

32. AMENDMENT, REPEAL, AND ADOPTION OF SALES AND LEASING POLICY (OTHER THAN MINERALS, OIL AND GAS, AND OTHER EXTRACTIVE USES) - W-5125.

After consideration of Calendar Item 6 attached, and upon motion duly made and carried, the following resolution was adopted:

IT IS HEREBY RESOLVED THAT THE RULES AND REGULATIONS OF THE STATE LANDS COMMISSION IN TITLE 2, DIVISION 3, OF THE CALIFORNIA ADMINISTRATIVE CODE BE AND THEY HEREBY ARE AMENDED, REPEALED, AND ADOPTED SPECIFICALLY AS SET FORTH IN EXHIBIT "A" ATTACHED AND HEREBY MADE A PART HEREOF; AND THAT THE EXECUTIVE OFFICER OR THE ASSISTANT EXECUTIVE OFFICER - MANAGEMENT IS HEREBY AUTHORIZED AND DIRECTED TO DO ALL THINGS NECESSARY FOR THE PREPARATION AND FILING, ACCORDING TO LAW, OF SUCH REGULATIONS AS ARE HEREBY AMENDED, REPEALED, AND ADOPTED.

Attachment

Calendar Item 6 (3 pages)

CALENDAR ITEM

2/70
W-5125
WDC

6.

SALES AND LEASING POLICY
(Other than minerals, oil and gas, and
other extractive uses)

Pursuant to resolution of the Commission, a public hearing was held by the Executive Officer on behalf of the Commission for the purpose of considering statements or arguments relevant to the intention of the Commission to adopt, amend, or repeal regulations in Title 2, Division 3, of the California Administrative Code, as set forth in the NOTICE OF PROPOSED CHANGE IN THE REGULATIONS OF THE STATE LANDS COMMISSION, a copy of which is on file in the Sacramento and Los Angeles offices of the Commission.

The notice was first published on December 23, 1969, in the Daily Recorder, Sacramento, California, and in the Los Angeles Daily Journal, and also on December 31, 1969, in the Advance-Star, Burlingame, California, as shown by the Declaration on file in this matter, all being newspapers of general circulation as provided for in Government Code Section 11423, and was otherwise distributed as required by law.

After the hearing on January 28, 1970, at which no statements or arguments were received, and after full consideration, the State Lands Division recommends amendment, repeal, and adoption of the Rules and Regulations of the Commission as set forth in said notice.

It is therefore recommended that the Commission adopt the following:

IT IS HEREBY RESOLVED THAT THE RULES AND REGULATIONS OF THE STATE LANDS COMMISSION IN TITLE 2, DIVISION 3, OF THE CALIFORNIA ADMINISTRATIVE CODE BE AND THEY HEREBY ARE AMENDED, REPEALED, AND ADOPTED SPECIFICALLY AS SET FORTH IN EXHIBIT "A" ATTACHED AND HEREBY MADE A PART HEREOF; AND THAT THE EXECUTIVE OFFICER OR THE ASSISTANT EXECUTIVE OFFICER - MANAGEMENT IS HEREBY AUTHORIZED AND DIRECTED TO DO ALL THINGS NECESSARY FOR THE PREPARATION AND FILING, ACCORDING TO LAW, OF SUCH REGULATIONS AS ARE HEREBY AMENDED, REPEALED, AND ADOPTED.

Attachment: Exhibit "A"

EXHIBIT "A"NOTICE OF PROPOSED CHANGE IN THE REGULATIONS
OF THE STATE LANDS COMMISSION

NOTICE IS HEREBY GIVEN that the State Lands Commission, pursuant to the authority of Section 6108 of the Public Resources Code, and to implement, interpret, or make specific Division 6, Part 2, Chapters 1 and 2 of the Public Resources Code, proposes to adopt, amend or repeal regulations in Section 2004 of Article 2, Title 2 of the California Administrative Code, as follows:

(Deletions in ~~strikeout~~ with additions underlined)

ARTICLE 1.

GENERAL PROVISIONS

Amend Section 2004, as follows:

2004. DURATION OF LEASES.

~~Except as may otherwise be provided by law, the terms of leases, including renewals, if any, granted hereunder shall be for the period deemed by the Commission to be in the best interests of the State according to the following schedule, and in no event to exceed a term of 49 years.~~

The term of any lease granted hereunder shall be for the period deemed by the Commission to be in the best interests of the State as set forth in the following schedule, except, however, that upon a special finding of the Commission that a term in excess of that specified below is in the

EXHIBIT "A" (CONTD.)

best interests of the State, the term may be so extended in excess of said schedule where otherwise permitted by law, but in no event shall the term of any lease exceed 66 years. In no event, however, shall a lease be issued for a longer term than that provided by law. The schedule of lease terms is as follows:

- | | |
|--|------------------------|
| (A) Commercial lease ----- | Not to exceed 49 years |
| (B) Industrial lease ----- | Not to exceed 49 years |
| (C) Rights of way ----- | Not to exceed 49 years |
| (D) Public agency lease ----- | Not to exceed 49 years |
| (E) Noncommercial lease | |
| (1) Dwelling, cabin and ark sites (except as
provided by Public Resources Code Section
6505.5) ----- | Not to exceed 10 years |
| (2) Other ----- | Not to exceed 49 years |
| (F) Use permit ----- | Not to exceed 5 years |
| (G) Grazing or agricultural lease | |
| (1) Livestock (See Public Resources Code
Section 6505.5) ----- | Not to exceed 10 years |
| (2) Seasonal crops ----- | Not to exceed 10 years |
| (3) Silviculture ----- | Not to exceed 49 years |
| (H) Public agency permit ----- | Not to exceed 49 years |
| (I) Protective structure permit ----- | Not to exceed 49 years |
| (J) Private recreational pier permit (See Public Resources
Code Section 6503) ----- | Not to exceed 10 years |
| (K) Salvage permit ----- | Not to exceed 5 years |