

Regulations and authorization by the Commission. The proposed material removal operations are to be performed in conjunction with the execution of a highway bridge construction contract for the Highways Division. The lease offer required a minimum bid of three cents per cubic yard for all sand, gravel and other material extracted in conformance with the established policy of the Commission. The bidder has offered the minimum royalty of three cents per cubic yard for all sand, gravel and material extracted under the lease."

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, IT WAS RESOLVED AS FOLLOWS:

THE EXECUTIVE OFFICER IS AUTHORIZED TO EXECUTE AND ISSUE TO BEN C. GERWICK, INC. A MINERAL EXTRACTION LEASE FOR A TERM OF 20 YEARS TO PERMIT THE REMOVAL OF SAND, GRAVEL AND MATERIAL FROM A PORTION OF THE BED OF EUREKA SLOUGH LYING IN SECTION 23, T. 5 N., R. 1 W., H.B. & M., CONTAINING APPROXIMATELY ONE ACRE, UPON PAYMENT OF THE ADVANCE ANNUAL RENTAL OF \$1 AND SUBJECT TO ROYALTY OF THREE CENTS PER CUBIC YARD FOR ALL SAND, GRAVEL AND MATERIAL EXTRACTED UNDER THE LEASE. A PERFORMANCE BOND IN THE PENAL SUM OF \$1,000 IS TO BE DEPOSITED BY THE LESSEE TO GUARANTEE THE FAITHFUL PERFORMANCE AND OBSERVATION OF ALL CONDITIONS IN THE LEASE. THE LEASE SHALL PROVIDE THAT ANY MATERIAL RE-DEPOSITED IN THE LEASED AREA SHALL BE PLACED SO THAT NO FILLS OR ISLANDS ARE FORMED TO INTERFERE WITH THE WATER FLOW IN THE SLOUGH.

9. (PROCEDURES FOR CONTROLLING WATER POLLUTION FROM OPERATIONS UNDER STATE LANDS LEASES - GEN. DATA - WATER POLLUTION.) The following report was presented to the Commission:

"The State Lands Commission and the State and Regional Water Pollution Control Boards may have overlapping statutory responsibility for controlling water pollution caused by waste discharges from operations under leases issued by the Commission. Therefore, in order to clarify control of waste discharges from operations under leases issued by the Commission, achieve coordination of activity, and prevent duplication of effort between agencies, a suggested outline of procedure has been developed pursuant to staff conferences with the State Water Pollution Control Board.

"The State Water Pollution Control Board has adopted, by formal resolution the outlined procedures for controlling water pollution, and has recommended that the State Lands Commission consider the adoption of similar operating procedures. The proposed procedures for controlling water pollution from operations under State land leases are set forth below."

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, IT WAS RESOLVED AS FOLLOWS:

THE COMMISSION ADOPTS THE FOLLOWING PROCEDURES FOR CONTROLLING WATER POLLUTION FROM OPERATIONS UNDER STATE LANDS LEASES AND DIRECTS THE APPLICATION OF THESE PROCEDURES BY THE STATE LANDS DIVISION IN THE ADMINISTRATION OF ALL LEASES UNDER AUTHORITY OF THE STATE LANDS COMMISSION:

PROCEDURES FOR CONTROLLING WATER POLLUTION
FROM OPERATIONS UNDER STATE LANDS LEASES

A. DOCUMENTS.

- (1) THE STATE LANDS COMMISSION WILL FURNISH THE APPROPRIATE REGIONAL BOARD NOTICE AND LOCATION OF ALL LEASES ISSUED.
- (2) ALL LESSEES OF STATE LANDS WILL REPORT WASTE DISCHARGES DESCRIBED UNDER B (2) AND C (BELOW) TO REGIONAL BOARD OR TO ANY LOCAL AGENCY HAVING JURISDICTION OR TO DIVISION OF OIL AND GAS WHEN SUBSURFACE INJECTION OF OIL FIELD WASTE WATER IS PROPOSED.

B. WASTES OR POLLUTING MATERIALS FROM OPERATIONS ON LEASES ISSUED UNDER SECTION 6873, PUBLIC RESOURCES CODE.

(1) WELL OR WORKS LOCATED DIRECTLY ON LEASE.

SECTION 6873 PROHIBITS ANY DISCHARGE OF OIL, ETC., OR REFUSE;
(b) THE STATE LANDS COMMISSION WILL ENFORCE THIS PROHIBITION;
(c) THE REGIONAL BOARD WILL NOT ACCEPT REPORTS OF WASTE DISCHARGE FROM SUCH WELL OR WORKS.

(2) WELL OR WORKS LOCATED OFF LEASE.

(a) THE REGIONAL BOARD WILL PRESCRIBE REQUIREMENTS, IF NECESSARY, FOR DISCHARGE OF WASTE, WITH A COPY TO STATE LANDS COMMISSION;
(b) THE REGIONAL BOARD WILL ENFORCE ITS REQUIREMENTS FOR ANY SUCH DISCHARGE OF WASTE.

C. WASTES OR POLLUTING MATERIALS FROM OPERATIONS ON OTHER LEASES OF STATE LANDS.

- (1) THE REGIONAL BOARD WILL PRESCRIBE REQUIREMENTS, IF NECESSARY, FOR DISCHARGE OF WASTE, WITH A COPY TO STATE LANDS COMMISSION.
- (2) THE REGIONAL BOARD WILL NOTIFY THE STATE LANDS COMMISSION WHENEVER ITS REQUIREMENTS ARE NOT BEING MET BY THE STATE'S LESSEE.
- (3) THE STATE LANDS COMMISSION WILL SPECIFY IN ITS LEASE THAT LESSEE MUST COMPLY WITH ALL RULES AND REGULATIONS NOW PROMULGATED BY ANY AGENCY OF THE STATE OF CALIFORNIA HAVING JURISDICTION THEREIN AND SUCH REASONABLE RULES AND REGULATIONS AS MAY HEREAFTER BE PROMULGATED BY ANY AGENCY OF THE STATE OF CALIFORNIA HAVING JURISDICTION THEREIN; AND THE LESSEE SHALL AT ALL TIMES TAKE SUITABLE PRECAUTIONS TO PREVENT POLLUTION AND CONTAMINATION OF WATERS.
- (4) EACH AGENCY WILL ENFORCE COMPLIANCE WITH STATE LAW AND RULES AND REGULATIONS ISSUED PURSUANT THERETO.