

MINUTE ITEM

This Calendar Item No. C36
was approved as Minute Item
No. 36 by the State Lands
Commission by a vote of 3
to 0 at its 2-25-93
meeting.

CALENDAR ITEM

C36

A 58

S 29

02/25/93
W 2716.700
W 10228
BLA 101
G 05-03
Fossum
J. Smith

AMENDMENT OF PRIOR APPROVAL AND AUTHORIZATION
FOR THE CITY OF ~~LONG~~ BEACH TO EXPEND UP TO \$800,000
FROM ITS SHARE OF TIDELAND OIL REVENUES FOR IMPROVEMENT OF
TRUST PARCELS L, M, AND N, IN ACCORDANCE WITH
CHAPTER 138, STATUTES OF 1964, FIRST EX. SESSION,
SECTIONS 6(c), 6(d), 6(f) AND 6(h)

APPLICANT:

Mr. Ralph S. Cryder, Director
Department of Parks, Recreation and Marine
City of Long Beach
2760 Studebaker Road
Long Beach CA 90815-1697

BACKGROUND

On August 28, 1968, the Commission, by Minute Item No. 64, approved the McGrath-Macco Boundary Settlement and Exchange agreement as part of the resolution of certain title and boundary problems existing in the Alamitos Bay area of the City of Long Beach. The agreement was made pursuant to the provisions of Chapter 1688, Statutes of 1965, which requires Commission approval of such settlements. By said agreement, the City of Long Beach received, as an asset of the tideland trust, parcels of real property abutting the Cerritos Channel for future use as public parks and marinas. The City also received easements for convenient public access to said parcels across the McGrath property. The specific location of such accessways was left to future agreement between the City, McGrath, and the State.

Subsequent to the approval of the original settlement and exchange agreement, the Commission has approved and authorized three Amendments. The First Amendment extended the time in which to effectuate the original 1968 agreement due to delays resulting from litigation and was authorized by the Commission on July 15, 1970 as Minute Item 1. Thereafter, the California Supreme Court in City of Long Beach v. Mansell, 3 Cal. 3d 462 (1970) sustained the validity of the statute and approved the agreement.

The Second Amendment related to changes in the original proposed development plans and specific definitions of access rights and was authorized by the Commission on February 22, 1973 at Minute Item 14.

The Third Amendment, authorized by the Commission on February 26, 1988 as Minute Item 1, provided for the conveyance or dedication of the private property, improvement of the accessways, construction of a block wall and improvements by the City of the trust parcels. Finally, paragraph "2" of the amendment provided for Commission approval of the City's plans for development of the trust parcels, including approval of the expenditure by the City of tideland trust revenues pursuant to Chapter 138, Statutes of 1963.

The City of Long Beach now requests Commission approval of new development plans for the park, known as Fieldstone Park, on parcels referred to as L, M and N (Exhibit "B"). Development plans for the park improvements include a public access long dock, a bike path/walkway, a refurbished restroom, a passive recreational park area and development of a wetlands habitat study area. Commission staff have reviewed the proposed development plans and believe that they conform to the terms of the original agreement, as amended. Commission staff also believe that the expenditure by the City of up to \$800,000 of tideland oil revenues is an appropriate expenditure pursuant to Chapter 138, Statutes of 1964. All other terms of the Commission's 1988 approval of the Third Amendment to the McGrath-Macco Agreement remain unchanged.

AB 884:

N/A.

OTHER PERTINENT INFORMATION:

1. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Code Regs. 15061), the staff has determined that its consideration of the expenditure of tideland oil revenues by the City 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 Code Regs. 15378.

2. In taking action on this staff recommendation the Commission is acting pursuant to its authority pursuant to Chapter 138, Statutes of 1964, FIRST EX. SESSION and Chapter 1688, Statutes of 1965.

CALENDAR ITEM NO. C36 (CONT'D)

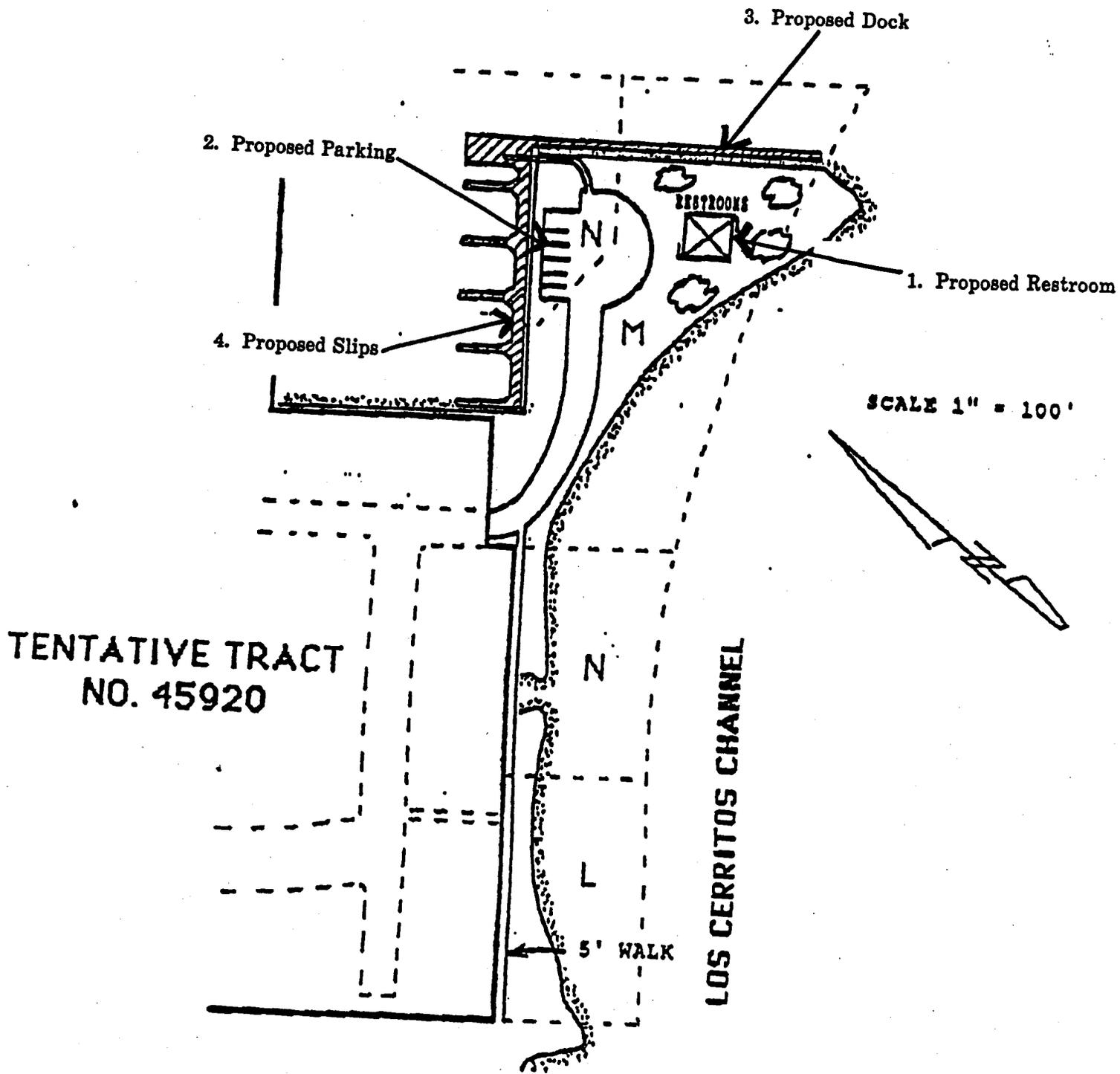
EXHIBITS:

- A. Location Map
- B. Map of Trust Parcels
- C. Development Plans

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. CODE REGS. 15061 BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY P.R.C. 21065 AND 14 CAL. CODE REGS. 15378.
2. FIND THAT THE PROPOSED CAPITAL EXPENDITURE OF UP TO \$800,000 BY THE CITY OF LONG BEACH FROM ITS SHARE OF TIDELAND OIL REVENUES FOR IMPROVEMENT OF THE TRUST PARCELS L, M, AND N, IS IN ACCORD WITH CHAPTER 138, STATUTES OF 1964, FIRST EX. SESSION, SECTIONS 6(c), 6(d), 6(f) AND 6(h), SUBJECT TO THE CONDITIONS THAT THE PROJECT COINCIDE SUBSTANTIALLY TO THAT DESCRIBED IN THE DEVELOPMENT PLANS CONTAINED IN EXHIBIT "C", AND THAT THE CITY FILE A STATEMENT OF FINAL PROJECT COSTS WITH THE COMMISSION WITHIN 180 DAYS AFTER COMPLETION OF THE WORK.

EXHIBIT "B"



TENTATIVE TRACT
NO. 45920

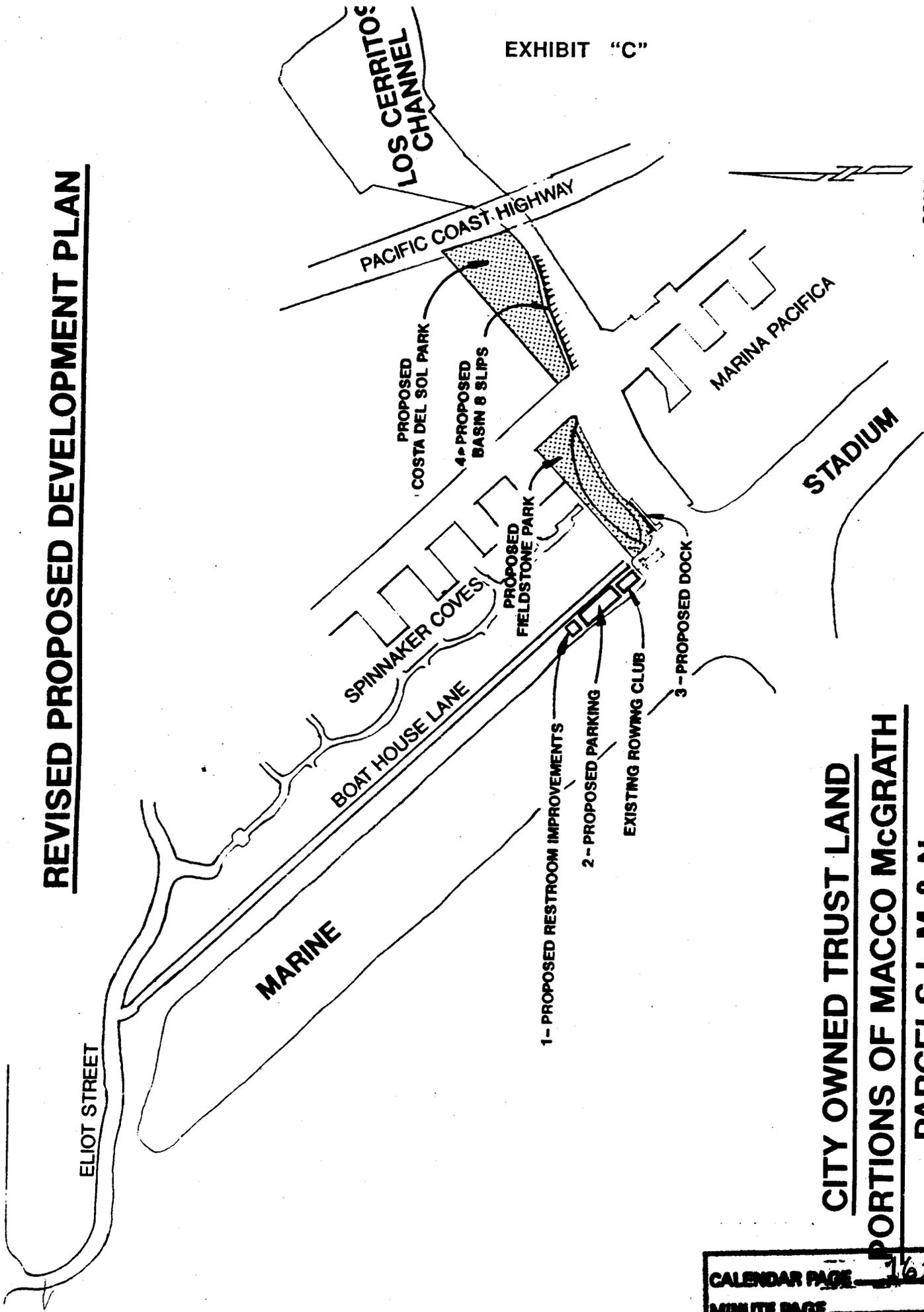
LOS CERRITOS CHANNEL

CITY-OWNED TRUST LANDS
PORTIONS OF MACCO-McGRATH PARCELS L, M, & N

REVISED PROPOSED DEVELOPMENT PLAN

EXHIBIT "C"

SCALE: NONE



CITY OWNED TRUST LAND
PORTIONS OF MACCO MCGRATH
PARCELS L, M & N

FEBRUARY 25, 1993

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