

CONVENED: 1:50 p.m.

ADJOURNED: 2:35 p.m.

PRESENT: Leo McCarthy

Gray Davis

Stan Stancell

Y=Yes N=No A=Abstain

FOR INFORMATION, PLEASE CONTACT:

Lynda Smallwood
1807 - 13th Street
Sacramento, CA 95814
(TDD/TT) 1-800-735-2929
(916) 445-0772

SUMMARY

MEETING OF THE STATE LANDS COMMISSION
STATE CAPITOL, ROOM 127
SACRAMENTO, CALIFORNIA 95814

LEO T. MCCARTHY, LIEUTENANT GOVERNOR, CHAIRMAN
GRAY DAVIS, STATE CONTROLLER, COMMISSIONER
RUSSELL S. GOULD, DIRECTOR OF FINANCE, COMMISSIONER

TUESDAY - NOVEMBER 9, 1993

ORDER OF BUSINESS

I. 1:30 P.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):

California Coastal Commission, State Lands Commission v. United States Department of the Interior, etc. et al.

People ex rel. State Lands Commission v. Title Insurance and Trust Company

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

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

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

A SIGN LANGUAGE INTERPRETER WILL BE PROVIDED UPON ADVANCE NOTIFICATION OF NEED BY A DEAF OR HEARING IMPAIRED PERSON. SUCH NOTIFICATION SHOULD BE MADE AS SOON AS POSSIBLE PRIOR TO DATE OF THE EVENT.

III. CONFIRMATION OF MINUTES FOR THE MEETING OF SEPTEMBER 9, 1993.

Table with 7 columns: Amended*, Deferred, Ruled, Considered - No Action Taken, Informational Only - No Action Taken, Approved As Presented, Controller, Lt. Governor, Director of Finance, VOTE. Includes handwritten checkmarks and 'Y' marks in the VOTE column.

* See Attached

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

ANYONE WISHING TO ADDRESS AN ITEM ON THE AGENDA MAY COME FORWARD AND STATE THEIR NAME FOR THE RECORD.

IV. CONSENT CALENDAR C01 - C51. THE FOLLOWING ITEMS ARE CONSIDERED TO BE NON-CONTROVERSIAL.

LAND MANAGEMENT

- C01 **ATCHISON, TOPEKA AND SANTA FE RAILWAY (LESSEE):** Consider acceptance of a lease quitclaim deed and termination of General Lease - Industrial Use, Lease No. PRC 5617, for tide and submerged land located at Ferry Point Pier, Point Richmond, Sa Francisco Bay, Contra Costa County. (Burks; WP 5617) (A 14; S 9)
- C02 **LEROY AND OLA BROWN (LESSEE):** Consider termination of a General Permit - Protective Structure and Recreational Use for bank protection and a recreational dock located in the Sacramento River, adjacent to Garden Highway, Sacramento County. (Burks; WP 6138) (A 5, S 6)
- C03 **GILBERT AND DOROTHY BUCKNER (LESSEE):** Consider application for a ten-year Recreational Pier Permit for continued use and maintenance of an existing floating dock and gangway located in the Sacramento River, Natomas Elkhorn Subdivision, adjacent to Garden Highway, Sacramento County. (Burks; WP 5351) (A 5; S 6)
- C04 **BERTRAM AND JANE BURROWS (LESSEE):** Consider application for a ten-year Recreational Pier Permit for continued use and maintenance of two existing floating docks and gangway located in the Sacramento River portion of Parcel 1, Long Island Tract. (Burks; WP 4762) (A 4; S 2)
- C05 **MOLSUM KELLER (LESSEE):** Consider termination of a General Permit - Recreational Use and application for a ten-year Recreational Pier Permit located in the Sacramento River, Sacramento County, for continued use and maintenance of an existing recreational floating dock with gangway. (Burks; WP 6610) (A 8; S 4)

* See Attached

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	Amended*	Deferred	Pulled	Considered - No Action Taken	Informational Only - No Action Taken	Approved As Presented	VOTE		
							Controller	Lt. Governor	Director of Finance
C06						✓	✓	✓	✓
C07						✓	✓	✓	✓
C08						✓	✓	✓	✓
C09						✓	✓	✓	✓
C10						✓	✓	✓	✓
C11						✓	✓	✓	✓
C12						✓	✓	✓	✓

- C06 RICHARD B. AND KAREN M. KELLY (LESSEES):** Consider application for a ten-year General Permit - Protective Structure and Recreational use for tide and submerged land located in the Sacramento River adjacent to the Garden Highway, Sacramento County, for the continued use of bank protection and a floating recreational dock, stairway and gangway. (Burks, WP 5865) (A 5; S 6)
- C07 BRUCE W. OLSON AND MOLLY J. OLSON (APPLICANT):** Consider approval of continuation of rent for submerged land located in Lake Tahoe at Cedar Flat, Placer County. (Gordon; PRC 4177) (A 7; S 1)
- C08 ELEANOR S. RENATI (LESSEE):** Consider application for a ten-year Recreational Pier Permit for continued use and maintenance of an existing floating dock and boardwalk located in the Petaluma River, Lot 31, Machin's Black Point Subdivision Marin County. (Burks; WP 2995) (A 6; S 3)
- C09 ROCKY RIDGE PROPERTIES OWNERS ASSOCIATION (APPLICANT):** Consider approval of continuation of rent for submerged land located in Lake Tahoe near Tahoe City, Placer County. (Gordon; PRC 3955) (A 7; S 1)
- C10 SAN MARCOS PROPERTIES (APPLICANT):** Consider the application for a five-year General Permit-Recreational Use of four parcels of submerged land located in Agate Bay, Lake Tahoe at Tahoe Vista, Placer County, for installation and maintenance of mooring buoys utilized for noncommercial recreational boating. (Gordon, W 24889) (A 4; S 1)
- C11 DELTA YACHT CLUB (LESSEE):** Consider application for an amendment of General Permit - Recreational Use, PRC 3930.1, for tide and submerged land in the San Joaquin River, San Joaquin County. (Jones; WP 3930) (A 17; S 5)
- C12 EUGENE NEUHARTH (LESSEE):** Consider application for the continuation of annual rent for General Permit - Recreational Use, PRC 6805; San Joaquin River, San Joaquin County. (Jones; PRC 6805) (A 17; S 5)

* See Attached

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							Controller	Lt. Governor	Director of Finance
C13						✓	✓	✓	✓
C14						✓	✓	✓	✓
C15						✓	✓	✓	✓
C16						✓	✓	✓	✓
C17						✓	✓	✓	✓
C18						✓	✓	✓	✓
C19						✓	✓	✓	✓

- C13 CITY OF SACRAMENTO (LESSEE):** Consider application for a General Lease - Public Agency Use for tide and submerged land in the Sacramento River at Miller Park, Sacramento County; for a courtesy dock and boat ramp. (Jones; WP 4921) (A 9, S 6)
- C14 JOYCE TEKL, TRUSTEE OF THOMAS P. RALEY TRUST (LESSEE):** Consider approval of increase of annual rent for General Lease - Commercial Use; tide and submerged land in the Sacramento River, Yolo County. (Jones; PRC 6002) (A 8; S 4, 5)
- C15 VENICE ISLAND INC., A CALIFORNIA CORPORATION (LESSEE):** Consider application for a ten-year General lease - Recreational for tide and submerged land in the San Joaquin River, San Joaquin County, for two ramps and a floating dock. (Jones; WP 2212) (A 10, S 5)
- C16 CHEVRON U.S.A., INC. (LESSEE):** Consider approval for continuation of annual rental, after routine review, for a 49-year General Lease - Industrial use. (Lam, PRC 4117) (A 11; S 7)
- C17 SMITH A. KETCHUM (APPLICANT):** Consider application for a ten-year Recreational Pier Permit for tide and submerged land in Raccoon Strait, City of Belvedere, Marin County, for removal of existing facilities and construction and maintenance of recreational pier. (Lam; W 21104) (A 6; S 3)
- C18 REDWOOD SHORES PROPERTIES (APPLICANT):** Consider application for a 25-year General Lease - Right of Way Use for tide and submerged lands located in Steinberger Slough, Redwood City, San Mateo County, for saltwater discharge concrete pipe (30" diameter) from the Redwood Shores Lagoon into San Francisco Bay. (Lam, W 24989) (A 21; S 11)
- C19 DUTRA CONSTRUCTION COMPANY (APPLICANT):** Consider the application for a three-year Dredging Lease located on a parcel of tide and submerged land in the bed of Mormon Slough (Mormon channel) City of Stockton, San Joaquin County (J. Ludlow; W 24559) (A 17; S 5)

* See Attached

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						Approved As Presented	Controller	Lt. Governor
C20						✓	✓	✓
C21						✓	✓	✓
C22						✓	✓	✓
C23						✓	✓	✓
C24						✓	✓	✓
C25						✓	✓	✓

- C20 FLEUR DU LAC ESTATES ASSOCIATION (APPLICANT):** Consider the application for a five-year General Lease - Recreational Use located on submerged land in the bed of Lake Tahoe at Tahoe Pines, Placer County, for the continued use and maintenance of existing facilities utilized for multiple-use non-commercial recreational purposes. (Ludlow; PRC 6454) (A 4; S 1)
- C21 T. GARY ROGERS, KATHLEEN TUCK ROGERS TRUSTEES, AND VICTORIA F. LEONARD (APPLICANT)** Consider the application for a five-year Recreational Pier Permit located on a parcel of submerged land located in the bed of lake Tahoe near Sunnyside, Placer County; for the partial reconstruction of a rock crib and open piling pier, the retention of three existing mooring buoys and the removal of an existing abandoned marine railway. J. Ludlow, PRC 6715) (A 4; S 1)
- C22 RESERVATION RANCH (APPLICANT):** Approve a five-year Mineral Extraction Lease authorizing extraction of sand and gravel annually from the Smith River at Ranch Bar, Del Norte County. (Martinez; WP 7192) (A 2, S 2)
- C23 BA PROPERTIES, INC. & BAY PARK PLAZA ASSOCIATES, L.P. (PARTIES):** Consider application for assignment of General Lease - Commercial Use, PRC 6127, from BA Properties, Inc. to Bay Park Plaza Associates, L.P., a California limited partnership for filled tidelands located at Anza Park, City of Burlingame, San Mateo County. (Plummer; WP 6127) (A 19; S 8)
- C24 PACIFIC REFINING COMPANY (LESSEE):** Consider application for the renewal terms of a lease for tide and submerged lands used for operation of a marine terminal. (Plummer, Meier; PRC 3414) (A 11; S 7)
- C25 STATE LANDS COMMISSION (PARTY)** Consider, as both State Lands Commission and School Land Bank Trustee, offering for sale State school land in San Bernardino County. (Reese; W 25068) (A 34; S 17)

* See Attached

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						Controller	Lt. Governor	Director of Finance
					✓	✓	✓	
					✓	✓	✓	
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					✓	✓	✓	
					✓	✓	✓	
					✓	✓	✓	

C26

EAST BAY MUNICIPAL UTILITY DISTRICT (APPLICANT): Consider authorization to dredge material from granted mineral reservation lands at Oakland Inner Harbor for construction of a discharge pipeline in conjunction with the San Antonio Creek Wet Weather Treatment Plant. (J. Smith; W 25019) (A 6, 16; S 2, 9)

C27

CITY OF NEWPORT BEACH (GRANTEE): Consider application for City of Newport Beach proposed leases involving granted filled tide and submerged lands, Harbor Island, Orange County. (J. Smith, Fossum; G09-02.8) (A 70; S 35)

C28

SAN DIEGO UNIFIED PORT DISTRICT (APPLICANT): Consider authorization to dredge material from granted mineral reservation lands at the 24th Street National City Marine Terminal in San Diego Bay. (J. Smith; W 24764) (A 77, 78; S 39, 40)

C29

CALIFORNIA LAND AND WATER COMPANY (PARTY): Consider application for a 20-year General Permit - Recreational Use of tide and submerged land located in Montezuma Slough across from Hunter's Cut, on Grizzly Island, Solano County, for reconstruction of an existing recreational pier. (N. Smith; W 24742) (A 8; S 4)

C30

DAVID J. AND BETTY J. LARMORKE (LESSEE): Consider termination of existing lease and encumbrancing agreement and authorizing a 40-year General Lease - Recreational and Residential Use and Encumbrancing Agreement, of a parcel of tide and submerged land in Mare Island Straits, Sandy Beach, City of Vallejo, Solano County for existing deck, pier, and portion of residence. (N. Smith, WP 5782) (A 7; S 2)

C31

DAN MARSH (PARTY): Consider application for an amendment to PRC 2829, General Permit - Recreational and Residential Use, to amend Exhibit "A" - Site Map and rent as approved by Commission April 28, 1993, on tide and submerged land, located in Mare Island Straits, Sandy Beach, City of Vallejo, Solano County, for residential deck and recreational dock. (N. Smith; WP 2829) (A 7; S 2)

* See Attached

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						Controller	Lt. Governor	Director of Finance
					✓	✓	✓	✓
					✓	✓	✓	✓
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					✓	✓	✓	✓
	✓							
					✓	✓	✓	✓
					✓	✓	✓	✓

C32 **SUSAN SYAR (PARTY):** Consider application for a ten-year General Permit - Protective Structure Use for a parcel of tide and submerged land located in White Slough, Vallejo, Solano County, for repair of an existing tide wall protecting Olympia Mobilodge from tidal water. (N. Smith; W 24980) (A 7; S 2)

C33 **THURMAN V. AND LORETTA L. BRAND (APPLICANT):** Consider application for a ten-year replacement of a Recreational Pier, Lease No. 6546, located on the Sacramento River near Red Bluff, Tehama County, for recreational facility consisting of an existing 12-foot wide and 16-foot long floating dock with walkway. (Young, WP 6546) (A 2; S 4)

C34 **JOE AND ROSANN HETHERINGTON (APPLICANT):** Consider the adjustment of annual rent for General Permit - Recreational Use PRC 4827; Sacramento River, Tehama County. (Young; WP 4827) (A 2; S 4)

C35 **ROBERT N. MEIER (APPLICANT):** Consider application for a five-year replacement of a Recreational Pier, Lease No. 3660., located in Lake Tahoe near Tahoma, Placer County, for recreational facilities consisting of one pier with a boathouse and a mooring buoy. (Young, WP 3660) (A 4; S 1)

LEGAL

C36 **CALIFORNIA COASTAL COMMISSION, STATE LANDS COMMISSION v. UNITED STATES DEPARTMENT OF INTERIOR; ETC. ET AL. (PARTIES):** Consider potential settlement of litigation. (Hight, Ludlow, Fossum; W 503.1618) (A 6; S 3)

C37 **UNITED STATES DEPARTMENT OF THE AIR FORCE (PARTY):** Consider Delegation of Authority to Conduct Public Hearing for Retrocession of Jurisdiction at Mather Air Force Base, Sacramento County. (Frey; W 25065) (A 10; S 5)

C38 **UNITED STATES DEPARTMENT OF THE AIR FORCE (PARTY):** Delegation of Authority to conduct Public Hearing for Retrocession of Jurisdiction at Norton Air Force Base, San Bernardino County. (Frey; W 25073) (A 62; S 31)

* See Attached

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							Controller	Lt. Governor	Director of Finance
C39						✓	✓	✓	✓
C40						✓	✓	✓	✓
C41						✓	✓	✓	✓
C42						✓	✓	✓	✓
C43				✓					

C39 UNITED STATES DEPARTMENT OF THE NAVY (PARTY): Consider authorization to conduct public hearing regarding Retrocession of Jurisdiction at Marine Corps Logistics Center, Barstow, San Bernardino County. (Frey; W 25056) (A 34; S 17)

C40 WICKLAND OIL MARTINEZ L.P., INTERNATIONALE NEDERLANDER BANK, N.V. (FORMERLY KNOWN AS NMB POSTBANK GROEP, N.V.), AS AGENT FOR ITSELF AND FOR THE CHASE MANHATTAN BANK, N.A., AND GIRO CREDIT BANK A.G. DER SPARKASSEN (FORMERLY KNOWN AS GIROZENTRALE UND BANK DER OERSTERREICHISCHEN SPARKASSEN A.G.), INTERNATIONALE NEDERLANDEN (U.S.) CAPITOL CORP., FIRST NATIONAL BANK OF BOSTON AS AGENT (PARTIES): Consider ratification of Amendment and Consent to Transfer of Lein (Lease No. PRC 4769.1) and Fourth Amendment to Agreement and Consent to Encumbrancing of Lease PRC 5735.1 to accommodate restructuring of secured party lender. (Kiley; PRC 4769, PRC 5735) (A 11; S 7)

MARINE FACILITIES

C41 STATE LANDS COMMISSION (PARTY): Consider adoption of proposed regulations pertaining to marine terminal personnel training and certification programs. (Doan, Meier; W 9777.103) (A 1, 6, 12, 13, 14, 16, 19, 21, 27, 33, 35, 37, 41, 53, 54, 67, 70, 73, 74, 78; S 2, 3, 8, 9, 11, 15, 18, 19, 23, 27, 28, 35, 38, 39, 40)

C42 STATE LANDS COMMISSION (PARTY): Consider adoption of proposed amendments to regulations pertaining to enforcement of regulations governing marine terminals. (Doan, Meier; W 9777.103) (A 1, 6, 12, 13, 14, 16, 19, 21, 27, 33, 35, 37, 41, 53, 54, 67, 70, 73, 74, 78; S 2, 3, 8, 9, 11, 15, 18, 19, 23, 27, 28, 35, 38, 39, 40)

OIL AND GAS

C43 INFORMATIONAL STATE LANDS COMMISSION (PARTY): Monitoring of possible subsidence and seismic hazards, Long Beach Unit, Wilmington Oil Field, Los Angeles County. (Gaal; W 16008, W 10425) (A 57, 58; S 29)

* See Attached

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						Controller	Lt. Governor	Director of Finance
		✓						
					✓	✓	✓	✓
					✓	✓	✓	✓
					✓	✓	✓	✓
					✓	✓	✓	✓
					✓	✓	✓	✓
					✓	✓	✓	✓

- C44 **CHEVRON USA, INC. (ASSIGNOR); ATLANTIC RICHFIELD COMPANY (ASSIGNOR); THE OIL AND GAS MANAGEMENT COMPANY (ASSIGNEE):** Approve assignment and amendment of oil and gas leases PRC 3150 and PRC 4000, Carpinteria Offshore Field, Santa Barbara County. (Willard; PRC 3150, PRC 4000) (A 35; S 18)
- C45 **CITY OF LONG BEACH (PARTY):** Consider approving the Award of the Crude Oil Sales Contract from various tracts within the Fault Black IV Unit and Fault Block V Ranger Zone Unit, Wilmington Oil Field, Los Angeles County, to the highest responsible bidder, Huntway Refining Company. (Tanner; W 9603.56) (A 57, 58; S 29)
- C46 **CITY OF LONG BEACH (PARTY):** Consider approving Closing Accounts of Tideland Oil revenue expenditures for Subsidence Vertical and Horizontal Measurements and Studies between July 1, 1992 and June 30, 1993, City of Long Beach Harbor District, Los Angeles County. (Gaal; W 10425) (A 57, 58; S 29)
- C47 **CITY OF LONG BEACH (APPLICANT):** Approve the First Modification of the 1993-1994 Annual Plan of Development and Operations and Budget, proposing transfer of funds, Long Beach Unit, Wilmington Oil Field, Los Angeles County. (Landry; W 17099) (A 57, 58; S 29)
- C48 **MAXOS RESOURCES (USA), INC. (APPLICANT):** Approve two prospecting permits for minerals other than oil, gas, geothermal resources, sand, gravel on 1280 acres of State School and patented lands, Inyo County. (Kruger; W 40660, W 40661) (A 34; S 25)
- C49 **SEAFLOOR SERVICES INTERNATIONAL, INC. (APPLICANT):** Approve a Non-Exclusive Geophysical Survey Permit from December 1, 1993 through September 30, 1996, to conduct geophysical surveys using low energy equipment on tide and submerged lands under the jurisdiction of the State Lands Commission. (Nitsche; W 6005.52)
- C50 **VERM JONES OIL & GAS CORPORATION (APPLICANT):** Approve amendments to State Compensatory Royalty Agreement PRC 3650, Madera County. (Nitsche; PRC 3650) (A 30; S 14 (old) 16 (new))

* See Attached

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MINUTE PAGE <u>2166</u>

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						Controller	Lt. Governor	Director of Finance
					✓	✓	✓	✓
					✓	✓	✓	✓
					✓	✓	✓	✓

C51 A) WOODWARD-CLYDE; B) WARREN GEORGE INC. (APPLICANTS): Approve offshore geological survey permits utilizing rotary core drilling techniques on State tide and submerged land, South Bay Ocean Outfall and Point Loma Outfall Tunnel Project, both in San Diego County. (Nitsche; W 6005.53, W 6005.54) (A 75; S 38, 39)

V. REGULAR CALENDAR ITEM 52 - 53

LAND MANAGEMENT

52 DORIS AND FERDYDOUN AHADPOUR (APPLICANT): Approve a compromise title settlement agreement regarding certain real property in the City of Huntington Beach, Orange County, pursuant to P.R.C. Section 6307 and the Kapiloff Land Bank Act. (Fossum, Saggese; W 24643) (A 67, S 35)

53 ROBERTS LANDING, INC. (APPLICANT): Consider application for a Dredging Permit for removal of levee bench materials and widen Roberts Landing Slough on the State parcel located at Roberts Landing, City of San Leandro, Alameda County, for the purpose of wetland enhancement and restoration. (Howe; W 24902) (A 18; S 10)

VI. EXECUTIVE OFFICER'S REPORT

* See Attached

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