phase in October of 2010. Construction is anticipated to begin in 2012.

As RD2035 moves into the final phase of design for this project, RD 2035 and its project partners have real and growing concerns regarding the potential impacts of the Marina Project on the Fish Screen Project which need to be addressed. While this is far from being a comprehensive list, several of the potential conflicts are outlined below:

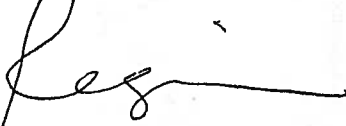
- RD2035 will be needing two driveways entrances off of County Road 117 for maintenance and operation of the fish screen/intake. The marina will then also need a driveway entrance (all in the distance of about 200 feet along the curve).
- RD2035 does not want its access design being dictated by the marina driveway. Significant site planning efforts have been done to re-design County Road 117 to

accommodate the over levee design required by the United States Army Corps of Engineers ("USACE").

- Impacts during construction of the fish screen might need to be re-evaluated (assuming that the marina is built first).
- With a large marina immediately adjacent to the intake (on same side of river), might have boaters trying to use the intake facilities (like temporary mooring off the log boom). Also potential for increased vandalism.
- With increased public usage of the waterway, this would increase the potential for boater interaction with the intake.
- Electrical power & phone coordination. (The power for RD2035 will need to be upgraded/revised to accommodate the intake needs.)
- If the marina constitutes "urban development" it could push the USACE into requiring 200 year flood protection criteria.

Again, given the close proximity and potential impact of the Marina Project on the Fish Screen Project, which will likely include and benefit the cities of Woodland and Davis, we respectfully request that the existing use permit be revoked or, at a minimum, re-opened to allow the Marina Project to more closely plan for and coordinate its design and construction activity with the Fish Screen Project.

Sincerely,

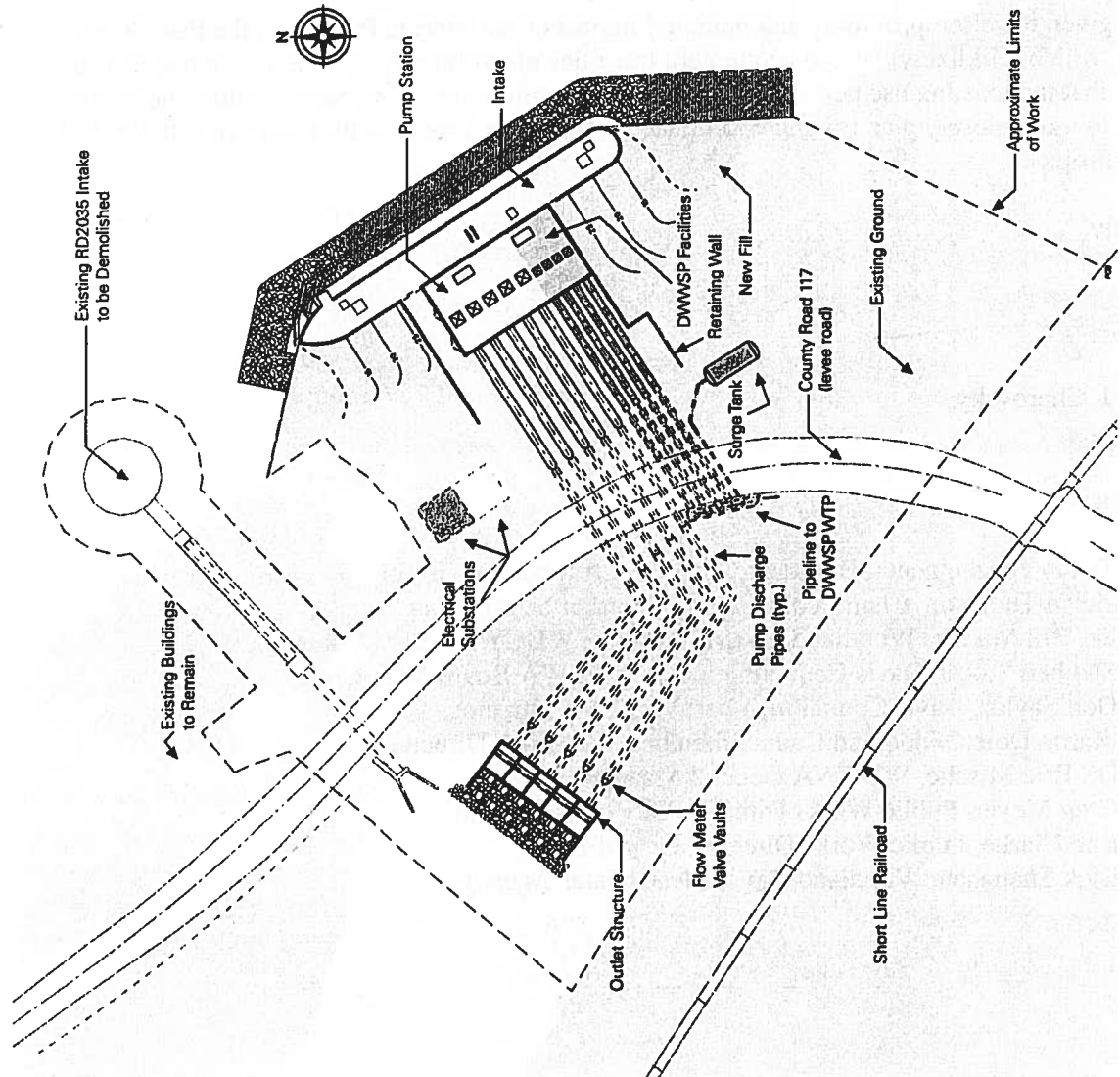


Regina J. Cherovsky
Chairperson

Attachments

cc: Tovey Giezentanner, President Conaway Preservation Group
Helen Thomson, Chair, Yolo County Board of Supervisors
Dr. Bill Marble, Woodland Councilmember; WDCWA Board Chair
Stephen Souza, Davis Councilmember; WDCWA Board Vice-Chair
Don Saylor, Davis Councilmember; WDCWA Director
Martie Dote, Woodland Councilmember; WDCWA Director
Dr. Eric Mische, WDCWA General Manager
Greg Meyer, Public Works Director, City of Woodland
Bob Clarke, Public Works Director, City of Davis
Dick Shanahan, Woodland Davis Clean Water Agency

Figure 1 – RD 2035 Fish Screen Project Site Plan Showing RD 2035 and DWWSW Project Elements



LEGEND	
	DWWSW Project Elements
	RD 2035 Intake & Pump Station
	New Fill
	Existing Ground
	Existing Intake to be Demolished

The RD 2035 Fish Screen Project may be configured with only the facilities required by RD 2035 or as a combined project with DWWSW facilities included.

Key facilities required for the RD 2035-alone configuration would include the following:

- 400 cfs capacity fish screen intake structure including fish screens, flow baffles, screen cleaning system, and sediment control system.
- 400 cfs capacity pump station with 5 – 80 cfs constant speed pumps, associated electrical and instrumentation equipment, concrete sump structure extending down to the same elevation as the fish screens (approximately 43.5 feet deep), masonry block building, and a 2- fan ventilation system.
- Individual pump discharge pipes, with above and below ground portions, routed from each pump to convey water to the canal. One flowmeter provided for each pipe.
- An electrical substation would also be required to transform power to supply the 4 kV pumps and other electrical equipment.
- Concrete outlet structure located in an earth-filled and grouted portion of the canal to provide energy dissipation and introduce the pumped water into the canal.
- Slightly raising and regrading of County Road 117 (levee road) would be required.
- Demolition of existing RD 2035 intake facility would be completed as a part of the project after the new facility is fully operational.

To incorporate DWWSW project elements and construct a combined facility, the following modifications would be required to the RD 2035-alone project configuration:

- The pump station, including both the deep concrete sump structure and the masonry block building would need to be enlarged to accommodate DWWSW's 4 - 26.67 cfs VFD driven pumps providing 80 cfs reliable capacity. Additional instrumentation and electrical equipment would also be required. Two 12.5 ton air conditioning units and an expanded isolated electrical and instrumentation room would be required to cool the DWWSW pump VFDs. Additional fill and grading would be required.
- Individual pump discharge pipes, with above and below ground portions, routed from each pump to a 60-inch diameter transmission pipeline would be provided. One flowmeter provided for each pipe.
- An additional electrical substation would be required to transform power to supply the 480 V pumps and associated electrical equipment.
- A surge tank would be required to manage potential pressure waves in the transmission pipeline.





County of Yolo

PLANNING AND PUBLIC WORKS DEPARTMENT

John Bencomo
DIRECTOR

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PLANNING COMMISSION STAFF REPORT

August 14, 2008

ZF#2007-049 and 2007-050: Use permit for a re-established marina and an associated road abandonment in the Agricultural General (A-1) zone. (**Attachment A**).

APPLICANT: Robert Newton
P.O. Box 160273
Sacramento, CA


OWNER: Hugh Turner
169 North Valentine
Fresno, CA

LOCATION: The property is located on the Sacramento River near the I-5 bridge at Elkhorn, east of the City of Woodland (APN: 057-210-18 and -17)

GENERAL PLAN: Agricultural
ZONING: Agricultural General (A-1)
SOILS: Sycamore silty clay loam (Class II)
Tyndall sandy loam (Class III)
FLOOD ZONE: A (area within the 100-year flood plan) B (area within the 500-year flood plan)

ENVIRONMENTAL DETERMINATION: Mitigated Negative Declaration

REPORT PREPARED BY:


Craig Baracco, Associate Planner

REVIEWED BY:


David Morrison, Assistant Director

RECOMMENDED ACTIONS

That the Planning Commission:

1. **HOLD** a public hearing and receive comments;
2. **ADOPT** the Mitigated Negative Declaration as the appropriate level of environmental review in accordance with the California Environmental Quality Act (CEQA) and Guidelines (**Attachment C**);
3. **ADOPT** the Mitigation Monitoring and Reporting Program (**Attachment D**);
4. **ADOPT** the Findings (**Attachment E**); and
5. **APPROVE** a Use Permit subject to the Conditions of Approval (**Attachment F**)

REASONS FOR RECOMMENDED ACTIONS:

This project will provide a valuable recreation facility to the residents of the region. It will increase

use and appreciation of the natural resources of Yolo County, particularly the Sacramento River. This project will provide both jobs and increased economic activities in a manner compatible with the rural nature of the surrounding area.

BACKGROUND

PROJECT DESCRIPTION

The project (ZF#2007-049) proposes removal of two existing dock sections and replacing them with a new 62-slip marina on the west bank of the lower Sacramento River, just north of the Interstate 5 freeway bridge in Yolo County. The marina will be used for year-round berthing of recreational boats. No boat launching facilities or refueling facilities are proposed. A harbormaster's office and elevated platform for marina services, and a 36-space parking area, will be constructed on the landward side of the levee (APN 057-210-17). A boat parking area with 21 ten-foot by forty-foot spaces, five boat storage buildings 6,000 square feet in size, and a caretaker's office (2,900 square feet) will be constructed on the west side of County Road 117 (APN: 057-210-18).

The marina facilities consist of two floating dock sections that will be accessed by an elevated landing and two bridge and stairway structures. The dock section farthest from shore will be located approximately 170 feet from shore and measure 490-feet long by 46-feet wide. The dock section closest to shore will be located approximately 70 feet from shore and measure 710 feet long and 50 feet wide. The docks will be constructed of galvanized metal with encased flotation. A sheet pile debris barrier will extend 80 feet from shore at the upstream (north) end of the marina. The total water surface area covered by the dock structures and berthed vessels will be approximately 1.6 acres.

A total of 210 16-inch diameter steel piles will be driven to support the docks and access structures. A total of 150 piles will be driven into the bed of the Sacramento River using a barge-mounted pile driver. The remaining 60 piles will be driven out of the water on shore.

There is an existing domestic water well and septic system on parcel APN 057-210-17, which served a previously demolished home. These existing systems may have to be upgraded or supplemented through the construction of a new well or septic system under permit from Yolo County Environmental Health to serve the caretaker's office.

The marina's hours of operation will be from 7:00 am to 10:00 pm. The marina will have three full-time employees. The project is expected to generate 216 vehicle trips per day at full capacity, based on projections, and will require up to three truck deliveries per day. Security will be provided with a fenced perimeter and gate.

A request to abandon a section of public right-of-way thirty feet in width and 1400 feet in length that runs along the southern border of APN 057-210-18, is also included with this project (ZF# 2007-050). The applicant is asserting that this section of right-of-way should have been merged when Caltrans reconveyed the property back to Yolo County. (**Attachment H**)

Surrounding Land Uses and Setting

The Sacramento River lies to the east of the project site. An existing marina, which includes boat launch and refueling facilities, is currently in operation on the eastern shore of the river in Sacramento County directly east of the project site. All parcels surrounding the project are zoned A-1 (General Agriculture) and designated Agriculture in the Yolo County General Plan. A residence is located approximately 400 feet north of the project location. No other development

exists on adjacent parcels. A rail line lies adjacent to the project site. The I-5 bridge over the Sacramento River is directly south of the project. County Road 117 divides the two parcels upon which the project is located, and County Road 22 bounds the project to the west.

STAFF ANALYSIS

The following issues were examined in the course of reviewing this project through the environmental and development review process.

Biology: According to a biological study prepared for the applicant (*Biological and Essential Fish Habitat Assessment for the Elkhorn Marina Project*, Jones & Stokes, November 2007), the California Natural Diversity Data Base identifies five "special status species" that may be found in the vicinity of the project site. They are the Central Valley Steelhead, North American green sturgeon and three varieties of Chinook salmon. The study proposed several mitigation measures To minimize the impact of marina construction and operations on these species and their habitat, mitigation measures are incorporated into staff's recommended Conditions of Approval.

An additional reconnaissance level assessment of upland biological resources (July 2008) was conducted on May 30, 2008. This assessment concluded that two species, valley elderberry longhorn beetle and Swainson's hawk have a high potential to occur onsite. An elderberry shrub that was identified along the border of parcel APN 057-210-18 represents potential habitat for the longhorn beetle. Swainson's hawks were recorded nesting in APN 057-210-17 in 2007. In order to protect the potential habitat of these two species, mitigation measures have been incorporated as part of the revised Mitigated Negative Declaration. These measures will ensure that both the elderberry bush and any raptor nests will be protected during project construction.

Water Quality/Flooding: A majority of the site is located in the 100-year floodplain. As a condition of approval, the applicant shall be required to either raise all proposed buildings out of the 100-year flood hazard area by elevating the pads of the buildings so that the finished flood elevations would be one foot above the base flood elevation, or to construct the buildings to dry-proofing standards as required by the California Building Code and Federal Emergency Management Agency standards.

To ensure water quality, the applicant is required to obtain a General Construction Activity Stormwater Permit (SWPPP), and a National Discharge Elimination System (NPDES) permit. The permits are required to control both construction and operational activities that may adversely affect water quality. The project will be required to utilize Best Management Practices (BMPs) to prevent pollution from leaving the property through stormwater runoff and entering the Sacramento River.

Traffic/Parking/Safety: Long-term changes to local traffic circulation resulting from the proposed project would be additional employee and customer trip generation. According to traffic studies found in *Trip Generation* Institute of Transportation Engineers, 1991 a marina can be expected to generate an average of 3.48 vehicle trips per day per berth. With 62 slips planned, the project could generate approximately 216 vehicle trips per day. This increase would add approximately 22 morning and evening peak hour trips to the region's transportation network. County Roads 117 and 22 currently serve very limited development in the rural area and have very low existing traffic levels. This increase would not significantly affect volume to capacity ratios, and road improvements will not be required.

Traffic safety is an issue with the project. Driveways from the boat storage area and marina will be connected to County Road 117. A rail line cuts between the two parcels upon which the project is

located, and a railroad crossing is located on CR 117 between the two driveways. The presence of multiple connections, and crossings of CR 117 in a limited stretch of roadway is a design feature that could create a potentially significant impact, unless mitigated. Therefore, the applicant is required to install signage to warn the traveling public. Required signs shall include *Slow Traffic Ahead*, *Cross Traffic Ahead* and *Do not Block Railroad*.

The project would be required to meet standard parking requirements established in the Yolo County Zoning Code. On-site parking adequate to serve both employees and customers of the project is included in the project site plan. Parking facilities for vehicles towing boats will also be provided. Therefore, approval of the project would ensure adequate parking supply.

Aesthetics: The Sacramento River is a well-known scenic area, and the project site is highly visible to members of the traveling public along Interstate 5. To prevent significant degradation of the visual character of the site and its surroundings, the project will be required to submit a detailed landscaping and irrigation plan for the project site, keep the site free of graffiti, trash, and visual clutter, and keep all boats docked at the marina in good working order and repair.

AGENCY COMMENTS:

A "Request for Comments" was circulated for the proposed project from August 14, 2007 to August 28, 2007. This project was reviewed by the County Development Review Committee on January 9, 2008 and May 15, 2008.

An Initial Study/Mitigated Negative Declaration was prepared and circulated from May 9, 2008, to June 9, 2008. The Initial Study/Mitigated Negative Declaration was recirculated with additional biological information July 15, 2008 to August 14, 2008. Comments received during both review periods were incorporated into the project where feasible. A summary of comments is provided below:

AGENCY	COMMENTS	RESPONSE
Yolo County Environmental Health	Septic and water systems shall be constructed under permit from YCEH. Project may be subject to the requirements of a Hazardous Materials Business plan.	Included in Conditions of Approval.
Yolo County Public Works	The applicant is required to obtain an encroachment permit and to pave the driveway approaches. Additional safety signage is required.	Included in Conditions of Approval.
Yolo County Building Division	Property is largely in the 100 year floodplain and is required to either elevate or flood proof all buildings.	Included in Conditions of Approval.

California State Lands Commission	The applicant shall secure an amended lease agreement with the California State Lands Commission to reflect the increased size of the marina.	Included in Conditions of Approval.
Yolo County Parks and Resources Department	The applicant shall take measures to ensure individual boat owners maintain boat launch permits	Included in Conditions of Approval.

APPEALS

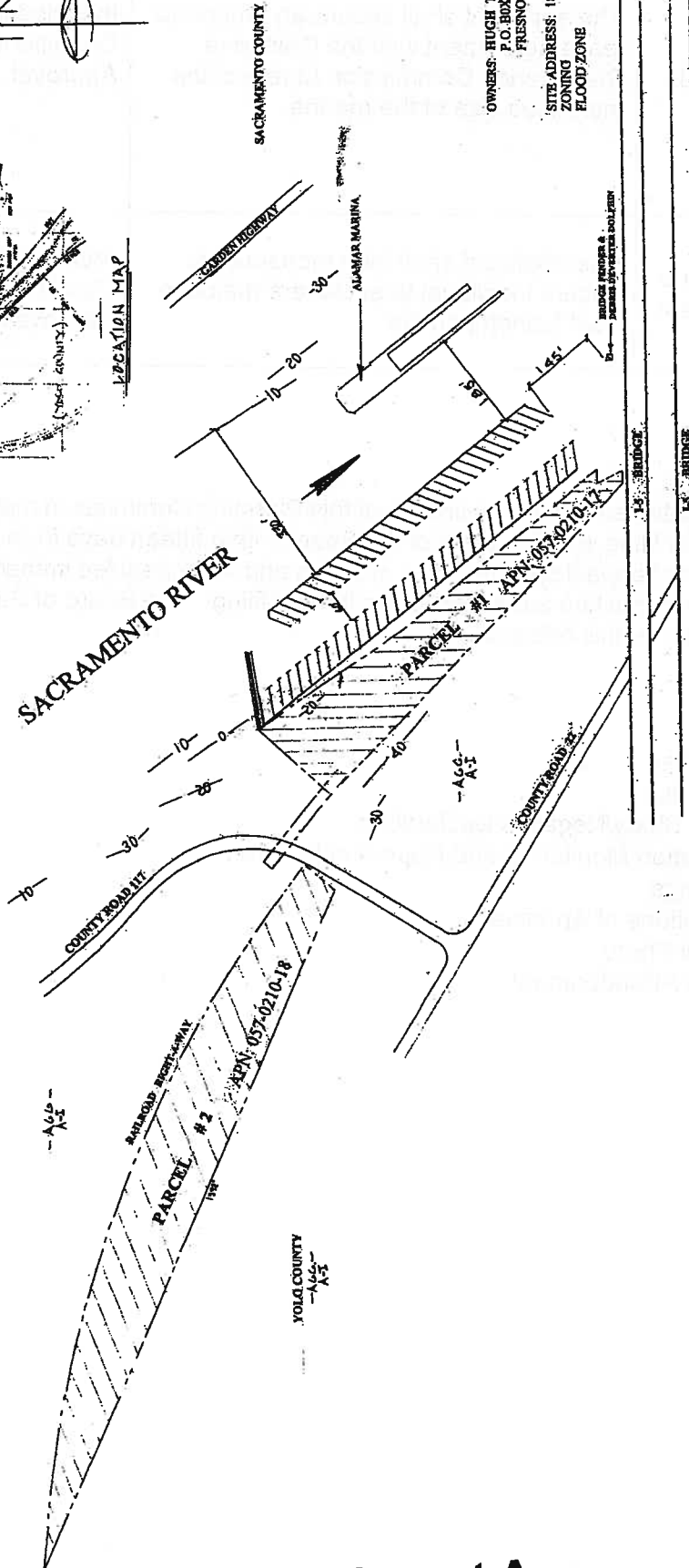
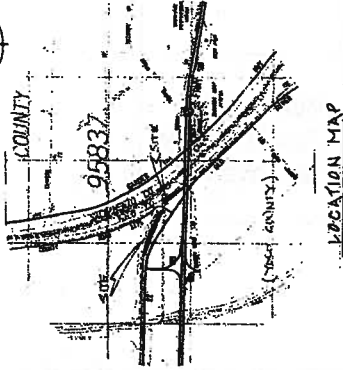
Any person who is dissatisfied with the decisions of this Planning Commission may appeal to the Board of Supervisors by filing with the Clerk of the Board within fifteen days from the date of the action. A written notice of appeal specifying the grounds and an appeal fee immediately payable to the Clerk of the Board must be submitted at the time of filing. The Board of Supervisors may sustain, modify, or overrule this decision.

ATTACHMENTS:

- Attachment A** - Site Plan
- Attachment B** - Elevation
- Attachment C** - Initial Study/Negative Declaration
- Attachment D** - Mitigation Monitoring and Reporting Program
- Attachment E** - Findings
- Attachment F** - Conditions of Approval
- Attachment G** - Aerial Photo
- Attachment H** - Road Abandonment

ZONING CHANGE REQUEST MARINA EXPANSION

ELKHORN MARINA
1809 COUNTY RD. 117
YOLO COUNTY, CA
A "HUGH TURNER"
PROJECT



OWNERS: HUGH TURNER
P.O. BOX 12426
FRESNO, CALIFORNIA 95691
SITE ADDRESS: 1809S-CR 117
ZONING: A-1
FLOOD ZONE: A1B

SHEET INDEX
TITLE SHEET
PLAN SHEET
OFFICE BOARDS & DOCS
BRIDGES & DOCK SHEET
DOCK SHEET CONT.
CROSS SECTIONS SHEET

SITE PLAN
SCALE: 1" = 100'
EXISTING ZONING: A-1
PROPOSED ZONING: C

ACREAGE
PARCEL #1
PARCEL #2

APN: 057-210-018
APN: 057-210-017

LEGEND
+ 3.0 VERTICAL ELEVATION
--- FLOWING
--- MEAN HIGH WATER
--- MEAN LOW WATER
--- APN ASSESSOR'S PARCEL NUMBER
--- 330 FT HORIZONTAL MEASUREMENT

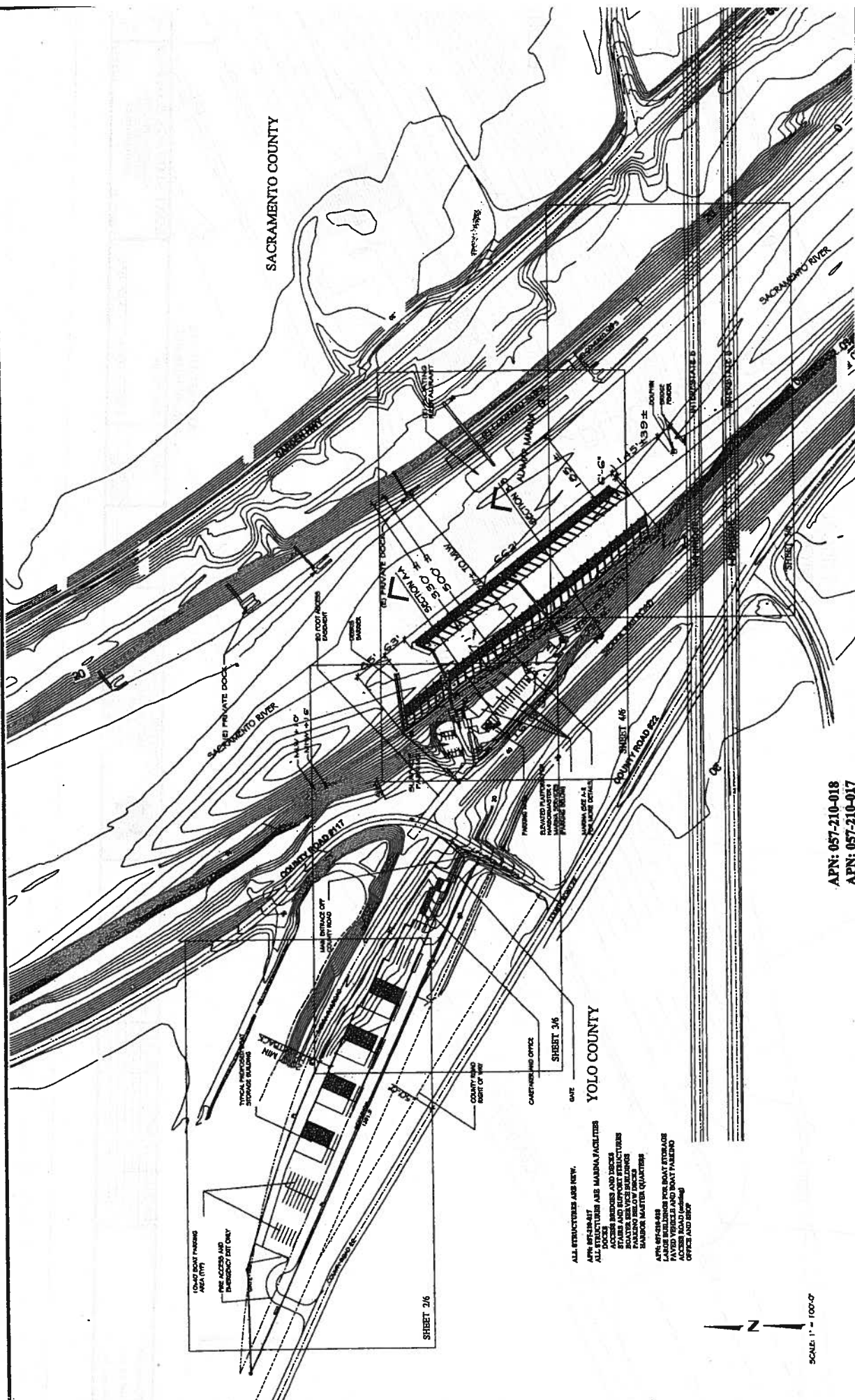
REV.	DATE	DESCRIPTION	BY	DATE	DESCRIPTION	BY	DATE

DESIGNED BY:			
DRAWN BY:			
CHECKED BY:			

FIELD BOOKS	SCALE	SUBMITTED BY:
	1" = 100'	ROBERT R. NEWTON
		E.C.E. 1875
		COUNTY OF CALIFORNIA

TITLE SHEET	SHEET 1 OF 1
ELKHORN MARINA	
1809 COUNTY RD. 117	
YOLO COUNTY, CA	

**Attachment A
Site Plan**



SACRAMENTO COUNTY

SACRAMENTO RIVER

YOLO COUNTY

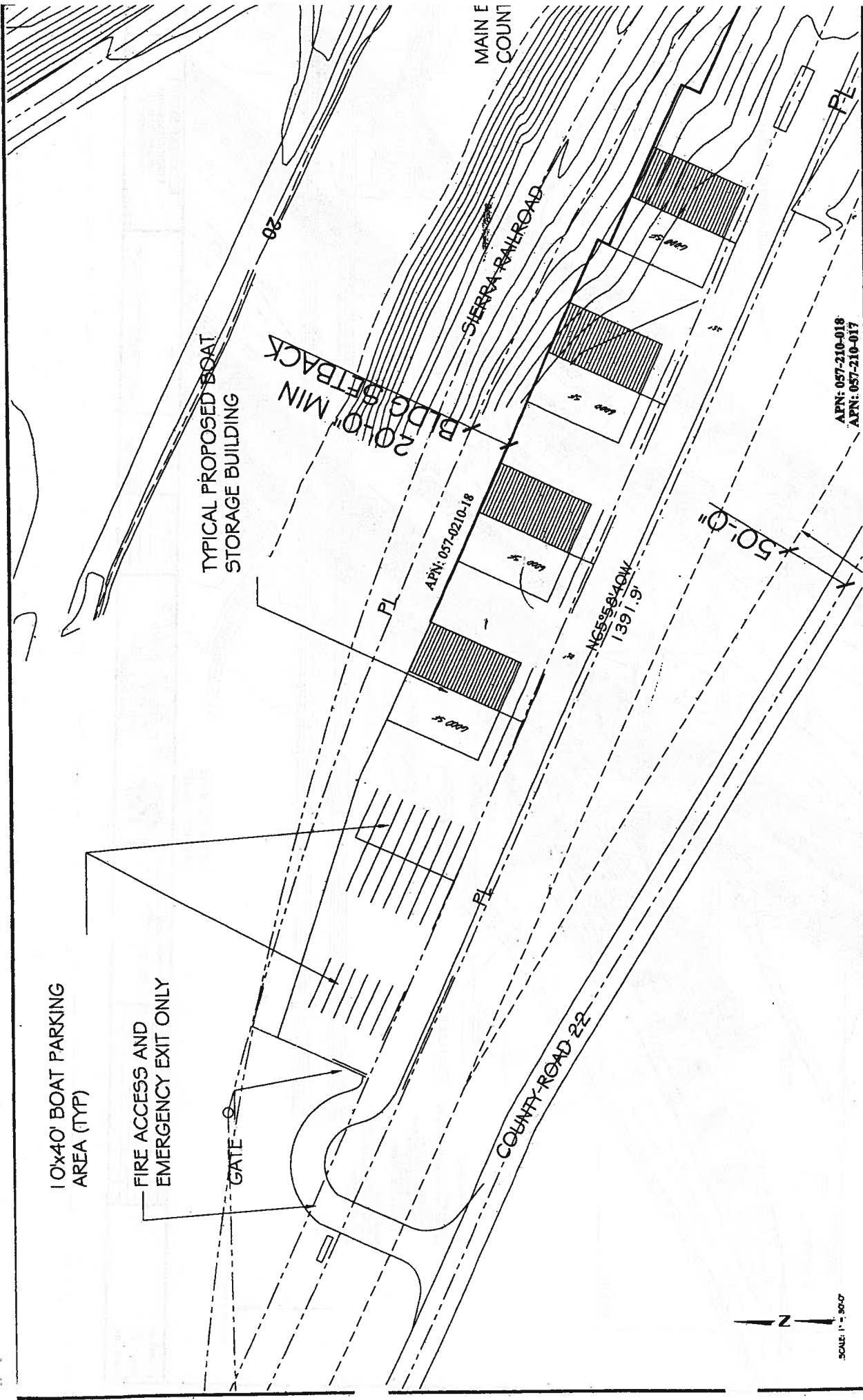
DATE: _____
 ALL STRUCTURES ARE NEW.
 APN: 057-210-018
 ALL STRUCTURES ARE MARINA FACILITIES
 DOCKS, BRIDGES AND DECKS
 STAIRS AND SUPPORT STRUCTURES
 BOAT STORAGE BUILDINGS
 MAINTENANCE OFFICE
 MARINA MASTER QUARTERS
 APN: 057-210-017
 LARGE BUILDING FOR BOAT STORAGE
 PAVED VEHICLE AND BOAT PARKING
 OFFICE AND REST

APN: 057-210-018
 APN: 057-210-017


SCALE: 1" = 100'-0"

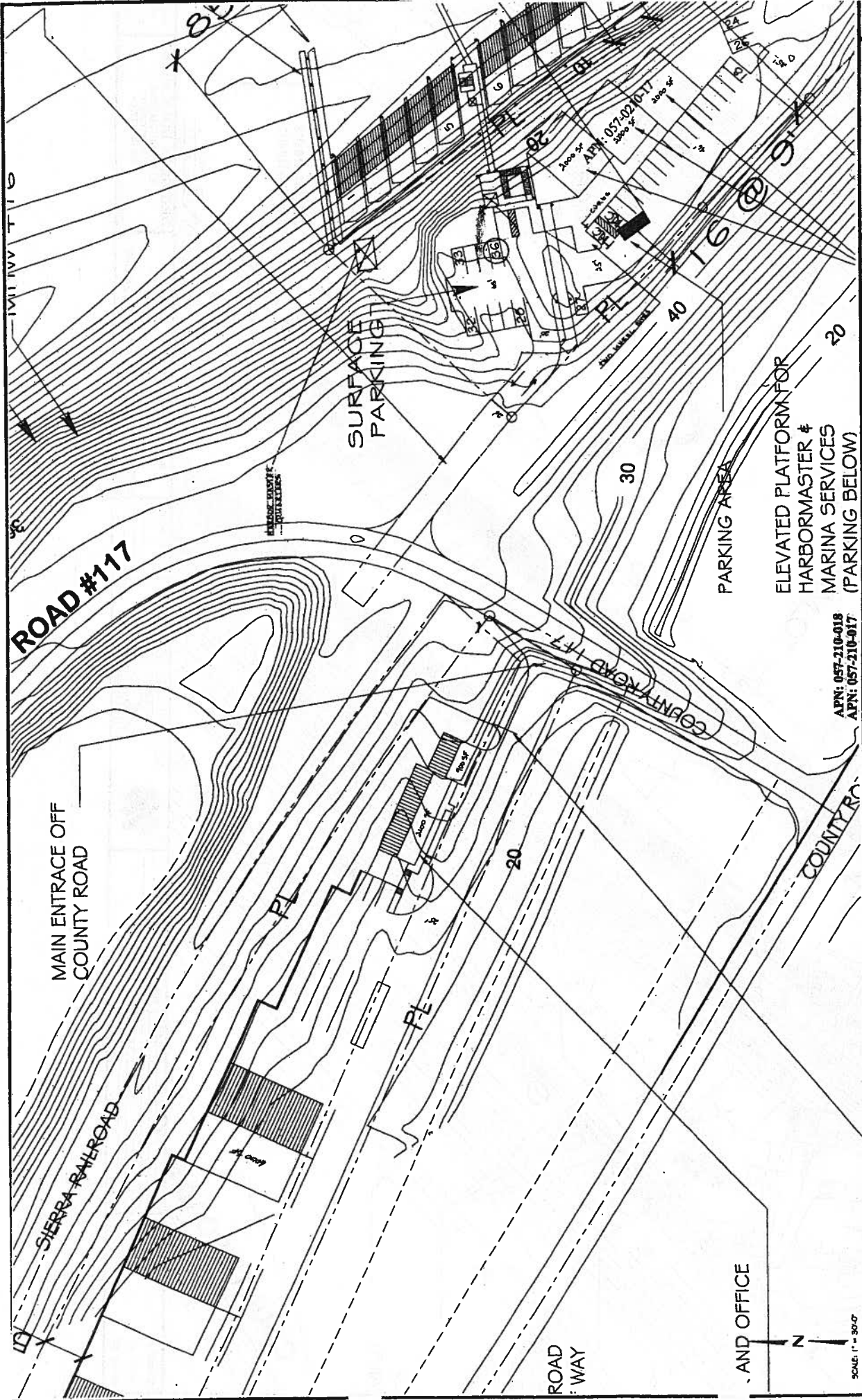
DESIGNED BY: DRAFTED BY: CHECKED BY:	SHEET 1 OF 6	KEY MAP SHEET ELKHORN MARINA 1899 COUNTY RD. 117 YOLO COUNTY, CA COUNTY OF CALIFORNIA	SUBMITTED BY: ROBERT R. NEWTON R.C.E. 15175	SCALE	FIELD BOOKS	NEWTON ASSOCIATES ENGINEERING DESIGN PO BOX 160273 SACRAMENTO, CALIFORNIA (916) 483-8880
				CAD NO. DRAWING NO.		
REL. DATE	DESCRIPTION	BY	DATE	ELEV.	DATE	DESCRIPTION





SCALE: 1" = 30'-0"

DESIGNED BY: DRAFTED BY: CHECKED BY:		BENCH MARK: ELEV: _____ DATE: _____ DESCRIPTION: _____				NEWTON ASSOCIATES ENGINEERING DESIGN PO BOX 160273 SACRAMENTO, CALIFORNIA (916) 483-9880		FIELD BOOKS SCALE 1" = 30' L&P NO. _____ DRAWING NO. _____		SUBMITTED BY: ROBERT R. NEWTON R.C.E. 13175		BOAT STORAGE & OFFICE ELKHORN MARINA 188 COUNTY RD. 17 YOLO COUNTY, CA COUNTY OF CALIFORNIA		SHEET 2 OF 6
--	--	---	--	---	--	---	--	--	--	---	--	--	--	-----------------------



SHEET 3 of 6
 OFFICE, ROADS & DOCKS
 ELKHORN MARINA
 189 COUNTY RD. 117
 YOLO COUNTY, CA
 CALIFORNIA

SUBMITTED BY: ROBERT R. NEWTON
 R.C.E. 15175

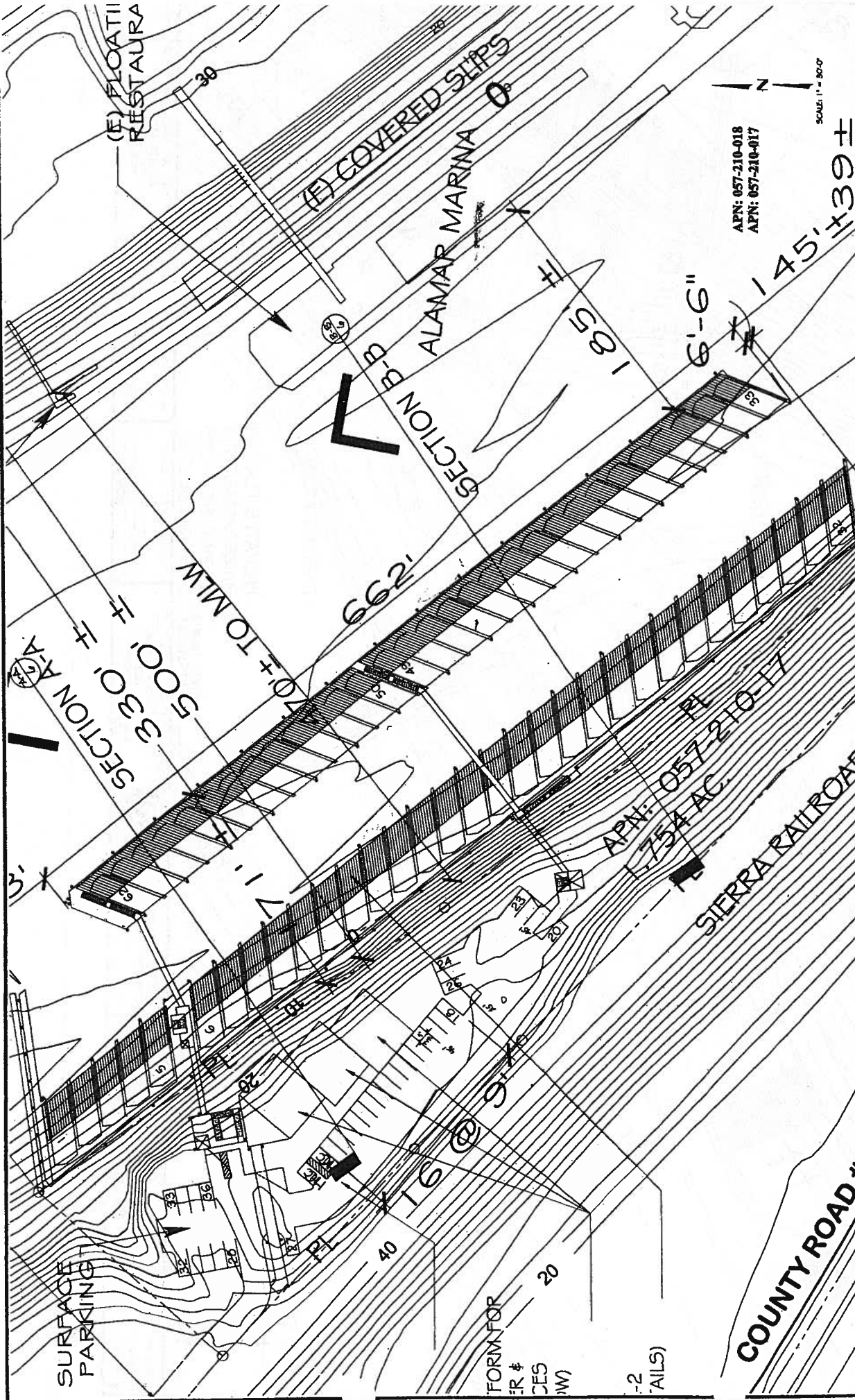
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 FIELD BOOKS: _____
 JOB NO.: _____
 DRAWING NO.: _____

APN: 057-210-018
 APN: 057-210-017
 NEWTON ASSOCIATES
 ENGINEERING DESIGN
 P.O. BOX 160273
 SACRAMENTO, CALIFORNIA
 (916) 483-8850

BENCH MARK: _____
 ELEV: _____
 DATUM: _____
 DESCRIPTION: _____

REV.	DATE	DESCRIPTION	BY	APP'D

DESIGNED BY: _____
 DRAFTED BY: _____
 CHECKED BY: _____



DESIGNED BY:	BY (APP'D)	DESCRIPTION:	REVISION DATE:
DRAFTED BY:			
CHECKED BY:			
NEWTON ASSOCIATES ENGINEERING DESIGN PO BOX 160273 SACRAMENTO, CALIFORNIA (916) 453-8800			FIELD BOOKS:
SUBMITTED BY: ROBERT R. NEWTON R.C.E. 15175			SCALE: 3/8" IN. DRAWING PLOT
BRIDGES & DOCK SHEET ELIZABETH MARINA CITY OF YOLO COUNTY, CA			SHEET 4 OF 6
COUNTY OF			CALIFORNIA

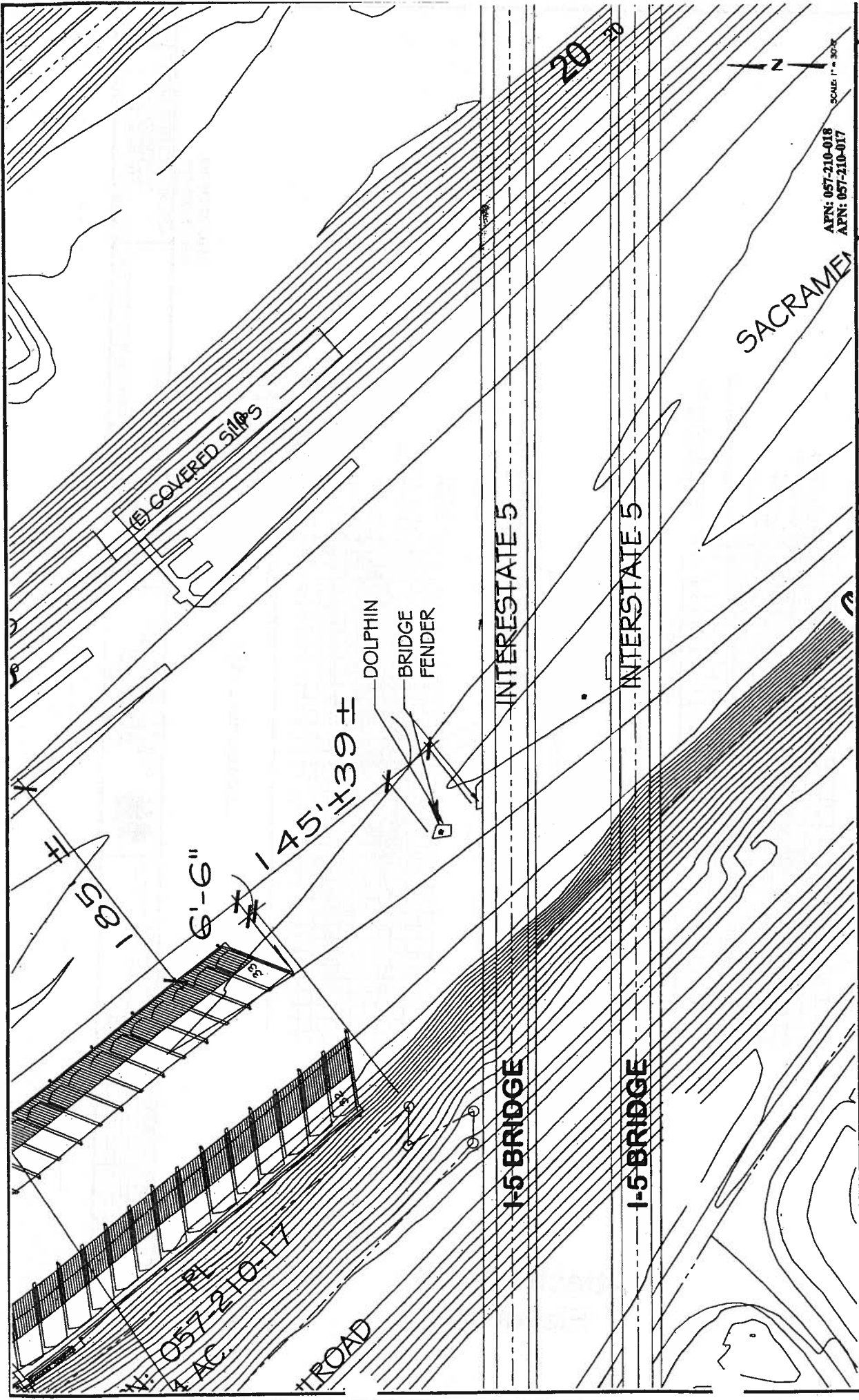
SURFACE PARKING

FORM FOR
R #
DES
(NW)

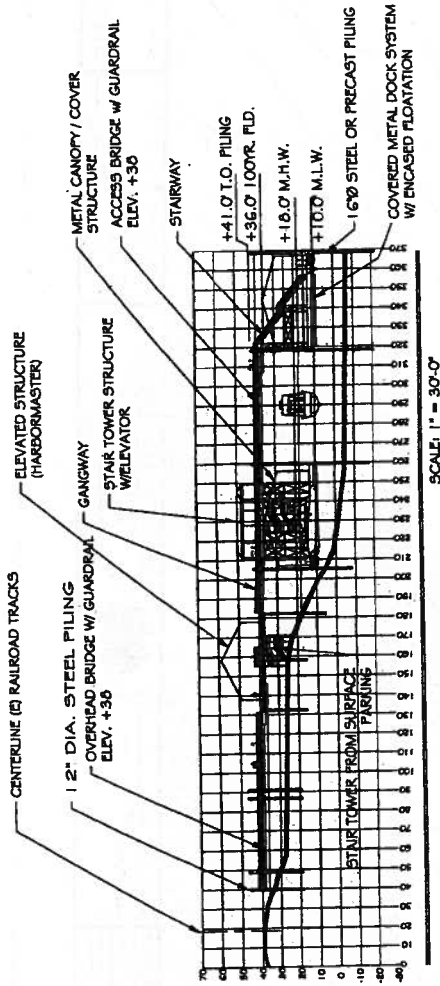
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(TAILS)

COUNTY ROAD #1



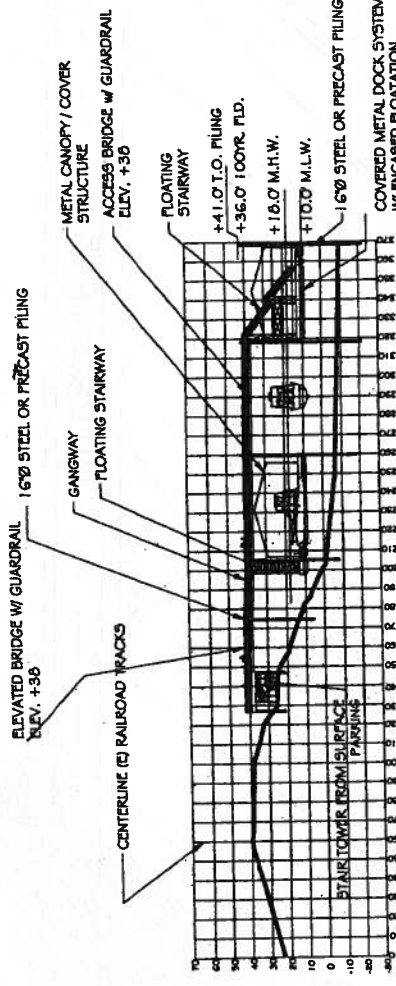


DESIGNED BY:	BY:	DATE:	DESCRIPTION:	REV:	DATE:	DESCRIPTION:	BY:	DATE:	BENCH MARK:	ELEV:	DATA:
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CHECKED BY:	FIELD BOOKS:	SCALE:	SUBMITTED BY:	APN NO.:	APPROVING NO.:	FIELD BOOKS:	SCALE:	SUBMITTED BY:	APN NO.:	APPROVING NO.:	FIELD BOOKS:
			ROBERT R. NEWTON					ROBERT R. NEWTON			
			R.C.E. 13175					R.C.E. 13175			
<p>NEWTON ASSOCIATES ENGINEERING DESIGN PO BOX 160273 SACRAMENTO, CALIFORNIA (916) 493-1880</p>											
<p>DOCK SHEET CONT. ELKHORN MARINA 1897 COUNTY RD. 117 SACRAMENTO, CALIFORNIA</p>											
<p>SHEET 5 OF 6</p>											



SCALE: 1" = 30'-0"

CROSS-SECTION A-A



SCALE: 1" = 30'-0"

CROSS-SECTION B-B

Attachment B Elevation



SCALE: 1" = 30'-0"

APN: 057-210-018
APN: 057-210-017

CROSS SECTIONS SHEET
SHEET 6 OF 6
ELKHORN MARINA
1800 COUNTY RD. 117
YOLO COUNTY, CA
CALIFORNIA

SUBMITTED BY:
ROBERT R. NEWTON
G.C.E. 15175

SCALE
FIELD BOOKS
JOB NO.
DRAWING NO.

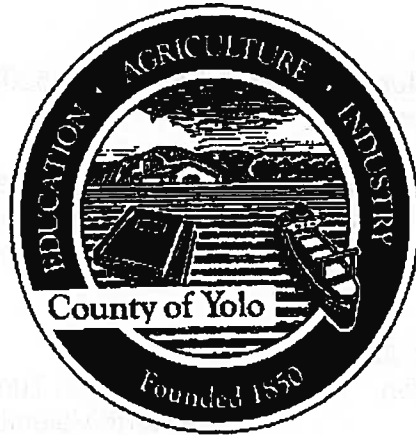
NEWTON ASSOCIATES
ENGINEERING DESIGN
PO. BOX 160273
SACRAMENTO, CALIFORNIA
(916) 483-8880



BENCH MARK: ELEV. _____ DATE: _____
DESCRIPTION:

REV.	DATE	DESCRIPTION	BY	APP'D

DESIGNED BY:
DRAFTED BY:
CHECKED BY:



**YOLO COUNTY PLANNING & PUBLIC WORKS
DEPARTMENT**

**Newton Associates
Marina/Road Abandonment**

July 15, 2008

Revised

**INITIAL STUDY/ MITIGATED NEGATIVE DECLARATION
ZONE FILE # 2007-049 and 2007-050**

**Attachment C
Initial Study/Mitigated Negative Declaration**

Negative Declaration / Initial Environmental Study

1. **Project Title:** Zone Files 2007-049 and 2007-050 (Newton/Turner)
2. **Lead Agency Name and Address:**
Yolo County Planning and Public Works Department
292 West Beamer Street
Woodland, CA 95695
3. **Contact Person and Phone Number:** Craig Baracco at (530) 666-8833 or
craig.baracco@yolocounty.org
4. **Project Location:** The project site is located both east and west of the intersection of County Roads 117 and 22, just north of the Interstate 5 Sacramento River Bridge on the west bank of the Sacramento River, five miles to the east of the City of Woodland. (APNs: 057-210-17 & -18).
5. **Project Sponsor's Name and Address:**

Applicant: Robert Newton	Owner: Hugh Turner
P.O. Box 160273	169 North Valentine
Sacramento, CA 95816	Fresno, CA
6. **General Plan Designation(s):** Agriculture
7. **Zoning** A-1 (General Agriculture).
8. **Description of the Project:** Conditional Use Permit to allow the construction and operation of a marina and associated buildings and abandonment of a section of public right-of-way. See further details in "Project Description," below.
9. **Surrounding Land Uses and Setting:** The Sacramento River lies to the east of the project site. An existing marina, which includes boat launch and refueling facilities, is currently in operation on the eastern shore of the river in Sacramento County directly east of the project site. All parcels surrounding the project are zoned A-1 (General Agriculture) and designated Agriculture in the Yolo County General Plan. A residence is located approximately 400 feet north of the project location. No other development exists on adjacent parcels. A rail line lies adjacent to the project site. The I-5 bridge over the Sacramento River is directly south of the project.
10. **Other public agencies whose approval is required:** State Department of Fish and Game, US Fish and Wildlife Service, State Lands Commission, Army Corp of Engineers, Central Valley Flood Protection Board, Department of Boats and Waterways, National Marine Fisheries Service.
11. **Other Project Assumptions:** The Initial Study assumes compliance with all applicable State, Federal, and Local Codes and Regulations including, but not limited to, County of Yolo Improvement Standards, the California Building Code, the State Health and Safety Code, and the State Public Resources Code.

PROJECT DESCRIPTION

The project (ZF2007-049) applicant proposes to remove two existing dock sections and replace them with a new 62-slip marina on the west bank of the lower Sacramento River, just north of the Interstate 5 freeway crossing in Yolo County. The marina will be used for year-round berthing of recreational boats. No boat launching facilities or refueling facilities are proposed. A harbormaster's office and elevated platform for marina services and a 36-space parking area will be constructed on the landward side of the levee (parcel 057-210-17). A boat parking area with 21 ten feet by forty feet spaces, five boat storage buildings 6,000 square feet in size, and a caretakers office (2,900 square feet) will be constructed on the west side Country Road 117 (APN: 057-210-18).

The marina facilities consist of two floating dock sections that will be accessed by an elevated landing and two bridge and stairway structures. The dock section farthest from shore will be located approximately 170 feet from shore and measure 490 feet long by 46 feet wide. The dock section closest to shore will be located approximately 70 feet from shore and measure 710 feet long and 50 feet wide. The docks will be constructed of galvanized metal with encased flotation. A sheet pile debris barrier will extend 80 feet from shore at the upstream (north) end of the marina. The total water surface area covered by the dock structures and berthed vessels will be approximately 1.6 acres.

A total of 210 16-inch diameter steel piles will be driven to support the docks and access structures. A total of 150 piles will be driven into the bed of the Sacramento River using a barge-mounted pile driver. The remaining 60 piles will be driven out of the water on shore.

There is an existing domestic water well and septic system on parcel APN 057-210-17, which served a previously demolished home. These existing systems may have to be upgraded or supplemented though the construction of a new well or septic system under permit from Yolo County Environmental Health.

The marina's hours of operation will be from 7:00 am to 10:00 pm. The marina will have three full-time employees. The project is expected to generate 216 vehicle trips per day at full capacity, based on projections, and will require up to three truck deliveries per day. Security will be provided with a fenced perimeter and gate.

A request to abandon a section of public right-of-way thirty feet in width and 1400 feet in length that runs along the southern border of parcel APN 057-210-18 is also included in this project (ZF 2007-050). The applicant is asserting that this section of right-of-way should have been merged when Cal-trans reconveyed the property back to Yolo County.

See attached site plan and application materials.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project. These issues have been discussed in detail below, and mitigation measures have been recommended to reduce impacts to a less than significant level.

- | | | |
|--|---|--|
| <input type="checkbox"/> Aesthetics | <input checked="" type="checkbox"/> Agricultural Resources | <input checked="" type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology / Soils |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input checked="" type="checkbox"/> Hydrology / Water Quality | <input type="checkbox"/> Land Use / Planning |
| <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise | <input type="checkbox"/> Population / Housing |
| <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation | <input checked="" type="checkbox"/> Transportation / Traffic |
| <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Mandatory Findings of Significance | |

DETERMINATION:

On behalf of this initial evaluation:

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

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 revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

I find that 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 "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to the earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Craig Baralco

Planner's Signature

Craig Baralco

Planner's Printed name

7/15/09
Date

PURPOSE OF THIS INITIAL STUDY

This Initial Study has been prepared consistent with CEQA Guidelines Section 15063, to determine if the project as described herein may have a significant effect upon the environment.

EVALUATION OF ENVIRONMENTAL IMPACTS

A brief explanation is required for all answers.

"No Impact" answers are adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards.

A determination that a "Less than Significant Impact" would occur is appropriate when the project could create some identifiable impact, but the impact would be less than the threshold set by a performance standard or adopted policy. The initial study should describe the impact and state why it is found to be "less than significant."

"Potentially Significant Impact" is appropriate if there is substantial evidence that an effect is significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

"Potentially Significant Unless Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact". The initial study must describe the mitigation measures and briefly explain how they reduce the effect to a less than significant level.

Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration, pursuant to Section 15063 (c)(3)(D) of the California Government Code. Earlier analyses are discussed in Section XVII at the end of the checklist.

Preparers are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated. A source list should be attached and other sources used or individual contacts should be cited in the discussion.

I. AESTHETICS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock croppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion of Impacts

- a) Less Than Significant With Mitigation Incorporated. ~~Less than significant.~~ The project is located just north of Interstate Highway 5 at the intersection of County Roads 117 and 22. County Road 117 is designated a "County Scenic Corridor" in the 1983 Yolo County General Plan. As discussed in item (c) below, this project has the potential of affecting a scenic corridor unless mitigation measures are implemented.
- b) *Less than significant.* See (a) and (c). Approximately 20 mature trees exist on the site and will need to be removed to allow for the construction of boat storage buildings.
- c) *Less Than Significant With Mitigation Incorporated.* The project site is currently undeveloped and contains bare ground and existing vegetation. The project will include the construction of a number of buildings, including boat storage buildings, a caretaker office, a harbormaster platform and two parking areas. A sixty-two slip marina will be constructed on the surface of the Sacramento River. This new construction will substantially change the visual character of the existing land and water. The proposed is consistent with existing conditions in the area, as a similar marina facility already exists on the Sacramento County side of the river, directly east of the project. The Sacramento River is a well-known scenic area and the project site is highly visible to members of the traveling public along Interstate 5. To prevent significant degradation of the visual character of the site and its surroundings, the following mitigation measure is required.

Mitigation Measure 1

(a) A condition of the Use Permit shall require the owner-operator to ensure that all boats docked at the marina shall be kept in good working order and repair. Non-operative or abandoned craft shall not be allowed to remain in dock. All boats, buildings, and structures shall be kept clean and free from graffiti, trash and visual clutter. All trash enclosures and storage areas will be screened from the viewing public.

(b) Prior to issuance of building permits, the applicant shall submit a detailed landscaping and irrigation plan for the project site to be approved by the Planning and Public Works Director. A variety of native plants, shrubs and grasses shall be used to enhance the visual character of the site and to visually integrate the project into the surrounding area.

- d) *Less Than Significant Impact.* The project would generate additional light and glare into a rural area currently limited in artificial nighttime light sources. However, lighting associated with any new development would be required to meet the design criteria of the Yolo County Code requiring that lighting must be directed away from neighboring properties and the night sky.

II. AGRICULTURAL RESOURCES:

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Conflict with existing zoning for agricultural use or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Involve other changes in the existing environment which due to their location or nature, could result in conversion of farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

- (a) *Less Than Significant Impact.* The project parcel is currently zoned A-1 or Agricultural General. The property is not currently in active agricultural production. Under the Yolo County Zoning Code boating and associated activities falls under the definition of "rural recreation." Rural recreation is defined as outdoor sporting or leisure activities that require large open space areas and do not have any significant detrimental impact on agriculture lands in the general vicinity of the activity. If the rural recreation involves the use of permanent builds such as found in this project, a conditional use permit is required. The project is a conditional use allowed under A-1 zoning and consistent with an agricultural setting.
- (b) *Less Than Significant Impact.* The property is not currently in active agricultural production. The proposed project would not conflict with existing zoning for agricultural use or with any Williamson Act contracts, since the site is not under contract and the use is conditionally allowed under A-1 zoning.
- (c) *No Impact.* A boat marina is a rural recreational use compatible with the presence of agriculture on surrounding lands. The project will not impact any existing agricultural use nor induce conversion of agricultural lands to a non-agricultural use.

III. AIR QUALITY:

Where applicable, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

a, b) *Less than Significant Impact.* The project is within the Yolo-Solano Regional Air Quality Management District (YSAQMD). The district is currently a non-attainment area for ozone (State and Federal ambient standards) and Particulate Matter (State ambient standards). While air quality plans exist for ozone, none exists (or is currently required) for PM₁₀. Yolo County is in an attainment area for carbon monoxide (the State and Federal ambient standards are met), since Yolo County has relatively low background levels of carbon monoxide. The project would contribute incrementally to the non-attainment of these air quality standards. There would be short-term construction impacts as well as long-term mobile source (traffic) emissions due to new customer and employee traffic. The project could substantially conflict with or obstruct implementation of the Sacramento Area Regional Ozone Attainment Plan (November, 1994), or the goals and objectives of the County's General Plan.

Effects on air quality can be divided into short-term construction-related effects and those associated with long-term aspects of the project, e.g., auto trips generated by marina users.

The YSAQMD sets threshold levels for use in evaluating the significance of criteria air pollutant emissions from project-related mobile and area sources in the *CEQA Air Quality Handbook* (YSAQMD, 2007). These significance thresholds include:

Reactive Organic Gases (ROG): 54 pounds per day (ppd)
 Oxides of Nitrogen (NOx): 54 ppd
 Particulate Matter (PM₁₀): 80 ppd

The YSAQMD also indicates the "trigger levels" for specific land uses that are generally associated with the threshold levels. For example, a subdivision of 340 single-family units, or an industrial park of 465,000 square feet, or a supermarket of 18,000 square feet, are all assumed to generate emissions that exceed the thresholds noted above.

The marina can be expected to generate an average of 3.48 vehicle trips per day per berth. With 62 slips planned, the project would generate approximately 216 vehicle trips per day. This traffic would create air emissions equal to 1.75 daily pounds of ROG, 2.47 pounds of NOx, and .47 pounds of PM₁₀. These air emissions are lower than the thresholds set by the YSAQMD for ROG, NOx, and PM₁₀.

c) *Less than Significant Impact.* Development projects are considered cumulatively significant by the YSAQMD if the following two conditions are met:

1. The project requires a change in the existing land use designation (i.e., general plan amendment, rezone); and
2. Projected emissions (ROG, NOx, or PM₁₀) of the project are greater than the emissions anticipated for the site if developed under the existing land use designation.

Under these criteria, the proposed marina would not be considered cumulatively significant since a General Plan Amendment or rezone would not be required and projected emissions for the project would be consistent with emissions anticipated from the existing land use designation.

d) *No Impact.* The project is not located near a school or any other sensitive receptors.

e) *Less than Significant Impact.* Some objectionable odors may result from the operation, maintenance and cleaning of boats. However, the project is located in a rural setting, with very few people nearby and no significant population that could be effected.

IV. BIOLOGICAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native residents or migratory wildlife corridors or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

a)b)c)d) *Less Than Significant With Mitigation Incorporated.* According to a biological study prepared by the applicant (*Biological and Essential Fish Habitat Assessment for the Elkhorn Marina Project*, Jones & Stokes, November 2007), the California Natural Diversity Data Base identifies five "special status species" that may be found in the vicinity of the project site (Table 1). "Special status species" includes those that are listed as "threatened" or "endangered" and are afforded legal protection under either (or both) the California and U.S. Endangered Species Acts (ESAs), as well as species that lack legal protection under the ESAs but have been characterized as "sensitive" by state resource agencies or organizations (such as the California Native Plant Society) with acknowledged expertise.

The project is located in an area that is a known habitat for the Swainson's hawk. The county participates in the Yolo County Joint Powers Agency, which requires mitigation for every acre of Swainson's hawk habitat land that is developed. The project would be required to pay a fee of \$8,660 per acre. The fees are used to purchase conservation easements on habitat lands used by the hawk.

The project area has been identified as an area of critical habitat for three of the five special status species as indicated in the table below.

**TABLE 1
SPECIAL STATUS SPECIES**

Species	Status/Critical Habitat?
<u>Fish</u> Sacramento River winter-run Chinook salmon ESU (<i>Oncorhynchus tshawytscha</i>)	Endangered/Yes
Central Valley spring-run Chinook salmon ESU (<i>O. tshawytscha</i>)	Threatened/Yes
Central Valley Steelhead DPS (<i>O. mykiss</i>)	Threatened/Yes
Southern DPS of North American green sturgeon (<i>Acipenser medirostris</i>)	Threatened/No
Central Valley fall-/late fall-run Chinook salmon ESU (<i>O. tshawytscha</i>)	Threatened/No

Source: *Biological and Essential Fish Habitat Assessment for the Elkhorn Marina Project*, Jones & Stokes, November 2007

Abbreviations Key:

ESU = Evolutionary Significant Units
DPS = Distinct Population Segments

Additional reconnaissance level assessment of upland biological resources (July 2008) was conducted on May 30, 2008. This assessment concluded that two species, valley elderberry longhorn beetle and Swainson's hawk have a high potential to occur onsite. An elderberry shrub that was identified along the border of parcel of 057-210-18 represents potential habitat for the longhorn beetle. Swainson's hawks were recorded nesting in Parcel 057-210-17 in 2007.

The project has the potential to significantly impact several special status species and/or their critical habitat unless the following mitigation measure is implemented:

Mitigation Measure 2:

Conditions of Approval for the Use Permit shall include:

Fish

- (a) All in-water construction activities in the Sacramento River shall be limited to the period June 1 through October 31 to avoid the primary migration periods of listed salmonids.
- (b) In-water pile driving will be restricted to the period July 1 through September 30 to avoid or minimize exposure of adults and juvenile salmonids to underwater pile driving sounds.
- (c) Pile driving shall be conducted by barge to minimize disturbance of riparian habitat.
- (d) Following construction, native riparian vegetation shall be planted on disturbed or exposed soils to control erosion and offset any losses of vegetation on the waterside slope of the levee.
- (e) The owner/operator shall enforce a no-wake zone for boats operating in and in the vicinity of the marina through the posting of signs and other mechanisms.

Elderberry Longhorn Beetle

- (f) Prior to issuance of a grading permit or land disturbance activities on the panel storage area, the observed elderberry shrub shall be identified, mapped, flagged, and be protected by orange temporary fencing for the duration of the project earthmoving activities. Complete avoidance (i.e., no adverse effects) may be assumed when a 30 m (100 ft) (or wider) buffer is established and maintained around elderberry plants containing stems measuring 2.5 cm (1.0 in) or greater in diameter at ground level. In the event that work must proceed in areas where encroachment on the 30 m (100 ft) buffer has been approved by the USFWS, a minimum setback of at least 6 m (20 ft) from the dripline of each elderberry plant shall be provided.

Raptors

- (g) Prior to any site preparation or construction activity, the applicant shall protect raptor nesting habitat as described in this mitigation measure. All surveys shall be submitted to the Yolo County Planning, Resources and Public Works Department for review.
- (h) For construction that will occur between March 15 and September 15 of any given year, the applicant shall conduct a minimum of two preconstruction surveys for (a) suitable nesting habitat within one-half mile of the project site for Swainson's hawk; and (b) within 500 feet of the project site for tree-nesting raptors and northern harriers. Surveys shall be conducted by a qualified biologist and will conform to the Swainson's Hawk Technical Advisory Committee (2000) guidelines. These guidelines describe the minimum number and timing of surveys. If nesting raptors are detected during preconstruction surveys, the applicant shall implement mitigation measures described in (k), below.
- (i) If nesting raptors are recorded within their respective buffers, the applicant shall adhere to the following buffers:
 - (1) Maintain a 1/4-mile buffer around Swainson's hawk nests, and a 500-foot buffer around other active raptor nests. These buffers may be reduced in consultation with CDFG; however, no construction activities shall be permitted within these buffers except as described in (2), below.
 - (2) Depending on conditions specific to each nest, and the relative location and rate of construction activities, it may be feasible for construction to occur as planned within the buffer without impacting the breeding effort. In this case (to be determined in consultation with CDFG), the nest(s) shall be monitored by a qualified biologist during construction within the buffer. If, in the professional opinion of the monitor, the project would impact the nest, the biologist shall immediately inform the construction manager and CDFG. The construction manager shall stop construction activities within the buffer until either the nest is no longer active or the project receives approval to continue from CDFG.

- e) *Less than Significant Impact.* The project does not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

- f) *No Impact.* The updated plan would not conflict with the provisions of any adopted Habitat Conservation Plan (HCP), Natural Community Conservation Plan (NCCP), or other approved local, regional, or state habitat conservation plan.

V. CULTURAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion of Impacts

- a) *No impact.* The project site is not known to have any historical significant or significant characteristics as defined by the criteria within the CEQA Guidelines. The project site is currently vacant and has no structures of any kind.
- b) *No Impact.* The project site is not known to include any archaeologically significant characteristics as defined by the criteria in the CEQA Guidelines.
- c) *No impact.* No paleontological resources are known or suspected and no unique geologic features exist on the project site.
- d) *Less than Significant Impact.* No human remains are known or predicted to exist in the project area. However, the potential exists during construction to uncover previously unidentified resources. Section 7050.5 of the California Health and Safety Code states that, when human remains are discovered, no further site disturbance shall occur until the county coroner has determined that the remains are not subject to the provisions of Section 27491 of the Government Code or any other related provisions of law concerning investigation of the circumstances, manner and cause of any death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation, in the manner provided in Section 5097.98 of the Public Resources Code. If the coroner determines that the remains are not subject to his or her authority and the remains are recognized to be those of a Native American, the coroner shall contact the Native American Heritage Commission within 24 hours.

VI. GEOLOGY AND SOILS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known Fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| b) Expose people or structures to potential substantial adverse effects including the risk of loss injury, or death involving strong seismic ground shaking? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Expose people or structures to potential substantial adverse effects including the risk of loss injury, or death involving seismic-related ground failure, including liquefaction? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Expose people or structures to potential substantial adverse effects including the risk of loss, injury, or death involving landslides? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Result in substantial soil erosion or the loss of topsoil? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) Be located on a geologic unit or soil that is unstable or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| g) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| h) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion of Impacts

- a) *Less than Significant Impact.* The project site can be expected to experience moderate to strong ground shaking during future seismic events along major active faults throughout Northern California or on smaller active faults located in the project vicinity. However, the project will comply with all applicable Uniform Building Code requirements, in order to obtain Building Permit approval from the Yolo County Planning and Public Works Department.
- b) *Less than Significant Impact.* See response to (a), above. Any major earthquake damage on the project site is likely to occur from ground shaking and seismically related ground and structural failures. Local soil conditions, such as soil strength, thickness, density, water content, and firmness of underlying bedrock affect seismic response. Seismically induced shaking and some damage should be expected to occur during an event but damage should be no more severe in the project area than elsewhere in the region. Framed construction on proper foundations constructed in accordance with Uniform Building Code requirements is generally flexible enough to sustain only minor structural damage from ground shaking. Therefore, people and structures would not be exposed to potential substantial adverse effects involving strong seismic ground shaking.
- c) *Less than Significant Impact.* Geologic hazard impacts that are associated with expansive soils include long-term-differential settlement and cracking of foundations, disruption and cracking of paved surfaces, underground utilities, canals, and pipelines. However, County records show that the project is located on soils rated "normal" or non-expansive.
- d) *No impact.* The project site is relatively level and approval of the project would not expose people or structures to potential landslides.
- e) *Less Than Significant Impact.* The project will induce the construction of a number of new buildings including six boat storage buildings, an administration office, a harbormaster building and the paving of two parking areas. Existing Yolo County regulations require a Storm Water Pollution Prevention Plan be obtained before any grading can occur and requires the use of soil erosion control techniques which in turn would reduce the possibility of any significant soil erosion from occurring.

- f) *Less Than Significant Impact.* See comments in VI (a-d) above.
- g) *Less Than Significant Impact.* See comments in VI (c) above. County records show that the soils upon which the project is located are rated "normal" or non-expansive.
- h) *Less Than Significant Impact.* The project will be served by a septic system to be constructed on-site. The septic system will be permitted through Yolo County Environmental Health and will need to meet all the requirements of the Yolo County Health Code.

VII. HAZARDS AND HAZARDOUS MATERIALS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working within the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

- a) *Less than Significant Impact.* A number of substances considered hazardous which are used in the cleaning and maintenance of boats could be used and stored on the site. A condition of approval requires that the applicants meet all the requirements of a Hazardous Materials Business Plan, including safe use, storage, and disposal of all hazardous material, as administered by Yolo County Hazardous Materials Division. The project does not include refueling facilities; nor there will be storage of fuel on the site. The total volume of hazardous materials is expected to be low, and therefore less than significant.
- b) *Less than Significant Impact.* Construction of the boating facility will involve the use of heavy equipment, which uses small amounts of oils and fuels and other potentially flammable substances

typically associated with such activities. The proposed project would not, however, result in a significant risk of explosion or accidental release of hazardous substances and is, therefore, considered to have a less than significant impact. See (a), above.

- c) *No impact.* The project is not located within a quarter mile of a school.
- d) *No impact.* The project is not located on a site that is included on a list of hazardous materials sites compiled by the Yolo County Environmental Health Department-Hazardous Waste Site Files pursuant to Government Code 65962.5. The proposed project would not expose people to known existing sources of potential health hazards.
- e) *Less than Significant Impact.* The project is located approximately 1.5 miles due west of the Sacramento International Airport. However, take-offs and landings from Sacramento International run north-south and the project is not within the runway clearance zones established to protect the adjoining land uses in the vicinity from noise and safety hazards associated with aviation accidents.
- f) *No impact.* The project site is not located within the vicinity of a private airstrip.
- g) *No impact.* The project would not interfere with any adopted emergency response or evacuation plans.
- h) *No impact.* The project site is not located in a wildland area and, therefore, would not be at risk from wildland fires.

VIII. HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Significantly deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h) Place within a 100-year flood hazard area structures, which would impede or redirect flood flows?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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| i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| j) Inundation by seiche, tsunami, or mudflow? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion of Impacts

a) c) e) f) *Less than Significant Impact With Mitigation Incorporated.* The project site does not have access to any existing or proposed storm water drainage systems. Implementation of the proposed project will result in modified drainage patterns to accommodate new construction and paving, potentially increasing the flow of stormwater off-site, including into the Sacramento River. Such stormwater flow has the potential of conveying contaminants and affecting water quality. The project has the potential to significantly impact water quality unless the following mitigation measure are implemented:

Mitigation Measure 3

- (a) *As a Condition of Approval of the use permit, the applicant shall obtain a General Construction Activity Stormwater Permit (SWPPP) and a National Discharge Elimination System (NPDES) permit. The permits are required to control both construction and operational activities that may adversely affect water quality.*
- (b) *The applicant shall utilize Best Management Practices (BMPs) to prevent pollution from entering the Sacramento River. Such BMPs should include, but no be limited to:*
 - i. *Storing materials and equipment to prevent spills or leaks.*
 - ii. *Developing and implementing a spill prevention and cleanup plan*
 - iii. *Installing traps, filter, or other devices to prevent contaminants from leaving the site and entering the Sacramento River; and using barriers, such as strawbales or plastic, to minimize the amount of uncontrolled runoff that could exit the site.*
- (c) *The applicant shall submit a grading and drainage plan for the site for review and approval of County Public Works.*

b) *Less than Significant Impact.* The project will be served thought with an on-site well. There is an existing well on the property and a new well may need to be constructed to serve increased need. The amount of domestic water use would not exceed the recharge capacity of the agricultural land. The domestic well will operate under permit form Yolo County Environmental Health and meet all the requirements of County and State Health Codes.

g, h) *Less Than Significant With Mitigation Incorporated.* Large portions of the project site are located within the 100-year floodplain, as designated by the Federal Emergency Management Agency. A smaller section of property is located in the 500-year floodplain.

Mitigation Measure 4

(a) As a Condition of Approval of the use permit, the applicant shall be required to either raise all proposed buildings out of the 100-year flood hazard area by elevating the pads of the buildings so that the finished flood elevations would be one foot above the base flood elevations or to construct the buildings to dry-proofing standards as required by the California Building Code and Federal Emergency Management Agency standards.

i) *Less Than Significant Impact.* The project site is not located immediately down stream of a dam, but is located down stream from the Shasta dam, which could expose individuals to risk from flooding. However the likelihood of such a dam failure should be considered highly unlikely, and is less than significant in its impact.

- j) *Less Than Significant Impact.* While at least theoretically possible, the Sacramento River is generally not considered a sufficiently large body of water to pose a significant seiche or tsunami hazard. In addition, the project site is relatively flat and is not located near any physical or geologic features that would produce a mudflow hazard.

IX. LAND USE AND PLANNING

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

- a) *No impact.* The project is located in a rural setting, not in or near any establish community.
- b) *No impact.* The project is consistent with the Yolo County General Plan, and with Yolo County zoning requirements for a conditional use.
- c) *No Impact.* The County does not have an adopted HCP or NCCP. As a result, the project would not conflict with any applicable habitat conservation plan or natural community conservation plan, nor would it conflict with the Yolo County Draft Natural Community Conservation Plan.

X. MINERAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

- a) *No Impact.* The project site is not designated as an area of significant aggregate deposits, as classified by the State Department of Mines and Geology.
- b) *No Impact.* See above response to X (a).

XI. NOISE

Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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| a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Exposure of persons to or generation of excessive groundborne vibration noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion of Impacts

- a) *Less than Significant Impact.* No persons as a result of the proposed project would be located near any significant sources of noise generation and would not be exposed to levels in excess of any standards established in the Yolo General Plan. Noise levels experienced by employees and customers would be consistent with the standards for rural areas found in the Yolo County General Plan.
- b) *Less than Significant Impact.* Potential ground borne vibration may occur during construction of the project, including pile driving 210 support structures. However, since there are no nearby sensitive receptors, this is not expected to be significant and would be short term in nature.
- c) *Less than Significant Impact.* The project will result in a slight increase in ambient noises from the operation of boats and increased car traffic to the site. However, existing sources of noise for the area include an existing boat dock to the east, and traffic along the I-5 corridor. Given the existing sources of ambient noise the impact of the project is anticipated to be less than significant.
- d) *Less than Significant Impact.* Construction could involve the use of trucks and equipment that create noise. See comments from section (a) and (b) for comments concerning construction noise. Temporary and periodic impacts related to construction noise are expected to be less than significant.
- e) *Less than Significant Impact.* The project is located approximately 1.5 miles due west of the Sacramento International Airport. However, take-offs and landings from Sacramento International run north-south and the project is not within the runway clearance zones established to protect the adjoining land uses in the vicinity from noise and safety hazards associated with aviation accidents.
- f) *No Impact.* The project site is not located near a private airstrip and would not be exposed to noise from any private airstrip.

XII. POPULATION

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Induce substantial population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through the extension of roads or other infrastructure)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion of Impacts

- a) *No Impact.* No housing is including in this project. The marina does not include facilities for houseboats or "live aboard" units and will not serve such vessels. The project does not involve the extension of roads or other infrastructure that could induce population growth. The abandonment of a small portion of right-of-way is included in the project. Existing roads will serve the project.
- b) *No Impact.* Construction of the proposed project would not displace any existing housing.
- d) *No Impact.* Construction of the project would not displace any people.

XIII. PUBLIC SERVICES

Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service rations, response time or other performance objectives for any of the public services:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

- a) *Less than Significant Impact.* The Elkhorn Fire District provides primary service to the project site. The project would not trigger the need for increase in fire fighting capacity. All new construction will be required to pay for their fair share amount of the fire protection equipment and facilities needed to provide adequate service through development fees.
- b) *Less than Significant Impact.* The proposed project would not significantly impact police services provided by the Yolo County Sheriff's Department. All new construction will be required to pay property taxes for sheriff's protection.
- c) *No Impact.* No housing is including in this project and thus have no impact on existing school facilities.
- d) *Less than Significant Impact.* The project does not include boat launch facilities and will induce additional demand for such facilities. Boat launch facilities currently exist at the marina on the

Sacramento County side of the river, at a public facility located in Knights Landing and at the Elkhorn Regional Park. These existing facilities should be capable of meeting the increased demand for boat launching facilities.

e) *No Impact.* All other service providers have been provided an opportunity to comment on the proposed project. No potentially significant impact has been identified by any service providers.

XIV. RECREATION

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have been an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion of Impacts

- a) *No Impact.* There should be little if any impact on existing park facilities. The project will provide an increase in recreation facilities to existing residents of the area and the region.
- b) *Less than Significant Impact.* The project is the construction and operation of a recreational facility, namely a marina to be used for recreational boating. The impacts to the environment due to this project are identified and where appropriate, mitigated for throughout the other sections of this document.

XV. TRANSPORTATION/TRAFFIC

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase on either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

a) b) *Less than Significant.* According to traffic studies found in *Trip Generation*, Institute of Transportation Engineers (1991) a marina can be expected to generate an average of 3.48 vehicle trips per day per berth. With 62 slips planned, the project would generate approximately 216 vehicle trips per day. This increase would add approximately 22 morning and evening peak hour trips to the region's transportation network. County Roads 117 and 22 currently serve very limited development in the rural area and have very low existing traffic levels. This increase would not significantly affect volume to capacity ratios and would be considered less than significant.

The project has the potential to affect traffic on the Sacramento River. The marina will extend 170 feet into the river. The existing marina on the eastern shore extends approximately 140 feet into the river. The navigable space between the two marinas is approximately 185 feet. This distance should allow for the continued flow of boat traffic and result in a less than significant impact.

c) *No Impact.* The project would not result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks.

d) *Less than Significant Impact With Mitigation Incorporated.* Driveways from the boat storage area and marina will be connected to County Road 117. A rail line cuts between the two parcels upon which the project is located and a railroad crossing is located on CR 117 between the two driveways. The presence of multiple connections and crossings of CR 117 in a limited stretch of roadway is a design feature that could create a potentially significant impact unless mitigated:

Mitigation Measure 5

As a condition of approval of the use permit, prior to the start of marina operation, the applicant shall install signage, as approved by the Department of Planning and Public Works, to warn the traveling public of the following:

- *Slow Traffic Ahead*
- *Cross Traffic Ahead*
- *Do not Block Railroad*

e) *Less than Significant Impact.* The project would be required to install paved driveway connections to County Road 117 and to comply with the requirements of the Elkhorn Fire District and the County Planning and Public Works Department for driveway design. With these improvements the project would not result in inadequate emergency access.

f) *Less than Significant Impact.* The project would be required to meet standard parking requirements established in the Yolo County Zoning Code. On-site parking sufficient to serve both employees and customers of the project is included in the project site plan. Parking facilities for vehicles towing boats will also be provided. Therefore, approval of the project would ensure adequate parking supply.

g) *No Impact.* The project would not conflict with adopted policies, plans, or programs supporting alternative transportation. There is no transit to the site.

XVI. UTILITIES AND SERVICE SYSTEMS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

construction of which could cause significant environmental effects?

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| g) Comply with federal, state, and local statutes and regulations related to solid waste. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion of Impacts

- a) *No Impact.* The facility will be served by a self-contained septic system established for domestic wastewater purposes. The Yolo County Environmental Health Department regulates the design and monitoring of septic systems.
- b) *Less than Significant Impact.* The project will be served with an on-site well. There is an existing well on the property and a new well may need to be constructed to serve increased need. Wastewater will be disposed of through a domestic septic system. The project is not located in an area served by an existing water or sewer system.
- c) *Less than Significant Impact.* The project is not connected to any existing stormwater system. Implementation of the proposed project will result in modified drainage patterns to accommodate new construction and paving. These impacts are discussed in section VIII above and **Mitigation Measure 3**.
- d) *Less than Significant Impact.* Domestic water supplies will be available in the project area with an on-site well. No expanded water supply entitlements will be required apart from existing rights to groundwater.
- e) *No Impact.* The project is not located in an area served by a wastewater treatment provider. The project will be served by a septic system, and will be required to meet all relevant regulations and requirements from Yolo County Environmental Health for the operation of such a system.
- f) *Less than Significant Impact.* The existing Yolo County landfill would adequately accommodate the additional development; therefore, the project would not significantly impact the disposal capacity of the landfill.
- g) *No Impact.* The project would be required to comply with all solid waste regulations as implemented and enforced by the County of Yolo.

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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XVII. MANDATORY FINDINGS 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?
- b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probably future projects)?
- c) Does the project have environment effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Discussion of Impacts

- a) *Less Than Significant Impact.* Based on the analysis and mitigation provided in this Initial Study, potential environmental impacts of the proposed project would be less than significant. No important examples of major periods of California history or prehistory in California were identified. Mitigation measures have been recommended to reduce any potential impacts to the habitat and/or range of the identified special status species.
- b) *Less than Significant Impact.* Based on the analysis and mitigation provided in this Initial Study, potential environmental impacts of the project would be less than significant. Mitigation measures have been recommended to reduce potential impacts related to traffic, aesthetics, biology, and hydrology (flooding) to below the significance threshold.
- c) *Less Than Significant Impact.* Based on the analysis provided in this Initial Study, less than significant impacts to human beings would result from the proposed project. The project as proposed would not have substantial adverse effects on human beings, either directly or indirectly.

REFERENCES

Application materials, including site plans, architectural drawing, and written project description.

California Department of Fish and Game, Staff report regarding mitigation impacts to Swainson's hawks in the Central Valley of California, 1994.

Institute of Transportation Engineers, Trip Generation, 1991

Jones & Stokes Biological and Essential Fish Habitat Assessment for the Elkhorn Marina Project
November 2007

Jones & Stokes Results of the Reconnaissance Level Assessment of Upland Biological Resources July 2008

Yolo County, Yolo County Code

Yolo County, 1983 Yolo County General Plan.

Yolo-Solano Regional Air Quality Management District, CEQA Air Quality Handbook, 2007.

MITIGATION MONITORING AND REPORTING PROGRAM ZONE FILE #2007 - 049

August 2008

INTRODUCTION

The California Environmental Quality Act requires public agencies to report on and monitor measures adopted as part of the environmental review process (Public Resources Code Section 21081.6). This Mitigation Monitoring Program (MMP) is designed to ensure that the measures identified in the Mitigated Negative Declaration are fully implemented. The MMP describes the actions that must take place, the timing of the actions, who is responsible for implementation, and the agency responsible for enforcing the action.

The County is responsible for implementing this MMP. The Planning and Public Works Department shall be assigned as the chief monitor and shall assign monitoring actions to responsible agencies. The Planning and Public Works Department shall also track the process of each action.

As required by Section 21081.6 of the Public Resources Code, the Planning and Public Works Department is the "custodian of documents and other materials" which constitute the "record of proceedings" upon which a decision to approve the project was based. Inquiries should be directed to: Yolo County Planning and Public Works Department 292 West Beamer Street Woodland, CA. 95695, (530) 666-8775

The MMP contains the following information:

- The potential environmental impact;
- The mitigation measures;
- The level of significance after mitigation;
- County department responsible for compliance;
- Method of compliance;
- Enforcement in case of noncompliance; and
- A column for the monitor to initial and date when compliance is mitigation is completed.

Attachment D

Mitigation Monitoring Program for ZF #2007 - 044

Potential Environmental Impact	Mitigation Measure(s)	Level of Impact Following Mitigation	Responsibility for Compliance	Method of Compliance	Enforcement if Non-Compliance	Date / Initials
AESTHETICS						
Aesthetics	<p>Existing visual character</p> <p>The following measures are required to reduce potential adverse impacts to the existing visual character in the project study area (PSA):</p> <p>Mitigation Measure 1</p> <p>(a) A condition of the Use Permit shall require the owner-operator to ensure that all boats docked at the marina shall be kept in good working order and repair. Non-operative or abandoned craft shall not be allowed to remain in dock. All boats, buildings, and structures shall be kept clean and free from graffiti, trash and visual clutter. All trash enclosures and storage areas will be screened from the viewing public.</p> <p>(b) Prior to issuance of building permits, the applicant shall submit a detailed landscaping and irrigation plan for the project site to be approved by the Planning and Public Works Director. A variety of native plants, shrubs and grasses shall be used to enhance the visual character of the site and to visually integrate the project into the surrounding area.</p>	Less Than Significant	Planning Division	<p>Planning Division to verify proper screening for trash enclosures and storage areas upon submittal of building plans.</p> <p>Planning Division to review landscaping plans to ensure compliance.</p> <p>Ongoing monitoring of the site.</p>	<p>Building permits will not be issued if landscaping plan does not meet approval.</p>	
Biology	<p>Mitigation Measure 2:</p> <p><u>Fish</u></p> <p>(a) All in-water construction activities in the Sacramento River shall be limited to the period June 1 through October 31 to avoid the primary migration periods of listed salmonids.</p>	Less Than Significant	Planning Division	<p>Require measures as a condition of approval.</p> <p>Require pre-construction surveys prior</p>	<p>Non-issuance of permits, Halt construction.</p>	

Mitigation Monitoring Program for ZF #2007 - 044

Potential Environmental Impact	Mitigation Measure(s)	Level of Impact Following Mitigation	Responsibility for Compliance	Method of Compliance	Enforcement if Non-Compliance	Date / Initials
	<p>(b) In-water pile driving will be restricted to the period July 1 through September 30 to avoid or minimize exposure of adults and juvenile salmonids to underwater pile driving sounds.</p> <p>(c) Pile driving shall be conducted by barge to minimize disturbance of riparian habitat.</p> <p>(d) Following construction, native riparian vegetation shall be planted on disturbed or exposed soils to control erosion and offset any losses of vegetation on the waterside slope of the levee.</p> <p>(e) The owner/operator shall enforce a no-wake zone for boats operating in and in the vicinity of the marina through the posting of signs and other mechanisms.</p> <p>Elderberry Longhorn Beetle</p> <p>(f) Prior to issuance of a grading permit or land disturbance activities on the panel storage area, the observed elderberry shrub shall be identified, mapped, flagged, and be protected by orange temporary fencing for the duration of the project earthmoving activities. Complete avoidance (i.e., no adverse effects) may be assumed when a 30 m (100 ft) (or wider) buffer is established and maintained around elderberry plants containing stems measuring 2.5 cm (1.0 in) or greater in diameter at ground level. In the event that work must proceed in areas where encroachment on the 30 m (100 ft) buffer has been announced</p>			<p>surveys prior to grading. Ongoing monitoring during construction.</p>		

Mitigation Monitoring Program for ZF #2007 - 044

Potential Environmental Impact	Mitigation Measure(s)	Level of Impact Following Mitigation	Responsibility for Compliance	Method of Compliance	Enforcement if Non-Compliance	Date / Initials
	<p>by the USFWS, a minimum setback of at least 6 m (20 ft) from the dripline of each elderberry plant shall be provided.</p> <p><u>Raptors</u></p> <p>(g) Prior to any site preparation or construction activity, the applicant shall protect raptor nesting habitat as described in this mitigation measure. All surveys shall be submitted to the Yolo County Planning, Resources and Public Works Department for review.</p> <p>(h) For construction that will occur between March 15 and September 15 of any given year, the applicant shall conduct a minimum of two preconstruction surveys for (a) suitable nesting habitat within one-half mile of the project site for Swainson's hawk; and (b) within 500 feet of the project site for tree-nesting raptors and northern harriers. Surveys shall be conducted by a qualified biologist and will conform to the Swainson's Hawk Technical Advisory Committee (2000) guidelines. These guidelines describe the minimum number and timing of surveys. If nesting raptors are detected during preconstruction surveys, the applicant shall implement mitigation measures described in (k), below.</p> <p>(i) If nesting raptors are recorded within their respective buffers, the applicant shall adhere to the following buffers:</p> <p>(1) Maintain a 1/4-mile buffer</p>					

Mitigation Monitoring Program for ZF #2007 - 044

Potential Environmental Impact	Mitigation Measure(s)	Level of Impact Following Mitigation	Responsibility for Compliance	Method of Compliance	Enforcement if Non-Compliance	Date / Initials
	<p>around Swainson's hawk nests, and a 500-foot buffer around other active raptor nests. These buffers may be reduced in consultation with CDFG; however, no construction activities shall be permitted within these buffers except as described in (2), below.</p> <p>(2) Depending on conditions specific to each nest, and the relative location and rate of construction activities, it may be feasible for construction to occur as planned within the buffer without impacting the breeding effort. In this case (to be determined in consultation with CDFG), the nest(s) shall be monitored by a qualified biologist during construction within the buffer. If, in the professional opinion of the monitor, the project would impact the nest, the biologist shall immediately inform the construction manager and CDFG. The construction manager shall stop construction activities within the buffer until either the nest is no longer active or the project receives approval to continue from CDFG.</p>					
Special Status Species	<p>Mitigation Measure 3:</p> <p>(a) As a condition of approval, the applicant shall be required to either raise all proposed buildings out of the 100-year flood hazard area by elevating the pads of the buildings so that the finished floor elevations would be one foot above the base flood elevation or to construct the buildings to dry-proofing standards as required by the California Building Code and Federal Emergency Management Agency standards.</p>	Less Than Significant	Building Division	Review construction plan to certify that they include either a elevation certificate that shows the buildings are elevated to a	Building permits will not be issued if measures do not meet approval.	

Mitigation Monitoring Program for ZF #2007 - 044

Potential Environmental Impact	Mitigation Measure(s)	Level of Impact Following Mitigation	Responsibility for Compliance	Method of Compliance	Enforcement if Non-Compliance	Date / Initials
				proper elevation or that dry-proofing standards are meet in building design.		
Native Trees	<p>Mitigation Measure 4:</p> <p>(a) As a Condition of Approval of the use permit, the applicant shall obtain a General Construction Activity Stormwater Permit (SWPPP) and a National Discharge Elimination System (NPDES) permit. The permits are required to control both construction and operational activities that may adversely affect water quality.</p> <p>(b) The applicant shall utilize Best Management Practices (BMPs) to prevent pollution from entering the Sacramento River. Such BMPs should include, but no be limited to:</p> <ul style="list-style-type: none"> i. Storing materials and equipment to prevent spills or leaks. ii. Developing and implementing a spill prevention and cleanup plan iii. Installing traps, filter, or other devices to prevent contaminants from leaving the site and entering the Sacramento River, and using barriers, such as straw bales or plastic, to minimize the 	Less Than Significant	Engineering Division	Engineering Division shall review and approve the SWPPP and BMPs, and drainage plan prior to issuance of any permits.	Grading permits shall not be issued. Construction halted.	

Mitigation Monitoring Program for ZF #2007 - 044

Potential Environmental Impact	Mitigation Measure(s)	Level of Impact Following Mitigation	Responsibility for Compliance	Method of Compliance	Enforcement if Non-Compliance	Date / Initials
	<p><i>amount of uncontrolled runoff that could exit the site.</i></p> <p><i>(c) The applicant shall submit a grading and drainage plan for the site for review and approval of County Public Works.</i></p>					
<p>Cultural Resources</p> <p>Archeological Resources</p>	<p>Mitigation Measure 5:</p> <p><i>(a) As a Condition of Approval, prior to the start of marina operation, the applicant shall install signage, as approved by the Department of Planning and Public Works, to warn the traveling public of the following:</i></p> <ul style="list-style-type: none"> • <i>Slow Traffic Ahead</i> • <i>Cross Traffic Ahead</i> • <i>Do not Block Railroad</i> 	<p>Less Than Significant</p>	<p>Engineering Division</p>	<p>Engineering Division shall ensure that plans meet all applicable County standards for road signage.</p>	<p>Non-issuance of permits.</p>	

**FINDINGS
ELKHORN MARINA USE PERMIT
(ZF #2007-049)**

Upon due consideration of the facts presented in this staff report and at the public hearing for Zone File #2007-049, the Yolo County Planning Commission finds the following:

(A summary of evidence to support each FINDING is shown in Italics.)

California Environmental Quality Act (CEQA) and Guidelines

1. That the recommended Initial Study/Mitigated Negative Declaration was prepared in accordance with the California Environmental Quality Act (CEQA) and is the appropriate environmental document and level of review for this project.

The environmental document for the project, prepared pursuant to Section 15000 et. seq. of the CEQA Guidelines, provides the necessary proportionate level of analysis for the proposed project, and sufficient information to reasonably ascertain the project's potential environmental effects. The environmental review process has concluded that there will not be a significant effect on the environment as a result of the proposed project with the incorporated mitigation measures.

General Plan

2. That the proposal and requested land use is in conformity with the General Plan.

The following General Plan Policies are consistent with this project.

Con 23 Sacramento River and Putah Creek. Yolo County shall encourage additional use of Sacramento River and Putah Creek Water.

Rec 6 Riverfront. Development of riverfront recreation areas shall offer recreational facilities, visual aesthetics and open space amenities, while insuring access to the river for all residents.

Rec 7 Urban Waterfront Land Uses. Yolo County shall require that a portion of urban waterfront, other than the Port of Sacramento and existing industrial uses, should be used for water-dependent activities including, but not limited to, recreation, tourism, scenic public walkways, waterview restaurants, marinas, fishing access, small waterfront parks, and interpretation projects with retained and enhanced riparian vegetation.

The project will provide increased riverfront recreation facilities in the form of both a marina and boat storage. This project will provide increased recreational actives and shall encourage additional use of the Sacramento River for recreational purposes.

Attachment E

Zoning Code

In accordance with Section 8-2.404.5 of the Yolo County Code, the Planning Commission finds the following:

3. The requested land use is listed as a conditional use in the zoning regulations and is allowed under the following authorization:

The property is zoned Agricultural General (A-1). The proposed new uses are consistent with the A-1 designation under Section 8-2.604.4. Rural recreation with permanent buildings is listed as a conditional use. "Rural Recreation" is defined as outdoor sporting or leisure activities that require large open space areas and do not have any significant detrimental impact on agricultural use of lands.

Use Permit

In accordance with Section 8-2.2804 of the Yolo County Code, the Planning Commission finds the following:

4. The requested use is essential or desirable to the public comfort and convenience.

The proposed new use provides a valuable recreational service to the public. It is desirable for uses of this type to be located in a rural area to take advantage of an existing waterway.

5. The requested land uses will not impair the integrity or character of a neighborhood or be detrimental to public health, safety, or general welfare.

The requested uses will create little or no impact to the character of the area. An existing marina exists in close proximity to the proposed project. The proposed project is consistent with similar development found along the Sacramento River. As conditioned, the project will not be detrimental to public health, safety, or general welfare.

6. The requested use will be in conformity with the General Plan.

Compatibility with General Plan Policies is discussed at #2 above. This project is in conformity with General Plan policies Con 23, Rec 6 and Rec 7.

7. Adequate utilities, access roads, drainage, sanitation, and/or other necessary facilities will be provided.

As conditioned and with mitigation measures incorporated, adequate utilities, access roads, drainage, sanitation, and/or other necessary facilities will be provided in this project as approved.

**CONDITIONS OF APPROVAL
ZF2007-049**

Elkhorn Marina

Planning

1. The applicant shall be responsible for all costs associated with implementing the Conditions of Approval contained herein. The applicant shall comply with both the spirit and the intent of all applicable requirements of the Yolo County General Plan, the County Code, and these Conditions of Approval.
2. The subject project shall be only for the uses approved by this Use Permit. The project is approved for a commercial marina as described in the Project Description sections of this report. Any modification to the approved plans, extent, or manner of operation of the facility shall be submitted for review and approval to the Director of the Planning and Public Works Department.
3. This Use Permit shall commence within one year from the date of the Planning Commission's approval or said permit shall be null and void. The Director of Planning and Public Works may grant an extension of time; however, such an extension shall not exceed a maximum of one year.
4. The facility will not include refueling facilities. No "live aboard" vessels will be allowed. If the owner/applicant wishes to add refueling, boat ramp, or live aboard facilities to this project, they shall make an application to amend this Use Permit subject to review by the Planning and Public Works Department, and approval of the Planning Commission.
5. Any proposed sign for the marina shall comply with the requirements of the Yolo County sign regulations (Section 8-2.2406 of the County Code).
6. Any lighting used on the site shall be so arranged as to direct light away from adjoining lots and the night sky.
7. The applicant shall apply for and maintain a Yolo County Business License prior to commencement of the marina operations.
8. Prior to commencement of marina operations, the applicant shall obtain approval for the associated road abandonment. (ZF 2007-050)

Resources

9. Clients of the marina who utilize County boat launch facilities shall obtain individual boat launch permits.

Attachment F

Public Works

10. County encroachment permits will be required for all work within the County right-of-way.
11. Paved commercial driveway access shall be constructed and completed by the applicant according to Yolo County Improvement Standards, prior to final occupancy.
12. The applicant shall submit a grading and drainage plan for each site for review by the county. Applicant shall submit hydrology calculations that demonstrate that there will be no negative downstream impacts during a 10-year event. All plans and reports shall be signed and sealed by a licensed California civil engineer.
13. Prior to issuance of grading permits, the applicant shall obtain a General Construction Activity Stormwater Permit and a National Pollutant Discharge Elimination System (NPDES) permit from the Regional Water Quality Control Board. The permits are required to control both construction and operation activities that may adversely affect water quality. The applicant shall also prepare a Storm Water Pollution Prevention Plan (SWPPP) that describes the site, erosion and sediment controls, means of waste disposal, implementation of approved local plans, control of post-construction sediment and erosion control measures and maintenance responsibilities, and non-stormwater management controls.
14. The applicant shall coordinate with Regional Water Quality Control Board (RWQCB) to determine storm water discharge requirements for preventing contaminants from leaving the site and entering the Sacramento River, and if an Industrial SWPPP is required for each site. The applicant shall document the RWQCB's direction, and notify the county of their determinations prior to submittal of the drainage plans.
15. The applicant shall submit a signage and striping plan for review by the county. Plan shall be signed and sealed by a licensed California civil engineer.
16. The applicant shall determine if any other safety measures are required by the governing railroad authority for the rail line between the marina and the boat storage facility.

Building

17. Unless otherwise authorized by the Planning and Public Works Director, grading, excavation, and trenching activities shall be completed prior to November 1st of each year to prevent erosion.
18. All building permit plans shall be submitted to the Planning and Public Works Department for review and approval in accordance with County Building Standards prior to the commencement of any construction.
19. The applicant shall pay the appropriate fees prior to the issuance of Building Permits, including, but not limited to, School and Fire District fees, County Facilities Fees and Environmental Health Fees.

Environmental Health

20. The water system will likely be classified as a public water system that will be regulated under permit by Yolo County Environmental Health. Monitoring wells should precede the installation of a domestic well and testing to assure that the water quality for the marina is equivalent to that of a community water system. The modification of the existing well or construction of a new domestic well will be required to be done under permit by Yolo County Environmental Health.
21. The features of this parcel may preclude the permitting of a septic system for sewage disposal. **Environmental Health will not approve parcels that do not have a sewage disposal system that meets all applicable requirements for any occupancy.** Prior to issuance of any grading or building permit, an approvable sewage disposal plan should be submitted to and approved by Environmental Health. Liquid waste, other than domestic sewage, must not be disposed of into the septic system.
22. The applicant shall meet all of the Hazardous Materials Business Plan requirements of Yolo County Environmental Health.

State and Federal Agencies

23. Prior to issuance of building permits the applicant shall secure all necessary permits from all relevant agencies, including, but limited to, a Fish and Game, Army Corps of Engineers, Department of Boats and Waterways, and the National Marine Fisheries Service.
24. Prior to issuance of building permits, the applicant shall secure an amended lease agreement with the California State Lands Commission to reflect the increased size of the marina.
24. As this project will have an impact to fish and/or wildlife habitat, assessment of fees under Public Resources Code Section 21089, and as defined by Fish and Game Code Section 711.4, will be necessary. The fees (\$1875.76) are payable by the project applicant upon filing of the Notice of Determination by the lead agency, within five working days of approval of this project by the Planning Commission.

Mitigation Measures

The following Mitigation Measures identified in the first circulation of the Initial Study/Mitigated Negative Declaration for the project are added as project approval conditions (these items have the original numbering in the Initial Study document).

25. Mitigation Measure 1:

(a) A condition of the Use Permit shall require the owner-operator to ensure that all boats docked at the marina shall be kept in good working order and repair. Non-operative or abandoned craft shall not be allowed to remain in dock. All boats, buildings, and structures shall be kept clean and free from graffiti, trash and visual clutter. All trash enclosures and storage areas will be screened from the viewing public.

(b) Prior to issuance of building permits, the applicant shall submit a detailed landscaping and irrigation plan for the project site to be approved by the Planning and Public Works Director. A variety of native plants, shrubs and grasses shall be used to enhance the visual character of the site, and to visually integrate the project into the surrounding area.

26. Mitigation Measure 2:

Fish

- (a) All in-water construction activities in the Sacramento River shall be limited to the period June 1 through October 31 to avoid the primary migration periods of listed salmonids.
- (b) In-water pile driving will be restricted to the period July 1 through September 30 to avoid or minimize exposure of adults and juvenile salmonids to underwater pile driving sounds.
- (c) Pile driving shall be conducted by barge to minimize disturbance of riparian habitat.
- (d) Following construction, native riparian vegetation shall be planted on disturbed or exposed soils to control erosion and offset any losses of vegetation on the waterside slope of the levee.
- (e) The owner/operator shall enforce a no-wake zone for boats operating in and in the vicinity of the marina through the posting of signs and other mechanisms.

Elderberry Longhorn Beetle

(f) Prior to issuance of a grading permit or land disturbance activities on the panel storage area, the observed elderberry shrub shall be identified, mapped, flagged, and be protected by orange temporary fencing for the duration of the project earthmoving activities. Complete avoidance (i.e., no adverse effects) may be assumed when a 30 m (100 ft) (or wider) buffer is established and maintained around elderberry plants containing stems measuring 2.5 cm (1.0 in) or greater in diameter at ground level. In the event that work must proceed in areas where encroachment on the 30 m (100 ft) buffer has been approved by the USFWS, a minimum setback of at least 6 m (20 ft) from the dripline of each elderberry plant shall be provided.

Raptors

- (g) Prior to any site preparation or construction activity, the applicant shall protect raptor nesting habitat as described in this mitigation measure. All surveys shall be submitted to the Yolo County Planning, Resources and Public Works Department for review.
- (h) For construction that will occur between March 15 and September 15 of any given year, the applicant shall conduct a minimum of two preconstruction surveys for (a) suitable nesting habitat within one-half mile of the project site for Swainson's hawk; and (b) within 500 feet of the project site for tree-nesting raptors and northern harriers. Surveys shall be conducted by a qualified biologist and will conform to the Swainson's Hawk Technical Advisory Committee (2000) guidelines. These guidelines describe the minimum number and timing of surveys. If

nesting raptors are detected during preconstruction surveys, the applicant shall implement mitigation measures described in (k), below.

(i) If nesting raptors are recorded within their respective buffers, the applicant shall adhere to the following buffers:

(1) Maintain a 1/4-mile buffer around Swainson's hawk nests, and a 500-foot buffer around other active raptor nests. These buffers may be reduced in consultation with CDFG; however, no construction activities shall be permitted within these buffers except as described in (2), below.

(2) Depending on conditions specific to each nest, and the relative location and rate of construction activities, it may be feasible for construction to occur as planned within the buffer without impacting the breeding effort. In this case (to be determined in consultation with CDFG), the nest(s) shall be monitored by a qualified biologist during construction within the buffer. If, in the professional opinion of the monitor, the project would impact the nest, the biologist shall immediately inform the construction manager and CDFG. The construction manager shall stop construction activities within the buffer until either the nest is no longer active or the project receives approval to continue from CDFG.

27. Mitigation Measure 3:

(a) As a condition of approval, the applicant shall be required to either raise all proposed buildings out of the 100-year flood hazard area by elevating the pads of the buildings so that the finished flood elevations would be one foot above the base flood elevation or to construct the buildings to dry-proofing standards as required by the California Building Code and Federal Emergency Management Agency standards.

28. Mitigation Measure 4:

- (a) As a Condition of Approval of the use permit, the applicant shall obtain a General Construction Activity Stormwater Permit (SWPPP) and a National Discharge Elimination System (NPDES) permit. The permits are required to control both construction and operational activities that may adversely affect water quality.
- (b) The applicant shall utilize Best Management Practices (BMPs) to prevent pollution from entering the Sacramento River. Such BMPs should include, but not be limited to:
- i. Storing materials and equipment to prevent spills or leaks.
 - ii. Developing and implementing a spill prevention and cleanup plan
 - iii. Installing traps, filter, or other devices to prevent contaminants from leaving the site and entering the Sacramento River; and using barriers, such as straw bales or plastic, to minimize the amount of uncontrolled runoff that could exit the site.
- (c) The applicant shall submit a grading and drainage plan for the site for review and approval of County Public Works.

29. Mitigation Measure 5:

(a) As a Condition of Approval, prior to the start of marina operation, the applicant shall install signage, as approved by the Department of Planning and Public Works, to warn the traveling public of the following:

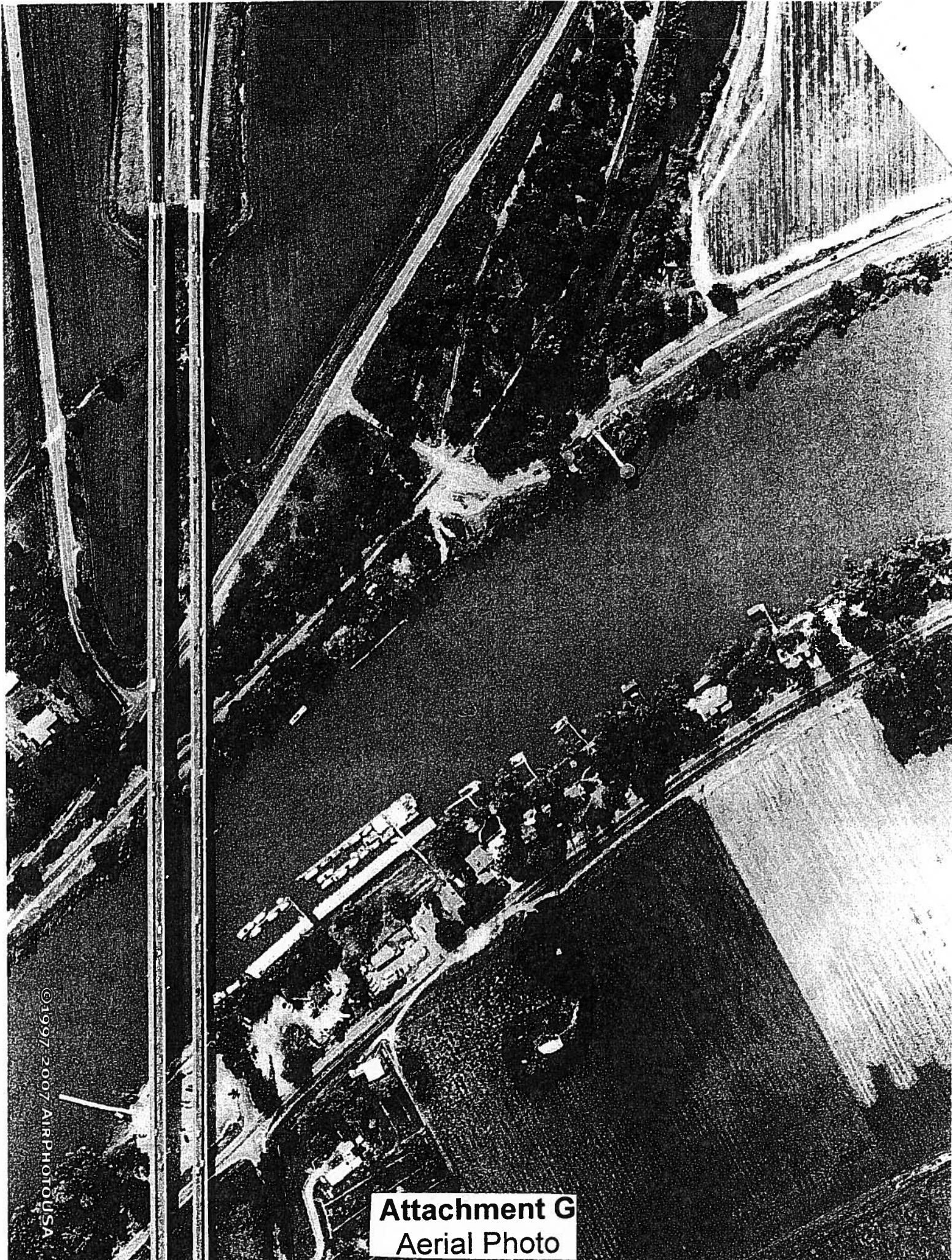
- *Slow Traffic Ahead*
- *Cross Traffic Ahead*
- *Do not Block Railroad*

County Counsel

30. In accordance with Yolo County Code Section 8-2.2415, the applicants, owners, their successors or assignees shall agree to indemnify, defend, and hold harmless the County or its agents, officers and employees from any claim, action, or proceeding (including damage, attorney fees, and court cost awards) against the County or its agents, officers, or employees to attack, set aside, void, or annul an approval of the County, advisory agency, appeal board, or legislative body concerning the permit or entitlement when such action is brought within the applicable statute of limitations.
31. The county shall promptly notify the applicant of any claim, action or proceeding and that the county cooperate fully in the defense. If the county fails to promptly notify the applicant of any claim, action, or proceeding, or the county fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold the county harmless as to the action. The county may require that the applicant post a bond in an amount determined to be sufficient to satisfy the above indemnification and defense obligation.

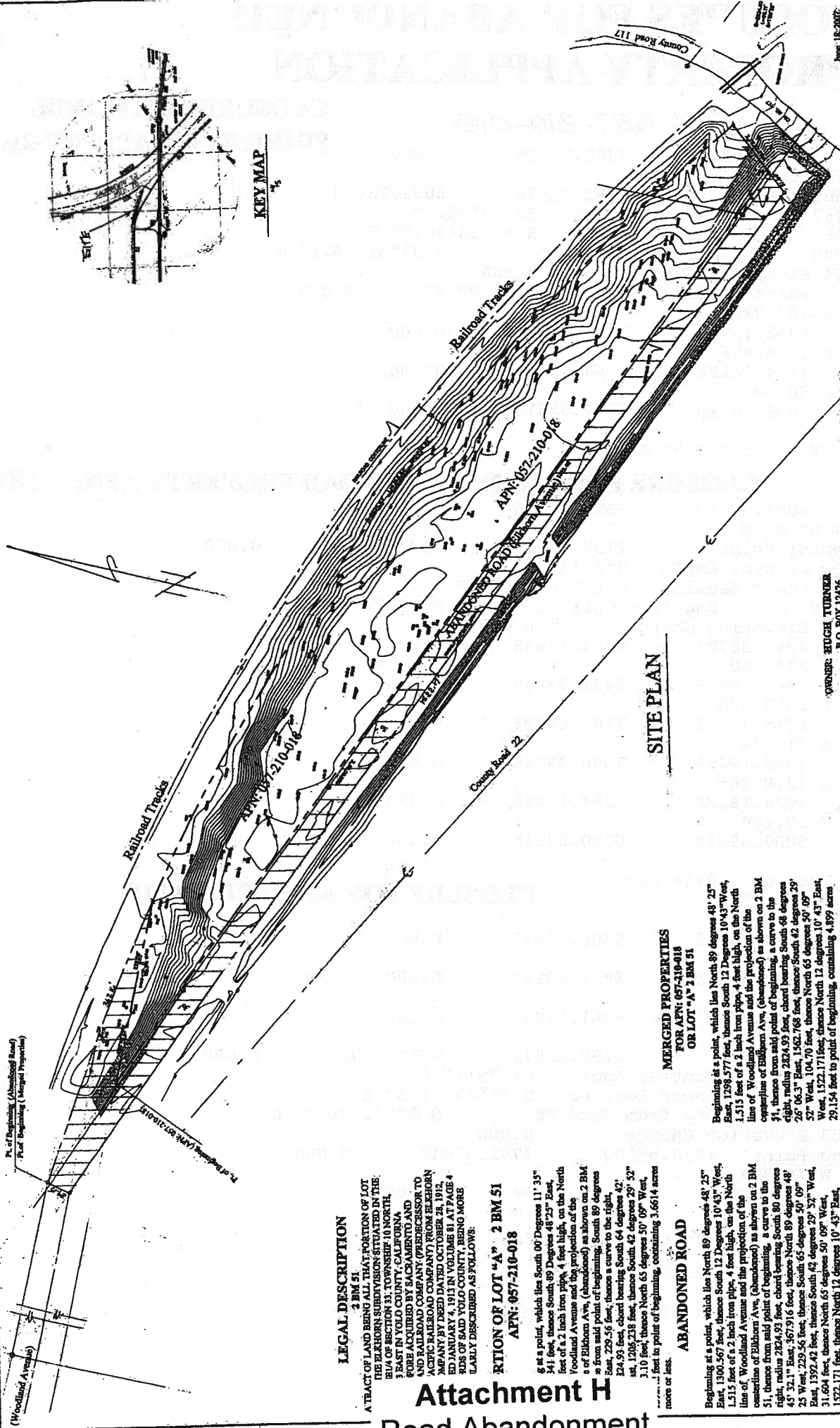
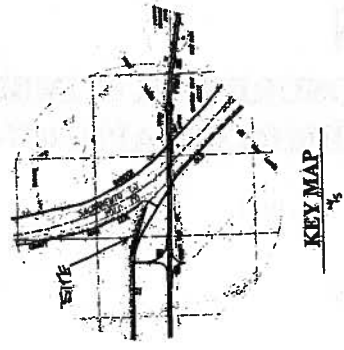
Failure to comply with the **CONDITIONS OF APPROVAL** as approved by the Planning Commission may result in the following:

- Non-issuance of future building permits;
- Legal action.



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Attachment G
Aerial Photo



LEGAL DESCRIPTION

2 BM 51
 A TRACT OF LAND BEING ALL THAT PORTION OF LOT THE ELKHORN SUBDIVISION SITUATED IN THE T14 OF SECTION 33, TOWNSHIP 10 NORTH, 3 EAST IN YOLO COUNTY, CALIFORNIA, MORE ACQUIRED BY SACRAMENTO AND PACIFIC RAILROAD COMPANY (PREDECESSOR TO PACIFIC RAILROAD COMPANY) FROM THE ESTATE OF EDWARD M. GILBERT, JR. AT PAGE 4 OF THE PUBLIC RECORDS OF YOLO COUNTY, BEING MORE FULLY DESCRIBED AS FOLLOWS:

**RITON OF LOT "A", 2 BM 51
 APN: 057-210-018**

as a point, which lies South 00 Degrees 11' 35" East, 1300.567 feet, thence South 89 Degrees 48' 25" East, 1298.577 feet, thence South 12 Degrees 10' 43" West, 1.515 feet of a 2 inch iron pipe, 4 feet high, on the North line of Woodland Avenue and the projection of the centerline of Elkhorn Ave., (abandoned) as shown on 2 BM 51, thence from said point of beginning, a curve to the right, radius 2824.93 feet, chord bearing South 68 degrees 48' 32.1" East, 367.916 feet, thence North 89 degrees 48' 25" West, 229.56 feet, thence South 65 degrees 50' 09" East, 1392.42 feet, thence South 42 degrees 29' 52" West, 1522.171 feet, thence North 12 degrees 10' 43" West, 29.154 feet to point of beginning, containing 3.6614 acres more or less.

ABANDONED ROAD

Beginning at a point, which lies North 89 degrees 48' 25" East, 1300.567 feet, thence South 12 Degrees 10' 43" West, 1.515 feet of a 2 inch iron pipe, 4 feet high, on the North line of Woodland Avenue and the projection of the centerline of Elkhorn Ave., (abandoned) as shown on 2 BM 51, thence from said point of beginning, a curve to the right, radius 2824.93 feet, chord bearing South 68 degrees 48' 32.1" East, 367.916 feet, thence North 89 degrees 48' 25" West, 229.56 feet, thence South 65 degrees 50' 09" East, 1392.42 feet, thence South 42 degrees 29' 52" West, 1522.171 feet, thence North 12 degrees 10' 43" West, 29.154 feet to point of beginning, containing 1.24 acres more or less.

**MERGED PROPERTIES
 FOR APN: 057-210-018
 OR LOT "A", 2 BM 51**

Beginning at a point, which lies North 89 degrees 48' 25" East, 1298.577 feet, thence South 12 Degrees 10' 43" West, 1.515 feet of a 2 inch iron pipe, 4 feet high, on the North line of Woodland Avenue and the projection of the centerline of Elkhorn Ave., (abandoned) as shown on 2 BM 51, thence from said point of beginning, a curve to the right, radius 2824.93 feet, chord bearing South 68 degrees 48' 32.1" East, 367.916 feet, thence North 89 degrees 48' 25" West, 229.56 feet, thence South 65 degrees 50' 09" West, 1392.42 feet, thence North 12 degrees 10' 43" East, 29.154 feet to point of beginning, containing 4.899 acres more or less.

Proposed Improvements

BY (EPT)	DATE	DESCRIPTION	BENCH MARK	ELEV. DATUM

OWNER: HUGH TURNER
 P.O. BOX 12426
 FRESNO, CALIFORNIA 93691

APN: 057-0210-18

DATE: 10/20/07

ABANDONED LAND MERGER
 -APN: 057-210-018
 YOLO COUNTY, CALIFORNIA
 COUNTY OF YOLO

FIELD BOOKS: _____
 SCALE: 1" = 50'
 APR NO.: _____
 DRAWING NO.: _____

SUBMITTED BY: _____
 ROBERT A. HEWTON

ACLS 18178

NEWTON ASSOCIATES
 ENGINEERING DESIGN
 P.O. BOX 160273
 SACRAMENTO, CALIFORNIA
 (916) 482-8800

CLOSURES FOR ABANDONED PROPERTY APPLICATION

APN: 057-210-018

**CLOSURE FOR COMBL
PROPERTIES APN: 057-210-**

Start	13	5004.38219	6300.55915	0.000	
C To Cntr. Pt.	S 5°27'02.6" W				
	12	Arc Center Point	2192.22574	6032.22060	0.000
	Arc	1581.487	Central Angle	32°04'33.7"	
	Chord	1560.915	Chord Bearing	S 68°30'40.6" E	
	Radius	2824.930	Bng from Cntr Pt	N 37°31'36.2" E	
	Tangent	812.064	Elevation Change	0.000	
	5	Arc End Point	4432.59080	7752.97447	0.000
N	S 41°52'41.0" W	107.980			
	11	4352.19209	7680.89243	0.000	
N	N 65°50'09.0" W	1519.886			
	10	4974.36122	6294.18448	0.000	
N	N 11°59'17.4" E	30.690			
	13	5004.38219	6300.55915	0.000	

Area = 216660.4242 Sq. Feet or 4.9738 Acres

CLOSURE FOR ABANDONED ROAD PROPERTY APN: NON

Start	13	5004.38219	6300.55915	0.000	
C To Cntr. Pt.	S 5°27'02.6" W				
	12	Arc Center Point	2192.22574	6032.22060	0.000
	Arc	365.491	Central Angle	7°24'46.6"	
	Chord	365.236	Chord Bearing	S 80°50'34.1" E	
	Radius	2824.930	Bng from Cntr Pt	N 12°51'49.2" E	
	Tangent	183.001	Elevation Change	0.000	
	3	4946.25723	6661.14038	0.000	
N	S 89°48'24.9" W	229.310			
	2	4945.48452	6431.83192	0.000	
N	S 65°50'09.0" E	1392.420			
	4	4375.49391	7702.24294	0.000	
N	S 42°29'52.0" W	31.604			
	11	4352.19209	7680.89243	0.000	
N	N 65°50'09.0" W	1519.886			
	10	4974.36122	6294.18448	0.000	
N	N 11°59'17.4" E	30.690			
	13	5004.38219	6300.55915	0.000	

Area = 54085.2886 Sq. Feet or 1.2416 Acres

CLOSURE FOR APN: 057-210-018

Start	13	5004.38219	6300.55915	0.000	
Start	2	4945.48452	6431.83192	0.000	
N	N 89°48'24.9" E	229.310			
	3	4946.25723	6661.14038	0.000	
C To Cntr. Pt.	S 12°51'49.2" W				
	12	Arc Center Point	2192.22574	6032.22060	0.000
	Arc	1215.996	Central Angle	24°39'47.0"	
	Chord	1206.630	Chord Bearing	S 64°48'17.3" E	
	Radius	2824.930	Bng from Cntr Pt	N 37°31'36.2" E	
	Tangent	617.563	Elevation Change	0.000	
	5	Arc End Point	4432.59080	7752.97447	0.000
N	S 41°37'17.8" W	76.379			
	4	4375.49391	7702.24294	0.000	
N	N 65°50'09.0" W	1392.420			
	2	4945.48452	6431.83192	0.000	

Area = 162593.5953 Sq. Feet or 3.7326 Acres

Database Saved: Thursday, March 01, 2007 10:01 pm.

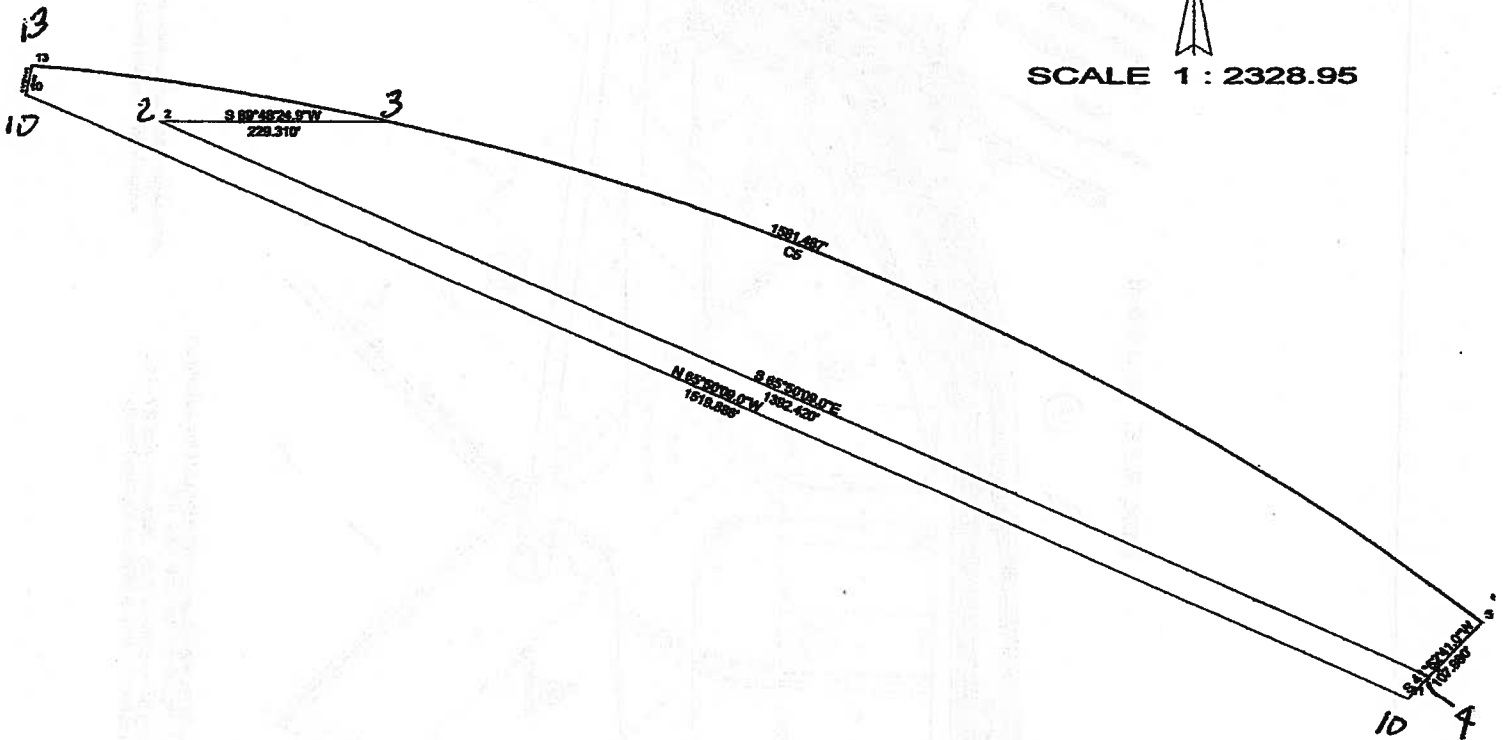
COMBINED PROPERTY MAP

OWNER: HUGH TURNER

APN: 570-210-018



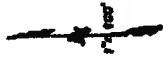
SCALE 1 : 2328.95



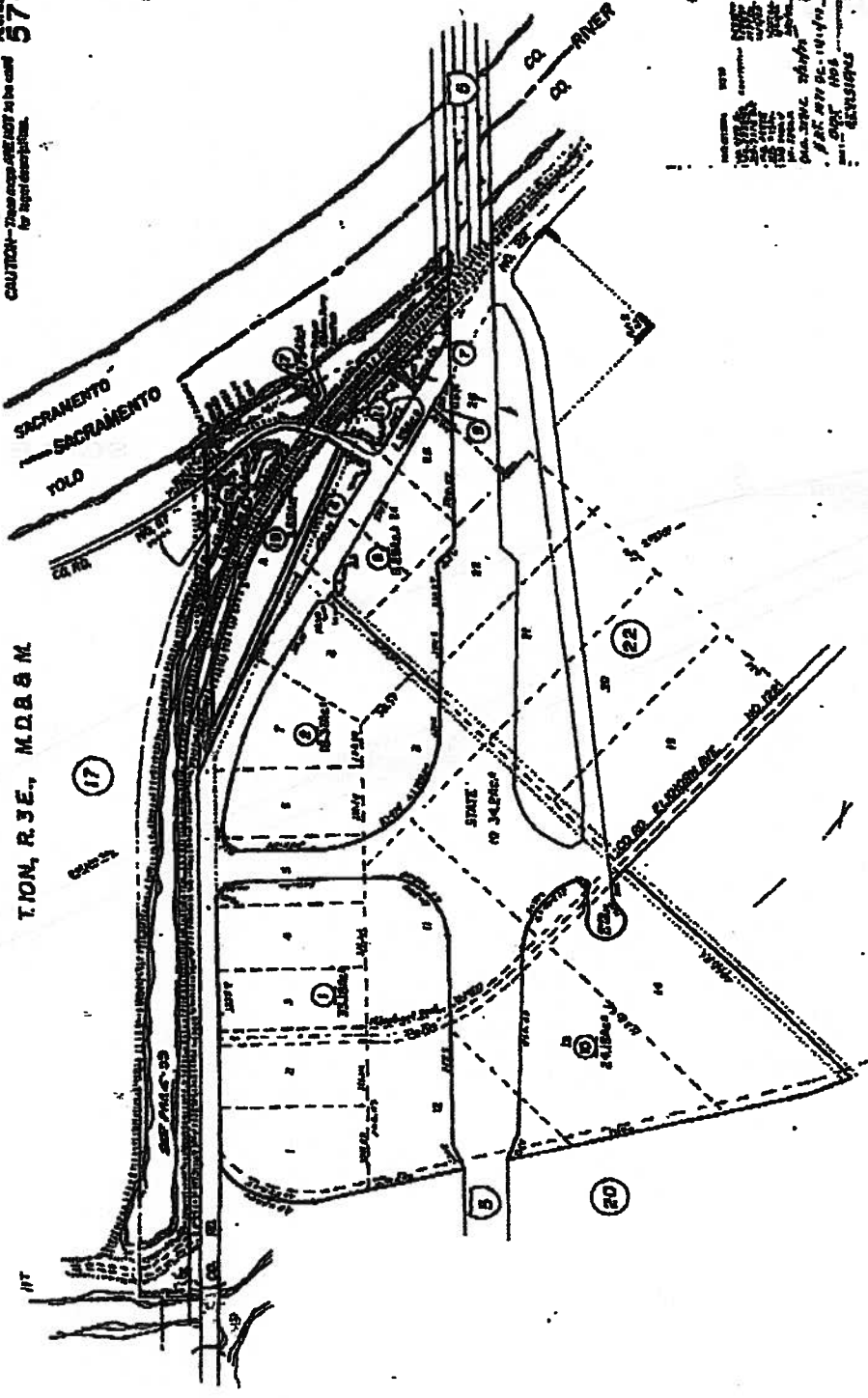
NEWTON ASSOCIATES
CONSULTING ENGINEERS
P.O. BOX 160273
SACRAMENTO, CALIFORNIA
95816 916 482 0800

57-21

CAUTION - These maps are to be used for legal descriptions.



T. 10N, R. 3E., M. 2B & 3M



MEASUREMENTS
 1/4 SECTION
 1/2 SECTION
 3/4 SECTION
 1 SECTION
 1/4 SECTION
 1/2 SECTION
 3/4 SECTION
 1 SECTION
 1/4 SECTION
 1/2 SECTION
 3/4 SECTION
 1 SECTION
 1/4 SECTION
 1/2 SECTION
 3/4 SECTION
 1 SECTION

Assessor's Map Bl. 57 Pg. 2
 County of Yolo, Calif.



NOTE - Assessor's Block Numbers Shown in Dotted Lines
 Assessor's Parcel Numbers Shown in Solid Lines

M.S.S. Bl. 12, Pg. 82 - Elham River Club, Ltd. Line Adjustment.
 M.S.S. Bl. 11, Pg. 96 - Elham River Club, Ltd.
 M.S. Bl. 2, Pg. 51 - Elham Sub. (formerly par. 27-14)
 P.M. Bl. 3, Pg. 42 - Map # 3676 of McCray Property.