

MINUTE ITEM

This Calendar Item No. 22
was approved as Minute Item
No. 22 by the State Lands
Commission by a vote of 3
to 0 at its 5/26/77
meeting.

CALENDAR ITEM

5/77
GC9-00
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22.

REQUEST FOR APPROVAL OF EXPENDITURES OF TIDELANDS
FUNDS BY ORANGE COUNTY

TRUSTEE: County of Orange
Environmental Management Agency
P. O. Box 1078
Santa Ana, California 92702

LOCATION: Lands granted by Chapter 415, Statute of
1975, bordering upon and under Newport Bay
as shown in Exhibit "A" on file with the
office of the State Lands Division.

BACKGROUND: At the January 26, 1977 meeting of the
Commission, the request by the County of
Orange to use approximately \$400,000 from
tidelands revenues to redevelop the Orange
County Sea Scout Base was rejected. Failure
to approve the project was based on insuffi-
cient details demonstrating Statewide interest,
and lack of evidence that the proposed develop-
ment is compatible and does not unreasonably
interfere with the use of any portion of the
granted lands for one of the purposes set
forth in paragraph 3, of Section 1.(a) of
the granting statute.

The Commission action was without prejudice
to the right of the county to refile with
the Commission with adequate detailed des-
cription of the proposed capital expenditure.
The Executive Officer was authorized to con-
duct public hearings concerning the proposed
capital expenditures.

On March 25, 1977, the County resubmitted a
request for project approval. Additional
details were subsequently provided as requested.

A public hearing was held in Newport Beach
on May 6, 1977 following an inspection by
staff of the existing Sea Scout facilities.

FINDINGS: 1. Existing Sea Scout facilities, largely
composed of buildings donated and set up
with volunteer labor over a period of
30 years, are clearly in need of major
renovation.

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2. According to testimony received at the hearing, facilities are currently being used to capacity by Scouts and youth groups from a wide area. The base will not be able to meet the growing demand without further expansion.
3. Detailed site plans have been developed and approved in concept by the county. Proposed uses are consistent with the purposes authorized by the grant and appear consistent with 1976 Coastal Act policies for coastal development.
4. Assurance has been received from the Department of Fish and Game that the proposed uses will not interfere with the upper Newport Bay Ecological Reserve.
5. Although many people at the hearing urged that the County consider use of tidelands funds for other purposes, no one opposed the Sea Scout project or testified that the project would not be of statewide interest and benefit.
6. The nondiscrimination clause in the proposed lease has been broadened: "TENANT agrees not to discriminate against any person or class of persons by reason of sex, race, color, creed, national origin, or place of residence...TENANT shall make its accommodations and services available to the public on fair and reasonable terms."
7. Assurance has been received that the entire leasehold is on granted lands.
8. In the event that the Scouts do not raise the balance of funds required for the entire project, no tidelands funds would be expended.

EXHIBIT: A. Site Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE EXPENDITURE OF TIDELANDS REVENUES IN THE AMOUNT OF \$442,752 FOR THE REDEVELOPMENT OF NEWPORT HARBOR SEA SCOUT BASE IS AN EXPENDITURE IN THE STATEWIDE INTEREST AND BENEFIT AND IS CONSISTENT WITH THE PURPOSES AND CONDITIONS SET FORTH IN CHAPTER 415, STATUTES OF 1975.

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2. FIND THAT NEITHER COMMISSION APPROVAL OF THIS CALENDAR ITEM NOR ANY STATEMENT OR DESCRIPTION CONTAINED IN THIS CALENDAR ITEM, THE LEASE DOCUMENTS, OR ANY OTHER SUPPORTING DOCUMENTS SHALL IN ANY WAY AFFECT ANY OWNERSHIP OR BOUNDARY CLAIMS OF THE STATE OF CALIFORNIA.
3. AUTHORIZE THE EXECUTIVE OFFICER TO NOTIFY THE COUNTY OF ORANGE, THE SECRETARY OF THE SENATE, AND THE CHIEF CLERK OF THE ASSEMBLY THAT THE COMMISSION HAS MADE A DETERMINATION AUTHORIZED BY THE GRANT STATUTES AND APPROVES THE EXPENDITURES OF TIDELANDS REVENUES FOR THE PROJECT SUBMITTED BY THE COUNTY.