

MINUTE ITEM

This Calendar Item No. 18
was approved as Minute Item
No. 18 by the State Lands
Commission by a vote of 3
to 0 at its 5/7/84
meeting.

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CALENDAR ITEM

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Hortor

CONSIDERATION OF SUBSTANTIAL
IMPROVEMENT OF GRANTED LANDS
AT CITY OF CARPINTERIA
SANTA BARBARA COUNTY

TRUSTEE: City of Carpinteria
P. O. Box 278
Carpinteria, California 93013

LOCATION AND BACKGROUND:

This report concerns more than 1000 acres of tidelands and submerged lands first granted to the County of Santa Barbara under Chapter 846, Statutes of 1931. The Legislature confirmed the title of City of Carpinteria as successor in interest to the portion of the County grant within city boundaries when it enacted Chapter 1044, Statutes of 1968. Subsequent amendments are Chapter 1069, Statutes of 1971, and Chapter 097, Statutes of 1978.

Carpinteria holds the grant in trust for purposes in which there is a general statewide interest, including commerce, navigation, and recreational development, protection of wildlife habitats, the improvement, protection and conservation of the wildlife and fish resources and the ecology of the area, the providing of open space areas and areas of recreational use with open access to the public, enhancement of the aesthetic appearance, control of dredging and filling and prevention of pollution on the granted tidelands and submerged lands. Under terms of the grant the City was required to substantially improve the lands for these statewide trust purposes by November 1983. If the State Lands Commission determines it failed

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to do so, the lands will revert to the State. In addition, the Commission has oversight on certain financial or development issues on the granted lands, so there has been frequent consultation.

In December 1980 the Commission approved a renegotiated lease raising annual rents for a personnel pier from \$2000 to \$24,000 annually. A city lease of a corridor 200 foot wide, approximately two miles long for a pipeline to transport natural gas across granted lands was approved by the Commission in June 1982. The City administers five other pipelines leases, and submits annual financial reports concerning revenues and expenditures on the granted lands to the Commission.

PURPOSE OF INVESTIGATION:

Staff sought to determine whether the City of Carpinteria has substantially improved, restored, preserved, or maintained the lands in accord with Chapter 1044, Statutes of 1968, as amended, by November 1983. If the Commission determines the City failed to do so, under Section 3(c) all right, title and interest of the City to the lands granted by the act shall cease and lands shall revert and rest in the state.

CONDUCT OF INVESTIGATION:

By November 1978 when staff visited the granted lands to discuss the latest amendment with city officials, local coastal planning was under way through a joint study with the County of Santa Barbara. The City's legal efforts to assure public access to the beach and tide and submerged lands had begun in 1966. The quiet title action in which the State of California was joined resulted in several settlements and a final judgement that was approved by the State Lands Commission February 17, 1978. (Glenn Roberts v. City of Carpinteria, Santa Barbara County Superior Court No. 79327). As a consequence city residents, tourists and regular day users who travel from greater

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Los Angeles Area and San Joaquin County gained increased access and recreational use of the lands.

The Local Coastal Plan certified in 1980 contained scientific data for environmental protection or preservation on a site specific basis. This aided the City in enhancing opportunities for public recreational use of the lands without harming sensitive areas. In 1981 the City adopted a Tidelands Improvement Plan dealing further with locations, phasing and potential costs of projects. The Carpinteria Beach Erosion and Pier Study prepared by oceanographic consultants in 1982 addressed beach loss through erosion, proposed measures to reduce or prevent it, and identified potential sites for a recreational fishing pier. The problems were identified on a regional basis. The City has sought regional action on beach erosion in concert with federal, state and local agencies, but funding sources are very scarce at this time.

A short term method of beach management that helped protect against the severe winter storms of 1980 and 1983 was to use bulldozers and skip loaders to establish a large dune of sand as a berm located well above mean high water. After the storms are over, sand from the protective berm is spread over the beaches to cover the exposed cobble beds.

On June 30, 1983 staff visited and photographed the lands. At two street ends of the City beach there is access for small boats, concrete steps to the beach, wheelchair access, curbing and paved parking area. Lifeguard towers and mobile headquarters are sturdy temporary structures at the edge of the sand, for summer use. Offshore, buoys are set out to separate boaters from swimmers. The Lifeguard Association handles a range of problems, operating bulldozers during winter storms, maintaining beaches, providing lifeguard services and teaching water skills and habitat protection to the public at large.

Staff also viewed and photographed lands being protected for habitat or passive recreation, including a reported seal haul out area, a site proposed for wetlands preservation immediately westerly of the City limits and nine acres of coastal property southeast of the State park that the City acquired to use for public access and recreation. Protection of tidal pools and seal habitat is enforced by animal control and police departments. The City also monitors and takes prompt action against suspected contamination of lands.

Pursuant to Section 3(i) of the grant statute, staff of the Commission is completing final studies at the cost of the City in order to record a description and plat of the granted lands in the office of the County Recorder of Santa Barbara County.

SUBSTANTIAL COMPLIANCE:

Review indicates that the City has substantially improved, restored, preserved, or maintained the lands for purposes in which there is a general statewide interest, as provided by Section 3(c) of Chapter 1044, Statutes of 1968, as amended.

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.

AB 884: N/A.

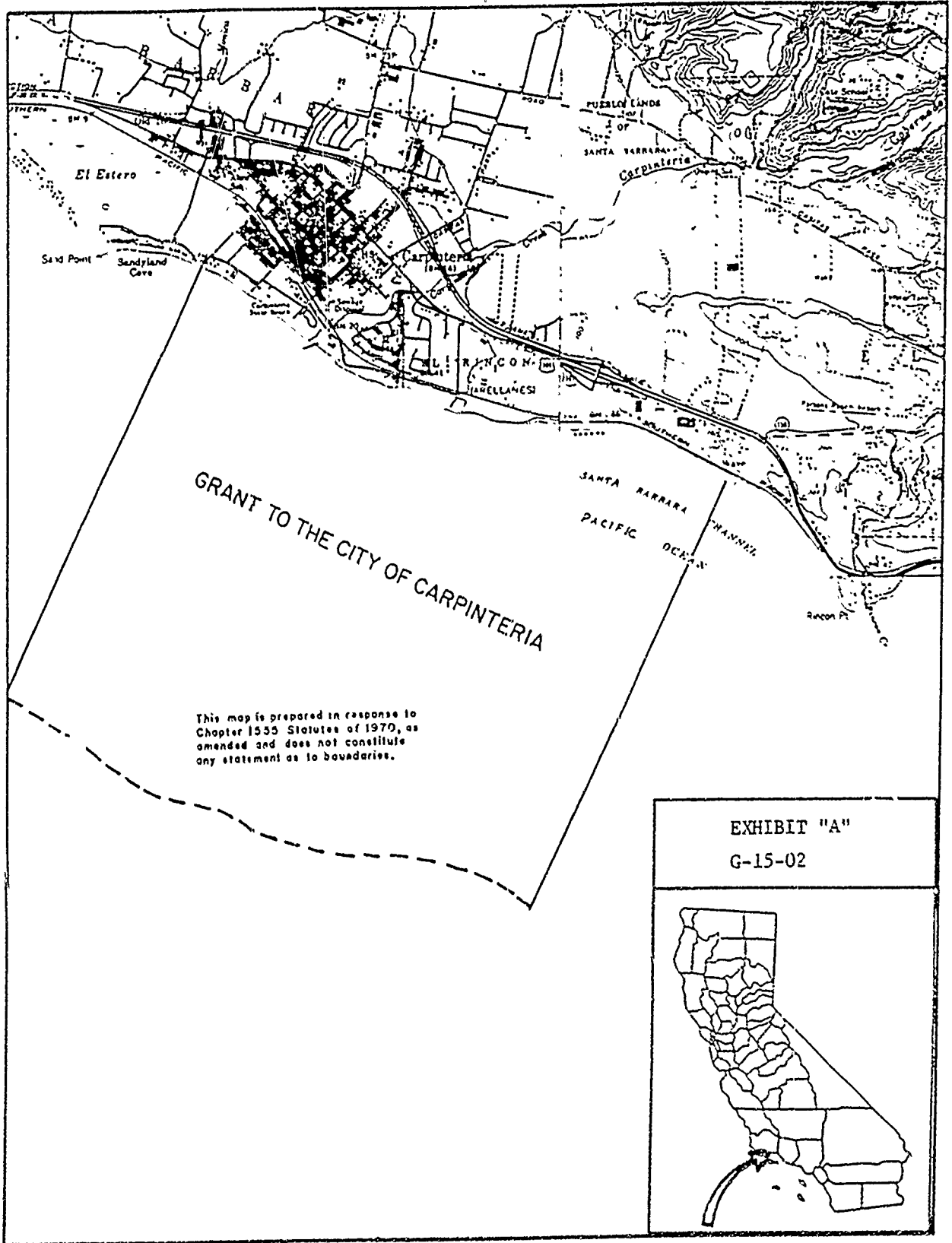
EXHIBIT: A. Site Map.

IT IS RECOMMENDED THAT THE COMMISSION:

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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. FIND THAT THE CITY OF CARPINTERIA HAS SUBSTANTIALLY COMPLIED WITH THE TERMS OF SECTION 3(c) OF CHAPTER 1044, STATUTES OF 1968, AS AMENDED.

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