

MINUTE ITEM  
This Calendar Item 26  
was approved as Item  
No. 26 by the State Lands  
Commission by a vote of 3  
to 0 at its 2/23/78  
meeting.

MINUTE ITEM

2/23/78  
Grimes

26. BOUNDARY LINE AGREEMENT; BLA 170; W 21429.

During consideration of Calendar Item 26 attached, Robert C. Hight, Chief Counsel, requested that Recommendation No. 1 be amended as follows:

After the word "between" add "The State of California and".

Upon motion duly made by Commission-alternate Betty Jo Smith and seconded by Commission-alternate Sid McCausland, the following resolution was passed 3-0 by the following vote:

Chairman Cory ....Aye  
Ms. Smith .....Aye  
Mr. McCausland ...Aye

THE COMMISSION:

1. FINDS THAT THE BOUNDARY LINE AGREEMENT ON FILE WITH THE STATE LANDS COMMISSION BETWEEN THE STATE OF CALIFORNIA AND THE CITY OF MONTEREY AND THE UNITED STATES COAST GUARD IS IN THE BEST INTERESTS OF THE STATE.
2. AUTHORIZES THE EXECUTION AND RECORDATION OF SAID AGREEMENT.
3. FINDS THAT THE AGREEMENT IS NOT SUBJECT TO THE REQUIREMENTS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT BY REASON OF THE EXCEPTION CONTAINED IN SECTION 6371 OF THE PUBLIC RESOURCES CODE.
4. AUTHORIZES THE STAFF OF THE STATE LANDS COMMISSION AND/OR OFFICE OF THE ATTORNEY GENERAL TO TAKE ALL STEPS NECESSARY, INCLUDING LITIGATION, IN ORDER TO IMPLEMENT AND GIVE EFFECT TO THIS AGREEMENT.

Attachment: Calendar Item 26 (2 pages)

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CALENDAR ITEM

26.

2/78  
W 21429  
Grimes

BOUNDARY LINE AGREEMENT  
BLA 170

By various legislative grants, the State has conveyed all its title to tide and submerged lands within the City Limits of Monterey to a depth of 60 feet at low tide to the City of Monterey; Monterey County.

The United States Coast Guard, by condemnation in 1934, acquired a station site at the easterly end of Cannery Row. The waterward boundary of the Coast Guard Station was and is the ordinary high tide line of Monterey Bay.

In the mid-1960's, as a result of urban development work in Monterey, the granted lands in front of the Coast Guard Station were filled. The filled area is approximately 3 1/3 acres.

Because of the fill and other man-made influences, the ordinary high tide line as it existed in a natural state has been obliterated. The City of Monterey, the United States Coast Guard, the Attorney General's staff, and the State Lands Commission's Staff, have examined title and engineering documents and have considered the artificial influences in the vicinity and have agreed to a reasonable position of the last natural location of the mean high tide line.

This line is described in a boundary line agreement on file in the Office of the Commission. The agreement has been signed by the City of Monterey and the United States Coast Guard. The staff and the Attorney General recommend the agreement to the Commission.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE BOUNDARY LINE AGREEMENT ON FILE WITH THE STATE LANDS COMMISSION BETWEEN THE CITY OF MONTEREY AND THE UNITED STATES COAST GUARD IS IN THE BEST INTERESTS OF THE STATE.
2. AUTHORIZE THE EXECUTION AND RECORDATION OF SAID AGREEMENT.
3. FIND THAT THE AGREEMENT IS NOT SUBJECT TO THE REQUIREMENTS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT BY REASON

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CALENDAR ITEM NO. 26. (CONTD)

OF THE EXCEPTION CONTAINED IN SECTION 6371 OF THE PUBLIC RESOURCES CODE.

4. AUTHORIZE THE STAFF OF THE STATE LANDS COMMISSION AND/OR OFFICE OF THE ATTORNEY GENERAL TO TAKE ALL STEPS NECESSARY, INCLUDING LITIGATION, IN ORDER TO IMPLEMENT AND GIVE EFFECT TO THIS AGREEMENT.