

**CALENDAR ITEM
C100**

A 14, 11

10/14/14

G 02-03

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R. Boggiano

**CONSIDER APPROVAL OF A RECORD OF SURVEY AND A LEGAL DESCRIPTION
DEPICTING AND DESCRIBING THE LOCATION AND EXTENT OF THE STATE
OWNED SOVEREIGN TIDE AND SUBMERGED LANDS LEGISLATIVELY GRANTED
TO THE CITY OF PITTSBURG, CONTRA COSTA COUNTY**

TRUSTEE:

City of Pittsburg
Waterfront Development and Operations
65 Civic Avenue
Pittsburg, CA 94565

BACKGROUND:

The City of Pittsburg (City) is trustee of sovereign tide and submerged lands granted by the Legislature pursuant to Chapter 422, Statutes of 2011 (Chapter 422). Section 10(a) of Chapter 422, requires the California State Lands Commission (Commission) to survey, monument, and record a plat and a metes and bounds description of the sovereign tide and submerged public trust lands legislatively granted to the City in the office of the Contra Costa County Recorder. Upon recordation, the survey, monuments, plat, and metes and bounds description shall be binding upon the state, the grantee, and their successors in interest.

STAFF ANALYSIS:

Commission staff has worked diligently to complete the record of survey and land description of the granted public trust lands. Staff believes the record of survey accurately shows the extent of the lands granted to the City pursuant to Chapter 422, based on the best evidence known to Commission staff at the time of the survey and preparation of the map. The City has reviewed the record of survey in addition to the accompanying land description and does not have any objections. The record of survey has also been reviewed by the Contra Costa County Recorder's Office and will be recorded after approval by the Commission.

OTHER PERTINENT INFORMATION:

1. Section 9 of Chapter 422 mistakenly identifies a certain parcel of trust land that is not included in the grant to the City. Chapter 422 transposed the Lease PRC number for the CPN Pipeline. The record of survey correctly

CALENDAR ITEM NO. **C100** (CONT'D)

refers to the exception parcel as Commission Lease Number PRC 4699 CPN Pipeline.

2. The staff recommends that the Commission find that the subject approval of a record of survey does not have a potential for resulting in either a direct or a reasonably foreseeable indirect physical change in the environment, and is, therefore, not a project in accordance with the California Environmental Quality Act (CEQA).

Authority: Public Resources Code section 21065 and California Code of Regulations, Title 14, sections 15060, subdivision (c)(3), and 15378.

EXHIBIT:

- A. Location and Site Map

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

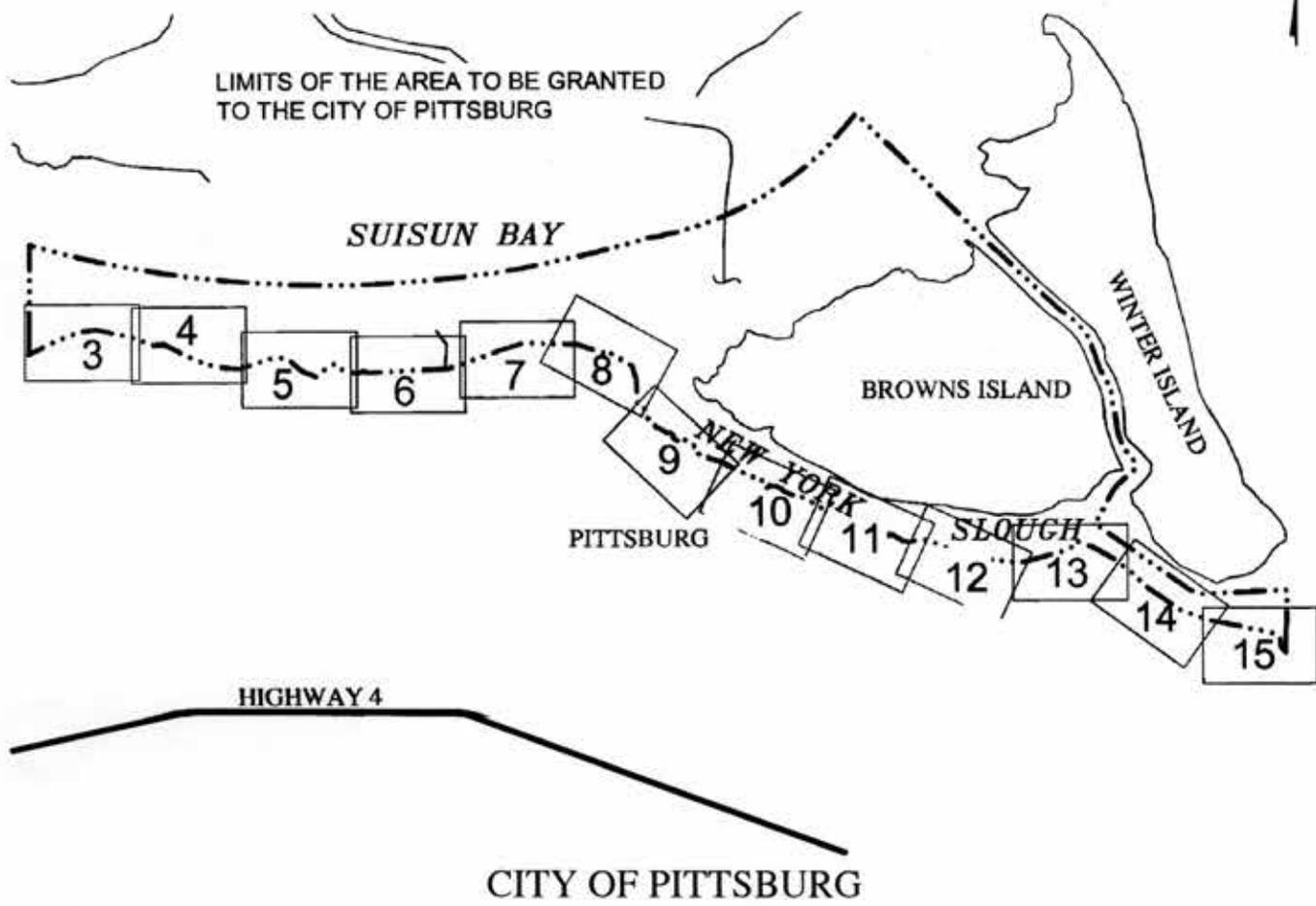
Find that approval of a record of survey and a legal description is not subject to the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15060, subdivision (c)(3), because the subject activity is not a project as defined by Public Resources Code section 21065 and California Code of Regulations, Title 14, section 15378.

AUTHORIZATION:

Approve the record of survey and legal description, substantially in the form on file at the Commission's Sacramento Office, depicting the location and extent of the sovereign tide and submerged lands granted to the City of Pittsburg, Contra Costa County, pursuant to Chapter 422, Statutes of 2011.

NO SCALE

SITE



NO SCALE

LOCATION

Exhibit A
 G 02-03
 PITTSBURG GRANTED LANDS
 APPROVAL OF
 RECORD OF SURVEY
 CITY OF PITTSBURG
 CONTRA COSTA COUNTY



MAP SOURCE: USGS QUAD



This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.