

CONVENED:

2:42 p.m.

PRESENT: Gray Davis

ADJOURNED:

4:47 p.m.

Leo McCarthy

Theresa Parker

Y=Yes N=No A=Abstain

FOR INFORMATION, PLEASE CONTACT:

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SUMMARY

MEETING OF THE STATE LANDS COMMISSION
CONSIDER AFFAIRS BUILDING, ROOM 1030
400 'E' STREET
SACRAMENTO, CA 95814

GRAY DAVIS, STATE CONTROLLER, CHAIRMAN
LEO T. MCCARTHY, LIEUTENANT GOVERNOR, COMMISSIONER
RUSSELL S. GOULD, DIRECTOR OF FINANCE, COMMISSIONER

WEDNESDAY - APRIL 6, 1994

ORDER OF BUSINESS

I. 1:30 P.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.

State of California ex rel. State Lands Commission v. Donnie Dee Barker, 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).

CALENDAR ITEM REFERENCES TO AB 884 DENOTE THE PERMIT
STREAMLINING ACT (CALIFORNIA GOVERNMENT CODE SECTION 65920 ET
SEQ.)

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 MARCH 8, 1994.

Table with columns: Amended, Deferred, Ruled, Considered - No Action Taken, Informational Only - No Action Taken, Approved As Presented, Controller, Lt. Governor, Director of Finance, and VOTE.

CALENDAR PAGE
MINUTE PAGE 880

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

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

IV. CONSENT CALENDAR C01 - C52. THE FOLLOWING ITEMS ARE CONSIDERED TO BE NON-CONTROVERSIAL.

LAND MANAGEMENT

- C01 **JAMES P. DARRAH (EXECUTOR OF ESTATE OF GUARD C. DARRAH) (APPLICANT):** Consider termination of a General Lease - Right-of-Way, for roadway easement for ingress and egress on the Calaveras River, City of Stockton, San Joaquin County. (Burks; WP 6523) (A 17; S 5)
- C02 **LOUIS AND MARIAN HALASZ (APPLICANT):** Consider application for a ten-year Recreational Pier Permit for continued use and maintenance of an existing floating dock and walkway located in the Sacramento River, Sacramento River Subdivision, adjacent to Garden Highway, Sacramento County. (Burks; WP 6553) (A 5; S 4)
- C03 **ARTHUR L. AND LUCY M. SOUZA (APPLICANT):** Consider application for a ten-year General Lease - Protective Structure and Recreational Use for continued use and maintenance of an existing boat dock and walkway, and for existing bank protection located in the Sacramento River, adjacent to the Garden Highway, Sacramento County. (Burks; WP 6671) (A 5; S 6)
- C04 **JOANNE M. PELLISSIER (APPLICANT):** Consider application for a ten-year Recreational Pier Permit for continued use and maintenance of a floating dock, gangway and walkway located in Georgiana Slough, Andrus Island, Sacramento County. (Burks; WP 6684) (A 8; S 4)
- C05 **WESTERN AREA POWER ADMINISTRATION, DEPARTMENT OF ENERGY (APPLICANT):** Consider application for a General Permit - Public Agency Use for 500 kv electrical transmission line crossing of the Old River at four locations, adjacent to Victoria and Coney Islands; San Joaquin and Contra Costa Counties. (Burks; W 23795) (A 10, 26; S 5, 7)

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							Controller	Lt. Governor	Director of Finance
C06					✓	Y	Y	Y	<b>PACIFIC GAS AND ELECTRIC (APPLICANT):</b> Consider revision of rent for General Lease - Industrial Use; tide and submerged land in the San Joaquin River, two and one-half miles east of Antioch, Contra Costa County. (Burks; PRC 3124) (A 11; S 7)
C07					✓	Y	Y	Y	<b>PACIFIC GAS AND ELECTRIC COMPANY (APPLICANT):</b> Consider revision of rent for General Lease - Right-of-Way Easement; tide and submerged land in the San Joaquin River near Antioch, Contra Costa County. (Burks; PRC 415) (A 11, S 7)
C08					✓	Y	Y	Y	<b>DELTA MARINA YACHT HARBOR, INC. (APPLICANT):</b> Consider revision of rent for General Lease Commercial Use; tide and submerged land in the Sacramento River, City of Rio Vista, Solano County. (Burks; PRC 3141) (A 8, S 4)
C09					✓	Y	Y	Y	<b>DEL ESTE WATER COMPANY (APPLICANT):</b> Consider application for a thirteen (13) year General Lease - Right-of-Way for tide and submerged land across the Tuolumne River, City of Modesto, Stanislaus County; for the proposed placement of a 16-inch diameter water main to be attached to the existing Carpenter Road Bridge right-of-way. (Burks, W 25072) (A 26, S 12)
C10					✓	Y	Y	Y	<b>MICKY AND NORMA WILLIAMS (APPLICANT):</b> Consider application for a ten year General Lease - Protective Structure and Recreational Use for tide and submerged land located in the San Joaquin River, San Andreas Park, Andrus Island, Sacramento county, for continued use and maintenance of existing bank protection, platform and walkway. (Burks; WP 5105) (A 8; S 4)
C11					✓	Y	Y	Y	<b>NELSON C. AND JEANIE M. BARRY (APPLICANT):</b> Consider application for a ten-year General Lease - Protective Structure and Recreational Use for tide and submerged land located in Georgiana Slough, River Road, one-half mile south of Walnut Grove, Sacramento County. (Burks; WP 5349) (A 8, S 4)

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							Controller	Lt. Governor	Director of Finance
C12					✓	Y	Y	Y	
C13					✓	Y	Y	Y	
C14					✓	Y	Y	Y	
C15					✓	Y	Y	Y	
C16					✓	Y	Y	Y	
C17					✓	Y	Y	Y	
C18					✓	Y	Y	Y	

- C12 JOSEPH G. AND PATRICIA POWELL (APPLICANTS)** Consider application for a ten year Recreational Pier Permit for continued use and maintenance of a floating dock and gangway located in the Sacramento River, Andrus Island, Sacramento County. (Grimmett; PRC 6453) (A 8, S 4)
- C13 BENICIA PORT TERMINAL CO. (LESSEE):** Consider application to dredge a maximum 90,000 cubic yards of material for continued maintenance of navigable depth on tide and submerged lands in Carquinez Strait at the Benicia Port Terminal Dock, City of Benicia, Solano County. (Howe; WP 5096) (A 4, S 2)
- C14 PORT OF REDWOOD CITY (LESSEE):** Consideration application for maintenance dredging of a maximum 15,000 cubic yards of material along Wharf 3 for ship loading and unloading on granted mineral reservation lands at Redwood Creek Channel, City of Redwood City, South San Francisco Bay. (Howe; W 25042) (A 21; S 11)
- C15 PORT OF SAN FRANCISCO (LESSEE):** Consider application for maintenance dredging of 24,000 cubic yards of sediment from Pier 35 West and Pier 96, granted mineral reservation lands, City and County of San Francisco. (Howe; WP 7668) (A 13; S 3)
- C16 MARINA HOMEOWNERS ASSOCIATION (LESSEE):** Consider application for maintenance dredging of a maximum of 33,525 cubic yards of material in Suisun Slough, Solano County. (Howe; W 24963) (A 8; S 4)
- C17 GALLILEE HARBOR COMMUNITY ASSOCIATION (LESSEE):** Consider application to dredge 1,778 cubic yards of sediment for navigation and creation of marsh habitat, granted mineral reservation lands Richardson Bay, City of Sausalito, Marin County. (Howe; W 24788) (A 6; S 3)
- C18 BELARDO COMPANY (LESSEE):** Consider increase of annual rental, effective on May 1, 1994, for General Permit - Recreational Use, tide and submerged land in Corte Madera Creek at Larkspur, Marin County. Consideration: \$242 per annum; five year rent review. (Lam; PRC 4898) (A 6; S 3)

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							Controller	Lt. Governor	Director of Finance
C19					✓	Y	Y	Y	
C20					✓	Y	Y	Y	
C21					✓	Y	Y	Y	
C22					✓	Y	Y	Y	
C23					✓	Y	Y	Y	
C24					✓	Y	Y	Y	
C25					✓	Y	Y	Y	

- C19 DAVID AND CAROL BURKHART (LESSEES):** Consider increase of annual rental for General Permit - Recreational Use, tide and submerged land in Petaluma River at Lakeville, Sonoma County. (Lam; PRC 5692) (A 6; S 3)
- C20 BURLINGAME BAY ASSOCIATES (LESSEES):** Consider application for extension of agreement and consent to encumbancing of lease PRC 4687, General Lease - Commercial Use, partially filled sovereign lands located in Burlingame, San Mateo County. (Lam; PRC 4687) (A 19; S 8)
- C21 LURA CROSSLEY (APPLICANT):** Consider application for a ten-year, Recreational Pier Permit, from April 1, 1994, of tide and submerged land in Corte Madera Creek, Larkspur, Marin County; for continued use and maintenance of existing floating dock and walkway. (Lam; W 25055) (A 6; S 3)
- C22 SUNHILL INVESTMENTS, LTD. (LESSEE):** Consider increase of annual rental for General Permit - Recreational Use, tide and submerged land in Corte Madera Creek at Larkspur, Marin County. (Lam; PRC 5695) (A 6; S 3)
- C23 LAWRENCE PEDROTTI (LESSEE):** Consider increase of annual rental for General Permit - Recreational Use, tide and submerged land in Petaluma River at Lakeville, Sonoma County. (Lam; PRC 5693) (A 6; S 3)
- C24 MERCEDES SEE (LESSEE):** Consider increase of annual rental for General Permit - Recreational Use, tide and submerged land in Petaluma River at Lakeville, Sonoma County. (Lam; PRC 5694) (A 6; S 3)
- C25 CANEVARI TIMBER COMPANY (APPLICANT):** Consider application for General Lease - Right-of-Way Use, for submerged land in the bed of the Eel River near Fortuna, Humboldt County. (J. Ludlow; W 24531) (A 1; S 2)

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C26					✓	Y	Y	Y	
C27					✓	Y	Y	Y	
C28					✓	Y	Y	Y	
C29					✓	Y	Y	Y	
C30					✓	Y	Y	Y	
C31					✓	Y	Y	Y	

- C26 DEPARTMENT OF TRANSPORTATION DISTRICT 1 (APPLICANT):** Consider application for map and General Lease - Public Agency Use for an indefinite term of sovereign land located in the bed of the Navarro River adjacent to State Highway 128, southeast of Albion, Mendocino County. (J. Ludlow; PRC 7697.9) (A 1; S 2)
- C27 DEPARTMENT OF TRANSPORTATION (APPLICATION):** Consider application for map and General Lease - Public Agency Use for an indefinite term of sovereign land located in the bed of the Cache Creek adjacent to State Highway 53 at Clear Lake, Lower Lake, Lake County. (J. Ludlow; W 24951) (A 4; S 2)
- C28 THOMAS EDGAR MEAKIN AND JAMES WETMORE MEAKIN AND LILIAN ROBERTS, TRUSTEE (APPLICANT):** Consider application for a five-year Recreational Pier Permit located on a parcel of submerged land in the bed of Lake Tahoe at Rubicon Bay, El Dorado County; for the continued use and maintenance of an existing recreational multi-use pier, boathouse and four previously unauthorized mooring buoys. (J. Ludlow; PRC 3884) (A 4; S 1)
- C29 PHILIP J. FAGAN, JR. AND DIANNE E. FAGAN (APPLICANT):** Consider application for a five-year Recreational Pier Permit for a parcel of submerged land located in the bed of Lake Tahoe at Jameson Beach, El Dorado County, for the continued use and maintenance of an existing recreational pier and two mooring buoys. (J. Ludlow; PRC 4147) (A 4; S 1)
- C30 PHILIP J. FAGAN, JR. AND DIANNE E. FAGAN (APPLICANT):** Consider application for a five-year Recreational Pier Permit for a parcel of submerged land located in the bed of Lake Tahoe at Jameson Beach, El Dorado County, for the continued use and maintenance of an existing recreational pier and two mooring buoys. (J. Ludlow; PRC 5134.9) (A 4; S 1)
- C31 OBEYER AND SON, INC. (APPLICANTS):** Consider application for the amendment of a Commercial Lease to reconstruct an existing rock crib pier and retaining wall and increase liability insurance to \$1,000,000; near Homewood, Placer County. (J. Ludlow; PRC 653.1) (A 4; S 1)

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C32					✓	Y	Y	Y	
C33					✓	Y	Y	Y	
C34					✓	Y	Y	Y	
C35					✓	Y	Y	Y	
C36					✓	Y	Y	Y	
C37					✓	Y	Y	Y	

- C32 CENTRAL COAST WATER AUTHORITY (APPLICANT):** Consider application for a 49-year General Lease - Public Agency, Right-of-Way Use, for sovereign land near Lompoc, Santa Barbara County, for the construction, operation, and maintenance of a water aqueduct. (Lynch; W 25000) (A 33, 35; S 18)
- C33 ROBERT M. SHERMAN (ASSIGNOR):** Consider application for an assignment of and staff recommendation to amend General Lease - Commercial Use, PRC 5467, a parcel of filled tidelands at Anza Park, City of Burlingame, San Mateo County. (Plummer; PRC 5467) (A 19; S 8)
- C34 ANN I. STEVENS AND HERMIE H. PILI (ASSIGNOR) DANTE A. BANTA AND ZENAIDA P. BANTA (ASSIGNEE):** Consider application for assignment of Grazing Lease, PRC 4566.2, from Ann I. Stevens and Hermie H. Pili to Dante A. and Zenaida P. Banta for a 320- acre parcel of State School land for livestock grazing in Mesquite Valley, San Bernardino County. (Reese; WP 4566.2) (A 61; S 25)
- C35 COUNTY OF FRESNO PUBLIC WORKS & DEVELOPMENT SERVICES DEPARTMENT (APPLICANT):** Consider application for dredging permit PRC 5939 to clarify maximum dredging volume to allow annual dredging of 20,000 cubic yards of material, during the remaining term of the permit, from sovereign lands in the bed of the San Joaquin River near Mendota, Fresno County. (J. Smith; PRC 5939) (A 30; S 16)
- C36 SANTA BARBARA COUNTY FLOOD CONTROL DISTRICT (APPLICANT):** Consider application to dredge a maximum of 25,000 cubic yards of sediment from Connector Channel with aquatic deposition in the surf zone; and annually for five years dredge a maximum 60,000 cubic yards of sediment from mouth of Goleta Slough, with deposition on the beach, Santa Barbara County. (J. Smith; W 24916) (A 35; S 18)
- C37 REDEVELOPMENT AGENCY, CITY OF SUISUN (PARTY):** Consideration of a Compromise Title Settlement Agreement involving real property in the City of Suisun, Solano County. (N. Smith; W 25015) (A 8; S 7)

	Amended	Deferred	Pulled	Considered - No Action Taken	Informational Only - No Action Taken	Approved As Presented	VOTE		
							Controller	Lt. Governor	Director of Finance
C38					Y	Y	Y	Y	
C39					Y	Y	Y	Y	
C40		Y							
C41					Y	Y	Y	Y	
C42					Y	Y	Y	Y	
C43					Y	Y	Y	Y	

- C38 NORMAN GOTTI AND LENA PFYFFER (LESSEE):** Consider application for a one year renewal of a General Lease - Grazing Use, Lease PRC 5369 beginning January 1, 1994, for a 440-acre parcel of school land, located northwest of the City of Santa Cruz, Santa Cruz, County; for cattle grazing. Consideration: \$4,453 per annum. (N. Smith; PRC 5369) (A 28; S 17)
- C39 DEPARTMENT OF FISH AND GAME (LESSEE):** Consider extension of construction completion date one year to October 1, 1995, for General Lease-Public Agency Use, for tide and submerged land located in Montezuma Slough near Island Slough, Solano County, for a fish screen. (N. Smith; PRC 7685) (A 8; S 4)
- C40 UNIVERSITY OF CALIFORNIA, SAN DIEGO SCRIPPS INSTITUTION OF OCEANOGRAPHY (APPLICANT):** Consider application for a 25-year General Lease - Public Agency Use, from April 1, 1994 of tide land on the bed of the Pacific Ocean extending from Pt. Sur Naval Facility to the three mile limit, Monterey County; for seabed cable installation supporting research. (N. Smith; W 25091) (A 27; S 15)
- C41 COLORADO RIVER LANDING, A CALIFORNIA GENERAL PARTNERSHIP (PARTY):** Amend existing title settlement agreement SLL 75 to extend channel option period from current ten-years to 15-years from July 30, 1982. Option given as part consideration for boundary agreement. (A. Scott, Fossum; W 22421, SLL 75) (A 34; S 17)
- C42 HOWARD H. BALSDON, LINDA BALSDON WEST, CAROLINE B. CARBAJAL (APPLICANTS):** Consider application for a Recreational Pier Permit, from April 6, 1994 located in Lake Tahoe, Placer County, for recreational facility consisting of two (2) mooring buoys. (Young; WP 6958.9) (A 4; S 1)
- C43 EDMUND H. AND MARY SHEA (APPLICANT):** Consider application for a five-year Recreational Pier Permit, from March 24, 1993 located in Lake Tahoe, Placer County, for recreational facility consisting of a pier and a mooring buoy. (Young; WP 3621) (A 4; S 1)

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							Controller	Lt. Governor	Director of Finance
C44					✓	Y	Y	Y	
C45					✓	Y	Y	Y	
C46					✓	Y	Y	Y	
C47		✓							
C48					✓	Y	Y	Y	
C49		✓							

**C44 SONOMA COUNTY PUBLIC WORKS DEPARTMENT (APPLICANT):** Consider application for a 15-year Public Agency Lease, from May 15, 1994, for the continued installation of four (4) summer road crossings at separate locations along the Russian River, Sonoma County. (Young; WP 7686) (A 1; S 2)

**C45 BARBARA BROWN (APPLICANT):** Consider application for a five-year replacement of a Recreational Pier Permit, from April 6, 1994 located in Lake Tahoe, Placer County, for recreational facility consisting of a pier and an mooring buoy. (Young; WP 6798.9) (A 4; S 1)

**C46 STATE LANDS COMMISSION (APPLICANT):** Staff requests authorization of the State Lands Commission acting as School Land Bank Trustee for direct sale of landlocked school land parcels to adjacent property owners. (Reese; W 23484) (Statewide)

**C47 STATE LANDS COMMISSION (PARTY):** Adopt revised Recreational Pier Permit Form 51.4 Revised 1/94. (A. Scott; W 5125.4) (Statewide)

LEGAL

**C48 METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA; STATE LANDS COMMISSION (PARTIES):** Consideration of Settlement Proposal in the case of Metropolitan Water District of Southern California v. Scott L. Vaughn, et al., Riverside County Superior Court Case No. 226917. (Kiley, W 25120) (A 66; S 36)

**C49 CITY OF NEWPORT BEACH (PARTY):** Review of City of Newport Beach proposed leases involving granted filled tide and submerged lands in Beacon Bay, Orange County. (Fossum; G-09-02.4) (A 70; S 35)

