

MINUTE ITEM

This Calendar Item No. C53 was approved as
Minute Item No. 53 by the California State Lands
Commission by a vote of 3 to 4 at its
05/10/07 meeting.

CALENDAR ITEM

C53

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05/10/07

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W2400.204

N. Smith

**CONSIDERATION OF PROPOSED BOUNDARIES AND
PROPOSED ANNEXATION OF SOVEREIGN LANDS
INTO THE CITY OF PITTSBURG, CONTRA COSTA COUNTY**

APPLICANT:

City of Pittsburg
65 Civic Avenue
Pittsburg, California 94565

BACKGROUND:

The California State Lands Commission has received a request from the city of Pittsburg to review and approve the annexation of State owned sovereign lands lying within the City's "sphere of influence".

The proposed area to be annexed is approximately 1,091 acres comprised of 17 parcels within the northwest river subarea of the Pittsburg General Plan. The annexation area is located inside the city of Pittsburg's Sphere of Influence and Planning Area. The General Plan land use designations, which include Industrial, Open Space and Utility/Right of Way, are consistent with the existing Contra Costa County General Plan land use designations. The proposed rezoning to General Industrial, Light Industrial, Open Space and Governmental Quasi Districts would ensure that all properties are consistent with their respective General Plan land use designations.

The proposed annexation area is bounded on the north by the Contra Costa/Solano County line, to the east by Mirant Power Generation Plant, on the south by Willow Pass Road and on the west by Mallard Slough. Once the proposed annexation is approved, Suisun Bay south of the Contra Costa/Solano County line, at this location, will be within the city limits of Pittsburg.

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 description and find it adequate pursuant to section 56740 (b), (c), and (d).

CALENDAR ITEM NO. C53 (CONT'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 no 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. The city of Pittsburg, as lead agency, prepared a Negative Declaration for the annexation. A Notice of Determination was adopted by the city of Pittsburg on June 19, 2006 and filed July 18, 2006.
3. 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. Site Map
- B. Legal Description

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEAQ FINDING:

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

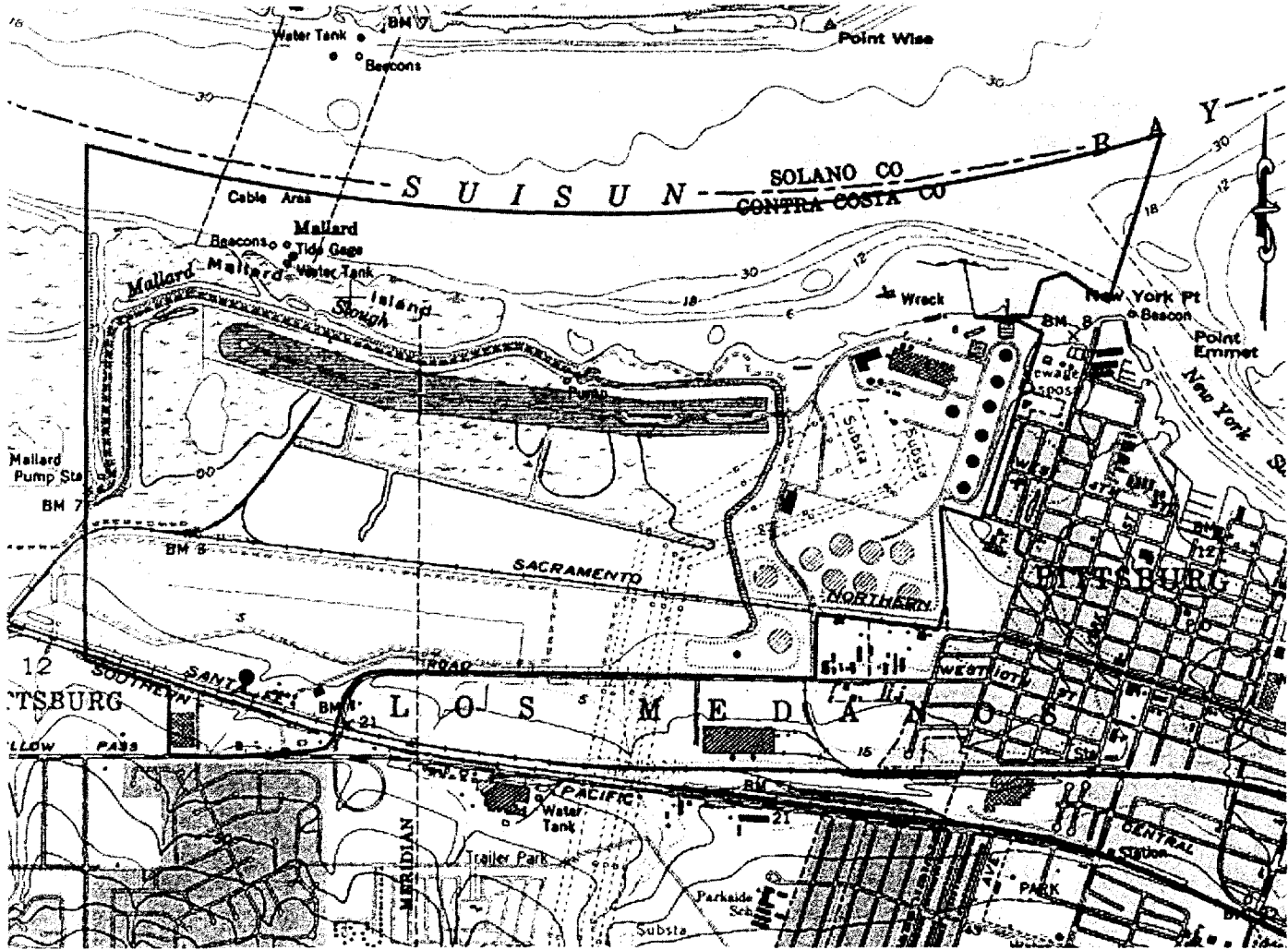
CALENDAR ITEM NO. C53 (CONT'D)

AUTHORIZATION:

1. APPROVE THE PROPOSED BOUNDARIES OF ANNEXATION INVOLVING LANDS UNDER THE COMMISSION'S JURISDICTION FOR THE CITY OF PITTSBURG PURSUANT TO CALIFORNIA GOVERNMENT CODE 56740(b), (c) AND (d) AS DESCRIBED IN EXHIBIT B ATTACHED AND 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 APPROVAL TO THE CITY OF PITTSBURG, PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 56740(e).

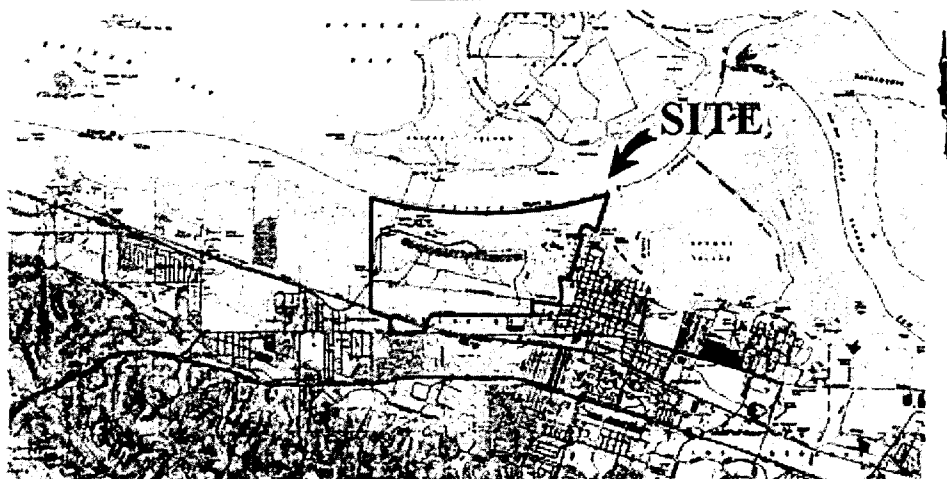
SCALE 1" = 2000'

SITE MAP



NO SCALE

LOCATION



Map Source: USGS Quads Antioch North & Honker Bay

This Exhibit is solely for purposes of generally depicting annexation limits, is based on unverified information provided by City of Pittsburg LAFCO 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.

Exhibit A

W 2400.204

MIRANT POWER PLANT
ANNEXATION TO THE
CITY OF PITTSBURG
CONTRA COSTA COUNTY



SITE

JED 02/22/2007

EXHIBIT "B"

MIRANT POWER PLANT ANNEXATION TO THE CITY OF PITTSBURG & TO
THE DELTA DIABLO SANITATION DISTRICT – LAFCO 06-16

Being a portion of Swamp and Overflowed Land of Contra Costa County known as Survey No. 77 and a portion of projected Section 12, Township 2 North, Range 1 West and 1 East, Mount Diablo Base and Meridian in the Rancho Los Medanos, situate in the unincorporated area, County of Contra Costa, State of California, more particularly described as follows;

BEGINNING at a point on the northerly right-of-way line of Willow Pass Road, 60.00 ft. wide, said point being also an angle point in the existing city limits line of the City of Pittsburg, more particularly described as the intersection of the northerly line of that certain 21.62 acre parcel known as Annexation Area #82, "Affinito-Del Monte", recorded December 28, 1987 as City Council Resolution No. 87-7251 and the westerly line of that certain 3.79 acre parcel known as Annexation Area #107, "Cole Territory", recorded August 14, 1970 as City Council Resolution 4672; said point being also the southeasterly corner of the parcel of land described as Parcel 4 in the deed from PG&E to Southern Energy Delta LLC recorded April 16, 1999 as Document No. 99-0103318-00, Official Records of Contra Costa County;

Thence, leaving said **POINT OF BEGINNING** and following the existing city limits line of the City of Pittsburg, westerly along said northerly right-of-way line of Willow Pass Road, (being the existing city limits line as established by said northerly line of Annexation Area "Affinito-Del Monte" and the northerly line of that certain 186.00 acres parcel known as Annexation Area # 114, "Willow Pass", recorded August 05, 1991 as City Council Resolution No. 91-7716), the following (18) courses and distances:

1. N 88°51'32"W, 5125.45 feet to the beginning of a tangent curve to the left;
2. Along the arc of said tangent curve to the left, having a radius of 439.28 feet, through a central angle of 28°51'13", an arc distance of 221.22 feet,
3. N 27°42'46"W, 15.10 feet to the point of beginning of a non-tangent curve to the left; from which point the center of said curve bears S 27°42'45"E, 454.28 feet,
4. Southwesterly along the arc of said non-tangent curve having a radius of 454.38 ft., through a central angle of 27°53'49", an arc length of 221.19 feet,
5. S 34°23'47"W, 136.28 feet,
6. S 15°32'19"W, 307.10 feet,
7. S 15°28'02"W, 198.47 feet to the point of beginning of a non-tangent curve to the right, from which point the center of the curve bears N 70°46'21"W, 190.00 ft.,
8. Along the arc of said non-tangent curve having a radius of 190.00 feet, through a central angle of 52°49'59", an arc length of 175.20 feet,
9. S 72°03'38"W, 138.31 feet,
10. S 87°23'49"W, 288.39 feet,
11. N 00°54'25"E, 43.92 feet,
12. S 87°23'49"W, 76.31 feet,
13. S 08°56'06"W, 50.03 feet,
14. S 88°38'52"W, 316.52 feet,
15. S 00°55'25"W, 11.91 feet,

16. N 89°06'25"W, 700.23 feet,
17. N 00°53'10"E, 12.00 feet and
18. N89°06'50"W, 330.00 feet;

Thence, leaving said northerly right-of-way line of Willow Pass Road and continuing along the city limits line as previously established by the easterly line of that certain 59.45 acres parcel known as Annexation Area # 97, "Dobrich Annexation", recorded April 02, 1979 as City Council Resolution No. 79-6400,

19. N 00°53'10"E, 791.15 feet to the southwesterly right-of-way line of Union Pacific Railroad;

Thence, continuing along the existing city limits line, northwesterly along said southwesterly right-of-way line of the Union Pacific Railroad, being also the northeasterly line of said "Dobrich Annexation" parcel,

20. N 71°17'46"W, 1049.18 feet to the westerly boundary line of Rancho Los Medanos;

Thence, leaving the existing City Limits Line and running along said westerly boundary line of Rancho Los Medanos, being also the easterly line of the parcel of land described as Parcel 8 in Document No. 99-0103318-00 and the tract of land known as Survey Number 77, Swamp and Overflowed Land of Contra Costa County, last said tract being also described as Parcel 3 in said Document No. 99-0103318-00,

21. N 00°04'33"E, 1908.94 feet to the southwesterly corner of the parcel of land described as Parcel 38 in the deed from California Water Service Company to Contra Costa County Water District recorded February 16, 1961 in Book 3807 at page 369, Official Records of Contra Costa County;

Thence, continuing along said westerly boundary of Rancho Los Medanos,

22. N 00°04'33"E, 4157 feet more or less to the point of intersection with the curved dividing line between Solano and Contra Costa Counties, from which point the center of a non-tangent curve to the left (concave to the northeast) bears N 15° 45' 15"E, 22,890 feet;

Thence,

23. southeasterly along said curved County Limits Line between Solano and Contra Costa Counties, along the arc of said non-tangent curve to the left having a radius of 22890 ft., through a central angle of 32°17'42", an arc distance of 12902.04 feet more or less to the existing City of Pittsburg City Limit Line as determined by the northerly prolongation of the easternmost line of "Annexation # 113, Riverview Marina Boundary Reorganization" recorded June 11, 1990 as City Council Resolution No. 90-574; said prolongation being also the westerly city limits line as established by that certain 1527.00 acre parcel known as Annexation Area # 78, "Industrial Territory # 1", recorded December 26, 1968 as City Council Ordinance No. 565;

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Thence, continuing along said City Limit Line,

24. S 17°16'38"W, 2080.8 feet more or less to an angle point therein, said angle point being more particularly defined as the southeastern extremity of the northeasterly line of said "Annexation # 113";

Thence, continuing along said City Limits Line, along the northeasterly, northwesterly and westerly boundaries of said "Annexation # 113" the following 3 (three) courses:

25. N 56°23'22"W, 606.42 feet,

26. S 71°30'13"W, 300.00 feet and

27. S 17°21'38"W, 450.00 feet to the northerly line of a that certain 3.25 acres parcel known as Annexation Area # 92, "PG &E Beach Park", recorded May 09, 1974 as City Council Resolution No. 5034;

Thence, continuing along said City Limits Line, westerly, southerly and easterly, along the lines of Annexation Area "PG &E Beach Park", the following six (6) courses and distances:

28. N 88°52'52"W, 634.77 feet

29. S 16°55'26"E, 16.97 feet;

30. S 87°58'31"E, 219.58 feet;

31. S 01°58'56"W, 25.00 feet;

32. S 88°01'04"E, 284.74; and

33. S 63°58'46"E, 313.85 feet to an angle point in said existing City Limits Line, said angle point being also on the westerly boundary of that certain 10.08 acre parcel known as Annexation Area # 37, "Montezuma Sewage Treatment Plant", recorded April 6, 1963 as City Council Resolution 3007-A;

Thence, southerly along said westerly boundary, the following 2 (two) courses:

34. S 17°38'18"W, 598.72 feet and

35. N 72°25'04"W, 26.94 feet to an angle point in said Annexation Area "Montezuma Sewage Treatment Plant";

Thence, continuing along said existing City Limits line as established by the following existing annexations: the westerly line of said 10.08 acre parcel known as "Annexation Area # 37, "Montezuma Sewage Treatment Plant", the westerly lines of the 2.78 acres parcel known as Annexation Area # 66, "C.M.E. Church Territory", recorded September 15, 1964 as City Council Resolution No. 3958, the westerly line of the 9.86 acres parcel known as Annexation Area # 20, "Bayside Knolls Unit #1", recorded July 06, 1949 as City Council Ord. No.140 C.S. and the westerly line of the 5.33 acres parcel known as Annexation Area # 25, "Bayside Knolls Unit #2", recorded August 09, 1950 as City Council Ord. No. 159 C.S.,

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36. S 17°37'15"W, 1713.16 feet to an angle point in said existing City Limits Line, said angle point being also on the northeasterly line of the 21.62 acres parcel known as Annexation Area # 17, "Parochial School Property, South of W. 4th Street", recorded November 12, 1948 as City Council Ord. No. 112 C.S.;

Thence, along said northerly and westerly lines of last said Annexation Area #17, "Parochial School Property, South of W. 4th Street", the following three (3) courses and distances:

37. N 72°22'45"W, 498.73 feet,

38. S 04°12'24"E, 868.26 feet to the beginning of a tangent curve to the right; and

39. along said curve to the right, having a radius of 1298.57 feet, through a central angle of 21°47'00", an arc length of 493.70 feet, to the northerly right-of-way line of the Sacramento Northern Railroad;

Thence, leaving said northerly line and continuing to follow the existing City Limits Line,

40. S 17°34'36"W, 101.68 feet to the southerly right-of-way line of Sacramento Northern Railroad (100 feet wide);

Thence, westerly along said southerly right-of-way line of Sacramento Northern Railroad, being also the existing City Limits Line as established by the following annexations: the northerly lines of the 13.02 acres parcel known as Annexation Area # 24, "West Side Addition # 4 (Skating Rink)", recorded June 07, 1950 as City Council Ord. No.156 C.S., the northerly line of the 6.02 acres parcel known as Annexation Area # 30, "West Side Addition # 5 (Crabbe, Russo, Et al)", recorded January 07, 1952 as City Council Ord. No. 208 C.S., the northerly line of the 2.35 acres parcel known as Annexation Area # 42, "Brandstad, Doherty-Reuland Inc.", recorded July 19, 1954 as City Council Ord. No. 278 C.S., the northerly line of the 1.77 acres parcel known as Annexation Area # 43, "Pacific Electric Motor Company Property", recorded January 11, 1956 as City Council Ord. No. 304 C.S., the northerly line of the 2.7 acres parcel known as Annexation Area # 49, "West Side Addition # 6", recorded May 24, 1956 as City Council Ord. No. 316 C.S. and the northerly line of the 3.79 acres parcel known as Annexation Area # 82, "Cole Territory", recorded August 14, 1970 as City Council Resolution No. 4672,

41. N 82°48'42"W, 1448.73 feet;

Thence, leaving said southerly right-of-way line of Sacramento Northern Railroad along the westerly line of last said Annexation Area parcel # 82, "Cole Territory" the following three (3) courses:

42. S07°15'32"W, 1.04 feet to the beginning of a non-tangent curve to the left; from which point the center bears S 82° 40' 05" E, 537.00 ft.,

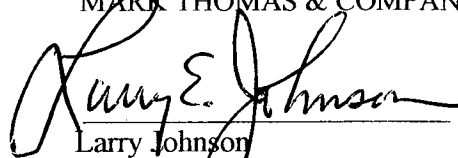
43. southerly along said non-tangent curve having a radius of 537.00 feet, through a central angle of 6°04'08", an arc length of 56.88 feet, and

44. S 01°11'30"W, 695.83 to the **POINT OF BEGINNING**;

Containing: 1467 acres, more or less.

The Basis of Bearings was taken as the bearing between NGS points "P3716+33.00 EBMUD, 1991" and "HPGN Densification Station CA 04 HK, 1993", N 87°32'34"W as shown on Record of Survey, RS 2416, Recorded in Book 116 of Licensed Surveyor's Maps at Page 47, Contra Costa County Records. This is the Grid Bearing based on the California Coordinate System, NAD 83, Zone 3.

Prepared on November 16, 2006, by
MARK THOMAS & COMPANY, INC.



Larry Johnson
L.S. No. 4998
Expiration Date: 12/31/2007



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