

## **State Lands Commission**

### **BUDGET NO. 3560**

### **REPORT NO. 1**

### **PUBLIC RESOURCES CODE**

#### **DIVISION 6. PUBLIC LANDS [6001. - 8558.]**

*( Division 6 added by Stats. 1941, Ch. 548. )*

#### **PART 1. ADMINISTRATION AND CONTROL OF STATE LANDS [6001. - 6477.]**

*( Part 1 added by Stats. 1941, Ch. 548. )*

#### **CHAPTER 4. Administration and Control of Swamp, Overflowed, Tide, or Submerged Lands, and Structures Thereon [6301. - 6360.]**

*( Chapter 4 added by Stats. 1941, Ch. 548. )*

#### **ARTICLE 2.5. Survey and Mapping of Ungranted Tide and Submerged Lands [6331. - 6342.]**

*( Article 2.5 added by Stats. 1975, Ch. 706. )*

#### **6331.5.**

The commission shall make an inventory to ascertain and describe by metes and bounds the location and extent of all ungranted tidelands. The commission shall, in a local agency where the ungranted tideland boundary is described by metes and bounds, acquire and evaluate the existing boundary description to determine whether or not additional surveys should be conducted. When available, the local agency shall provide copies of the descriptions, together with all materials supporting the descriptions, including field notes and other basic data, to the commission at no cost, other than the reproduction cost, to the state.

No appropriation is made by the act adding this section, nor is an obligation created thereby, for the reimbursement of a local agency for costs, other than reproduction costs, that may be incurred by it in carrying on a program or performing a service required to be carried on or performed by it by this section. Reimbursements for reproduction expenditures shall be made by the commission from appropriations to the commission for the preparation of the inventory. The commission shall evaluate each survey and shall adopt boundary descriptions already in common use where these metes and bounds descriptions approximate the existing line of ordinary high water where it is in a state of nature, or where the descriptions approximate the last position occupied in a state of nature by the line of ordinary high water in areas where the existing shoreline has ceased to be in a state of nature, and where sound engineering practices were used to conduct the survey. If metes and bounds descriptions of tideland boundaries are not available, or if the surveys do not describe the tideland boundary in a state of nature as hereinbefore defined, or if unsound engineering practices were used to describe a tideland boundary, the commission may conduct its own survey. Unless otherwise provided by law, prior to undertaking a survey on ungranted tidelands, the commission shall prepare an inventory of those ungranted tidelands that will require a commission survey and shall submit a report of its findings to the Legislature. The report shall contain a geographic identification of the ungranted tidelands that will require a survey, a plan establishing priorities for the orderly conduct of the needed surveys, and an estimate of the cost needed to complete the surveys.

*(Amended by Stats. 2006, Ch. 68, Sec. 3. Effective January 1, 2007.)*

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
SB-1264	Committee on Natural Resources and Wildlife	Natural resources.	Chaptered 08/24/2004	08/24/2004 - Chaptered by Secretary of State. Chapter 286, Statutes of 2004. 08/24/2004 - Approved by Governor.	-		
SB-1844	Committee on Natural Resources and Water	Public resources.	Chaptered 07/12/2006	07/12/2006 - Chaptered by Secretary of State. Chapter 68, Statutes of 2006. 07/12/2006 - Approved by Governor.	-	No	Majority

**COMMENTS/ RECOMMENDATIONS:**

This report was completed and submitted to the Legislature in 1981. Existing law does not require this report to be updated once completed.

## REPORT NO. 2

### PUBLIC RESOURCES CODE

#### DIVISION 20. CALIFORNIA COASTAL ACT [30000. - 30900.]

( Division 20 added by Stats. 1976, Ch. 1330. )

#### CHAPTER 5. State Agencies [30400. - 30420.]

( Chapter 5 added by Stats. 1976, Ch. 1330. )

#### ARTICLE 1. General [30400. - 30404.]

( Article 1 added by Stats. 1976, Ch. 1330. )

#### 30404.

(a) The commission shall periodically, in the case of the State Energy Resources Conservation and Development Commission, the State Board of Forestry and Fire Protection, the State Water Resources Control Board and the California regional water quality control boards, the State Air Resources Board and air pollution control districts and air quality management districts, the Department of Fish and Game, the Department of Parks and Recreation, the Department of Boating and Waterways, the California Geological Survey and the Division of Oil, Gas, and Geothermal Resources in the Department of Conservation, and the State Lands Commission, and may, with respect to any other state agency, submit recommendations designed to encourage the state agency to carry out its functions in a manner consistent with this division. The recommendations may include proposed changes in administrative regulations, rules, and statutes.

(b) Each of those state agencies shall review and consider the commission recommendations and shall, within six months from the date of their receipt, to the extent that the recommendations have not been implemented, report to the Governor and the Legislature its action and reasons therefor. The report shall also include the state agency's comments on any legislation that may have been proposed by the commission.

[\(Amended by Stats. 2006, Ch. 869, Sec. 25. Effective January 1, 2007. Note: See this section as modified in Governor's Reorganization Plan No. 2 of 2012.\)](#)

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
ABX3-33	Villines	Energy: commission and department.	Amended Assembly 09/11/2009	10/27/2009 - From Senate committee without further action.	Senate-Died - Energy, Utilities and Communications	Yes	Majority
AB-1016	Villines	Energy: commission and department.	Amended Assembly 01/04/2010	02/02/2010 - From committee: Filed with the Chief Clerk pursuant to Joint Rule 56.	Assembly-Died - Utilities and Commerce	Yes	Majority
AB-2561	Villines, Fuentes	Energy: commission and department.	Amended Senate 08/02/2010	11/30/2010 - From Senate committee without further action.	Senate-Died - Rules	Yes	Majority
AB-3355	Committee on Judiciary	Maintenance of the codes.	Chaptered 08/03/1992		-		

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
GRP-2		Governor's reorganization plan: reorganization of executive branch of state government.	Introduced 05/03/2012	07/03/2012 - Plan takes effect.	-		
GRP-3		Governor's Reorganization Plan: Commissions and Departments	Introduced 06/13/2005	08/25/2005 - Senate adopts Senate Resolution 19. Pursuant to Government Code Section 12080.5, plan does not take effect. 08/25/2005 - Senate adopts SR 19. Pursuant to Gov. Code Sec. 12080.5 plan does not take effect.	-		
SB-668	Kuehl	Mining.	Chaptered 09/30/2006	09/30/2006 - Chaptered by Secretary of State. Chapter 869, Statutes of 2006. 09/30/2006 - Approved by Governor.	-	Yes	Majority
SB-989		State Board of Forestry.	Chaptered 09/29/1998		-		

### COMMENTS/ RECOMMENDATIONS:

This provision of the Coastal Act, requires the State Lands Commission and departments within the Resources Agency to report on actions taken after reviewing the Coastal Commission recommendations. The State Lands Commission suggests that coordination of this activity is more appropriate for the Resources Agency. The Legislature may wish to consider retaining this requirement until a specific proposal supported by all the affected departments is submitted.

## **REPORT NO. 3**

### **PUBLIC RESOURCES CODE**

#### **DIVISION 6. PUBLIC LANDS [6001. - 8558.]**

*( Division 6 added by Stats. 1941, Ch. 548. )*

#### **PART 1. ADMINISTRATION AND CONTROL OF STATE LANDS [6001. - 6477.]**

*( Part 1 added by Stats. 1941, Ch. 548. )*

#### **CHAPTER 3. Powers and Duties Generally [6201. - 6226.]**

*( Chapter 3 added by Stats. 1941, Ch. 548. )*

### **6217.8.**

- (a) For purposes of this section, “fund” means the Oil Trust Fund established pursuant to subdivision (b).
- (b) The Oil Trust Fund is hereby established in the State Treasury, and the moneys in the fund are hereby appropriated to the commission in accordance with this section.
- (c) (1) On or before March 1, 2006, the City of Long Beach shall pay to the State Lands Commission all money, including both principal and interest, in the abandonment reserve fund that the city created in 1999 and that was the subject of the litigation in State of California ex rel. California State Lands Commission v. City of Long Beach (2005) 125 Cal.App.4th 767.
- (2) The Controller shall deposit in the fund any funds paid to the commission pursuant to paragraph (1).
- (3) Except as provided in paragraph (4), on the last day of each month beginning July 31, 2006, the Controller shall transfer to the fund the amount of two million dollars (\$2,000,000) or 50 percent of remaining oil revenue, as described in subdivision (d) of Section 4 of Chapter 138 of the Statutes of 1964, First Extraordinary Session to the Oil Trust Fund, whichever is less.
- (4) Beginning July 1, 2005, and ending December 31, 2005, any contributions to the fund shall be suspended, except those funds described in paragraphs (1) and (2). During that period the Controller shall transfer four million dollars (\$4,000,000) monthly to the General Fund from oil revenues, as described in subdivision (d) of Section 4 of Chapter 138 of the Statutes of 1964, First Extraordinary Session.
- (5) Beginning January 1, 2006, and ending June 30, 2006, the amount contributed to the fund shall be the amount specified in paragraph (3). During that period the Controller shall also transfer two million dollars (\$2,000,000) monthly to the General Fund from oil revenues, as described in subdivision (d) of Section 4 of Chapter 138 of the Statutes of 1964, First Extraordinary Session.
- (d) (1) The total amount deposited in the fund shall not exceed three hundred million dollars (\$300,000,000). From the date the balance in the fund totals three hundred million dollars (\$300,000,000), all interest earned thereafter shall be transferred to the General Fund.
- (2) All interest earned on the money in the abandonment reserve fund specified in paragraph (1) of subdivision (c) shall be transferred to the fund.
- (3) The commission shall expend the money from the fund solely to finance the costs of well abandonment, pipeline removal, facility removal, remediation, and other costs associated with removal of oil and gas facilities from the Long Beach tidelands that are not the responsibility of other parties.
- (4) All money remaining in the fund after completion of all activities described in subdivision (3) shall be transferred to the General Fund.

(e) The moneys deposited in the fund are hereby appropriated to the commission commencing when all of the following conditions are met:

(1) The City of Long Beach adopts a resolution declaring that the oil revenue described in subdivision (d) of Section 4 of Chapter 138 of the Statutes of 1964, First Extraordinary Session, is insufficient to fund the costs of activities described in paragraph (3) of subdivision (d) of this section.

(2) The City of Long Beach transmits to the commission a copy of the resolution and all necessary accompanying documentation, including a plan for expenditures for the activities described in paragraph (3) of subdivision (d).

(3) The commission reviews the material provided in paragraph (2) and notifies the Controller within 60 calendar days of receiving the material specified in paragraph (2), that expenditure from the fund may be made so that activities described in paragraph (3) of subdivision (d) can begin. The commission shall provide a schedule for expenditures for disbursement of moneys from the fund to the City of Long Beach. The commission shall submit a copy of the schedule to the Department of Finance and to the fiscal and appropriate policy committees of the Legislature.

(f) On or before January 1, 2007, the commission shall report to the Director of Finance and the chairpersons of the appropriate legislative committees on both the following:

(1) A forecast of when the tidelands oil fields will be abandoned and require environmental mitigation.

(2) An estimate of the likely costs to mitigate the effects of extraction in the tidelands oil fields.

[\(Amended by Stats. 2005, Ch. 521, Sec. 1. Effective January 1, 2006.\)](#)

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
AB-136	Committee on Budget	Resources.	Amended Senate 07/06/2005	07/11/2005 - To inactive file on motion of Senator Perata.	-	Yes	Two Thirds
AB-137	Committee on Budget	Public resources.	Chaptered 10/05/2005	10/05/2005 - Chaptered by Secretary of State - Chapter 521, Statutes of 2005. 10/05/2005 - Approved by the Governor.	-	Yes	Majority
SB-71	Committee on Budget and Fiscal Review	Resources.	Chaptered 07/19/2005	01/26/2006 - Stricken from Senate file. Item veto sustained.	-	Yes	Two Thirds

### **COMMENTS/ RECOMMENDATIONS:**

This one-time report was completed and submitted in 2007.