

CALENDAR ITEM

Agenda Item No. 31
Agenda Item No. 31 State Lands
Commission by a vote of 3
to 0 at its 11/27/78
meeting.

CALENDAR ITEM

31.

11/78
W 21156
Atkins

EXTENSION OF SUBSTANTIAL COMPLIANCE PROVISION

BACKGROUND:

In December 1976, the State Lands Commission authorized a Boundary Line Agreement (BLA 154) with Mr. John Winter in an area approximately 10 miles north of Blythe in Riverside County. This agreement required Mr. Winter to convey a half-acre-plus parcel along the river along with access to a public highway, which would be used for public fishing and boating access as well as a picnic area. The access parcel is approximately 2½ acres. The California Department of Fish and Game has indicated they would be willing to operate and maintain this access recreation area. This Boundary Line Agreement was executed by the parties involved and recorded February 9, 1977.

CURRENT SITUATION:

A condition subsequent of this agreement was that protective riprap would be placed by the developer within 2 years. If it was not placed within the specified time, the Boundary Line Agreement would be voided. The placement of the riprap requires that Environmental Impact Documentation be prepared, the United States Army Corps of Engineers is the lead agency and would be preparing this documentation as well as issuing a permit for the project. The Commission's staff has been informed by the United States Army Corps of Engineers that their environmental processing has been delayed and will not be completed in time for Mr. Winter to comply with the provisions of the Boundary Line Agreement by which he must place the riprap within 2 years. The Commission's staff has been encouraging the United States Army Corps of Engineers to proceed as rapidly as possible.

The staff feels that it would be in the best interest of the State to extend the provision in the Boundary Line Agreement

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requiring the placement of the riprap for 2 additional years, in light of the public recreational benefits this agreement will generate.

EXHIBIT: A. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THIS TRANSACTION IS EXEMPT FROM ENVIRONMENTAL IMPACT REPORTING BY REASON OF THE EXEMPTION CONTAINED IN SECTION 6371 OF THE P.R.C.
2. AUTHORIZE THE STATE LANDS COMMISSION'S STAFF TO EXTEND FOR A PERIOD OF 2 YEARS, UNTIL FEBRUARY 9, 1981, THE PROVISION IN BOUNDARY LINE AGREEMENT 154, REQUIRING RIPRAP TO BE PLACED WHICH WILL PERMANENTLY FIX THE BOUNDARY BETWEEN STATE AND PRIVATE OWNERSHIP.

