

MINUTE ITEM
This Calendar Item No. C5/
was approved as Minute Item
No. 51 by the State Lands
Commission by a vote of 3
to 0 at its 10/28/96
meeting.

CALENDAR ITEM
C51

A 35
S 18

10/28/96
W 503.1838
Espinosa
L. Kiley

**CONSIDER SETTLEMENT AGREEMENT AND MUTUAL RELEASE IN CASE OF
ROBERT PLACENCIA v. STATE OF CALIFORNIA,
SANTA BARBARA COUNTY SUPERIOR COURT NO. 212540**

PARTIES: Robert Placencia
Joel S. Crosby, Esq.
Joel S. Crosby, A Law Corporation
1813 De La Vina Street
Santa Barbara, CA 93101

State of California, acting by and
through the California State Lands Commission

The Office of the Attorney General, acting on behalf of the State, has, subject to Commission approval, entered into a settlement of personal injury litigation involving certain lands administered by the Commission near Santa Barbara, Santa Barbara County. The settlement amount is ten thousand dollars (\$10,000). The injury at issue was substantial, and the proximate cause of the injury appears to have been certain metal remnants remaining after cessation of oil and gas activity on State-owned property. Both the staff and the Office of the Attorney General believe that, under the circumstances, the settlement is fair and is in the best interests of the State.

AB 884:
N/A

OTHER PERTINENT INFORMATION:

1. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Code Regs. 15061), the staff has determined that this activity is exempt from the requirements of the CEQA because the activity is not a "project" as defined by CEQA and the State CEQA Guidelines.

CALENDAR ITEM NO. C51 (CONT'D)

Authority: Public Resources Code Section 21065 and 14 Cal. Code Regs. 15378. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code Section 6370, et seq. but will not affect those significant lands.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THIS ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. CODE REGS. 15061 BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY PUBLIC RESOURCES CODE SECTION 21065 AND 14 CAL. CODE REGS. 15378.
2. FIND THAT THIS ACTIVITY WILL INVOLVE LANDS IDENTIFIED AS POSSESSING SIGNIFICANT ENVIRONMENTAL VALUES PURSUANT TO PUBLIC RESOURCES CODE SECTION 6370, ET SEQ., BUT THAT SUCH ACTIVITY WILL HAVE NO DIRECT OR INDIRECT EFFECT ON SUCH LANDS.
3. AUTHORIZE THE OFFICE OF THE ATTORNEY GENERAL TO COMPLETE THE SETTLEMENT AND RELEASE IN THE CASE OF ROBERT PLACENCIA v. STATE OF CALIFORNIA, SANTA BARBARA COUNTY SUPERIOR COURT NO. 212540, FOR THE SUM OF TEN THOUSAND DOLLARS (\$10,000).
4. AUTHORIZE THE STAFF AND THE OFFICE OF THE ATTORNEY GENERAL TO TAKE ALL STEPS NECESSARY, INCLUDING ANY REQUIRED COURT APPEARANCES, TO IMPLEMENT THE SETTLEMENT AND RELEASE.