

MINUTE ITEM

This Calendar Item No. C51 was approved as Minute Item No. 51 by the California State Lands Commission by a vote of 3 to 0 at its 6-19-98 meeting.

**CALENDAR ITEM
C51**

A 11
S 7

06/19/98
W 2400.195
D. Jones

PROPOSED INCORPORATION

APPLICANT:

City of Oakley
Contra Costa County Local Agency
Formation Commission
651 Pine Street, Eighth Street
Martinez, California 94553-1229

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Dutch Slough and the San Joaquin River, near the city of Antioch, Contra Costa County.

OTHER PERTINENT INFORMATION:

1. The State Lands Commission has received a request from the Contra Costa County Local Agency Formation Commission (LAFCO) to approve the boundaries and consent to the proposed incorporation of tidelands and submerged lands in Dutch Slough and the San Joaquin River, as required by Government Code Section 56108, into the city of Oakley. The proposed incorporation area is described on Exhibit A and depicted for illustration only on Exhibit B attached.
2. Pursuant to Government Code Section 56108(c) and (d), whenever State-owned tidelands and submerged lands are included within a proposed incorporation, the Commission is required to review and approve or deny the proposed incorporation as appropriate and correct. The Commission must act within 45 days following receipt of the request for approval by the project proponent.

Staff of the Commission has reviewed the proposed incorporation boundary description, as submitted by LAFCO, and finds the boundary description, as depicted on Exhibit A to be adequate pursuant to California Government Code Section 56108(c) and (d).

CALENDAR PAGE	247
MINUTE PAGE	003470

CALENDAR ITEM NO. C51 (COND.)

Furthermore, staff of the Commission has no objection to transfer of political jurisdiction from Contra Costa County to the city of Oakley and recommends consent to the incorporation as property owner pursuant to California Government Code Section 56108(a).

3. A Negative Declaration was prepared and adopted for this project by the Contra Costa County Local Agency Formation Commission. The California State Lands Commission's staff has reviewed such document.
4. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

EXHIBITS:

- A. Land Description
- B. Vicinity Map
- C. Location Map

PERMIT STREAMLINING ACT DEADLINE:

N/A

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT A NEGATIVE DECLARATION WAS PREPARED AND ADOPTED FOR THIS PROJECT BY THE CONTRA COSTA COUNTY LOCAL AGENCY FORMATION COMMISSION AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.

SIGNIFICANT LANDS INVENTORY FINDING:

FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

CALENDAR ITEM NO. **C51** (COND.)

AUTHORIZATION:

1. CONSENT, AS THE LANDOWNERS, TO THE PROPOSED INCORPORATION OF TIDELANDS AND SUBMERGED LANDS UNDER THE JURISDICTION OF THE STATE LANDS COMMISSION IN DUTCH SLOUGH AND THE SAN JOAQUIN RIVER WITHIN THE AREA DESCRIBED IN EXHIBIT A, PURSUANT TO GOVERNMENT CODE SECTION 56108(a).
2. APPROVE THE PROPOSED BOUNDARIES FOR THE PARCEL OF TIDE AND SUBMERGED LANDS TO BE INCORPORATED INTO THE CITY OF OAKLEY, CONTRA COSTA COUNTY, AS DESCRIBED IN EXHIBIT A ATTACHED, PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 56108(c) AND (d).
3. AUTHORIZE STAFF TO GIVE THE REQUISITE NOTICE OF THE APPROVAL TO THE CITY OF OAKLEY AND TO THE COUNTY OF CONTRA COSTA, PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 56108(e).

CALENDAR PAGE	249
MINUTE PAGE	003472

Proposed Boundary for the City of Oakley

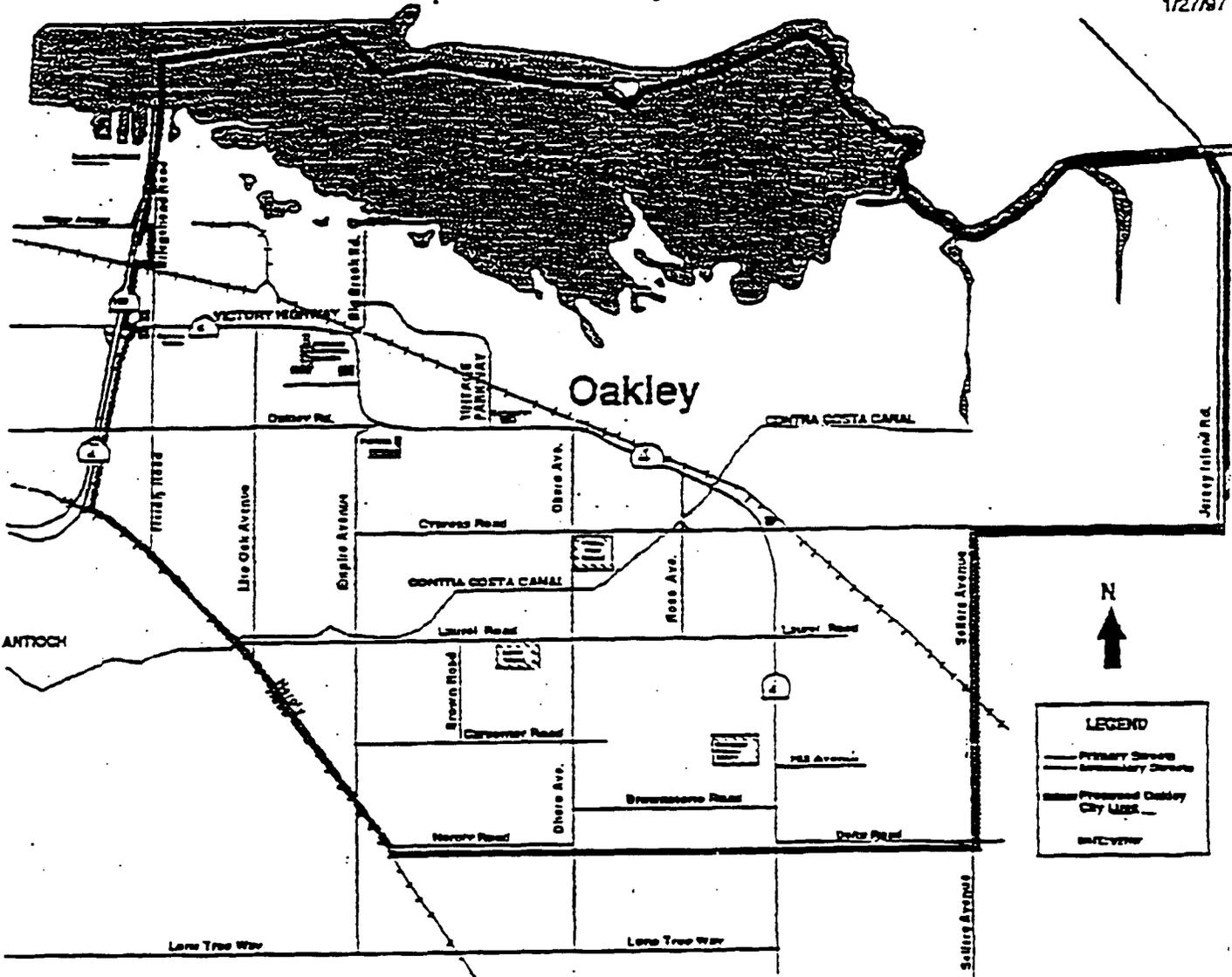
The boundary for the new city of Oakley will include the land east of the highway 4 easement with its southern boundary following the Southern Pacific (Union Pacific) tracks from their intersection with highway 4 to the south east to Neroly Road. The southern most boundary will extend from the Southern Pacific tracks and Neroly Road to the east, extending down Delta Road to the center of Sellers Avenue and will extend to the north down the center of Sellers Avenue to Cypress Road and then east along the south side of Cypress Rd. to the east side of Jersey Island Road. At the intersection of Jersey Island Road and Dutch Slough the boundary will follow the southern side of Dutch Slough to the Contra Costa County Line and then follow the county line until it reaches the highway 160 easement where it will turn south, follow the highway 160 easement to Wilbur Avenue, run east to Bridgehead Road, south to the Santa Fe railroad tracks then west to the highway 160 easement where the boundary will continue south along the easement until it reaches highway 4

This land description is solely for purposes of generally defining the incorporation 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.

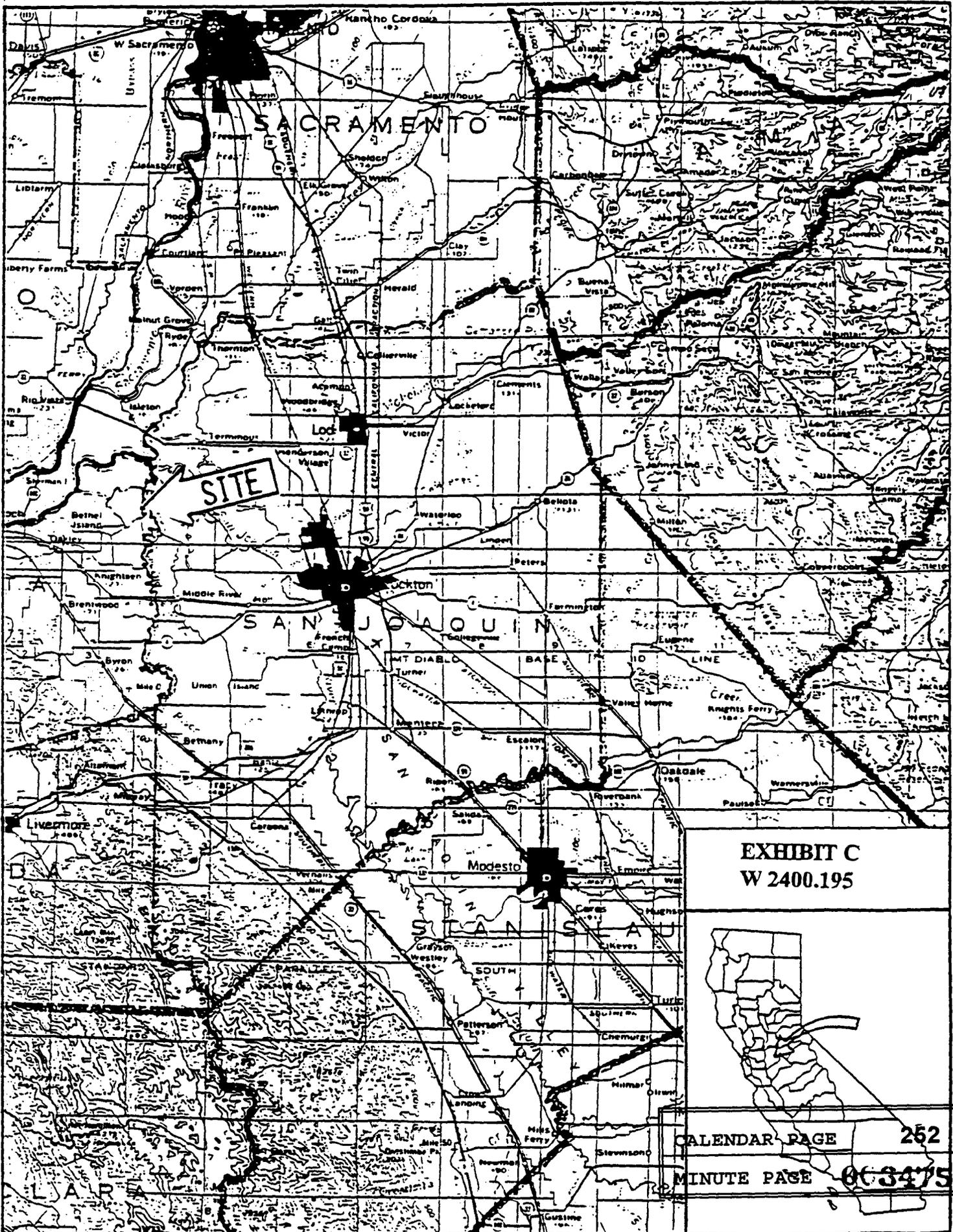
CALENDAR PAGE	250
EXHIBIT A	
MINUTE PAGE	003473

Proposed Boundary for Oakley

1/27/87



This location map is solely for purposes of generally defining the incorporation 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.



SITE

EXHIBIT C
W 2400.195



CALENDAR PAGE 252
MINUTE PAGE 003475