

MINUTE ITEM

This Calendar Item No. 02  
was approved as Minute item  
No. 2 by the State Lands  
Commission by a vote of 2  
0 at its 7-13-92  
meeting.

CALENDAR ITEM

A 35

02

07/13/92

W 24665 AD 178

Pelkofer

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S 18

COASTAL LATERAL ACCESS

PARTIES:

California Coastal Conservancy  
1330 Broadway, Suite 1100  
Oakland, California 94612

California Coastal Commission  
631 Howard Street, 4th Floor  
San Francisco, California 94105

Frederick Field  
10900 Wilshire Boulevard, Suite 1400  
Los Angeles, California 90024

The California Coastal Commission has, for years, required, as a condition of granting Coastal Development permits, formal offers to dedicate, to the public, lateral (along the shoreline) and vertical (perpendicular to the shoreline) access. These offers to dedicate are recorded in the official records of the county in which the proposed development is situated. It was contemplated, when the program was conceived, that some agency, for example, a local park and recreation agency, would accept and make use of these easements on behalf of the public. Proposition 13 and consequent limited funding for maintenance, liability insurance, and the like, has presented most local agencies from accepting the offers of dedication.

The offers to dedicate are generally for a limited period of 20 years. Many of the access dedications are nearing the end of their effective period and the Coastal Commission has requested that the State Lands Commission (SLC) accept certain lateral dedications to avoid the loss of public use of the property.

After meeting with the Coastal Commission and the Coastal Conservancy, the Executive Officer and staff have thoroughly considered the implications of acceptance of the dedications by the SLC on behalf of the State and believe such action is appropriate.

This specific offer to dedicate will expire if not accepted prior to August 11, 1992. It is one of a number currently under consideration by the staff. It meets the same criteria as those previously submitted to and accepted by Commission action on April 2, 1991. Additional offers will be presented to the Commission at subsequent meetings.

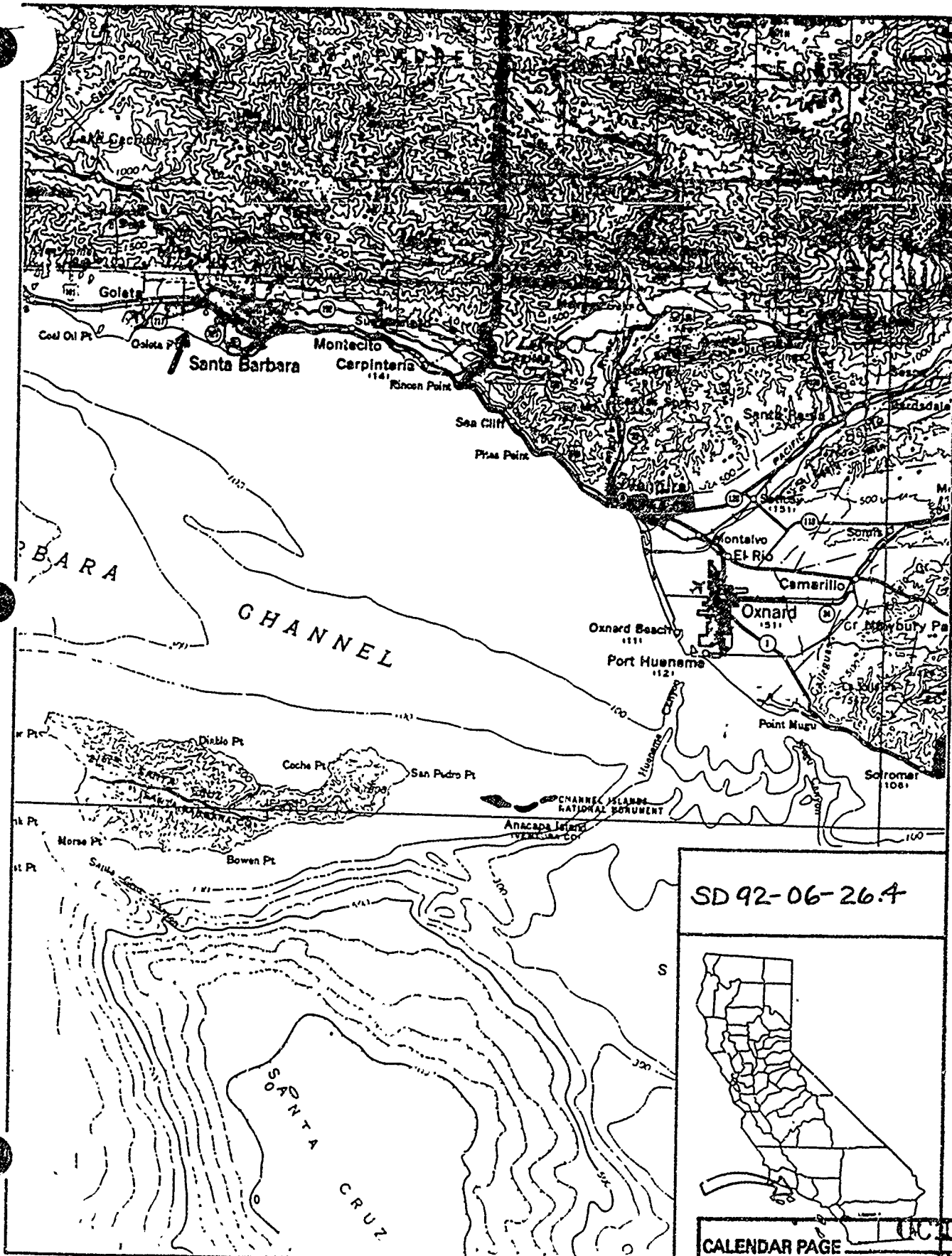
The general character of the land the staff is proposing the Commission accept is dry sandy beach area, approximately 25 feet wide, parallel to the ordinary high water line and adjacent to State-owned tidelands. Liability for holding these lateral parcels is limited by Section 831.2 of the Government Code which provides that a public entity is not liable for injury caused by a natural condition of any unimproved public property. Similarly, there should be no maintenance and little management required because of the lack of improvements on the parcels and because the easements simply provide beach-goers with the right to use the beach. The easements, once accepted, will require some monitoring to assure the public's use of the area.

AB 884:  
N/A

EXHIBIT:  
A. Location Map

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. ACCEPT THE OFFER TO DEDICATE THE EASEMENT ATTACHED.
3. AUTHORIZE THE EXECUTIVE OFFICER OR STAFF PERSONS DESIGNATED BY HIM TO TAKE ALL NECESSARY ACTIONS TO EXECUTE ACCEPTANCE OF THE OFFER, TO RECORD IT, AND TO MONITOR THE PUBLIC'S USE AND ENJOYMENT OF SAID EASEMENT.



SD 92-06-26.4



CALENDAR PAGE	_____
MINUTE PAGE	_____