

MINUTE ITEM

This Calendar Item No 52  
was approved as Minute Item  
52 by the State Lands  
Commission by a vote of 3  
to 0 at its 12/15/76  
meeting.

CALENDAR ITEM

52

12/76  
W 21156  
LG  
BLA 154

BOUNDARY LINE AGREEMENT-COLORADO RIVER

Mr. John Winter has proposed to develop 114 acres of farmland located ten miles north of Blythe on Highway 95 in Riverside County into a residential-recreation subdivision. The project is now the subject of an environmental impact report being handled by Riverside County. Approximately a mile of the subdivision fronts on the Colorado River in a reach which is in a natural state. The Bureau of Reclamation intends to increase flows from Hoover Dam in the future, but must protect and stabilize the river banks prior to increasing the flows. The stabilization work at this location consists of bank riprap which will create an artificial condition thereby making it desirable to fix the boundary in its present (last known natural) condition.

The staff has made a study of the area and finds that the bank as it now exists is a fair and equitable location and recommends the proposed boundary as being in the best interest of the State. An artificial channel was once created to divert water during the construction of the Palo Verde Dam. This channel is conceded as rightfully belonging to Mr. Winter.

In addition to and as a condition of the Boundary Line Agreement, Mr. Winter is conveying a half-acre-plus parcel along the river with access from Highway 95 to be used for public fishing and boating access and picnic area. The access parcel, which may also be used for parking is approximately 2-1/2 acres. Staff discussions indicate that the State Department of Fish and Game is willing to operate and maintain the access-recreation area.

Mr. Winter, with the advice and concurrence of the Division has had the proposed boundary surveyed and a map prepared, which was recorded on November 22, 1976 in Book 62, Record of Surveys of Riverside County, pages 36 and 37. This survey is also on file in the office of the Commission.

The Boundary Line Agreement, embodying the foregoing is on file in the office of the Commission.

The agreement is authorized by Division 6 of the Public Resources Code.

The agreement is exempt from environmental impact reports required by CEQA and Section 6371 of the Public Resources Code in that it is a boundary and property settlement.

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S 38

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CALENDAR ITEM 52 (CONTO)

Exhibit A: Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. APPROVE THE BOUNDARY LINE AGREEMENT ON FILE IN THE OFFICE OF THE COMMISSION AND BY REFERENCE MADE A PART HEREOF.
2. AUTHORIZE THE ACCEPTANCE OF DEEDS TO THOSE CERTAIN RECREATIONAL, PARKING AND ACCESS PARCELS MORE PARTICULARLY DESCRIBED IN SAID AGREEMENT.
3. APPROVE THAT CERTAIN RECORD OF SURVEY DATED NOVEMBER 22, 1976, RECORDED AT BOOK 62, PAGES 36 AND 37 DEPICTING THE AGREED BOUNDARY AND SHOWING THE RECREATIONAL, PARKING AND ACCESS PARCELS.
4. FIND THAT THE TRANSACTION IS EXEMPT FROM ENVIRONMENTAL IMPACT REPORTING BY REASON OF THE EXEMPTION CONTAINED IN SECTION 6371 OF THE PUBLIC RESOURCES CODE.
5. AUTHORIZE THE STAFF OF THE STATE LANDS DIVISION AND/OR THE OFFICE OF THE ATTORNEY GENERAL TO TAKE ALL STEPS NECESSARY, INCLUDING LITIGATION, IN ORDER TO CARRY OUT THE PROVISIONS OF THIS AGREEMENT.