

..title

Conduct a noticed public hearing opened February 17, 2022 and continued to March 3, 2022, and then to April 7, 2022, to consider **Use Permit Application No. U-21-03** for the **SF Gun Club** for a private duck club including reconstruction of a club house/lodge, covered parking, placement of storage units and reconstruction of a dock destroyed by fire, located at 2866 Grizzly Island Road. The property is designated "MP" Marsh Preserve in the primary management area of the Suisun Marsh (APN: 046-180-130). The Project is exempt from the California Environmental Quality Act (CEQA) per Section 15302, Replacement or Reconstruction of a like facility as recommended by the Solano County Department of Resource Management.

..body

Published Notice Required? Yes X No
Public Hearing Required? Yes X No

DEPARTMENTAL RECOMMENDATION:

The Department of Resource Management recommends that the Planning Commission:

1. Conduct a noticed public hearing opened February 17, 2022 and continued to March 3, 2022, and then to April 7, 2022, to consider Use Permit Application No. U-21-03 for the SF Gun Club Project to allow the continued use of the property for a private duck club, including reconstruction of a private clubhouse/lodge structure, covered parking, placement of storage units and reconstruction of a dock destroyed by fire, located at 2866 Grizzly Island Road.

SUMMARY:

I. INTRODUCTION

The Planning Commission is being asked to consider the approval of a Use Permit (U-21-03) for the SF Gun Club (previously operated as the West Wind Duck Club for duck hunting and fishing) to allow the continued use of the site as a private duck club, reconstruction of a private lodge/club house for up to 12 members, covered parking, placement of storage units and reconstruction of a dock. All preexisting structures were destroyed by fire.

Several comment letters from adjacent property owners were received the week of February 17, 2022, expressing concern with access to the site on an existing dirt levee and potential damage from construction equipment. Therefore, the Commission continued the meeting to March 3, 2022. The Applicant then requested that the item be continued to the April 7, 2022, in order to meet with one of the adjacent property owners in hopes of alleviating any concerns. As of the writing of this staff report the Applicant had not held a meeting with the adjacent property owner due to meeting conflicts with the neighbor’s schedule.

According to Solano County regulations, any development within the Suisun Marsh, as defined by Section 29114 of the Public Resources Code, shall be subject to obtaining a Marsh Development Permit pursuant to the Suisun Marsh Preservation Act of 1977 and as provided for in Section 28.104 of this Code. When a land use subject to a marsh development permit, such as this project, is proposed in both the Primary Management Area and Secondary Management Area, as defined in the Suisun Marsh Preservation Act of 1977, the land use shall be subject to a use permit covering the whole of the project. Therefore, this Use Permit would cover the whole of the action.

The Planning Commission, after conducting a public hearing on this matter, may choose one of the following options:

1. Approve, or conditionally approve, the use permit for the project, or
2. Deny the use permit, or
3. Continue the hearing in order to obtain additional information.

II. PROJECT DESCRIPTION

Project Site

The project consists of a 351-acre parcel located at 2886 Grizzly Island Road within the Suisun Marsh, located five miles south of the Suisun City. The Project is bordered by Montezuma Slough to the east and north and the Frost Slough to the west.

The parcel is generally flat and is bounded by marsh on all sides.

Previous onsite uses

Prior to the fire, the site was known as the West Wind Duck Club. The Duck Club was a private hunting and fishing lodge which included a 4,000 square foot structure with 7 bedrooms, 2.5 bathrooms and a 3,000 square foot deck, and a detached 1,800 square foot second lodge structure with a 400 square foot wood deck (lodging equaled 5,800 square feet total), a four-boat slip dock and decoy shed. Mature landscaping included large eucalyptus trees which surrounded the lodge, though they appear to have been destroyed by the fire.

The property operated in the past as a private duck hunting and fishing club until it was destroyed by fire.

Staff conducted a review and could not find any previous permits for the duck club use. While no permits were located for the original West Wind Duck Club, an application for the Establishment of Agricultural Preserve (Williamson Act Contract) for the property, received in September of 1972, mentions the property as being a "Duck Club." There is no indication that this use was ever changed or removed prior to the fire that destroyed the structures. Therefore, the use may have been grandfathered in and existed before a use permit was required.

Following the fire, the owners sold the property to new owners who are proposing to reconstruct the private lodging/club house and build associated support structures including a new dock.

Project Details

The Project would replace and consolidate the two lodging structures lost to fire and would construct one new 3,855 square foot club dwelling/lodge with eight bedrooms and seven bathrooms and a 2,817 square foot deck. The new lodging structure would be 1,985 square feet less than the combined total of the original lodge structures.

The site is known to flood so the occupied lodging area would be built to a base elevation above 12.75 feet to ensure it is out of the Federal Emergency Management Agency (FEMA) flood plain elevation. The area below the main level will provide garage and storage space.

In addition to the space below the lodge that would accommodate parking, two detached shade structures (totaling 2,640 square feet) would also provide cover for vehicles and maintenance equipment. Additionally, four 40-foot shipping containers would be placed on the site for storage.

A four-slip boat dock would be rebuilt with a duck decoy shed. According to the plans, no below water work would be required to reconstruct the boat dock. The boat slips will be prefabricated on land and placed into the slough on the remaining existing slip piles still in place.

During duck hunting season October 1 through January 30th, approximately 4-5 club members may be present onsite during the week, with all 12 members potentially present on weekends.

Access and Circulation Comments Received

Access to the site will be provided off of Grizzly Island Road via a private dirt driveway. There is sufficient turn off space into the property to provide adequate access. In order to access the site, a dirt levee road across several adjacent properties is required. Several letters were received from neighboring property owners expressing concerns with the access road being used, and potential damage to the levees from construction equipment.

According to the Applicant and a Preliminary Title Report that was submitted, the subject property has an access agreement that allows:

An easement (varying in width from approximately 50 feet to 30 feet) for vehicular and pedestrian ingress and egress, and for grading, cleaning, repairing, reconstructing, resurfacing, raising, leveling and other maintaining said easement as set forth in declaration of easement recorded August 6, 1981 in book 1981, official records, at page 57408, more particularly described as follows:

Beginning at a dam in the most southerly point in frost slough, which is also the northeasterly end of an easement and right of way granted by deed from J. Warren Dutton, et ux, to H.D. Williamson, dated September 1, 1910 and recorded in book 186 of deeds, at page 61; thence continuing 50 feet wide along the existing easterly meandering levee of frost slough in a general northerly direction about 700 feet; thence continuing 30 feet wide along the existing easterly meandering levee of frost slough in a general northerly direction about 7,800 feet to where the levee crosses the east property line of parcel B, which is also the west property line of parcel A.

A condition has been added (No. 18) to include a requirement that the Applicant enter into a Maintenance Agreement with the adjacent property owners to repair any damage that may occur from construction equipment or use of the dirt access road. In addition, the Applicant has indicated a commitment to transport a majority of materials to the site by boat.

Parking

Lodges require one parking space per four persons (Section 28.94 of the Zoning Code). Therefore, three spaces would be required. The Project proposes covered parking sufficient for all 12 club members and therefore, exceeds the standard.

Project Site Designation

The site has a General Plan Designation of Marsh/Resource Preservation Overlay with a zoning designation of MP: Marsh Preservation District.

Williamson Act

The site is within a Williamson Act contract (Contract No. 953). Proposed recreational uses are consistent with the Williamson Act contract.

Wastewater

A new septic holding tank would be installed and wastewater would be hauled off from the site.

Water Supply

The Project includes a domestic water well to supply potable water.

III. ENVIRONMENTAL ANALYSIS

The Project qualifies for a Categorical Exemption from CEQA, under CEQA Guidelines Section 15302 – Replacement or Reconstruction. This Class 2 exemption consists of the replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structures replaced. The new structures are proposed within the developed footprint of the facility, and they will replace structures destroyed by fire and will be used for the same purpose as a duck hunting club. The overall lodge/club house use will be 1,985 square feet less than the original lodging on the site.

IV. DISCUSSION**General Plan**

The property is designated as Marsh/Resource Preservation Overlay by the Solano County General Plan. The General Plan identifies duck hunting as the major recreational activity occurring in the marsh from late October through January. The General Plan specifically states that within the Suisun Marsh, *provision should be made for public and private recreational development to allow for public recreation and access to the Marsh for such uses as fishing, hunting, boating, picnicking, hiking and nature study.*

The Project is consistent with the General Plan and would continue private recreation uses on the property.

Suisun Marsh Local Protection Program

Under the Suisun Marsh Preservation Act, all public and private development activities within the Primary and Secondary Management Areas of the Suisun Marsh shall be consistent with the policies and provisions of the certified Suisun Marsh Local Protection Program. Solano County's Local Protection Program (LPP) was amended in 2018. Its main purpose is to ensure protection and management of tidal and seasonal marshes, managed wetlands, sloughs, bays, and waterways within or tributary to the Suisun Marsh. It also includes procedures and standards to review the design and location of any new development or structures in and adjacent to the Suisun Marsh to protect the visual characteristics of the Marsh and, where possible, enhance views of the Marsh.

The LPP states that the MP zone provides for protection of marsh and wetland areas. It permits aquatic and wildlife habitat, marsh-oriented recreational uses, agricultural activities compatible with the marsh environment and marsh habitat, educational and scientific research, educational facilities supportive of and compatible with marsh functions, and restoration of historic tidal wetlands.

Marsh oriented recreation is an allowed use with a use permit; therefore, the Project is consistent with the zoning district and LPP. A condition is included to ensure that any required permits are secured from the Bay Conservation and Development Commission (Condition No. 6).

Zoning

The property is designated MP (Marsh Preservation District). The purpose of the district states that marshes, wetlands, and certain adjacent grasslands within the County represent an area of significant aquatic and wildlife habitat and are an irreplaceable and unique resource to the people of the County, State, and the Nation. The use is consistent with the zoning district.

According to the Zoning Code (Section 28.114) the approval of a use permit shall supersede any grandfathered, non-conforming use. The Use Permit will cover the property going forward.

Travis Airport Land Use Plan

The Project site is within the Travis Airforce Airport Influence Area. The use is consistent with the General Plan and therefore, is consistent with the Travis Airport Land Use Plan. The Project is a rebuild and would not exceed the height limit or cause any impacts to the Air Base.

Design Review

The Proposed lodge/club house facility is rustic in nature, consisting of a concrete block base and wood siding exterior. It was reviewed against the Marsh Development standards and is consistent with height (less than 35 feet tall) and meets minimum setbacks. No adjacent property views would be obstructed by the proposed lodge/club house.

Development Review Committee

The project was referred to the Development Review Committee for Solano County. Comments were received from the Environmental Health Division. Their requirements have been incorporated into the conditions of approval including ensuring that wastewater will be hauled offsite (Condition No 3).

Outside Agency Review

The project was also referred to several outside agencies, including:

- a. Suisun Fire Protection District
- b. Suisun Resource Conservation District
- c. SF Regional Water Quality Control Board
- d. U.S. Army Corps of Engineers
- e. U.S. Fish and Wildlife Service
- f. California Fish and Wildlife Department
- g. Bay Conservation and Development Commission

Comments were received from the Suisun Fire Protection District and have been incorporated into the conditions of approval.

Conclusion

It is the conclusion of staff that the project as proposed is consistent with all applicable plans and policies of Solano County.

V. RECOMMENDATION

The Department of Resource Management recommends that the Planning Commission:

1. Conduct a noticed public hearing to consider Use Permit Application No. U-21-03 for the SF Gun Club, to operate a private hunting club and reconstruct associated club house/lodging and support structures located at 2866 Grizzly Island Road; and
2. **Approve** Use Permit U-21-03 (Attachment A).

VI. FINDINGS

Staff is recommending that the Planning Commission make the following findings in support of approving Use Permit U-21-03:

1. **The establishment, maintenance or operation of the proposed use is in conformity with the County General Plan with regard to traffic circulation, population densities and distribution, and other aspects of the General Plan.**

The marsh-oriented recreation land use is consistent with the goals, objectives, and policies of the General Plan, including, but not limited to the Land Use and Resources chapters. It is also consistent with allowed uses in the Suisun Marsh Local Protection Program. Adequate access is provided off of Grizzly Island Road to the site.

2. **Adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.**

Access to the site will be from Grizzly Island Road. All necessary utilities will be provided on-site. PG&E supplies power to the site. Wastewater will be pumped to a holding septic tank above the base flood elevation and will be hauled offsite for disposal. Water is supplied by an onsite well.

3. **The subject use will not, under the circumstances of the particular case, constitute a nuisance or be detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in or passing through the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.**

The seasonal duck hunting club is located in the Suisun Marsh. Open marsh surrounds the project site, with seasonal hunting and fishing clubs being the predominant land use in the area. The club has operated in the past as the West Wind Duck Club with no history of nuisance or detriment to the health, safety, peace, morals, comfort or general welfare of persons residing or working in or passing through the neighborhood, or detriment or injury to property and improvements in the neighborhood.

4. The proposed project qualifies for a Class 2 Categorical Exemption from CEQA.

The project qualifies for a Categorical Exemption from CEQA, under CEQA Guidelines Section 15302 – Replacement or Reconstruction. Class 2 consists of the replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced. The structure is proposed within the developed footprint of the facility and replaces structures destroyed by fire and will be used for the same purpose as a duck hunting club.

5. That the proposed development shall be consistent with the certified Suisun Marsh Local Protection Program. Where the proposed development is located in both the Secondary and Primary Management Areas, all portions of the proposed development shall be consistent with the certified Suisun Marsh Local Protection Program.

The Project is consistent with the Suisun Marsh Local Protection Program. It involves reconstruction of a duck hunting club, consistent with previous uses on the site, and is consistent with the allowed use within the Suisun Marsh Primary Management Area. Conditions of approval will be incorporated into the Project which will ensure that impacts to the marsh are minimized.

VII. CONDITIONS OF APPROVAL

Staff is recommending that the Planning Commission adopt a resolution approving Use Permit U-21-03, including the Conditions of Approval in Attachment A.

ATTACHMENTS

- A. [Draft Resolution/Conditions of Approval](#)
- B. [Location Map](#)
- C. [Aerial View](#)
- D. [Plan Set](#)
- E. [Public Comments](#)

SOLANO COUNTY PLANNING COMMISSION RESOLUTION NO. xxxx

WHEREAS, the Solano County Planning Commission has duly considered, in public hearing, to approve a Use Permit Application U-21-03 by the **SF Gun Club** to for the reconstruction of a private duck club including construction of a primary residence, covered parking, placement of storage units and reconstruction of a dock destroyed by fire. The property is designated "MP" Marsh Preserve in the primary management area of the Suisun Marsh. (APN: 046-180-130).

WHEREAS, said Commission has reviewed the Applicant's submittal and the staff report of the Department of Resource Management, and heard and considered all comments regarding said application at the public hearing held on April 7, 2022; and,

WHEREAS, after due consideration, the said Planning Commission has made the following findings in regard to said application:

1. **The establishment, maintenance or operation of the proposed use is in conformity with the County General Plan with regard to traffic circulation, population densities and distribution, Travis Airport Influence Area and other aspects of the General Plan.**

The marsh-oriented recreation land use is consistent with the goals, objectives, and policies of the General Plan, including, but not limited to the Land Use and Resources chapters. The Project is a rebuild and would not exceed the height limits or impact Travis Air Base operations.

2. **Adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.**

Access to the site will be from Grizzly Island Road. All necessary utilities will be provided on-site. PG&E supplies power to the site. Wastewater will be pumped to a holding septic tank above the base flood elevation and will be hauled offsite for disposal. Water is supplied by an onsite well.

3. **The subject use will not, under the circumstances of the particular case, constitute a nuisance or be detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in or passing through the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.**

The seasonal duck hunting club is located in the Suisun Marsh. Open marsh surrounds the project site, with seasonal hunting and fishing clubs being the predominant land use in the area. The club has operated in the past as the West Wind Duck Club with no history of nuisance or detriment to the health, safety, peace, morals, comfort or general welfare of persons residing or working in or passing through the neighborhood, or detriment or injury to property and improvements in the neighborhood.

4. **The proposed project qualifies for a Class 2 Categorical Exemption from CEQA.**

The project qualifies for a Categorical Exemption from CEQA, under CEQA Guidelines Section 15302 – Replacement or Reconstruction. Class 2 consists of the replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and

capacity as the structure replaced. The structure is proposed within the developed footprint of the facility and replaces structures destroyed by fire and will be used for the same purpose as a duck hunting club.

- 5. That the proposed development shall be consistent with the certified Suisun Marsh Local Protection Program. Where the proposed development is located in both the Secondary and Primary Management Areas, all portions of the proposed development shall be consistent with the certified Suisun Marsh Local Protection Program.**

The Project is consistent with the Suisun Marsh Local Protection Program. It involves reconstruction of a duck hunting club, consistent with previous uses on the site, and is consistent with the allowed use within the Suisun Marsh Primary Management Area. The following conditions will ensure that impacts to the marsh are minimized.

BE IT, THEREFORE, RESOLVED, that the Planning Commission of the County of Solano does hereby Approve the Use Permit Application No. U-21-03 subject to the following conditions of approval:

ADMINISTRATIVE

1. The marsh-oriented recreation facility shall be established and operated in accord with the application materials for Use Permit U-21-03, submitted August 30, 2021, by the applicant, Peter Hao Zheng, and as approved by the Solano County Planning Commission.
2. All uses shall comply with the provisions of Section 28.52 of the Solano County Zoning code, Marsh Development District for Site Development and Other Standards which includes standards for parking, signs and other project elements.

OPERATIONAL CONTROLS

3. The permittee shall take such measures as may be necessary or as may be required by the County to prevent offensive noise, lighting, dust or other impacts, which constitute a hazard or nuisance to surrounding properties.

ENVIRONMENTAL HEALTH DIVISION

4. Prior to any construction or improvements taking place, a Septic permit application shall be submitted to Environmental Health for review and approval which provides the details of a "hold and haul" sewage and wastewater disposal system. Once installed, a septic Operation and Maintenance permit shall be obtained and maintained for the hold and haul septic system for the duration of the facility. The facility shall provide up to five years of receipts showing maintenance and pumping out of the holding tank by a Solano County licensed septage pumper upon request.

BUILDING AND SAFETY DIVISION

5. Prior to any construction or improvements taking place, a Building Permit Application shall first be submitted as per the latest version of the California Building Code, or the latest edition enforced at the time of building permit application. "Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by

this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.”

6. Prior to Building Permit issuance by the Department of Resource Management, the permittee shall submit documentation from the San Francisco Bay Conservation and Development Commission that it has obtained a Marsh Development Permit pursuant to the Suisun Marsh Preservation Act of 1977 and as provided for in Section 28.104 of the Solano County Code.
7. An erosion, sediment, and runoff control plan shall be prepared in accordance with Section 31.26(b) of the Solano County Grading, Drainage, Land Leveling and Erosion Control Ordinance.
8. No junk, abandoned machinery or equipment, salvage materials or parts shall be stored outside of enclosed buildings. All cargo containers not utilized for storage during seasonal recreation shall be removed from the property.
9. Dwellings shall be equipped with an automatic residential fire sprinkler shall have that system designed and installed in accordance with Section R313.3 of the 2013 California Residential Code or NFPA13D and local requirements. Plans must be submitted to the Suisun Fire Protection District for review and approval prior to issuance of any permits and performance of any inspections or tests.
10. Fees for automatic fire sprinkler systems shall include plan checking, field inspection of materials and workmanship and water flow alarm test. One additional review of submittals will be performed at no additional fee. Subsequent review required as a result of inadequate submittals will be performed at an hourly rate of \$70.00/hour.
11. Inspections fees include two compliance inspections. If additional inspections are required to ensure compliance (beyond those two included in the standard fee), a minimum fee of \$35.00 shall be charged for each subsequent inspection.
12. Code Amendment to C.F.C, Section **903.2.8.5** an approved flashing light shall be installed in all new sprinkler systems in such a position as to be plainly visible from the road fronting the property. The signal light shall be installed in such a manner that it will automatically activate in conjunction with the required sprinkler system. The light may also be installed in so that it may be manually activated to assist in locating buildings during other emergencies. The signal light shall be a flashing blue or white light capable of a minimum of 80 flashes per minute and a minimum of 25000-candle power. The interconnected smoke alarms in the dwelling shall be connected to the fire sprinkler flow switch.
13. Suisun Fire District Requires a 20-minute flow on most demanded sprinkler Head.
14. Residential Driveways shall be built as required by the Solano County Road Improvement Standards and Land Development Requirements Sec. 1-3.1 – Roadway Standards. Maintain previous standards for road width, surface and fire department turnouts.
15. End of Driveway must meet requirements of the California Fire Code Appendix D for Dead-End Fire Apparatus Access Road Turnaround.

- 16. Any Gates installed on fire access roads shall have a minimum width of 20 feet and have a permit issued by the Solano County Building Department. Locking gates must be provided with a Fire Department Knox Box or Key Switch. Ordering forms must be obtained from the Fire District.
- 17. Buildings shall have approved address numbers placed in a position that is plainly legible and visible from the street or road fronting the property.
- 18. **Access and Road Maintenance.** The Applicant shall enter into an access agreement with the adjacent property owners regarding levee road access. The Access Agreement shall outline the obligations for maintenance of the levee road for the duration of the construction of the Project. Road maintenance and road improvements will be undertaken and made whenever necessary to maintain the levee road in good operating condition at all times and to ensure the provision of safe access. To the extent feasible, the Applicant shall transport construction materials by boat.

LOCAL, REGIONAL, STATE AND FEDERAL AGENCIES

- 19. The Applicant shall obtain all Required Permits from other Agencies. The use of lands and buildings may be subject to additional permits from the County of Solano or other public agencies. Prior to conducting any land use authorized under this Permit, the Applicant shall obtain any other federal, state, or local permits required for construction or operation of the SF Gun Club.
- 20. The permit shall be in effect for a five (5) year period with the provision that a renewal may be granted if said request is received prior to the expiration date of April 7, 2027, and the use remains in compliance with permit conditions of approval. The permittee shall submit a one-time "Report of Compliance" to the Department of Resource Management on the six (6) month anniversary of the issuance of this permit.

I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Planning Commission on April 7, 2022, by the following vote:

AYES: Commissioners _____

NOES: Commissioners _____

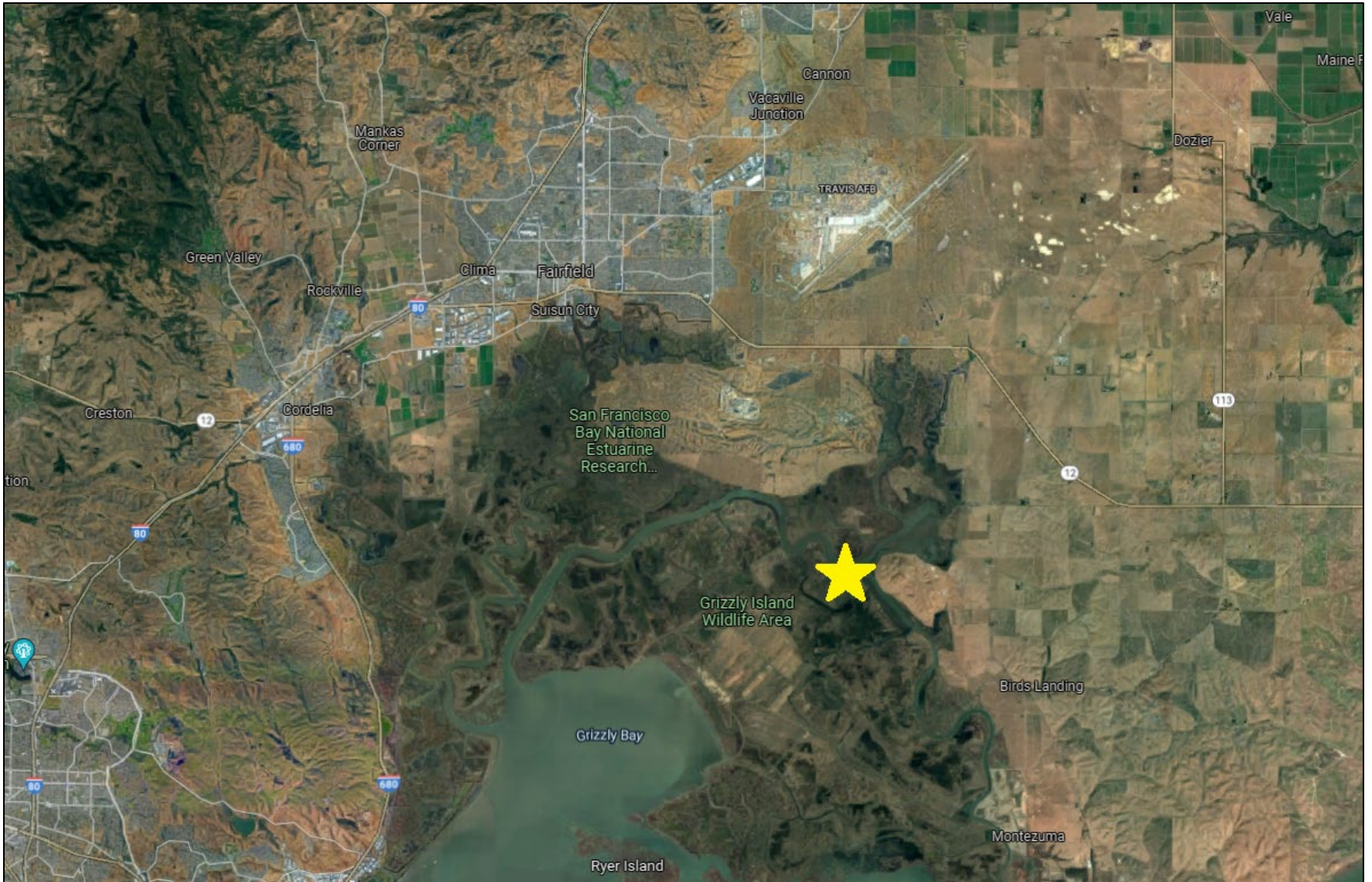
ABSTAIN: Commissioners _____

ABSENT: Commissioners _____

 Kelly Rhoads-Poston, Chairperson
 Solano County Planning Commission

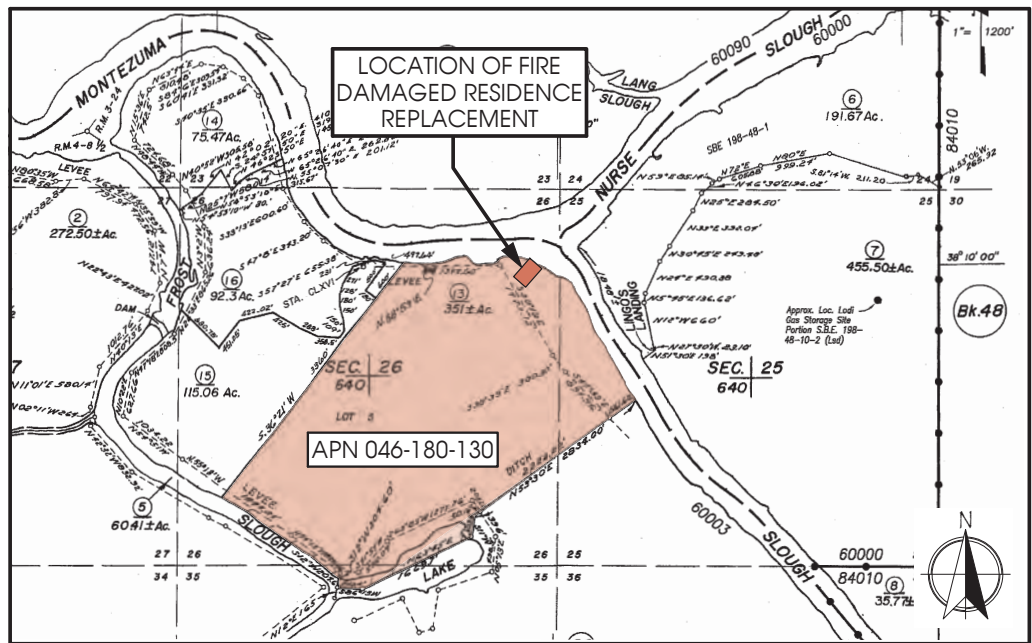
By: _____
 Terry Schmidtbauer, Secretary

Location Map of the SF Gun Club



Aerial View of the SF Gun Club Property





ASSESSOR PARCEL MAP:



VICINITY MAP:

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REVISIONS

PROPOSED RE-BUILDING OF EXISTING STRUCTURES LOST TO FIRE

SF GUN CLUB

2866 GRIZZLY ISLAND ROAD APN: 046-180-130



Site Plan

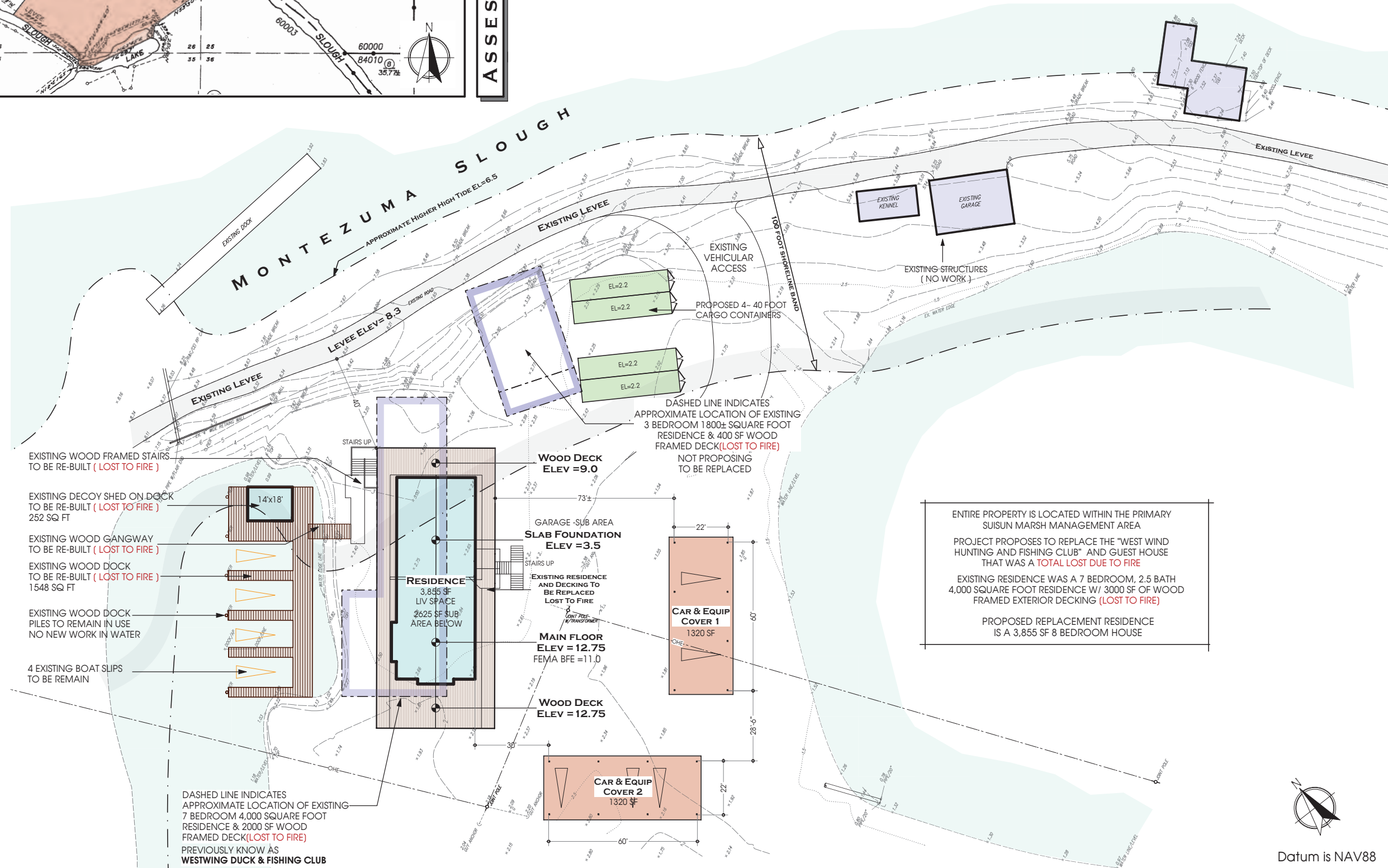
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November 2020

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AS-1.1

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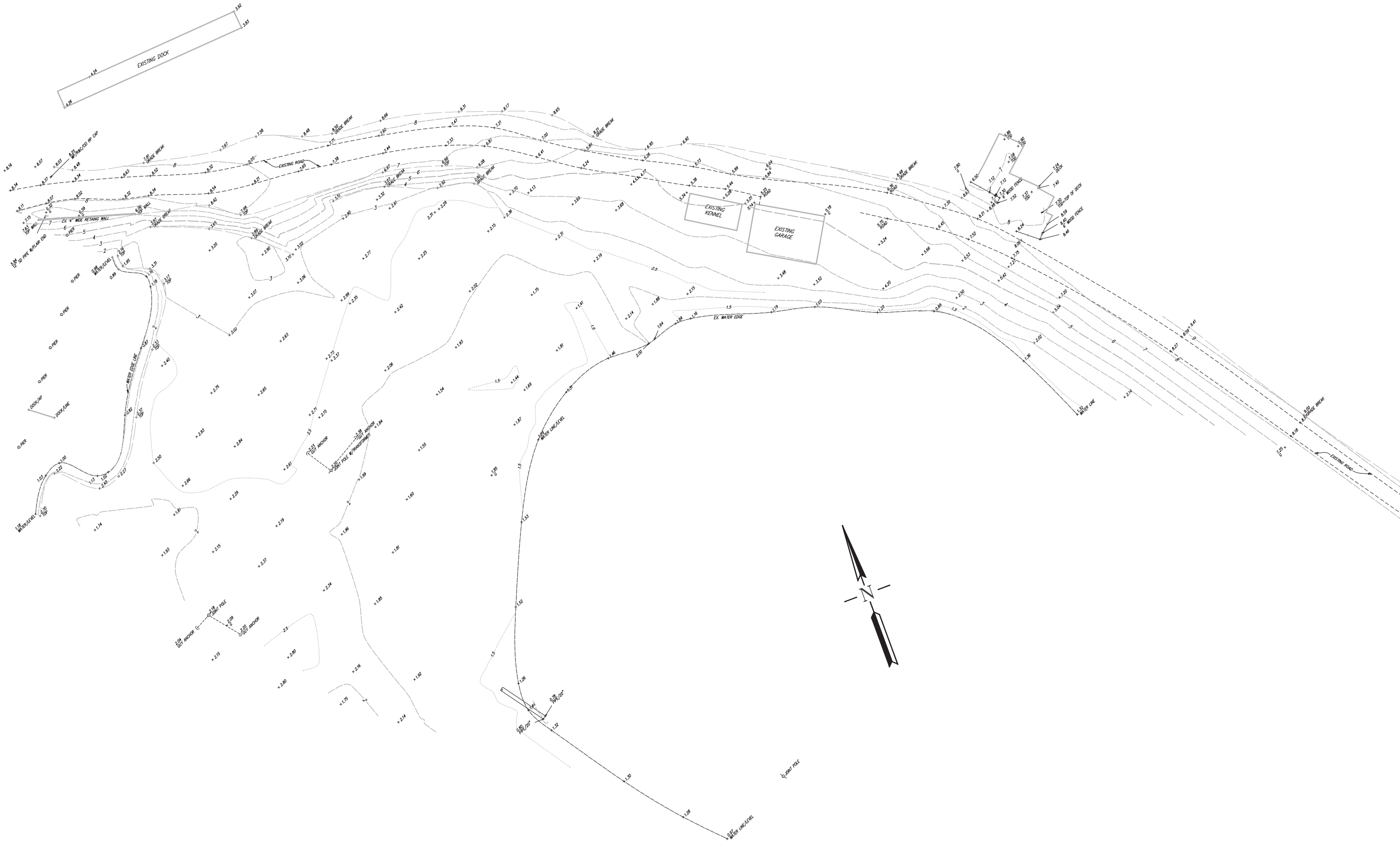


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SITE PLAN

Scale: 1" = 20'

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PLOT DATE: July 24, 2019

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FAIRFIELD, CA 94533
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e-mail: rakre@engineers.com

**TOPOGRAPHIC SURVEY
THE DUCK CLUB AT GRIZZLY ISLAND
SUISUN, SOLANO COUNTY, CALIFORNIA**

FOR: PETER ZHENG

SCALE: 1"=20'
DATE: 7/12/19
DRAWN: A.B.L.
CHECKED:
PROJ. MGR.: R.A.K.

BY: CK

DATE	CHK	REVISIONS

SHEET NO.

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OF 1 SHEETS

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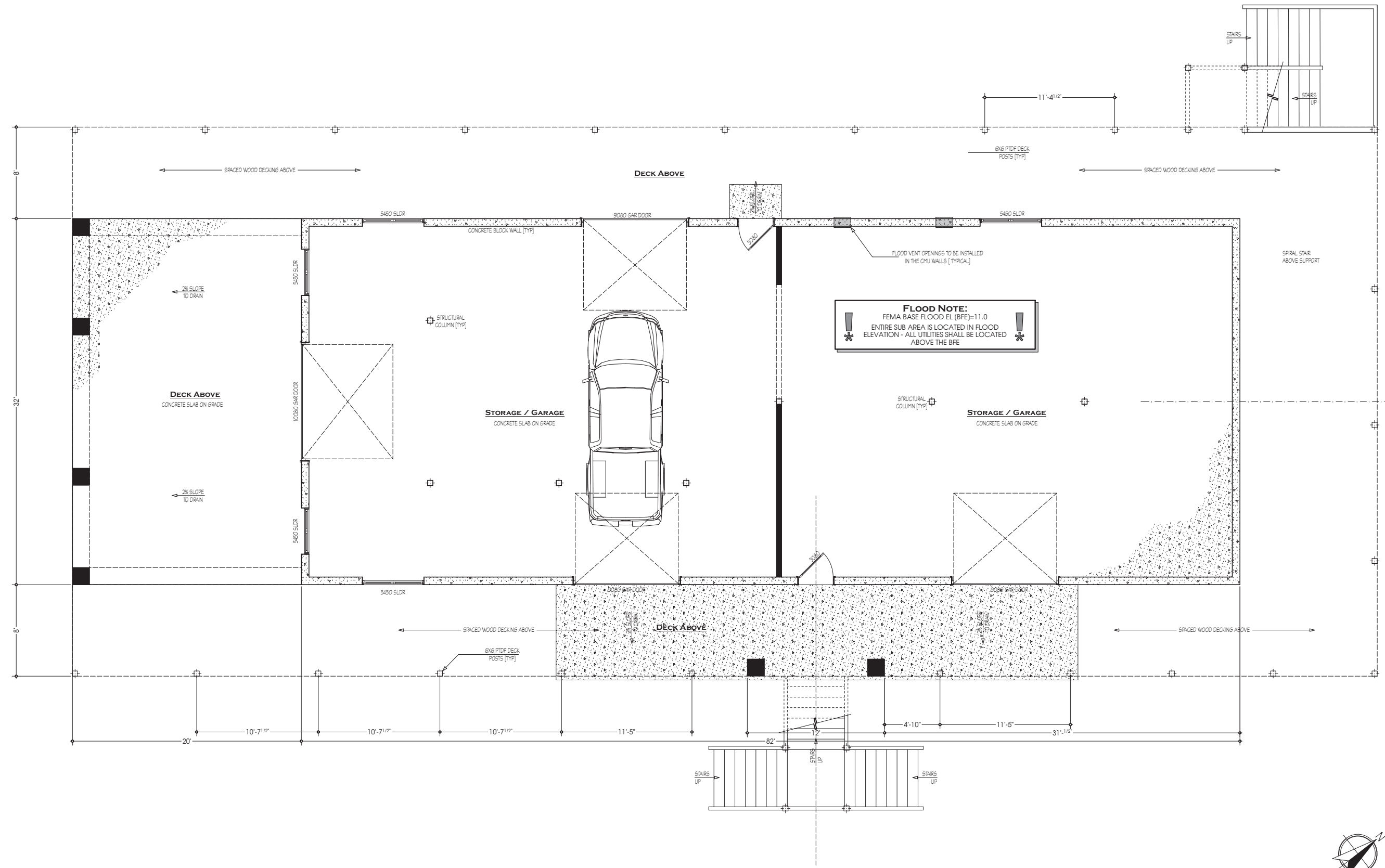
REVISIONS

PROPOSED RE-BUILDING OF EXISTING STRUCTURES LOST TO FIRE
SF GUN CLUB
 2866 GRIZZLY ISLAND ROAD APN: 046-180-130



Sub Area
Floor Plan
Scale: As Noted
November 2020

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A-1.1
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SUB AREA LEVEL FLOOR PLAN
Scale: 1/4" = 1'-0"

B:\Projects\2020\2866 Grizzly Island Road\2866-1-GAD.dwg (11/11/20)



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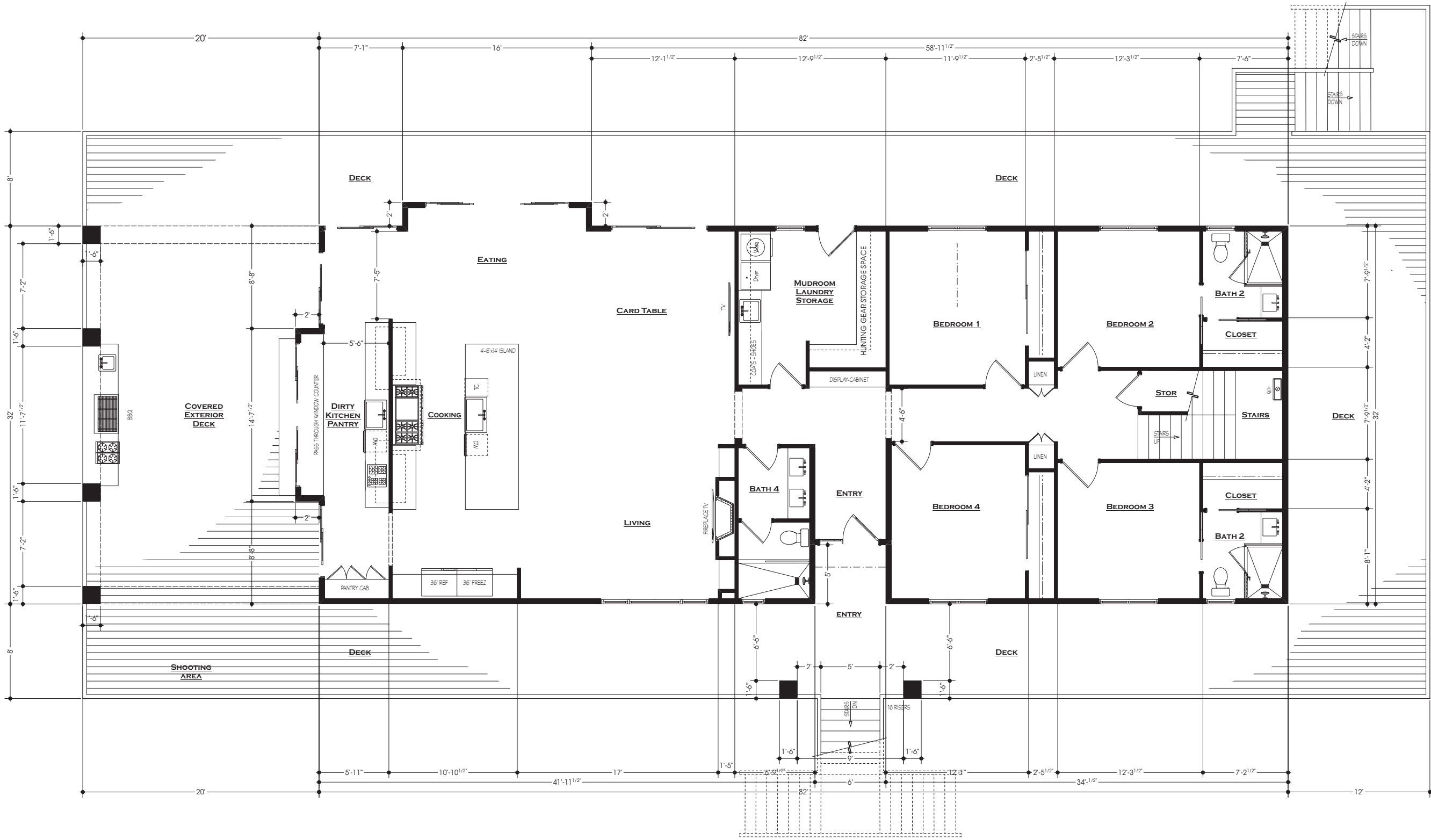
NO.	DATE	REVISIONS

PROPOSED RE-BUILDING OF EXISTING STRUCTURES LOST TO FIRE
SF GUN CLUB
 2866 GRIZZLY ISLAND ROAD APN: 046-180-130



Main Level
 Floor Plan
 Scale: As Noted
 November 2020

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MAIN LEVEL FLOOR PLAN

Scale: 1/4" = 1'-0"

8/1/2020 PDFRender Issue 8/1/2020 Build for ABC1-CAD 24/3/20 Rev. 01/1/20



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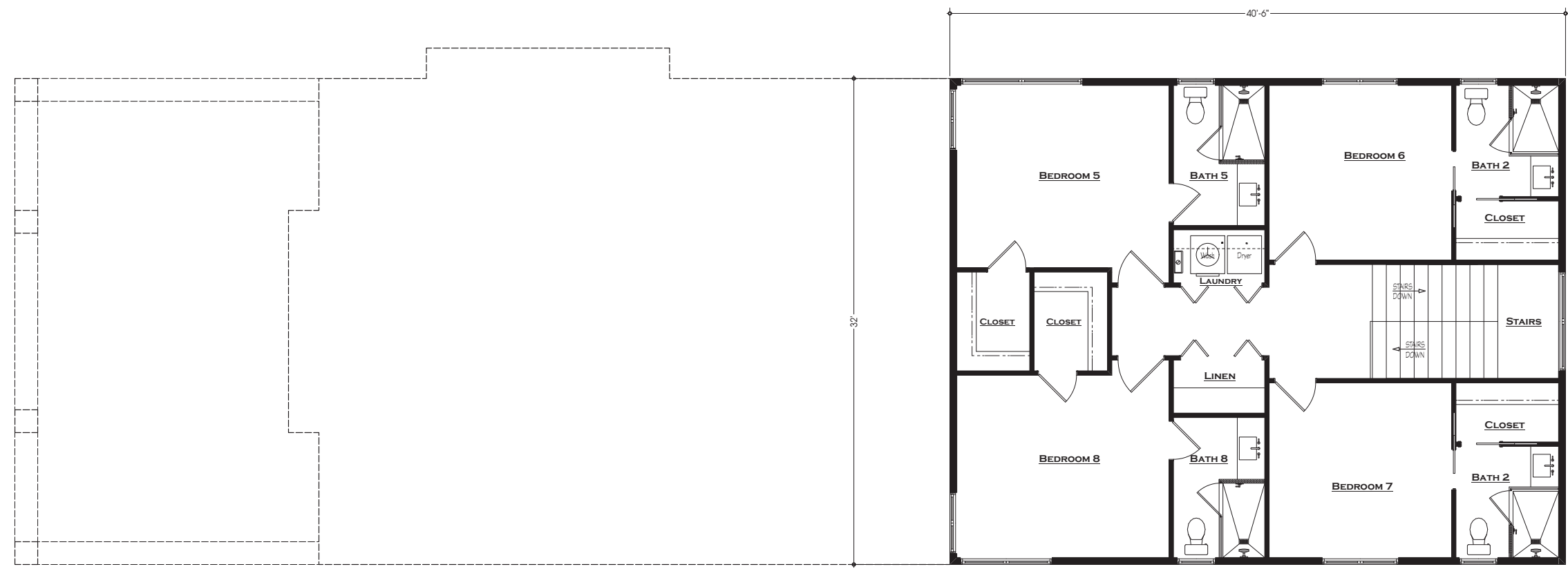
REVISIONS

PROPOSED RE-BUILDING OF EXISTING STRUCTURES LOST TO FIRE
SF GUN CLUB
 2866 GRIZZLY ISLAND ROAD APN: 046-180-130



Upper Level
Floor Plan
 Scale: As Noted
 November 2020

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A-1.3
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1,200 Square Feet



UPPER LEVEL FLOOR PLAN
 Scale: 1/4" = 1'-0"

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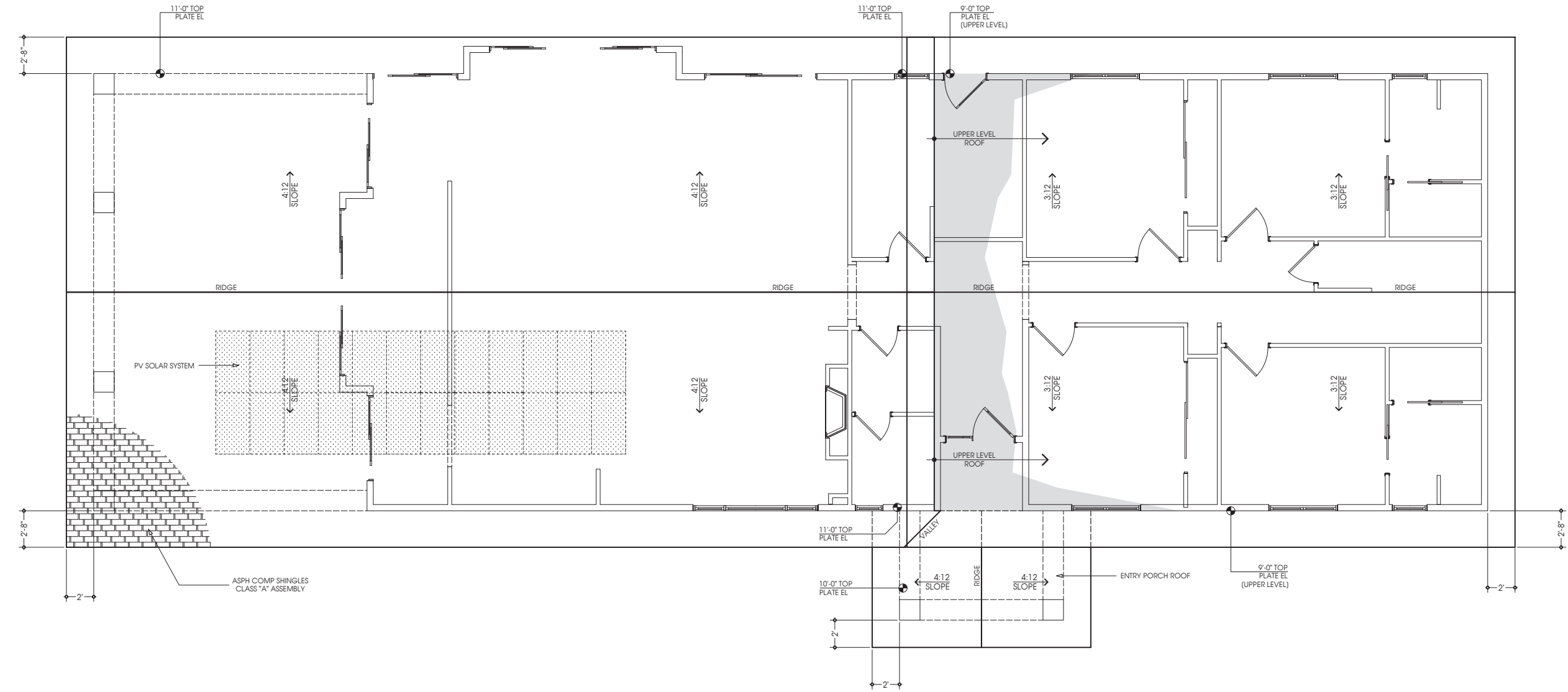
REVISIONS

PROPOSED RE-BUILDING OF EXISTING STRUCTURES LOST TO FIRE
SF GUN CLUB
 2866 GRIZZLY ISLAND ROAD APN: 046-180-130



Roof Plan
 Scale: As Noted
 November 2020

Sheet Number
A-1.4
 11 of 22



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ROOF PLAN
 Scale: 1/4" = 1'-0"



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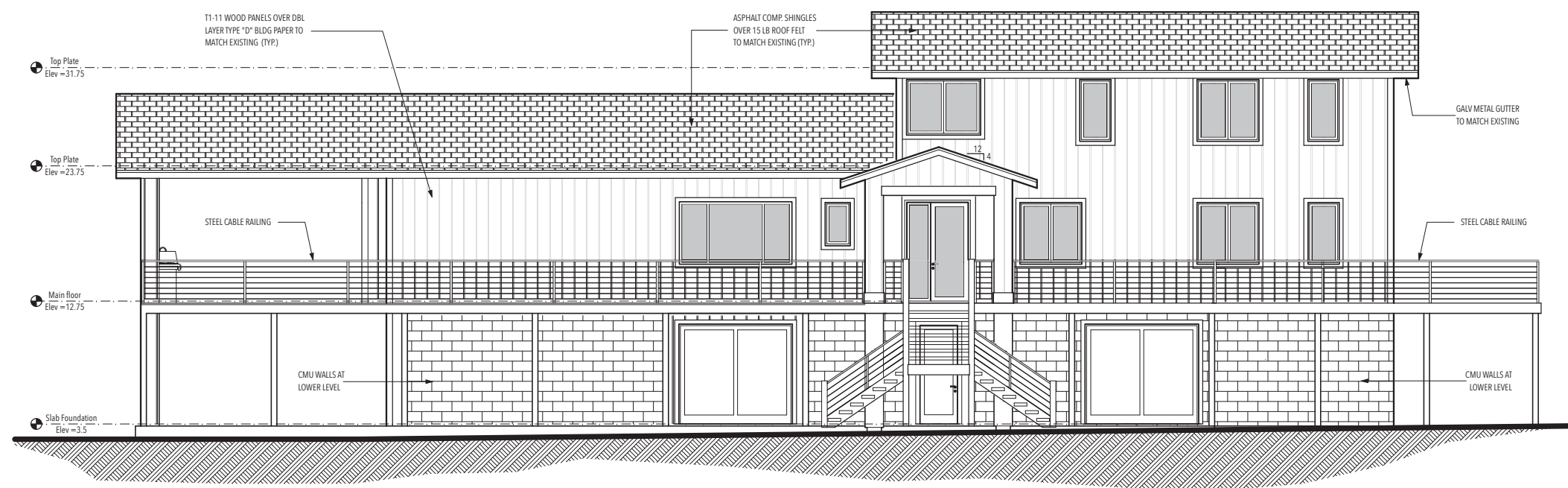
REVISIONS

PROPOSED RE-BUILDING OF EXISTING STRUCTURES LOST TO FIRE
SF GUN CLUB
2866 GRIZZLY ISLAND ROAD APN: 046-180-130

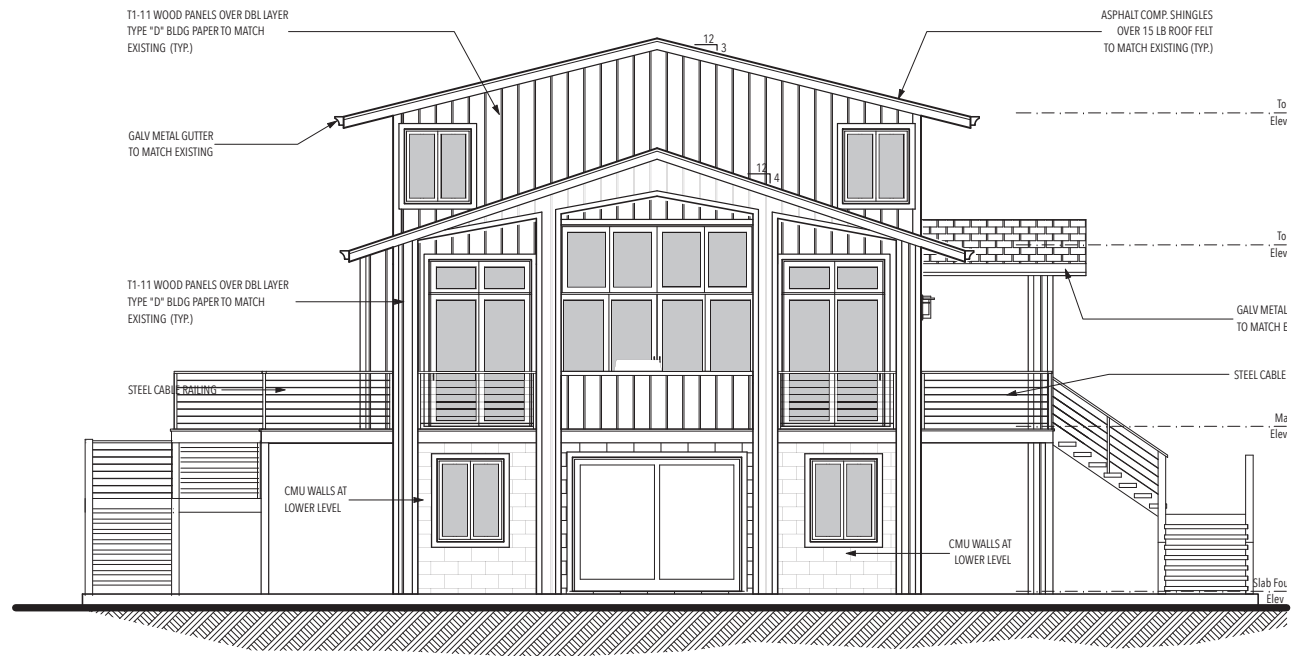


Exterior Elevations
Scale: As Noted
November 2020

Sheet Number
A-2.1
14 of 22



1 EAST EXTERIOR ELEVATION
Scale: 3/16" = 1'-0"



2 SOUTH EXTERIOR ELEVATION
Scale: 3/16" = 1'-0"

EXTERIOR ELEVATIONS
3/16" = 1'-0"

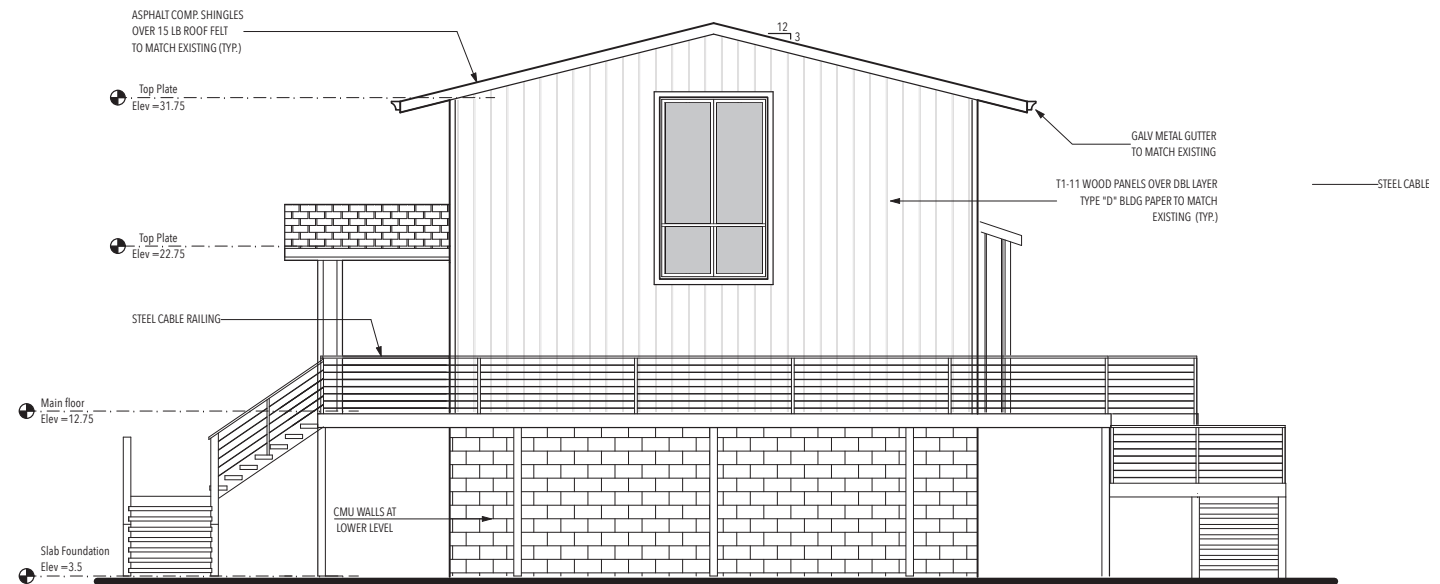
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11/18/2020



2 WEST EXTERIOR ELEVATION
Scale: 3/16" = 1'-0"



1 NORTH EXTERIOR ELEVATION
Scale: 3/16" = 1'-0"

EXTERIOR ELEVATIONS
3/16" = 1'-0"



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REVISIONS

PROPOSED RE-BUILDING OF EXISTING STRUCTURES LOST TO FIRE
SF GUN CLUB
2866 GRIZZLY ISLAND ROAD APN: 046-180-130



Exterior Elevations
Scale: As Noted
November 2020

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A-2.2
15 of 22

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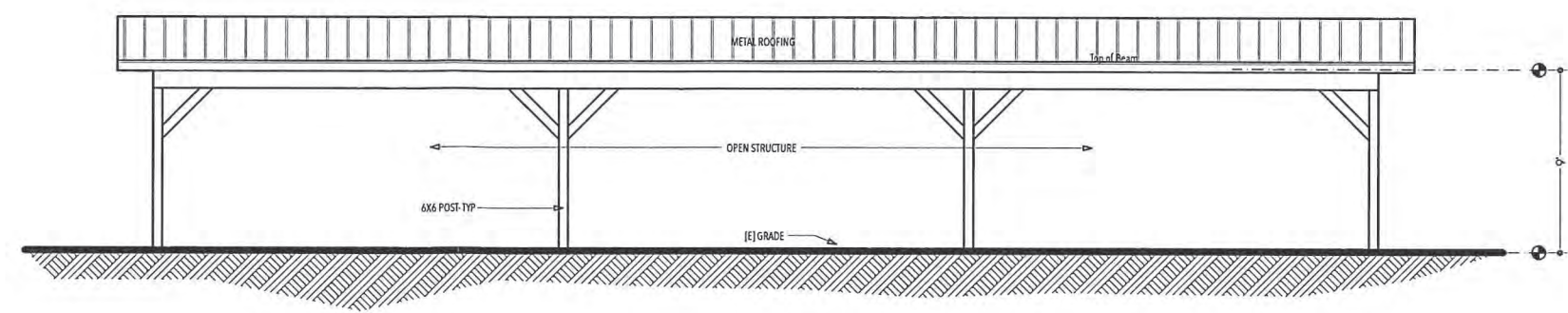
REVISIONS	

PROPOSED RE-BUILDING OF EXISTING STRUCTURES LOST TO FIRE
SF GUN CLUB
2866 GRIZZLY ISLAND ROAD APN: 046-180-130

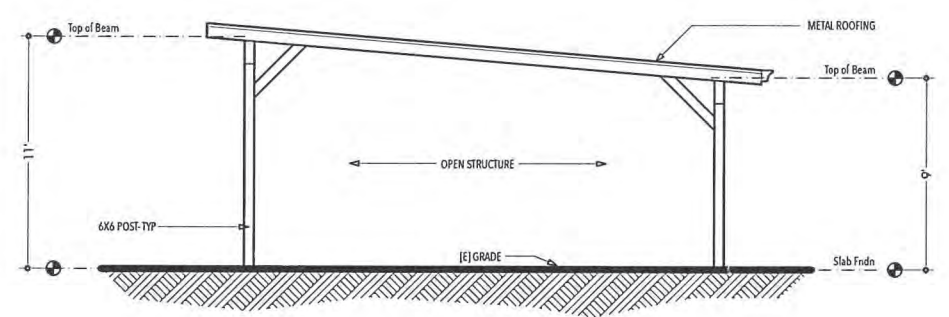


Carport
Exterior
Elevations
Scale: As Noted
November 2020

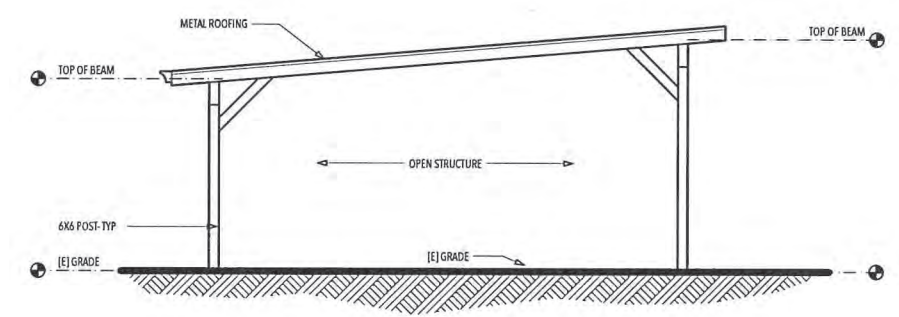
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16 of 22
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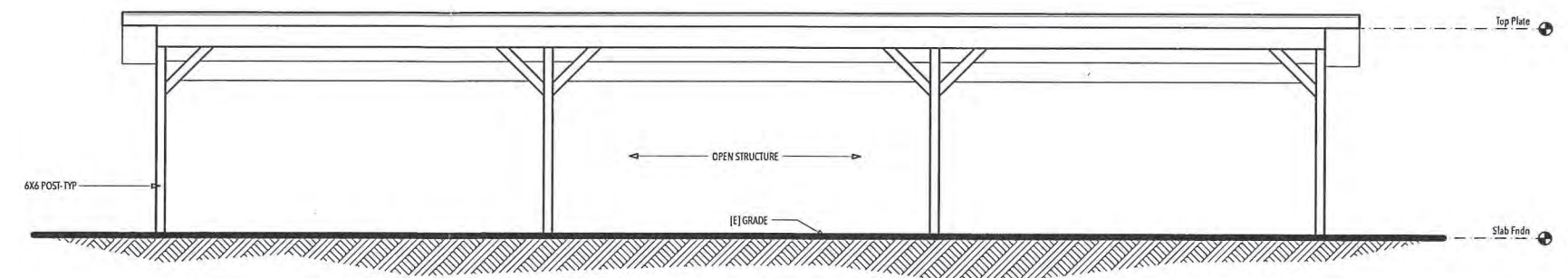
1 FRONT EXTERIOR ELEVATION
Scale: 1/4" = 1'-0"



3 LEFT EXTERIOR ELEVATION
Scale: 1/4" = 1'-0"



2 RIGHT EXTERIOR ELEVATION
Scale: 1/4" = 1'-0"



4 REAR EXTERIOR ELEVATION
Scale: 1/4" = 1'-0"

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County of Solano
Planning Commission Meeting
Hearing Scheduled February 17, 2022

Re: Permit Application No. U-21-03 for the SF Gun Club

It is with great concern, as owner of the Duck-A-Go-Go Duck Club and ShurShot Duck Club, that I respond to this Permit Application by SF Gun Club for reconstruction of a club house/Lodge, covered parking, placement of storage units and reconstruction of a dock destroyed by fire.

As the Planning Commission must know (if a permit was actually applied for and secured), the dock along Montezuma Slough was already reconstructed and enlarged over two years ago. During its construction, there were significant potholes and ruts to the private/gated road and dam along Frost Lake due to the constant use by trucks carrying lumber and construction materials to SF Gun Club. I believe this road and dam are maintained and owned by adjacent landowners, Delta King Duck Club and Black Dog Duck Club. Many times, vehicles were also driven across my properties to access the main outside levy leading to SF Gun Club, forcing me to install locked gates at the entrance to my clubs' properties.

The history of West Wind Duck Club (renamed SF Gun Club by the current owners) shows that the burned-down Club House was built on an old barge that was brought through an opening the levy, then refilled. The Club House had 7 bedrooms and 2-½ baths. Per the California Environmental Quality Act, section 15302, reconstruction of a like facility should not exceed the size and occupant capacity of the old club house. New Club House building plans should these observe these constraints. In addition, the only covered parking that existed at West Wind, were covered boat slips not automobiles or trucks. These features can be seen and are described in a YouTube Sales Video found at Outdoorsmen's Paradise: The Westwind Duck and Fishing Club Suisun (sp?) City, California, by California Outdoor Properties, dated March 5, 2015.

In conclusion, we neighboring property owners have long shared a passion for good stewardship of the marsh land, water and fauna we enjoy. The Marsh Preserve (MP) designation in the primary management area of the Suisun Marsh, by definition, outlines the importance of this sensitive ecosystem. The planning commission must be required to take serious consideration when issuing building permits, and in this case, a more detailed review of what is really going to be built and how materials, contractors and workers are going to access the SF Gun Club site without impacting the environment, roads and neighboring properties is prudent and necessary.

Sincerely,
Doug Alburger
Cell: 650-888-4646

February 14, 2022

Solano County
Planning Commission
675 Texas Street, Suite 5500
Fairfield, CA 94533

RE: Application No. U-21-03
SF Gun Club
2866 Grizzly Island Road

Dear Planning Commission,

Comments concerning Application No. U-21-03 SF Gun Club:

I am the property owner of The Marsh Club (Daniel Whiteley) located approximately at 2566 Grizzly Island Road. This Club is the first Club which gives access to the outer Duck Clubs from Grizzly Island Road.

We are in favor of the SF Gun Club improving their club house. What we are not in favor of is heavy equipment crossing our property and destroying our levees. We have had experience recently with West Wind now San Francisco Gun Club improving their levees by transporting dirt with heavy trucks. They proceeded with out asking for permission to cross private property. We were not against them making the improvement but by the time they finished the project they left our levee in such disrepair it was dangerous to travel on. Since then, we put a band aide on the levee and now it is day by day if the smaller vehicles can travel on it.

We have one more issue concerning the size of the club house. Prior to the San Francisco Gun Club in only certain summer months when everything was dry, the smaller vehicles (pick-up trucks, etc.) were allowed to travel to their club to do maintenance via the levees. It was never a main egress for the Club members. When San Francisco Gun Club was purchased that first Summer it was a parade of vehicles trespassing on our levees to reach their club. The levees past our club and Grizzly Fairview are not maintained for vehicle travel. To protect the levees, we need to have minimal travel. The SF Gun Club's main member access has been by boat. We would like it to stay that way.

Please review this with the SF Gun Club.

Thank you for listening,
Daniel Whiteley
The Marsh Club
3103 Cherry Valley Cir.
Fairfield, CA 94534
(707)430-6783 / whiteleydc@gmail.com

February 15, 2022

Solano County Planning Commission
675 Texas Street, Suite 5500
Fairfield, CA 94533

**Comments on Use Permit Application No. U-21-03 by SF Gun
Club
By Frost Lake Reclamation District #2129**

Dear Solano County Planning Commissioners,

My name is Terry Connolly and I am the immediate past executive director of the Frost Lake Reclamation District #2129 (FLRD). The Board of Directors of the District has appointed me to present District concerns about the proposed project by the SF Gun Club. FLRD would like to provide the following historical context, a description of unique and seasonal site access limitations for this proposal, and express the District's concerns about possible negative impacts and damages that may occur from the SF Gun Club's proposed project to reconstruct their clubhouse and docks destroyed by fire. FLRD is not opposed to the reestablishment of the SF Gun Club's facilities. However, the District is extremely concerned with the potential impact to existing interior levees, dirt roads and water supply ditches within the FLRD from the proposed project.

BRIEF HISTORY OF FROST LAKE

In 1909 Warren Dutton, at the time an owner of a large portion of Grizzly Island, constructed a dam across Frost Slough thereby separating Montezuma Slough from Frost Slough. The purpose of the dam was to eliminate tidal action from Montezuma Slough and to impound fresh water for use in cattle ranching. This separated section of Frost Slough created what is now commonly known as Frost Lake. Over the past century,

ranching operations were gradually replaced by waterfowl hunting and managed wetlands as the primary land use of the properties surrounding Frost Lake. Over most of the 20th century, various efforts were made to cooperatively manage the Frost Lake water levels and resources by surrounding landowners. Finally, in 1996 these efforts resulted in the establishment a reclamation district to formally manage the Lake.

RESPONSIBILITY OF FLRD FOR MAINTENACE OF DITCHES AND OTHER INFRASTRUCTURE

Frost Lake Reclamation District #529 was approved as a Reclamation District by a Solano County Board of Supervisors resolution on April 28, 1998. In July of 1998 the District spent \$198,000 from a North American Wetland Conservation Grant on the realignment and dredging of Solano Cut and over the next twenty plus years the District has spent well over \$30,000 in maintaining the Cut. In addition FLRD received a grant to install fish screens on Montezuma Slough at a total cost of \$567,500. As required by the California State Water Code, in 1999 the District filed a Reclamation Plan (attached). This Plan outlines FLRD's responsibilities for its infrastructure.

The FLRD comprises 1078 acres located in the Suisun Marsh area of Solano County. Of this acreage, FLRD irrigates approximately 828 acres of property located in the District. FLRD was formed to operate and maintain water delivery systems common to properties within FLRD and is the only supply of fresh water to Frost Lake. FLRD also regulates the Lakes use as a drain into Montezuma Slough by properties surrounding the Lake. Properties within FLRD are charged for services provided under provisions of section 50902 of the Water Code. Charges for yearly maintenance are based on each property's acreage within FLRD. The heart of FLRD's infrastructure is the fish screens (525E and 525W) located on Montezuma Slough and the Solano Cut supply ditch (see map attached). All irrigated acreage relies on both the fish screens and Solano Cut to deliver irrigation water.

CONCERNS OF FLRD AND SPRIGSVILLE RANCH REGARDING PROPOSED CONSTRUCTION ON THE SF GUN CLUB

FLRD is certainly sympathetic with the SF Gun Club's effort to construct a new clubhouse and surrounding structures and docks. Having reviewed the

plans submitted to the Planning Commission prepared by the Club, the plans appear to conform to the original improvements destroyed by fire. Further, although much newer and more attractive, the structures appear to be comparable with similar structures in the area.

However, FLRD is concerned with the possible use of the interior levee and levee road to transport building materials to the construction site. The road runs along Solano Cut for approximately one-half mile. Being constructed primarily on peat soil, this small interior levee and levee road along Solano Cut was not designed to accommodate large or heavily loaded vehicles. Most of Grizzly Island's soil is organic (peat) rather than mineral (clay). Peat soils are prone to shrinkage and are generally unsuitable for road base. The use by heavy vehicles has the potential of damaging both the road and levee and could cause sluffing of levee material into the Solano Cut water supply ditch. If significant damage is done to the interior levee along Solano Cut the supply of irrigation water to 828 acres of sensitive marsh habit and to Frost Lake would be imperiled. In addition, the road to properties on the northeast side of Frost Lake has a seasonal access restriction. No vehicle traffic is permitted between October 1st and April 1st.

FLRD would much prefer any construction materials be transported to the construction site by barge rather than incurring the possible deleterious effects of heavy truck loads over fragile marsh roads. Currently, during the six month period with no road access, all individuals and supplies are transported to those properties on the northeast side of Frost Lake via water. The lack of road access during the six month period may also impact the removal of sewerage from holding tanks. This is not an unusual request as many properties in the Suisun Marsh have no road access and are limited to water transportation of construction materials and sewerage.

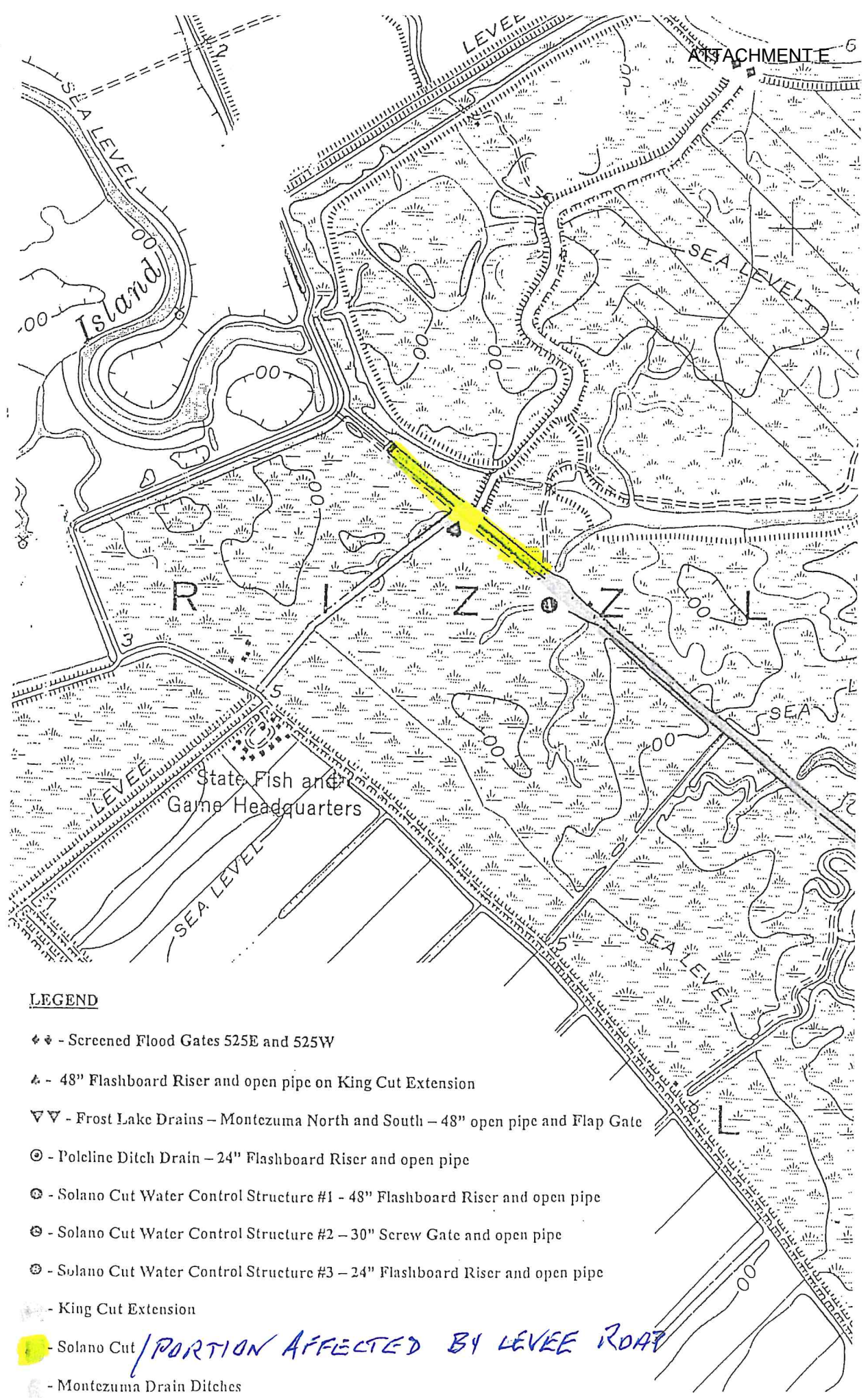
FLRD has always found the management of the SF Gun Club to be cooperative and hope the Districts position will be honored by both the Club and the Planning Commission. The District is hereby requesting the Planning Commission make water transportation of construction materials to the building site a condition of approving the Use Permit.

Sincerely,


Terry Connolly

Photos of Reclamation District #2129 Levee Road and Water Supply Ditch





LEGEND

- ◆◆ - Screened Flood Gates S25E and S25W
- ▲ - 48" Flashboard Riser and open pipe on King Cut Extension
- ▽▽ - Frost Lake Drains - Montezuma North and South - 48" open pipe and Flap Gate
- ⊙ - Poleline Ditch Drain - 24" Flashboard Riser and open pipe
- ⊙ - Solano Cut Water Control Structure #1 - 48" Flashboard Riser and open pipe
- ⊙ - Solano Cut Water Control Structure #2 - 30" Screw Gate and open pipe
- ⊙ - Solano Cut Water Control Structure #3 - 24" Flashboard Riser and open pipe
- ▬ - King Cut Extension
- - Solano Cut / PORTION AFFECTED BY LEVEE ROAD
- ▬ - Montezuma Drain Ditches

R.D.
2129

Frost Lake Reclamation District #2129
Reclamation Plan
As Required by § 51040 of the California State Water Code

Background

Solano County Board of Supervisors Resolution No. 98-107 approved the Frost Lake Reclamation District for formation on April 28, 1998. The District comprises ±1,077.96 acres of property located in the Suisun Marsh area of Solano County and is further described in the metes and bounds description attached to the Local Agency Formation Commission "Certificate of Completion". The purpose of the District is to operate and maintain water delivery and drain systems common to properties within the District, as well as maintaining only that portion of the exterior levees behind bulkheads which contain the flood and drain gates necessary to the water delivery and drain systems.

Plan of Reclamation and Source of District Funds

Shortly after formation the District received grants from several sources for improvement to ditches and water control structures within the District. A list of the improvements, cost and funding sources follows:

- 1) Installation of two fish screened flood gates 525E and 525W, related structures and bulkheads located on Montezuma Slough between Clubs 527 and 525 (Delta King and Balboa). The screens were funded by the Bureau of Reclamation and the Los Angeles Metropolitan Water District and were installed to mitigate the intake of fish at the Tracy Pumps of the California Water Project. The cost of the two screened floodgates and related structures and bulkheads was \$600,000.
- 2) Dredging the ditch and using spoils to repair existing levees that run from fish screens 525E and 525W to Solano Cut. This improvement and improvements (3) through (8) were funded by a grant under provisions of the North American Wetlands Conservation Act (NAWCA). The total cost of these improvements was \$151,855. Some of the improvements included this grant were for water control structures on individual properties and are not the responsibility of the District.
- 3) Dredging Solano Cut and using spoils to repair existing levees that run from the blocked end of the extreme northwest terminus of the cut (which is approximately 200 yards southeast of Grizzly Island Road) extending along Solano Cut approximately 1.3 miles to the point where Solano Cut enters Frost Slough. This project was funded by NAWCA.

- 4) Dredging the King Cut extension and using spoils to repair existing levees that run from where King Cut passes under Grizzly Island Road near the Fish and Game Headquarters to Solano Cut, excluding the gate and pipe under Grizzly Island Road. The King Cut extension is a common ditch between Clubs 536 and 528 (Marsh Club and Grizzly Fairview). This project was funded by NAWCA.
- 5) Installation of a 48" flashboard riser and pipe that connects the King Cut extension to Solano Cut. This project was funded by NAWCA.
- 6) Installation of a 48" flashboard riser and pipe that passes under the road near the northwest corner of Club 529 (Sprigsville Ranch). This project was funded by NAWCA.
- 7) Installation of a 30" pipe that passes under the road near the northwest corner of Club 611 (Sleeping Pintail). This project was funded by NAWCA.
- 8) Installation of a 24" flashboard riser from Solano Cut into Frost Slough. This project was funded by NAWCA.
- 9) Installation of two 48" drain gates, related structures and bulkheads located between Clubs 610 and 618 (Westwind and Hidden Cove) on Montezuma Slough. This project was funded as a separate project from NAWCA at a total cost of \$94,000.
- 10) The 24" flashboard riser from Frost Slough into the Department of Fish and Game ditch (Poleline Ditch) near the southwest corner of Club 532 (Windmill Farms). This project was funded from a private grant secured by the Suisun Resource Conservation District (\$1,800) and District monies (\$600).

The District's plan of reclamation includes assuming responsibility for the maintenance of all structures and improvements listed above except the following portions of items (2) and (4) above. The District is not assuming responsibility for the maintenance of the levees mentioned in (2) above as these levees are the responsibility of those properties which border the ditch but are not members of Reclamation District #2129. The District is assuming responsibility for only 50% of the cost of maintaining the north levee of item (4) above. The property on which this levee is built (#536) is a member of the District but does not participate in the cost of draining the properties within the District. This property uses the ditch for draining into Grizzly Bay. Also specifically excluded are flood and drain facilities and water control structures, including but not limited to screw gates, flashboard risers, and related pipes, which either flood or drain individual properties. These are the responsibility of each individual ownership within the District.

The ownerships within the District have agreed to an informal charge for services provided by the District under provisions of section 50902 of the State of California Water Code rather than utilizing the formal assessment process. Accordingly the district has adopted Resolution 99-1. This resolution charges for yearly maintenance operations based on acreage within the District. The charges are further allocated based on whether each ownership fills or drains water. Those ownerships that fill are charged

for the maintenance of items 1 through 8 above. Those ownerships that drain are charged for the maintenance of items 9 and 10 above.

Administration expenses for the District are borne equally by the ownerships within the District.

Those ownerships not in the District that benefit from the District's improvements are charged a fee based on their usage of said improvements.

Map

The attached map indicates the location of all the structures, ditches and other improvements mentioned above. It also indicates the location of the Montezuma Drain Ditches and the Poleline Drain Ditch. These two ditches were in existence for many years prior the formation of the District. The District will keep these ditches free from obstructions but will not maintain the levees that border these ditches. In addition the District is not responsible for any other levees surrounding Frost Slough or Frost Lake.

Future Improvements

The only improvement contemplated by the District at this time is the possible installation of a low lift pump adjacent to the two 48" drains into Montezuma Slough (item 9 above). Installation of this pump is contingent on securing grant monies for the cost of this project.

Respectfully submitted,

Terry Connolly, Secretary for the District

From: [Sandra Powell](#)
To: [Planning](#)
Subject: San Francisco club building proposal
Date: Wednesday, February 16, 2022 7:45:41 PM

To whom it may concern

I am one of the owners of the black dog duck club that borders the San Francisco club on the north side. I am writing this email on behalf of myself and my partner in opposition to this building project. We own the easement along frost lake and between our clubs which is about half of the travel to get to their club from our direction. We are very concerned with the size of this project and the Amount of traffic and the size of vehicles that will be going down our levees to complete this project. These are levees not roads they are not meant to have a lot of traffic going up and down them they are used to retain and keep water in and off of my club. They are full of muskrat holes and beaver holes and the more traffic will cause these to be exposed causing major bumps and damage. During the off season we use this area along frost lake for fishing and picnicking with our families. The levees are only 8 feet wide and they will be driving by causing dust and damage to our levees. While we are trying to enjoy our property. The area they have to cross frost lake is a dam and is also in bad condition we have had to drop dirt down the side of it many times because of the erosion from the waves, having that kind of traffic and trucks crossing would cause major issue maybe even failure. As of now they have many connex boxes on their place and the amount of vehicles already using this way to get to their club has caused major issues and inconvenience for myself and my partner. The trespassing, the vehicles speeding along my levees has been an ongoing problem. We have had more than enough conversations with the owners Paul and as he is very polite and receptive To our conversations but things continue to happen. Most of the clubs around there are two or three bedroom small clubhouses and about two or three truck at any one time use the surrounding clubs. If this club the size they want to build is allowed. With the 80 to 100 members I've heard they want to have join will not be acceptable to myself or my partner. We bought this place to relax and enjoy with our families and friends and don't want to have a freeway going Thru our place with nonstop traffic. Since they have been there we have had nothing but problems with this issue and this building project will only intensify the problem. Thank you for your review of this project. We hope you will take our interests in this matter into careful consideration.

Sent from my iPhone

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February 17, 2022

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File Number: 74KH-320739

BY EMAIL

Solano County Planning Commission
c/o Resource Management
675 Texas Street, Suite 5500
Fairfield, CA 94533
PlanningCommission@SolanoCounty.com

Re: February 17, 2022 Meeting, Case No. PC 22-011
Use Permit Application No. U-21-03, 2866 Grizzly Island Road (SF Gun Club)

Dear Commissioners:

This firm represents Delta King, LLC, which owns and operates the Delta King duck club located near the SF Gun Club's proposed development at 2866 Grizzly Island Road (the "Project"). Delta King has serious concerns about the Project's current design and failure to comply with applicable environmental and planning requirements. Delta King requests that the Planning Commission continue the hearing on the current proposal; require the applicants to redesign the Project to comply with applicable requirements, including developing an appropriate access plan for construction and operations; and conduct a new environmental review process that complies with California Environmental Quality Act.

As detailed below, the current proposal is legally flawed and cannot be approved for three primary reasons. First, the Project is inconsistent with the County Zoning Code and required findings for use permit approval because it does not address access to and from the Project site for construction activities. While the staff report notes "access to the site will be provided off of Grizzly Island Road via a private dirt driveway," the SF Gun Club does not have a right to use the access road shared by surrounding properties for transporting construction equipment and materials. The SF Gun Club has previously used the access road without authorization for construction and related activities, which resulted in significant damage to the access road that has not been adequately repaired. Second, the Project does not qualify for a Class 2 Categorical Exemption from CEQA because the Project will cause significant impacts on the environment. Third, the Project is inconsistent with the planning requirements in the County General Plan, including those related to environmentally sensitive habitat areas and marshland. This Project will cause significant direct and indirect impacts to the Suisun Marsh which must be further evaluated to ensure the Project would minimize or avoid conflicts with these policies and requirements.

Notably, these significant issues could have and should have been addressed earlier in the planning process. Unfortunately, however, the applicants never approached Delta King (or any of the other nearby property owners, which includes several other gun clubs) to discuss the



Project in advance of this hearing. Delta King did not receive notice of the Project until around two weeks ago, and has only had a few days to review the Project application materials and staff report. This failure prevented Delta King from participating earlier in the process and raising these issues at the outset, including use of the access road for construction activities. Due to lack of outreach, this hearing represents Delta King's first opportunity to share its substantive concerns about the Project.

I. The Project Is Inconsistent with the County Zoning Code Because It Fails to Properly Address Access to and From the Site

To approve an application for a use permit, the County must find that: (1) the establishment, maintenance or operation of the use or building applied for are in conformity with the general plan for the County with regard to traffic circulation, population densities, and distribution, and other aspects of the general plan considered by the zoning administrator or planning commission to be pertinent; (2) adequate utilities, access roads, drainage and other necessary facilities have been or are being provided; and (3) applicant exhibits proof that such use will not, under the circumstances of the particular case, constitute a nuisance or be detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in or passing through the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County. (Zoning Code Section 28.106.)

The Project as proposed is flawed and the use permit cannot be approved because, at a minimum, the Project does not meet findings (2) and (3). As to finding (2), the Project does not have "adequate access roads," because the SF Gun Club does not have the right to use the dirt access road for construction activities as proposed. The SF Gun Club has previously used the access road for construction purposes without authorization, causing significant damage to the road that has yet to be properly repaired. Further unauthorized use of the road will be detrimental and injurious to property and improvements in the vicinity, including Delta King's property. As a result, the Project also fails to meet finding (3). Delta King reserves the right to apply for a temporary restraining order and injunction to prevent the SF Gun Club's unauthorized use of the road and to seek recovery for trespass and damage to the road.

II. The Project Violates CEQA Because It Does Not Qualify for a Class 2 Categorical Exemption; Additional Environmental Review is Required

The staff report incorrectly finds that the Project qualifies for a Categorical Exemption under CEQA Guidelines Section 15302—Replacement or Reconstruction ("Class 2 Exemption"), which consists of the replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site and will have substantially the same purpose and capacity as the structures replaced.

As an initial matter, the Class 2 Exemption does not apply because the structures to be "replaced" were destroyed in a fire years before the SF Gun Club even purchased the property, and therefore do not qualify as "existing" structures. Moreover, it appears from the staff report



and application materials that the SF Gun Club seeks to expand development on the property even beyond what existed before the fire.

Additionally, categorical exemptions, including the Class 2 Exemption, are not absolute and do not apply where there is a “reasonable possibility of a significant effect on the environment due to unusual circumstances.” (CEQA Guidelines §§ 15300.2(c).) Here, the Project does not qualify for a Class 2 Exemption because the Project will cause significant biological and other impacts due to the unusual circumstance of the Project’s location on the Suisun Marsh. The Project proposes significant construction which will cause a range of significant direct and indirect impacts to this protected and environmentally sensitive area.

Construction activities will cause direct impacts to the Suisun Marsh that have yet to be even identified, let alone adequately evaluated. The Project completely fails to address the length of the construction; fails to identify the construction equipment to be used; fails to identify or quantify pollutants that will be emitted; and fails to identify impacts of the proposed construction and grading on biological resources.

Moreover, the Project will cause a range of indirect environmental impacts to the Suisun Marsh that must be evaluated under CEQA. In particular, the Project will involve the storage and disposal of hazardous materials, including construction debris, that will cause significant impacts that must be thoroughly evaluated through additional environmental review and the imposition of mitigation measures. Especially considering the sensitive environmental context of the Suisun Marsh, the proposed use of construction debris and other hazardous materials will cause significant environmental effects that must be further evaluated and mitigated to reduce the Project’s impacts and to protect the marshland. Additionally, the construction of the Project will cause significant noise impacts that will cause further significant effects on the surrounding environment and must be further evaluated.

The Project will ultimately cause significant impacts to the Suisun Marsh environment. Therefore, a Class 2 Exemption is not available for the Project and additional environmental review is required to comply with CEQA. The County must analyze the full scope of Project construction and its various environmental impacts.

III. Project is Inconsistent with General Plan

Finally, the Project is also inconsistent with the County General Plan, which prioritizes the protection of the Suisun Marsh. While the General Plan identifies duck hunting as a permitted recreational activity in the Suisun Marsh area, such uses must still remain consistent with other land use policies for the Suisun Marsh, especially those designed to protect environmentally sensitive resources and habitats.

Pursuant to the Suisun Marsh Policy Addendum to the General Plan, “[r]ecreational activities that could result in adverse impacts on the environmental or aesthetic qualities of the Suisun Marsh should not be permitted.” (General Plan, Appendix C, pp. 15-16.) “Levels of use should also be monitored to insure that their intensity is compatible with other recreation activities and with protection of the Marsh environment.” (*Id.* at 16.) The General Plan also



requires development in the Suisun Marsh area to occur in a manner “which minimizes impacts of earth disturbance, erosion, and water pollution.” (General Plan, Resources Chapter, p. 28.) As explained above, the Project fails to provide any evidence that it is consistent with these policies and fails to provide any evidence that it will not cause significant impacts to the protected Suisun Marsh environment.

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As a result of the flaws described above, the County cannot approve the Project in its current form. We request that the County deny the requested Use Permit, or in the alternative, continue the Planning Commission hearing for February 17, 2021 to conduct a new public review and environmental process that complies with the County General Plan, Zoning Code, and CEQA.

Thank you for considering these comments.

Sincerely,

A handwritten signature in blue ink, appearing to read "Alexander L. Merritt".

Alexander L. Merritt
for SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

SMRH:4866-9708-3919.2

cc: Delta King, LLC