

MINUTE ITEM

This Calendar Item No. C12 was approved as Minute Item No. 12 by the California State Lands Commission by a vote of 3 to 0 at its 02/05/07 meeting.

CALENDAR ITEM

C12

A 67

02/05/07

S 35

W 25306

J. Trout

J. Brown

**CONSIDER AUTHORIZING THE ACCEPTANCE OF A QUITCLAIM DEED FROM AERA ENERGY LLC FOR THE SURFACE AND THAT PORTION OF THE SUBSURFACE EXTENDING DOWNWARDS TO A DEPTH OF 500 FEET FOR THE FULL TIDAL AREA OF THE BOLSA CHICA LOWLANDS RESTORATION PROJECT**

**PARTIES:**

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

Aera Energy LLC (Lessee)  
10000 Ming Ave.  
P.O. Box 11164  
Bakersfield, Ca 93389-1164

**BACKGROUND:**

As part of the Bolsa Chica Lowlands Restoration Project (Project) approved by the State Lands Commission (Commission) on January 30, 2002 (Calendar Item 49), Aera Energy LLC (Aera) was required to abandon numerous oil and gas wells in the area known as the Full Tidal Area. The Commission acquired this property for the Project in 1997 (approved by the Commission on February 12, 1997, Calendar Item 90) subject to pre-existing lease obligations connected with oil and gas operations. The Bolsa Surface Use Agreement, dated September 2, 1971, as amended (BSUA), governs the relationship between the fee owner, now the Commission, and the oil and gas lessee (now Aera) by allowing for the development of the surface of the Project lands.

In furtherance of the Project, the Commission and Aera's predecessor in interest signed the Operating Assurances Agreement (OAA) on February 13, 1997, in recognition of the plans to restore the Bolsa Chica property as wetlands and the obligations of the Commission on behalf of the Project under the BSUA. Under the OAA and the subsequent "Agreement Implementing Provisions of the Bolsa Surface Use Agreement and the Operating Assurances Agreement Concerning Acquisition of Surface Rights; Lost Production; and Plugging and Abandonment

CALENDAR ITEM NO. C12 (CONT'D)

at Bolsa Chica, Orange County, California," (Agreement) the Commission and Aera agreed on the abandonment of wells in the Full Tidal Area. The abandonment of the wells was completed and the Full Tidal Area was opened to tidal influence on August 24, 2006.

Pursuant to the Agreement, Aera has executed a Quitclaim Deed for the surface and subsurface rights it has down to a depth of 500 feet in the Full Tidal Area. The underlying leases remain in effect except for this partial surrender.

**OTHER PERTINENT INFORMATION:**

Pursuant to the Commission's delegation of authority and the State CEQA Guidelines [Title 14, California Code of Regulations, section 15060(c)(3)], the staff has determined that this activity is not subject to the provisions of the CEQA because it is not a "project" as defined by the CEQA and the State CEQA Guidelines.

Authority: Public Resources Code section 21065 and Title 14, California Code of Regulations, sections 15060 (c)(3) and 15378.

**EXHIBITS:**

- A. Quitclaim Deed
- B. Location and Site Map

**RECOMMENDED ACTION:**

IT IS RECOMMENDED THAT THE COMMISSION:

**AUTHORIZATION:**

1. FIND THAT THE ACTIVITY IS NOT SUBJECT TO THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14 CALIFORNIA CODE OF REGULATIONS, SECTION 15060(c)(3) BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY PUBLIC RESOURCES CODE SECTION 21065 AND TITLE 14 CALIFORNIA CODE OF REGULATIONS, SECTION 15378.
2. ACCEPT A QUITCLAIM DEED FOR THE SURFACE AND THAT PORTION OF THE SUBSURFACE EXTENDING DOWNWARDS TO A DEPTH OF 500 FEET FOR THE FULL TIDAL AREA OF THE BOLSA CHICA LOWLANDS RESTORATION PROJECT.

CALENDAR ITEM NO. C12 (CONT'D)

3. AUTHORIZE THE EXECUTIVE OFFICER OR HIS DESIGNEE TO EXECUTE ANY DOCUMENTS NECESSARY TO IMPLEMENT THE COMMISSION'S ACTION.

EXHIBIT A

RECORDING REQUESTED BY AND  
WHEN RECORDED MAIL TO:

Aera Energy LLC  
Attn: Coastal Asset Land  
P.O. Box 11164  
Bakersfield, CA 93389-1164

MAIL TAX STATEMENTS  
TO THE ABOVE

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Space Above For Recorder's Use Only

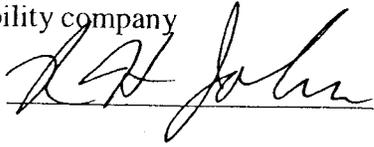
**QUITCLAIM DEED**

FOR A VALUABLE CONSIDERATION, the receipt of which is hereby acknowledged, Aera Energy LLC, a California limited liability company, does hereby REMISE, RELEASE AND FOREVER QUITCLAIM to the California State Lands Commission, the surface and that portion of the subsurface thereof extending downwards to a depth of five hundred feet (500 ft.) below the surface of the following described real property in the County of Orange, State of California:

See Exhibit "A", attached hereto and made a part hereof.

Dated: *January 9,* 2007

Aera Energy LLC, a California limited  
liability company

By: 

000049

CALENDAR PAGE

000071

MINUTE PAGE

Revised 1/30/07

**EXHIBIT A**  
**Bolsa Chica Legal Line**

1 THAT PORTION OF THE RANCHO BOLSA CHICA, AS SHOWN ON MAP RECORDED IN BOOK 1, PAGES 431 & 432  
2 TOGETHER WITH THE RANCHO BOLSA CHICA, AS SHOWN ON MAP RECORDED IN BOOK 2, PAGES 332 & 333  
3 BOTH OF PATENT MAPS IN THE OFFICE OF THE COUNTY RECORDER OF LOS ANGELES COUNTY, STATE OF  
4 CALIFORNIA, DESCRIBED AS FOLLOWS:

5  
6 BEGINNING AT THE SPIKE AND WASHER STAMPED L.S. 3347, PER RECORD OF SURVEY 98-1035, RECORDED IN  
7 BOOK 174 PAGES 1 TO 13, INCLUSIVE, SAID POINT BEING ON THE LINE DIVIDING THE UNINCORPORATED  
8 TERRITORY OF THE COUNTY OF ORANGE AND THE CITY HUNTINGTON BEACH, BEING SOUTH 0° 17'41" WEST  
9 0.558 METERS (1.83') FROM THE INTERSECTION OF SAID LINE AND THE NORTHEASTERLY RIGHT OF WAY LINE  
10 OF PACIFIC COAST HIGHWAY, 27.432 METERS (90') WIDE, AS SHOWN ON SAID RECORD OF SURVEY; THENCE  
11 NORTH 0°17'41" EAST 0.558 METERS, TO SAID INTERSECTION; THENCE, ALONG SAID RIGHT OF WAY LINE THE  
12 FOLLOWING THREE COURSES, NORTH 43°35'39" WEST 162.473 METERS TO THE BEGINNING OF A CURVE  
13 CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 1704.451 METERS; THENCE NORTHWESTERLY 193.281  
14 METERS, ALONG SAID CURVE AND THROUGH A CENTRAL ANGLE OF 6°29'50"; THENCE NORTH 37° 05'49" WEST  
15 53.663 METERS TO THE **TRUE POINT OF BEGINNING**; THENCE LEAVING SAID RIGHT OF WAY LINE, NORTH  
16 52°54'11" EAST 114.080 METERS; THENCE SOUTH 81°29'27" EAST 59.594 METERS; THENCE NORTH 29°11'11" EAST  
17 165.109 METERS; THENCE NORTH 0°26'40" EAST 635.314 METERS; THENCE NORTH 44°57'21" WEST 33.836  
18 METERS; THENCE SOUTH 45°26'36" WEST 26.466 METERS; THENCE NORTH 44°43'31" WEST 85.217 METERS;  
19 NORTH 44°59'37" EAST 30.147 METERS; THENCE SOUTH 68°41'51" EAST 87.733 METERS; THENCE NORTH 0°19'56"  
20 EAST 330.451 METERS; THENCE NORTH 41°38'21" EAST 33.364 METERS; THENCE NORTH 8°56'17" EAST 34.493  
21 METERS; THENCE NORTH 0°17'38" EAST 170.959 METERS; THENCE NORTH 50°32'08" WEST 219.840 METERS;  
22 NORTH 48°25'53" WEST 272.535 METERS; THENCE NORTH 48°27'39" WEST 159.169 METERS; THENCE NORTH  
23 47°03'36" WEST 240.647 METERS; NORTH 47°07'13" WEST 239.159 METERS; NORTH 47°27'01" WEST 37.477 METERS;  
24 THENCE NORTH 0°27'37" EAST 175.676 METERS; THENCE SOUTH 86°53'36" WEST 42.698 METERS; SOUTH  
25 76°50'08" WEST 60.686 METERS; THENCE SOUTH 80°44'27" WEST 24.562 METERS; THENCE SOUTH 84°50'51" WEST  
26 49.973 METERS; THENCE NORTH 0°14'16" WEST 99.350 METERS TO THE SOUTHERLY LINE OF THE ORANGE  
27 COUNTY FLOOD CONTROL DISTRICT, EAST GARDEN GROVE WINTERSBURG CHANNEL PER DEED RECORDED 6-  
28 16-64 AS INSTRUMENT No. 15832, O.R.; THENCE, ALONG SAID SOUTHERLY LINE THE FOLLOWING TWO

000050

CALENDAR PAGE

Page 1 of 3 000072

MINUTE PAGE

Revised 1/30/07

EXHIBIT A

Bolsa Chica Legal Line

1 COURSES, SOUTH 63°40'21" WEST 454.372 METERS, TO THE BEGINNING OF A CURVE, CONCAVE NORTHERLY  
 2 AND HAVING A RADIUS OF 517.550 METERS; THENCE WESTERLY 282.721 METERS ALONG SAID CURVE,  
 3 THROUGH A CENTRAL ANGLE OF 31°17'56" TO IT'S INTERSECTION WITH THE NORTHEASTERLY LINE OF THE  
 4 LAND DESCRIBED IN PARCEL 1 IN EXHIBIT A OF THE DEED TO THE STATE OF CALIFORNIA, RECORDED AUGUST  
 5 17, 1973, IN BOOK 10855, PAGE 354, OF SAID OFFICIAL RECORDS, THENCE ALONG SAID NORTHEASTERLY LINE,  
 6 THE FOLLOWING THREE COURSES, SOUTH 23°14'09" EAST 382.200 METERS, TO THE BEGINNING OF A CURVE,  
 7 CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 228.600 METERS; THENCE EASTERLY 336.187 METERS  
 8 THROUGH A CENTRAL ANGLE OF 84°15'40"; THENCE NORTH 72°30'11" EAST 154.584 METERS; THENCE, LEAVING  
 9 SAID NORTHEASTERLY LINE, SOUTH 17°29'49" EAST 113.194 METERS; THENCE SOUTH 0°25'26" WEST 127.912  
 10 METERS, TO THE BEGINNING OF A CURVE, CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 40.000  
 11 METERS; THENCE SOUTHERLY 31.591 METERS THROUGH A CENTRAL ANGLE OF 45°15'02"; THENCE SOUTH  
 12 44°49'36" EAST 1030.030 METERS; THENCE SOUTH 3°36'04" EAST 249.963 METERS; THENCE SOUTH 52°38'23"  
 13 WEST 137.040 METERS; THENCE SOUTH 37°21'37" EAST 337.063 METERS; THENCE SOUTH 7°38'23" WEST 51.639  
 14 METERS; THENCE SOUTH 52°31'42" WEST 83.445 METERS; TO THE NORTHEASTERLY RIGHT OF WAY LINE OF  
 15 SAID PACIFIC COAST HIGHWAY; THENCE, ALONG SAID RIGHT OF WAY LINE, SOUTH 37°05'49" EAST 126.112  
 16 METERS, TO THE **TRUE POINT OF BEGINNING.**



23  
 24 *Glenn Culver*

23  
 24 1/27/07

25 GLENN E. CULVER P.L.S. 5420

25 DATE

26 LICENSE EXPIRES 09/30/08

27  
 28 000051

Page 2 of 3 73

CALENDAR PAGE

MINUTE PAGE

Revised 1/30/07



EXHIBIT A

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Kern

} ss.

On January 9, 2007

Date

before me,

Leona Marie Stark, Notary Public

Name and Title of Officer (e.g., "Jane Doe, Notary Public")

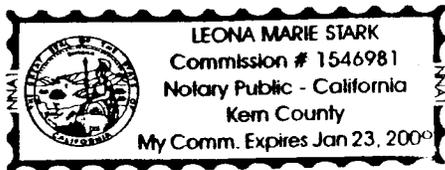
personally appeared

R. H. John

Name(s) of Signer(s)

[x] personally known to me

[ ] proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



Place Notary Seal Above

WITNESS my hand and official seal.

Leona Marie Stark

Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Quitclaim Deed

Document Date: January 9, 2007

Number of Pages: 4

Signer(s) Other Than Named Above: None

Capacity(ies) Claimed by Signer(s)

Signer's Name: J. H. John

- Individual
Corporate Officer - Title(s):
Partner - Limited General
Attorney in Fact
Trustee
Guardian or Conservator
Other:

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

Signer Is Representing:

Aera Energy LLC

Signer's Name:

- Individual
Corporate Officer - Title(s):
Partner - Limited General
Attorney in Fact
Trustee
Guardian or Conservator
Other:

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

Signer Is Representing:

000053

CALENDAR PAGE

000075

MINUTE PAGE

Revised 1/30/07

Exhibit A

**CERTIFICATE OF ACCEPTANCE AND CONSENT TO RECORDING**  
(Government Code 27281)

(Bolsa Chica Lowlands Restoration Project)

This is to certify that the interest in real property conveyed by the Quitclaim Deed to which this Certificate is attached dated January 9, 2007, from AERA ENERGY LLC to the CALIFORNIA STATE LANDS COMMISSION, an Agency of the STATE OF CALIFORNIA, is hereby accepted by the undersigned Executive Officer on behalf of the State Lands Commission, pursuant to authority conferred by action of the State Lands Commission adopted on \_\_\_\_\_, as Minute/Calendar Item No. \_\_\_\_\_, and the Grantee consents to recordation thereof by its Executive Officer.

STATE OF CALIFORNIA,  
acting by and through the  
CALIFORNIA STATE LANDS COMMISSION

Dated: \_\_\_\_\_

By: \_\_\_\_\_

PAUL D. THAYER  
Executive Officer

**ACKNOWLEDGMENT OF SIGNATURE TO BE ATTACHED**

000054  
CALENDAR PAGE

000076  
MINUTE PAGE

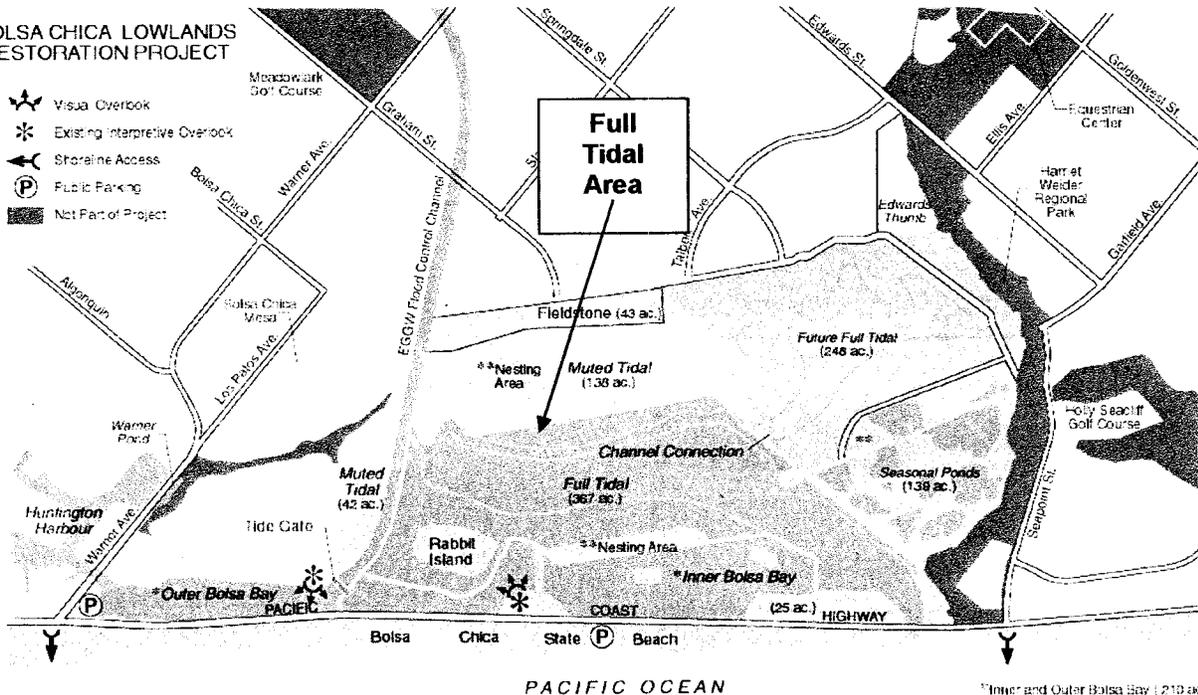
NO SCALE

# SITE



## BOLSA CHICA LOWLANDS RESTORATION PROJECT

- Visual Overlook
- Existing Interpretive Overlook
- Shoreline Access
- Public Parking
- Not Part of Project



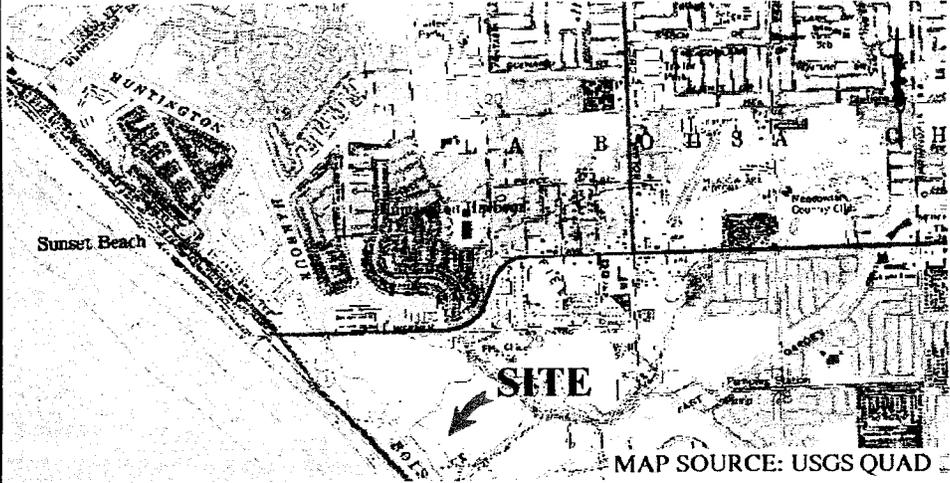
Bolsa Chica Wetlands Steering Committee

July 2003

## BOLSA CHICA LOWLANDS RESTORATION PROJECT

NO SCALE

### LOCATION



**Exhibit B**  
**W25306**  
**BOLSA CHICA**  
**ORANGE COUNTY**



This exhibit is solely for purposes of generally showing the area, is based on unverified information, and is not intended to be, nor shall it be construed as a waiver or limitation of any State interest in the subject or any other property.

000055  
CALENDAR PAGE

000077  
MINUTE PAGE