

STAFF REPORT

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06/23/20

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M. Moser

REVIEW PROPOSED TIDELAND OIL REVENUE EXPENDITURE IN AN AMOUNT NOT TO EXCEED \$300,000 BY THE CITY OF LONG BEACH FOR ONE CAPITAL IMPROVEMENT PROJECT LOCATED ON LEGISLATIVELY GRANTED SOVEREIGN LAND IN THE CITY OF LONG BEACH, LOS ANGELES COUNTY

GRANTEE:

City of Long Beach

LOCATION:

Granted sovereign tide and submerged lands located in the city of Long Beach, Los Angeles County.

BACKGROUND:

The City of Long Beach (City) is a trustee of sovereign tide and submerged lands granted by the Legislature under Chapter 676, Statutes of 1911 and as amended; Chapter 102, Statutes of 1925 and as amended; and Chapter 158, Statutes of 1935. There have been many revisions to the statutes granting the City these lands. In 1964, the City's statutory trust grant was amended to authorize the City to spend tideland oil revenue for specific uses and to require the City to notify the Commission of proposed tideland oil expenditures.

Tideland oil revenue must be expended for uses and purposes consistent with the City's granting statutes and be for statewide purposes as opposed to purely local interests and benefits. The City is required to file a detailed description of any proposed capital improvement expenditure exceeding \$100,000 with the Commission 60 days before disbursement.

The proposed expenditure of \$300,000 of tideland oil revenue is to fund one project located on the Long Beach tidelands as shown on Exhibit A. The project, as proposed and described by the City, is as follows:

1. PierPoint Landing Roof Replacement

The PierPoint building, located next to the Aquarium of the Pacific, houses the Parks & Recreation Department Marine Bureau office, concessions, and public restrooms. The Marine Bureau operates the City's three marinas, a commercial harbor, nearly 11 miles of recreational beach and waterfront, five launch ramp facilities, and a rowing/water-skiing facility. This project will remove and replace a leaky roof membrane covering the shops and office

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and mitigate mold in carpet and drywall in a vacant Marine Bureau office caused by a prior pipe leak.

Current City funding	Previous tidelands funding reviewed	Current tidelands funding review	Total estimated project cost
\$0	\$0	\$300,000	\$300,000

Proposed expenditure: \$300,000

Preliminary schedule:

Bid & Award – Summer 2020; Construction – Fall 2020

STAFF ANALYSIS:

The City's statutory trust grant allows various uses of the oil revenue derived from existing oil fields on the City's granted Public Trust lands. Section 6(c) of Chapter 138, as amended, authorizes the expenditure of tideland revenues for the construction, repair, operation, and maintenance of bulkheads, piers, earthfills, streets, roadways, bridges, bridge approaches, buildings, structures, recreational facilities, landscaping, parking lots, and other improvements on or adjacent to the Long Beach tidelands or on or adjacent to the Alamitos Beach Park Lands.

Section 6(d) of Chapter 138, as amended, allows tideland revenue to be expended on construction, repair, operation, and maintenance of small boat harbors, marine stadiums, a maritime museum, marine parks, beaches, waterways, and related facilities on or adjacent to the Long Beach tidelands or on, or adjacent to, the Alamitos Beach Park Lands.

Based on the information provided by the City, the proposed capital improvement project does not appear to be inconsistent with the uses set forth in Sections 6(c) and (d) of Chapter 138, as amended by Chapter 941, Statutes of 1991. As required by the statutory trust grant, the proposed expenditure is for the benefit and use of the statewide public and for uses and purposes not inconsistent with the City's statutory trust grant.

OTHER PERTINENT INFORMATION:

1. Pursuant to Chapter 138, Statutes of 1964, as amended by Chapter 941, Statutes of 1991, the Commission has 60 days to notify the City that a proposed capital improvement is not consistent with Chapter 138. Commission staff received notice from the City of the proposed expenditures on April 30, 2020.

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2. The City's statutory trust grant requires that it maintain separate tidelands accounts identified as the Harbor Fund, Tidelands Fund, and Tidelands Oil Revenue Fund. The proposed capital improvement project will be funded with tideland oil revenue from the Tidelands Fund.
3. The proposed action is consistent with Strategy 1.2 of the Commission's Strategic Plan to provide that the current and future management of ungranted sovereign lands and resources and granted lands, including through strategic partnerships with trustee ports and harbor districts, is consistent with evolving Public Trust principles and values, particularly amid challenges relating to climate change, sea-level rise, public access, and complex land use planning and marine freight transportation systems. More specifically, this proposed action is consistent with a Targeted Outcome under Strategy 1.2, to track each grantee's revenues and expenditures to ensure that trust revenues are reinvested into the tide and submerged lands, rather than diverted to other purely municipal purposes or other uses inconsistent with the Public Trust.
4. Reviewing the proposed expenditure of tideland oil revenue for consistency with Chapter 138 is not a project in accordance with the California Environmental Quality Act because it is an administrative action that will not result in direct or indirect physical changes to the environment.

Authority: Public Resources Code section 21065 and California Code of Regulations, title 14, section 15060, subdivision (c)(3).

EXHIBIT:

- A. Location and Site Map

RECOMMENDED ACTION:

It is recommended that the Commission:

AUTHORIZATION:

Find that, based on the information provided by the City, the proposed expenditure of tideland oil revenue in the amount of \$300,000 for one capital improvement project located on legislatively granted sovereign land in the city of Long Beach does not appear to be inconsistent with the uses set forth in sections 6(c) and (d) of Chapter 138, as amended.

NO SCALE

SITE



CITY OF LONG BEACH PROPOSED TIDELANDS CAPITAL PROJECTS

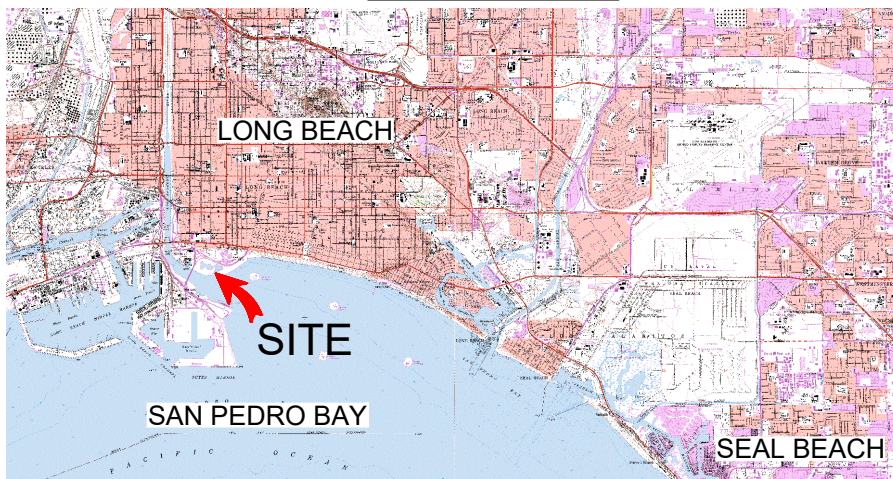
MAP FEATURES

- PROJECT LOCATION
- TIDELANDS
- CONTIGUOUS AREAS
- WATERWAY

LONG BEACH TIDELANDS

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

Exhibit A

CITY OF LONG BEACH
G 05-03
EXPENDITURE OF OIL
REVENUE
LOS ANGELES COUNTY



TS 06/01/2020