

This Calendar Item No. C17 was approved as Minute Item No. 17 by the California State Lands Commission by a vote of 3 to 0 at its 04-05-04 meeting.

**CALENDAR ITEM
C17**

A 15, 26

04/05/04

S 5

W 2400.200

D. Jones

AD 109

**CONSIDERATION OF BOUNDARIES REGARDING
PROPOSED ANNEXATION OF TIDE AND SUBMERGED LANDS
INTO THE CITY OF STOCKTON, SAN JOAQUIN COUNTY**

APPLICANTS:

James Darrah
3830 Portsmouth Point
Stockton, California 95219

Willow Equities
3397 Lagoon Avenue
Atwater, California 95301

San Joaquin County Local Agency Formation Commission
1860 E. Hazelton Avenue
Stockton, California 95205

The State Lands Commission has received a request from the San Joaquin County Local Agency Formation Commission (LAFCO) to review and approve the boundaries for the Marianna Subdivision Annexation (Annexation No. A-03-08). The applicants to LAFCO are James Darrah, the property owner, and Willow Equities, the developer for the Marianna Subdivision.

The area proposed for annexation includes approximately 33.66 acres of land, more or less, and extends to the boundary line agreed to in the agreement entitled "Brookside Settlement and Exchange Agreement (AD 109) approved by the Commission at its March 27, 1990, meeting, between the State (acting by and through the State Lands Commission) and the city of Stockton, Grupe Communities, Inc., Reclamation District 2074, and other involved property owners. Once this proposed annexation has been approved, the entire River between both the north bank and the south bank, at this point, will be within the city limits of Stockton.

CALENDAR ITEM NO. C17 (CONT'D)

Pursuant to Government Code section 56740(a), the Commission must consent before land under its jurisdiction can be annexed. Government Code sections 56740(b), (c), and (d), state that the Commission is to review and approve or deny the proposed annexation boundaries as appropriate and correct within 45 days of receipt.

The staff of the Commission has reviewed the proposed annexation boundary description and finds it adequate pursuant to section 56740(b), (c), and (d).

OTHER PERTINENT INFORMATION:

1. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15060(c)(3), the staff has determined that this activity is not subject to the provisions of the CEQA because it is not a "project" as defined by the CEQA and the State CEQA Guidelines.

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

2. 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.
3. San Joaquin County Community Development Department prepared and adopted a Negative Declaration for the creation of this 73 lot residential subdivision. A Notice of Determination was filed by the County on September 8, 2003.

EXHIBITS:

- A. Site Map
- B. Location Map.

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT THE ACTIVITY IS NOT SUBJECT TO THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14,

CALENDAR ITEM NO. C17 (CONT'D)

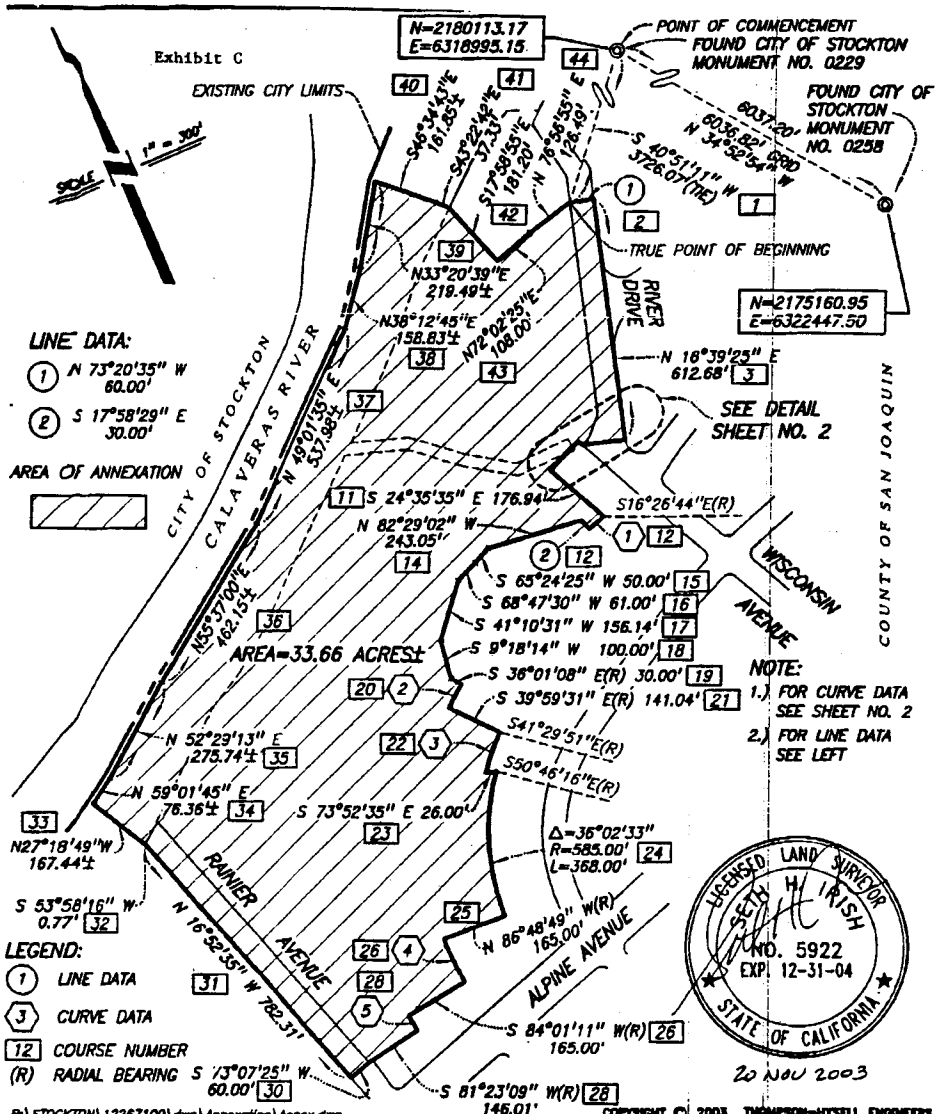
CALIFORNIA CODE OF REGULATIONS, SECTION 15060(c)(3)
BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY
PUBLIC RESOURCES CODE SECTION 21065 AND TITLE 14,
CALIFORNIA CODE OF REGULATIONS, SECTION 15378.

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.

AUTHORIZATION:

1. APPROVE THE PROPOSED BOUNDARIES FOR THE
MARIANNA ESTATES SUBDIVISION, CITY OF STOCKTON, SAN
JOAQUIN COUNTY, PURSUANT TO CALIFORNIA
GOVERNMENT CODE 56740(b), (c), AND (d) AS SHOWN ON
EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART
HEREOF.
2. CONSENT, AS LANDOWNER, TO THE ANNEXATION AS
REQUIRED BY GOVERNMENT CODE SECTION 56740(a).
3. AUTHORIZE STAFF TO GIVE THE REQUISITE NOTICE OF SAID
ACTIONS TO THE CITY OF STOCKTON AND TO THE
EXECUTIVE OFFICER OF THE SAN JOAQUIN COUNTY LOCAL
AGENCY FORMATION COMMISSION, PURSUANT TO
CALIFORNIA GOVERNMENT CODE SECTION 56740(e).



P:\STOCKTON\12267100\dwg\Annexation\Annex.dwg THOMPSON-HYSELL ENGINEERS A DIVISION OF THE KEITH COMPANIES, INC. 1018 12TH STREET, MODESTO, CA 95364 (209) 521-8988 FAX (209) 521-9045		EXHIBIT B MARIANNA ANNEXATION TO THE CITY OF STOCKTON STOCKTON, CALIFORNIA		BY: rk DATE: 10/15/03 SHEET: 1 OF 2 FILE:
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This exhibit is solely for purposes of generally defining the leased premises, is based on unverified information provided by lessee or other parties, and is not intended to be, nor shall it be construed to as a waiver or limitation of any state interest in the subject of any other property.

Exhibit A
W 2400.200

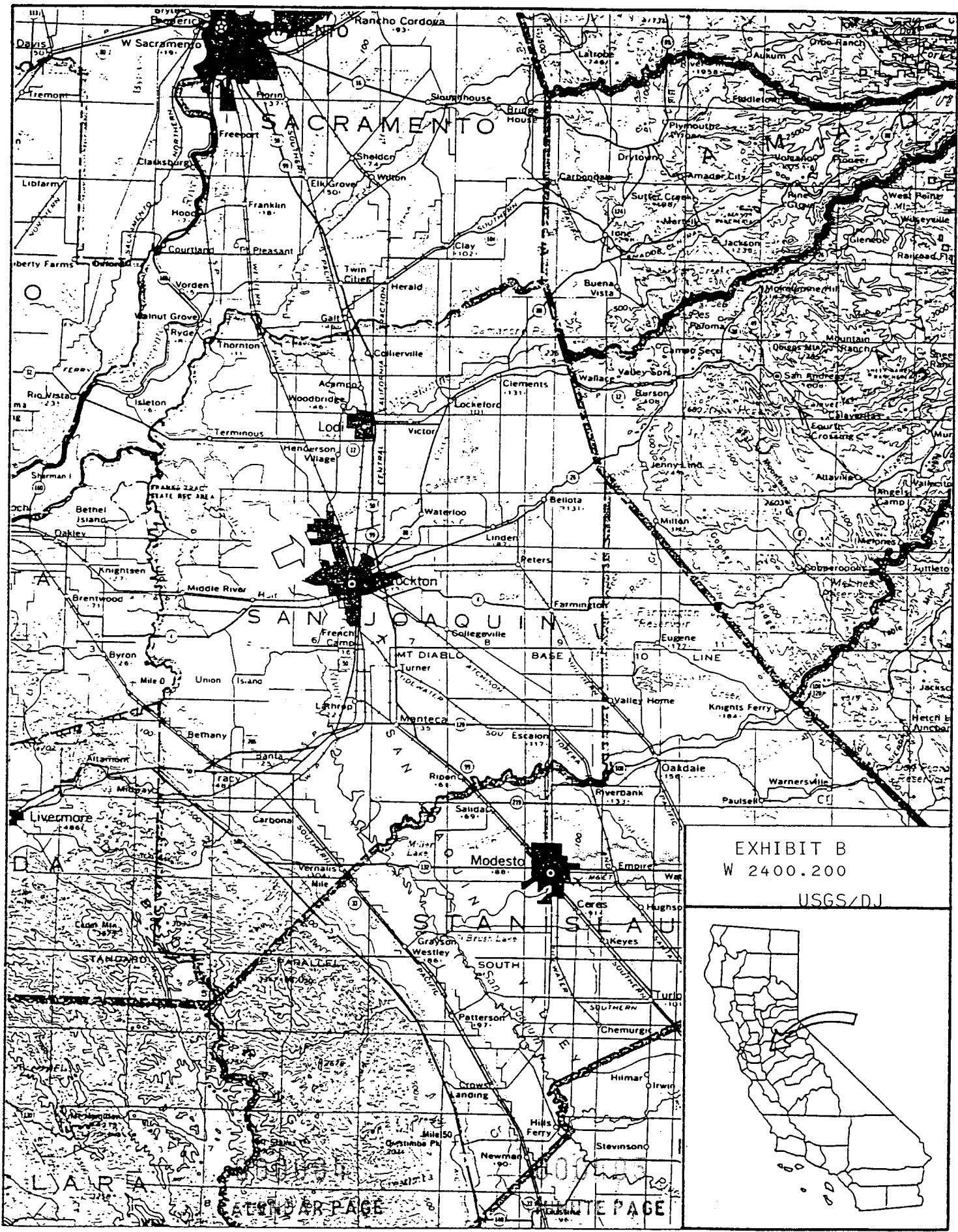


EXHIBIT B
 W 2400.200
 USGS/DJ

An inset map of California is located in the bottom right corner of the page. It shows the outline of the state with a shaded rectangular area in the northern part, indicating the location of the Sacramento-San Joaquin River Delta region shown in the main map.