

ITEM NO. 3

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MINUTE ITEM

1/15/76
RHM

3. CONSIDERATION OF REPORTS ON GRANTED TIDELANDS AND SUBMERGED LANDS.

Based on the stipulation that the report entitled "Report Identifying Environmentally Unique Sites in Granted Tidelands and Submerged Lands" be sent to the Council on Intergovernmental Relations and thereafter returned to the Commission, Commissioner Dymally moved and Commissioner Bell seconded that the following resolution be adopted:

THE COMMISSION:

1. A. ADOPTS THE "REPORT ON THE USE, DEVELOPMENT AND ADMINISTRATION OF GRANTED TIDELANDS AND SUBMERGED LANDS" PREPARED IN RESPONSE TO PUBLIC RESOURCES CODE SECTION 6374.
- B. DIRECTS THE STAFF TO HAVE THE "REPORT ON THE USE, DEVELOPMENT, AND ADMINISTRATION OF GRANTED TIDELANDS AND SUBMERGED LANDS" PRINTED AND TRANSMITTED TO THE LEGISLATURE AS REQUIRED BY PUBLIC RESOURCES CODE SECTION 6374.
2. A. APPROVES THE "DRAFT REPORT IDENTIFYING ENVIRONMENTALLY UNIQUE SITES IN GRANTED TIDELANDS AND SUBMERGED LANDS" PREPARED IN RESPONSE TO PUBLIC RESOURCES CODE SECTION 6375.
- B. DIRECTS THE STAFF TO SUBMIT THE "REPORT IDENTIFYING ENVIRONMENTALLY UNIQUE SITES IN GRANTED TIDELANDS AND SUBMERGED LANDS" TO THE COUNCIL ON THE INTERGOVERNMENTAL RELATIONS FOR CONSIDERATION AS REQUIRED BY PUBLIC RESOURCES CODE SECTION 6375.

Attachment:

Calendar Item 3 (2 pages)

CONSIDERATION OF REPORTS ON GRANTED TIDELANDS
AND SUBMERGED LANDS

STATUTORY REQUIREMENT:

Chapter 1555, Statutes 1970 added, among other things, Sections 6374 and 6375 of the Public Resources Code. These sections mandate two separate reports; one on grant administration and stewardship and one on environmentally unique sites within grants.

Section 6374 required nearly all legislative grantees of tide and submerged lands to submit reports to the State Lands Commission covering not only past use and development but also a general plan for future use of the granted lands. The specifications of the general plan report were to be prepared by the State Lands Commission and approved by the Council on Intergovernmental Relations.

The State Lands Commission was required to report to the Legislature any deviations from the original terms of the grant.

Section 6375 required the State Lands Commission to identify all environmentally unique sites within the legislatively granted tide and submerged lands and to submit a report to the Legislature proposing methods of protection. The protective measures must be approved by the Council on Intergovernmental Relations. After such approval, the report will come back to the Commission for final approval.

DIVISION ACTIVITIES RE: PRC SECTION 6374:

During 1971, the required specifications were prepared and sent to each grantee along with an explanation of the statutory obligations. Early in 1972 State Lands Division staff conducted four regional briefings to provide grantees with an easy opportunity to ask any questions about what was expected of them.

By January 1, 1973, due date for the reports, less than one-half of the grantees had submitted anything. Today only 46 of the 64 trustees have complied with the code section; four did not respond at all.

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CALENDAR ITEM NO. 3. (CONTD)

The State Lands Commission was required by other provisions of Chapter 1555, Statutes of 1970, to inventory and identify all environmentally significant lands under its jurisdiction. This did not include the granted lands but since the boundaries of many grants are obscure or ambiguous, Division staff conducted only one inventory over all tide and submerged lands. Once the inventory was complete, this information was used to determine the environmentally unique sites in granted lands. In addition, Division staff requested each grantee to submit information about environmentally unique sites at the same time they submitted the reports required by PRC Section 6374. Of the 34 who responded, 16 indicated that sites existed within their grants.

Division staff reviewed all of the material submitted by grantees, but much of it was sketchy or otherwise incomplete. Further independent investigations and studies were conducted regarding the history, use, development, and plans for the granted lands. The results, along with recommendations are included in the report.

IT IS RECOMMENDED THAT THE COMMISSION:

1. A. ADOPT THE "REPORT ON THE USE, DEVELOPMENT AND ADMINISTRATION OF GRANTED TIDELANDS AND SUBMERGED LANDS" PREPARED IN RESPONSE TO PUBLIC RESOURCES CODE SECTION 6374.
- B. DIRECT THE STAFF TO HAVE THE "REPORT ON THE USE, DEVELOPMENT, AND ADMINISTRATION OF GRANTED TIDELANDS AND SUBMERGED LANDS" PRINTED AND TRANSMITTED TO THE LEGISLATURE AS REQUIRED BY PUBLIC RESOURCES CODE SECTION 6374.
2. A. APPROVE THE "DRAFT REPORT IDENTIFYING ENVIRONMENTALLY UNIQUE SITES IN GRANTED TIDELANDS AND SUBMERGED LANDS" PREPARED IN RESPONSE TO PUBLIC RESOURCES CODE SECTION 6375.
- B. DIRECT THE STAFF TO SUBMIT THE "REPORT IDENTIFYING ENVIRONMENTALLY UNIQUE SITES IN GRANTED TIDELANDS AND SUBMERGED LANDS" TO THE COUNCIL ON THE INTERGOVERNMENTAL RELATIONS FOR CONSIDERATION AS REQUIRED BY PUBLIC RESOURCES CODE SECTION 6375.