

CONVENED: 9:40 a.m.

ADJOURNED: 10:25 a.m.

PRESENT: Leo McCarthy

Jim Tucker

Stan Stancell

Y=Yes N=No A=Abstain

FOR INFORMATION, PLEASE CONTACT:

Brenda Duncan  
1807 - 13th Street  
Sacramento, CA 95814  
(916) 445-0772

				VOTE		
Amended#	Deferred	Ruled	Considered - No Action Taken	Informational Only - No Action Taken	Approved As Presented	
						Controller
						Lt. Governor
						Director of Finance

SUMMARY

MEETING OF THE STATE LANDS COMMISSION  
STATE CAPITOL, ROOM 447  
SACRAMENTO, CALIFORNIA

LEO T. MCCARTHY, LIEUTENANT GOVERNOR, CHAIRMAN  
GRAY DAVIS, STATE CONTROLLER, COMMISSIONER  
THOMAS W. HAYES, DIRECTOR OF FINANCE, COMMISSIONER

MONDAY - SEPTEMBER 23, 1991

ORDER OF BUSINESS

- I. 9:00 A.M. - CLOSED SESSION. "CONSIDERATION OF POSSIBLE AND PENDING LITIGATION." THESE MATTERS WILL BE DISCUSSED IN A SESSION CLOSED TO THE PUBLIC, PURSUANT TO ATTORNEY-CLIENT PRIVILEGES. (SEE GOVERNMENT CODE SECTION 11126.)

THE FOLLOWING MATTERS WILL BE CONSIDERED UNDER GOVERNMENT CODE SECTION 11126(q)(1):

CITY OF LONG BEACH v. STANDARD OIL COMPANY, ET AL.

GRAYDON NICHOLS, ET AL. v. GOLDEN GATE WATER SKI CLUB

STATE OF ALASKA v. UNITED STATES OF AMERICA, ET AL.

UNITED STATES OF AMERICA, ET AL. v. MONTROSE CHEMICAL CORPORATION, ET AL.

ATLANTIC RICHFIELD COMPANY v. STATE LANDS COMMISSION, ET AL.

UNITED STATES OF AMERICA v. 15.320 ACRES OF LAND, STATE OF CALIFORNIA, ET AL.

IN ADDITION, THE COMMISSION SHALL CONSIDER MATTERS WHICH FALL UNDER GOVERNMENT CODE SECTION 11126(Q)(2) AND (3).

CALENDAR ITEM REFERENCES TO AB 884 DENOTE THE PERMIT STREAMLINING ACT (CALIFORNIA GOVERNMENT CODE SECTION 65920 ET SEQ.)

- II. AT CONCLUSION OF CLOSED SESSION WILL BE OPEN SESSION (PUBLIC MEETING).

- ✓
    - ✓
    - ✓
    - ✓
- III. CONFIRMATION OF MINUTES FOR THE MEETING OF AUGUST 26, 1991

CALENDAR PAGE	_____
MINUTE PAGE	<u>2811</u>

\* See Attached

Y=Yes N=No A=Abstain

	Amended*	Deferred	Pulled	Considered - No Action Taken	Informational Only - No Action Taken	VOTE			
						Approved as Presented	Controller	Ut. Governor	Director of Finance
C01			D			✓	✓	✓	✓
C02						✓	✓	✓	✓
C03						✓	✓	✓	✓
C04						✓	✓	✓	✓
C05						✓	✓	✓	✓

IV. CONSENT CALENDAR C01 - C32 THE FOLLOWING ITEMS ARE CONSIDERED TO BE NON-CONTROVERSIAL. ANYONE WISHING TO ADDRESS AN ITEM ON THE CONSENT CALENDAR MAY COME FORWARD AND STATE THEIR NAME FOR THE RECORD.

C01 A) LESLIE SALT COMPANY; B) VIRGINIA PEARCE; C) DEAN AND MARGARET UNGER; D) SAN JOAQUIN DELTA POWER SQUADRON; E) STOCKTON WATER SKI CLUB; F) DOROTHY TAYLOR; G) THOMAS PORTO; H) DONALD AND ROSE TOUSLEY (LESSEES): Approve eight (8) Rent Reviews/Continuations: One (1) in Coyote Hills Slough, Alameda County; three (3) in Lake Tahoe, Placer County; and four (4) in San Joaquin River, San Joaquin County. (Garibay; PRC 375, PRC 4182, PRC 4896, PRC 5212, PRC 5373, PRC 6358, PRC 6770, PRC 6801) (A 5, 14, 26; S 1, 5, 7, 9)

C02 A) KENT & MARY BOURQUIN; B) ANNA GARIBOTTI; C) RONALD AND RUSSEY GUERRA; D) MAXWELL FREEMAN (APPLICANTS): Approve four Recreational Pier Permits: one (1) at Donner Lake, Nevada County; two (2) at Lake Tahoe, Placer County; and one (1) in Atherton Cove, San Joaquin County. (Garibay; W 24704, PRC 3560, PRC 4389, PRC 6075) (A 3, 5, 26; S 1, 5)

C03 JOSEPH AND CHERYL BAYLESS (APPLICANT): Approve one (1) Recreational Pier Permit to authorize two (2) mooring buoys at Lake Tahoe in Placer County. (Garibay; W 24132) (A 7; S 1)

C04 ROBERT W. DAVIS AND DIETRA E. DAVIS, TRUSTEES; C. R. GIBB AND JOAN GIBB (PERMITTEES): Approve a five-year Recreational Pier Permit for two parcels of submerged land located in Lake Tahoe near Cedar Flat, Placer County, for extension of a multi-use pier, addition of two boatlifts, and retention of four mooring buoys. (J. Ludlow; PRC 3652) (A 7; S 1)

C05 JAMES J. DALE AND FRANCIE DALE (APPLICANT): Approve a five-year Recreational Pier Permit for submerged land located at South Lake Tahoe, El Dorado County, for construction, use, and maintenance of a pier, boatlift, and one mooring buoy. (J. Ludlow; W 24224) (A 7; S 1)

\* Calendar Item C01, Sub-Item D, was pulled. The remainder of Calendar Item C01 was approved as presented.

\* See Attached

CALENDAR PAGE _____
MINUTE PAGE _____ 2812

Y=Yes N=No A=Abstain.

Amended#	Deferred	Pulled	Considered - No Action Taken	Informational Only - No Action Taken	Approved As Presented	VOTE		
						Controller	Lt. Governor	Director of Finance
					✓	Y	Y	Y
					✓	Y	Y	Y
					✓	Y	Y	Y
					✓	Y	Y	Y
					✓	Y	Y	Y

- C06 **LAWRENCE A. KRAMES, TRUSTEE FOR THE LAWRENCE KRAMES REVOCABLE TRUST (APPLICANT):** Approve a five-year Recreational Pier Permit for submerged land located in Lake Tahoe near Emerald Bay, El Dorado County, for partial reconstruction of an existing pier. (J. Ludlow; W 24482) (A 7; S 1)
- C07 **GERARD H. DAVIS (PERMITTEE):** Approve a five-year Recreational Pier Permit for submerged land located in Lake Tahoe near Sunnyside, Placer County, for reconstruction of an existing pier, including one low-level boatlift, and retention of two mooring buoys. (J. Ludlow; PRC 4158) (A 7; S 1)
- C08 **WALTER MORRIS HART NOBLE AND CHARLES EDWARD NOBLE (PERMITTEE):** Approve a five-year Recreational Pier Permit for submerged land located in Lake Tahoe near Emerald Bay, El Dorado County, for partial reconstruction of an existing pier. (J. Ludlow; PRC 3940) (A 7; S 1)
- C09 **JOHN D. GRAHAM AND MARY J. GRAHAM (PERMITTEE):** Approve a five-year Recreational Pier Permit for submerged land located in Lake Tahoe at McKinney Shores, Placer County, for reconstruction and 15-foot extension of an existing pier and retention of two mooring buoys. (J. Ludlow; PRC 3976) (A 7; S 1)
- C10 **MVM HARBOR (ASSIGNOR); SUISUN CITY REDEVELOPMENT AGENCY (ASSIGNEE):** Approve assignment of a 15-year General Lease - Commercial Use, Permit No. PRC 2256; of tide and submerged land, located in Suisun Slough, Solano County. (N. Smith; PRC 2256) (A 4; S 2)

\* See Attached

Y=Yes N=No A=Abstain

	Amended*	Deferred	Pulled	Considered - No Action Taken	Informational Only - No Action Taken	Approved As Presented	VOTE		
							Controller	Lt. Governor	Director of Finance
C11						✓	Y	Y	Y
C12						✓	Y	Y	Y
C13						✓	Y	Y	Y
C14						✓	Y	Y	Y
C15						✓	Y	Y	Y

- C11 SHORECLIFF PROPERTIES, INC. (ASSIGNOR); TIC WORLD-WIDE CORPORATION (ASSIGNEE): Approve assignment of a General Permit - Recreational Use PRC 4698 from Shorecliff Properties Inc. to TIC World-Wide Corporation, a California corporation, for continued use of sovereign tide and submerged land for the maintenance of an existing seawall and beach area, and rock embankment protection. (Townsend; PRC 4698) (A 29; S 14)
- C12 JOCK AND JUDY MCKAY (APPLICANT): Approve a 20-year General Lease - Residential Use of tide and submerged land located in Mare Island Strait, City of Vallejo, Solano County, for use and maintenance of a residence and deck. (N. Smith; W 287.48) (A 4; S2)
- C13 PORT SUISUN (ASSIGNOR); SUISUN CITY REDEVELOPMENT AGENCY (ASSIGNEE): Approve assignment and amendment of a 20-year General Lease - Commercial Use, Permit No. PRC 5738 of tide and submerged land located in Suisun Slough, Solano County. Amendment to Calet surety bond because Assignee is a public agency. (N. Smith; PRC 5738) (A 4; S 2)
- C14 POSEIDON LTD., A CALIFORNIA LIMITED PARTNERSHIP (APPLICANT): Approve a ten-year General Permit - Protective Structure Use of tide and submerged land located in the City of Del Mar at the Pacific Ocean, San Diego County, for removal of existing riprap and dining deck, restoration of the beach, and construction of a vertical seawall and permanent dining deck behind the seawall. (Fong; W 24759) (A 75; S 38)
- C15 EARLE FREY JR., ET AL, AKA DEL MAR BEACHFRONT HOMEOWNERS (APPLICANT): Approve ten-year General Permit - Protective Structure Use of tide and submerged land located in the City of Del Mar, between 1924 through 2102 Ocean Front, along the Pacific Ocean, San Diego County, for removal of existing riprap and portions of existing patios, decks, overhangs, sunrooms, walls, and fences, and construction of a vertical seawall. (Fong; W 24755) (A 75; S 38)

\* See Attached

Amended#	Deferred	Pulled	Considered - No Action Taken	Informational Only - No Action Taken	Approved As Presented	VOTE		
						Controller	Lt. Governor	Director of Finance
				✓	✓	✓	✓	
				✓	✓	✓	✓	
	✓							
				✓	✓	✓	✓	
				✓	✓	✓	✓	
				✓	✓	✓	✓	

- C16 **LOS CARNEROS WATER DISTRICT (APPLICANT):** Approve a 49-year General Permit - Public Agency Use of tide and submerged land located in the Napa River, just southwest of the Highway 29 Crossing, Napa County, for construction and maintenance of three (10", 12" and 18") underground polyethylene pipelines. (N. Smith; W 24714) (A 8; S 4)
- C17 **CITY OF FOSTER CITY (LESSEE):** Approve a 49-year General Permit - Public Use of sovereign land located near Belmont Slough, in Foster City, San Mateo County, for levee improvements. (Maricle; PRC 2860) (A 19; S 11)
- C18 **CALIFORNIA DEPARTMENT OF PARKS AND RECREATION; CALIFORNIA DEPARTMENT OF FISH AND GAME (PARTIES):** Approve a twenty-five-year license of ungranted and unsold tide and submerged lands of Morro Bay for public use purposes, including resource protection and enhancement, San Luis Obispo County. (Fong; W 24095, W 24300) (A 29; S 14)
- C19 **AMERICAN TELEPHONE & TELEGRAPH COMPANY (PERMITEE):** Approve amendment to Permit PRC 7166, General Permit - Right-of-Way Use, to amend land description of tide and submerged lands located in the Pacific Ocean, north of Manchester, Mendocino County, for a fiber optic cable. (N. Smith; PRC 7166) (A 2; S 2)
- C20 **AMERICAN TELEPHONE & TELEGRAPH COMPANY (APPLICANT):** Approve a continuous period of one year General Permit - Right-of-Way Use of tide and submerged land, located across the Russian River, Sonoma County, for installation, operation, and maintenance of an underground fiber optic cable. (N. Smith; W 24673) (A 2; S 2)
- C21 **DON C. AND JUDITH M. HAYS (LESSEE):** Accept quitclaim deed and approve a 16-month payment plan relative to back rent, penalty, and interest owed on expired lease PRC 5346. (Maricle; WP 5346) (A 10; S 5)

\* See Attached

	Amended*	Deferred	Pulled	Considered - No Action Taken	Informational Only - No Action Taken	Approved As Presented	VOTE			
							Controller	Lt. Governor	Director of Finance	
C22						✓	✓	✓	✓	STATE LANDS COMMISSION(PARTY): Approve subventions to cities and counties for the fiscal year 1990/91. (Gonzalez, D. Brown; W 4848) (A 35, 36, 57, 58, 69; S 18, 19, 37)
C23						✓	✓	✓	✓	SHELL WESTERN E&P INC. (LESSEE); BUSH OIL COMPANY (OPERATOR): Approve deferment of drilling obligation on tide and submerged lands located west of Oxnard, State oil and gas lease PRC 3314, Ventura County. (Nitsche; PRC 3314) (A 36; S 18)
C24						✓	✓	✓	✓	STATE LANDS COMMISSION (PARTY): Receive Final Report and Closing Statement for 1990-1991 Plan of Development and Operations and Budget, Long Beach Unit, Wilmington Oil Field, Los Angeles County. (Starzer; W 17099) (A 57, 58; S 29)
C25						✓	✓	✓	✓	SUN OPERATING LIMITED PARTNERSHIP (LESSEE/ASSIGNOR); CORBIN J. ROBERTSON (ASSIGNEE): Approve assignment and correction of land description of negotiated subsurface (no surface use) State oil and gas lease PRC 7375 (33 acres in the bed of Beaver Slough), San Joaquin County. (Hamilton; PRC 7375) (A 10, 26; S 5)
C26						✓	✓	✓	✓	TRI-VALLEY OIL & GAS COMPANY (APPLICANT): Approve negotiated subsurface (no surface use) State oil and gas lease for land under Sacramento River, Glenn County. (Hamilton; W 40645) (A 1; S 4)
C27						✓	✓	✓	✓	EXION COMPANY, USA (LESSEE): Accept a lease quitclaim deed and termination of a 34-year General Lease - Industrial Use of tide and submerged land located in the Pacific Ocean at Las Flores Canyon, Santa Barbara County. (Townsend; PRC 7162) (A 35; S 18)

\* See Attached

	Amended*	Deferred	Pulled	Considered -- No Action Taken	Informational Only - No Action Taken	VOTE			
						Approved As Presented	Controller	Lt. Governor	Director of Finance
C28						✓	✓	✓	✓
C29						✓	✓	✓	✓
C30						✓	✓	✓	✓
C31						✓	✓	✓	✓
C32						✓	✓	✓	✓
IV.									
33						✓	✓	✓	✓

\* See Attached

- C28 STATE LANDS COMMISSION (LESSOR); CASTLE MOUNTAIN VENTURE (LESSEE); N. M. ROTHSCHILD & SONS LIMITED, BARCLAYS BANK PLC, BAYERISCHE VEREINSBANK AG, BANK OF AMERICA NATIONAL TRUST & SAVINGS ASSOCIATION (SECURED-PARTY LENDERS): Approve encumbrancing leasehold interest to lands covered in lease PRC 7519 (Industrial Lease) of school lands in eastern San Bernardino County. (Reese, Hadly; PRC 7519) (A 61; S 25)
- C29 LOUISIANA PACIFIC CORPORATION (LESSEE): Terminate and accept a lease quitclaim deed for a General Lease - Industrial Use utilized for the operation of a lumber mill located on school land near the town of Inyokern, Section 16, T24S R38E, Inyo County. (Dugal; PRC 3931) (A 34; S 25)
- C30 DEPARTMENT OF FISH AND GAME (APPLICANT): Approve a 15-year General Permit - Public Agency Use of State-owned land located in the Tuolumne River east of Waterford, Stanislaus County, for restoration and maintenance of salmon spawning and nursery habitat. (Grimmett; W 24716) (A 27; S 12)
- C31 22ND DISTRICT AGRICULTURAL ASSOCIATION (APPLICANT): Authorize issuance of a Public Agency Permit to the 22nd District Agricultural Association (Del Mar Fairgrounds) City of Del Mar, San Deigo County. (A. Scott; W 20725.101) (A 75; S 38)
- C32 NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION (APPLICANT): Authorize a Scientific Exploratory Permit - Public Agency Use for survey and coring of two areas offshore of Santa Cruz Island in the Pacific Ocean to locate drowned prehistoric village/campsites. (Pelkofer; W 24763) (A 37; S 18)
- IV. REGULAR CALENDAR ITEMS 33 - 49
- 33 STATE LANDS COMMISSION (PARTY): Approve proposed settlement of litigation in case of City of San Mateo v. Pacific Gas and Electric Company, et al., San Mateo Superior Court No. 205480. (Rusconi, J. Sekelsky; W 503.1377) (A 20; S 8, 11)

Amended#	Deferred	Pulled	Considered - No Action Taken	Informational Only - No Action Taken	Approved As Presented	VOTE		
						Controller	Lt. Governor	Director of Finance
					✓	✓	✓	✓
					✓	✓	✓	✓
					✓	✓	✓	✓
	✓							
	✓							

\* See Attached

- 34 **UNION OIL COMPANY OF CALIFORNIA (LESSEE):** Approve amendment of a 25-year General Lease - Industrial Use PRC 5967 covering the operation and maintenance of two (2) offshore pipeline systems from platforms Gina and Gilda located on two (2) parcels of land in the Santa Barbara Channel, Ventura County. The proposed amendment provides for: 1) repair of a return water line and conversion to natural gas service; 2) modification of the annual lease consideration; and 3) bring the lease language up to current-day standards. (Townsend; PRC 5967) (A 36; S 18)
- 35 **EIXON COMPANY, USA (LESSEE):** Approve modification to mitigation measure in lease PRC 7163 for construction of offshore crude oil pipeline and electric cables at Las Flores Canyon, Santa Barbara County; the modification would delete a requirement for daily aerial surveys and the deployment of acoustical devices or sonar reflectors as part of the marine mammal monitoring program; use of a dedicated marine mammal observation vessel will be required. (Townsend, Small, Bergen; PRC 7163) (A 35; S 18)
- 36 **CITY OF PALO ALTO, DEPARTMENT OF PUBLIC WORKS (APPLICANT):** Approve a 49-year General Permit - Public Agency Use of an undetermined amount of filled and unfilled sovereign land located in the vicinity of Charleston Slough in Palo Alto, Santa Clara County, for harbor improvements at Harbor Point. (Maricle, Martinez; W 24680) (A 21; S 11)
- 37 **MERIDIAN OIL COMPANY, INC. (APPLICANT):** Acting as School Lands Bank Trustee, approve sale of school lands in San Bernardino County near Daggett. (Chatfield; SA 5703) (A 61; S 25)
- 38 **PORT OF SAN FRANCISCO (APPLICANT):** Authorize dredging material from the Port of San Francisco, City and County of San Francisco, to be disposed of at Alcatraz Aquatic Disposal Site SF-11. (Martinez; W 24750) (A 16; S 3)



	Amended*	Deferred	Pulled	Considered - No Action Taken	Informational Only - No Action Taken	Approved As Presented	VOTE		
							Controller	Lt. Governor	Director of Finance
39					✓				
40					✓				
41						✓	Y	Y	Y
42						✓	Y	Y	Y
43						✓	Y	Y	Y
44						✓	Y	Y	Y
45		✓							
46					✓				

\* See Attached

- 39 INFORMATIONAL - STATE LANDS COMMISSION (PARTY): Status of Unocal Oleum Marine Terminal lease application. (J. Sekelsky; PRC 600) (A 11; S 7)
- 40 INFORMATIONAL - STATE LANDS COMMISSION (PARTY): Receive Twelve Months Status Report for 1990-1991 Plan of Development and Operations and Budget, Long Beach Unit, Wilmington Oil Field, Los Angeles County. (Starzer; W 17099) (A 57, 58; S 29)
- 41 STATE LANDS COMMISSION (PARTY): Approve the Second Modification of the 1991-1992 Plan of Development and Operations and Budget, Long Beach Unit, Wilmington Oil Field, Los Angeles County, to transfer funds to repair JL-2 gas shipping line. (G. Scott; W 17099) (A 57, 58; S 29)
- 42 HOOPER-DAVIS MINING (APPLICANT): Deny a prospecting permit for valuable minerals other than oil, gas, geothermal resources, and sand and gravel on vacant, State-owned school lands, San Bernardino County. (Kruger; W 40533) (A 61; S 25)
- 43 OFFICE OF THE STATE CONTROLLER (PARTY): Approve sale of shallow mineral rights of escheated property, Sacramento County. (Gonzalez; W 9906) (A 10; S 5)
- 44 STATE LANDS COMMISSION (PARTY): Notice of default for failure to comply with royalty obligations under Geothermal Resource Lease PRC 5217, GRI Exploration Corporation, and GRI Development Corporation, Sonoma County. (Willard; PRC 5217) (A 2, 8; S 4, 5)
- 45 STATE LANDS COMMISSION (PARTY): Authorize filing a limited disclaimer in the case of United States v. 86.38 Acres, Orange County. (Fossum; W503.1718) (A 74; S 29)
- 46 INFORMATIONAL - TAHOE REGIONAL PLANNING AGENCY, ET AL; STATE LANDS COMMISSION (PARTIES): Execution of "Interagency Coordination Policy Statement" with Tahoe Regional Planning Agency (TRPA) et al. (Sanders; W 3005) (A 7; S 1)

Amended*	Deferred	Pulled	Considered - No Action Taken	Informational Only - No Action Taken	Approved As Presented	VOTE		
						Controller	Lt. Governor	Director of Finance
					✓	Y	Y	Y
					✓	Y	Y	Y
			✓					

- 47. **STATE LANDS COMMISSION (PARTY):** Consider and adopt emergency provisions, with modifications, as permanent regulations governing all marine terminal operations in the State. (Freckman, Meier; W 6777.31)
- 48. **LANE, PONTIUS AND MYERS, INC. (PARTY):** Amend contract for professional services consultant for school lands planning to increase amount to \$50,000 and extend term to June 30, 1992. (Kydland; C 9146, W 23931)
- 49. **INFORMATIONAL - STATE LANDS COMMISSION (PARTY):** Status report on efforts to recoup full cost of processing applications for leases and permits. (D. Brown; W 5125)

V. LEGISLATIVE REPORT

VI. EXECUTIVE OFFICER'S REPORT

\* See Attached