

**STAFF REPORT
C82**

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10/18/18

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M. Moser

R. De Leon

REVIEW A PROPOSED TIDELAND OIL REVENUE EXPENDITURE IN AN AMOUNT NOT TO EXCEED \$5,250,000 BY THE CITY OF LONG BEACH FOR TWO CAPITAL IMPROVEMENT PROJECTS LOCATED ON OR ADJACENT TO LEGISLATIVELY GRANTED LANDS IN THE CITY OF LONG BEACH, LOS ANGELES COUNTY

APPLICANT/GRANTEE:

City of Long Beach

LOCATION:

Granted sovereign tide and submerged lands located in the city of Long Beach, Los Angeles county.

BACKGROUND:

The City of Long Beach (City) is a trustee of sovereign tide and submerged lands granted by the Legislature under Chapter 676, Statutes of 1911 and as amended; Chapter 102, Statutes of 1925 and as amended; and Chapter 158, Statutes of 1935. There have been many revisions to the statutes granting the City these lands. In 1964, the statutory trust grant was amended to authorize the City to spend tideland oil revenue for specific uses and to require the City to notify the Commission of proposed tideland oil expenditures (Chapter 138, Statutes of 1964).

Tideland oil revenues must be expended for uses and purposes consistent with the City's granting statutes and be for statewide purposes as opposed to purely local interests and benefits. The City is required to file a detailed description of a proposed capital improvement expenditure exceeding \$100,000 with the Commission 60 days before disbursement.

The proposed expenditure of \$5,250,000 of tideland oil revenue is to fund two projects located on or adjacent to the Alamitos Beach Park Lands as shown on Exhibit A.

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The projects, as proposed and described by the City, are as follows:

1. Alamitos Bay Improvement Plan

The City requests that the Commission review an expenditure in the amount of \$750,000 to create a master plan and begin the initial design for the Alamitos Bay Improvement Plan. According to the City, the master plan will incorporate various elements to improve pedestrian experience and ease of access to the area with bike traffic solutions, shuttle services, valet parking, etc. The plan will address pedestrian connectors between waterfront and lots, signage and wayfinding, alternative transportation to support pedestrian access, and will maximize parking layout including stall size, location of ADA stalls and EV charging stations, vehicle traffic flow, and circulation patterns.

Requested expenditure: \$750,000

Preliminary Schedule: Conceptual Design: Spring 2019;
Planning/Scoping: Summer 2019; Initial Design: Fall 2019

2. Davies Boat Launch Facility Renovation

The City requests that the Commission review an expenditure in the amount of \$4,500,000 for the improvements to the Davies Boat Launch Ramp. These improvements include replacing the boat launch ramp, replacing the dock and gangway, slope protection where needed, replacing the public restroom, overlaying and restriping the parking area, replacing the boat wash station and waste enclosures, installing lighting, a fish cleaning station, and project signage.

Requested expenditure: \$4,500,000

Schedule: Design and Permitting: Winter 2019; Construction: TBD once the design is completed

Table Summary of Projects and Expenditure Requests

Project	Expenditure Request
Alamitos Bay Improvement Plan	\$750,000
Davies Boat Launch Ramp	4,500,000
Total	\$5,250,000

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STAFF ANALYSIS:

The City's statutory trust grant allows various uses of the oil revenue derived from existing oil fields on the City's granted Public Trust lands. Section 6 of Chapter 138, as amended, explicitly authorizes expenditures of tidelands revenues for certain purposes. Section 6, subdivision (c) of Chapter 138, as amended, authorizes the expenditure of tideland revenues for the construction, repair, operation, and maintenance of bulkheads, piers, earthfills, streets, roadways, bridges, bridge approaches, buildings, structures, recreational facilities, landscaping, parking lots, and other improvements on or adjacent to the Long Beach tidelands or on or adjacent to the Alamitos Beach Park Lands. The proposed expenditure for the Alamitos Bay Improvement Plan does not appear to be inconsistent with these authorized purposes.

Section 6, subdivision (d) of Chapter 138, as amended, allows tidelands revenue to be expended for the construction, reconstruction, repair, operation and maintenance of small boat harbors, marine stadiums, maritime museum, marine parks, beaches, waterways, and related facilities on or adjacent to the Long Beach tidelands or on or adjacent to the Alamitos Beach Park Lands. The proposed expenditure for the Davies Boat Launch Ramp does not appear to be inconsistent with these authorized purposes.

Based on the information provided by the City, the proposed capital improvement projects are located on or adjacent to the Alamitos Beach Park Lands and do not appear to be inconsistent with the uses set forth in Section 6, subdivisions (c) and (d) of Chapter 138, as amended. Therefore, the proposed expenditure of tideland oil revenue in the amount of \$5,250,000 for these two projects does not appear to be inconsistent with the City's statutory trust grant.

OTHER PERTINENT INFORMATION:

1. Pursuant to Chapter 138, Statutes of 1964, as amended by Chapter 941, Statutes of 1991 (Chapter 138), the Commission has 60 days to notify the City that a proposed capital improvement is not consistent with Chapter 138. Staff received notice from the City of the proposed expenditures on August 20, 2018.
2. The City's grant requires that it maintain separate tidelands accounts identified as the Harbor Fund, Tidelands Fund, and Tidelands Oil Revenue Fund. The proposed capital improvement projects will be funded with tideland oil revenue from the Tidelands Fund.
3. This proposed action is consistent with a Targeted Outcome under Strategy 1.2 of the Commission's Strategic Plan to track each grantee's revenues and expenditures to ensure that trust revenues are reinvested

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into the tide and submerged lands, rather than diverted to other purely municipal purposes or other uses inconsistent with the Public Trust.

4. Reviewing these proposed expenditures of tideland oil revenue for consistency with Chapter 138 is not a project in accordance with the California Environmental Quality Act because it is an administrative action that will not result in direct or indirect physical changes to the environment.

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

5. This activity involves lands statutorily exempted from Public Resources Code section 6370 et seq., pursuant to Public Resources Code section 6377.

EXHIBIT:

- A. Location and Site Map

RECOMMENDED ACTION:

It is recommended that the Commission:

AUTHORIZATION:

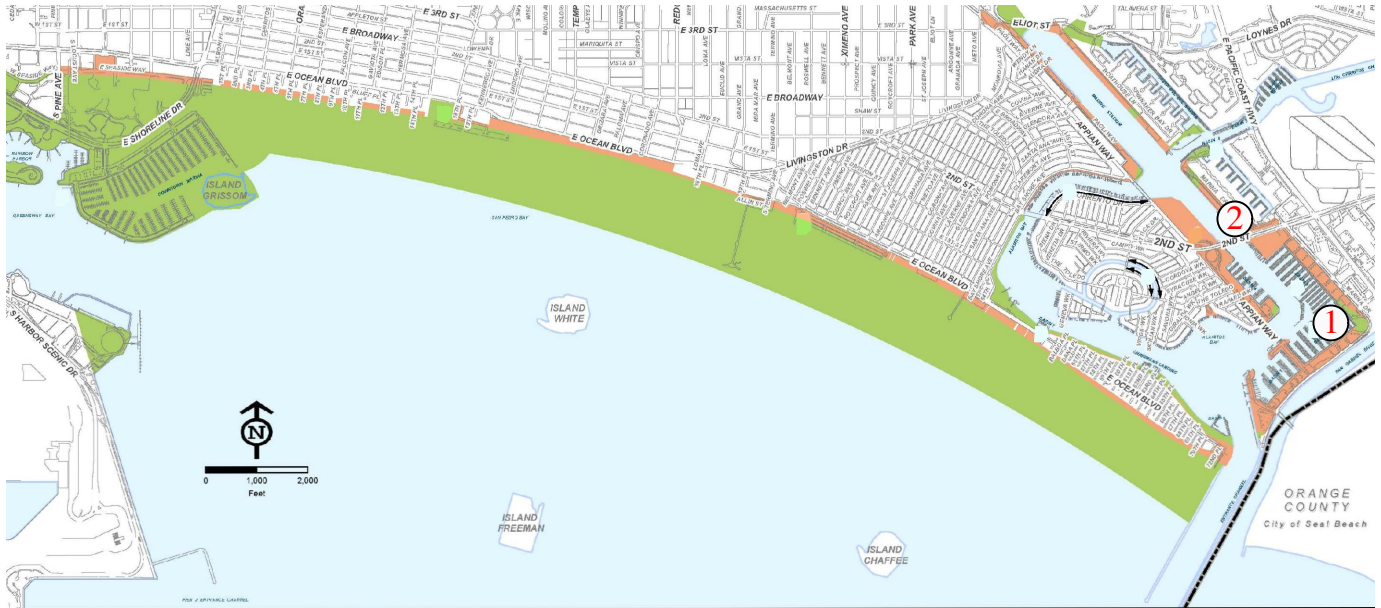
Find that, based on the information provided by the City, the proposed expenditure of tideland oil revenue in the amount of \$5,250,000 for two capital improvement projects located on or adjacent to legislatively granted sovereign lands in the City of Long Beach does not appear to be inconsistent with the uses set forth in Section 6, subdivisions (c) and (d) of Chapter 138, Statutes of 1964, as amended.

NO SCALE

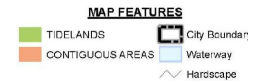
SITE

PROJECT NAME

1. ALAMITOS BAY IMPROVEMENT PLAN
2. DAVIES BOAT LAUNCH FACILITY RENOVATION



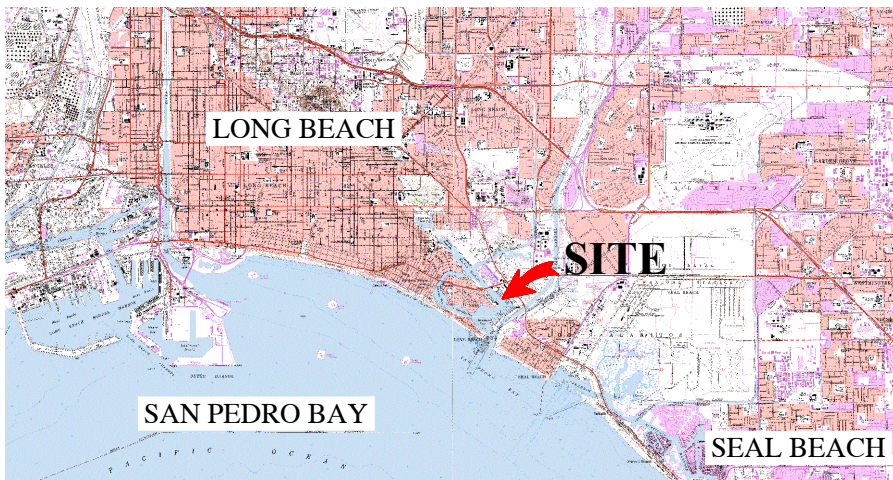
CITY OF LONG BEACH
PROPOSED TIDELANDS CAPITAL PROJECTS
 APPROVED BY CITY COUNCIL



LONG BEACH TIDELANDS

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee 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

CITY OF LONG BEACH
 G 05-03
 EXPENDITURE OF
 OIL REVENUE
 LOS ANGELES COUNTY

