

MINUTE ITEM  
This Calendar Item No. 45  
was approved as Minute Item  
No. 45 by the State Lands  
Commission by a vote of 3  
to 0 at its 1-21-88  
meeting.

CALENDAR ITEM

A 44

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CONSIDERATION OF PROPOSED BOUNDARIES  
FOR INCORPORATION OF TIDE AND SUBMERGED LANDS  
INTO THE PROPOSED CITY OF MALIBU, LOS ANGELES COUNTY

APPLICANT: Malibu Committee for Incorporation  
4984 South Encinal Canyon Road  
Malibu, California 90265

The State Lands Commission has received a request from the Malibu Committee for Incorporation to review and approve the proposed offshore boundaries for incorporation of the City of Malibu.

The incorporation proponents have submitted a map and legal description as required by Government Code Section 56102(b). The area proposed for incorporation is described in Exhibit "A" and depicted on Exhibit "B".

The Commission approved offshore boundaries for a similar proposal for incorporation of Malibu on July 24, 1975, Minute Item No. 37, W.O. 2400.108. That incorporation attempt failed.

The staff of the Commission has reviewed the proposed incorporation boundary description in Exhibit "A" and finds it adequate.

Approval of the legal description, pursuant to Government Code, Section 56108(c) and (d) does not constitute approval or consent by the State, as landowner of the tide and submerged lands, to the proposed incorporation. Government Code, Section 56108(a) requires Commission consent before land under its jurisdiction can be incorporated into a city. That decision will be the subject of separate later consideration by the Commission.

(CALENDAR ITEM NO. 45 CONT'D)

STATUTORY AND OTHER REFERENCES:

- A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.
- B. Cal. Adm. Code: Title 2, Div. 3; Title 14, Div. 6.

AB 884: N/A.

OTHER PERTINENT INFORMATION:

- 1. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Adm. Code 15061), the staff has determined that this activity is exempt from the requirements of the CEQA because the activity is not a "project" as defined by CEQA and the State CEQA Guidelines.

Authority: P.R.C. 21065 and 14 Cal. Adm. Code 15378.

EXHIBITS:

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

IT IS RECOMMENDED THAT THE COMMISSION:

- 1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. ADM. CODE 15061 BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY P.R.C. 21065 AND 14 CAL. ADM. CODE 15378.
- 2. REVOKE ITS PRIOR APPROVAL OF OFFSHORE BOUNDARIES FOR INCORPORATION OF THE CITY OF MALIBU AS REFLECTED BY MINUTE ITEM #37 OF THE COMMISSION'S JULY 24, 1975 MEETING.
- 3. APPROVE THE PROPOSED BOUNDARIES OF INCORPORATION INVOLVING LANDS UNDER THE COMMISSION'S JURISDICTION FOR THE PROPOSED CITY OF MALIBU, AS DESCRIBED IN EXHIBIT "A" ATTACHED, AND BY REFERENCE MADE A PART HEREOF, PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 56108(c) and (d), SAID APPROVAL SHALL BE VALID FOR A PERIOD OF ONE YEAR (1). IF THE INCORPORATION IS NOT COMPLETE WITHIN THAT PERIOD THE OFFSHORE BOUNDARIES SHALL BE DEEMED DISAPPROVED.
- 4. AUTHORIZE STAFF TO GIVE REQUISITE NOTICE OF SAID APPROVAL TO THE INCORPORATION PROPONENTS AND THE LOS ANGELES COUNTY LOCAL AGENCY FORMATION COMMISSION, PURSUANT TO GOVERNMENT CODE SECTION 56108(e).

EXHIBIT "A"

BOUNDARY DESCRIPTION FOR THE PROPOSED CITY OF MALIBU

A portion of the Rancho Topanga Malibu Sequit as shown on map recorded in Book 1, pages 407, et seq., of Patents, in the office of the Recorder of the County of Los Angeles, that portion of the Rancho Boca de Santa Monica as shown on map recorded in Book 3, pages 12 and 13 of said Patents, all of Fractional Sections 35 and 36, Township 1 South, Range 17 West, S.B.M., all of Fractional Sections 31 and 32, Township 1 South, Range 16 West, S.B.M., and that portion of the County of Los Angeles (in the Pacific Ocean) within the following described boundaries:

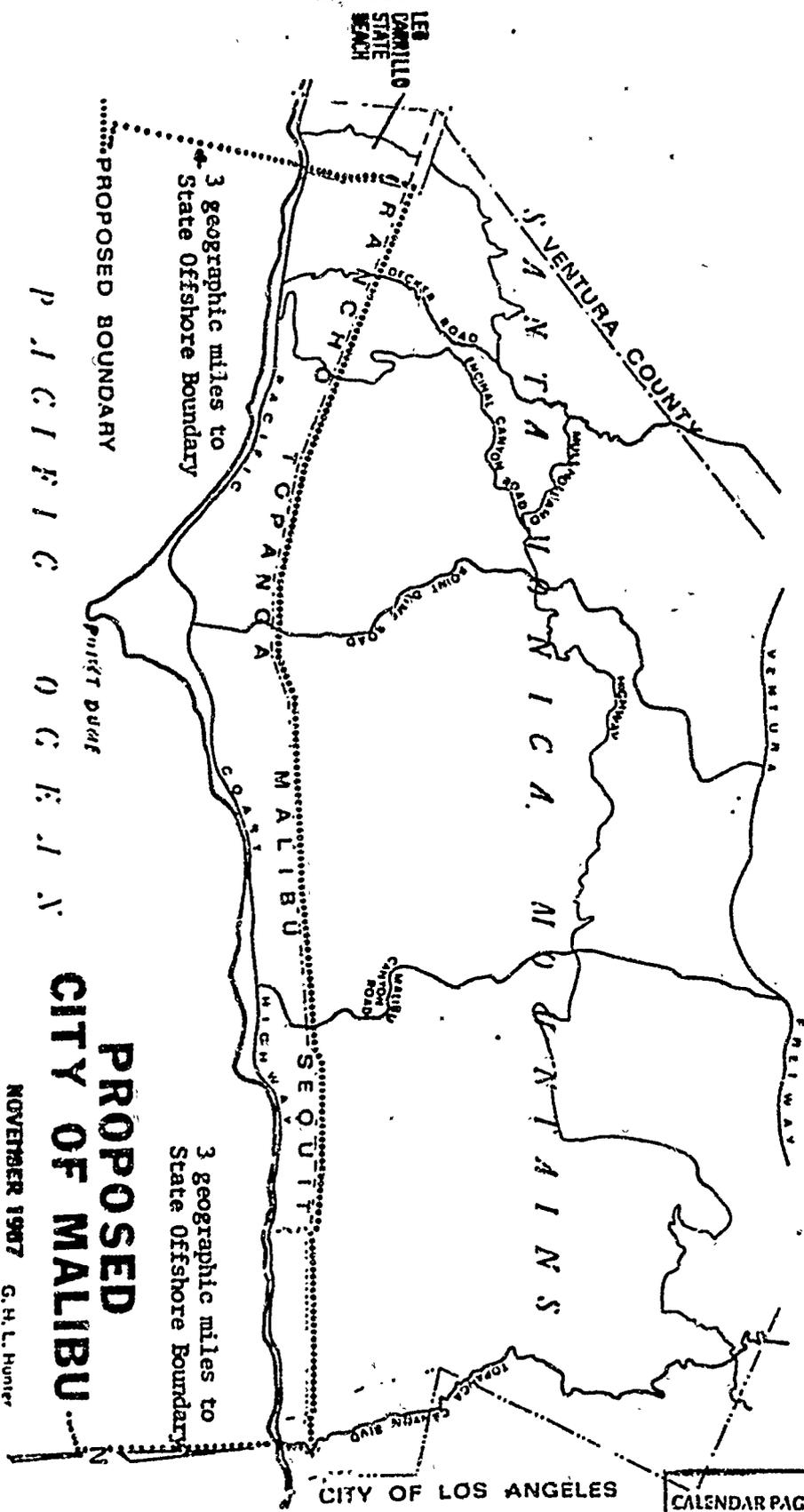
Beginning at a point along the northerly line of said Rancho Topanga Malibu Sequit (RTMS) said point being the northeasterly corner of the Leo Carrillo State Beach as shown on Los Angeles County Map No. B 2454, thence proceeding easterly along said RTMS line and following the same in all its various courses to the northwesterly corner of said Fractional Section 35; thence easterly along the northern lines of the above mentioned Fractional Section 35, 36, 31, and 32 to the northeast corner of said Fractional Section 32; thence easterly along a prolongation of the northerly line of said Fractional Section 32 to its intersection with the centerline of Topanga Canyon Blvd. (State Highway 27); thence southerly along the centerline of that Blvd. to its intersection with Pacific Coast Highway as defined by C.S.B. 1510 recorded in the County of Los Angeles; thence extended due south into the Pacific Ocean 3 geographical miles from the mean lower low water to the offshore boundary of the State of California, thence westerly along said boundary and following the same to its intersection with the prolongation of the easterly property line of Leo Carrillo State Beach, having a bearing of  $S7^{\circ}44'25''W$  as shown on Los Angeles County Map No. B 2454; thence northerly along said prolongation and said easterly property line of Leo Carrillo State Beach as shown on Los Angeles County Map No. B 2454 to the point of beginning.

END OF DESCRIPTION

REVIEWED JANUARY 20, 1988 BY BIU 1.

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EXHIBIT "B"



P A C I F I C O C E A N

**PROPOSED CITY OF MALIBU**

NOVEMBER 1987 G. H. L. Hunter

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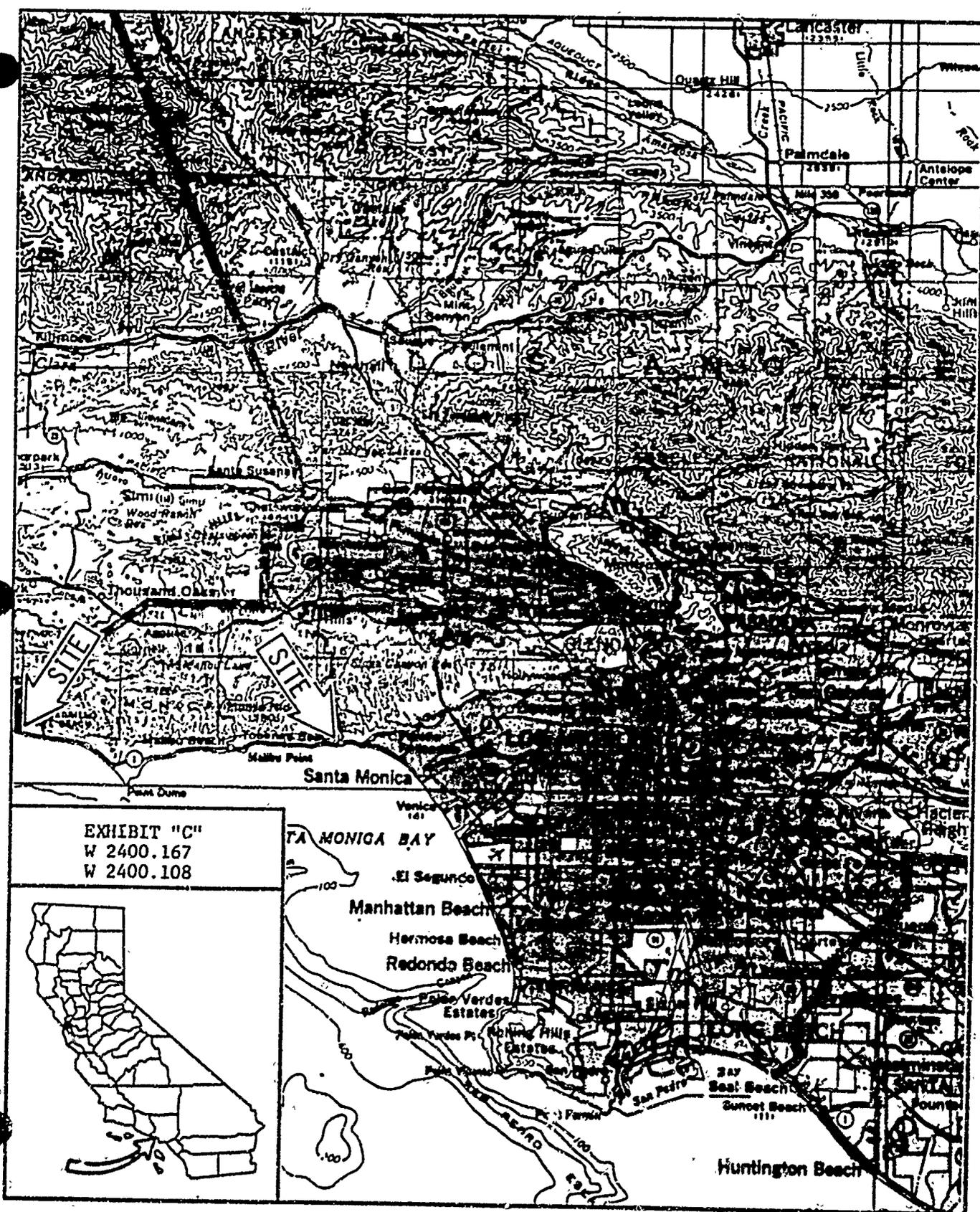


EXHIBIT "C"  
 W 2400.167  
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