

**MINUTE ITEM**

This Calendar Item No. C62 was approved as Minute Item No. 62 by the California State Lands Commission by a vote of 3 to 0 at its 9-17-01 meeting.

**CALENDAR ITEM  
C62**

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D. Brown  
A. Cueva

**REQUEST AUTHORITY FOR EXECUTIVE OFFICER TO SOLICIT PROPOSALS, NEGOTIATE FAIR AND REASONABLE PRICE, AWARD AND EXECUTE AGREEMENT FOR IMPLEMENTATION OF THE MITIGATION MONITORING PROGRAM (MMP) ADOPTED FOR THE QUESTAR SOUTHERN TRAILS PIPELINE PROJECT BY THE COMMISSION ON NOVEMBER 27, 2000**

**PARTY:**

California State Lands Commission  
100 Howe Avenue, Suite 100 South  
Sacramento, CA 95825-8202

**BACKGROUND:**

The Questar Southern Trails Pipeline Project was considered and approved by the California State Lands Commission (CSLC) on November 27, 2000. The pipelines will transport up to 90 million cubic feet of natural gas per day (Mmcfd) to customers in Arizona, and 120 Mmcfd to customers in southern California. The project requires the conversion of the existing 16-inch pipeline and associated facilities previously used for the delivery of crude oil to natural gas service. To achieve the project purpose, the Applicant must construct pipeline extensions to interconnect with natural gas supply sources, other interstate natural gas pipelines, and end-use customers. In addition, short sections of the existing pipeline must be replaced or realigned/rerouted to meet Federal safety standards for natural gas pipelines. No new construction will take place on the lease premises. Once the pipeline has been successfully converted and hydrostatically tested, the Applicant anticipates that the lifespan of the pipeline would be an additional 50 years with proper maintenance.

**PROPOSED ACTIVITY:**

Pursuant to CEQA and NEPA guidelines, public meetings were held between May 4 and May 13, 1999, in eight communities in California, Arizona, and New Mexico. Issues raised during the public comment period on the Draft FEIS/EIR included project need, alternatives, permits and regulations, conversion, cleaning, construction procedures, pipeline reliability and operational safety, etc. These and other concerns were incorporated and addressed in the FEIS/EIR.

CALENDAR PAGE 00450  
MINUTE PAGE 001801

CALENDAR ITEM NO. C62 (CONT'D)

The FEIS/EIR also developed mitigation measures to ensure that potentially significant environmental impacts of the project are either avoided or reduced to a level of insignificance. A Mitigation Monitoring Program (MMP) was developed to implement such mitigation and was adopted by the CSLC on November 27, 2000. Due to the intermittent nature of the work and the logistics involved in monitoring the mitigation efforts, staff proposes to perform this work through a consultant.

Consultant selection shall be conducted consistent with procedures as specified in CSLC Regulations and in the State Contracting Manual on the basis of demonstrated competence and qualifications for the types of services to be performed and at a fair and reasonable price. All costs shall be recovered from Questar or their successors.

**STATUTORY AND OTHER REFERENCES:**

- A. Public Resources Code Section 6106 (Delegation to execute written instruments)
- B. State Contracts Manual Section 11.00 (A & E method)
- C. Public Contract Code Section 6106
- D. Government Code Section 4526
- E. California Administrative Code Title 2 Article 13 Section 2980.0 - 2990.0

**IT IS RECOMMENDED THAT THE COMMISSION:**

1. FIND THAT THESE ACTIVITIES ARE EXEMPT FROM THE REQUIREMENTS OF CEQA PURSUANT TO 14 CAL CODE REGS. BECAUSE THESE ACTIVITIES ARE NOT PROJECTS AS DEFINED BY PUBLIC RESOURCES CODE SECTION 21065 AND 14 CAL CODE REGS. 15378.
2. FIND THAT THE SELECTION OF CONSULTANT UNDER THIS PROCESS DOES NOT AFFECT SMALL BUSINESSES AS DEFINED IN GOVERNMENT CODE SECTION 11342, SUB. (H), BECAUSE THEY WILL BE ACCORDED EQUAL OPPORTUNITY TO SUBMIT STATEMENTS OF QUALIFICATIONS AND PERFORMANCE DATA.
3. AUTHORIZE THE EXECUTIVE OFFICER OR HIS DESIGNEE TO SOLICIT PROPOSALS, NEGOTIATE FAIR AND REASONABLE PRICE, AWARD AND EXECUTE CONTRACT IN ACCORDANCE WITH STATE POLICIES AND PROCEDURES.
4. AUTHORIZE THE EXECUTIVE OFFICER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT WITH QUESTAR TO RECOVER ALL STATE COSTS PURSUANT TO IMPLEMENTING AND CONDUCTING THE MITIGATION MONITORING PROGRAM.