

MINUTE ITEM

12/20/73
CRK

27. DEFINITION FOR THE IDENTIFICATION OF LANDS POSSESSING SIGNIFICANT ENVIRONMENTAL VALUES; APPROVAL AND ADOPTION AT A PUBLIC HEARING - W 9287.1.

After consideration of Calendar Item 25 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION TAKES THE FOLLOWING ACTION RELATING TO IMPLEMENTATION OF CHAPTER 688, STATUTES OF 1973 (PUBLIC RESOURCES CODE SECTIONS 6370-71):

1. CONSIDERS THE DEFINITION OF SIGNIFICANT ENVIRONMENTAL VALUES AS SUBMITTED BY THE OFFICE OF PLANNING AND RESEARCH, ATTACHED AS EXHIBIT "A", AND THE CRITERIA PREPARED BY THE DIVISION FOR IDENTIFICATION OF SPECIFIC PARCELS, ALSO ATTACHED MARKED EXHIBIT "B", BOTH BY REFERENCE MADE A PART HEREOF.
2. CONDUCTS A PUBLIC HEARING ON THE QUESTION OF ADOPTING THE DEFINITION REQUIRED BY CHAPTER 688, STATUTES OF 1973.
3. APPROVES AND ADOPTS THE DEFINITION OF SIGNIFICANT ENVIRONMENTAL VALUES AS SHOWN IN EXHIBITS "A" AND "B".
4. AUTHORIZES THE EXECUTIVE OFFICER TO SUBMIT THE ADOPTED DEFINITION AND THE REASONS IN SUPPORT THEREOF TO THE LEGISLATURE NO LATER THAN JANUARY 15, 1974.

Attachments:

Calendar Item 25 (8 pages)

DEFINITION FOR THE IDENTIFICATION OF LANDS POSSESSING
SIGNIFICANT ENVIRONMENTAL VALUES -
APPROVAL AND ADOPTION AT A PUBLIC HEARING

Chapter 1555, Statutes of 1970, now codified as Public Resources Code Section 6370-77, directed the State Lands Commission, acting jointly with the Resources Agency, to inventory unconveyed State school lands and tide and submerged lands for the purpose of identifying those possessing unique environmental values. Although the program was delayed due to a lack of timely funding, the Division completed the inventory to a point of tentative identification of parcels possessing unique qualities and then requested the Secretary for Resources to appoint a task force to assist in finalizing the program.

Subsequent to the above action, the Legislature enacted urgency legislation, Chapter 688, Statutes of 1973, which amends Sections 6370 and 6371 to the following extent as it affects the inventory and identification program:

1. The Commission is required to act in concert with the Resources Agency and the Office of Planning and Research, instead of acting jointly with the Resources Agency alone;
2. The term "unique environmental value" is changed to "Significant environmental value;"
3. The Office of Planning and Research is required to define "significant environmental values" and to submit such definition to the Commission for approval and adoption at a public hearing;
4. The Commission shall submit the adopted definition, including supportive reasons, to the Legislature no later than January 15, 1974; and
5. The Commission shall submit a final report to the Legislature by January 15, 1975, and it shall include adopted regulations to protect the identified lands.

The Office of Planning and Research (OPR) submitted its definition to the Division on November 16, 1973. A copy of agreed definitions to be used is attached as Exhibit "A". It lists the areas of potential Statewide environmental significance. The Division considers that any parcel nominated for significant identification must, as a prerequisite, fit into one or more of OPR's groups. The final test for the identification of parcels possessing significant environmental values of Statewide interest should be based upon the criteria shown on Exhibit "B". This is an adaptation of guidelines previously developed by the Division for those providing input to this program. The guidelines were prepared with the assistance and advice of the following:

CALENDAR ITEM NO. 25. (CONTD)

The Sierra Club
California Academy of Sciences
California Native Plant Society
California Natural Areas Coordinating Council
University of California, Berkeley
U. S. Army Corps of Engineers
U. S. Forest Service
State Department of Fish and Game
State Department of Parks and Recreation
State Department of Conservation
State Department of Transportation, Division of Highways
Archaeological Task Force, Resources Agency
Manager, Protected Waterways Program, Resources Agency

The criteria as outlined in Exhibit "B" has had wide review and usage by professionals in the field, with considerable favorable comments, none adverse.

Chapter 688 requires inclusion of ". . . the criteria developed pursuant to Section 65041 of the Government Code." This actually refers to the State Environmental Goals and Policy Report which was approved by the Governor on June 1, 1973. The report, as well as Section 65041, is very broad in scope. Appendix 4 to the report is, however, considered an excellent base upon which to implement the program as modified by the Legislature and it is the basis of Exhibit "A".

The definitions of "significant environmental values" as shown on Exhibit "A" and agreed to by OPR should be adopted for the following reasons:

1. They are consistent with the environmental goals and policies approved June 1, 1973, by Governor Reagan for use in planning future growth and development.
2. They cover all areas of Statewide interest which provide an essential resource base for the State's economy, rare or unique environment with resources attractive to people throughout the State, unique cultural or scientific assets characteristic of the State and other factors.
3. They contain those values which are most important to the environmental well being of the State.

EXHIBITS: A. Definition of Significant Environmental Values.
 B. Criteria for the Identification of Lands Possessing
 Significant Environmental Values.

IT IS RECOMMENDED THAT THE COMMISSION TAKE THE FOLLOWING ACTION RELATING TO IMPLEMENTATION OF CHAPTER 688, STATUTES OF 1973 (PUBLIC RESOURCES CODE SECTIONS 6370-71):

CALENDAR ITEM NO. 25. (CONTD)

1. CONSIDER THE DEFINITION OF SIGNIFICANT ENVIRONMENTAL VALUES AS SUBMITTED BY THE OFFICE OF PLANNING AND RESEARCH, ATTACHED AS EXHIBIT "A" AND THE CRITERIA PREPARED BY THE DIVISION FOR IDENTIFICATION OF SPECIFIC PARCELS, ALSO ATTACHED MARKED EXHIBIT "B", BOTH BY REFERENCE MADE A PART HEREOF.
2. CONDUCT A PUBLIC HEARING ON THE QUESTION OF ADOPTING THE DEFINITION REQUIRED BY CHAPTER 688, STATUTES OF 1973.
3. APPROVE AND ADOPT THE DEFINITION OF SIGNIFICANT ENVIRONMENTAL VALUES AS SHOWN IN EXHIBITS "A" AND "B".
4. AUTHORIZE THE EXECUTIVE OFFICER TO SUBMIT THE ADOPTED DEFINITION AND THE REASONS IN SUPPORT THEREOF TO THE LEGISLATURE NO LATER THAN JANUARY 15, 1974.

Attachments: Exhibits "A" and "B"

State of California

Memorandum

To : Ed Gladish, Executive Officer
State Lands Commission
1600 L Street

Date : November 16, 1973


From : **Governor's Office**
Office of Planning and Research

Subject: CHAPTER 688 STATUTES OF 1973 DEFINITION OF SIGNIFICANT ENVIRONMENTAL VALUES

With this memorandum I am transmitting six copies of a paper "Significant Environmental Values" which was prepared by the Office of Planning and Research in response to Section 6370.1 added to the Public Resources Code by Chapter 688 statutes of 1973.

Section 6370.1 of the Public Resources Code requires the Office of Planning and Research to define, for purposes of the act, the term significant environmental values. The definitions contained in the paper were prepared responsive to much of the work already completed by your staff in the inventorying of state land and identification of environmental values.

We have attempted a balanced definition consistent with the Environmental Goals and Policy Report. If there are any questions or suggested amendments, we will be happy to work further with your staff in advance of the hearing process.


Robert J. De Monte
Director

Attachments

STATE LANDS COMMISSION
RECEIVED
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STATE LANDS DIVISION
SACRAMENTO

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(Rev. 12/17/73)

SIGNIFICANT ENVIRONMENTAL VALUES

Section 6370.1 added to the Public Resources Code by Chapter 688, statutes of 1973, directs the Office of Planning and Research to define for purposes of the Act the term "significant environmental values", and submit the definition for approval to the State Lands Commission. The Act also amends Section 6370 of the Public Resources Code to require the State Lands Commission in concert with the Resources Agency and the Office of Planning and Research to inventory unconveyed state school and tide and submerged lands and identify such lands which possess significant environmental values including scenic, historic, natural or aesthetic values of statewide interest. The Environmental Goals and Policy Report, adopted by the Governor, speaks to areas of statewide interest which are defined as areas which provide an essential resource base for the state's economy, or rare or unique environment with resources attractive to people from various parts of the state, unique cultural or scientific assets characteristic of the state and/or contain natural hazards of varying degrees of intensity. Within such areas the superlatives of each kind are designated as areas of statewide critical concern. They contain the important and significant environmental values. In simple terms then, significant environmental values are those which for each kind are most important. In order to provide some uniformity in judging significant values, the following criteria are offered:

1. Rare or unique, found only in California or essentially so, as Coastal Redwoods; rare in California but not necessarily so in other areas, as

the Saguaro Cactus; necessary to the continuance of a rare or endangered plant or animal; contains an unusual mix of climate, topography cover, soil and water making the area valuable for natural recreational activities, as a series of rapids in a river or a sandy swimming beach.

2. Extraordinary, exceptional, well above average for its type in either size, intensity, numbers of individuals, diversity, appearance, or formation as an outstanding oak grove, undisturbed native grasslands, a stretch of stream unusually productive of fish life; clearly typical of a landscape type, an ecological, or geological process of typifying a biotic community.
3. Critical wildlife habitat necessary to the continued well being of a wildlife species, particularly at a critical period of their life cycle; nursery and breeding sites as estuaries, big horn sheep lambing range, stream supporting anadromous fish populations; food sources as deer winter range; critical water as a desert water hole; providing resting areas, such as marsh lands for migratory waterfowl.
4. Areas included within existing parks, recreation areas, wildlife or ecological reserves.
5. Historical or archaeological importance, associated with an event or person important to the shaping of California's history; has produced or is likely to produce evidence of California's pre-history; contains artifacts typical of a master craftsman, or typifying an era or lifestyle.

6. Important to the economic base of the state, containing prime agricultural lands, high site class forests, mineral resources vitally needed for manufacturing or construction, or high commercial potential as transportation routes, etc.

EXHIBIT "B"

W 9237.1

CRITERIA FOR THE DEFINITION OF SIGNIFICANT ENVIRONMENTAL VALUES,
INCLUDING SCENIC, HISTORIC, NATURAL OR AESTHETIC;
AND OF STATEWIDE INTEREST

1. The only one of its kind; the last one; the first one; the last unit or aggregation of a nonrenewable resource; an economic resource production area; a rare species (one with limited range) or an endangered species (threatened with extinction); the single, only example or remnant of a vanished class, group, period or life style; the sole species of a genus, class, family or order when in limited or declining number; the only undeveloped portion of a natural, navigable waterway in a developed (or developable) area.
2. An exceptional example of a population of objects or processes; an economic resource production area; outstanding craftsmanship or beauty; singular, unparalleled, unrivaled; unusual or peculiar; nonpareil; as, an extraordinary series of canoeing rapids or an unusual display of an otherwise common occurrence; an undisturbed, natural area or ecosystem; a virgin stand, a pure lake; a key, cornerstone or turning point in archaeology or history, or in physical or biological processes; variations in a species at the extremity of its range.
3. A "textbook" example of a population of objects or processes; a paragon; epitome of a principle, a condition or a type; the mythical "average" object or ecosystem embodied. For example, an economic resource production area; a representative biological community or relationship, geological formation or soil profile; a typical example of, say, a landscape province or historical period.
4. An object or scene that is popular, well-known, highly esteemed Statewide; accessible and therefore of significant value when compared to others which may be inaccessible for study, observation, recreation, or other nonconsumptive uses, such as a natural beach or shoreline segment near a population center, or a publicly-owned marsh parcel in the midst of private marshland.
5. A contributory element to lands of significant environmental value, including resources production areas, such as a desert parcel containing a waterhole frequented by a game population on surrounding land, or containing roosts, winter feed, or a game trail used by protected animals; or providing products of significant economic value; a lagoon on a flyway used by migratory birds; a "buffer parcel," an upwind or upstream parcel that could threaten an important resource if it were developed or altered; or in the event an endangered species might be brought out of danger of extinction, a parcel of land containing habitat that such species could use to help it achieve a self-sustaining level.