

1. CONFIRMATION OF MINUTES OF THE STATE LANDS COMMISSION
MEETING OF JULY 24, 1975

Upon motion duly made and carried, the minutes of the meeting of July 24, 1975, were approved as written.

2. CONFIRMATION OF NEXT MEETING OF THE STATE LANDS COMMISSION

The next regular meeting of the State Lands Commission was confirmed for Monday, September 29, 1975, at 10:00 a.m. in Sacramento.

MINUTE ITEM

8/21/75
GRH

3. PUBLIC AGENCY PERMIT; MOSS LANDING MARINE LABORATORIES;
W 20890; PRC 5037.

After consideration of Calendar Item 1 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION:

1. DETERMINES THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF PRC 21085; 14 CAL. ADM. CODE 15100, ET SEQ.; AND 2 CAL. ADM CODE 2907(a).
2. AUTHORIZES ISSUANCE TO MOSS LANDING MARINE LABORATORIES OF A 2-YEAR PUBLIC AGENCY PERMIT FROM FEBRUARY 1, 1975; IN CONSIDERATION OF THE PUBLIC USE AND BENEFIT AND THE COMMISSION RECEIVING A COPY OF THE STUDY RESULTS WHEN PUBLISHED; 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 FOR THE CONDUCT OF BENTHIC RESEARCH ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment:

Calendar Item 1 (3 pages)

A 28
S 17

CALENDAR ITEM

8/75
GRH
W 20890

1.

PUBLIC AGENCY PERMIT

APPLICANT: Moss Landing Marine Laboratories
P.O. Box 223
Moss Landing, California 95039

AREA, TYPE LAND AND LOCATION:
5 buoy sites totalling approximately 0.04 acres
of submerged land in the bed of Monterey Bay,
Monterey County.

LAND USE: Conduct of Benthic research.

TERMS OF PROPOSED LEASE:
Initial Period: 2 years, from February 1, 1975.

CONSIDERATION: The public use and benefit. The Commission will
receive a copy of the study results when published.
The State reserves the right at any time to set a
monetary rental if the Commission finds such
action to be in the State's best interest.

STATUTORY AND OTHER REFERENCES:
a. Public Resources Code: Div. 6, Parts 1 & 2.
b. Administrative Code: Title 2, Div. 3,
Arts. 1, 2, & 10.

OTHER PERTINENT INFORMATION:
1. The annual rental value of the site is
estimated to be \$20.
2. An Environmental Impact Report is not required.
The transaction is within the purview of 2 Cal.
Adm. Code 2907 which exempts an existing
structure or facility that is in an acceptable
state of repair and there is no evidence of
record to show injury to adjacent property,
shoreline erosion, or other types of environ-
mental degradation.
3. The applicant is working under a federal
contract (waterways experimental station,
Vicksburg, Mississippi) to conduct spoil
disposal and sediment studies in Monterey
Bay. The Commission will receive a copy of
the study results, when available.

EXHIBITS: A. Land Description. B. Location Map.

A 28
S 17

CALENDAR ITEM NO. 1 (CONTD)

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF PRC 21085; 14 CAL. ADM. CODE 15100, ET SEQ.; AND 2 CAL. ADM. CODE 2907(a).
2. AUTHORIZE ISSUANCE TO MOSS LANDING MARINE LABORATORIES OF A 2-YEAR PUBLIC AGENCY PERMIT FROM FEBRUARY 1, 1975; IN CONSIDERATION OF THE PUBLIC USE AND BENEFIT AND THE COMMISSION RECEIVING A COPY OF THE STUDY RESULTS WHEN PUBLISHED; 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 FOR THE CONDUCT OF BENTHIC RESEARCH ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

W 20890

Five circular parcels of submerged land, each being 20 feet in diameter lying in the bed of Monterey Bay, Monterey County, State of California, the centers of said parcels being located at the following longitudes and latitudes:

1. 121° 48' 03" West Longitude; 36° 47' 57" North Latitude
2. 121° 48' 10" West Longitude; 36° 47' 55" North Latitude
3. 121° 47' 43" West Longitude; 36° 48' 52" North Latitude
4. 121° 48' 18" West Longitude; 36° 48' 36" North Latitude
5. 121° 48' 06" West Longitude; 36° 48' 50" North Latitude

END OF DESCRIPTION

MINUTE ITEM

8/21/75
EPW

4. RIGHT OF WAY; THE PACIFIC TELEPHONE AND TELEGRAPH COMPANY;
W 20931; PRC 5038.

After consideration of Calendar Item 2 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION:

1. DETERMINES THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS PROJECT BUT THAT A NEGATIVE DECLARATION HAS BEEN PREPARED BY THIS DIVISION.
2. CERTIFIES THAT THE NEGATIVE DECLARATION (ND EIR # 178) HAS BEEN COMPLETED IN COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT OF 1970, AS AMENDED, AND THE STATE GUIDELINES AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.
3. DETERMINES THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
4. AUTHORIZES THE ISSUANCE TO THE PACIFIC TELEPHONE AND TELEGRAPH COMPANY OF A RIGHT OF WAY FOR AN INDEFINITE TERM FROM AUGUST 21, 1975, PURSUANT TO PROVISIONS OF SECTION 7901 OF THE PUBLIC UTILITIES CODE; FOR THE INSTALLATION AND MAINTENANCE OF A SUBMARINE CONDUIT FOR TELEPHONE CABLES, ON THE LAND DESCRIBED ON EXHIBITS A-1, A-2, AND A-3 ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachments:

Calendar Item 2 (5 pages)

A 27
S 14

CALENDAR ITEM

2.

8/75
EPW
W 20931

RIGHT OF WAY

APPLICANT: The Pacific Telephone and Telegraph Company
1426 Howe Avenue, Suite 50
Sacramento, California 95825

AREA, TYPE LAND AND LOCATION:
A 10-foot wide strip of submerged land in the
bed of the Tuolumne River, east side of Highway
99, Stanislaus County.

LAND USE: Installation and maintenance of a submarine
conduit for telephone cables.

TERMS OF PROPOSED LEASE:
Initial period: Indefinite term, from August 21,
1975.

CONSIDERATION: Exempt by law, pursuant to Section 7901 of the
Public Utilities Code.

PREREQUISITE TERMS, FEES AND EXPENSES:
Applicant is permittee of upland.
Filing fee and environmental costs received.

STATUTORY AND OTHER REFERENCES:
a. Public Resources Code: Div. 6, Parts 1 & 2.
b. Administrative Code: Title 2, Div. 3,
Arts. 1, 2 & 10.
c. Public Utilities Code: Section 7901.

OTHER PERTINENT INFORMATION:
1. The annual rental value of the site is
estimated to be \$100.
2. This project is situated on State land
identified as environmentally significant,
pursuant to Public Resources Code 6370.1,
and is classified in a significant use
category. The Division conducted an
initial study and consulted with
responsible agencies and environmental
experts. It was determined that the
project would not have a significant
effect on the environment. A Negative
Declaration prepared by the Division was

CALENDAR ITEM NO. 2. (CONTD)

circulated through the State Clearinghouse (No. 75070788) in accordance with CEQA, as amended, and the implementing regulations.

EXHIBITS: A-1, A-2, A-3: Land Description.
 B: Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS PROJECT BUT THAT A NEGATIVE DECLARATION HAS BEEN PREPARED BY THIS DIVISION.
2. CERTIFY THAT THE NEGATIVE DECLARATION (ND EIR #178) HAS BEEN COMPLETED IN COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT OF 1970, AS AMENDED, AND THE STATE GUIDELINES AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.
3. DETERMINE THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
4. AUTHORIZE THE ISSUANCE TO THE PACIFIC TELEPHONE AND TELEGRAPH COMPANY OF A RIGHT OF WAY FOR AN INDEFINITE TERM FROM AUGUST 21, 1975, PURSUANT TO PROVISIONS OF SECTION 7901 OF THE PUBLIC UTILITIES CODE; FOR THE INSTALLATION AND MAINTENANCE OF A SUBMARINE CONDUIT FOR TELEPHONE CABLES, ON THE LAND DESCRIBED ON EXHIBITS A-1, A-2 AND A-3 ATTACHED AND BY REFERENCE MADE A PART HEREOF.

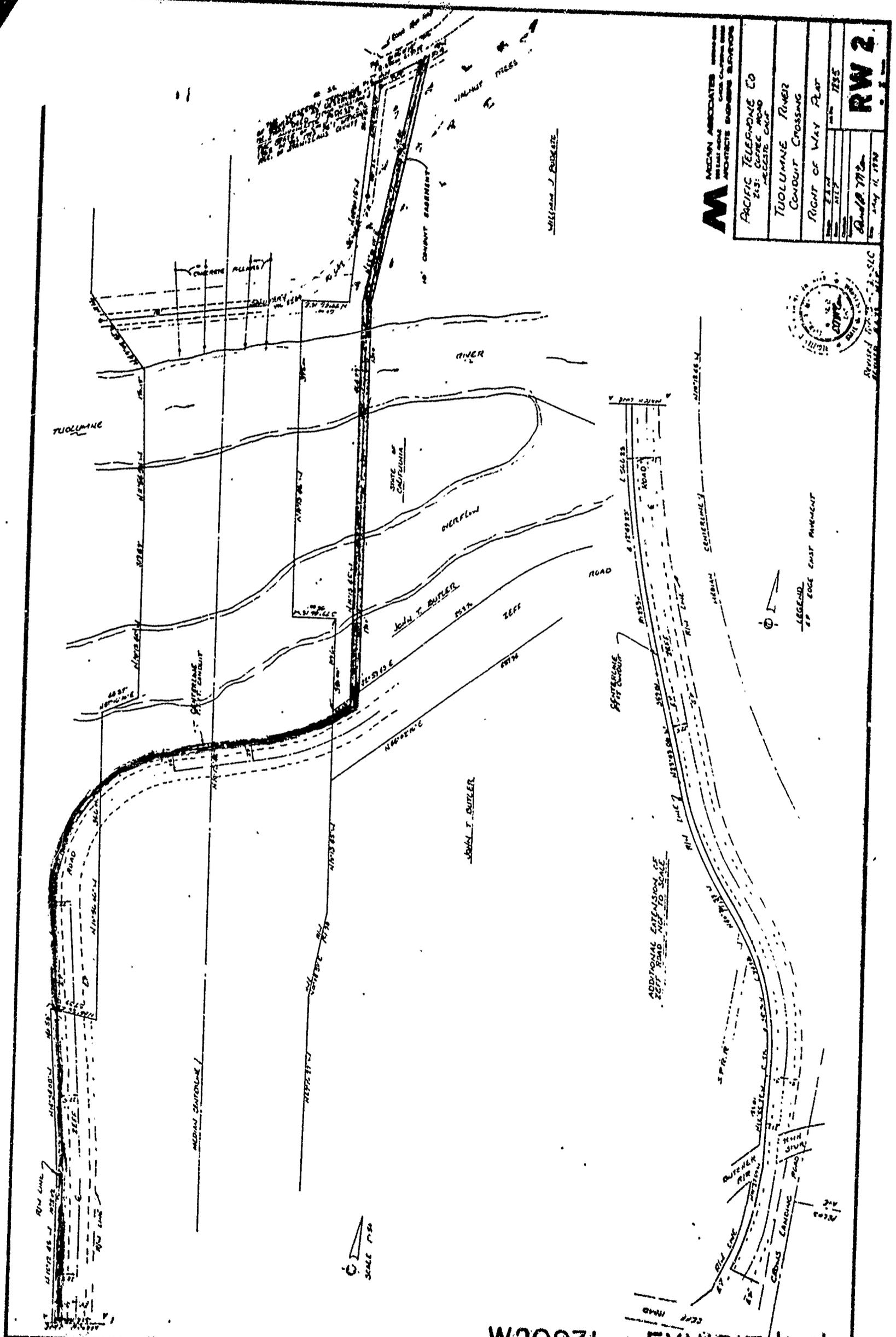
Attachments: Exhibits A-1, A-2, A-3.

EXHIBIT "A-1"

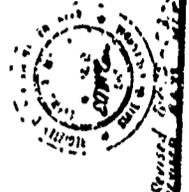
W 20931

All those State-owned lands within that certain parcel of real property designated as a 10-foot wide right of way as shown in blue upon Sheets RW-1 and RW-2 of the Right of Way Plat of the Pacific Telephone Company's Tuolumne River Conduit Crossing, dated May 11, 1974 (revised 8/7/75), on file in the office of the State Lands Division.

END OF DESCRIPTION

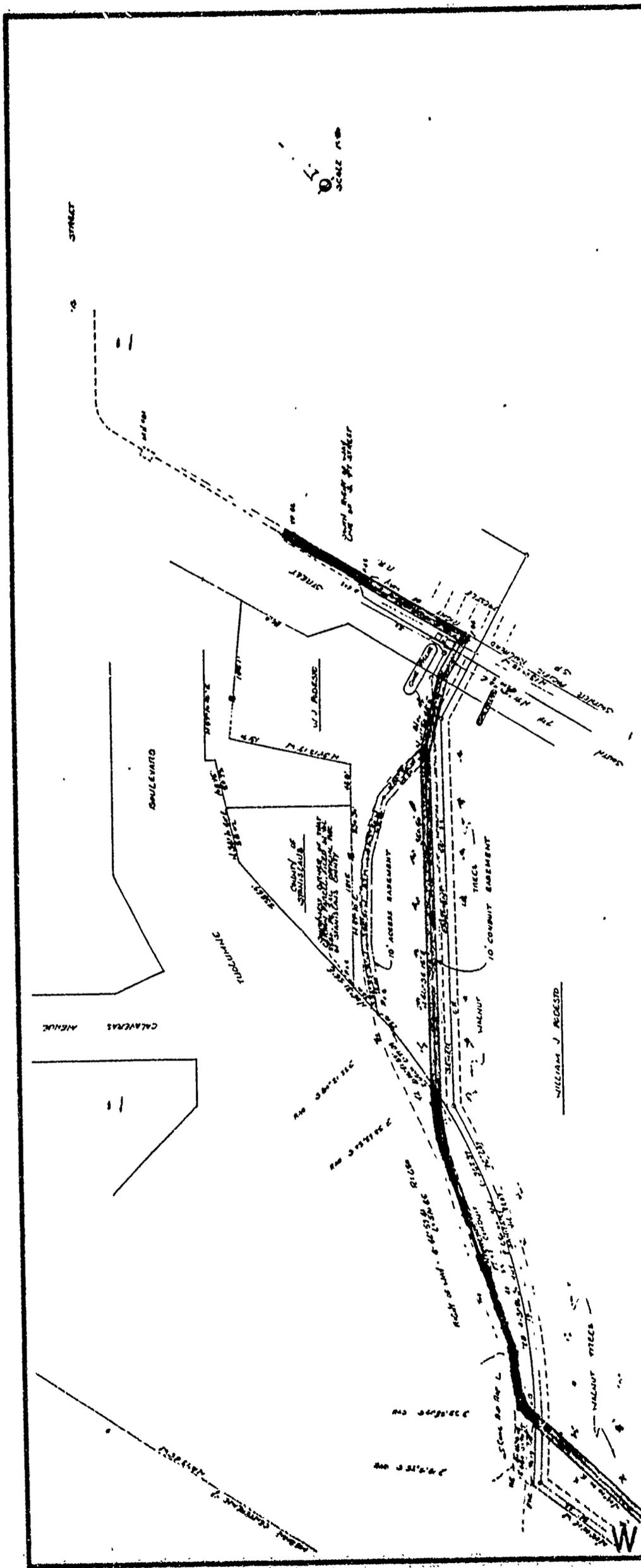


M MICHAN ASSOCIATES REGISTERED PROFESSIONAL ENGINEERS ARCHITECTS ENGINEERS SURVEYORS	
PACIFIC TELEPHONE CO 253 GARDNER ROAD MENLO PARK, CALIF.	
TUOLUMNE RIVER CONDUIT CROSSING RIGHT OF WAY PLAT	
DATE 1955	SHEET NO. 1855
DRAWN BY J. J. ...	CHECKED BY ...
PROJECT NO. 7072	DATE MAY 11, 1955
RW 2	



LEGEND
 - - - - - EDGE CURB ALIGNMENT

W20931 — EXHIBIT 'A-2'



M MCGAN ASSOCIATES ENGINEERS
 1000 CALIFORNIA STREET
 SACRAMENTO, CALIFORNIA 95811

PACIFIC TELEPHONE CO.
 2030 COPPER ROAD
 SACRAMENTO, CALIF.

**TUOLUMNE RIVER
 CONDUIT CROSSING**

RIGHT OF WAY PLAT

DATE: 12/31/75
 SHEET NO.: 1235
 PROJECT NO.: RW-1
 DRAWN BY: [Signature]
 DATE: May 11, 1976



Revised 6-7-75 - D.G. - SLC

W 20931 - EXHIBIT 'A-3'

MINUTE ITEM

8/21/75
EPW

5. RIGHT OF WAY; PACIFIC GAS AND ELECTRIC COMPANY; W 8755;
PRC 5039.

After consideration of Calendar Item 3 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION:

1. DETERMINES THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF PRC 21085; 14 CAL. ADM. CODE 15100, ET SEQ.; AND 2 CAL. ADM. CODE 2907(a).
2. AUTHORIZES THE ISSUANCE TO PACIFIC GAS AND ELECTRIC COMPANY OF A 15-YEAR RIGHT OF WAY FROM MARCH 18, 1970, WITH LESSEE'S OPTION TO RENEW FOR THREE SUCCESSIVE PERIODS OF TEN YEARS EACH; IN CONSIDERATION OF \$20 PER ANNUM THROUGH JUNE 29, 1975; \$100 PER ANNUM THEREAFTER; PROVISION FOR A CHANGE IN RENTAL ANY TIME PRIOR TO JULY 24, 1976, RETROACTIVE TO JULY 24, 1975 WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL OF EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF PUBLIC LIABILITY INSURANCE IN AMOUNTS OF \$1,000,000 EACH OCCURRENCE AGGREGATE FOR BODILY INJURY AND PROPERTY DAMAGE, FOR ONE EXISTING 26-INCH SUBMERGED GAS LINE; ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachments:

Calendar Item 3 (3 pages)

A 7
S 1

CALENDAR ITEM

3.

8/75
DR
W 8755

RIGHT OF WAY

APPLICANT: Pacific Gas and Electric Company
77 Beale Street
San Francisco, California 94106

AREA, TYPE LAND AND LOCATION:
A 0.026 acre parcel of submerged land in the
bed of Sonoma Creek, south of the City of
Sonoma, Sonoma County.

LAND USE: One existing 26-inch submerged gas line.

TERMS OF PROPOSED LEASE:

Initial Period: 15 years, from March 18, 1970.

Renewal Options: 3 successive period of 10 years
each.

Public Liability Insurance:

\$1,000,000 each occurrence
aggregate for bodily injury and
property damage.

CONSIDERATION: \$20 per annum through June 29, 1975; \$100 per
annum thereafter and provision for a change in
rental any time prior to July 24, 1976, retro-
active to July 24, 1975, with the State reserv-
ing the right to fix a different rental on each
fifth anniversary of the lease.

BASIS FOR CONSIDERATION:

\$20 annual minimum rental through June 29, 1975;
\$100 annual minimum rental thereafter.

PREREQUISITE TERMS, FEES AND EXPENSES:

Applicant is permittee of upland.

Filing fee received.

STATUTORY AND OTHER REFERENCES:

- a. Public Resources Code: Div. 6, Parts 1 & 2
- b. Administrative Code: Title 2, Div. 3, Arts. 1,
2 & 10.

A 7
S 1

CALENDAR ITEM NO. 3. (CONTD)

OTHER PERTINENT INFORMATION:

An Environmental Impact Report is not required. This transaction is within the purview of 2 Cal. Adm. Code 2907(a) which exempts an existing structure or facility that is in an acceptable state of repair and there is no evidence of record to show injury to adjacent property, shoreline erosion, or other type of environmental degradation.

EXHIBITS: A. Land Description. B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF PRC 21085; 14 CAL. ADM. CODE 15100, ET SEQ.; AND 2 CAL. ADM. CODE 2907(a).
2. AUTHORIZE THE ISSUANCE TO PACIFIC GAS AND ELECTRIC COMPANY OF A 15-YEAR RIGHT OF WAY FROM MARCH 18, 1970, WITH LESSEE'S OPTION TO RENEW FOR THREE SUCCESSIVE PERIODS OF TEN YEARS EACH; IN CONSIDERATION OF \$20 PER ANNUM THROUGH JUNE 29, 1975; \$100 PER ANNUM THEREAFTER; PROVISION FOR A CHANGE IN RENTAL ANY TIME PRIOR TO JULY 24, 1976, RETROACTIVE TO JULY 24, 1975 WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF PUBLIC LIABILITY INSURANCE IN AMOUNTS OF \$1,000,000 EACH OCCURRENCE AGGREGATE FOR BODILY INJURY AND PROPERTY DAMAGE, FOR ONE EXISTING 26-INCH SUBMERGED GAS LINE; ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

W 8755

A strip of tide and submerged land, 25 feet wide, lying in the bed of Sonoma Creek near Schellville, Sonoma County, State of California, said strip being southeasterly of and parallel with and contiguous to the northwesterly right of way line of Route 121 as said line is shown on the Department of Public Works, Division of Highways Map recorded in Book 7 of Highway Maps at Page 12 records of said County, and bounded on the northeast and southwest by the ordinary high water mark of said Sonoma Creek.

END OF DESCRIPTION

MINUTE ITEM

8/21/75
DR

6. RIGHT OF WAY; PACIFIC GAS AND ELECTRIC COMPANY; WP 383;
PRC 383.

After consideration of Calendar Item 4 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION:

1. DETERMINES THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF PRC 21085; 14 CAL. ADM. CODE 15100, ET SEQ.; AND 2 CAL. ADM. CODE 2907.
2. AUTHORIZES ISSUANCE TO PACIFIC GAS AND ELECTRIC COMPANY OF A 15-YEAR RIGHT OF WAY FROM OCTOBER 14, 1973; WITH LESSEE'S OPTION TO RENEW FOR 3 SUCCESSIVE PERIODS OF 10 YEARS EACH; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$90 PER ANNUM THROUGH JUNE 29, 1975 AND \$120 PER ANNUM THEREAFTER, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF PUBLIC LIABILITY INSURANCE IN THE AMOUNTS OF \$1,000,000 EACH OCCURRENCE AGGREGATE FOR BODILY INJURY AND PROPERTY DAMAGE FOR THE TRANSMISSION OF ELECTRICAL POWER ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachments:

Calendar Item 4 (4 pages)

A 1
S 1, 2

CALENDAR ITEM

8/75

4.

DR
WP 383

RIGHT OF WAY

APPLICANT: Pacific Gas and Electric Company
77 Beale Street
San Francisco, California 94106

AREA, TYPE LAND AND LOCATION:
3 parcels of State school land containing 2.62 acres, Shasta County (SE-1/4 of the SE-1/4 of Section 36, T 32 N, R 6 W, MDM); 1.55 acres, Shasta County (NE-1/4 of the NW-1/4 of Section 36, T 32 N, R 6 W, MDM); 2.55 acres, Trinity County (NE-1/4 of the NE-1/4 of Section 36, T 33 N, R 9 W, MDM).

LAND USE: Transmission of electrical power.

TERMS OF ORIGINAL LEASE:

Initial period: 15 years, from October 14, 1948.

Renewal option: 1 successive period of 10 years.

Surety bond: \$50,000.

Consideration: \$118.40 per annum.

TERMS OF PROPOSED REPLACEMENT LEASE:

Period: 15 years, from October 14, 1973.

Renewal options: 3 successive periods of 10 years each.

Public liability insurance:
\$1,000,000 each occurrence
aggregate for bodily injury
and property damage.

CONSIDERATION: \$90 per annum through June 29, 1975; \$120 per annum thereafter, with the State reserving the right to fix a different rental on each fifth anniversary of the lease.

CALENDAR ITEM NO. 4. (CONTD)

BASIS FOR CONSIDERATION:

6% of appraised value of land through
June 29, 1975; 8% of appraised value of
land thereafter.

PREREQUISITE TERMS, FEES AND EXPENSES:

Applicant is permittee of upland.

Filing fee received.

STATUTORY AND OTHER REFERENCES:

- a. Public Resources Code: Div. 6, Parts 1 & 2.
- b. Administrative Code: Title 2, Div. 3,
Arts. 1, 2 & 10.

OTHER PERTINENT INFORMATION:

An Environmental Impact Report is not required. This transaction is within the purview of 2 Cal. Adm. Code 2907 which exempts an existing structure or facility that is in an acceptable state of repair and there is no evidence of record to show injury to adjacent property, shoreline erosion, or other types of environmental degradation.

EXHIBITS:

A. Land Description.

B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF PRC 21085; 14 CAL. ADM. CODE 15100, ET SEQ.; AND 2 CAL. ADM. CODE 2907.
2. AUTHORIZE ISSUANCE TO PACIFIC GAS AND ELECTRIC COMPANY OF A 15-YEAR RIGHT OF WAY FROM OCTOBER 14, 1973; WITH LESSEE'S OPTION TO RENEW FOR 3 SUCCESSIVE PERIODS OF 10 YEARS EACH; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$90 PER ANNUM THROUGH JUNE 29, 1975 AND \$120 PER ANNUM THEREAFTER, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF PUBLIC LIABILITY INSURANCE IN THE AMOUNTS OF \$1,000,000 EACH OCCURRENCE AGGREGATE FOR BODILY INJURY AND PROPERTY DAMAGE FOR THE TRANSMISSION OF ELECTRICAL POWER ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

WP 383

Parcel 1

A strip of land 75 feet wide situated in Shasta County, State of California, being wholly within the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 36, T32N, R6W, MDM, lying 37.5 feet on each side of the following described centerline:

COMMENCING at the southeast corner of Section 36, T32N, R6W, MDM, Said corner being monumented by a 4 inch Manzanita Post in a rock mound; thence along the southerly line of Section 36 west 71.3 feet to the TRUE POINT OF BEGINNING; thence N 29° 49' 30" W, 1520 feet to the northerly line of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 36 said point being the end of the here-in-described centerline.

EXCEPTING THEREFROM any portion lying outside of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 36, T32N, R6W, MDM.

Parcel 2

A strip of land 75 feet wide situated in Shasta County, State of California, in the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 36, T32N, R6W, MDM, lying 37.5 feet on each side of the following described centerline:

COMMENCING at the north $\frac{1}{4}$ corner of Section 36, T32N, R6W, MDM; thence S 56° 17' W, 390.7 feet; thence N 29° 49' 30" W, 250 feet and to the northerly line of said Section 36 said point being the TRUE POINT OF BEGINNING; thence S 29° 49' 30" E, 900 feet to the easterly line of NW $\frac{1}{4}$ of said Section 36 said point being the end of here-in-described centerline.

EXCEPTING THEREFROM any portion lying outside of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 36, T32N, R6W, MDM.

Parcel 3

A strip of land 75 feet wide situated in Trinity County, State of California, in the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 36, T33N, R9W, MDM, lying 37.5 feet on each side of the following described centerline:

COMMENCING at the east $\frac{1}{4}$ corner of Section 36, T33N, R9W, MDM; thence along the east line of said Section 36 N 14° 26' 30" W, 1329.3 feet to the TRUE POINT OF BEGINNING; thence N 64° 27' 30" W 1500 feet to the west line of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 36 said point being the end of the here-in-described centerline.

EXCEPTING THEREFROM any portion lying outside of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 36, T33N, R9W, MDM.

END OF DESCRIPTION

Prepared *Harla* Checked *Bob K. Young*

Reviewed *Leroy F. Weed*



MINUTE ITEM

8/21/75
HAM

7. INDUSTRIAL LEASE; PACIFIC GAS AND ELECTRIC COMPANY;
W 20714; PRC 5040.

After consideration of Calendar Item 5 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION:

1. DETERMINES THAT AN ENVIRONMENTAL IMPACT REPORT HAS BEEN PREPARED FOR THIS PROJECT AND CERTIFIED BY THE SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION ON SEPTEMBER 5, 1974.
2. CERTIFIES THAT THE INFORMATION CONTAINED IN THE ENVIRONMENTAL IMPACT REPORT OF THE SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION HAS BEEN REVIEWED AND CONSIDERED BY THE COMMISSION.
3. DETERMINES THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
4. AUTHORIZES:
 - A. ISSUANCE TO PACIFIC GAS AND ELECTRIC COMPANY OF A 15-YEAR LEASE FROM AUGUST 1, 1975, WITH LESSEE'S OPTION TO RENEW FOR 3 SUCCESSIVE PERIODS OF 10 YEARS EACH, IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$248.80, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE, AND WITH THE RIGHT TO FIX A DIFFERENT RENTAL DURING THE FIRST YEAR OF THIS LEASE, RETROACTIVE TO AUGUST 1, 1975, PROVIDED THAT ANY CHANGE IN THE RENTAL SHALL BE TO THE APPLICABLE RATE, OR BY FOLLOWING THE PROCEDURE FOR DETERMINING THE APPLICABLE RATE, OF RENTAL SET FORTH IN TITLE 2 OF THE CALIFORNIA ADMINISTRATIVE CODE; AND PROVISION OF PUBLIC LIABILITY INSURANCE IN AMOUNTS OF \$1,000,000 PER OCCURRENCE FOR BODILY INJURY AND PROPERTY DAMAGE, INCLUSIVE, FOR THE INSTALLATION AND MAINTENANCE OF A 16-INCH DIAMETER PIPELINE ON THE LAND DESCRIBED IN EXHIBIT "A-1" ATTACHED AND BY REFERENCE MADE A PART HEREOF; AND
 - B. THE INCLUSION IN SAID LEASE OF A 2-YEAR TEMPORARY WORK PERIOD FROM AUGUST 1, 1975, IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$1,970.00, ON THE LAND DESCRIBED

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MINUTE ITEM 7. (CONTD)

IN EXHIBIT "A-2" ATTACHED AND BY REFERENCE MADE A PART HEREOF; WITH THE PROVISION THAT THE ABOVE PUBLIC LIABILITY INSURANCE AND PROPERTY DAMAGE COVERAGE SHALL EXTEND TO THE TEMPORARY WORK AREA DURING THE TERM THEREOF.

Attachments:
Calendar Item 5 (9 pages)

CALENDAR ITEM

8/75
HAM
W 20714

5.

INDUSTRIAL LEASE

APPLICANT: Pacific Gas and Electric Company
77 Beale Street
San Francisco, California 94106

AREA, TYPE LAND AND LOCATION:

1. 15-year lease: Two parcels of tide and submerged land, one at Walnut Creek totaling 31,000 sq. ft., and one at Hastings Slough totaling 4,750 sq. ft., both being east of Martinez, Contra Costa County.
2. 2-year lease: Two parcels of tide and submerged lands adjacent to the strips at Walnut Creek and Hastings Slough, and a dry land parcel at Hercules 53,060 sq. ft.

LAND USE: Installation of a 16-inch diameter pipeline.

TERMS OF PROPOSED LEASE: (As to pipeline locations at Walnut Creek and Hastings Slough)

Initial period: 15 years, from August 1, 1975.

Renewal options: 3 successive periods of 10 years each.

Public liability insurance:

\$1,000,000 per occurrence
for bodily injury and property
damage, inclusive.

- CONSIDERATION:
1. \$248.80 per annum, and 5-year review, with the State reserving the right to reset the rental during the first year of this lease retroactive to August 1, 1975, pursuant to adopted changes in the Administrative Code.
 2. As to 3 temporary work areas at Walnut Creek, Hastings Slough, and a parcel at Hercules for 2 years, from August 1, 1975, ending July 31, 1977, \$1,970 per annum, with provision that said insurance shall extend to the temporary work areas during the term thereof.

CALENDAR ITEM NO. 5. (CONTD)

BASIS FOR CONSIDERATION AND RENTAL SUMMARY:

A. Rental Summary - Pipeline Crossings,
15-year Lease,
16-inch Pipeline

PARCEL 1: Crossing Walnut Creek (aka Pacheco Slough)

1-1/2 cents per diameter inch of pipeline = \$148.80 per annum.

PARCEL 2: Crossing Hastings Slough

Minimum rental pursuant to Section 2006, 2 Cal. Adm. Code = \$100 per annum.

TOTAL R/W RENTAL: \$248.80 per annum

B. Rental Summary - Temporary Work Areas;
2-year Lease

PARCEL 1: Walnut Creek; aka Pacheco Slough

8% of appraised land value = \$560 per annum.

PARCEL 2: Hastings Slough

Minimum rental pursuant to Section 2006, 2 Cal. Adm. Code = \$450 per annum.

PARCEL 3: Hercules (dry land)

8% of appraised land value = \$960 per annum

Parcel 1 Rental = \$560 per annum) (Rental Summary
Parcel 2 Rental = \$450 per annum) for Temporary
Parcel 3 Rental = \$960 per annum) Work Areas)

TOTAL: \$1,970 per annum

PREREQUISITE TERMS AND FEES:

Applicant is permittee of upland.

Filing fee has been received.

CALENDAR ITEM NO. 5. (CONTD)

STATUTORY AND OTHER REFERENCES:

- a. Public Resources Code: Div. 6, Parts 1 & 2.
- b. Administrative Code: Title 2, Div. 3,
Arts. 1, 2 & 10;
Title 14, Div. 6,
Sections 15000, et seq.

OTHER PERTINENT INFORMATION:

1. The Pacific Gas and Electric Company contemplates the construction of a 42-mile pipeline leading from the Standard Oil Refinery in Richmond to the applicant's generating plants at Pittsburg and Antioch. The pipeline will be a 16-inch diameter oil conveyance facility and will cross sovereign land at Walnut Creek and Hastings Slough, both east of Martinez in Contra Costa County.

The applicant has requested a long-term lease for installing and maintaining the pipeline. In addition, the applicant has requested a two-year lease for temporary working areas on parcels adjacent to the pipeline locations at Walnut Creek and Hastings Slough, and on a parcel of dry land at Hercules currently leased to Hercules, Inc. Hercules, Inc. has consented to the use of the latter parcel for applicant's use.

The San Francisco Bay Conservation and Development Commission, as lead agency, has concluded that there will be no adverse effect occasioned by the placement of the subject pipeline, and the Division concurs. There will be some increased air pollution resulting from the change-over of burning fuel oil instead of natural gas at applicant's generating plants. The Bay Area Air Pollution Control District has stated that the increase in pollutant emissions will be within the safety standards set by that agency.

2. A portion of this project crosses Walnut Creek, aka Pacheco Slough, an area not identified as environmentally significant, pursuant to Public Resources Code Section 6370.1, and is not classified in a significant use category.

CALENDAR ITEM NO. 5. (CONTD)

Hastings Slough, a waterway affected herein, is tentatively identified as environmentally significant pursuant to said Code, and is classified in the Class A category. This class is a restricted use designation, referring to a natural area where public use should be minimized to preserve the integrity of the natural environment as a whole. The pipeline crossing this location will be an elevated structure about 4 feet above high water, supported by driven pilings. The staff concludes that this minimum use is compatible with the parcel's environmental values.

3. A Final Environmental Impact Report was prepared by the San Francisco Bay Conservation and Development Commission, pursuant to CEQA, as amended, and implementing regulations.
4. A Notice of Determination has been received.

EXHIBITS:

A-1 and A-2: Land Descriptions.
B and B-1,
pp. 1 & 2: Location Maps.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL IMPACT REPORT HAS BEEN PREPARED FOR THIS PROJECT AND CERTIFIED BY THE SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION ON SEPTEMBER 5, 1974.
2. CERTIFY THAT THE INFORMATION CONTAINED IN THE ENVIRONMENTAL IMPACT REPORT OF THE SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION HAS BEEN REVIEWED AND CONSIDERED BY THE COMMISSION.
3. DETERMINE THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
4. AUTHORIZE:
 - A. ISSUANCE TO PACIFIC GAS AND ELECTRIC COMPANY OF A 15-YEAR LEASE FROM AUGUST 1, 1975, WITH LESSEE'S OPTION TO RENEW FOR 3 SUCCESSIVE PERIODS OF 10 YEARS EACH, IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$248.80, WITH THE STATE RESERVING THE RIGHT TO FIX

CALENDAR ITEM NO. 5. (CONTD)

A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE, AND WITH THE RIGHT TO FIX A DIFFERENT RENTAL DURING THE FIRST YEAR OF THIS LEASE, RETROACTIVE TO AUGUST 1, 1975, PROVIDED THAT ANY CHANGE IN THE RENTAL SHALL BE TO THE APPLICABLE RATE, OR BY FOLLOWING THE PROCEDURE FOR DETERMINING THE APPLICABLE RATE, OF RENTAL SET FORTH IN TITLE 2 OF THE CALIFORNIA ADMINISTRATIVE CODE; AND PROVISION OF PUBLIC LIABILITY INSURANCE IN AMOUNTS OF \$1,000,000 PER OCCURRENCE FOR BODILY INJURY AND PROPERTY DAMAGE, INCLUSIVE, FOR THE INSTALLATION AND MAINTENANCE OF A 16-INCH DIAMETER PIPELINE ON THE LAND DESCRIBED IN EXHIBIT "A-1" ATTACHED AND BY REFERENCE MADE A PART HEREOF; AND

- B. THE INCLUSION IN SAID LEASE OF A 2-YEAR TEMPORARY WORK PERIOD FROM AUGUST 1, 1975, IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$1,970.00, ON THE LAND DESCRIBED IN EXHIBIT "A-2" ATTACHED AND BY REFERENCE MADE A PART HEREOF; WITH THE PROVISION THAT THE ABOVE PUBLIC LIABILITY INSURANCE AND PROPERTY DAMAGE COVERAGE SHALL EXTEND TO THE TEMPORARY WORK AREA DURING THE TERM THEREOF.

Attachments: Exhibits "A-1" and "A-2"

EXHIBIT "A-1"

W 20714

Two parcels of tide and submerged land, situate in the County of Contra Costa, State of California, being more particularly described as follows:

PARCEL 1:

A strip of tide and submerged land 50 feet wide, extending across Walnut Creek, also known as Pacheco Creek, and lying 25 feet on each side of the following described centerline:

COMMENCING at a 2-1/2 inch brass cap in concrete marked "SKIMMER", having California Zone 3 Coordinates of X = 1,548,119.10, Y = 562,459.72; thence S 70° 16' 54" W, 3419.5 feet to the TRUE POINT OF BEGINNING; thence N 71° 19' 06" E, 750 feet and the end of the herein described centerline.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of said waterway.

PARCEL 2:

A strip of tide and submerged land 50 feet wide, extending across Hastings Slough, and lying 25 feet on each side of the following described centerline:

COMMENCING at a 2-1/2 inch brass cap set in 8" x 8" concrete marked "CLC 1947 Hastings #2", having California Zone 3 Coordinates of X = 1,553,901.31, Y = 564,692.21; thence S 55° 34' 54" W, 1173.1 feet to the TRUE POINT OF BEGINNING; thence N 71° 19' 30"E, 253 feet and the end of the herein described centerline.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of said waterway.

END OF DESCRIPTION

EXHIBIT "A-2"

W 20714

Three parcels of State-owned land, situate in the County of Contra Costa, State of California, being more particularly described as follows:

PARCEL 1:

A strip of tide and submerged land 50 feet wide, extending across Walnut Creek, also known as Pacheco Creek, and lying 25 feet on each side of the following described centerline:

COMMENCING at a 2-1/2 inch brass cap in concrete marked "SKIMMER", having California Zone 3 Coordinates of X = 1,548,119.10, Y = 562,459.72; thence S 70° 16' 54" W, 3419.5 feet; thence S 18° 40' 54" E, 50 feet to the TRUE POINT OF BEGINNING; thence N 71° 19' 06" E, 800 feet and the end of the herein described centerline.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of said waterway.

PARCEL 2:

A strip of tide and submerged land 50 feet wide, extending across Hastings Slough, and lying 25 feet on each side of the following described centerline:

COMMENCING at a 2-1/2 inch brass cap set in 8" x 8" concrete marked "CLC 1947 Hastings #2", having California Zone 3 Coordinates of X = 1,553,901.31, Y = 564,692.21; thence S 55° 34' 54" W, 1173.1 feet; thence S 18° 40' 30" E, 50 feet to the TRUE POINT OF BEGINNING; thence N 71° 19' 30" E, 253 feet and the end of the herein described centerline.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of said waterway.

EXHIBIT "A-2" (CONTD)

PARCEL 3:

The portion of the parcel of land shown as PARCEL 10 upon Parcel Map MSH-1 filed for record in Book 33 of Parcel Maps at page 20, Contra Costa County, more particularly described as follows:

BOUNDED on the northwest by the northwesterly boundary line of said parcel of land designated PARCEL 10, said northwesterly boundary line being the southeasterly boundary line of the railroad right-of-way of the Southern Pacific Transportation Company; on the southeast by the northwesterly boundary line of Railroad Avenue shown upon said parcel map; on the southeast by a line drawn parallel with and 85 feet distant measured at right angles from the northwesterly boundary line of said PARCEL 10; on the northeast by the northeasterly boundary line of said PARCEL 10.

EXCEPTING THEREFROM any portion lying southeasterly of the southeasterly boundary line of the existing roadway, 24 feet wide, traversing said parcel of land designated PARCEL 10.

END OF DESCRIPTION

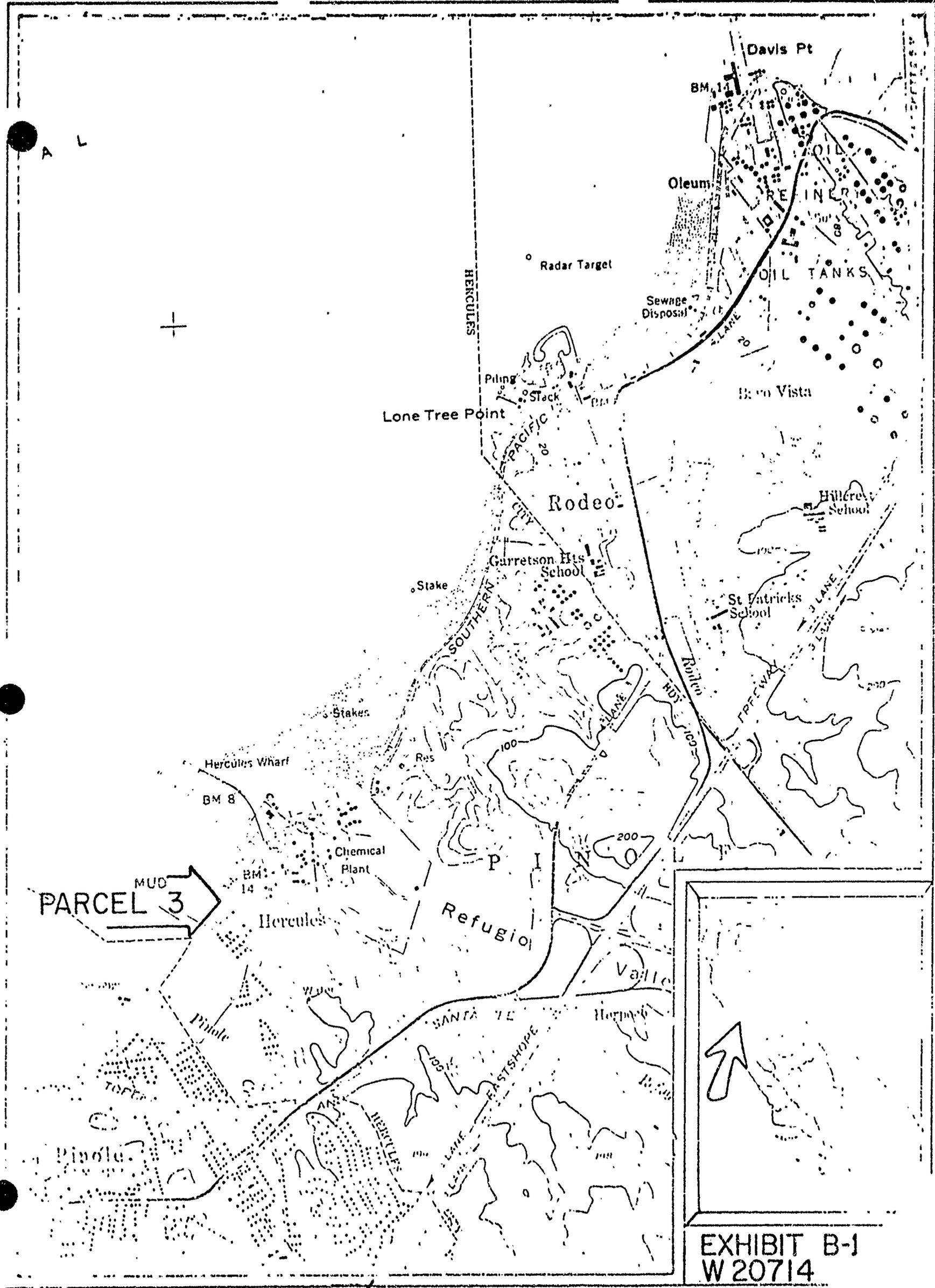


EXHIBIT B-1
W 20714

RICHMOND 5 Mi.

MINUTE ITEM

8/21/75
EPW

8. NONCOMMERCIAL LEASE; DEPARTMENT OF THE ARMY, SACRAMENTO DISTRICT, CORPS OF ENGINEERS; W 20966; PRC 5041.

After consideration of Calendar Item 7 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION:

1. DETERMINES THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF PRC 21085; 14 CAL. ADM. CODE 15100, ET SEQ.; AND 2 CAL. ADM. CODE 2907.
2. AUTHORIZES ISSUANCE TO DEPARTMENT OF THE ARMY, SACRAMENTO DISTRICT, CORPS OF ENGINEERS OF A 9-MONTH NONCOMMERCIAL LEASE FROM AUGUST 1, 1975, IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$225 (NON-PRORATED) MINIMUM OR A COPY OF THE FINAL FIELD NOTES AND FINAL REPORT; FOR A CULTURAL (ARCHEOLOGICAL, HISTORICAL AND ETHNOLOGICAL) SURVEY ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment:

Calendar Item 7 (3 pages)

CALENDAR ITEM

8/75
EPW
W 20966

7.

NONCOMMERCIAL LEASE

APPLICANT: Department of the Army, Sacramento District
Corps of Engineers
650 Capitol Mall
Sacramento, California 95814

AREA, TYPE LAND AND LOCATION:
120 acres, more or less, of State school
lands, Section 35, T 3 N, R 14 E, MDM, South
Fork of Stanislaus River, Tuolumne County.

LAND USE: Cultural (archeological, historical and
ethnological) survey.

TERMS OF PROPOSED LEASE:
Initial period: 9 months, from August 1, 1975.

CONSIDERATION: \$225 per annum (non-prorated) minimum or a copy
of the final field notes and final report.

BASIS FOR CONSIDERATION:
\$225 minimum rental for this type of lease.

STATUTORY AND OTHER REFERENCES:
a. Public Resources Code: Div. 6, Parts 1 & 2.
b. Administrative Code: Title 2, Div. 3,
Arts. 1, 2 & 10.

OTHER PERTINENT INFORMATION:
1. The purpose of this lease is to permit
right of entry in and upon State school
lands to make a resource inventory and
identify archaeological, historical and
ethnological environmental values.
2. An Environmental Impact Report is not
required. This transaction is within the
purview of 2 Cal. Adm. Code 2907 which
exempts information and basic data
collection, research, experimental
management and resource evaluation activities
which do not result in a serious or major
disturbance to an environmental resource.

EXHIBITS: A. Land Description. B. Location Map.

CALENDAR ITEM NO. 7. (CONTD)

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF PRC 21085; 14 CAL. ADM. CODE 15100, ET SEQ.; AND 2 CAL. ADM. CODE 2907.
2. AUTHORIZE ISSUANCE TO DEPARTMENT OF THE ARMY, SACRAMENTO DISTRICT, CORPS OF ENGINEERS OF A 9-MONTH NONCOMMERCIAL LEASE FROM AUGUST 1, 1975, IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$225 (NON-PRORATED) MINIMUM OR A COPY OF THE FINAL FIELD NOTES AND FINAL REPORT; FOR A CULTURAL (ARCHEOLOGICAL, HISTORICAL AND ETHNOLOGICAL) SURVEY ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

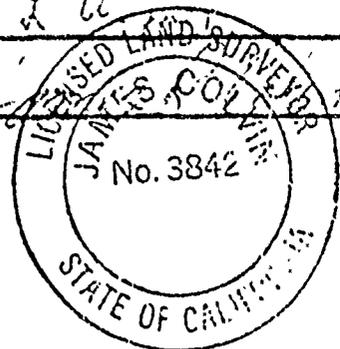
W 20966

A parcel of land in Section 35, T3N, R14E, M.D.M., Tuolumne County, State of California, and being more particularly described as follows:

The SW $\frac{1}{4}$ of NE $\frac{1}{4}$; W $\frac{1}{2}$ of NW $\frac{1}{4}$; NW $\frac{1}{4}$ of SE $\frac{1}{4}$; N $\frac{1}{2}$ of SW $\frac{1}{4}$ of said Section 35, as shown on the approved plat dated March 17, 1875, and all of Lots 1 and 2 of said Section 35 as shown on the approved plat dated May 22, 1880, together with all of Lots 5 and 6 of said Section 35 as shown on the approved plat dated August 3, 1914.

END OF DESCRIPTION

Prepared *d. f. z.* Checked *John K. Kerney*
Reviewed *[Signature]* Date *7/18/75*



MINUTE ITEM

8/21/75
GRH

9. 2-YEAR NONCOMMERCIAL LEASE, SUBMERGED LAND OFFSHORE FROM POINT CONCEPTION, SANTA BARBARA CHANNEL, SANTA BARBARA COUNTY; WESTERN LNG TERMINAL COMPANY - W 20956.

After consideration of Calendar Item 8 attached, the Commission deferred acting on the item pending further study. The staff will make a presentation concerning this item at the next meeting of the Commission.

During the discussion, Commissioner Mervyn M. Dymally requested the staff to brief him on the Alaskan pipeline.

Attachment:

Calendar Item 8 (3 pages)

CALENDAR ITEM

8.

8/75
GRH
W 20956

NON-COMMERCIAL LEASE

APPLICANT: Western LNG Terminal Company
720 West Eighth Street
Los Angeles, California 90017

AREA, TYPE LAND AND LOCATION:
Two parcels (0.75 acres) of submerged land
offshore from Point Conception, Santa Barbara
Channel, Santa Barbara County.

LAND USE: Deployment of and maintenance of environmental
monitoring buoys.

TERMS OF PROPOSED LEASE:
Initial period: 2 years from September 1, 1975.

CONSIDERATION: \$225 per annum.

BASIS FOR CONSIDERATION:
\$225 minimum rental for this type of lease.

PREREQUISITE TERMS, FEES AND EXPENSES:
Filing fee received.

STATUTORY AND OTHER REFERENCES:
A. Public Resources Code: Div. 6, Parts 1 & 2.
B. Administrative Code: Title 2, Div. 3, Arts. 1,
2 & 10.

OTHER PERTINENT INFORMATION:
1. The applicant is conducting an oceanographic
monitoring program near Point Conception.
The purpose of the program is to provide a
detailed baseline description of the physical
marine environment in the vicinity of proposed
LNG facilities and marine terminal. The
environmental monitoring buoys will remain
in operation for approximately one year; at
the end of which, divers will disassemble and
remove the buoy facilities.
2. This project is exempt from the EIR provisions
of CEQA because it is within the purview of
2 Cal. Adm. Code 2907 which exempts projects
consisting of data collecting activities.

EXHIBITS: A. Land Description. B. Location Map.

A 35
S 18

CALENDAR ITEM NO. 8. (CONTD)

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF PRC 21085; 14 CAL. ADM. CODE 15100 ET SEQ.; AND 2 CAL. ADM. CODE 2907.
2. AUTHORIZE ISSUANCE TO WESTERN LNG TERMINAL COMPANY OF A 2-YEAR NONCOMMERCIAL LEASE FROM SEPTEMBER 1, 1975; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$225; FOR THE DEPLOYMENT AND MAINTENANCE OF ENVIRONMENTAL MONITORING BUOYS ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

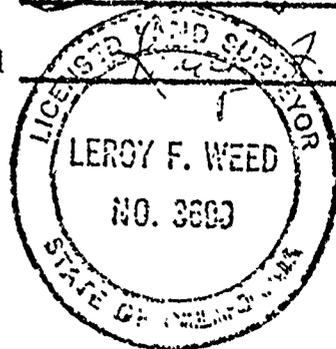
W 20956

Two circular parcels lying in the bed of the Santa Barbara Channel offshore from Point Conception, County of Santa Barbara, State of California, one of the two parcels having a radius of 100 feet, and the second parcel having a radius of 20 feet, the centers of said circular parcels having the following California Coordinate System Zone 5 Coordinates:

That parcel having a radius of 100 feet,
N 351,370 E 1,272,010; and that parcel
having a radius of 20 feet, N 350,000
E 1,271,925.96.

END OF DESCRIPTION

Prepared John K. Lesing Checked EC Jacobson
Reviewed [Signature] Date 7-16-75



MINUTE ITEM

8/21/75
HAM

10. AMENDMENT OF LEASE PRC 3409, TIDE AND SUBMERGED LAND AT BETHEL ISLAND, CONTRA COSTA COUNTY; SAM MARTINI - W 8629, PRC 3409.

During consideration of Calendar Item 10 attached, Mr. Leslie H. Grimes, Supervising Land Agent, briefed the Commission on the background of the item.

Mr. N. Gregory Taylor, Deputy Attorney General, explained to the Commission the problems associated with determining boundaries of tide and submerged lands. He indicated that the Trial Court recently ruled the high water mark is the boundary. As a result of that decision, the Attorney General's Office was asked to reexamine the boundary problem.

Mr. Sam Martini, the applicant, appeared, indicating his disagreement with the staff's recommendation. After considerable discussion, it was agreed that the staff's recommendation be amended so that the rental for the new area under Mr. Martini's proposed amendment, now before the Commission, would be based on the rental he is now paying for his existing lease. A reevaluation of the rental rate will be made in one year.

Mr. Milfred Butler, President, Bethel Island Municipal Improvement District, appeared in opposition to the matter. His main objections were that Mr. Martini's increased area of use would obstruct the slough and that he has not complied with the requirements of the Bethel Island Municipal Improvement District.

Upon motion duly made and carried, the following resolution, as amended, was adopted:

THE COMMISSION:

1. DETERMINES THAT AN ENVIRONMENTAL IMPACT REPORT HAS BEEN PREPARED FOR THIS PROJECT AND CERTIFIED BY CONTRA COSTA COUNTY ON AUGUST 12, 1974.
2. CERTIFIES THAT THE INFORMATION CONTAINED IN THE ENVIRONMENTAL IMPACT REPORT OF CONTRA COSTA COUNTY HAS BEEN REVIEWED AND CONSIDERED BY THE COMMISSION.
3. DETERMINES THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.

MINUTE ITEM NO. 10. (CONTD)

4. AUTHORIZES ISSUANCE TO SAM MARTINI, OF AN AMENDMENT TO LEASE PRC 3409 FROM AUGUST 21, 1975; IN CONSIDERATION OF RENTAL FOR THE NEW AREA BASED ON THE RENTAL FOR THE OLD AREA WITH A YEARLY REVIEW, PENDING NEGOTIATIONS WITH TRESPASSERS IN THE AREA, FOR IMPROVEMENTS PLACED ON LESSEE'S LAND SUBJECT TO THE PUBLIC TRUST PROVIDED THE ATTORNEY GENERAL AND THE STATE LANDS COMMISSION CONCUR, THE PROVISION OF \$5,000 SURETY BOND; PROVISION OF PUBLIC LIABILITY INSURANCE IN AMOUNTS OF \$600,000 PER OCCURRENCE FOR BODILY INJURY AND \$100,000 FOR PROPERTY DAMAGE FOR THE EXPANSION OF AN EXISTING MARINA ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment:

Calendar Item 10 (4 pages)

CALENDAR ITEM

8/75
HAM
W 8629

10.

AMENDMENT OF LEASE PRC 3409

APPLICANT: Sam Martini
6436 Foothill
Oakland, California 94605

AREA, TYPE LAND AND LOCATION:
2.06 acres, Taylor Slough at Bethel Island,
Contra Costa County.

LAND USE: Marina

TERMS OF ORIGINAL LEASE:

Initial period: 15 years, from November 18, 1965.

Renewal options: 3 additional periods of 10 years
each.

Surety bond: \$1,000.

Consideration: \$325 per annum.

Original leased
area: 0.548 acres more or less.

TERMS OF PROPOSED AMENDMENT:

Period: Effective from August 21, 1975.
Add 0.552 acre for proposed boat
berths.

Surety bond: \$5,000.

Public Liability
Insurance: \$600,000 for bodily injury (per
Occurrence) and \$100,000 for
property damage.

CONSIDERATION: \$1,525 per annum, with the State reserving the
right to require retroactive rental payment, from
August 21, 1975, for improvements placed on Lessee's
land subject to the public trust, provided the
Attorney General and the State Lands Commission
concur.

BASIS FOR CONSIDERATION:

Rental on existing lease area to remain at \$325
per annum. 8% of the appraised value of land
as to the additional 0.552 acre. This is \$1,200.

A 10, 11
S 17

CALENDAR ITEM NO. 10. (CONTD)

PREREQUISITE TERMS, FEES AND EXPENSES:

Applicant is owner of the upland.

Filing fee received.

STATUTORY AND OTHER REFERENCES:

- A. Public Resources Code: Div. 6, Parts 1 & 2.
- B. Administrative Code: Title 2, Div. 3, Arts. 1, 2 & 10; Title 2, Sections 15100, et seq.

OTHER PERTINENT INFORMATION:

1. This proposed expansion is a type of project for which an Environmental Impact Report is required. The report has been completed by the lead agency, Contra Costa County. The staff believes that no adverse environmental effects will be caused by the applicant's expansion.
2. A portion of the improvements installed by the applicant are located on submerged land which is purported to be privately-owned. The staff believes that such land is subject to the public trust. For this reason, provision will be made in the lease to charge rental on said area, retroactive to August 21, 1975, if the Commission and the Attorney General decide to adopt a rental policy thereon. The legal description of the area includes the State's fee title property as well as adjoining submerged land claimed by the applicant.

EXHIBITS: A. Land Description. B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL IMPACT REPORT HAS BEEN PREPARED FOR THIS PROJECT AND CERTIFIED BY CONTRA COSTA COUNTY ON AUGUST 12, 1974.
2. CERTIFY THAT THE INFORMATION CONTAINED IN THE ENVIRONMENTAL IMPACT REPORT OF CONTRA COSTA COUNTY HAS BEEN REVIEWED AND CONSIDERED BY THE COMMISSION.
3. DETERMINE THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
4. AUTHORIZE ISSUANCE TO SAM MARTINI, OF AN AMENDMENT TO LEASE PRC 3409 FROM AUGUST 21, 1975; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$1,525, WITH THE STATE RESERVING THE RIGHT

CALENDAR ITEM NO. 10. (CONTD)

TO REQUIRE RETROACTIVE RENTAL PAYMENT FROM AUGUST 21, 1975, FOR IMPROVEMENTS PLACED ON LESSEE'S LAND SUBJECT TO THE PUBLIC TRUST PROVIDED THE ATTORNEY GENERAL AND THE STATE LANDS COMMISSION CONCUR, THE PROVISION OF \$5,000 SURETY BOND; PROVISION OF PUBLIC LIABILITY INSURANCE IN AMOUNTS OF \$600,000 PER OCCURRENCE FOR BODILY INJURY AND \$100,000 FOR PROPERTY DAMAGE FOR THE EXPANSION OF AN EXISTING MARINA ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

W 8629

A parcel of tide and submerged land in the bed of Taylor Slough lying in proximity to Anglers Ranch Subdivision No. 4 on Bethel Tract as shown on the map filed March 17, 1944 in Map Book 27, page 12, in the office of the County Recorder of Contra Costa County, State of California. Said parcel being more particularly described as follows:

COMMENCING at a 1" iron pipe located at the northeasterly corner of Lot 44 in the above said subdivision; thence N 79° 16' 38" W 670.14 feet into Taylor Slough to the TRUE POINT OF BEGINNING; thence N 75° 37' W 106.24 feet; thence S 02° 50' 26" W 258.91 feet; thence S 60° 16' E 355 feet; thence N 40° 44' 40" E 138.17 feet; thence N 42° 57' W 414.84 feet to the point of beginning.

This description is based on the California Coordinate System, Zone 3.

END OF DESCRIPTION

MINUTE ITEM

8/21/75
EFW

11. AMENDMENT AND RENEWAL OF RIGHT OF WAY PRC 534; PACIFIC GAS AND ELECTRIC COMPANY; WP 534; PRC 534.

After consideration of Calendar Item 11 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION:

1. DETERMINES THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF PRC 21085; 14 CAL. ADM. CODE 15100 ET SEQ.; AND 2 CAL. ADM. CODE 2907.
2. AUTHORIZES ISSUANCE TO THE PACIFIC GAS AND ELECTRIC COMPANY OF A 10-YEAR AMENDMENT AND RENEWAL OF LEASE PRC 534 FROM AUGUST 29, 1975, WITH LESSEE'S REMAINING OPTION TO RENEW FOR 1 SUCCESSIVE PERIOD OF 10 YEARS, IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$100 WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON OR BEFORE AUGUST 29, 1976 AND ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF PUBLIC LIABILITY INSURANCE IN AMOUNTS OF \$1,000,000 PER OCCURRENCE FOR BODILY INJURY AND \$1,000,000 FOR PROPERTY DAMAGE, AND OTHER AMENDMENTS TO SAID LEASE AS MORE FULLY SET FORTH IN A DOCUMENT ENTITLED "AMENDMENT AND RENEWAL OF LEASE PRC 534" ON FILE IN THE OFFICE OF THE STATE LANDS DIVISION AND BY REFERENCE MADE A PART HEREOF; PROVIDED THAT ALL OTHER TERMS AND CONDITIONS OF LEASE PRC 534 SHALL REMAIN IN FULL FORCE AND EFFECT; FOR THE MAINTENANCE OF AN EXISTING 12 KV OVERHEAD TRANSMISSION LINE ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachments:
Calendar Item (4 pages)

CALENDAR ITEM

8/75
EPW
WP 534

11.

AMENDMENT AND RENEWAL OF RIGHT OF WAY PRC 534

APPLICANT: Pacific Gas and Electric Company
77 Beale Street
San Francisco, California 94106

AREA, TYPE LAND AND LOCATION:
A 0.23 acre parcel of tide and submerged land
in 7-Mile Slough between Twitchell and Brannan
Islands, Sacramento County:

LAND USE: Maintenance of an existing 12 KV overhead
transmission line.

TERMS OF ORIGINAL LEASE:

Initial Period: 15 years from August 29, 1950.

Renewal Options: 3 successive period of 10 years
each.

Surety Bond: \$1,000

Consideration: \$48 per annum.

TERMS OF PROPOSED RENEWAL OF LEASE:

Second Period: 10 years, from August 29, 1975.

Renewal Options: 1 successive period of 10 years
remaining.

Public Liability
Insurance: \$1,000,000 per occurrence for
bodily injury and \$1,000,000 for
property damage.

CONSIDERATION: \$100 per annum, with the State reserving the
right to fix a different rental on or before
August 29, 1976 and on each fifth anniversary
of the lease.

BASIS FOR CONSIDERATION:

\$100 minimum rental for this type of lease.

PREREQUISITE TERMS, FEES AND EXPENSES:

Applicant is permittee of upland.

A rental sum in the amount of \$500 has been
deposited with the State Lands Division.

CALENDAR ITEM NO. 11. (CONTD)

STATUTORY AND OTHER REFERENCES:

- A. Public Resources Code: Div. 6, Parts 1 & 2.
- B. Administrative Code: Title 2, Div. 3, Arts. 1
2 & 10.

OTHER PERTINENT INFORMATION:

1. Inasmuch as Lease PRC 534 was originally issued September 19, 1950, Division staff has reviewed lease PRC 534 and recommends amendments in the language of the lease to conform to present practice.

These amendments involve monetary consideration indemnity bond and insurance, interest on deferred rent during renewal or extension, and paragraph headings.

2. This project is situate on State land identified as environmentally significant, pursuant to Public Resources Code 6370, and is classified in a significant use category. The project is determined to be a compatible use consistent with identified significant environmental values. An Environmental Impact Report is not required. This transaction is within the purview of 2 Cal. Adm. Code 2907 which exempts an existing structure or facility that is in an acceptable state of repair and there is no evidence of record to show injury to adjacent property, shoreline erosion or other types of environmental degradation.

EXHIBITS: A. Land Description. B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF PRC 21085; 14 CAL. ADM. CODE 15100 ET SEQ.; AND 2 CAL. ADM. CODE 2907.
2. AUTHORIZE ISSUANCE TO THE PACIFIC GAS AND ELECTRIC COMPANY OF A 10-YEAR AMENDMENT AND RENEWAL OF LEASE PRC 534 FROM AUGUST 29, 1975, WITH LESSEE'S REMAINING OPTION TO RENEW FOR 1 SUCCESSIVE PERIOD OF 10 YEARS, IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$100 WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON OR BEFORE AUGUST 29, 1976 AND ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION

CALENDAR ITEM NO. 11. (CONTD)

OF PUBLIC LIABILITY INSURANCE IN AMOUNTS OF \$1,000,000 PER OCCURRENCE FOR BODILY INJURY AND \$1,000,000 FOR PROPERTY DAMAGE, AND OTHER AMENDMENTS TO SAID LEASE AS MORE FULLY SET FORTH IN A DOCUMENT ENTITLED "AMENDMENT AND RENEWAL OF LEASE PRC 534" ON FILE IN THE OFFICE OF THE STATE LANDS DIVISION AND BY REFERENCE MADE A PART HEREOF; PROVIDED THAT ALL OTHER TERMS AND CONDITIONS OF LEASE PRC 534 SHALL REMAIN IN FULL FORCE AND EFFECT; FOR THE MAINTENANCE OF AN EXISTING 12 KV OVERHEAD TRANSMISSION LINE ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

WP 534

Two parcels of tide and submerged land, 25 feet in width, across the State-owned bed of Seven Mile Slough, between Brannan and Twitchell Islands, Sacramento County, State of California. The centerlines of said parcels being more particularly described as follows:

PARCEL 1

COMMENCING at U.S.C.&G.S. Station "Jackson", having California Coordinate System Zone 2 coordinates ~~***~~
X = 2,108,695.81, Y = 171,900.91; thence
S 68° 31' 30" W 13615.6 feet to the TRUE POINT OF
BEGINNING; thence, crossing Seven Mile Slough,
S 13° 20' E 400 feet to the end of the herein
described centerline.

PARCEL 2

COMMENCING at U.S.C.&G.S. Station "Jackson", as
described above; thence S 61° 57' W 12649.7 feet
to the TRUE POINT OF BEGINNING; thence, crossing
Seven Mile Slough, S 33° 04' W 500 feet to the end
of the herein described centerline.

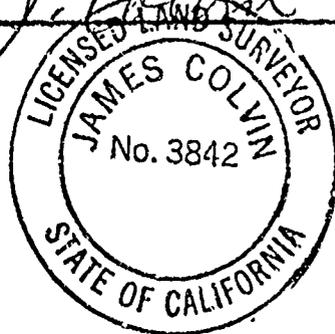
END OF DESCRIPTION

Prepared *JGH*

Checked *John K. Loring*

Reviewed *J. Colvin*

Date 4/8/75



MINUTE ITEM

8/21/75
RO

12. 5-YEAR RECREATIONAL PIER PERMITS - WP 3246, PRC 3246;
WP 3251, PRC 3251; WP 3368, PRC 3368; WP 3382, PRC 3382;
WP 4544, PRC 4544; WP 4115, PRC 4115; W 20923, PRC 5042;
W 20926, PRC 5043; W 20934, PRC 5044; W 20954, PRC 5045;
W 20957, PRC 5046; W 8674; PRC 5047.

During consideration of Calendar Item 12 attached, Commissioner Mervyn M. Dymally requested that the staff review the existing law which discriminates by not charging rent for private recreational piers and charging rent for public piers.

Mr. William F. Northrop, Executive Officer, indicated the staff would review the matter and make a presentation at the next Commission meeting.

Upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION:

1. DETERMINES THAT ENVIRONMENTAL IMPACT REPORTS HAVE NOT BEEN PREPARED FOR THESE ACTIVITIES AS SUCH REPORTS ARE NOT REQUIRED UNDER THE PROVISIONS OF PRC 21085; 14 CAL. ADM. CODE 15100, ET SEQ., AND 2 CAL. ADM. CODE 2907.
2. AUTHORIZES THE ISSUANCE OF 5-YEAR RECREATIONAL PIER PERMITS TO THE FOLLOWING:

<u>W.O. #</u>	<u>APPLICANT</u>	<u>LOCATION</u>	<u>PRC #</u>
WP 3246	Richard M. Baker	Huntington Harbour, Orange County	3246
WP 3251	Jack O. Edgerton	Huntington Harbour, Orange County	3251
WP 3368	Robert L. Dorian	Lake Tahoe, Placer County	3368
WP 3382	Dwane R. Jacobsen	Sandmound Slough, Contra Costa County	3382
WP 4544	Raymond C. Schaefer	Taylor Slough, Contra Costa County	4544
WP 4115	Michael A. and Timothy L. Robinson	Georgiana Slough, Sacramento County	4115
W 20923	Duane Britton	Sacramento River, Sacramento County	5042
W 20926	Houston E. Scott	Taylor Slough, Contra Costa County	5043
W 20934	George Purdy	Napa River, Napa County	5044
W 20954	Mark Scribner	Sacramento River, Sacramento County	5045

MINUTE ITEM NO. 12. (CONTD)

<u>W.O. #</u>	<u>APPLICANT</u>	<u>LOCATION</u>	<u>PRC #</u>
W 20957	Seymour P. Proctor	Taylor Slough, Contra Costa County	5046
W 8674	Sam L. Scovel	Taylor Slough, Contra Costa County	5047

Attachment;
Calendar Item 12 (4 pages)

CALENDAR ITEM

12.

8/75

RO

WP 3246

WP 3251

WP 3368

WP 3382

WP 4115

WP 4544

W 8674

W 20923

W 20926

W 20934

W 20954

W 20957

RECREATIONAL PIER PERMITS

APPLICANTS: As listed on Exhibit "A" attached.

TERMS: Initial Period: 5 years.

Renewal Option: None.

Surety Bond: None.

Insurance: None.

RENTAL: None (Section 6503, Public Resources Code).

PREREQUISITE TERMS: Applicants are littoral landowners as defined in Section 6503, Public Resources Code.

OTHER PERTINENT INFORMATION:

1. WP 3246, WP 3251, WP 3368, WP 3382, WP 4115 and WP 4544 cover existing facilities which have been in place for a number of years under previously authorized permits. W 8674 and W 20934 are existing facilities not under prior permit. All facilities are in an acceptable state of repair and are therefore exempt from the requirements of CEQA, pursuant to PRC 21085; 14 Cal. Adm. Code 15100, and 2 Cal. Adm. Code 2907.
2. W 20923, W 20954 and W 20957, not under prior permits, are proposed replacements of existing structures on the same site and substantially for the same purpose. They are, therefore, exempt from the provisions of CEQA, pursuant to PRC 21085; 14 Cal. Adm. Code 15100, and 2 Cal. Adm. Code 2907.
3. W 20926 is a proposed new floating structure which will occupy under 3,000 square feet and is, therefore, exempt from the provisions of CEQA, pursuant to PRC 21085; 14 Cal. Adm. Code 15100, et seq., and 2 Cal. Adm. Code 2907.
4. Permits covering structures in Lake Tahoe will include a condition subsequent that if any structure authorized is found to be in nonconformance with the Tahoe Regional

A 3, 5, 6, 7, 8, 10, 36
S 1, 3, 4, 7, 13, 36

CALENDAR ITEM NO. 12. (CONTD)

Planning Agency's Shorezone Ordinance and if any alteration, repair, or removal required pursuant to said Ordinance is not accomplished within the designated time period, then the permit will be automatically terminated, effective upon notice by the State and the site shall be cleared pursuant to the terms thereof.

EXHIBITS: A. Applicants & Property Description.
 B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT ENVIRONMENTAL IMPACT REPORTS HAVE NOT BEEN PREPARED FOR THESE ACTIVITIES AS SUCH REPORTS ARE NOT REQUIRED UNDER THE PROVISIONS OF PRC 21085; 14 CAL. ADM. CODE 15100, ET SEQ., AND 2 CAL. ADM. CODE 2907.
2. AUTHORIZE THE ISSUANCE OF 5-YEAR RECREATIONAL PIER PERMITS TO THE APPLICANTS LISTED IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

<u>W.O. #</u>	<u>APPLICANT</u>	<u>LOCATION</u>	<u>UPLAND PROPERTY DESCRIP.</u>
WP 3246	Richard M. Baker 16562 Somerset Lane Huntington Beach California 92649	Huntington Harbour Orange County	Lot 37, Tract 4677
WP 3251	Jack O. Edgerton 3452 Gilbert Drive Huntington Beach California 92649	Huntington Harbour Orange County	Lot 21, Tract 4677
WP 3368	Robert L. Dorian 1120 - 46th Street Sacramento California 95819	Lake Tahoe Placer County	Lots 37 & 38, Pomin Park Subdivision
WP 3382	Dwane R. Jacobsen 2334 Pruneridge Avenue Santa Clara California 95050	Sandmound Slough Contra Costa County	Lot 74, Pleasantimes Subdivision
WP 4544	Raymond C. Schaefer 1488 Taylor Road Bethel Island California 94511.	Taylor Slough Contra Costa County	Lot 68, Anglers Ranch Subdivision #4
WP 4115	Michael A. and Timothy L. Robinson Route 1, Box 51C Isleton California 95641	Georgiana Slough Sacramento County	That certain parcel of land described in Grant Deed recorded in Book 68-10-02, Page 494, O.R. Sacramento County
W 20923	Duane Britton 2395 Garden Highway Sacramento California 95833	Sacramento River Sacramento County	Lot 43, Natomas River- side Subdivision #2
W 20926	Houston E. Scott 1742B Sapling Court Concord California 94520	Taylor Slough Contra Costa County	Lot 24, Block 2, Anglers Ranch #2.
W 20934	George Purdy 1494 Milton Road Napa, California 94558	Napa River Napa County	Lot 13, Ingersoll's Riverfront Sites
W 20954	Mark Scribner 9181 River Road Sacramento, California 95832	Sacramento River Sacramento County	That certain parcel of land described as parcel 10047-A in that certain Easement Deed recorded in Book 69-08-15, Page 46, Official Records of Sacramento County.

A 3, 5, 6, 7, 8, 10, 36
S 1, 3, 4, 7, 13, 36

EXHIBIT "A" (CONTD)

<u>W. O. #</u>	<u>APPLICANT</u>	<u>LOCATION</u>	<u>UPLAND PROPERTY DESCRIP.</u>
W 20957	Seymour P. Proctor 4256 Elario Drive Concord, California 94520	Taylor Slough Contra Costa County	Lot 34, Pleasantimes Subdivision
W 8674	Sam L. Scovel P.O. Box 251 Bethel Island California 94511	Taylor Slough Contra Costa County	Lot 4, Section 1, J.J. Farr Subdivision

MINUTE ITEM

8/21/75
JWY

13. APPROVAL OF PROPOSED REDRILLING OF WELL "STATE 392", UJ-91-B EXCHANGE OIL AND GAS LEASE E 392, HUNTINGTON BEACH OFFSHORE, ORANGE COUNTY; BURMAH OIL & GAS COMPANY - E 392.

After consideration of Calendar Item 13 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION:

1. DETERMINES THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS ACTIVITY BECAUSE IT IS AN ONGOING PROJECT UNDER 14 CAL. ADM. CODE 15070.
2. AUTHORIZES THE APPROVAL OF REDRILLING WELL "STATE 392" J-91-A, IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF EXCHANGE OIL AND GAS LEASE E 392, BURMAH OIL AND GAS COMPANY, LESSEE, AND THE RULES AND REGULATIONS OF THE COMMISSION.

Attachment:

Calendar Item 13 (2 pages)

A 70
S 34

CALENDAR ITEM

8/75
JWY
E 392

13.

APPROVAL OF PROPOSED REDRILLING OF
WELL "STATE 392", UJ-91-B
EXCHANGE OIL AND GAS LEASE E 392,
HUNTINGTON BEACH OFFSHORE, ORANGE COUNTY

LEASE: E 392.

LESSEE: Burmah Oil and Gas Company
P.O. Box 191
Huntington Beach, California

COUNTY: Orange.

AREA: Huntington Beach Offshore Field.

PERTINENT INFORMATION:

Burmah has been actively developing and water-flooding the Upper and Lower Jones Zone intervals, throughout the Huntington Beach Offshore Field.

The proposed redrilling of well "State 392" J-91-A will provide a necessary additional water injection point into the Upper Jones interval of Fault Block 14. The well will be renamed "State 392" UJ-91-B, when completed.

It is estimated that this work will increase oil recovery by 675,000 barrels over the 11-year life of the project. Production response to the water injection will not begin to occur until about a year.

This proposed redrill work is a part of the plan for secondary recovery operations, approved by the State Lands Commission on November 6, 1963 (Minute Item 21, page 9362). It is part of the plan of development exempted from permit requirements by the South Coast Regional Commission.

An environmental impact report is not required, as this is an ongoing project under 14 Cal. Adm. Code 15070.

The surface location of this well is on the uplands. The proposed drilling and completion program has been reviewed by the State Lands Division and found to be in accordance with good engineering practices and the rules and regulations of the Commission. The Division of Oil and Gas has approved the redrilling of this well.

A 70
S 34

942

CALENDAR ITEM NO. 13.(CONTD)

EXHIBIT: A. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS ACTIVITY BECAUSE IT IS AN ONGOING PROJECT UNDER 14 CAL. ADM. CODE 15070.

2. AUTHORIZE THE APPROVAL OF REDRILLING WELL "STATE 392" J-91-A, IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF EXCHANGE OIL AND GAS LEASE E 392, BURMAH OIL AND GAS COMPANY, LESSEE, AND THE RULES AND REGULATIONS OF THE COMMISSION.

MINUTE ITEM

8/21/75
WFY

14, REQUEST FOR APPROVAL OF GAS SALES AGREEMENT, STANDARD OIL COMPANY OF CALIFORNIA AND PACIFIC GAS & ELECTRIC COMPANY; SACRAMENTO, SOLANO, CONTRA COSTA AND SAN JOAQUIN COUNTIES - W 9738, PRC 3238, E 415, PRC 3743, PRC 3896, PRC 2966.

During consideration of Calendar Item 15 attached, Mr. D. J. Everitts, Manager, Energy and Mineral Resources Development, summarized the transaction. He indicated that based on the heating value, the prices that Standard Oil Company of California and Pacific Gas and Electric Company are offering under this Gas Sales Agreement are equivalent to controlled oil prices. Chairman Kenneth Cory asked if the Commission had the option of not approving the item and leaving the gas in the ground until the price goes up and then selling it. Messrs. Ed Taaffe and T. N. Finical, Jr., representing Standard Oil Company of California, appeared. They stated that the proposed price is the only one that Standard can get. However, they indicated that they did not think, according to the terms of the contract, that the Commission could tell Standard whether it can or cannot accept a price.

After a lengthy discussion, the matter was deferred. The staff was instructed to review the pricing situation and investigate whether there was a possibility of either 1) taking our gas in kind and selling it, or 2) not selling our gas and just telling Standard to store the gas in the reservoir until such time as more equitable prices can be obtained.

Attachment:

Calendar Item 14 (2 page)

A 5, 9, 10, 12
S 4, 6, 7

CALENDAR ITEM

14.

8/75
WFY
W 9738

REQUEST FOR APPROVAL OF GAS SALES AGREEMENT
STANDARD OIL COMPANY OF CALIFORNIA AND PACIFIC GAS & ELECTRIC
SACRAMENTO, SOLANO, CONTRA COSTA AND SAN JOAQUIN COUNTIES

Standard Oil Company of California has negotiated price increases with Pacific Gas and Electric Company for gas sold to it under contracts with Standard. Some of the contracts cover gas produced from State leases and gas allocated to State land under compensatory agreements. Standard Oil Company has submitted for approval Letter Agreements, dated December 2, 1974, between Standard and PG&E that will modify the price provisions of the Gas Sales Agreements covering the State leases and agreements. These and corresponding price changes are listed below:

<u>LEASE</u>	<u>FIELD</u>	<u>PG&E CONTRACT DATE</u>	<u>CURRENT PRICE/MCF</u>	<u>NEW PRICE/MCF</u>
LSE 415.1 Ch. 5-1968	Decker Island	6-30-67	46.5¢	77.0¢
PRC 3238.1	Liberty Island	9-4-68	36.5¢	62.0¢
PRC 415.1	Rio Vista and Isleton	1-1-56	47.0¢	75.0¢
PRC 415.1	Rio Vista Deep	9-22-67	45.0¢	75.0¢
PRC 714.1 & PRC 729.1	River Island	1-1-61	42.0¢	71.0¢
PRC 3743.1 & PRC 3896.1	Ryer Island	11-26-68	47.0¢	78.5¢
PRC 2966.1	West Thornton	7-18-57	43.5¢	72.0¢

The new prices will be adjusted as provided for in the agreements listed above, based on the average heating value of the gas in BTU's per cubic foot. The new contract prices are, in general, significantly in excess of the "border price"; i.e., the price paid by California utilities to out-of-state gas suppliers at the California-Nevada-Arizona borders, currently 63.2 cents per MCF. Estimated increase in income to the State attributable to the price increase will amount to approximately one million dollars per year.

The effective date of the modified agreements is July 1, 1975 to July 1, 1976 with a price to be mutually agreed upon for each succeeding period, commencing July 1, 1976, as specified in the agreements.

A 5, 9, 10, 12
S 4, 6, 7

945

CALENDAR ITEM NO. 14. (CONTD)

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE APPROVAL OF THE LETTER AGREEMENT MODIFICATIONS DATED DECEMBER 2, 1974, TO GAS SALES AGREEMENTS BETWEEN STANDARD OIL COMPANY OF CALIFORNIA AND PACIFIC GAS AND ELECTRIC COMPANY, AS A BASIS FOR THE SALE AND DELIVERY BY STANDARD OIL COMPANY OF THE GAS PRODUCED FROM GAS LEASE EASEMENT 415.1, GAS LEASES PRC 714.1 AND PRC 729.1, OIL AND GAS LEASES PRC 3743.1 AND PRC 3896.1, AND COMPENSATORY GAS AGREEMENTS PRC 3238.1 AND PRC 2966.1, SUBJECT TO FURTHER WRITTEN APPROVAL OF ALL PRICES AGREED UPON FOR THE PERIOD COMMENCING JULY 1, 1976, AND FURTHER SUBJECT TO THE EXPRESS CONDITION THAT THIS APPROVAL SHALL NOT BE CONSTRUED TO MODIFY OR TO AFFECT IN ANY MANNER ANY OF THE LEASE TERMS, INCLUDING FULL COMPLIANCE BY THE LESSEE WITH ALL THE TERMS AND CONDITIONS OF THE LEASES AND AGREEMENTS AND THE RULES AND REGULATIONS OF THE STATE LANDS COMMISSION.

MINUTE ITEM

8/21/75
WFY

15. PENALTY ASSESSMENT FOR LATE PAYMENT, ROYALTY OIL SALES CONTRACT PRC 4832, ORANGE COUNTY; GUSTAFSON OIL COMPANY OF CALIFORNIA - PRC 4832.

After consideration of Calendar Item 15 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION AUTHORIZES THE EXECUTIVE OFFICER TO MAKE APPLICATION TO THE BOARD OF CONTROL FOR ACCEPTANCE OF THE \$1,000 PENALTY PAYMENT IN LIEU OF THE TOTAL CLAIM OF \$3,367.15 AND FOR DISCHARGE OF GUSTAFSON OIL COMPANY AND FURTHER LIABILITY ON THE PENALTY ASSESSMENT FOR LATE PAYMENT.

Attachment:

Calendar Item 15 (2 pages)

CALENDAR ITEM

8/75
WFY
PRC 4832

15.

PENALTY ASSESSMENT FOR LATE PAYMENT

Royalty Oil Sales Contract PRC 4832 (State Oil and Gas Leases PRC 163 and PRC 426) was issued to Gustafson Oil Company of California on November 29, 1973.

Section 5 of the contract provides that the State shall invoice the purchaser for oil delivered during any month on or about the 10th day of the succeeding month and payment shall be made by the 20th day of that month. Under actual practice it was discovered that the State could not invoice the purchaser by the 10th of the following month. Therefore, after discussing this matter with each of the royalty oil purchasers it was orally agreed that the intent of the contract would be complied with if payment would be made no later than 10 days after receipt of the State's invoice.

Gustafson Oil Company was invoiced on January 10, 1975 (received January 14) for royalty oil delivered during the month of November 1974. The month delay in this billing was caused by an exempt oil posted price change which was announced in December and made retroactively effective to October 1, 1974. Gustafson's payment was received on January 28, 1975, and thereby delinquent by four days. In accordance with Section 6224 of the Public Resources Code, the purchaser was further invoiced for penalty and interest on the late payment in the amount of \$3,367.15.

By letter dated February 3, 1974, Gustafson protested the penalty and interest charge, claiming that the State had not adhered to the payment provision of the royalty oil sales contract, thereby relieving it from its obligations thereunder, and that any oral agreement modifying the payment provision of the contract was not certain with respect to the due date for payments.

Subsequent discussion with Gustafson resulted in a proposed compromise settlement of \$1,000. In view of the apparent misunderstanding of the penalty and invoicing procedures, the purchaser's past record of prompt payments and the likelihood that costs of legal proceedings required to collect the penalty would exceed the total claim, the compromise settlement is recommended by the staff.

The Office of the Attorney General has advised that the charge is legal and proper; however, in light of the fact that Gustafson has indicated an understanding of the oral agreement different from that of the State, a legal proceeding to recover the charge

CALENDAR ITEM NO. 15. (CONTD)

may not prove successful. Accordingly, the Office of the Attorney General recommends and supports the acceptance of the offer by Gustafson Oil Company because of the lack of certainty of success of a legal action and, even if successful, the costs of such litigation would very likely exceed the amount recovered.

A proposed amendment to all existing royalty oil sales contracts is currently being drafted to avoid any future misunderstanding with respect to the invoicing and penalty procedures.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE EXECUTIVE OFFICER TO MAKE APPLICATION TO THE BOARD OF CONTROL FOR ACCEPTANCE OF THE \$1,000 PENALTY PAYMENT IN LIEU OF THE TOTAL CLAIM OF \$3,367.15 AND FOR DISCHARGE OF GUSTAFSON OIL COMPANY FROM FURTHER LIABILITY ON THE PENALTY ASSESSMENT FOR LATE PAYMENT.

MINUTE ITEM

8/21/75
JFS

16. REQUEST FOR APPROVAL OF PERMIT ASSIGNMENT FROM D. E. SANBERG TO ROCKY MOUNTAIN ENERGY COMPANY, SCHOOL LANDS IN KERN COUNTY - W 9855, PRC 4985.

After consideration of Calendar Item 16 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION AUTHORIZES THE APPROVAL OF THE ASSIGNMENT FROM D. E. SANBERG TO ROCKY MOUNTAIN ENERGY COMPANY, ASSIGNEE, OF MINERAL PROSPECTING PERMIT PRC 4985.2, WITH THE ASSIGNEE TO BE BOUND BY THE TERMS AND CONDITIONS OF THE PERMIT TO THE SAME EXTENT AS THE ORIGINAL PERMITTEE.

Attachment:

Calendar Item 16 (1 page)

A 28
S 18

CALENDAR ITEM

8/75
JFS
W 9855

16.

REQUEST FOR APPROVAL OF PERMIT ASSIGNMENT

PERMIT: Prospecting Permit PRC 4985.

TERM: January 30, 1975 through January 29, 1977.

PERMIT LANDS: Vacant school lands described as the E $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 36, T 10 N, R 13 W, SBM, Kern County.

PERMIT LOCATION:

Approximately eight miles southwest of the Town of Mojave in the Rosamond Hills on the western edge of the Mojave Desert.

ASSIGNEE: Rocky Mountain Energy Company.

PREREQUISITE TERMS:

Assignee, Rocky Mountain Energy Company, is fully qualified to hold a State permit.

Assignment forms executed by Mr. D. E. Sanberg, have been received.

Filing fee has been received.

OTHER PERTINENT INFORMATION:

Mr. D. E. Sanberg acted as an agent for Union Pacific Mining Corp., now merged with Rocky Mountain Energy Company, and as such had signed a Declaration of Trust assigning any and all rights and the Permit to Union Pacific Mining Corp. A copy of this document is on file with the State.

EXHIBIT: Location Map.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE APPROVAL OF THE ASSIGNMENT FROM D. E. SANBERG TO ROCKY MOUNTAIN ENERGY COMPANY, ASSIGNEE, OF MINERAL PROSPECTING PERMIT PRC 4985.2, WITH THE ASSIGNEE TO BE BOUND BY THE TERMS AND CONDITIONS OF THE PERMIT TO THE SAME EXTENT AS THE ORIGINAL PERMITTEE.

A 28
S 18

17, APPROVAL OF PROPOSED DRILLING OF NEW WELL "DX STATE 4596" 28, GEYSERS STEAM FIELD, SONOMA COUNTY; UNION OIL COMPANY OF CALIFORNIA, MAGMA POWER COMPANY - PRC 4596.

During consideration of Calendar Item 17 attached, Mr. N. Gregory Taylor, Deputy Attorney General, amended the first paragraph of the resolution to read as follows:

"IT IS RECOMMENDED THAT THE COMMISSION TAKE THE FOLLOWING ACTION SUBJECT TO THE CODDITION THAT UNION OIL COMPANY FOLLOW ANY ADDITIONAL MITIGATION MEASURES REQUIRED BY THE AIR RESOURCES BOARD AFTER THEIR-FINAL-REVIEW-OF COMMENCEMENT OF OPERATIONS AT THE PROJECT."

Mr. Taylor explained that the original language is ambiguous. The amended language is necessary in order that the Commission's action does not affect certain other projects of the State in connection with this matter.

Upon motion duly made and carried, the following resolution, as amended, was adopted:

THE COMMISSION TAKES THE FOLLOWING ACTION SUBJECT TO THE CONDITION THAT UNION OIL COMPANY FOLLOW ANY ADDITIONAL MITIGATION MEASURES REQUIRED BY THE AIR RESOURCES BOARD AFTER COMMENCEMENT OF OPERATIONS AT THE PROJECT:

1. DETERMINES THAT AN ENVIRONMENTAL IMPACT REPORT HAS BEEN PREPARED FOR THIS PROJECT AND CERTIFIED BY THE NORTH SONOMA COUNTY AIR POLLUTION CONTROL DISTRICT ON JULY 31, 1975.
2. CERTIFIES THAT THE INFORMATION CONTAINED IN THE ENVIRONMENTAL IMPACT REPORT OF THE NORTH SONOMA COUNTY AIR POLLUTION CONTROL DISTRICT HAS BEEN REVIEWED AND CONSIDERED BY THE COMMISSION.
3. DETERMINES THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
4. AUTHORIZES THE APPROVAL OF DRILLING WELL "DX STATE 4596" 28 IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF STATE GEOTHERMAL RESOURCES LEASE PRC 4596 AND THE RULES AND REGULATIONS OF THE COMMISSION.

Attachment:
Calendar Item 17 (3 pages)

CALENDAR ITEM

17.

8/75
CPP
PRC 4596

APPROVAL OF PROPOSED DRILLING OF NEW WELL
"DX STATE 4596" 28, GEYSERS STEAM FIELD,
SONOMA COUNTY

LEASE: PRC 4596.

LESSEE: Union Oil Company of California
Magma Power Company
Thermal Power Company
P. O. Box 6854
Santa Rosa, California 95406

COUNTY: Sonoma County.

AREA: Geysers Geothermal Field.

PERTINENT INFORMATION:

State Geothermal Resources Lease PRC 4596 was issued to Union Oil Company on May 27, 1971. On April 27, 1972, an undivided 25% interest in the lease was assigned to Magma Power Company and an undivided 25% interest was assigned to Thermal Power Company.

Section 6(e) of the lease provides, "No Lessee shall drill a geothermal resources well on or into State lands except on prior approval of the State Lands Division and subject to the terms of the enabling statute and lease". This Division recently requested informal advice from the Office of the Attorney General concerning duties and responsibilities pursuant to the California Environmental Quality Act, as amended, with regard to the approval of drilling geothermal wells in accordance with the above-mentioned section. On March 26, 1975, the Office of the Attorney General advised this Division that the granting of approvals to drill geothermal wells is discretionary. Since the activities contemplated and authorized by such approvals may have a significant environmental effect, each application submitted for approval to drill geothermal well or wells must comply with the provisions of the California Environmental Quality Act (CEQA).

Union Oil Company has requested authority to construct from the North Sonoma County Air

CALENDAR ITEM NO. 17. (CONTD)

Pollution Control District and the approval of the State Lands Commission to drill well "DX STATE 4596" 28. Such approvals must be consistent with the requirements of CEQA. The Air Pollution Control District has acted as lead agency for this project. An Environmental Impact Report covering the project has been prepared by Ecoview, a consulting firm, under contract to the County Air Pollution Control District.

A draft EIR was prepared and circulated by the Air Pollution Control District for Union Oil Company's geothermal operation in the Squaw Creek drainage area. The final Squaw Creek EIR was prepared and a Notice of Determination was issued on June 28, 1974. Site specific data covering the impact of drilling well "DX STATE 4596" 28 was prepared and circulated as a supplement to the Squaw Creek EIR. Both the Squaw Creek EIR and the supplemental data were combined into a final EIR for the drilling project. By Notice of Determination issued on July 31, 1975, the Air Pollution Control District certified that (1) the environmental impact report was prepared pursuant to the provisions of the California Environmental Quality Act of 1970, as amended; (2) the project will not have a significant effect on the environment; and (3) the project has been approved by the Air Pollution Control District. The Notice of Determination has been filed with the State Secretary for Resources, the State Lands Division, and the County Clerk for Sonoma County, wherein the project is to be undertaken.

The draft EIR was not circulated through the State Clearinghouse as required by the State EIR Guidelines (14 Cal. Adm. Code) but was circulated by the Air Pollution Control District to all responsible and interested State agencies. The draft was also circulated to conservation groups and made available to the public. The environmental documents have been reviewed by the staff, and it is the staff's opinion that the intent of the provisions of CEQA has been satisfied.

CALENDAR ITEM NO. 17. (CONTD)

On August 7, 1975, the State Lands Division received a mailgram from the State Clearinghouse which certifies that the State environmental review for the project is complete. Certification of the project by the Clearinghouse is, however, contingent upon (1) State Air Resources Board review of the project, and (2) Union Oil Company following any mitigation measures suggested by the Air Resources Board.

OTHER PERTINENT DATA:

1. The applicant has obtained a use permit from the County of Sonoma covering the project.
2. Drilling of the well has been approved by the California Division of Oil and Gas.
3. The proposed drilling and completion program has been reviewed by the Division and determined to be in accordance with good engineering practices and the rules and regulations of the Commission.

EXHIBIT: A. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION TAKE THE FOLLOWING ACTION SUBJECT TO THE CONDITION THAT UNION OIL COMPANY FOLLOW ANY MITIGATION MEASURES REQUIRED BY THE AIR RESOURCES BOARD AFTER THEIR FINAL REVIEW OF THE PROJECT:

1. DETERMINE THAT AN ENVIRONMENTAL IMPACT REPORT HAS BEEN PREPARED FOR THIS PROJECT AND CERTIFIED BY THE NORTH SONOMA COUNTY AIR POLLUTION CONTROL DISTRICT ON JULY 31, 1975.
2. CERTIFY THAT THE INFORMATION CONTAINED IN THE ENVIRONMENTAL IMPACT REPORT OF THE NORTH SONOMA COUNTY AIR POLLUTION CONTROL DISTRICT HAS BEEN REVIEWED AND CONSIDERED BY THE COMMISSION.
3. DETERMINE THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
4. AUTHORIZE THE APPROVAL OF DRILLING WELL "DX STATE 4596" 28 IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF STATE GEOTHERMAL RESOURCES LEASE PRC 4596 AND THE RULES AND REGULATIONS OF THE COMMISSION.

18. FIRST MODIFICATION OF THE 1975-1976 PLAN OF DEVELOPMENT AND OPERATIONS AND BUDGET, LONG BEACH UNIT, WILMINGTON OIL FIELD, LOS ANGELES COUNTY.

After consideration of Calendar Item 18 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION:

1. DETERMINES THAT THE ACTIVITY CONTEMPLATED BY THE FIRST MODIFICATION OF THE PLAN OF DEVELOPMENT AND OPERATIONS AND BUDGET, LONG BEACH UNIT, JULY 1, 1975, THROUGH JUNE 30, 1976, FALLS WITHIN THE SCOPE OF A PROJECT CARRIED OUT PURSUANT TO AGREEMENTS APPROVED BY THE COMMISSION BEFORE APRIL 5, 1973, AND IS THEREFORE AN ONGOING PROJECT WITHIN THE MEANING OF 14 CAL. ADM. CODE 15060(b)(3), AND DOES NOT REQUIRE THE PREPARATION OF EITHER AN ENVIRONMENTAL IMPACT REPORT OR A NEGATIVE DECLARATION.
2. PURSUANT TO SECTION 5(g), CHAPTER 138, STATUTES OF 1964, 1ST E.S., APPROVES THE FIRST MODIFICATION OF THE PLAN OF DEVELOPMENT AND OPERATIONS AND BUDGET, LONG BEACH UNIT, JULY 1, 1975, THROUGH JUNE 30, 1976.

Attachment

Calendar Item 18 (3 pages)

FIRST MODIFICATION OF THE 1975-1976
PLAN OF DEVELOPMENT AND OPERATIONS AND BUDGET,
LONG BEACH UNIT, WILMINGTON OIL FIELD, LOS ANGELES COUNTY

The City of Long Beach, pursuant to the provisions of Section 5(g), Chapter 138, Statutes of 1964, 1st E.S., has requested approval of the First Modification of the Plan of Development and Operations and Budget, Long Beach Unit, July 1, 1975, through June 30, 1976.

This First Modification will add to the Plan the repair of certain corroded sections of the Unit's submarine pipeline system. Under the modified Plan, areas of pipeline damage will be excavated and special reinforcing clamps will be installed. Pipeline corrosion now appears to be inhibited in areas where previous surveys have indicated corrosion.

The lines to be repaired are as follows:

1. The 12-inch idle line and the 12-inch gas line from Island Grissom to Pier J.
2. The 12-inch oil line, the 12-inch gas line and the 12-inch idle line from Island White to Grissom.
3. The 6-inch oil line and the 8-inch gas line from Island Chaffee to Island White.
4. The 6-inch oil line and the 8-inch gas line from Island Freeman to Island White.

The 1975-1976 Plan mentions a replacement submarine transfer system under Field and Well Facilities - Investment. Budget funds, however, were not provided because the scope of the project was not clearly defined at the time of Budget preparation. Corrosion surveys had indicated damage at certain areas in the submarine pipelines which bring island production to shore for processing and shipment. While the pipelines were being resurveyed to assess the extent of this damage and to observe the effect of increased inhibition programs, numerous methods and materials were being investigated for possible repairs or replacement. The Field Contractor originally proposed replacement systems of several types ranging in cost from \$3,500,000 to \$5,200,000. The Division staff made its own investigations and participated in numerous joint meetings on these proposals. It was ultimately decided that, for varied reasons, these proposals were unsatisfactory or unwarranted. Therefore, that reference to pipeline replacement is deleted from the Plan.

CALENDAR ITEM NO. 18. (CONTD)

Results of the fifth Linalog survey conducted during May 1975 in the Long Beach Unit submarine oil and gas gathering systems indicate that, although corrosion is now being effectively inhibited, there remains, at various points in the system, ten instances of "moderate" corrosion (30-50% wall loss) and one instance of "moderate" corrosion at multiple points over an entire joint.

The work proposed in this Modification is covered in Determination 56-75 which was approved by the Voting Parties in their meeting of June 26.

The request for approval of the First Modification states that repair or replacement of a six-inch pipeline between Islands Chaffee and White is contemplated. Surveys indicate extensive areas of moderate damage to the portion of this line nearest to Island White. This line is currently inactivated and production fluids are currently being adequately transferred in other casing lines. While repair or replacement of a portion of this line have been discussed, no decisions have been made on the necessity for or the scope of the work at this time. This project is not being included in the First Modification, but may be requested in a later Plan Change and Augmentation.

In order to provide funding for this necessary pipeline repair work, the Field Systems portion of the Expense Budget will be augmented by \$440,000.

After approval of this First Modification, the affected Budget Items will be adjusted as follows:

	<u>Current Budget</u>	<u>First Modification</u>	<u>Adjusted Budget</u>
BUDGET PART III			
B. <u>ESTIMATED EXPENDITURES FOR EXPENSE</u>			
2. <u>OPERATING EXPENSE</u>			
b. <u>Field Systems</u>			
(1) Oil Gathering	\$ 525,000	\$220,000	\$ 745,000
(5) Gas Gathering	\$ 192,000	\$220,000	\$ 412,000
TOTAL 1975-1976 BUDGET	\$73,333,000	\$440,000	\$73,773,000

CALENDAR ITEM NO. 18. (CONTD)

The final cost will include a 4% Administrative Overhead allowance on the actual expenditures for the project. This allowance, however, is not being augmented at this time.

The Division has reviewed this First Modification and finds it necessary to perform the remedial pipeline work and augment the Budget to provide proper funding.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT THE ACTIVITY CONTEMPLATED BY THE FIRST MODIFICATION OF THE PLAN OF DEVELOPMENT AND OPERATIONS AND BUDGET, LONG BEACH UNIT, JULY 1, 1975, THROUGH JUNE 30, 1976, FALLS WITHIN THE SCOPE OF A PROJECT CARRIED OUT PURSUANT TO AGREEMENTS APPROVED BY THE COMMISSION BEFORE APRIL 5, 1973, AND IS THEREFORE AN ONGOING PROJECT WITHIN THE MEANING OF 14 CAL. ADM. CODE 15060(b)(3), AND DOES NOT REQUIRE THE PREPARATION OF EITHER AN ENVIRONMENTAL IMPACT REPORT OR A NEGATIVE DECLARATION.
2. PURSUANT TO SECTION 5(g), CHAPTER 138, STATUTES OF 1964, 1ST E.S., APPROVE THE FIRST MODIFICATION OF THE PLAN OF DEVELOPMENT AND OPERATIONS AND BUDGET, LONG BEACH UNIT, JULY 1, 1975, THROUGH JUNE 30, 1976.

In accordance with PART IV.A.4.c. of the 1975-1976 Plan and Budget, the following Plan Supplement for an additional project not exceeding \$100,000 has been approved by the Manager, Long Beach Operations, State Lands Division, and is being reported and incorporated in the Plan. The Plan Supplement requires no action by the Commission, and funds for the project have been provided by transfer within the Budget.

Plan Supplement No. 1 - Repair of barge ramps at Pier G and offshore islands at an estimated cost of \$96,000.

MINUTE ITEM

8/21/75
CVB

19. SECOND MODIFICATION OF THE 1975-1976 PLAN OF DEVELOPMENT AND OPERATIONS AND BUDGET, LONG BEACH UNIT, WILMINGTON OIL FIELD, LOS ANGELES COUNTY.

After consideration of Calendar Item 19 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION, PURSUANT TO SECTION 5(g), CHAPTER 138, STATUTES OF 1964, 1ST E.S., APPROVES THE SECOND MODIFICATION OF THE PLAN OF DEVELOPMENT AND OPERATIONS AND BUDGET, LONG BEACH UNIT, JULY 1, 1975, THROUGH JUNE 30, 1976.

Attachment:

Calendar Item 19 (2 pages)

A 52, 57, 58
S 27, 31

CALENDAR ITEM

8/75
CVB

19.

SECOND MODIFICATION OF THE 1975-1976
PLAN OF DEVELOPMENT AND OPERATIONS AND BUDGET
LONG BEACH UNIT, WILMINGTON OIL FIELD, LOS ANGELES COUNTY

The City of Long Beach, in accordance with Section 5(g), Chapter 138/1964, 1st E.S., has requested Commission approval of the Second Modification of the Plan of Development and Operations and Budget, Long Beach Unit, July 1, 1975 through June 30, 1976.

This modification will augmer the Budget by \$172,000 to provide funding for payment of a judgment ordered by the United States Court of Appeals for the Ninth Circuit in the case of Tidewater Santa Barbara Inc., et al vs. THUMS Long Beach Company. THUMS Long Beach Company is the operating company for the five oil companies comprising the Field Contractor of the Long Beach Unit. The subject judgment is the result of a suit in admiralty initiated by Tidewater to recover for the hire of a drilling mud disposal barge in 1967.

The Office of the Attorney General advised that the possibility of a reversal of the judgment by the Supreme Court was so minute that appeal was not recommended, and that payment of the judgment did not require State Lands Commission approval.

Interest was accruing on the judgment at the rate of about \$1,000 per month. In order to minimize this interest, funding to pay the judgment was provided by transfer, in July, 1975, from Budget Item III.B.4.c. Environmental Control where unexpended funds existed. It is now necessary to replace these transferred funds.

A four percent Administrative Overhead charge is allowed on the \$111,500 principal of the judgment; however, augmentation of the Administrative Overhead portion of the Budget is not necessary at present.

After approval of this Second Modification, the affected budget Item will be adjusted to its previous level as follows:

A 52, 57, 58
S 27, 31

CALENDAR ITEM NO. 19. (CONTD)

	<u>Current Budget</u>	<u>Second Modification</u>	<u>Adjusted Budget</u>
BUDGET PART III			
B. <u>ESTIMATED EXPENDITURES FOR EXPENSE</u>			
4. OTHER EXPENSE			
c. <u>Environmental Control</u>	\$ 268,500	\$172,000	\$ 440,500
TOTAL 1975-1976 BUDGET	\$73,773,000	\$172,000	\$73,945,000

IT IS RECOMMENDED THAT THE COMMISSION, PURSUANT TO SECTION 5(g), CHAPTER 138, STATUTES OF 1964, 1ST E.S., APPROVE THE SECOND MODIFICATION OF THE PLAN OF DEVELOPMENT AND OPERATIONS AND BUDGET, LONG BEACH UNIT, JULY 1, 1975, THROUGH JUNE 30, 1976.

In accordance with PART IV.A.4.c. of the 1975-1976 Plan and Budget, the following Plan Supplements for additional projects not exceeding \$100,000 have been approved by the Manager, Long Beach Operations, State Lands Division, and are being reported and incorporated in the Plan. The Plan Supplements require no action by the Commission, and funds for the projects have been provided by transfer within the Budget.

Plan Supplement No. 2 - Purchase of a trailer mounted mast for use with Field Contractor operated wire line equipment at an estimated cost of \$7,000.

Plan Supplement No. 3 - Purchase of four electric driven winches for barges used in submarine pipeline repair work for an estimated cost of \$5,300.

MINUTE ITEM

8/21/75
CVB

20. DRY GAS VALUATION, LONG BEACH TIDELANDS, LOS ANGELES COUNTY.

The attached Informative Calendar Item 20 was submitted to the Commission for information only, no action thereon being necessary.

Attachment:

Informative Calendar Item 20 (1 page)

A 52, 57, 58
S 27, 31

DRY GAS VALUATION, LONG BEACH TIDELANDS

After nearly 2-1/2 years of negotiations between the City of Long Beach and the State Lands Division, the City has agreed to continue to pay the State for Long Beach Tideland residue dry gas on the basis of the terms of the City-State pricing method approved by the Commission in December 1967. Commencing in January 1973, the City unilaterally stopped making upward adjustments in the price paid for tidelands gas, as provided for in the 1967 formula, and froze the price at 40.05 cents per mcf. Present statutes fail to provide for resolution of differences between the City and State relative to the value of tidelands gas and mutual agreement is required.

As the result of the recent agreement, the City has made additional payments to the State in excess of \$1.45 million for tidelands dry gas taken by the Long Beach Gas Department during the period January 1973 through June 1975.

Commencing July 1, 1975, the City is paying an interim price of 61.46 cents per thousand cubic feet to the State for Long Beach tidelands gas received into its municipal system. This interim price is the average price paid for tidelands gas during the first six months of 1975 and is already below current gas prices. The price will be adjusted upward retroactively in January 1976 for the last six months of 1975 under the terms of the 1967 formula.

Negotiations are continuing on the issues of the reasonable wholesale market value for Long Beach Tidelands gas including a retroactive adjustment resulting from a recent Federal Power Commission rate case settlement substantiating under payment to Los Angeles Basin gas producers since 1969.

In the event that the State and City cannot agree in the future to proper gas pricing, the Staff will bring the matter back to the State Lands Commission so that further steps can be taken to assure receipt of fair wholesale market value for natural gas obtained in the Long Beach tidelands.

21. PROPOSED EXPENDITURE OF TIDELAND OIL REVENUE FOR SUBSIDENCE REMEDIAL WORK, CITY OF LONG BEACH, LOS ANGELES COUNTY - W 10306.

After consideration of Calendar Item 21 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION:

1. DETERMINES THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF 14 CAL. ADM. CODE 15100, ET SEQ., AND PRC 21085.
2. APPROVES COSTS PROPOSED TO BE EXPENDED BY THE CITY OF LONG BEACH, INCLUDING SUBSIDENCE REMEDIAL WORK, AS INDICATED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF, FOR THE PERIOD FROM AUGUST 21, 1975, TO TERMINATION DATE; SUBJECT TO THE CONDITIONS THAT THE AMOUNTS, IF ANY, OF EACH OF THE ITEMS TO BE ALLOWED ULTIMATELY AS SUBSIDENCE COSTS, DEDUCTIBLE UNDER SECTION 4(D) OF CH. 138/64, 1ST E.S., WILL BE DETERMINED BY THE COMMISSION UPON AN ENGINEERING REVIEW AND FINAL AUDIT SUBSEQUENT TO THE TIME WHEN THE WORK UNDER ANY OF THESE ITEMS IS COMPLETED, AND THAT THE WORK CONFORM IN ESSENTIAL DETAILS TO THE PLANS AND BACKGROUND MATERIAL HERETOFORE SUBMITTED TO THE COMMISSION. FURTHER, THE COMMISSION AUTHORIZES THE EXECUTION OF APPROPRIATE WRITTEN INSTRUMENTS REFLECTING THE COMMISSION'S CONDITIONAL APPROVAL.

Attachment:

Calendar Item 21 (3 pages)

CALENDAR ITEM

21.

8/75
WEB
W 10306

PROPOSED EXPENDITURE OF TIDELAND OIL REVENUE
FOR SUBSIDENCE REMEDIAL WORK
CITY OF LONG BEACH

SUBSIDENCE REMEDIAL PROJECT: Windham Avenue, 20-inch diameter
Water Main.

SUBSIDENCE ELEMENTS:

- a. City's Estimate: This project contains subsidence costs inasmuch as the work consists of replacement facilities damaged by subsidence.
- b. Staff Analysis: The staff agrees with the City's preliminary estimate.

COST OF THE PROJECT:

- a. City's Estimate: \$30,000 (1st Phase)
Subsidence Portion: 50.1%, or
\$15,030.
- b. Staff Comment: Reasonable. The percent subsidence will be reassessed at the time of the 2nd Phase approval.

STATUTORY AUTHORITY:

- a. City's Reference: Chapter 138/64, 1st E.S.
- b. Staff Determination: Agreement.

FISCAL IMPACT: 100% of subsidence cost to be borne by the State.

COMPLIANCE WITH CALIFORNIA ENVIRONMENTAL QUALITY ACT OF 1970,
AS AMENDED: The City of Long Beach Planning Commission made determination that this project, to construct a 20-inch water main, is categorically exempt from the requirement for preparation of an environmental impact report.

A 52, 57, 58
S 27, 31

CALENDAR ITEM NO. 21. (CONTD)

OTHER PERTINENT INFORMATION: Details of the project are set forth in letters dated June 24, 1975 and July 14, 1975, from the City supplying supportive material and making request for prior approval of the Commission.

EXHIBITS: A. Cost Estimate.
B. Vicinity Sketch.
C. Detail Sketch.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF 14 CAL. ADM. CODE 15100, ET SEQ., AND PRC 21085.
2. APPROVE COSTS PROPOSED TO BE EXPENDED BY THE CITY OF LONG BEACH, INCLUDING SUBSIDENCE REMEDIAL WORK, AS INDICATED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF, FOR THE PERIOD FROM AUGUST 21, 1975, TO TERMINATION DATE; SUBJECT TO THE CONDITIONS THAT THE AMOUNTS, IF ANY, OF EACH OF THE ITEMS TO BE ALLOWED ULTIMATELY AS SUBSIDENCE COSTS, DEDUCTIBLE UNDER SECTION 4 (D) OF CH. 138/64 1ST E.S., WILL BE DETERMINED BY THE COMMISSION UPON AN ENGINEERING REVIEW AND FINAL AUDIT SUBSEQUENT TO THE TIME WHEN THE WORK UNDER ANY OF THESE ITEMS IS COMPLETED, AND THAT THE WORK CONFORM IN ESSENTIAL DETAILS TO THE PLANS AND BACKGROUND MATERIAL HERETOFORE SUBMITTED TO THE COMMISSION. IT IS FURTHER RECOMMENDED THAT THE COMMISSION AUTHORIZE THE EXECUTION OF APPROPRIATE WRITTEN INSTRUMENTS REFLECTING THE COMMISSION'S CONDITIONAL APPROVAL.

Attachment: Exhibit "A"

EXHIBIT "A"

W 10306

<u>ITEM</u>	<u>Alt</u>	<u>WORK PROPOSED</u>	<u>LBHD ESTIMATED PROJECT EXPENDITURES AUGUST 21, 1975 TO TERMINATION</u>	<u>ESTIMATED SUBSIDENCE COSTS</u>
1	*	Windham Avenue, 20-inch Water Main (1st Phase)	\$30,000	\$15,030(50.1%)

*AFE to be assigned.

1. The term "1st Phase" covers costs of preliminary work expended subsequent to review of preliminary plans and/or other adequate description. (Typical "1st Phase" costs are engineering design, contract administration and advertising, preparation of site by Harbor Department forces.) For work within the same approved time period, any excess of "1st Phase" approved costs over actual expenditures may be added to "2nd Phase" approvals after date of "2nd Phase" approvals.
2. The terms "2nd Phase" consists of additional costs approved subsequent to review of detail construction plans and/or other data sufficient to guide construction operations.

22. PROPOSED EXPENDITURE OF TIDELAND OIL REVENUE FOR SUBSIDENCE REMEDIAL WORK, CITY OF LONG BEACH, LOS ANGELES COUNTY - W 10307.

After consideration of Calendar Item 22 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION:

1. DETERMINES THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF 14 CAL. ADM. CODE 15100, ET SEQ., AND PRC 21085.
2. APPROVES COSTS PROPOSED TO BE EXPENDED BY THE CITY OF LONG BEACH, INCLUDING SUBSIDENCE REMEDIAL WORK, AS INDICATED IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF, FOR THE PERIOD FROM AUGUST 21, 1975, TO TERMINATION DATE; SUBJECT TO THE CONDITIONS THAT THE AMOUNTS, IF ANY, OF EACH OF THE ITEMS TO BE ALLOWED ULTIMATELY AS SUBSIDENCE COSTS, DEDUCTIBLE UNDER SECTION 4(d) OF CH.138/64, 1ST E.S., WILL BE DETERMINED BY THE COMMISSION UPON AN ENGINEERING REVIEW AND FINAL AUDIT SUBSEQUENT TO THE TIME WHEN THE WORK UNDER ANY OF THESE ITEMS IS COMPLETED, AND THAT THE WORK CONFORM IN ESSENTIAL DETAILS TO THE PLANS AND BACKGROUND MATERIAL HERETOFORE SUBMITTED TO THE COMMISSION. FURTHER, THE COMMISSION AUTHORIZES THE EXECUTION OF APPROPRIATE WRITTEN INSTRUMENTS REFLECTING THE COMMISSION'S CONDITIONAL APPROVAL.

Attachment:
Calendar Item 22 (3 pages)

CALENDAR ITEM

8/75
WEB
W 10307

22.

PROPOSED EXPENDITURE OF TIDELAND OIL REVENUE
FOR SUBSIDENCE REMEDIAL WORK
CITY OF LONG BEACH

SUBSIDENCE REMEDIAL PROJECT: Windham Avenue, Reconstruction,
Pier A.

SUBSIDENCE ELEMENTS:

- a. City's Estimate: This project contains subsidence costs inasmuch as the work consists of placing fills in subsided areas.
- b. Staff Analysis: The staff agrees with the City's preliminary estimate.

COST OF THE PROJECT:

- a. City's Estimate: \$45,000 (1st Phase)
Subsidence Portion: 7.7% or \$3,465.
- b. Staff Comment: Reasonable. The percent subsidence will be reassessed at the time of 2nd Phase approval.

STATUTORY AUTHORITY:

- a. City's Reference: Chapter 138/64, 1st E.S.
- b. Staff Determination: Agreement.

FISCAL IMPACT:

100% of subsidence cost to be borne by the State.

COMPLIANCE WITH CALIFORNIA ENVIRONMENTAL QUALITY ACT OF 1970,
AS AMENDED:

The City of Long Beach Planning Commission made a determination that this project, to restore the roadway surface, is categorically exempt from the requirements for preparation of an environmental impact report.

OTHER PERTINENT INFORMATION:

Details of the project are set forth in letters dated June 24, 1975, and July 21, 1975, from the City supplying supportive material and making request for prior approval of the Commission.

A 52, 57, 58
S 27, 31

CALENDAR ITEM NO. 22. (CONTD)

EXHIBITS:

- A. Cost Estimate.
- B. Vicinity Sketch.
- C. Detail Sketch.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF 14 CAL. ADM. CODE 15100, ET SEQ., AND PRC 21085.
2. APPROVE COSTS PROPOSED TO BE EXPENDED BY THE CITY OF LONG BEACH, INCLUDING SUBSIDENCE REMEDIAL WORK, AS INDICATED IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF, FOR THE PERIOD FROM AUGUST 21, 1975, TO TERMINATION DATE; SUBJECT TO THE CONDITIONS THAT THE AMOUNTS, IF ANY, OF EACH OF THE ITEMS TO BE ALLOWED ULTIMATELY AS SUBSIDENCE COSTS, DEDUCTIBLE UNDER SECTION 4(d) OF CH. 138/64, 1ST E.S., WILL BE DETERMINED BY THE COMMISSION UPON AN ENGINEERING REVIEW AND FINAL AUDIT SUBSEQUENT TO THE TIME WHEN THE WORK UNDER ANY OF THESE ITEMS IS COMPLETED, AND THAT THE WORK CONFORM IN ESSENTIAL DETAILS TO THE PLANS AND BACKGROUND MATERIAL HERETOFORE SUBMITTED TO THE COMMISSION. IT IS FURTHER RECOMMENDED THAT THE COMMISSION AUTHORIZE THE EXECUTION OF APPROPRIATE WRITTEN INSTRUMENTS REFLECTING THE COMMISSION'S CONDITIONAL APPROVAL.

Attachment: Exhibit "A"

EXHIBIT "A"

W 10307

<u>ITEM</u>	<u>AFE</u>	<u>WORK PROPOSED</u>	<u>LBHD ESTIMATED PROJECT EXPENDITURES AUGUST 21, 1975 TO TERMINATION</u>	<u>ESTIMATED SUBSIDENCE COSTS</u>
1	*	Windham Avenue, Reconstruction (1st Phase)	\$ 45,000	\$3,465 (7.7%)

*AFE to be assigned.

NOTE:

1. The term "1st Phase" covers costs of preliminary work expended subsequent to review of preliminary plans and/or other adequate description. (Typical "1st Phase" costs are engineering, design, contract administration and advertising, preparation of site by Harbor Department forces.) For work within the same approved time period, any excess of "1st Phase" approved costs over actual expenditures may be added to "2nd Phase" approvals after date of "2nd Phase" approvals.
2. The term "2nd Phase" consists of additional costs approved subsequent to review of detail construction plans and/or other data sufficient to guide construction operations.

MINUTE ITEM

8/21/75
WEB

23. CLOSING ACCOUNTS OF EXPENDITURES OF TIDELAND OIL REVENUE FOR SUBSIDENCE REMEDIAL WORK, CITY OF LONG BEACH, LOS ANGELES COUNTY - W 10013(6), W 10013(8), W 10013(9), W 10013(24), W 10013(44), W 10068(36), W 10068(303), W 10068(321), W 10124(420), W 10124(563).

After consideration of Calendar Item 23 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION:

1. DETERMINES THAT THE SUBSIDENCE COSTS DEDUCTIBLE FROM THE OIL REVENUE PAYABLE TO THE STATE UNDER PROVISIONS OF SECTION 5(a) OF CH. 29/56, 1ST E.S., FOR PORT OF LONG BEACH AUTHORIZED FUND EXPENDITURE NUMBERS 6, 8, 9, 24, 36, 44, 303, 321, 420 AND 563 ARE AS SHOWN ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF; AND
2. ON THE BASIS OF THIS DETERMINATION, AUTHORIZES THE EXECUTION OF APPROPRIATE WRITTEN INSTRUMENTS REQUIRING THAT ADJUSTMENTS TO EXISTING ACCOUNTS ON THE WORK CONSIDERED HEREIN BE MADE TO FINALLY CLOSE SUCH ACCOUNTS.

Attachment:

Calendar Item 23 (3 pages)

CALENDAR ITEM

8/75

WEB

23.

CLOSING ACCOUNTS OF EXPENDITURES
OF TIDELAND OIL REVENUE
FOR SUBSIDENCE REMEDIAL WORK,
CITY OF LONG BEACH

W 10013(6)
W 10013(8)
W 10013(9)
W 10013(24)
W 10013(44)
W 10068(36)
W 10068(303)
W 10068(321)
W 10124(420)
W 10124(563)

SUBSIDENCE REMEDIAL PROJECTS:

AFE 6, Pier D, Back Area, Railroad
Approaches
AFE 8, Pier C, Berth 27, Back Area
Reconstruction
AFE 9, Pier C, Back Area Recon-
struction
AFE 24, Pier D, Back Area
Reconstruction
AFE 36, Pier B, Back Area
Reconstruction
AFE 44, Pier A, Berth 11, Back
Area Reconstruction
AFE 303, Piers A-D, Back Area,
Street and Area Lighting
AFE 321, Piers A-B, Back Area,
Fenced Storage Area for MTC
AFE 420, Raise Berth 19, Back Area
AFE 563, Pico Avenue Water Main,
Seaside to El Embarcadero

FISCAL IMPACT:

100% of the total net adjustment
costs for the ten Piers A-D, Back
Area Projects reverts to the
State.

COMMISSION APPROVAL OF PROJECT:

DATES:

July 24, 1956, August 15, 1956,
September 27, 1956, November 8,
1956, December 5, 1956, January 10,
1957, February 7, 1957, March 11,
1957, April 8, 1957, May 13,
1957, June 13, 1957, December 12,
1957, February 11, 1958, March 10,
1958, June 11, 1958, October 14,
1958, July 30, 1959, May 29,
1960, August 25, 1960, September 14,
1961, August 29, 1963.

CALENDAR ITEM NO. 23. (CONTD)

CONDITIONS;

1. That the amounts, if any, to be allowed ultimately as subsidence costs, deductible under Section 5(a) of Ch. 29/56, 1st E.S., will be determined by the Commission upon an engineering review and final audit subsequent to the time when the work is completed.
2. That the work conform in essential details to the plans and background material submitted.

EXHIBIT:

- A. Refer to Exhibit "A" attached.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT THE SUBSIDENCE COSTS DEDUCTIBLE FROM THE OIL REVENUE PAYABLE TO THE STATE UNDER PROVISIONS OF SECTION 5 (a) OF CH. 29/56, 1ST E.S., FOR THE PORT OF LONG BEACH AUTHORIZED FUND EXPENDITURE NUMBERS 6, 8, 9, 24, 36, 44, 303, 321, 420 AND 563 ARE AS SHOWN ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF;
AND
2. ON THE BASIS OF THIS DETERMINATION, AUTHORIZE THE EXECUTION OF APPROPRIATE WRITTEN INSTRUMENTS REQUIRING THAT ADJUSTMENTS TO EXISTING ACCOUNTS ON THE WORK CONSIDERED HEREIN BE MADE TO FINALLY CLOSE SUCH ACCOUNTS.

Attachment: Exhibit "A"

EXHIBIT "A"

W 10013(6),
et al.

LBHD Design- ation	LBWO NO.	TITLE	TOTAL SUBSIDENCE DEDUCTIONS FROM REMITTANCE OF OIL REVENUE	DETER- MINATION OF ALLOWABLE SUBSIDENCE COSTS	ADJUSTMENT CREDIT DUE (STATE), CITY
AFE 6	W 10013	Pier D, Back Area, Railroad Approaches	\$106,555.58	\$105,357.98	(\$1,197.60)
AFE 8	W 10013	Pier C, Berth 27, Back Area Reconstruction	12,568.40	13,048.52	480.12
AFE 9	W 10013	Pier C, Back Area Reconstruction	26,657.50	25,421.94	(1,235.56)
AFE 24	W 10013	Pier D, Back Area Reconstruction	9,582.04	13,939.85	4,357.81
AFE 36	W 10068	Pier B, Back Area Reconstruction	76,452.19	68,407.54	(8,044.65)
AFE 44	W 10013	Pier A, Berth 11, Back Area Reconstruction	37,884.22	36,361.55	(1,522.67)
AFE 303	W 10068	Piers A-D, Back Area, Street and Area Lighting	7,676.17	7,114.36	(561.81)
AFE 321	W 10068	Piers A-B, Back Area, Fenced Storage Area for MTC	11,947.13	12,991.41	1,044.28
AFE 420	W 10124	Raise Berth 19 Back Area	68,574.92	71,548.15	2,973.23
AFE 563	W 10124	Pico Avenue Water Main, Seaside to El Embarcadero	<u>1,562.99</u>	<u>2,091.80</u>	<u>528.81</u>
TOTALS:			<u>\$359,461.14</u>	<u>\$356,283.10</u>	<u>(\$3,178.04)</u>

MINUTE ITEM

8/21/75
RCH

24. AMENDMENT OF CONTRACT BETWEEN THE STATE LANDS COMMISSION AND LOBEL, NOVINS & LAMONT.

After consideration of Calendar Item 24 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION AUTHORIZES THE EXECUTIVE OFFICER TO AMEND THE EXISTING CONTRACT BETWEEN THE STATE LANDS COMMISSION AND THE FIRM OF LOBEL, NOVINS & LAMONT TO ADD \$10,000 TO SAID CONTRACT.

Attachment:

Calendar Item 24 (1 page)

CALENDAR ITEM

8/75
RCH

24.

AMENDMENT OF CONTRACT

At the June, 1975 Commission meeting, the Commission authorized the Executive Officer to solicit and execute a consulting contract with the Washington, D. C. law firm of Lobel, Novins & LaMont. Pursuant to this recommendation, a contract was entered into between the Commission and the firm. At the time the contract was negotiated, it was not anticipated that the firm would be required to make periodic trips to California. During the past several months, however, it has become evident that it will be necessary, in order to brief the Commission on oil related matters, for Mr. LaMont to make frequent trips to California. The present contract does not provide funding to cover this additional travel.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE EXECUTIVE OFFICER TO AMEND THE EXISTING CONTRACT BETWEEN THE STATE LANDS COMMISSION AND THE FIRM OF LOBEL, NOVINS & LAMONT TO ADD \$10,000 TO SAID CONTRACT.

25. FINDING OF NONCOMPLIANCE WITH STATUTORY SUBSTANTIAL IMPROVEMENT CLAUSE AND 49-YEAR PUBLIC AGENCY PERMIT, TIDE AND SUBMERGED LAND BAYWARD OF THE CITY OF SAN LEANDRO, ALAMEDA COUNTY; CITY OF SAN LEANDRO - G01-06, PRC 5048.

After consideration of Calendar Item 25 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION:

1. FINDS THAT THE CITY OF SAN LEANDRO HAS FAILED TO IMPROVE THE LAND GRANTED TO IT BY CHAPTER 685, STATUTES OF 1959, AS REQUIRED BY SECTION 1 OF THAT ACT, AND ALL JURISDICTION FORMERLY VESTED IN THE CITY BY VIRTUE OF SAID ACT REVERTED TO THE STATE.
2. AUTHORIZES THE EXECUTIVE OFFICER, TO NOTIFY THE CHIEF CLERK OF THE ASSEMBLY, THE SECRETARY OF THE SENATE, AND THE CITY OF SAN LEANDRO, THAT THE COMMISSION HAS FOUND THAT THE CITY OF SAN LEANDRO, HAS NOT IMPROVED THE GRANTED LAND WITHIN THE TERMS OF SECTION 1 OF CHAPTER 685, STATUTES OF 1959, AND BY OPERATION OF SAID STATUTE SAID LAND HAS REVERTED TO THE STATE.
3. DETERMINES THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF PRC SECTION 21085, 14 CAL. ADM. CODE SECTION 15100 AND 2 CAL. ADM. CODE SECTION 2907.
4. AUTHORIZES THE ISSUANCE TO THE CITY OF SAN LEANDRO OF A 49-YEAR PUBLIC AGENCY PERMIT FROM AUGUST 21, 1975, IN CONSIDERATION OF 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; FOR OPEN SPACE AND PARK PURPOSES; ON LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment:

Calendar Item 25 (5 pages)

FINDING OF NONCOMPLIANCE WITH
STATUTORY SUBSTANTIAL IMPROVEMENT CLAUSE
AND
PUBLIC AGENCY PERMIT

TRUSTEE:

City of San Leandro
835 East 14th Street
San Leandro, California 94577

LOCATION:

Submerged State lands granted by Chapter 685, Statutes of 1959, as said lands are shown on the "Map of the Grant to City of San Leandro" prepared and approved by the Executive Officer of the State Lands Commission on March 1, 1960 and recorded March 16, 1960, in Map Book 40 at Page 87A by Chief Deputy Recorder of Alameda County.

PURPOSE:

To make a finding that the City of San Leandro has not "substantially improved" the lands granted and therefore has not met the condition set by Section 1(g) of the statute.

Section 1 (g) states as follows:

...within 10 years from the effective date of this act said lands shall be substantially improved by said city without expense to the State, and if the State Lands Commission determines that the city has failed to improve said lands as herein required, all right, title, and interest of said city in and to all lands granted by this act shall cease and said lands shall revert and rest in the State.

IMPROVEMENT DEFINED:

Under Section 1 of the Statute also states the trust uses, purposes and conditions:

(a) That said lands shall be used by said city and its successors for purposes in which there is a general statewide interest, as follows:
(1) For the establishment, improvement and conduct of a harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays, and other utilities, facilities, buildings, works, structures and appliances necessary or convenient for the promotion and accommodation of commerce and navigation.

CALENDAR ITEM NO. 25. (CONTD)

(2) For the establishment, improvement and conduct of an airport or aviation facilities, including but not limited to approach, takeoff and clear zones in connection with airport runways, and for the construction, maintenance, and operation thereon of terminal buildings, runways, roadways, aprons, taxiways, parking areas, and other utilities, facilities, buildings, structures, works and appliances necessary or convenient for the promotion and accommodation of air commerce and air navigation.

(3) For public recreation purposes, and for the establishment, improvement and conduct of utilities, facilities, structures, buildings, works and appliances necessary or convenient for the promotion and accommodation of public recreation.

IMPROVEMENT ACCOMPLISHED:

None of the above improvements, called for under the statute, were accomplished on the granted lands.

REPORT OF INVESTIGATION:

In response to a request from State Lands Division, the City of San Leandro submitted a letter April 20, 1972, declaring that no development had been undertaken on the grant itself. Consisting of two strips of totally submerged water, they formed a part of the Shoreline Recreation Area, an area of approximately two and one-half square miles, all of which had been acquired by the City subsequent to the State grant. At no point did the granted strips connect with unsubmerged lands. The non-granted lands had been developed for a harbor and marina, small boat lagoon, and golf course. As described in a report on file, State Lands Division staff studied whether the development on the upland could be considered in conjunction with the granted lands as satisfying the requirements of the statute for development. Their conclusion, in March, 1974, indicated such development could be considered.

Division staff and City officials discussed the matter amicably for a period of several months. City officials pointed out that to report on the shoreline development would be a lengthy process, involving many hours of staff time. According to Division legal staff, the City also had the alternative of applying for a public agency permit for park purposes where the land would remain open space in support of recreational activities. Rather

Revised 8/20/75

CALENDAR ITEM NO. 25. (CONTD)

than submitting reports on the uplands construction and continuing to be subject to tidelands trust accounting for an area that was not even contiguous with the grant, officials decided that the City would not object to a finding that conditions of the 1959 grant were not met. Instead the City would apply for a public agency permit for Open Space and Park Purposes in the area relinquished. Accordingly, the Division recommends the following agreement:

PUBLIC AGENCY PERMIT

APPLICANT: City of San Leandro
835 East 14th Street
San Leandro, California 94577

AREA, TYPE LAND AND LOCATION:
A 93.66 acre parcel of tide and submerged land bayward of the City of San Leandro, Alameda County.

LAND USE: Open space and park purposes.

TERMS OF PROPOSED PERMIT:
Initial period: 49 years, commencing with the date of reversion of the granted lands to the State, August 21, 1975.

CONSIDERATION: 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.

STATUTORY AND OTHER REFERENCES:
a. Public Resources Code: Div. 6, Parts 1 & 2.
b. Administrative Code: Title 2, Div. 3, Arts. 1, 2, & 10;
Title 14, Section 15000, et seq.
c. Chapter 685, Statutes of 1959.

OTHER PERTINENT INFORMATION:
An Environmental Impact Report is not required. This transaction is within the purview of 2 Cal. Adm. Code 2907 (categorical exemption - Class B).

EXHIBITS: A. Land Description.
B. Location Map.
C. Grant Map.

CALENDAR ITEM NO. 25. (CONTD)

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE CITY OF SAN LEANDRO HAS FAILED TO IMPROVE THE LAND GRANTED TO IT BY CHAPTER 685, STATUTES OF 1959, AS REQUIRED BY SECTION 1 OF THAT ACT, AND ALL JURISDICTION FORMERLY VESTED IN THE CITY BY VIRTUE OF SAID ACT REVERTED TO THE STATE.
2. AUTHORIZE THE EXECUTIVE OFFICER, TO NOTIFY THE CHIEF CLERK OF THE ASSEMBLY, THE SECRETARY OF THE SENATE, AND THE CITY OF SAN LEANDRO, THAT THE COMMISSION HAS FOUND THAT THE CITY OF SAN LEANDRO, HAS NOT IMPROVED THE GRANTED LAND WITHIN THE TERMS OF SECTION 1 OF CHAPTER 685, STATUTES OF 1959, AND BY OPERATION OF SAID STATUTE SAID LAND HAS REVERTED TO THE STATE.
3. DETERMINE THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF PRC SECTION 21085, 14 CAL. ADM. CODE SECTION 15100 AND 2 CAL. ADM. CODE SECTION 2907.
4. AUTHORIZE THE ISSUANCE TO THE CITY OF SAN LEANDRO OF A 49-YEAR PUBLIC AGENCY PERMIT FROM AUGUST 21, 1975 IN CONSIDERATION OF 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; FOR OPEN SPACE AND PARK PURPOSES; ON LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

G 01-06

Those parcels of tide and submerged land in the bed of San Francisco Bay, State of California, granted from the State of California to the City of San Leandro pursuant to Chapter 685, California Statutes of 1959, being more particularly described as follows:

PARCEL 1:

A strip of land, 300 feet in width, and 11,500 feet, more or less, in length, lying in San Francisco Bay, parallel to and immediately adjacent and baywardly of the most westerly subdivision boundary line, across Sections 32 and 33, T 2 S, R 3 W, MDM, and Sections 4 and 9, T 3 S, R 3 W, MDM, as shown on Maps Nos. 1 and 2 of "Salt Marsh and Tide Lands Situate in the County of Alameda", prepared by order of the Board of Tide Land Commissioners, dated 1871, filed in the office of the State Lands Commission in Sacramento and having the following metes and bounds description:

BEGINNING at the southwest corner of Lot 24 in Section 33, T 2 S, R 3 W, MDM, as said lot is shown on "Sale Map No. 10 of Salt Marsh and Tidelands, situate in the County of Alameda, State of California", filed June 9, 1888, in the Office of the County Recorder of Alameda County in Map Book 17, page 30; thence along the westerly boundary line of Tide Lots as they are designated on said map, S 21° 48' E, 7108.20 feet; thence S 33° 41' E, 4085.51 feet; thence S 44° W, 307.08 feet; thence N 33° 41' W, 4182.23 feet; thence N 21° 48' W, 7368.17 feet; thence N 73° 30' 40" E, 52.27 feet; thence S 69° 43' E, 334.09 feet to the point of beginning.

PARCEL 2:

All that portion of Mulford Canal lying westerly from the northerly extension of the easterly line of Lot 30 of Section 4, T 3 S, R 3 W, MDM, as shown upon "Map No. 1 of Salt Marsh and Tide Lands, Situate in the County of Alameda", prepared by order of the Board of Tide Land Commissioners, dated 1871.

END OF DESCRIPTION

MINUTE ITEM

8/21/75
WGH

26. AUTHORIZATION TO FILE DISCLAIMER IN UNITED STATES OF AMERICA V. 11.73 ACRES OF LAND, MORE OR LESS, ETC., ET AL., UNITED STATES DISTRICT COURT, EASTERN DISTRICT OF CALIFORNIA, CIVIL NO. S-75-178 - W 503,789.

After consideration of Calendar Item 26 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION AUTHORIZES THE OFFICE OF THE ATTORNEY GENERAL TO FILE A DISCLAIMER OF INTEREST ON BEHALF OF THE STATE LANDS COMMISSION IN THE CASE OF UNITED STATES OF AMERICA V. 11.73 ACRES OF LAND, MORE OR LESS, IN THE COUNTY OF EL DORADO, STATE OF CALIFORNIA, ETC., ET AL., UNITED STATES DISTRICT COURT, EASTERN DISTRICT OF CALIFORNIA, CIVIL NO. S-75-178.

Attachment:

Calendar Item 26 (1 page)

AUTHORIZATION TO FILE DISCLAIMER
 IN UNITED STATES OF AMERICA V. 11.73 ACRES OF LAND,
 MORE OR LESS, ETC., ET AL.
 UNITED STATES DISTRICT COURT
 EASTERN DISTRICT OF CALIFORNIA, CIVIL NO. S-75-178

The State Lands Commission is a party to a United States condemnation action brought by the United States Attorney entitled United States of America v. 11.73 Acres of Land, More or Less, etc., et al., filed in the United States District Court, Eastern District of California, Civil No. S-75-178, involving land in El Dorado County.

Upon examination of the Commission's records pertinent to the area, it was ascertained that there is no interest held by the State Lands Commission as to Parcel PO-9, located within Sections 21 and 22, T 10 N, R 12 E, MDM; Parcel PO-9a, located within Section 22, T 10 N, R 12 E, MDM; Parcel PO-9b, located within Section 22, T 10 N, R 12 E, MDM; Parcel PO-42, located within Section 25, T 10 N, R 11 E, MDM; Parcel PO-603-1, located within Section 33, T 10 N, R 11 E, MDM; or Parcel No. PO-616-1, located within Section 33, T 10 N, R 11 E, MDM.

Inasmuch as this suit involves certain land over which the Commission has no jurisdiction, it is recommended that a disclaimer be filed on behalf of the State Lands Commission, disclaiming any compensable right, title or interest in Parcel Nos. PO-9, 9a and 9b, PO-42, PO-603-1, or PO-616-1.

EXHIBIT: A. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE OFFICE OF THE ATTORNEY GENERAL TO FILE A DISCLAIMER OF INTEREST ON BEHALF OF THE STATE LANDS COMMISSION IN THE CASE OF UNITED STATES OF AMERICA V. 11.73 ACRES OF LAND, MORE OR LESS, IN THE COUNTY OF EL DORADO, STATE OF CALIFORNIA, ETC., ET AL., UNITED STATES DISTRICT COURT, EASTERN DISTRICT OF CALIFORNIA, CIVIL NO. S-75-178.

MINUTE ITEM

8/21/75
RO

27. AUTHORIZATION TO INITIATE EJECTMENT PROCEEDINGS AGAINST STANLEY J. AND RUTH L. GALE, SACRAMENTO RIVER, SACRAMENTO COUNTY - WP 4218, PRC 4218.

After consideration of Calendar Item 27 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION AUTHORIZES THE STAFF OF THE STATE LANDS DIVISION AND/OR THE OFFICE OF THE ATTORNEY GENERAL TO INITIATE EJECTMENT PROCEEDINGS AGAINST STANLEY J. GALE FOR THE UNAUTHORIZED MAINTENANCE OF A PIER IN THE SACRAMENTO RIVER, SACRAMENTO COUNTY.

Attachment:

Calendar Item 27 (2 pages)

A 8
S 5

AUTHORIZATION TO INITIATE EJECTMENT PROCEEDINGS

BACKGROUND

On March 10, 1969, the State Lands Division received an application from Stanley J. and Ruth L. Gale, 1214 "F" Street, Sacramento, 95814, for the construction and maintenance of a covered boat berth in the Sacramento River, Sacramento County. Following the processing of the application, a 5-year Use Permit was issued to Mr. and Mrs. Gale under PRC 4218, beginning June 1, 1969. At that time there were no improvements on the upland.

On May 22, 1970, the Division received notice from Mr. Gale that he was building a single family dwelling and believed he was exempt from rental under Public Resources Code 6503. He was advised by letter dated May 25, 1970, that when the residence was livable he would qualify for a rent-free permit. Until that time, however, he was still liable for rental for 1970-1971, which he remitted on June 3, 1970.

By letter dated April 3, 1973, Mr. Gale, an attorney, notified the Division that he had constructed a single family dwelling on the property and expected to move into it on or about April 5, 1973, and assumed he did not owe any further rent.

On April 30, 1973, a recreational pier permit application was sent to the Gales for their execution and return to the Division. The executed document was never returned. In spite of extensive correspondence, including letters to Mr. Gale from the Division's legal staff, he refused to sign the rent-free permit and to pay any further rental.

Mr. Gale's last letter of record dated May 9, 1974, cites various permits he had received which included the U. S. Army Corps of Engineers and the State Reclamation Board. He further stated: "In view of the unlimited permits which I now hold, I see no reason to submit a further application or to pay any further application fee "Because I have built my house, I am relieved from the obligation to pay further rent."

"I cannot and will not sign any further agreement with the State which limits my right to maintain the improvements for any term of years nor will I agree with you that my rights are not subject to assignment or transfer." The Use Permit expired May 31, 1974, and no further rental has been received since June 3, 1970.

CALENDAR ITEM NO. 27. (CONTD)

EXHIBIT: A. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE STAFF OF THE STATE LANDS DIVISION AND/OR THE OFFICE OF THE ATTORNEY GENERAL TO INITIATE EJECTMENT PROCEEDINGS AGAINST STANLEY J. GALE FOR THE UNAUTHORIZED MAINTENANCE OF A PIER IN THE SACRAMENTO RIVER, SACRAMENTO COUNTY.

MINUTE ITEM

8/21/75
RCH

28. STATUS OF MAJOR LITIGATION.

The attached Informative Calendar Item 28 was submitted to the Commission for information only, no action thereon being necessary.

Attachment:

Informative Calendar Item 28 (5 pages)

STATUS OF MAJOR LITIGATION

As of July 31, 1975, there were 262 litigation projects involving the Commission, up 3 from last month.

1. Pariani v. State of California W 503.737
San Francisco Superior Court Case No. 657291

(Plaintiff seeks to quiet title to three parcels of land in Sonoma and Lake Counties. State patented said land into private ownership in 1953, reserving all mineral rights. Plaintiff now seeks to determine whether geothermal energy was reserved to the State under the 1953 patent.)

A trial date has been set for November 24, 1975.

2. Union Oil Company of California v. Houston I. Flournoy, et al. W 503.747
U. S. District Court, Central District

(An action by Union Oil Company to prevent the State from selling royalty oil.)

Under State Oil and Gas Lease PRC 3033 entered into with Union Oil Company, the Commission had the right to receive royalty payments in kind. At its July 1973 meeting, the Commission announced its intention to receive bids for this royalty oil and for royalty oil for other Orange and Los Angeles County leases. Bids were subsequently received for this royalty oil. The contract for the purpose of this oil was to be awarded at the October 25, 1973, Commission meeting, but this award was prevented by Union's filing and obtaining on October 4, 1974, an order to show cause and temporary restraining order. Union alleged that the sale was in violation of the Federal Government "Phase IV" price controls and was hence illegal. On November 5, 1973, the preliminary injunction obtained by Union was denied and the temporary restraining order was dissolved. On November 29, 1973, the Commission awarded the contract to purchase the oil. That same day, Plaintiff applied for another temporary restraining order to prevent the sale, which order was denied. Plaintiff's second

INFORMATIVE CALENDAR ITEM NO. 28. (CONTD)

2. Union Oil Company of California v. Houston I. Flournoy, et al. W 503.747
U. S. District Court, Central District
(CONTINUED)

application for preliminary injunction was heard and denied on June 3, 1974, at which time Union indicated they would hold the case in abeyance pending the outcome of People v. Simon. A pretrial hearing was set for December 9, but upon Union's motion, the hearing was postponed. Union now indicates that they will file a motion for summary judgment, but to date no motion has been filed.

3. State of California v. County of San Mateo, et al. W 1839.38
San Mateo Superior Court Case No. 144257 W 6987

Suit seeking Declaratory Judgment to protect the public property rights in land covered by the open waters of South San Francisco Bay westerly of the deep draught ship channel, the area of which has been substantially increased with the filing of a cross-complaint by Westbay Community Associates to be an approximate 10,000 acres and 21 miles of shoreline including most of the westerly portion of the Bay between the San Francisco International Airport and the southerly San Mateo County line. Titles to other adjacent substantial areas of salt ponds have been brought into the case by Leslie Salt Company. Pretrial and discovery proceedings are now in progress, with factual investigation, relating to substantial and complex issues, continuing.

The parties have been participating in settlement negotiations but have not yet arrived at any compromise which could be recommended to the Commission.

INFORMATIVE CALENDAR ITEM NO. 28 (CONTD)

4. People v. Jonathan Club, et al. W 503.773
Los Angeles Superior Court No. 35486

(Complaint to quiet title 4.5 acres of artificially filled tidelands in the City of Santa Monica.)

In 1921, the Legislature granted tidelands to the City of Santa Monica. Since that time, the area granted has been artificially filled, resulting in an additional 4.5 acres of beach. Plaintiffs -- the City of Santa Monica, the Department of Parks and Recreation, and the State Lands Commission -- contend that this artificially filled area is State owned. Defendant's demurrer to the State's complaint was overruled. The parties will now proceed with pretrial procedures.

5. Cory v. State W 503.780
Sacramento Superior Court Case No. 252295

(Complaint to vacate the approval of PRC 4977 offshore El Capitan, Santa Barbara County).

On December 19, 1974, the State Lands Commission authorized the issuance of a lease to Exxon Corporation and Exxon Pipeline Company. In so doing, the Commission adopted an environmental statement prepared pursuant to the National Environmental Policy Act. The Complaint alleges that the project, as approved by the Commission, differs significantly from the project as described in the environmental statement and that the Commission's approval was an abuse of discretion. Plaintiff, now represented by the Office of the Attorney General, asks that the approval of the lease be set aside. A court hearing was held on March 19, 1975, but to date the court has not issued a decision.

Exxon obtained a preliminary injunction to prohibit the Commission from terminating the lease with Exxon. A hearing on the preliminary injunction was held on July 10.

6. People v. Halvor G. Schultz, et al. W 503.785
Yolo County Superior Court Case No. 32197

(Ejectment action to compel removal of trespassing marina from the Sacramento River, and damages therefor.)

On February 13, 1975, the State Lands Commission filed a Complaint in ejectment and for damages for trespass to compel the removal and to prevent the continuing trespass and maintenance of a marina situated on the Sacramento River in Yolo County at the confluence of the American River. Defendants in this action have been served with a Summons and Complaint and meetings have been held with the Division to discuss settlement of the matter and leasing arrangements. It is anticipated a settlement will be reached in the near future.

7. People v. Patricia Avila, et al. W 503.787
Yolo County Superior Court Case No. 32249

(Ejectment action to compel removal of trespassing marina and restaurant from the Sacramento River, and damages therefor.)

On February 25, 1975, the State Lands Commission filed a Complaint in ejectment and for damages therefor to compel the removal and to prevent the continuing trespass and maintenance of a marina and restaurant situated on the Sacramento River in Yolo County at the confluence of the American River. Defendants in this action have been served with a Summons and Complaint, and have entered into settlement negotiations with the Division.

8. People v. Zarb, et al. W 503.788
U. S. District Court, Central District
CV #75-854 WMB

(Complaint for injunction and declaratory relief.)

The State Lands Commission has filed an action against the Federal Energy Administration and the Burmah Oil Company, challenging the validity of a determination by the FEA that Burmah is entitled to the State's royalty oil despite sell-off agreements to World Oil Company and U.S.A. Petroleum Company. A hearing on a preliminary injunction was scheduled for April 21 in the U. S. District Court in Los Angeles. That hearing was put over and Burmah has stipulated

INFORMATIVE CALENDAR ITEM NO. 28. (CONTD)

8. People v. Zarb, et al. W 503.788
U. S. District Court, Central District
CV #75-854 WMB
(CONTINUED)

to discontinuing the Supplier-Purchaser Agreement. A motion to dismiss the case was denied on the condition that USA present its contentions to the FEA prior to presentation to the court.

9. California State Lands Commission, et al. v. W 503.802
Standard Oil Company, et al.
U. S. District Court, Central District

(Complaint for breach of contract and violation of Federal and State antitrust law.)

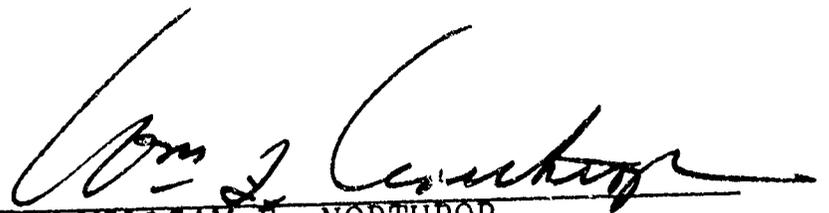
At the June 27, 1975, special meeting of the State Lands Commission, the Commission approved the employment by the City of Long Beach of the law firm of Blecher, Collins & Hoecker to institute litigation on behalf of the Commission and the City to recover damages arising from the actions of the City of Long Beach tideland contractors.

A complaint on behalf of the Commission and the City was filed on June 27, 1975. By stipulation the defendants have until September 29, 1975, to answer the complaint.

29. CEDING OF COMCURRENT JURISDICTION TO THE UNITED STATES NATIONAL PARK SERVICE OF JOSHUA TREE NATIONAL MONUMENT, SAN BERNARDINO/RIVERSIDE COUNTIES; WHISKEYTOWN UNIT, SHASTA COUNTY; PT. REYES NATIONAL SEASHORE, MARIN COUNTY; DEATH VALLEY NATIONAL MONUMENT, INYO/SAN BERNARDINO COUNTIES; PINNACLES NATIONAL MONUMENT, SAN BENITO/MONTEREY COUNTIES; LAVA BEDS NATIONAL MONUMENT, MODOC/SISKIYOU COUNTIES - W 20902.

Pursuant to the Commission's request at the July 24, 1975 meeting that the criminal section of the Attorney General's Office review the problems of ceding jurisdiction, Mr. N. Gregory Taylor, Deputy Attorney General, stated that discussions are currently underway.

There being no further business to come before the Commission
the meeting was adjourned at 11:45 a.m.



WILLIAM F. NORTHROP
EXECUTIVE OFFICER

Confirmed by Commission
on September 29, 1975

CERTIFICATE OF AUTHENTICITY OF MICROFILMS OR OTHER PHOTOGRAPHIC REPRODUCTIONS

(Section 14756, Government Code)

I, GERALD C. SMITH (Name), SENIOR DATA PROCESSING ANALYST hereby (Title)

certify to the following in connection with the () (foregoing) microfilms (photographic reproductions):

That on this date the following described records were given into my custody for the purpose of photographic reproduction and preservation in the State Lands Division:

STATE LANDS COMMISSION MEETING MINUTES, AUGUST 21, 1975, ANNOTATED
AND INDEXES THERETO.

That pursuant to Minute Item 33, page 1296, Minutes of the State Lands Commission, October 29, 1975 and subsequent letter of redelegation, I am authorized to make certifications under the official seal of the State Lands Commission as required by Section 14756 of the Government Code.

That the reason for this reproduction is for the preservation of records and saving of space.

That certification is herein made pursuant to Section 14756 of the Government Code.

That these microfilms (photographic reproductions) of the above-described records were taken under my direction and control on MAY 5 19 76, and that they are a complete, true and correct copy thereof.

That the microfilming or other photographic processes were accomplished in a manner and on film which meets with the standard specification of the United States National Bureau of Standards.

That the disposition of records reproduced is:

- To be destroyed
- To be deposited in the Central Records Depository (General Services)
- To be preserved in the State Archives (Secretary of State)
- To be retained by the State Lands Division
- Other disposition

That this certificate was made at the time of the taking of these microfilms (photographic reproductions).

IN WITNESS WHEREOF, I have hereunto set my hand (and affixed the official seal of the State Lands Commission) this 5 day of MAY 19 76.

Gerald C. Smith
Name

SENIOR DATA PROCESSING ANALYST
Title

(SEAL)