11.34 a.rri CONVENED: PRESENT: Gray Davis ADJOURNED: 11:37 am Leo T. McCarthy Theresa Parker A = Abstain Y = Yes N=No FOR INFORMATION, PLEASE CONTACT: Action Taken Lynda Smallwood VOTE 1807 - 13th Street Sacramento, CA 95814 (TDD/TT) 1-800-735-2929 No Action Taken (916) 445-0772 Informational Only - No SUMMARY MEETING OF THE STATE LANDS CONCUSSION STATE CAPITOL, ROOM 126 SACRAMENTO, CALIFORNIA γS Governor of GRAY DAVIS, STATE CONTROLLER, CHAIRMAN Considered Controller LEO T. McCARTHY, LIEUTENANT GOVERNOR, COMMISSIONER Approved Deferred Amended\* RUSSELL S. GOULD, DIRECTOR OF FINANCE, COMMISSIONER Pulled THURSDAY - MAY 26, 1994 ORDER OF BUSINESS 10:30 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): People of the State of California, and State of California ex rel. State Lands Commission v. Title Insurance and Trust Company, et al. Nickel Enterprises and Rio Bravo No. 1 v. State of California, et al. State of California ex rel. State Lands Commission v. Donnie Dee Barker, et al. IN ADDITION, THE CONDCISSION SHALL CONSIDER MATTERS WHICH FALL UNDER GOVERNMENT CODE SECTION 11126(Q)(2) AND (3): AT THE CONCLUSION OF THE CLOSED SESSION WILL BE THE OPEN II. SESSION (PUBLIC MEETING). CALENDAR ITEM REFERENCES TO AB 884 DENOTE THE PERMIT STREAMLINING ACT (CALIFORNIA GOVERNMENT CODE SECTION 65920 ET 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 APRIL 6, 1994. CALENDAR PAGE \_ MINUTE PAGE \_\_

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

IV. <u>CONSENT CALENDAR CO1 - C55</u>. THE FOLLOWING ITEMS ARE CONSIDERED TO BE NON-CONTROVERSIAL.

# LAND MANAGEMENT DIVISION

COTY OF SACRAMENTO (APPLICANT): Consider application for a ten year General Lease - Public Agency Use; tide and submerged land in the Sacramento River at Garcia Bend Park, Sacramento County, for proposed widening of boat launch ramp, replacement and upgrading the boarding float, placement of riprap and maintenance dredging. Consideration: Public use and benefit; if dredged spoils are sold or used for a commercial purpose, then Lessee agrees to pay a royalty of 10% of the gross sales price, but not less than \$0.25 per cubic yard. (Burks; WP 5021) (A 9; S 6)

BRUNO AND DARLEME PISTORESI (APPLICANT): Consider application for a ten year Recreational Pier Permit for tide and submerged land located in the Sacramento River, Lot 40, Natomas Riverside Subdivision No. 2, Sacramento County, for continued use and maintenance of an existing floating boat dock and adjustable walkway. Consideration: No monetary consideration pursuant to Section 6503.5 of the P.R.C. (Burks; WP 4939) (A 5; S 6)

GERALD AND PEGGY ALVES (APPLICANT): Consider application for a ten year General Lease - Protective Structure and Recreational Use for tide and submerged land in Georgiana Slough, Andrus Island, Sacramento County, for continued use and maintenance of bank protection, floating boat dock, gangway and walkway. Consideration: Bank Protection - public benefit, with the State reserving the right at any time to set a monetary rental if the Commission finds such action to be in the State's best interest; Recreational Boat Dock - rent free pursuant to Section 6503.5 of the P.R.C. (Burks; W 24413) (A 8; S 4)

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RAYMOND AND THERESA MEYER (APPLICANT): Authorize termination of a General Permit - Recreational Use, and consider application for a ten year General Lease - Protective Structure and Recreational Use for existing facilities on tide and submerged land located on the left bank of Taylor Slough, three miles north of Bethel Island Bridge, Bethel Island, Contra Costa County. Consideration: Bank Protection - public benefit, with the State reserving the right at any time to set a monetary rental if the Commission finds such action to be in the State's best interest; Recreational Boat Dock - rent free pursuant to Section 6503.5 of the P.R.C. (Burks; PRC 7605) (A 10; S 7)

MACMIE KING (ASSIGNOR); WILFRED O'METIL (ASSIGNEE): Consider application for an assignment of and staff recommendation to amend General Lease - Commercial Use PRC 6846; tide and submerged land located in Old River at Bra's Island, also known as King's Island, San Joaquin County. Consideration: \$2,120 per annum; new rental will remain unchanged until termination of this lease on June 30, 2000. (Burks; PRC 6846) (A 15; S 7)

JANA L. JACKSON (APPLICANT): Consider termination of a General Permit - Recreational Use and application for a ten year Recreational Pier Permit; tide and submerged land located in the Sacramento River, adjacent to Garden Highway, Sacramento County. Consideration: No monetary consideration pursuant to Section 6503.5 of the P.R.C. (Burks; PRC 5726) (A 5; S 6)

SUN OPERATING LIMITED PARTNERSHIP C/O ORYI EMERGY COMPANY (ASSIGNEE) UNION OIL COMPANY OF CALIFORNIA (ASSIGNOR): Consider application for assignment of lease PRC 4017, Right of Way (existing pipeline), of a 116-acre parcel of tide and submerged land, located in Santa Barbara Channel at Sea Cliff, Santa Barbara County and Ventura County. (Grimmett; PRC 4017) (A 35; S 18)

SUN OPERATING LIMITED PARTHERSHIP C/O ORYX EMERGY COMPANY (ASSIGNEE) UNION OIL COMPANY OF CALIFORNIA (ASSIGNOR):
Consider application for assignment of lease PRC 4324 of a 18.18-acre parcel of tide and submerged land located in Santa Barbara Channel at Summerland, Santa Barbara County, for an existing armored submarine power cable. (Grimmett; PRC 4324) (A 35; S 18)

DOMNER LAKE WATER COMPANY (LESSEE): Consider application for a 15-year General Lease - Right of Way Use, from September 4, 1992, of a 0.033 acre parcel of submerged land located in Donner Lake near Truckee, Nevada County, for maintenance and operation of an existing 8-inch bifurcated fresh water intake pipeline which provides 1,350 GPM of fire flow protection and 185 GPM of chlorinated filtered potable water; plus an existing 1-inch fresh water discharge pipeline utilized in priming and cooling the upland pump system. Consideration: \$1,186.00 per annum; five year rent review. (Gordon; PRC 4945) (A 3; S 1)

THE GAR WOOD RESTAURANT (PERMITTEE): Consider termination of a four year General Permit - Recreational Use which will expire on August 31, 1994, and termination of 89-day temporary General Permit - Recreational Use which expired on October 15, 1993; and application for a five year General Lease for a pier and buoy field, Lake Tahoe, Placer County. (Gordon; W 24853) (A 4; S 1)

RANCHO MURIETA COMMUNITY SERVICES DISTRICT (APPLICANT):
Consider application for a 25-year General Lease - Public
Agency Use; submerged lands in the Cosumnes River, in Rancho
Murieta, Sacramento County, for the maintenance and repair of
an existing bridge. (Jones; W 25127) (A 10; S 5)

ELIZABETH ANN ROBERTS AND MYRON RAUL ROBERTS (LESSEES):
Consider application for a ten year Recreational Pier Permit
from June 25, 1992, for a floating boat dock, cable and
stairway, on a parcel of tide and submerged land in the
Sacramento River at Long Island, Sacramento County.
Consideration: Rent free pursuant to Section 6503.5 of the
P.R.C. (Jones; WP 4778) (A 5; S 6)

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LAURN H. AND COLLERN M. WOLTER (ASSIGNOR); FREEPORT LANDING, INC. (ASSIGNEE): Consider application for assignment of PRC 3915, General Lease - Commercial Use; tide and submerged land in the Sacramento River, Sacramento County; effective October 1, 1993. Consideration: \$540.00 per annum; five year rent review. (Jones; WP 3915) (A 8; S 4)

GARY KAVENEY (APPLICANT): Consider application for General Lease - Commercial Use, to construct and operate a marina on the Sacramento River at Verona, Sutter County.

Consideration: Five (5) percent of gross income per annum for the berthing, docking, mooring or launching of boats; and ten (10) percent of all other income as defined in the lease with a Minimum Annual rental of \$3,770 with the State reserving the right to fix a different rental on each fifth anniversary of the lease. (Jones; W 21216) (A 2; S 4)

ATCRISON, TOPRKA, AND SANTA FE RAILWAY COMPANY (APPLICANT): Consider application for a General Lease - Right of Way Use beginning May 26, 1994; involving tide and submerged land in the Tuolumne River, east of Modesto, Stanislaus County, for construction of a new railwood bridge over the Tuolumne River. Consideration: The public use and benefit. (Jones; W 25023) (A 25; S 12)

WEST COAST REAL ESTATE CORPORATION (APPLICANT): Consider application for an amendment to General Lease - Commercial Use PRC 5210; tide and submerged land in the Mokelumne River at Andrus Island, Sacramento County, for a commercial marina. Consideration: \$4,400 per annum; five year rent review. (Jones; WP 5210) (A 10; S 5)

ROBERT L. SASO (LESSEE): Consider revision of rent from \$74.48 to \$133.00 for ten year General Permit - Recreational Use effective January 1, 1995; tide and submerged land in the San Joaquin River adjacent to the Mossdale Trailer Park, San Joaquin County. (Jones; PRC 6803) (A 17; S 5)

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STEVEN H. MARKSTRIN (APPLICANT): Consider application for a General Lease - Recreational Use beginning April 1, 1994, on tide and submerged land in the Sacramento River, Sacramento County, for a floating dock, ramp and landing. Consideration: \$640.32 per annum; five year rent review. (Jones; W 24984) (A 5; S 6)

GOLDEN GATE WATER SKI CLUB (LESSEE): Consider application for Amendment and Five Year Rent Review of General Permit - Recreational Use PRC 5719.1; tide and submerged lands in Old River, Contra Costa County; the annual rent to increase from \$390.46 to 697.25. (Jones; PRC 5719) (A 17; S 5)

DARKI STEVENS (LESSEE): Consider application for an amendment to General Permit - Residential and Recreational Use, effective June 13, 1993; tide and submerged land in Sheep Slough, Contra Costa County. (Jones; PRC 6472) (A 10; S 7)

GARY N. KNIGHT AND DOROTHY L. KNIGHT (LESSEES): Consider application for a General Lease - Recreational Use beginning October 1, 1991; tide and submerged land in the Sacramento River, Sutter County, for a floating dock and walkway. Consideration: \$89.50 per annum; five year rent review. (Jones; WP 6101) (A 5; S 6)

SOPHIE S. OLSON (LESSEE): Consider application for a ten year General Permit - Recreation Use from July 22, 1991, of a 0.05 acre parcel of tide and submerged land in the Sacramento River, Sacramento County, for an 8 ft. wide by 14 ft. long floating boat dock, a 3 ft. wide by 70 ft. long walkway, and stairway. Consideration: \$276 per annum; five year rent review. (Jones; WP 3581) (A 9; S 6)

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AMTHONY J. AND PATRICIA M. BOVA (LESSEE): Consider application for a ten year General Lease - Recreational and Protective Structure Use beginning December 1, 1993; tide and submerged land in the San Joaquin River, San Joaquin County. Consideration: Boat dock and bridge: None, pursuant to Section 6503.5 of the P.R.C. Bulkhead: The public use and benefit with the State reserving the right at any time to set a monetary rental if the Commission finds such action to be in the State's best interest. (Jones; WP 6527) (A 17; S 5)

JACK A. LININGER (APPLICANT): Consider application for a ten year General Lease - Recreational and Protective Structure Use, from March 1, 1994, for a floating boat dock, three dolphins, ramp and bank protection, on a parcel of tide and submerged land in the Sacramento River at Long Island, Sacramento County. Consideration: The boat dock, dolphins and ramp are rent free pursuant to Section 6503.5 of the P.R.C.; the bank protection is for the public use and benefit. (Jones; W 23896) (A 8; S 4)

CALAVERAS COUNTY WATER DISTRICT (LESSEE): Consider acceptance of Quitclaim Deed and termination of Mineral Extraction Lease PRC 6974; approximately 120 acres of patented mineral reserve school lands, Calaveras County. (Jones; WP 6974) (A 4; S 1)

STEPHEN T. AND JACQUELINE D. WILDER (APPLICANT): Consider application for a ten year Recreational Pier Permit, from March 22, 1994; tide and submerged land in the Napa River, Napa County, for continued use and maintenance of an existing dock, ramp, and float. Consideration: No monetary consideration pursuant to Section 6503.5 of the P.R.C. (Lam; WP 6608) (A 7; S 2)

PACIFIC MARICULTURE, INC. (LESSEE): Consider continuation of \$250 annual rental, effective July 10, 1994, for General Lease - Industrial Use; tide and submerged land in the Pacific Ocean, Santa Cruz County. Consideration: \$250 per annum, five year rent review. (Lam; PRC 7314) (A 27; S 15)

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MOBIL OIL CORPORATION; MOBIL PACIFIC PIPELIME COMPANY (LESSES): Consider application for an amendment to PRC 5538.1, General Lease - Right of Way Use, to amend the authorized improvements in the lease premises to include only one 6-inch diameter steel natural gas pipeline and one overhead telephone line, and to amend the annual rent; and application for a 15-year General Lease - Right of Way Use, from May 1, 1994; tide and submerged land crossing Salinas River, Monterey County, for the use and maintenance of one 12-inch diameter steel oil pipeline and one 4-inch diameter steel cutter stock oil pipeline. Consideration: \$184 per annum for Mobil Oil Corporation; \$224 per annum for Mobil Pacific Pipeline Company; five year rent review. (Lam; WP 5538) (A 28; S 15)

CHEVRON U.S.A. INC. (APPLICANT): Consider application for a ten year General Lease - Right of Way Use, from August 1, 1994; tide and submerged lands crossing Roaring River Slough and Grizzly Slough at Van Sickle Island, Solano County, for continued use and maintenance of an existing 2-inch diameter steel water and condensate pipeline and an existing 6-inch diameter steel natural gas pipeline. Consideration: \$200 per annum; five year rent review. (Lam; WP 4270) (A 8; S 4)

RICHARD C. AND MARY C. SOLARI, TRUSTRES; GEORGE J. VUKASIN AND SONIA VUKASIN: Consider applications for the following projects at Lake Tahoe: a) (Solari) Construction and relocation of existing pier, construction of low level boatlift and continued use and maintenance of existing buoys at Meeks Bay, El Dorado County. b) (Vukasin) Retention of existing pier and retention of existing mooring buoy at Sunnyside, Placer County. (J. Ludlow; PRC 7416) (A 4; S 1)

UNITED STATES BUREAU OF RECLAMATION (APPLICANT): Consider application to amend General Permit - Public Agency Use; sovereign land located in the Sacramento River at the Red Bluff Diverson Dam, Tehama County, for construction of a pilot pumping plant, to excavate sand, pour concrete and dredge material upstream and downstream of the dam.

(J. Ludlow; PRC 7286) (A 2; S 4)

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HUMBOLDT BAY HARBOR RECREATION AND CONSERVATION DISTRICT (APPLICANT): Consider application for maintenance dredging of a maximum of 200 cubic yards of material in Humboldt Bay at the Woodley Island Marina, Humboldt County, relating to construction of a new dock at the Marina. (J.Ludlow; W 24894) (A 1; S 2)

ABALONE UNLIMITED, IMC. (LESSEE): Consider termination of 25-year General Lease - Right of Way Use; a 0.867-acre parcel of tide and submerged land located in the Pacific Ocean, near the Santa Maria River, San Luis Obispo County. (Maricle; PRC 7229) (A 33; S 18)

STATE LANDS COMMISSION (PARTY): Consider approval of Negative Declaration and Authorization to Offer through competitive bidding procedures, a Mineral Extraction Lease in sovereign lands located in Solano and Contra Costa Counties, for the removal of commercial quantities of sand in Carquinez Strait, between Benicia and Martinez. (Maricle; W 25085) (A 8, 11; S 2, 4, 7)

HOWARD STEIN, WILLIAM M. AND CHURKE KAKIMOTO (APPLICANTS): Consider application for a ten year Recreational Pier Permit, for use of sovereign lands in Huntington Harbour, Orange County, for the continued use and maintenance of an existing boat dock. (J. Smith; WP 3172) (A 67; S 35)

JORL A. AND IRRNE COOPER (APPLICANT): Consider application for a ten year Recreational Pier Permit, for use of sovereign lands in Huntington Harbour, Orange County, for the continued use and maintenance of an existing boat dock. (J. Smith; WP 3247) (A 67; S 35)

HOYT S. PARDER (APPLICAT): Consider application for a five year replacement of Recreational Pier Permit PRC 5623.9, from January 25, 1994, for existing pier and boathouse located in Lake Tahoe, El Dorado County. (Young; WP 5623) (A 4; S 1)

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VERNA JUNE BROILI, KLIKABETE J. PHILIPP, MANCY P. MAROTTE, AND ADKLAIDE M. PHILIPP (APPLICANT): Consider application for a five year replacement of a Recreational Pier Permit PRC 4884.9, from February 28, 1994, for existing pier, boathouse and two mooring buoys located in Lake Tahoe, Placer County. (Young; WP 4884) (A 4; S 1)

RICHARD T. AND JANET J. BREUNER (APPLICANT): Consider application for a five year replacement of a Recreational Pier Permit PRC 4130.9, from May 31, 1993, for an existing pier and mooring buoy located in Lake Tahoe, Placer County. (Young; WP 4130) (A 4; S 1)

WARREN E. SPIEKER, JR. AND CAROL S. SPIEKER, TRUSTRES OF SPIEKER LIVING TRUST (PERMITTEE): Consider application for a five year replacement of Recreational Pier Permit PRC 4869.9, from July 10, 1994, for existing pier and two mooring buoys, located in Lake Tahoe, El Dorado County. (Young; WP 4869) (A 4; S 1)

PERGOLA PROPERTIES (PURCHASER): Consider accepting the highest bid to purchase 640 acres of State School Land in San Bernardino County and issue a patent to the highest bidder. (Reese; SA 5714) (A 34; S 17)

## LEGAL DIVISION

MR. KENNETH J. DELINO, DEPUTY CITY MANAGER, CITY OF MEWPORT BEACH (LESSEE): Review of City of Newport Beach proposed leases involving granted filled tide and submerged lands, Beacon Bay, Orange County. (Fossum, Grimes, A. Scott, J. Smith; G 9-02.6) (A 70; S 39)

ARCO LONG BEACH, INC.; ATLANTIC RICHFIELD COMPANY; CITY OF LONG BEACH; STATE LANDS COMMISSION (PARTIES): Consideration of an Agreement concerning the Valuation of Crude Oil under Article 9 of the Contractor's Agreement for the Long Beach Unit. (F. Ludlow, A. Hagar; W 11026) (A 57, 58; S 29)

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STATE LANDS COMMISSION (PARTI): Consideration of authorization to file disclaimer in the case of <u>Hunt v. Crocker</u>, Orange County Superior Case No. 722433. (Hager, Fossum) (W 503.1789)

# ENVIRONMENTAL PLANNING AND MANAGEMENT DIVISION

STATE LANDS COMMISSION; CITY OF SACRAMENTO (PARTIES):
Authorization for Executive Officer to enter into an
Agreement with the City of Sacramento regarding the
Sacramento River Greenway Plan. (Patterson, Frey; W 30065)
(A 9; S 6)

STATE LANDS COMMISSION (PARTY): Adopt the Sacramento River Greenway "Riverfest '94" Proclamation by Resolution. (Patterson; W 30065) (A 9; S 6)

# EXECUTIVE

STATE LANDS COMMISSION (PARTY): Consideration of a strategic plan for the State Lands Commission. (Trout; W 25128) (Statewide)

STATE LANDS COMMISSION (PARTY): Appointment of Executive Officer and Alternate to San Francisco Bay Conservation and Development Commission. (Rump; W 5762)

#### OIL AND GAS

MAGMA OPERATING COMPANY (APPLICANT): Accept the partial Quitclaim Deed for State Geothermal Resource Lease PRC 6552, Imperial County. (Kruger; PRC 6552) (A 80, S 37)

CORBIN J. ROBINSON c/o QUINTANA PETROLEUM CORPORATION (APPLICANT): Consent to the pooling of 33 acres of leased lands under State Oil and Gas Lease PRC 7375, San Joaquin County. (Nitsche; PRC 7375) (A 10; S 5)

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CHEVRON USA INC. (ASSIGNOR); CASEX COMPANY (ASSIGNEE):
Approve the assignment of State Gas Leases PRC 714, PRC 729,
and Easement 415, Isleton Gas Unit, Sacramento and San
Joaquin Counties. (Nitsche; PRC 714, PRC 729, E-415) (A 8,
10, 15, 17; S 4, 5, 7)

ERRON OIL AND GAS COMPANY (APPLICANT): Accept the Quitclaim Deed for State Oil and Gas Lease PRC 7628, Merced County. (Nitsche; PRC 7628) (A 76; S 28)

BARBARA PAULEY PAGEN, TRUSTES FOR BARBARA PAULEY MARTIAL TRUST, BARBARA MCHERRY PAULEY TRUST (ASSIGNOR) SHELL ONSHORE VENTURES, INC. (ASSIGNEE): Approve assignment of partial interests in State Oil and Gas Leases E-392, PRC 91, PRC 163, PRC 425 AND PRC 426, Huntington Beach Field, Orange County. (Tanner; E-392, PRC 91, PRC 163, PRC 425, PRC 426) (A 69, 70, 71; S 34, 35)

CHEVRON USA PRODUCTION COMPANY: Approve deferment of drilling obligations, State Oil and Gas Leases PRC 2199 and PRC 2894, Offshore Gaviota, Santa Barbara County. (Tanner; PRC 2199, PRC 2894) (A 35, 36; S 2, 18)

BERRY PETROLEUM COMPANY (APPLICANT): Approve a two year drilling deferment, State Oil and Gas Lease PRC 3314, West Montalvo Offshore Field, Ventura County. (Tanner; PRC 3314) (A 4, 36; S 2, 18)

# REGULAR CALENDAR ITEMS 56-57

## LAND MANAGEMENT

CHEVRON U.S.A. PRODUCTS COMPANY: Consider termination of existing lease and concurrent issuance of replacemt lease to extend the length of an existing outfall pipeline and to extend the term of the lease. (A. Scott; PRC 1915.1) (A 53; S 28)

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# ENVIRONMENTAL PLANNING AND MANAGEMENT DIVISION

STATE LANDS COMMISSION (PARTY): Authorization for staff to enter into Timber Salvage Agreements to salvage insect killed and infested trees within California's Zone of Insect Infestation in Nodoc, Plumas and Shasta Counties on five school land parcels. Costs will be offset from revenues derived from the sale of salvaged timber. (D. Miller, Pelkofer; W 21432, W 21869, W 22912, W 25122) (A 2, 3; S 1, 4)

# EIECUTIVE OFFICER'S REPORT

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