

STATE OF CALIFORNIA

Minutes of the Meeting of the
State Lands Commission
Sacramento, California

APPEARANCES

Present: Kenneth Cory, State Controller, Chairman
Betty Jo Smith, Staff Counsel to the Lieutenant
Governor, alternate for Mervyn M. Dymally,
Lieutenant Governor, Commissioner
Sid McCausland, Deputy Director, alternate for
Roy M. Bell, Director of Finance, Commissioner

Staff Members in Attendance:
William E. Northrop, Executive Officer
R. S. Golden, Assistant Executive Officer
Robert C. Hight, Chief Counsel
James R. Trout, Manager, Land Operations
D. J. Everitts, Manager, Energy and Mineral
Resources Development
W. M. Thompson, Manager, Long Beach Operations

Representing the Office of the Attorney General:
N. Gregory Taylor, Assistant Attorney General
Jan Stevens, Assistant Attorney General
Katherine Stone, Deputy Attorney General

Re Minute Item 18: Review of Status of Los Angeles Harbor
Revenues
Assemblyman Vincent Thomas, 52nd District,
California State Legislature

Re Minute Item 20: Policy Concerning Granting of Leases and
Permits Between the Ordinary High Water and Low
Water Marks on Navigable Lakes and Nontidal,
Navigable Rivers
Gordon Hodel, in pro per

MINUTES OF THE STATE LANDS COMMISSION
MEETING OF
MARCH 31, 1977

The regular meeting of the State Lands Commission was called to order by Chairman Kenneth Cory at 10:05 a.m. in Room 2117, State Capitol, Sacramento. Other members present included Commission alternates Sid McCausland, Deputy Director of Finance, representing Roy M. Bell, Director of Finance, and Betty Jo Smith, Staff Counsel, representing Merwyn M. Dymally, Lieutenant Governor.

The minutes of the meeting of February 24, 1977 were approved as written.

EXECUTIVE OFFICER'S REPORT

During Mr. William F. Northrop's report, the Commission authorized the following:

1. UPON MOTION DULY MADE AND CARRIED, THE COMMISSION APPOINTED JOHN WALSH TO THE WATERWAYS ADVISORY COMMITTEE BY A VOTE OF 5-0.
2. In connection with the transfer of jurisdiction for beach erosion control to the State Lands Commission, the Commission stated that the matter should be resolved by the Legislature.

Mr. R. S. Golden, Assistant Executive Officer, presented a status report on his role as the Commission's representative on the Coastal Commission.

Both written reports are attached as Exhibits "A" and "B", respectively.

Attachment: Exhibits "A" and "B"

EXHIBIT "A"
EXECUTIVE OFFICER'S REPORT

By

WILLIAM F. NORTHROP
EXECUTIVE OFFICER

MARCH 31, 1977

OCCIDENTAL PETROLEUM

W 0604

OCCIDENTAL PETROLEUM HAS, IN ITS FINAL EIR, RECOGNIZED THAT ITS PROPOSED DRILLING PROGRAM IN THE PACIFIC PALISADES AREA COULD LEAD TO DRAINAGE FROM THE STATE'S OIL AND GAS SANCTUARY IN SANTA MONICA BAY. OCCIDENTAL HAS ALREADY BEGUN SHARING ITS GEOLOGICAL INFORMATION WITH STAFF AND IS WILLING TO WORK OUT A COMPENSATORY AGREEMENT WITH THIS COMMISSION PRIOR TO COMMENCEMENT OF PRODUCTION OPERATIONS.

BEACH EROSION

THERE ARE INDICATIONS THAT THE LEGISLATURE MAY TAKE ACTION TO TRANSFER RESPONSIBILITY FOR BEACH EROSION CONTROL TO THE STATE LANDS COMMISSION. THE LEGISLATIVE ANALYST AND COMMITTEE CONSULTANTS EVIDENTLY FEEL THAT BEACH EROSION CONTROL WOULD INTERFACE BEST WITH THIS COMMISSION'S PROGRAMS. STAFF AGREES THAT THIS PROGRAM WOULD FIT IN WELL AND THAT A SOLID PROGRAM COULD BE DEVELOPED AT MINIMAL COST. IF THIS MATTER IS BROUGHT UP AT OUR BUDGET HEARINGS, I WOULD LIKE TO BE ABLE TO CONVEY YOUR ATTITUDE ON THIS MATTER.

WATERWAYS ADVISORY COMMITTEE

W 21247

I REQUEST AUTHORIZATION TO APPOINT ANOTHER PUBLIC MEMBER TO THE WATERWAYS ADVISORY COMMITTEE. STAFF HAS RECOMMENDED THAT WE APPOINT MR. JOHN WALSH WHO OPERATES A MARINA AT BETHEL ISLAND. MR. WALSH HAS BEEN DESIGNATED AS A SPOKESMAN FOR BETHEL ISLAND RESIDENTS WHO ARE AFFECTED BY THE COMMISSION'S OWNERSHIP CLAIMS. MR. WALSH'S PROFESSIONAL BACKGROUND MAKES HIM WELL SUITED TO SERVE ON THIS ADVISORY GROUP.

The State Coastal Commission continues to spend a significant portion of its two meetings a month on permit considerations which are predominately single family residences and subdivisions of land.

During the month of March a number of joint State-Regional Commission meetings were held at various locations on the Coast for the purpose of getting public comment on Statewide Guidelines required by the Coastal Act to be adopted by May 1, 1977.

These guidelines deal with geologic stability of blufftop development, view protection, low and moderate cost housing, public access, public trust lands, and a basic policy for siting new development.

Only two of these guidelines have any major interface with State Lands Commission responsibilities - public access and public trust lands.

The staff of the Coastal Commission have inquired whether we would accept dedication of public access easements and arrange through contract for some responsible private or public agency to provide for maintenance and liability coverage of such dedicated accessway. Section 50212 of the Coastal Act provides that such an accessway shall not be required to be opened to public use until such responsibility for liability and maintenance has been arranged. It is recommended that we work with Coastal Commission staff and bring specific proposals to you as they develop. We are not funded to assume liability or to provide maintenance staffing. We can, however, provide for keeping the official dedication record and can develop a contract to assure that liability and maintenance problems will be attended to by either a public or private agency just as we now

provide for in our leasing program.

The guidelines for public trust lands provide that the Coastal Commission will not permit development on any lands if the public trust is thought to exist over them and if such development could interfere with the public trust. In the event the Coastal Commission decides that such a situation pertains the guidelines call for resolving the question promptly with the assistance of the Attorney General and the State Lands Commission. Since our staff is providing the Coastal Commission with maps showing areas over which the public trust may exist, it is felt that the guidelines should provide for the Coastal Commission staff to contact our staff whenever a proposed permit affects the area of mutual jurisdiction. We are asking the Coastal Commission to so amend the guidelines so there can be maximum coordination between our organizations in this important area.

RECORD OF ACTION TAKEN BY THE
STATE LANDS COMMISSION
AT ITS MEETING OF MARCH 31, 1977

During the meeting, the recommendations of the staff relative to Calendar Items C1, C2, C3, C4, C5, C6, C7, C8, C9, C10, C11, C12, C13, C14, C15, C16, C17, 19, 21, 22, 23, 24, 26, 27, 28, 29, 30, 31, 32, 33, 34 were adopted as resolutions of the Commission by unanimous vote.

Commission action on Calendar Items 18, 20, 25, and 35 are set forth on pages 282, 288, 305, and 335.

Calendar Item 36 was pulled from the Calendar Agenda.

Calendar Item 23 was approved with a vote of 2-0 with an abstention from Commission-alternate Sid McCausland who declined to vote.

Status of Major Litigation is set forth on page 357.