1	MEETING	
2	STATE OF CALIFORNIA	
3	STATE LANDS COMMISSION	
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10	State Capitol	
11	Room 437	
12	Sacramento, California	
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18	Thursday, May 9, 1996	
19	3:30 p.m.	
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23		
24	Janet H. Nicol	
25	Certified Shorthand Reporter License Number 9764	

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1	<u>PROCEEDINGS</u>	
2	COMMISSIONER DAVIS: All right. The Lands	
3	Commission will come to order. Secretary will call the	
4	roll.	
5	EXECUTIVE ASSISTANT SHAW: Member Davis.	
6	COMMISSIONER DAVIS: Present.	
7	EXECUTIVE ASSISTANT SHAW: Chief Deputy Parker.	
8	ACTING COMMISSIONER PARKER: Here.	
9	EXECUTIVE ASSISTANT SHAW: Chairwoman Connell.	
10	COMMISSIONER DAVIS: I'm sure she'll be here	
11	momentarily.	
12	We have a quorum, so we'll begin.	
13	The first item of business is adopting the minutes	
14	from the last meeting.	
15	ACTING COMMISSIONER PARKER: I move the minutes.	
16	EXECUTIVE OFFICER HIGHT: Yes, Mr. Chairman.	
17	COMMISSIONER DAVIS: Hearing no objection, that's	
18	unanimously adopted.	
19	And we'll begin with the consent calendar.	
20	EXECUTIVE OFFICER HIGHT: Yes. And we know of no	
21	opposition to the consent calendar and we can take it up in	
22	its entirety, Items No. 1 through 82, with the exclusion of	
23	13, 43, 66 and 67.	
24	COMMISSIONER DAVIS: 13, 43?	

EXECUTIVE OFFICER HIGHT: 66 and 67.

2 COMMISSIONER DAVIS: All right. Is there anyone 1 2 in the audience that has objection to any item on the consent calendar? 3 Hearing none --4 ACTING COMMISSIONER PARKER: Mr. Chairman, could I 5 ask a question? 6 7 Since 66 just got pulled, do we have any sense about when that issue, since it's obviously been ongoing, 8 9 rather lengthy issue, when this is likely to come back? EXECUTIVE OFFICER HIGHT: 67. I think you are --10 ACTING COMMISSIONER PARKER: I am sorry. 11 EXECUTIVE OFFICER HIGHT: 67, Mr. Chairman, is K&C 12 Marina and we had hoped that -- we thought we had an 13 14 agreement on that and I will report back at the next meeting. But it's a matter between the two private parties 15 that we thought was resolved and it's kind of in their 16 17 discretion at the moment. So we will report back at the 18 next meeting on that. 19 ACTING COMMISSIONER PARKER: As you recall this is 20 the --21 COMMISSIONER DAVIS: Right. Did you have any 22 other questions? 23 ACTING COMMISSIONER PARKER: No. 24 COMMISSIONER DAVIS: Isn't this the issue that

went to court, there was a court case?

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3 1 EXECUTIVE OFFICER HIGHT: Yes. ACTING COMMISSIONER PARKER: Had a special 2 3 master --EXECUTIVE OFFICER HIGHT: The parties basically 4 solved the case without going to court. 5 COMMISSIONER DAVIS: Right. 6 EXECUTIVE OFFICER HIGHT: But at the last moment 7 there was some hesitation about signing the agreement by one 8 of the parties. And so it will either go back to court or 9 it will be resolved. 10 ACTING COMMISSIONER PARKER: So that's the 11 question. There's the potential that it could go back into 12 court again? 13 14 EXECUTIVE OFFICER HIGHT: Yes. 15 COMMISSIONER DAVIS: How much time has the court given the parties to resolve this matter? 16 17 EXECUTIVE OFFICER HIGHT: Jim? Since they were going to resolve it, the court 18 hasn't given the parties any time, and so it will go back 19 20 and be set. 21 COMMISSIONER DAVIS: I recall that there was a 22 dispute over who would replace the former operator of the marina? 23 24 EXECUTIVE OFFICER HIGHT: Correct. 25 COMMISSIONER DAVIS: Is that marina currently

functional?

EXECUTIVE OFFICER HIGHT: It's currently functional. They are doing major improvements there under an agreement that Mr. Gibbs is basically running the operation. And it's being brought up to standard and everybody is happy.

COMMISSIONER DAVIS: So no one is quarreling with the quality of the service that's currently being provided?

COMMISSIONER DAVIS: So there's really no harm --

EXECUTIVE OFFICER HIGHT: Right.

EXECUTIVE OFFICER HIGHT:

COMMISSIONER DAVIS: -- in not having the thing permanently resolved?

EXECUTIVE OFFICER HIGHT: Yes. Correct.

ACTING COMMISSIONER PARKER: I move adoption of the consent calendar.

COMMISSIONER DAVIS: I'll support that, so that passes two to nothing.

The next item is Item 83.

EXECUTIVE OFFICER HIGHT: Yes. Item 83,

Mr. Chairman, is the retrocession of jurisdiction for seven

closing military bases and the cession of jurisdiction for

one base that is not closing.

In the military base closing process, most of the bases are under exclusive federal jurisdiction, and the

State law provides that the Lands Commission is the entity to hold a hearing in the locality to determine whether there's any opposition to the retrocession putting it back under State law.

Commission staff has held hearings.

There is no opposition. In fact, all of the local entities are excited about this prospect because it is kind of one -- it's the first step that is visible that brings the bases into the public domain.

Those bases are Defense Distribution Region West at Lathrop, Defense Distribution Region West at Tracy, Fleet and Industrial Supply Center at Oakland, March Air Force

Base at Riverside, Naval Air Center at San Diego, the Naval Radio Transmission Facility at San Diego, and Mare Island Shipyard at Vallejo.

COMMISSIONER DAVIS: Is there any opposition to this transfer of jurisdiction back to the State?

EXECUTIVE OFFICER HIGHT: None.

COMMISSIONER DAVIS: Anyone in the audience opposed to this transfer?

ACTING COMMISSIONER PARKER: Have we received any letters in support of this proposal?

EXECUTIVE OFFICER HIGHT: Yes. We have letters of support from each of the local entities.

ACTING COMMISSIONER PARKER: Okay. Because there

wasn't anything that I saw in the document of support. So
we have letters?

EXECUTIVE OFFICER HIGHT: Yes.

ACTING COMMISSIONER PARKER: On file?

EXECUTIVE OFFICER HIGHT: Yes.

ACTING COMMISSIONER PARKER: And there's obviously no issues with the Attorney General's office in what we're doing here?

ASSISTANT ATTORNEY GENERAL STEVENS: No. Our office has worked with Mr. Fry and staff on this and it's quite satisfactory.

COMMISSIONER DAVIS: Are there any financial implications in our assuming jurisdiction?

EXECUTIVE OFFICER HIGHT: The local entity will be required to police the area. And there would be no State cost, but the local entities, the county or the city, will have to provide police and fire services.

COMMISSIONER DAVIS: And all those jurisdictions,

I assume, are well aware of that?

EXECUTIVE OFFICER HIGHT: Right, yes. They would have to do that if it were not federal land and the fact that they're going to get it back in order to turn it to private use, it will be in a tax base and they'll in effect be compensated for that service.

COMMISSIONER DAVIS: All right. Could I have a

motion to approve?

ACTING COMMISSIONER PARKER: Yes. I would recommend that we adopt the findings that are on page two, 1 through 4, and the determination, which is Item No. 5, in the staff's analysis, Mr. Chair.

COMMISSIONER DAVIS: Hearing no opposition to that, I will support it. And that passes two to zero.

EXECUTIVE OFFICER HIGHT: Okay.

COMMISSIONER DAVIS: The next item is Item 84.

EXECUTIVE OFFICER HIGHT: Yes, Mr. Chairman. This is an informational item.

And the staff proposes to enter into a Memorandum of Understanding with other federal and state agencies to expedite the processing of dredging permits in the Bay Area.

This is a one-year pilot project that will be reevaluated at the end of six months.

The goal is to have one permit application that all dredgers would apply to the Army Corps of Engineers, who will be the host agency, and then will dispense the information to all of the other affected agencies. It will eliminate individual applications from each agency.

The Commission and the other agencies are retaining all of their jurisdiction. It will still have to have a permit from the Commission or the other agencies, if applicable.

But it's the start of a one-stop processing, elimination of additional paperwork, and with the goal of simplification and efficiency.

So we're rather excited about this possibility and we'll report back in six months as to its effectiveness.

COMMISSIONER DAVIS: Well, how long do you estimate it will take for the permit process to run its course?

each permit, but some of them can be very short

applications, depending upon the amount of material to be

dredged, a couple of months, and others may be longer than

the six months.

But the information that will be supplied will be analyzed by the agencies to make sure that is in fact the information that is needed and it will -- the process in effect will start at the first application, which should be soon.

COMMISSIONER DAVIS: Let me ask this question another way. How can I put this? How much time will be saved for the applicant through this modified permit process?

EXECUTIVE OFFICER HIGHT: Well, it's the goal that they would -- right now four applications or four permits are necessary, so the time to contact four agencies will

may ask only the appropriate members of the staff to stay

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CERTIFICATE OF SHORTHAND REPORTER

I, JANET H. NICOL, a Certified Shorthand Reporter

of the State of California, do hereby certify that I am a
disinterested person herein; that I reported the foregoing
meeting in shorthand writing; that I thereafter caused my

7 | shorthand writing to be transcribed into typewriting.

I further certify that I am not of counsel or attorney for any of the parties to said meeting, or in any way interested in the outcome of said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand this 15th day of May 1996.

Janet H. Nicol

Certified Shorthand Reporter

IN HIM

License Number 9764