

PRESENT: Leo McCarthy
Susanne Burton
Gray Davis *
Cleatta Simpson **

CONVENED: 11:10 a.m.
ADJOURNED: 4:00 p.m.

Y=Yes N=No A=Abstain

	Amended*	Deferred	Ruled	Considered - No Action Taken	Informational Only - No Action Taken	Approved As Presented	VOTE		
							Controller	Lt. Governor	Director of Finance
							✓	Y	Y

FOR INFORMATION, PLEASE CONTACT:

Lisa Lloyd
1807 - 13th Street
Sacramento, CA 95814
(TDD/TT) 1-800-735-2929
(916) 445-0772

SUMMARY

MEETING OF THE STATE LANDS COMMISSION
SACRAMENTO MARINA (MILLER PARK)
2710 RAMP WAY
SACRAMENTO, CALIFORNIA 95818

LEO T. MCCARTHY, LIEUTENANT GOVERNOR, CHAIRMAN
GRAY DAVIS, STATE CONTROLLER, COMMISSIONER
THOMAS W. HAYES, DIRECTOR OF FINANCE, COMMISSIONER

WEDNESDAY - APRIL 28, 1993

ORDER OF BUSINESS

I. 11:00 A.M. - CLOSED SESSION. "CONSIDERATION OF POSSIBLE AND PENDING LITIGATION." THESE MATTERS WILL BE DISCUSSED IN A SESSION CLOSED TO THE PUBLIC, PURSUANT TO ATTORNEY-CLIENT PRIVILEGES. (SEE GOVERNMENT CODE SECTION 11126).

THE FOLLOWING MATTERS WILL BE CONSIDERED UNDER GOVERNMENT CODE SECTION 11126(Q)(1):

California Coastal Commission; and State Lands Commission V. United States Department of the Interior; etc. et al.

Doris Ahadpour and Ferydoun Ahadpour V. State of California, et al.

IN ADDITION, THE COMMISSION SHALL CONSIDER MATTERS WHICH FALL UNDER GOVERNMENT CODE SECTION 11126(Q)(2) AND (3)

II. AT THE CONCLUSION OF THE CLOSED SESSION WILL BE THE OPEN SESSION (PUBLIC MEETING).

A SIGN LANGUAGE INTERPRETER WILL BE PROVIDED UPON ADVANCE NOTIFICATION OF NEED BY A DEAF OR HEARING IMPAIRED PERSON. SUCH NOTIFICATION SHOULD BE MADE AS SOON AS POSSIBLE PRIOR TO DATE OF THE EVENT.

III. CONFIRMATION OF MINUTES FOR THE MEETING OF FEBRUARY 25, 1993.

* - Voting on Calendar Items 44 through 47.

** - Voting on Calendar Items 101 through 103

* See Attached

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					Approved As Presented	Controller	Lt. Governor
					✓	✓	✓
					✓	✓	✓

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

IV. CONSENT CALENDAR C01 - C39. THE FOLLOWING ITEMS ARE CONSIDERED TO BE NON-CONTROVERSIAL.

C01 DON AND JEAN ANGEL (LESSEES): Consider approving one Recreational Pier Permit, Sacramento River, Sacramento County. (Jones; WP 4777) (A 5; S 6)

C02 A) SIMPSON PAPER COMPANY; B) CHEVRON U.S.A., INC; C) UNION OIL COMPANY OF CALIFORNIA AND ONYX ENERGY COMPANY; D) SOUTHERN CALIFORNIA EDISON COMPANY; E) SOUTHERN CALIFORNIA EDISON COMPANY; F) THE HUNTINGTON PARTNERSHIP; G) TEACHER'S BEACH ASSOCIATION; H) EUGENE S. MAFFUCCI; I) FRANKLIN D. AND JOANN RAMOS (APPLICANTS/LESSEES): Consider approval of nine (9) Rent Reviews/Continuations: one in Sacramento River, Shasta County; One in Suisun Bay, Contra Costa and Solano counties; one in Santa Barbara Channel, Ventura and Santa Barbara counties; one in Sunset Bay, Orange County; one southeast of Lake Elsinore, Riverside County; one in Huntington Harbour, Orange County; two in Tomales Bay, Marin County; and one in Steamboat Slough, Solano County. (Burks, Jones, Gordon, Maricle, Reese; PRC 3051, PRC 4465, PRC 3978, PRC 4737, PRC 4017, PRC 4899, PRC 4055, PRC 5605, PRC 7199) (A 1; 6, 8, 11, 35, 66, 67; S 2, 3, 4, 7, 18, 35, 36)

C03 SAN LUIS AND DELTA MENDOTA WATER AUTHORITY (APPLICANT): Consider application for one-year Public Agency permit for installation of acoustic barrier at confluence of Georgiana Slough and Sacramento River to direct migration of juvenile chinook salmon. (Fong; W 25012) (A 8; S 4)

* See Attached

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					✓	✓	✓
					✓	✓	✓
					✓	✓	✓
					✓	✓	✓

C04 JOHN POLK (APPLICANT): Consider application for ten-year General Permit - Recreational Use of tide and submerged land located in Georgiana Slough near the town of Isleton, Sacramento County for installation, maintenance, and use of a five-berth covered floating, recreational dock. (Fong; W 24841) (A 8; S 4, 5)

C05 SUSIE-JANE DWYER, AKA SUSIE-JANE GUITTARD (APPLICANT): Consider application for five-year Recreational Pier Permit, for submerged land located in Agate Bay, Lake Tahoe, Placer County, for reconstruction and maintenance of one existing pier/boathouse and maintenance of two existing mooring buoys, for boat-mooring purposes. (Gordon; PRC 3294) (A 4; S 1)

C06 CARL D. ARNOLD, JR. AND BARBARA P. ARNOLD, TRUSTEES, CARL D. ARNOLD, III AND ELENA G. ARNOLD (PARTY): Consider acceptance of Lease Quitclaim Deed, termination of General Permit - Recreational Use PRC 4204, and application for a five-year General Permit - Recreational Use of submerged land located in Lake Tahoe near Kings Beach, Placer County for reconstruction and maintenance of pier and installation of two low-level boatlifts. (Gordon; PRC 4204) (A 4; S 1)

C07 JOHN F. OTTO AND BARBARA M. OTTO, TRUSTEES (APPLICANT): Consider application for a five-year Recreational Pier Permit for submerged land located in Lake Tahoe near Carnelian Bay, Placer County for reconstruction, modification, and maintenance of existing pier and maintenance of existing mooring buoy, all utilized for boat-mooring purposes. (G. Gordon; PRC 4315) (A 4; S 1)

* See Attached

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						Controller	Lt. Governor	Director of Finance
					✓	✓	✓	✓
					✓	✓	✓	✓
					✓	✓	✓	✓

C08 HENRY E. BOLTON (APPLICANT): Consider application for five-year General Permit - Recreational Use, of submerged land located in Carnelian Bay, Lake Tahoe at Cedar Flat, Placer County, for maintenance of existing pier utilized for recreational boating. (Gordon; PRC 5101) (A 4; S 1)

C09 UNION OIL COMPANY OF CALIFORNIA (PARTY): Consider application for 20-year General Lease - Right-of-Way Use of submerged land located in bed of San Joaquin River near Dos Palos, Fresno and Madera counties for construction, operation, and maintenance of eight-inch natural gas pipeline with temporary construction easement. (Gordon; W 24896) (A 30; S 14, 16)

C10 BROCKWAY SPRINGS PARTNERS DBA BROCKWAY HOT SPRINGS (APPLICANT): Consider application for five-year General Lease - Commercial Use, of submerged lands in Agate Bay, Lake Tahoe at Brockway, Placer County, for maintenance and operation of pier with three floating docks, hot spring deck and breakwater, swim area with swim line and swim float, and mooring buoys, all existing and previously authorized. (Gordon; WP 1691) (A 4; S 1)

* See Attached

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					✓	✓	✓	
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					✓	✓	✓	
					✓	✓	✓	

- C11 CITY OF SACRAMENTO, DEPARTMENT OF PARKS AND COMMUNITY SERVICES (LESSEE), H.E.G. ENTERPRISES INC. (SUBLESSEE) CADILLAC BAR, INC. (APPLICANT) CHANNEL STAR EXCURSIONS, INC. (APPLICANT): Consider 1) rescinding approval of sublease to H.E.G. Enterprises, Inc.; 2) approval by endorsement of sublease between City of Sacramento, Master Lessee, and Cadillac Bar, Inc., Sublessee; 3) approval by endorsement of sublease between City of Sacramento, Master Lessee, and Channel Star Excursions, Inc.; 4) approval of amendment of Master Lease to provide that annual rent and annual report be due on September 1 of each year. (Grimmett; PRC 7001) (A 9; S 6)
- C12 PACIFIC GAS AND ELECTRIC COMPANY (LESSEE): Consider application for Addendum No. 11 to Master General Lease - Right-of-Way Use, PRC 6837, for tidelands and submerged lands - statewide for installation of fiber optic cable in Sacramento River, Sacramento and Yolo counties. (Jones, PRC 6827) (A 8, 5; S 4, 6, 8)
- C13 NAPA-SOLANO GIRL SCOUT COUNCIL (APPLICANT): Consider ten-year General Permit - Recreational Use, of a parcel which may contain filled tidelands and submerged land in the historic bed of Cordelia Slough, Solano County, for use and maintenance of outdoor recreational facilities. (Jones; WP 6408) (A 7; S 2)
- C14 DONALD MCNARY, ET AL (APPLICANT): Consider application for termination of Recreational Pier Permit and approval of five-year General Lease - Recreational Use for land located in bed of Lake Tahoe at Meeks Bay, El Dorado County, for continued use and maintenance of existing recreational pier and mooring buoys and relocation of boulders. (J. Ludlow; PRC 3713) (A 4; S 1)

* See Attached

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					✓	✓	✓	✓
					✓	✓	✓	✓
					✓	✓	✓	✓
					✓	✓	✓	✓
					✓	✓	✓	✓

- C15 **HOWARD W. STOKES AND SHARON L. STOKES (APPLICANT):** Consider application for five-year Recreational Pier Permit for submerged land located in bed of Lake Tahoe at Meeks Bay, El Dorado County for reconstruction and extension of existing pier, installation of low-level boatlift and retention of existing mooring buoys. (J. Ludlow; PRC 6819) (A 9; S 3)
- C16 **DEPARTMENT OF TRANSPORTATION DISTRICT 1 (APPLICANT):** Consider application for map and General Permit - Public Agency Use for an indefinite term of sovereign land located in bed of Van Duzen River, Humboldt County, for replacement of bridge on State Highway 101 near Alton. (J. Ludlow; W 24506) (A 1; S 2)
- C17 **HUMBOLDT COUNTY DEPARTMENT OF PUBLIC WORKS (APPLICANT):** Consider application for twenty-year General Permit - Public Agency Use of sovereign land located in bed of Salt River near Ferndale, Humboldt County, for removal and replacement of Valley Flower Bridge. (J. Ludlow; W 24801) (A 2; S 2)
- C18 **UNION OIL COMPANY OF CALIFORNIA (LESSEE):** Consider adoption of Negative Declaration, authorization of Lease Termination Agreement, and acceptance of Quitclaim Deed from Union Oil Company of California regarding tide and submerged lands located in Ventura County. (Maricle; WP 602) (A 36; S 18)
- C19 **STATE LANDS COMMISSION (PARTY):** Authorize, as both State Lands Commission and School Land Bank Trustee, offering for sale, State school land in Kern County. (Reese; SA 5709) (A 33; S 13)

* See Attached

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						Controller	Lt. Governor	Director of Finance
		✓						
					Y	Y	Y	
					Y	Y	Y	
					Y	Y	Y	
					Y	Y	Y	

- C20 **SANTA CATALINA ISLAND COMPANY (PARTY):** Consider authorization to execute amended lease for continued operation and maintenance of existing moorings at Catalina Island. (A. Scott; PRC 3639) (A 54; S 27)
- C21 **VOLLMAN-CLARK RANCH (LESSEE):** Consider application for amendment to Lease No. 7620, General Lease - Commercial Use, to Vollman-Clark Ranch on tide and submerged land located in Sacramento River at Walnut Grove, Sacramento County, for commercial marina. (Grimmett, Simmons; WP 7620) (A 2; S 5)
- C22 **SAN DIEGO GAS & ELECTRIC COMPANY (APPLICANT):** Consider application for authorization to dredge approximately 541,000 cubic yards of material at intake channel of San Diego Gas & Electric Company's South Bay Power Plant, San Diego Bay, city of Chula Vista, San Diego County. (J. Smith; W 24858) (A 80; S 40)
- C23 **WESTERN DOCK ENTERPRISES (APPLICANT):** Consider amendment to extend the term only of existing dredging permit, tide and submerged lands, San Rafael Creek, Marin County. (J. Smith; WP 6459) (A 6; S 3)
- C24 **CALIFORNIA DEPARTMENT OF FISH AND GAME (APPLICANT):** Consider application for 30-year General Lease - Public Agency Use of tide and submerged land located in Montezuma Slough, Solano County, for a fishing platform, main intake pipes, and fish screens. (N. Smith; W 24706) (A 8; S 4)

* See Attached

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							Controller	Lt. Governor	Director of Finance
C25						✓	Y	Y	Y
C26						✓	Y	Y	Y
C27						✓	Y	Y	Y
C28 *						✓	Y	Y	Y
C29						✓	Y	Y	Y

C25 **DAN D. MARSH (PERMITTEE):** Consider application for 20-year General Permit - Recreational and Residential Use of tide and submerged lands located in Mare Island Straits, Sandy Beach, city of Vallejo, Solano County, for recreational dock and residential deck. (N. Smith; WP 2829) (A 7; S 2)

C26 **CITY OF SUISUN REDEVELOPMENT AGENCY (LESSEE):** Consider application for amendment to lease PRC 7625, General Lease - Public Agency Use, to construct and maintain transient dock, with gangway and access ramp, on tide and submerged land located in Suisun Slough, city of Suisun, Solano County, for commercial marina facilities. (N. Smith; WP 7625) (A 8; S 4)

C27 **CALIFORNIA AND HAWAIIAN SUGAR COMPANY (LESSEE); A & B HAWAII, INC. (APPLICANT):** Consider acceptance and approval of transfer of controlling interest in General Lease - Industrial Use, PRC 7659, for tide and submerged land located in Carquinez Straits, Contra Costa County, for sugar refinery. (N. Smith WP 7659, PRC 5026, PRC 5076) (A 11; S 7)

C28 * **COUNTY OF SONOMA DEPARTMENT OF PUBLIC WORKS (PARTY):** Consider application for Public Agency Permit for Seasonal Crossings on Russian River, Sonoma County. (Young; W 21672) (A 1; S 2)

C29 **CITY OF HERMOSA BEACH (APPLICANT):** Consider approving lease of Granted Tidelands for oil and gas development pursuant to P.R.C. Section 7060. (Frey, Willard; W 40015) (A 53; S 28, 29)

* Calendar Item C28 moved from Consent Calendar to Regular Calendar.

* See Attached

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						Controller	Lt. Governor	Director of Finance
					✓	Y	Y	Y
					✓	Y	Y	Y
			✓					
					✓	Y	Y	Y
	✓							
					✓	Y	Y	Y

- C30 UNITED STATES DEPARTMENT OF THE INTERIOR FISH AND WILDLIFE SERVICE (APPLICANT): Consider authorization to conduct public hearing regarding proposed acceptance of Retrocession of Jurisdiction at Salinas River National Wildlife Refuge, Monterey County. (Frey; W 25013) (A 27; S 15)
- C31 STATE LANDS COMMISSION (PARTY): Consider accepting Quitclaim Deed for land adjoining Owens Dry Lake, Inyo County. (S. Sekelsky, Frey; PRC 5464, W 23158) (A 34, S 15)
- C32 INFORMATIONAL STATE LANDS COMMISSION (APPLICANT): Monitoring of possible subsidence and seismic hazards, Long Beach Unit, Wilmington Oil Field, Los Angeles County. (Gaal; W 16008, W 10425,) (A 57, 58; S 29)
- C33 SHELL WESTERN E&P, INC. (LESSEE) UNION OIL OF CALIFORNIA (LESSEE): Certify environmental impact report and authorize implementation and operation of cooperative waterflood program, Huntington Beach Offshore Field, Orange County. (Planck, Walker, Hamilton; PRC 163, PRC 425, PRC 426, PRC E-392, PRC 3033, PRC 3413, W 40585) (A 37; S 33)
- C34 KAISER STEEL RESOURCES, INC. (LESSEE): Approve renewal of State Mineral Extraction Lease PRC 5678, Riverside County. (Kruger; PRC 5678) (A 80; S 37)
- C35 TEXAS CRUDE ENERGY, INC. (APPLICANT): Accept Quitclaim Deed of State oil and gas lease PRC 7608, Sand Mound Slough, Contra Costa County. (Nitsche; PRC 7608) (A 10; S 7)

* See Attached

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						Controller	Lt. Governor	Director of Finance
					✓	✓	✓	
					✓	✓	✓	
					✓	✓	✓	
					✓	✓	✓	
					✓	✓	✓	

C36 DEEPSEA DEVELOPMENT SERVICES INC. (APPLICANT): Approve three-year Non-Exclusive Geological Survey Permit on tide and submerged lands under jurisdiction of State Lands Commission. (Nitsche; W 6005.43)

C37 VENADA NATIONAL (PROPOSED LESSEE): Approve negotiated subsurface (no surface use) State oil and gas lease on submerged land in bed of Sacramento River, Sacramento and Yolo counties. (Nitsche; W 40651) (A 4, 10; S 5)

C38 CITY OF LONG BEACH (APPLICANT): Approve Second Amendment to Annual Plan (July 1, 1992- June 30, 1993), Revising Economic Projections, Optimized Waterflood Agreement, Long Beach Unit, Wilmington Oil Field, Los Angeles County. (Reid; W 17099) (A 57, 58; S 29)

C39 CITY OF LONG BEACH (APPLICANT): Approve Long Beach Unit Program Plan (July 1993 -June 1998) and Long Beach Unit Annual Plan (July 1, 1993 - June 30, 1994), Long Beach Unit, Wilmington Oil Field, Los Angeles County. (Reid; W 17099) (A 57, 58; S 29)

V. REGULAR CALENDAR ITEMS 40 - 47

40 * VALERIE W. LUSK (APPLICANT): Consideration of an application for ten-year General Permit - Recreational Use of submerged land, located in Donner Lake at Truckee, Nevada County, for construction and maintenance of a pier for recreational boating. (Gordon; W 24866) (A 3; S 1)

* Calendar Item 40 moved from Regular Calendar to Consent Calendar.

* See Attached

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							Controller	Lr. Governor	Director of Finance
41			✓						
42				✓					
43 *						✓	Y	Y	Y
44						✓	Y	Y	Y
45						✓	Y	Y	Y

41 **ROBERTS LANDING, INC. (APPLICANT):** Consider application for Dredging Permit for removal of levee bench materials and widen Roberts Landing Slough on State parcel located at Roberts Landing, City of San Leandro, Alameda County, for purpose of wetland enhancement and restoration. (Howe; W 24902) (A 18; S 10)

42 **INFORMATIONAL: GARY KAVENEY (APPLICANT):** Consider status of application of Gary Kaveney for commercial marina at Verona, Sutter County. (Jones; W 21216) (A 3; S 1)

43 * **SHELL WESTERN E & P INC. (APPLICANT):** Consider amendment to Industrial Lease - Right-of-Way Use of tide and submerged land located in Sacramento, Yolo, Contra Costa and Solano counties for industrial natural gas pipeline from Sacramento to Shell Oil Company's Martinez refinery. (Jones; WP 5107) (A 8; S 2, 4, 7)

44 **STATE LANDS COMMISSION (PARTY):** Consider awarding Mineral Extraction Lease to highest qualified bidder to extract sand and gravel from San Francisco Bay at Alcatraz Shoals, Pt. Knox Shoals, and Presidio Shoals, San Francisco and Marin counties. (Martinez; WP 709) (A 9, 17; S 5)

45 **STATE LANDS COMMISSION (PARTY):** Consider awarding Mineral Extraction Lease to highest qualified bidder to extract sand and gravel from Carquinez Straits, Contra Costa and Solano counties. (Martinez; WP 5733) (A 4, 11; S 2, 7)

* - Calendar Item 43 was moved from Regular Calendar to Consent Calendar.

* See Attached

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							Controller	Lt. Governor	Director of Finance
46						✓	✓	✓	✓
47	✓					✓	✓	✓	✓

46 STATE LANDS COMMISSION (PARTY): Consider awarding Mineral Extraction Lease to highest qualified bidder to extract sand and gravel from San Francisco Bay at Alcatraz Shoals, San Francisco County. (Martinez; WP 5871) (A 17; S 5)

47 * GAVIOTA TERMINAL COMPANY (APPLICANT): Consider application for Industrial Lease to Gaviota Terminal Company for operation and maintenance of offshore marine terminal located in Santa Barbara Channel for loading of petroleum onto tankers for shipment to Los Angeles area. (A. Scott, Gorfain, Meier; PRC 7075) (A 35; S 18)

VI. EXECUTIVE OFFICER'S REPORT

* - The Commission chose among alternative findings presented by staff.

* See Attached