

MINUTE ITEM
This Calendar Item No. 1
was approved as Minute Item
No. 1 by the State Lands
Commission by a vote of 2
to 0 at its 10/26/88
meeting.

CALENDAR ITEM

A 4, 11

01

10/26/88

W 24107 PRC 7260

S 2, 7

N. Smith

GENERAL LEASE - RIGHT-OF-WAY USE

APPLICANT: American Telephone and
Telegraph Communications
of California, Inc.
5925 West Las Positas Boulevard
Pleasanton, California 94566-0207

AREA, TYPE LAND AND LOCATION:
Two parcels, totalling 2.6+ acres of tide and
submerged land located in Cordelia Slough and
Carquinez Straits near Cordelia and between the
cities of Benicia and Martinez, Solano and
Contra Costa counties.

LAND USE: Installation and maintenance of a 0.5-inch
fiber optic cable.

TERMS OF PROPOSED LEASE:
Continuous, plus one (1) year, beginning
October 27, 1988.

BASIS FOR CONSIDERATION:
Exempt by law, Section 7901, Public Utilities
Code.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:
Filing fee, processing costs, and environmental
costs have been received.

CALENDAR ITEM NO. 01 (CONT'D)

STATUTORY AND OTHER REFERENCES:

- A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.
- B. Cal. Adm. Code: Title 2, Div. 3; Title 14, Div. 6.

AB 884: 02/11/89.

OTHER PERTINENT INFORMATION:

1. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Adm. Code 15025), the staff has prepared a Proposed Negative Declaration identified as EIR ND 446, State Clearinghouse No. 88081603. Such Proposed Negative Declaration was prepared and circulated for public review pursuant to the provisions of CEQA.

Based upon the Initial Study, the Proposed Negative Declaration, and the comments received in response thereto, there is no substantial evidence that the project will have a significant effect on the environment. (14 Cal. Adm. Code 15074(b))

2. The annual rental value of the two sites is estimated to be \$1,984 for this type of lease.
3. AT&T has applied to the following entities for permits for the proposed project:

California State Department of Transportation and State Fish and Game; counties of Contra Costa, Yolo and Solano; cities of Fairfield, Benicia, Walnut Creek, Martinez, Pleasant Hill, Lafayette, Oakland, and Orinda;

4. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

CALENDAR ITEM NO. 01 (CONT'D)

APPROVALS PENDING:

East Bay Regional Park District, United States
Army Corps of Engineers, California BCDC.

EXHIBITS:

A-1. Land Description.
A-2. " "
B. Location Map.
C. Negative Declaration.
D-1. Local Government Approvals.
D-2. " " "
D-3. " " "

IT IS RECOMMENDED THAT THE COMMISSION:

1. CERTIFY THAT A NEGATIVE DECLARATION, EIR ND 446, STATE CLEARINGHOUSE NO. 88081603, WAS PREPARED FOR THIS PROJECT PURSUANT TO THE PROVISIONS OF THE CEQA AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.
2. DETERMINE THAT THE PROJECT, AS APPROVED, WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
3. FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO P.R.C. 6370, ET SEQ.
4. AUTHORIZE ISSUANCE TO AMERICAN TELEPHONE AND TELEGRAPH COMMUNICATIONS OF CALIFORNIA, INC., OF A GENERAL LEASE - RIGHT-OF-WAY USE, FOR A CONTINUOUS, PLUS ONE-YEAR, TERM BEGINNING OCTOBER 27, 1988; PURSUANT TO THE PROVISIONS OF SECTION 7901 OF THE PUBLIC UTILITIES CODES FOR THE INSTALLATION AND MAINTENANCE OF A FIBER OPTIC CABLE ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

(REVISED 10/24/88)

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EXHIBIT "A-1"
LAND DESCRIPTION

W 24107

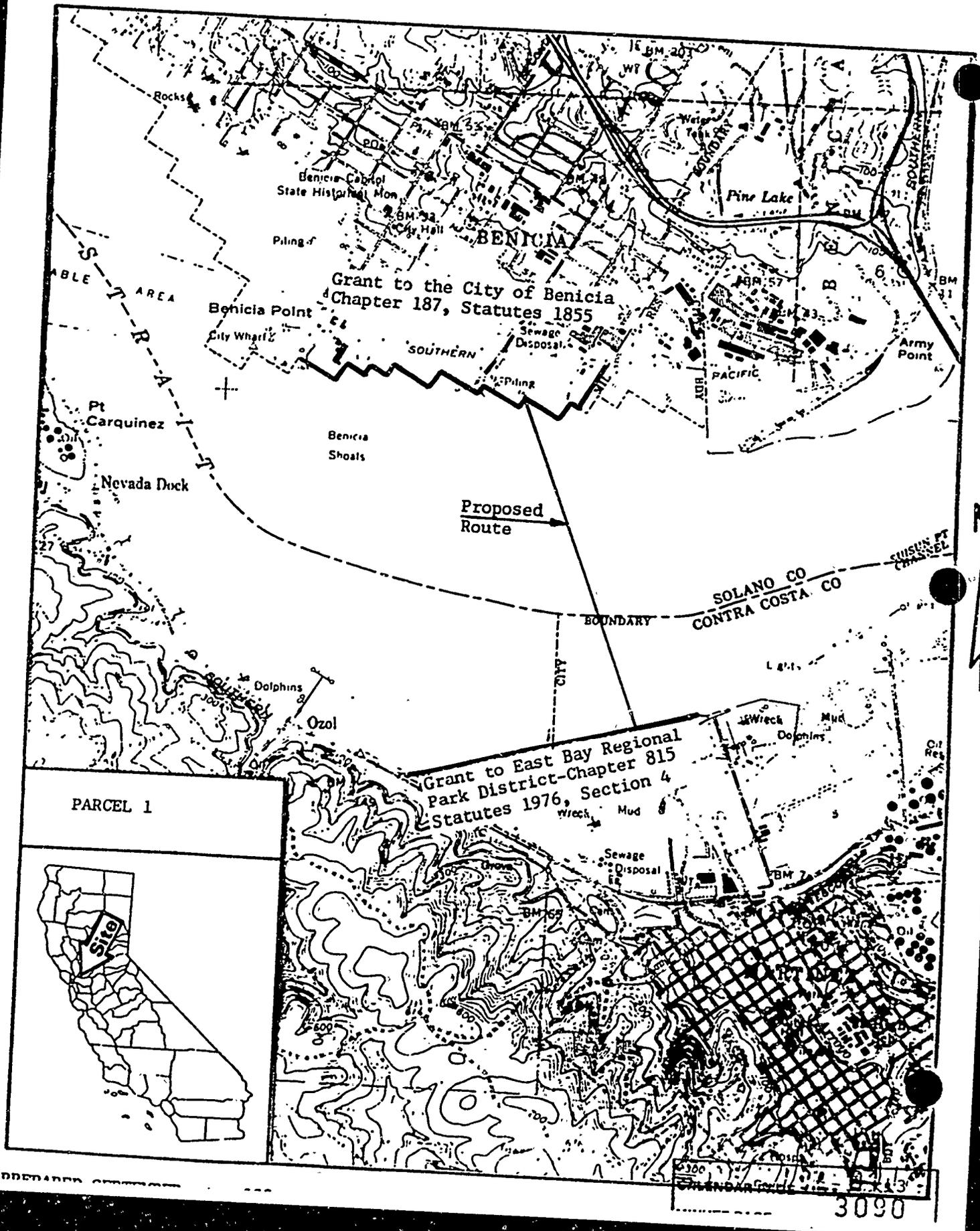
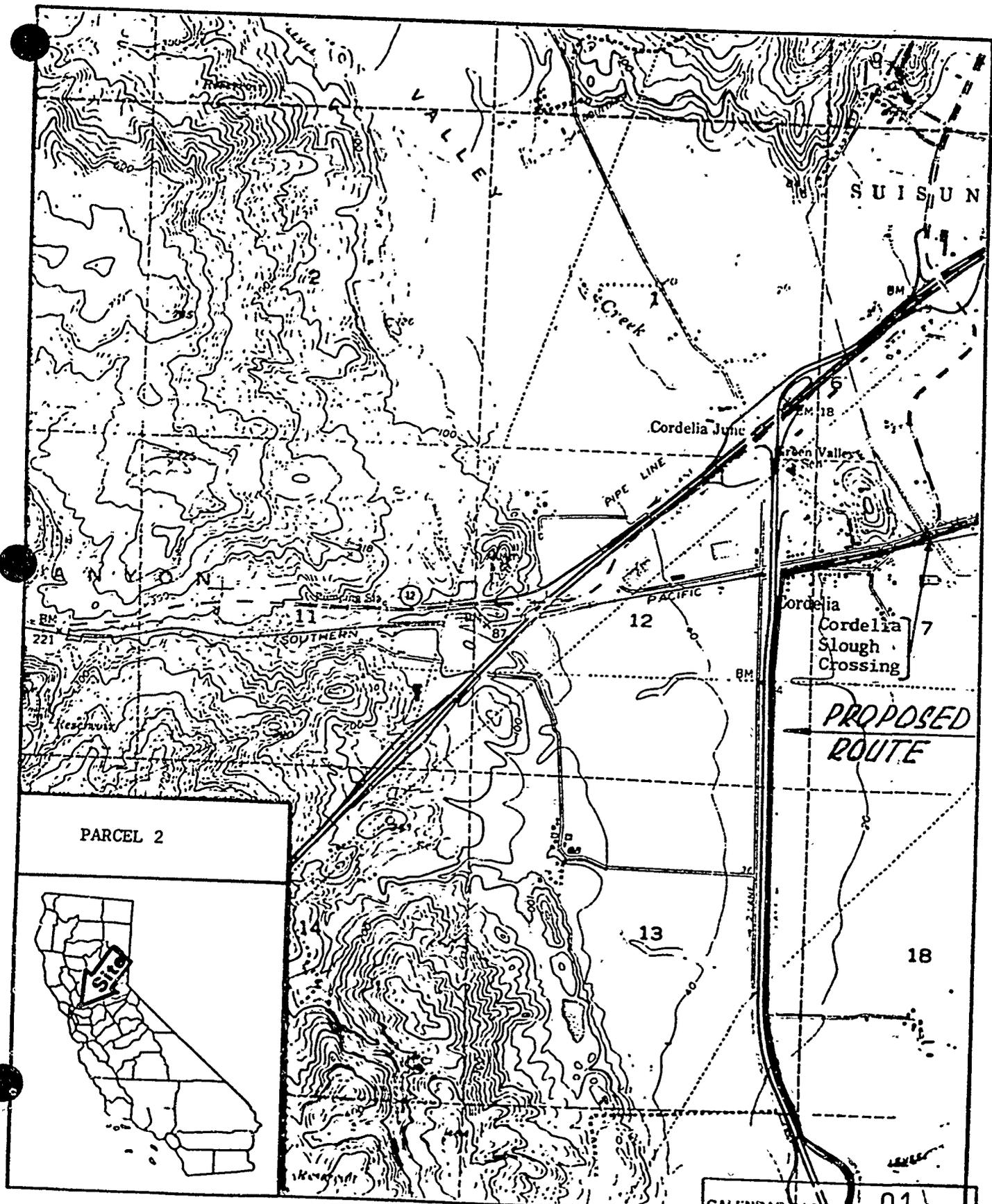


EXHIBIT "A-2"
LAND DESCRIPTION

W 24107



PREPARED SEPTEMBER 26, 1988 BY BIU 1

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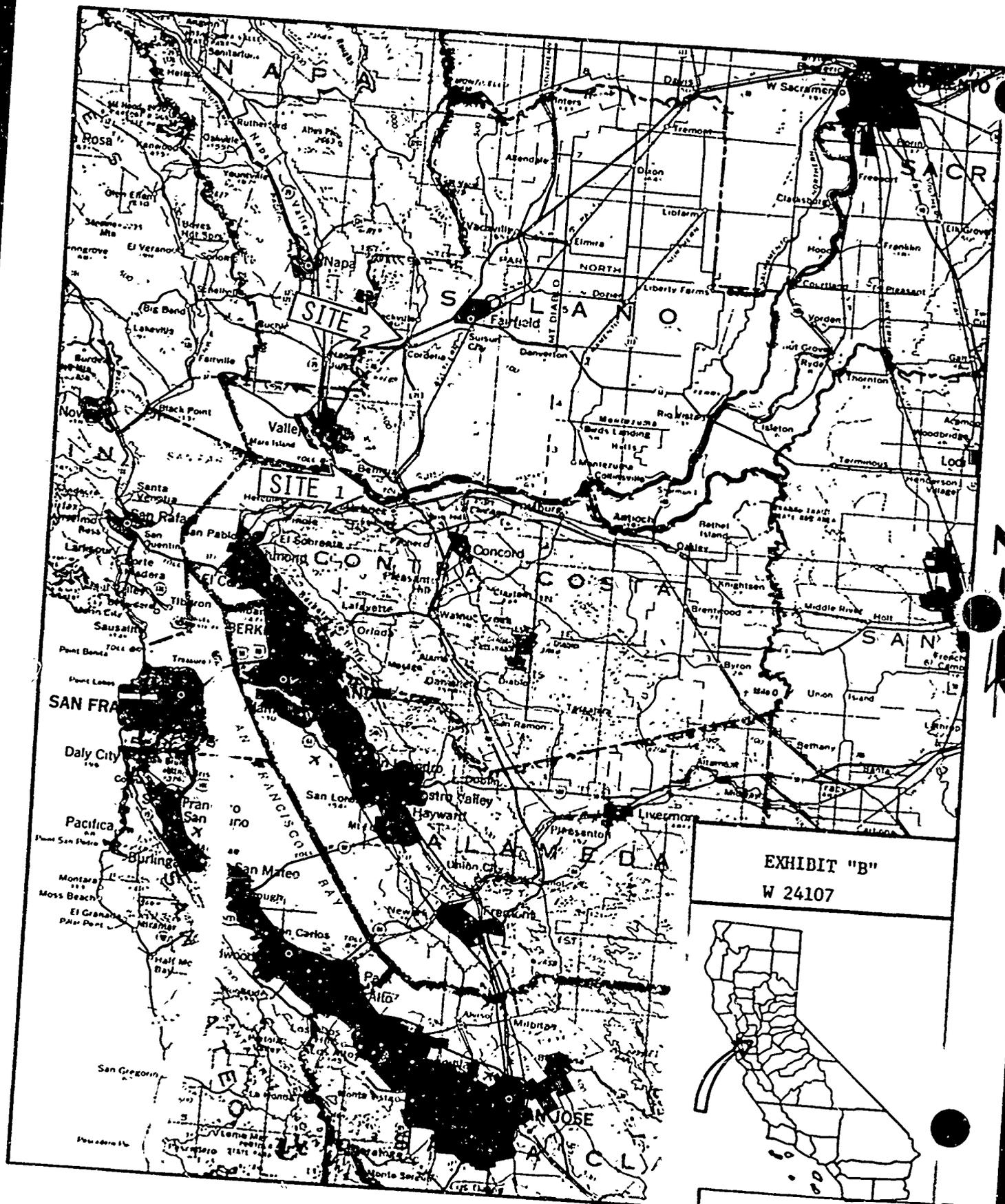


EXHIBIT "B"
W 24107



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STATE LANDS COMMISSION

1807 13TH STREET
SACRAMENTO, CALIFORNIA 95814PROPOSED NEGATIVE DECLARATION

EIR ND 446

File Ref.: W 24107

SCH#: 88081603

Project Title: AT&T Fiber Optic Cable - Dunnigan to Oakland

Project Proponent: AT&T

Project Location: From Dunnigan, Yolo County to Oakland, Alameda County, through Solano and Contra Costa Counties

Project Description: Placement of 92 miles of fiber optic communications cable within existing cable right-of-way. Proposal includes regeneration stations, splice boxes and marker poles along cable alignment.

Contact Person: Dan Cohen, Environmental Specialist Telephone: (916) 324-8497

This document is prepared pursuant to the requirements of the California Environmental Quality Act (Section 21000 et seq., Public Resources Code), the State CEQA Guidelines (Section 15000 et seq., Title 14, California Administrative Code), and the State Lands Commission regulations (Section 2901 et seq., Title 2, California Administrative Code).

Based upon the attached Initial Study, it has been found that:

the project will not have a significant effect on the environment.

mitigation measures included in the project will avoid potentially significant effects.

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FORM 13.17 (2/88)	

ENVIRONMENTAL IMPACT ASSESSMENT CHECKLIST - PART II

Form 13.20 (7/82)

File Ref.: W 24107

I. BACKGROUND INFORMATION

A. Applicant: AT&T
P.O. Box 121, Suite 1033G
Pleasanton, CA 94566-0207

B. Checklist Date: 08 / 09 / 88

C. Contact Person: Dan Cohen, Environmental Specialist
Telephone: (916) 324-8497

D. Purpose: To enlarge the capacity of, and to diversify AT&T's
communication systems.

E. Location: From Dunnigan, Yolo County, to Oakland, Alameda County
through Solano, and Contra Costa Counties (see Env. Assmt Pp. 2-5

F. Description: Placement of a fiber optic communications cable. Of the & 2-6).
92 miles of cable, approximately 49 miles will be in existing Pac. Bell
underground conduit; the remainder will be placed in new conduit.

G. Persons Contacted:
The project includes approximately 4 regeneration stations, and
the construction of manholes, splice boxes and marker poles along the
cable alignment. The cable is 0.5-inch in diameter, and the new
conduit is 4-inch diameter PVC pipe. Cable placement will occur
within existing cable right-of-way or existing public road
Rights-of-way.

II. ENVIRONMENTAL IMPACTS. (Explain all "yes" and "maybe" answers)

A. Earth. Will the proposal result in:

- 1. Unstable earth conditions or changes in geologic substructures?
2. Disruptions, displacements, compaction, or overcovering of the soil?
3. Change in topography or ground surface relief features?
4. The destruction, covering, or modification of any unique geologic or physical features?
5. Any increase in wind or water erosion of soils, either on or off the site?
6. Changes in deposition or erosion of beach sands, or changes in siltation, deposition or erosion which may
modify the channel of a river or stream or the bed of the ocean or any bay, inlet, or lake?
7. Exposure of all people or property to geologic hazards such as earthquakes, landslides, mudslides, ground
failure, or similar hazards?

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Yes Maybe No

B. Air. Will the proposal result in:

- 1. Substantial air emissions or deterioration of ambient air quality?
- 2. The creation of objectionable odors?
- 3. Alteration of air movement, moisture or temperature, or any change in climate, either locally or regionally?

C. Water. Will the proposal result in:

- 1. Changes in the currents, or the course or direction of water movements, in either marine or fresh waters?
- 2. Changes in absorption rates, drainage patterns, or the rate and amount of surface water runoff?
- 3. Alterations to the course or flow of flood waters?
- 4. Change in the amount of surface water in any water body?
- 5. Discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen or turbidity?
- 6. Alteration of the direction or rate of flow of ground waters?
- 7. Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations?
- 8. Substantial reduction in the amount of water otherwise available for public water supplies?
- 9. Exposure of people or property to water-related hazards such as flooding or tidal waves?
- 10. Significant changes in the temperature, flow or chemical content of surface thermal springs?

D. Plant Life. Will the proposal result in:

- 1. Change in the diversity of species, or number of any species of plants (including trees, shrubs, grass, crops, and aquatic plants)?
- 2. Reduction of the numbers of any unique, rare or endangered species of plants?
- 3. Introduction of new species of plants into an area, or in a barrier to the normal replenishment of existing species?
- 4. Reduction in acreage of any agricultural crop?

E. Animal Life. Will the proposal result in:

- 1. Change in the diversity of species, or numbers of any species of animals (birds, land animals including reptiles, fish and shellfish, benthic organisms, or insects)?
- 2. Reduction of the numbers of any unique, rare or endangered species of animals?
- 3. Introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals?
- 4. Deterioration to existing fish or wildlife habitat?

F. Noise. Will the proposal result in:

- 1. Increase in existing noise levels?
- 2. Exposure of people to severe noise levels?

G. Light and Glare. Will the proposal result in:

- 1. The production of new light or glare?

H. Land Use. Will the proposal result in:

- 1. A substantial alteration of the present or planned land use of an area?

I. Natural Resources. Will the proposal result in:

- 1. Increase in the rate of use of any natural resources?
- 2. Substantial depletion of any nonrenewable resources?

- J. Risk of Upset.** Does the proposal result in:
- | | Yes | Maybe | No |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|-------------------------------------|
| 1. A risk of an explosion or the release of hazardous substances (including, but not limited to, oil, pesticides, chemicals, or radiation) in the event of an accident or upset conditions? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Possible interference with emergency response plan or an emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
- K. Population.** Will the proposal result in:
- | | | | |
|-----------------------------------------------------------------------------------------------------|--------------------------|--------------------------|-------------------------------------|
| 1. The alteration, distribution, density, or growth rate of the human population of the area? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|-----------------------------------------------------------------------------------------------------|--------------------------|--------------------------|-------------------------------------|
- L. Housing.** Will the proposal result in:
- | | | | |
|---------------------------------------------------------------------------------|--------------------------|--------------------------|-------------------------------------|
| 1. Affecting existing housing, or create a demand for additional housing? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---------------------------------------------------------------------------------|--------------------------|--------------------------|-------------------------------------|
- M. Transportation/Circulation.** Will the proposal result in:
- | | | | |
|---------------------------------------------------------------------------------------------|--------------------------|--------------------------|-------------------------------------|
| 1. Generation of substantial additional vehicular movement? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Affecting existing parking facilities, or create a demand for new parking? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. Substantial impact upon existing transportation systems? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4. Alterations to present patterns of circulation or movement of people and/or goods? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 5. Alterations to waterborne, rail, or air traffic? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 6. Increase in traffic hazards to motor vehicles, bicyclists, or pedestrians? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
- N. Public Services.** Will the proposal have an effect upon, or result in a need for new or altered governmental services in any of the following areas:
- | | | | |
|-------------------------------------------------------------|--------------------------|--------------------------|-------------------------------------|
| 1. Fire protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Police protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. Schools? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4. Parks and other recreational facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 5. Maintenance of public facilities, including roads? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 6. Other governmental services? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
- O. Energy.** Will the proposal result in:
- | | | | |
|------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|-------------------------------------|
| 1. Use of substantial amounts of fuel or energy? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Substantial increase in demand upon existing sources of energy, or require the development of new sources? .. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
- P. Utilities.** Will the proposal result in a need for new systems, or substantial alterations to the following utilities:
- | | | | |
|------------------------------------|-------------------------------------|--------------------------|-------------------------------------|
| 1. Power or natural gas? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Communication systems? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. Water? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4. Sewer or septic tanks? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 5. Storm water drainage? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 6. Solid waste and disposal? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
- Q. Human Health.** Will the proposal result in:
- | | | | |
|----------------------------------------------------------------------------------------------|--------------------------|--------------------------|-------------------------------------|
| 1. Creation of any health hazard or potential health hazard (excluding mental health)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Exposure of people to potential health hazards? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
- R. Aesthetics.** Will the proposal result in:
- | | | | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|-------------------------------------|
| 1. The construction of any scenic vista or view open to the public, or will the proposal result in the creation of an aesthetically offensive site open to public view? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|-------------------------------------|
- S. Recreation.** Will the proposal result in:
- | | | | |
|-----------------------------------------------------------------------------------------|--------------------------|--------------------------|-------------------------------------|
| 1. An impact upon the quality or quantity of existing recreational opportunities? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|-----------------------------------------------------------------------------------------|--------------------------|--------------------------|-------------------------------------|

T. Cultural Resources.

Yes Maybe No

- 1. Will the proposal result in the alteration of or the destruction of a prehistoric or historic archeological site?
- 2. Will the proposal result in adverse physical or aesthetic effects to a prehistoric or historic building, structure, or object?
- 3. Does the proposal have the potential to cause a physical change which would affect unique ethnic cultural values?
- 4. Will the proposal restrict existing religious or sacred uses within the potential impact area?

U. Mandatory Findings of Significance.

- 1. Does the project have the potential to degrade the quality of the environment, reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?
- 2. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?
- 3. Does the project have impacts which are individually limited, but cumulatively considerable?
- 4. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

III. DISCUSSION OF ENVIRONMENTAL EVALUATION (See Comments Attached)

- A.2. Trenching activities, utilizing backhoes, trenchers, and track hoes, will temporarily disrupt soil along the cable right-of-way. Trenches will be recovered, and the surface returned to as near to pre-construction state as reasonably possible.
- C.5. Trenching, plowing, and possible boring activity at stream crossings may have an impact on water quality. Streambed alteration agreements have been issued by the Dept. of Fish and Game. Construction will be completed at low flow periods. All DFG recommendations regarding wetland protection, erosion control and sediment abatement procedures will be followed.
- D.1,2 See Environmental Assessment, Section 4.0.
- E.1,2 " " " " "
- F.1. Construction activities will cause an increase in existing noise levels. Such increases will not be substantial, and will be temporary.
- P.2. Improved technology will provide higher quality sound and increased transmission capability.
- T.1., An archaeological report was prepared by Peak and Associates. There are two identified archaeological resources along the proposed right-of-way. If mitigation measures proposed by Peak are employed, no impact will occur to either site. The general recommendations expressed in the report will be followed during construction.

IV. PRELIMINARY DETERMINATION

On the basis of this initial evaluation:

- I find the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A NEGATIVE DECLARATION will be prepared.
- I find the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- Determination to be made after initial study circulation period.

Date: 1 - 1 - 1

[Signature]
For the State Lands Commission

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Form 13.20	37(82) 7

EXHIBIT "D-1"

Department of
ENVIRONMENTAL MANAGEMENT

ROBERT J. PENDOLEY
DIRECTOR

DAVID HUBBELL
DEPUTY DIRECTOR



601 TEXAS STREET
FAIRFIELD, CALIFORNIA 94533-6376

- PLANNING AND ZONING (707) 429-6561
 ENVIRONMENTAL HEALTH 429-6401
 BUILDING INSPECTION 429-6434

October 5, 1988

Nanci Smith
State Lands Commission
1807 13th Street
Sacramento, CA 95814

Re: File #W24107

Dear Ms. Smith:

This office has already responded to the initial study (SCH. No. 88081603) for the AT&T fiberoptic cable project.

A Marsh Development Permit and Zoning-Building Permit are required for the regenerator building proposed on the west side of Lopes Road. Application for the Marsh Development permit is currently being processed with approval anticipated on October 20, 1988.

No problems are foreseen for the necessary approvals and there are no separate approvals required from this office for the cable crossing Cordelia Slough and Carquinez Straits.

Thank you for the opportunity to coordinate the permit and review process.

Very truly yours,

Christopher L. Monske

CHRISTOPHER L. MONSKE
Land Use Manager

CLM/ah

zcmnanci

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MINUTE PAGE	3098



City of Martinez

525 Henrietta Street, Martinez, CA 94553-2394

(415)372-3515

October 6, 1988

Nanci Smith
Land Agent
State of California
State Lands Commission
1807 13th Street
Sacramento, CA 95814

RE: AT&T Fiberoptic Cable Crossing Carquinez Straits

Dear Ms. Smith:

In response to your letter of September 30, 1988, I am writing to indicate that based on information submitted to us by your office and AT&T, an encroachment permit must be obtained from the City Engineering Division office prior to commencing work.

Detailed requirements for obtaining an encroachment permit can be obtained from Dan Schiada of our Engineering Division at (415)372-3560.

Sincerely,

Marcia Raines

Marcia Raines
Assistant Planning
& Building Director

MR:mt
251.61

cc: Rich Cullen, Engineering Div.



East Bay
Regional Park District

11500 SKYLINE BOULEVARD, OAKLAND, CA 94619-2443 TELEPHONE (415) 531-9300

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October 18, 1988

Nancy Smith
State Lands Commission
1807 - 13th Street
Sacramento, CA. 95814

Subject: Martinez Regional Shoreline
Encroachment Permit Application No.: 87E-88

Dear Ms. Smith:

Per our telephone conversation, AT&T Communications did apply for a permit to install an underground fiber optic cable. The new design calls for construction to be conducted from outside of park boundaries. Since they will only be boring under our property, resources will not be affected.

An encroachment permit will be issued for construction. A permanent agreement will be required between the Park District and AT&T. They will not be assigned any surface rights.

If I can be of further assistance, please call me at 881-1833 extension 3208.

Sincerely,

Peter Koos
Construction Manager

PK/ef

cc: Tom Lynch
John Vilchek

MINUTE ITEM
This Calendar Item No. 2
was approved as Minute Item
No. 2 by the State Lands
Commission by a vote of 2
to 0 at its 10/26/88
meeting.

MINUTE ITEM

2

10/26/88
W 24244

CONSIDERATION OF WHETHER TO ESTABLISH AN
OIL AND GAS LEASING SANCTUARY ZONE
COVERING STATE-OWNED TIDE AND SUBMERGED LANDS
WITHIN MENDOCINO AND HUMBOLDT COUNTIES

The following people testified before the Commission:

Norman de Vall, Supervisor
Mendocino County.

Rick Provenso
Representating Senator Keene.

Rachel Binah
Representing Governor Michael Dukakis

Wesley Chesbro, Supervisor
Humboldt County.

J. Bryce Kenny, Councilmember
City of Trinidad.

Tehea Gast, Councilmember
City of Arcata.

Theresa Staber
Representing Assemblyman Dan Hauser.

Susan Miller, Student
Mendocino.

Brandon Cusick, Student
Mendocino.

Robert Raymond, Acting Judge
Mendocino.

Mike Fergus
Western Oil and Gas Association.

Kevin Tahrir
(Audience).

CALENDAR PAGE

MINUTE PAGE

3101

Rogge Marsh
Exxon Company U.S.A.

Cecil Dell
Self.

Upon motion made by Chairman Gray Davis, and seconded by Leo T. McCarthy, the following resolution was approved by a vote of 2-0.

THE COMMISSION:

1. DECLARES THAT ALL STATE-OWNED TIDE AND SUBMERGED LANDS WITHIN MENDOCINO AND HUMBOLDT COUNTIES TO WHICH PUBLIC RESOURCES CODE SECTION 6871.2 IS NOT APPLICABLE ARE TO BE DESIGNATED A "SANCTUARY ZONE";
2. DECLARES THAT NO OIL AND GAS LEASING OR DEVELOPMENT SHALL BE ALLOWED WITHIN THE DESIGNATED SANCTUARY ZONE; AND
3. DIRECTS STAFF TO REFRAIN FROM ACCEPTING APPLICATIONS FOR OIL AND GAS LEASING OR DEVELOPMENT WITHIN THE SANCTUARY ZONE.

Attachment: Calendar Item 2.

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MINUTE PAGE

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