

1 MEETING  
2 STATE LANDS COMMISSION  
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10 ROOM 2170  
11 STATE CAPITOL  
12 SACRAMENTO, CALIFORNIA  
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21 WEDNESDAY, OCTOBER 29, 1975

22 10:00 A. M.  
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MEMBERS PRESENT

Hon. Roy M. Bell, Director of Finance, Chairman

Hon. Kenneth Cory, Controller, represented by  
Mr. Carl D'Agostino

Hon. Mervyn M. Dymally, Lieutenant Governor, represented  
by Mr. Walter McGuire

MEMBERS ABSENT

None

ALSO PRESENT

Mr. William F. Northrop, Executive Officer, State Lands  
Commission

Mr. R. S. Golden, Assistant Executive Officer, State  
Lands Commission

Mr. James F. Trout, Manager, Land Operations, State  
Lands Commission

Mr. Robert C. Hight, Counsel

Mr. N. Gregory Taylor, Deputy Attorney General

P R O C E E D I N G S

--oOo--

CHAIRMAN BELL: Well, we have enough to start the meeting now so I will call the meeting to order. Note that Mr. D'Agostino and Mr. McGuire are here representing the State Controller and the Lieutenant Governor, and there is a quorum present of the members. The minutes of September 29 were distributed to you on the agenda. Are there any questions or comments? If not, the minutes will stand approved.

The next item on the agenda is the report of the Executive Officer.

MR. NORTHROP: Thank you very kindly.

CHAIRMAN BELL: Mr. Northrop.

MR. NORTHROP: Mr. Chairman, there are several items in my report this time, the first one being that last week I was in Washington attending the O. C. S. Advisory Council, and I also met with the General Counsel from the Federal Energy Administration regarding our claim for gravity differential for parity for crude oil. And the counsel indicated to me that he was unaware of the pending problem but promised, and gave me a message to bring back, that he would have an answer by November 15 on gravity differential. So we should have something before next meeting as to where that is going to be. And the indications we have are that

1 it would be probably less than we had hoped for but would  
2 be some kind of an adjustment.

3 CHAIRMAN BELL: What kind of odds, 60-40 our  
4 favor?

5 MR. NORTHROP: 60-40 that it is something but it's  
6 almost a hundred to one that it is going to be against what  
7 we want.

8 CHAIRMAN BELL: Thank you.

9 MR. NORTHROP: The next item, Mr. Chairman, is  
10 the Solar Energy Research Institute.

11 Establishment of a National Solar Energy Research  
12 Institute has been mandated by the Congress. The national  
13 Energy Research and Development Administration is presently  
14 requesting submission of proposals for siting and operating  
15 the Institute. Competition for a site is expected to be  
16 intense within the various States.

17 For that reason, staff has prepared a proposed  
18 resolution declaring the Commission's endorsement and support  
19 for locating the National Solar Energy Research Institute  
20 within California. If the Commission approves the resolu-  
21 tion, copies will be transmitted to ERDA, and to the  
22 individual members of the California Congressional Delegation.

23 And I believe you have in front of you a copy of  
24 that resolution, Mr. Chairman.

25 CHAIRMAN BELL: I have. I assume each of you

1 gentlemen have read the resolution--

2 COMMISSIONER McGUIRE: Yes.

3 CHAIRMAN BELL: --which basically points out  
4 the tremendous advantages of California having this, which  
5 is logical.

6 MR. NORTHROP: I think the number of days of sun-  
7 shine in California are enough to make a solar program  
8 really fine.

9 COMMISSIONER D'AGOSTINO: Is there anything that  
10 can be done beyond a resolution on behalf of State Lands  
11 or the State?

12 MR. NORTHROP: I think, Mr. D'Agostino, the  
13 indication of the climate as favorable in California will  
14 give the staff a chance to contact ERDA and go on along that  
15 program. For example, I know that Utah has done the same  
16 thing in receiving some favorable comments from ERDA. So it  
17 is important that we get on the record immediately, and go  
18 from there as to what we can do. To answer your question,  
19 yes, I think there are some other things, but at this time I  
20 don't know what they are.

21 COMMISSIONER D'AGOSTINO: I move that we adopt the  
22 resolution.

23 CHAIRMAN BELL: I have a motion from Mr. D'Agostino  
24 to adopt the resolution.

25 COMMISSIONER McGUIRE: Second.

1 CHAIRMAN BELL: And a second from Mr. McGuire.  
2 All those in favor say aye.

3 COMMISSIONER D'AGOSTINO: Aye.

4 COMMISSIONER MCGUIRE: Aye.

5 CHAIRMAN BELL: Aye.

6 Opposed?

7 It is unanimously adopted, and with it an under-  
8 standing that the staff is requested by the Commission to  
9 take an active posture in following this up.

10 MR. NORTHROP: Thank you very kindly, Mr. Chairman.  
11 The next is a temporary lease for a film company.

12 Yesterday we received a request from a film produc-  
13 tion company in Los Angeles to use a small portion of the  
14 dry bed of Owens Lake for two or three days of filming of a  
15 television commercial. No structures or other permanent  
16 improvements will be placed on the State property. As I under-  
17 stand it, they want to run a stagecoach across a piece of  
18 State land. And we have asked that an insurance binder of  
19 a million dollars be provided for the State and we get \$50.00  
20 a day for the use of it.

21 This figure was arrived at by inquiring from  
22 various local entities their policies. And this Long Beach  
23 Harbor Department informs us that they charge \$50.00 a day  
24 flat for their land, not including anything else they have  
25 to do. So if the Commission has no objection, I will follow



1 up and take care of this.

2 CHAIRMAN BELL: I should say for the record that  
3 I feel it is relatively important that we make every effort  
4 that we can to provide convenient places for the film  
5 companies to use California locations. I am sure they are  
6 willing to pay a reasonable fee. Their real problem is the  
7 tremendous amount of paper work and administrative brouhaha  
8 that goes with leasing or renting any of the areas around.  
9 To that purpose, I think this is an excellent idea and I  
10 would strongly recommend it to the members.

11 Without objection?

12 Without objection, yes.

13 MR. NORTHROP: Thank you very kindly. And the  
14 last item on my agenda today is that at the last Commission  
15 meeting, the Commissioners asked the question of the per-  
16 centage of land ownership in California, and we have here  
17 some percentage figures for an informational item as to how  
18 much of California is really California and how much of it  
19 belongs to the Federal Government.

20 So to answer that question, there it is, and it is  
21 surprising. These are our figures and they differ somewhat  
22 from the Federal figures. However, in excess of forty  
23 percent of it is owned by the Federal Government. The Feds  
24 have another slightly higher figure of nearly forty-five  
25 percent or something close.

1 That concludes my report, Mr. Chairman.

2 CHAIRMAN BELL: Thank you, Mr. Northrop.

3 MR. NORTHROP: I have on item 5, item 12 --

4 CHAIRMAN BELL: Just a quick comment on this item.

5 As far as all public ownership, California is approximately  
6 fifty percent in public hands.

7 MR. NORTHROP: That is it.

8 CHAIRMAN BELL: Thank you. You said you had one  
9 more item?

10 MR. NORTHROP: There are several items on the  
11 agenda we have some questions with so as we go through them  
12 I will point those out.

13 CHAIRMAN BELL: Fine. Thank you.

14 Item 4 on the agenda, a noncommercial lease for  
15 Western LNG Terminal Company.

16 MR. NORTHROP: Mr. Chairman, Commissioners, as you  
17 will recall at our last meeting we made a presentation on  
18 the location of some monitoring buoys off of Point Concep-  
19 tion. This was at the request of the Chairman and the  
20 Commissioners. This has now been placed on the agenda  
21 after we have had about sixty days to consider it. It is  
22 my understanding that the placement of the monitoring buoys  
23 in no way indicates that the State Lands Commission of the  
24 State of California will be predisposed to vote in case  
25 something is decided that some installation should be put

1 there.

2 CHAIRMAN BELL: Are there any questions by mem-  
3 bers?

4 If not, Item 4(A) will be approved.

5 Item 5.

6 MR. NORTHROP: Mr. Chairman, this is an applica-  
7 tion on Independence Lake. Our staff counsel, Mr. Hight,  
8 would like to speak to this.

9 CHAIRMAN BELL: Mr. Hight.

10 MR. HIGHT: Mr. Chairman, it has come to the  
11 attention of the staff of the division that Independence  
12 Lake, which is located in Sierra and Nevada Counties, is  
13 assessed to Sierra Pacific Power Company. And there is a  
14 provision in the Revenue and Taxation Code which allows the  
15 Commission to petition the boards of supervisors to author-  
16 ize or to allow them to assess it to the State, which we  
17 believe Independence Lake is properly owned by the State.  
18 And so this is an authorization to petition the boards of  
19 supervisors.

20 MR. NORTHROP: Also, you have an addendum.

21 MR. HIGHT: In addition there is a third item we  
22 would like to add to the agenda which I will read into it  
23 now. "Authorize the State Lands Division and/or the Office  
24 of the Attorney General to take all action necessary includ-  
25 ing litigation to have the State Lands Commission's title and

1 jurisdiction over the bid at Independence Lake recognized."

2 We felt that the addition was necessary in case  
3 there were any other additional questions that arose that  
4 we didn't cover in the calendar.

5 CHAIRMAN BELL: Your comment would indicate that  
6 we would expect litigation?

7 MR. HIGHT: Yes, sir.

8 CHAIRMAN BELL: I think we are all familiar with  
9 Independence Lake and why we are taking this action. Mr.  
10 D'Agostino, any problems?

11 COMMISSIONER D'AGOSTINO: Nothing.

12 CHAIRMAN BELL: Mr. McGuire?

13 MR. MCGUIRE: None.

14 CHAIRMAN BELL: If not, Item 5, as augmented by  
15 the item read into the record, is approved.

16 Item 6, Leslie Salt Company.

17 MR. NORTHROP: Mr. Chairman, this is a pipeline  
18 for brine transferring between the various salt ponds. The  
19 rent is \$1,050.00 a year and it is for the first five-year  
20 period.

21 CHAIRMAN BELL: Primarily a renewal?

22 MR. NORTHROP: Yes.

23 CHAIRMAN BELL: Without objection, Item 6(A) is  
24 approved.

25 Item 7, City of Burlingame.

1 MR. NORTHROP: Mr. Chairman, this is a Public  
2 Agency Use Permit for the construction of a bike trail in  
3 the subject area.

4 There is no consideration of public benefit on  
5 this one.

6 CHAIRMAN BELL: There is no consideration because  
7 of public benefit.

8 MR. NORTHROP: Right, because of public benefit.  
9 That is right, thank you.

10 CHAIRMAN BELL: Any objection?

11 If not, Item 7(A), City of Burlingame, is  
12 approved.

13 7(B), Department of Transportation, Division of  
14 Highways.

15 MR. NORTHROP: Mr. Chairman, this is a permit from  
16 the Division of Highways to construct a bridge on State  
17 Route 84, and also to construct a temporary bridge while  
18 that bridge is being built on Highway 84. It involves some  
19 eleven acres, twenty-nine acres for the temporary operation,  
20 and the permits we are approving for a permit bridge loca-  
21 tion of about eleven acres.

22 CHAIRMAN BELL: Right, and this also is a public  
23 health and safety question mark.

24 All right. Any problems?

25 If not, Item 7(B) is approved.

1           Item 7(C), Turlock Irrigation District and Modesto  
2 Irrigation District.

3           MR. NORTHROP: Mr. Chairman and Members, this is  
4 for the construction and maintenance of a 230 kilovolt  
5 transmission line. Public use and benefit again are the  
6 considerations.

7           CHAIRMAN BELL: Without objection, Item 7(C) is  
8 approved.

9           Item 8(A) is St. Claire Malotte and Helen E.  
10 Malotte.

11          MR. NORTHROP: Mr. Chairman, it may be well to  
12 consider 8(A), (B), and (C) together. They are recreational  
13 pier permits. The rental is the same with the exception of  
14 8(C) which is \$75.00 a year. The first two go to \$80.00 a  
15 year after June 29, 1975.

16          CHAIRMAN BELL: All right. Any objections to  
17 8(A), 8(B), or 8(C)? If not, all three items are approved.

18          Item 8(D).

19          MR. NORTHROP: Mr. Chairman, Items 8(D) and 8(E)  
20 probably should be considered as a unit as they cover the  
21 same piece of property. One of them is a lease -- 8(E)  
22 first, if I could address it that way?

23          CHAIRMAN BELL: Yes.

24          MR. NORTHROP: 8(E) is a lease from '73 to '75,  
25 and then that same piece of property from June 30, '75 to

1 August 1, 1976, it is my understanding that the Phillips  
2 Petroleum Company has leased to Glenn L. Maxey this property,  
3 and I think it is probably in relation to a federal divest-  
4 titure suit on the Phillips sale.

5 CHAIRMAN BELL: Without objection, Items 8(D) and  
6 8(E) are approved.

7 8(F), Southern California Edison Company and San  
8 Diego Gas and Electric Company.

9 MR. NORTHROP: Mr. Chairman, this really is two  
10 subjects in one item. The first is the continuing lease for  
11 twelve existing monitoring buoys off San Onofre nuclear plant,  
12 and the second part of it is the installation of an addi-  
13 tional fourteen floating buoys and scientific monitoring  
14 devices as a study for an expansion in the power plant at  
15 San Onofre and the rentals are as described there. Fourteen  
16 hundred dollars is the final and \$475.00 for the first, the  
17 first twelve.

18 And may I say that the staff is concerned as the  
19 Commission had indicated in the LNG program, that the  
20 approval of the monitoring buoys some way would obligate or  
21 put some kind of laches on the Commission to approve the  
22 power plant should one be proposed. And we are assured  
23 that there is no prejudice in that. Mr. Hight would care  
24 to address the legal problem on that.

25 CHAIRMAN BELL: Mr. Hight, how do we assure

1 ourselves of that?

2 MR. HIGHT: The lease can provide that these  
3 monitoring buoys do not in any way bind the Commission to  
4 future action, and the lease will so provide.

5 CHAIRMAN BELL: Fine.

6 COMMISSIONER McGUIRE: Is there a proposal now  
7 for a second nuclear power plant or are they just long  
8 range?

9 MR. NORTHROP: To my understanding we have had no  
10 application for any outfall or anything that would cross the  
11 State tidelands, but it seems to me that it is obvious if  
12 they are going to do this, they probably are thinking  
13 seriously about expanding the nuclear plant at San Onofre.  
14 And the general talk on the subject is that yes, they are  
15 planning to expand at San Onofre.

16 CHAIRMAN BELL: With the understanding that the  
17 lease will so stipulate that there is no further commitment  
18 of the Commission, Item 8(F) is approved.

19 Is Item 8(G) by itself?

20 MR. NORTHROP: Yes, 8(G) is by itself.

21 CHAIRMAN BELL: Okay, 8(G).

22 MR. NORTHROP: Mr. Chairman, this is an application  
23 by Raymond A. and Helen G. Spencer for a lease on an existing  
24 restaurant in the Sacramento River for a rental of \$844.80  
25 a year. This is the first of the trespass ones.



1 CHAIRMAN BELL: 1.32 acres?

2 MR. NORTHROP: Yes.

3 CHAIRMAN BELL: Without objection, Item 8(G) is  
4 approved.

5 8(H).

6 MR. NORTHROP: Mr. Chairman, Mr. Al Eames has a  
7 boat dock and walkway in a non-commercial lease.

8 CHAIRMAN BELL: Right. Mr. McGuire on 8(H).

9 Oh, I am sorry, excuse me. Is there anyone in  
10 the audience who wishes to comment on 8(H)?

11 If not, 8(H) is approved.

12 8(I).

13 MR. NORTHROP: Mr. Chairman and Members, this is  
14 a revision of a rental on a renewal basis from \$312.00 to  
15 \$744.00 a year on the Elkhorn Ferry Bridge on the Sacramento  
16 River.

17 CHAIRMAN BELL: A revision in rent, right?

18 MR. NORTHROP: Yes.

19 CHAIRMAN BELL: Without objection, 8(I) will be  
20 approved.

21 8(J), P.G.&E.

22 MR. NORTHROP: This is a rental revision for  
23 Pacific Gas and Electric. Mr. Trout would like to speak on  
24 this.

25 CHAIRMAN BELL: Mr. Trout.

1 MR. TROUT: This is just for rental revision for  
2 their Pittsburg power plant, I believe it is, and it is for  
3 dredging and other routine activities for an existing plant.

4 CHAIRMAN BELL: Right. \$300.00 per annum to  
5 \$450.00 per annum?

6 MR. NORTHROP: Right.

7 CHAIRMAN BELL: Without objection 8(J) will be  
8 approved.

9 8(K).

10 MR. NORTHROP: Mr. Chairman, these are nine  
11 recreational pier permits in the name of Leydecker,  
12 Crowley, Meier, Gates, DuShane, Gray, Mitchell and Little.

13 CHAIRMAN BELL: I have eight.

14 MR. NORTHROP: Eight, okay. I am glad the  
15 Director of Finance can count.

16 (Laughter.)

17 MR. NORTHROP: We have no choice either. We have  
18 a statutorial responsibility too.

19 CHAIRMAN BELL: There are no problems connected  
20 with 8(K)?

21 MR. TROUT: Bruce Little, perhaps. The last one,  
22 Bruce Little, is at Donner Lake, and the County of Nevada  
23 refused to give him a building permit without the Commission's  
24 approval. The Commission has received a resolution from  
25 Assemblyman Chappie asking us to give the money back. This

1 is voluntary. We didn't go out and seek it. So that is  
2 the only peculiar part of it.

3 CHAIRMAN BELL: All right. There is no objection  
4 from Mr. Little?

5 MR. TROUT: No.

6 MR. NORTHROP: No, he volunteered it on his own.

7 CHAIRMAN BELL: Without objection, 8(K) is  
8 approved.

9 Item 9, Energy and Mineral Resources - Statewide.

10 MR. NORTHROP: Mr. Chairman, this is an assignment  
11 for a loan collateral on the Norris Oil Company on Item  
12 9(A). Norris Oil Company will maintain ownership but they  
13 have asked for assignment as collateral for a loan to  
14 develop their parcel.

15 CHAIRMAN BELL: Without objection, 9(A) will be  
16 approved.

17 9(B) Burmah Oil.

18 MR. NORTHROP: Mr. Chairman, this is a request  
19 by Burmah Oil Company to drill a water injection well in  
20 the State lease on Huntington Beach, bottomed in the off-  
21 shore.

22 CHAIRMAN BELL: Yes. The service location of  
23 this well is on the uplands?

24 MR. NORTHROP: Right.

25 CHAIRMAN BELL: Without objection, 9(B) is approved.

1 9(C), Estate of Maude H. Clock.

2 MR. NORTHROP: The Clock estate has asked for an  
3 assignment to the various named Clock family members of  
4 her interest in oil and gas leases.

5 CHAIRMAN BELL: Just to clear up the estate?

6 MR. NORTHROP: Just to clear up the estate, yes  
7 sir.

8 CHAIRMAN BELL: Without objection, 9(C) is  
9 approved.

10 9(D), Standard Oil and P.G.&E.

11 MR. NORTHROP: Mr. Chairman, Standard Oil and  
12 P.G.&E. has asked for a gas sales agreement. As you recall,  
13 several months ago, I believe it was in the August meeting,  
14 a gas price proposal came before the Commission and the  
15 Commissioners observed the fact that these prices were  
16 certainly not consistent with the prices that were being  
17 paid for natural gas coming into California from other  
18 areas. We investigated and our gas staff did considerable  
19 work on this, and in surveying the market we find that in  
20 this area there is really only one buyer, and that's the  
21 price, and we really are locked into this price schedule,  
22 at least for this year.

23 CHAIRMAN BELL: Mr. D'Agostino.

24 COMMISSIONER D'AGOSTINO: These are reset on an  
25 annual basis?

1 MR. NORTHROP: Right. We reset them annually.  
2 We have been operating on this schedule since, I believe,  
3 August, and we will look at them again next year, but for  
4 right now that's the prices that are being paid in that  
5 area for gas to everyone else by Pacific Gas and Electric.

6 COMMISSIONER D'AGOSTINO: How do they compare with  
7 prices elsewhere?

8 MR. NORTHROP: In the out-of-state market, for  
9 example, from Canada, the prices are one, but these prices  
10 vary as you can see. But the average price is about  
11 seventy-five cents for an mcf. Pacific Gas and Electric is  
12 paying a higher price for their Canadian gas and gases  
13 brought in from other areas, but this seems to be the price  
14 that is being paid for it in this particular area.

15 CHAIRMAN BELL: El Paso's price at the border,  
16 however, is less than this.

17 MR. NORTHROP: Well, this is very close to the  
18 El Paso price.

19 CHAIRMAN BELL: Well, theirs was sixty-six and  
20 this is seventy.

21 MR. NORTHROP: This is about what we are getting  
22 from Long Beach in their production.

23 CHAIRMAN BELL: All right. I talked to the Standard  
24 Oil people on this item and they said that since this is an  
25 annual lease, however subject to rate negotiation, that it is

1 difficult, impossible really, to change this one but that  
2 next year, if the Commission gave them more advance notice,  
3 that they could do a little better. However, I should also  
4 report to the Commissioners that several of the PUC commis-  
5 sioners have leaned very heavily on me to not exploit this  
6 area too much because it directly reflects in consumer price  
7 increases for gas, and they are not very interested in  
8 raising consumer prices on natural gas.

9           However, for this item, I think that we are in a  
10 relative position that this is the only game in town.

11           MR. NORTHROP: Right, the only game in town.

12           CHAIRMAN BELL: Without objection, 9(D) is  
13 approved.

14           Mineral Extraction. 9(E), City of Del Mar.

15           MR. NORTHROP: Mr. Chairman, the City of Del Mar  
16 is proposing to take some material from the tidal area and  
17 move it back to the non-tidal area to protect erosion to  
18 build a sand berm around the upland properties. Now, the  
19 question has been raised by some that perhaps this could be  
20 detrimental to the surf action, and I am told by our  
21 engineers that while this would happen, it would probably be  
22 for a period of say less than eight to ten hours because the  
23 sand tends to level but the water tends to act as a vehicle  
24 to move the sand back into the position of a natural grade.

25           There is public benefit on this.

1 CHAIRMAN BELL: It goes to public benefit. Any  
2 questions?

3 If not, 9(E) is approved.

4 9(F).

5 MR. NORTHROP: Mr. Chairman, this is an application  
6 by Antone Dowrello of the Dowrello Boat Works to do some  
7 dredging. And the dredging they plan on doing is the  
8 disposition of the spoils. Disposition of the spoils is a  
9 rather normal disposition. Rather than spoiling the material  
10 at the disposal site they plan on water dispersal. And we  
11 of the staff, following the Commission action of last time,  
12 have recommended a ten cent per cubic yard for removal of  
13 this material.

14 Now, our basis for asking for this is not neces-  
15 sarily that the spoils itself or the benefit, but the fact  
16 that when this is spoiled, we have a silting problem. We  
17 would like to have some money to study where this silting  
18 is coming from. In addition to that, in some areas there  
19 are great private benefits and we feel that the public  
20 should not be forced to pay for that.

21 However, on this particular application, I have a  
22 letter from Harding-Lawson Associates, signed by Frank C.  
23 Boerger, objecting to the charge of ten cents per cubic  
24 yard. Mr. Boerger is in the audience, as well as Mr.  
25 Dowrello and they had asked to speak to this particular issue.

1 CHAIRMAN BELL: Fine. Are there any questions  
2 first?

3 If not, does anyone wish to address the Commis-  
4 sion on this item?

5 MR. BOERGER: My name is Frank Boerger and I am  
6 here in a dual role today. I am a self-employed consulting  
7 engineer. I am also the chairman of the San Francisco Bay  
8 Dredging Committee of the California Marine Affairs and  
9 Navigation Conference that was referred to in your calendar  
10 notes.

11 With me is Mr. Antone Dowrello. He is a young  
12 eighty-seven yearsold and has been operating his marina at  
13 this location since 1929. So he has had quite a bid of  
14 experience in marina operation.

15 You will note that the application is in the name  
16 of the Dowrello Boat Works. He does not really maintain a  
17 boat works there. It is not a manufacturing or boat build-  
18 ing facility. It is a recreational marina right under the  
19 Carquinez Bridge. He handles somewhere between seventy-five  
20 and a hundred thousand people there a year in party boat  
21 type fishing and storing their boats there and using them  
22 for recreation.

23 He presently has about sixty boats in the marina.  
24 About twenty of the spaces are vacant because they have  
25 been silted in so badly that they cannot be used.



1           We are making a request that you waive any royalty  
2 on this project for two reasons. One is outlined in the  
3 letter that I sent to you and is based on economic hardship  
4 to Mr. Dowrelino and his small marina there. And the other  
5 is because it is in the public interest because of the fact  
6 that there is a great deal of public recreation in this  
7 area.

8           I'd like to cite a couple background pieces of  
9 information and then answer any questions that you have.  
10 The Marine Affairs and Navigation Conference Dredging  
11 Committee proposed this subaqueous disposal in connection  
12 with this project because it has not been used before in  
13 the Bay Area and because we are seeking innovative ways of  
14 trying to provide protection of the environment while we  
15 achieve needed dredging in order to maintain these recreation  
16 harbors and other important facilities that require deeper  
17 water.

18           This proposal was reviewed by the Regional Water  
19 Quality Control Board when we applied as a permit to them.  
20 They agreed to go ahead and give us a permit to use this  
21 unauthorized disposal area, in terms of Corps of Engineers  
22 and EPA approval, based on the fact that it would be an  
23 economic hardship on Mr. Dowrelino to have to haul this  
24 thirty thousand yards to one of the approved disposal sites.  
25 The Federal EPA also granted exception based on this economic

1 hardship. So we are proposing to pump it over the side, so  
2 to speak, and to monitor as it goes.

3 Another point that had to be considered, I think,  
4 by the Regional Board, as they considered this matter, is  
5 that the State, through DNOD, is spending a lot of money in  
6 grants and loans, particularly to help for the establish-  
7 ment of more marinas in the Bay Area because of the fact  
8 there is such a shortage. And it would seem to me that it  
9 would be appropriate to try and keep the marinas that we  
10 have in operation if at all possible to avoid additional  
11 expense using public funds in order to establish other kinds  
12 of marinas around the Bay Area. So that we ought to keep  
13 in operation those that we have.

14 Mr. Dowrello, of course because of continuing  
15 pressures on all kinds of businesses, particularly small  
16 businesses, is facing a very difficult decision. If this  
17 project turns out to be too costly for him he will probably  
18 have to cease operations. He is operating on State land on  
19 a State Lands lease now and pays over \$2,000.00 a year in  
20 monies to the State for this lease. And so this extra bur-  
21 den of adding the ten percent onto the project --

22 MR. NORTHROP: Ten cents.

23 MR. BOERGER: Well, the ten cents is about ten  
24 percent of the dredging cost. The cost of the royalty will  
25 add about ten percent to his costs. And that, since he is

1 going to have to do this on borrowed money, could be a con-  
2 siderable extra burden.

3 So he is asking for your consideration today in  
4 this specific case to waive this relatively new rule that  
5 you have established of charging royalties for disposal of  
6 dredged materials in open water. If there are any questions  
7 I'd be happy to answer them.

8 CHAIRMAN BELL: Are there any questions?

9 COMMISSIONER D'AGOSTINO: Yes.

10 CHAIRMAN BELL: Mr. D'Agostino.

11 COMMISSIONER D'AGOSTINO: When you do subaqueous  
12 dispersal, don't you then get some silting in other areas?

13 MR. BOERGER: Well, we will be putting the silt  
14 back into the normal channel where it will be handled the  
15 same way that any other silt that is moving by current  
16 action, by wind and wave action. It will just give it an  
17 additional boost to go further downstream in line with the  
18 natural processes.

19 COMMISSIONER D'AGOSTINO: Yes, but you are adding  
20 thirty thousand cubic yards of additional silt material to  
21 go on to other landowners' or other State property.

22 MR. BOERGER: Well, we are taking thirty thousand  
23 yards of material that has been moving in the system and  
24 putting it in another place in the system.

25 COMMISSIONER D'AGOSTINO: And the other question

1 is apparently this whole project is monitored by Fish and  
2 Game?

3 MR. BOERGER: We have proposed a specific monitor-  
4 ing program because it is an innovative approach, and we have  
5 a monitoring program established that Fish and Game Regional  
6 Water Quality Control Board, EPA and the Corps of Engineers  
7 are going to be invited to observe and participate.

8 CHAIRMAN BELL: Mr. McGuire, any questions?

9 COMMISSIONER MCGUIRE: The general policy now is  
10 that we always charge royalty so we will be creating an  
11 exception, really, based on economic hardship?

12 MR. NORTHROP: Hardship. The staff feels that  
13 if the exception would be made it would be made on a hard-  
14 ship basis.

15 COMMISSIONER MCGUIRE: There is no precedent in  
16 the type of dispersal program?

17 MR. NORTHROP: No, this is brand new. We really  
18 don't know. They are going to do some studies on it so it  
19 does have some value, as I understand it, as to what happens  
20 to the disposal, where it is. The underwater subaqueous  
21 discharge hasn't been accomplished before.

22 (Thereupon a short discussion was held off the  
23 record.)

24 CHAIRMAN BELL: Let's see. This is Carquinez  
25 Bridge?

1 MR. NORTHROP: Under Carquinez Bridge.

2 CHAIRMAN BELL: On the other side from the Maritime  
3 Academy?

4 MR. BOERGER: Yes.

5 CHAIRMAN BELL: I am not familiar enough with the  
6 currents and everything there to know whether this would in  
7 effect be disposed of adequately by normal current action  
8 or whether this would just tend to dump it just a slight bit  
9 further down the channel.

10 MR. BOERGER: Well, the movement of sediment in  
11 the Bay system is very complex. As I say, our dredging  
12 committee has been looking at this and studying particular  
13 aspects of it, working closely with EPA, the Regional  
14 Board and the Corps of Engineers over the past three years.  
15 The transport system right in this particular vicinity in  
16 general is downstream because the Carquinez Straits, of  
17 course, is a deep, relatively fast moving part of the Bay  
18 system. There is return movement of sediment in this area  
19 because San Pablo Bay is very shallow, and when we have  
20 winds from the northwest and the west, the wind and wave  
21 action picks up a lot of sediment in the shallow water and  
22 moves them back up into the Carquinez Straits, and that is  
23 one of the causes for the heavy siltation in Mare Island  
24 Straits in front of the Mare Island Naval Shipyards in the  
25 mouth of the river. So that we have a very complicated

1 system of natural forces that are at work here that carry,  
2 it is estimated, a great deal more transported sediment  
3 than any dredging at all.

4 In fact, we have had some estimates made that all  
5 the dredging in the Bay Area that is done, including for  
6 federal channels and everything, amounts to less than five  
7 percent of the amount of materials that are moved in the  
8 Bay each year due to natural processes.

9 CHAIRMAN BELL: Just due to natural causes.

10 MR. BOERGER: Yes, that is right, sir.

11 CHAIRMAN BELL: Well, I can see where an addi-  
12 tional \$3,000.00 on the \$30,000.00 dredging contract, which  
13 I assume is what we are talking about, could be a relatively  
14 severe burden on twenty boat slips.

15 Now, as I understand it, of the boat slips involved,  
16 twenty are now silted in and you can't even use them?

17 MR. BOERGER: That is right.

18 CHAIRMAN BELL: The dredging then is primarily to  
19 remove the siltation?

20 MR. BOERGER: Yes, and the rest of the water is  
21 very shallow for the rest of them so that the people have  
22 to come in and out at high tide. It is badly silted in in  
23 this marina. The dredging has been needed for two years  
24 and it has taken us about almost a year to put this program  
25 together and get all the necessary permits.

1 CHAIRMAN BELL: All right. It is sort of like that  
2 Martinez small craft harbor facility there.

3 Well, I have no objection. I don't know about the  
4 other Members.

5 (Thereupon a short discussion was held off the  
6 record.)

7 CHAIRMAN BELL: How do you feel, Carl?

8 COMMISSIONER D'AGOSTINO: I am inclined to vote  
9 for the dredging permit but I am not inclined to waive the  
10 royalty. It is difficult to waive something on the basis of  
11 economic interest because I think almost everyone who comes  
12 in for a permit is going to have adverse economic interest  
13 in any project if that can save \$3,000.00. They will argue  
14 that that \$3,000.00 is going to economic interest.

15 CHAIRMAN BELL: No question.

16 All right. Thank you, Mr. Boerger.

17 COMMISSIONER McGUIRE: I will move it as presented.

18 CHAIRMAN BELL: I have a motion before us for 9(F)  
19 to authorize the dredging permit but to charge a royalty of  
20 ten cents per cubic yard for the removal of State-owned  
21 minerals.

22 All those in favor say aye.

23 COMMISSIONER McGUIRE: Aye.

24 COMMISSIONER D'AGOSTINO: I am not sure that I  
25 understand it.

1 CHAIRMAN BELL: It is exactly as it is before us.

2 COMMISSIONER D'AGOSTINO: I will vote aye.

3 CHAIRMAN BELL: I will vote aye and so 9(F) is  
4 approved.

5 9(G), Leslie Salt Company.

6 MR. NORTHROP: Mr. Chairman, this is an application  
7 by Leslie Salt Company to do some dredging, fifty thousand  
8 cubic yards. The spoils will be on the upland side and will  
9 be utilized for salt pond levee repair. The consideration  
10 here is fifteen cents a cubic yard plus \$500.00 for an area  
11 which is in dispute between Leslie Salt and the State of  
12 California. So they have agreed to \$500.00 without prejudice  
13 to their position rather than, as I understand it, a calcula-  
14 tion of roughly the same amount of money for the same area  
15 but for the area that is in dispute. It is all tied up in  
16 our Leslie Salt case. Would you care to comment?

17 MR. TAYLOR: This is an area in the North Bay  
18 where Leslie Salt has another operation. We have some claims  
19 in that area and we have begun preliminary steps for nego-  
20 tiations with Leslie Salt. Accurate maps will first have to  
21 be prepared for the area. That will take some time. We will  
22 have to do some aerial photography and do some ground control  
23 work. There is a certain amount of uncertainty on the ground  
24 as to where the lines are.

25 This is an interim basis and the fact that we are



1 settling for \$500.00 doesn't necessarily mean that once we  
2 get everything adjusted we would think that for the next  
3 period of the rent that that would be reasonable or not,  
4 depending upon where the lines fall out. But it seems to  
5 be a compromise figure based on our knowledge at this time,  
6 and certainly of no prejudice to the State nor to Leslie.

7 CHAIRMAN BELL: The understanding is very clearly  
8 that the \$500.00 is purely a compromise settlement for this  
9 particular purchase and has no further relationship.

10 MR. TAYLOR: No further effect or binding amount.

11 COMMISSIONER D'AGOSTINO: How many cubic yards are  
12 coming out of this?

13 MR. TAYLOR: It is stated in the calendar item.

14 MR. NORTHROP: It is fifty thousand total.

15 MR. HIGHT: Forty thousand from the disputed area.

16 CHAIRMAN BELL: Ten thousand non-disputed and  
17 forty thousand disputed.

18 MR. TAYLOR: They are claiming that they own the  
19 area in which that dredging is occurring.

20 COMMISSIONER D'AGOSTINO: So that there is fifty  
21 thousand disputed?

22 MR. NORTHROP: No, forty.

23 COMMISSIONER D'AGOSTINO: Forty thousand disputed?

24 MR. NORTHROP: That is correct, fifty thousand  
25 disputed.

1 CHAIRMAN BELL: The agenda indicates ten thousand  
2 cubic yards of material within the Napa River undisputed  
3 and an additional fifty thousand cubic yards dredged from the  
4 existing barge canal which there is a question of ownership  
5 on.

6 MR. NORTHROP: Right.

7 COMMISSIONER D'AGOSTINO: So, if that is the  
8 State's property, the fee would be \$7,500.00. He seems  
9 to have negotiated a fairly good compromise at \$500.00.

10 MR. TROUT: Mr. D'Agostino, my understanding is  
11 that a good part of the barge canal extends into an interior  
12 area and it is at the edge of the slough where I understand  
13 the major dispute is.

14 MR. TAYLOR: If you look at Exhibit B we would  
15 have claims within that area, but it certainly at this time  
16 does not appear to be to the entire area. But we are in the  
17 process of doing the necessary research to establish our  
18 respective claims. The biggest problem in this area is the  
19 fact that there are no precise maps at the present time.

20 MR. NORTHROP: I think I can better explain, Mr.  
21 D'Agostino, if you realize that we are talking about the  
22 whole thing, the whole area, and we really don't know where  
23 to draw the line. And we are reasonably certain the line  
24 wouldn't in any case include it all, but we have included  
25 all of it there. So the negotiation of that line is really

1 where we are, and clearly we own the ten thousand area.  
2 There is no doubt about that.

3 Then there is a gray area between that and the  
4 upland parcel and that gray area is included in the fifty  
5 thousand. We really don't know where to put the gray area  
6 so we can't lay a number there. If we laid a number there  
7 then we would have this determination line and that would  
8 prejudice the case perhaps.

9 COMMISSIONER D'AGOSTINO: When is that boundary  
10 dispute likely to be resolved?

11 MR. TAYLOR: I would say it would probably take  
12 in the neighborhood of a year to two years. It is the entire  
13 area across the north end of San Pablo Bay. It starts over  
14 near Tubbs Island and runs from Tubbs Island over to the Napa  
15 River. Now, this is only a small part of it. This is a cut  
16 into the marsh area. And Leslie's contention would be that  
17 all of this is swamp and overflow lands patented by the  
18 State, and that for the cut they don't have to pay anything  
19 since we have no reserve interest.

20 Our contention is that they are sovereign lands  
21 within portions of this cut, and the question is how much  
22 sovereign lands within these things, and that is something  
23 we don't know with any precision at this time. You can see  
24 that the portion in the river, if you look at the map, it  
25 is a cut back into a former marsh area. It is an arbitrary

1 cut. It doesn't appear to follow any natural configuration.

2 You can see the dispute with Leslie starts with  
3 the salt ponds you see in this picture and goes over to  
4 Tubbs Island which is a considerable distance. Coon Island,  
5 that was on the calendar for the last Commission meeting  
6 last month, you can see on the left-hand side of that area.

7 CHAIRMAN BELL: You think the staff could have  
8 done a better job in negotiating?

9 COMMISSIONER D'AGOSTINO: Well, it seems to me  
10 that another possibility would be to delay collection of the  
11 royalty until the boundary is determined.

12 MR. TAYLOR: I think that could be agreed to if  
13 that's possible. In other words, at the same rate existing,  
14 if the attorneys for that would agree. Would that be okay  
15 with you, Mr. Wooster?

16 MR. WOOSTER: Yes, Mr. Taylor, that would be.

17 (Thereupon a short discussion was held off the  
18 record.)

19 CHAIRMAN BELL: It is my understanding that the  
20 attorney for Leslie Salt Company has agreed to the proposal  
21 that I guess you'd say the royalty of fifteen cents per cubic  
22 yard be postponed until the property is properly determined,  
23 and that that charge then would be applicable in arrears to  
24 this dredging.

25 MR. NORTHROP: On the area in question.

1 CHAIRMAN BELL: On the area in question. What  
2 about the \$500.00 compromise settlement then? Is that  
3 waived?

4 MR. NORTHROP: No, that would go into abeyance,  
5 as I understand the request.

6 COMMISSIONER D'AGOSTINO: Yes.

7 MR. TAYLOR: For the record, maybe we should  
8 identify Mr. Wooster.

9 MR. NORTHROP: I think we better have him on the  
10 record.

11 MR. WOOSTER: Mr. Chairman, I am Fredrick Wooster  
12 from Landels, Ripley & Diamond, and I am an attorney for  
13 Leslie Salt.

14 CHAIRMAN BELL: Thank you, Mr. Wooster.

15 Any problems, Mr. McGuire?

16 COMMISSIONER MCGUIRE: No.

17 MR. TAYLOR: Could we hold this in abeyance until  
18 the title problem is solved or five years, whichever is  
19 less?

20 CHAIRMAN BELL: Less.

21 MR. TAYLOR: Whichever is less, so that we don't  
22 have a problem with this thing going on. We would then  
23 have to resolve it at that time, within five years.

24 CHAIRMAN BELL: All right. We have the alternate  
25 proposal which in effect would put the \$500.00 compromise

1 settlement in abeyance, or set it aside, really.

2 MR. NORTHROP: We could give the \$1,500.00 for  
3 the ten thousand.

4 CHAIRMAN BELL: All right. 9(G) as amended is  
5 before us for approval. Without objection, it is approved  
6 as amended.

7 (H), County of Santa Clara.

8 MR. NORTHROP: Mr. Chairman, Members, this is an  
9 application from the County of Santa Clara for a dredging  
10 permit, the spoils to be placed on adjacent uplands. The  
11 consideration here is the public benefit.

12 CHAIRMAN BELL: Without objection, item (H) is  
13 approved.

14 Item (I), Standard Oil Company.

15 MR. NORTHROP: Mr. Chairman and Members, this is  
16 a dredging permit for Standard Oil Company at their Richmond  
17 site to restore bottom depths necessary for navigation. The  
18 staff is following the lead of ten cents per cubic yard  
19 royalty for removal of State-owned materials. It is to be  
20 placed on the Alcatraz disposal site.

21 CHAIRMAN BELL: Yes, this is the normal way to go  
22 about this.

23 Are there any questions by Members on Item 9(I),  
24 Standard Oil dredging?

25 Is there any objection in the audience to the staff

1 proposal to the Commission on the Standard Oil dredging  
2 permit?

3 If not, Item 9(I) is approved.

4 Item 9(J), Geothermal Resources, Union Oil Company,  
5 Magma Power Company, Thermal Power Company.

6 MR. NORTHROP: Mr. Chairman, Members, this is a  
7 request to drill a replacement well on an existing pad at  
8 the location. It will be a new well. However, there will  
9 be no new environmental problems because the pad, the roads  
10 up and all the attendant support facilities are in with this  
11 program.

12 CHAIRMAN BELL: Any objections? Without objection,  
13 9(J) will be approved. And that is a very tough area to  
14 get into. Two weeks ago I was up there and it is a pretty  
15 difficult road to drive in.

16 Item 10, Energy and Mineral Resources, Long Beach.  
17 Mr. Northrop.

18 MR. NORTHROP: This is approval of the Third  
19 Modification of the '75-'76 Plan for the development,  
20 operations, budget to \$1,730,000.00 to provide funds for  
21 new processed water handling facilities in the operation.

22 MR. NORTHROP: This was anticipated, I believe,  
23 in the budget.

24 CHAIRMAN BELL: Are there any questions by Members?  
25 If not, Item 10(A) will be approved.

1 Project Review.

2 MR. NORTHROP: In connection with the closing  
3 accounts on AFE-33 on the reconstruction of Pier B, we  
4 determined by looking at the subsidence and the equipment  
5 replaced that the subsidence cost us \$10,077.00, with  
6 Long Beach getting an adjustment of \$3,831.57 for the  
7 portion that was affected by subsidence.

8 CHAIRMAN BELL: Without objection, Project  
9 Review (A) will be approved.

10 Item 11, Administration.

11 MR. NORTHROP: Mr. Chairman, this is a request  
12 by staff to authorize the Executive Officer to execute an  
13 agreement with Earth Satellite Corporation for the prepara-  
14 tion of the detailed map of Donner Lake. We probably have  
15 the expertise in our own staff to accomplish this program.  
16 However, this would be basis for a lawsuit in determining  
17 the age of trees and other flora and fauna that have fallen  
18 into the lake due to slides. And one of the contentions  
19 on the high water line of Donner Lake is that the line  
20 couldn't possibly be there because there is certain things  
21 growing out of the bottom of the lake, and if they were  
22 growing out of the bottom of the lake how in the world  
23 could the lake have been there in 1850?

24 So, we contend that this wasn't growing there  
25 but rather slid into the lake. So we are trying to establish



1 that for our presentation.

2 CHAIRMAN BELL: Thank you. By the way, I don't  
3 know whether you people have them, but I certainly have a  
4 number of letters that I am getting constantly from land-  
5 owners adjacent to the lake who are objecting to the State  
6 Lands Commission coming in and challenging their ownership  
7 of property.

8 MR. NORTHROP: This is one of the items that have  
9 appeared in many of the letters, the fact that these trees  
10 were growing in the lake itself. It is very clear from our  
11 point of view that these trees are in the bottom of the  
12 lake but how they got there, and this is what we are  
13 attempting to establish.

14 CHAIRMAN BELL: Without objection, 11(A) is  
15 approved.

16 11(B).

17 MR. NORTHROP: Mr. Chairman, Members, this is an  
18 authorization for redelegation of authority within the  
19 Division here and rescinds all prior delegations of authority.  
20 What it is attempting to do is to clean up the existing  
21 language and put new titles on. We have had some staff  
22 reorganization and new titles that have come into being  
23 and we are just attempting to clean this up.

24 CHAIRMAN BELL: Are there objections by or comments  
25 by Commission Members, staff members. No comment by staff

1 members.

2 COMMISSIONER D'AGOSTINO: It is interesting that  
3 this is passed when there is only one member here.

4 (Laughter.)

5 MR. NORTHROP: This is a tough group.

6 CHAIRMAN BELL: Mr. D'Agostino, do you think it  
7 appropriate to put this over for further study?

8 COMMISSIONER D'AGOSTINO: Would five years be  
9 okay?

10 (Laughter.)

11 CHAIRMAN BELL: Mr. Northrop, you have your  
12 approval. 11(B) will be approved.

13 Item 12(A), Approval of Map and Description of  
14 Lands.

15 MR. NORTHROP: Mr. Chairman, this is a rather  
16 complex issue. It was a map of lands transferred in trust  
17 to the City and County of San Francisco and it was done in  
18 Chapter 1333 in 1968. And you may well ask what took so  
19 much time because here it is coming before us in 1975?  
20 Jim Trout would like to address the Commission on this.

21 CHAIRMAN BELL: Mr. Trout.

22 MR. TROUT: Mr. Bell, first I'd like to call  
23 attention to the Commissioners that on your desks are  
24 copies of the legal description mentioned in the calendar  
25 item there in this plastic binding, and to Commissioner

1 McGuire's left are copies of the maps at full scale, so  
2 that they are available to the Commissioners.

3 This was the relatively famous Burton act that  
4 in effect transferred the San Francisco Port or made  
5 possible the transfer of the San Francisco Port to the City  
6 and County of San Francisco. The port formerly was a State  
7 agency.

8 The problem basically derives from the fact that  
9 San Francisco had an earthquake in 1906 after the major  
10 part of the City was surveyed and it has taken the major  
11 effort to locate the location of streets, lots, blocks and  
12 border tideland information and other information.

13 The City and County of San Francisco has reimbursed  
14 us for this effort. We are bringing this matter to your  
15 attention now. They have approved it. Now we want to make  
16 one change in the full size maps that you have, a very small  
17 change on the first sheet from the reduced scale copies in  
18 your calendar. And it relates only to the notes on the  
19 first page in which note 6, the word "reserved" in the first  
20 line was changed to "retained", and note 8 was added.

21 Otherwise, this is exactly as you have it on your  
22 agenda. We recommend approval. It has been a tough job  
23 but we think our staff has done a real good job.

24 CHAIRMAN BELL: Any questions by the City or  
25 County of San Francisco on this?

1 MR. TROUT: No. We understand that the Port has  
2 approved it.

3 CHAIRMAN BELL: The Port Authority has approved  
4 it?

5 MR. TAYLOR: This is the last action required to  
6 make the Burton act fully effective, which transferred all  
7 the bonds of the Port to the City.

8 CHAIRMAN BELL: Well, almost the last act, anyway.  
9 There is still some question on the continuation of the  
10 Port.

11 (Laughter.)

12 CHAIRMAN BELL: And I don't mean that derogatorily.  
13 I think it primarily is the State's responsibility of  
14 continuous review and the question of outstanding general  
15 obligation bonds of the State of California with the Port  
16 Authority assumed.

17 Any questions by Commission Members?

18 If not, 12(A) is approved and it is a pretty  
19 monumental task out of the way.

20 Item 13, Approval of Revised Land Descriptions.

21 MR. NORTHROP: Mr. Chairman, this is a clean up  
22 in some language on some school lands to get the description  
23 to fit precisely the boundaries.

24 CHAIRMAN BELL: This is primarily a correction?

25 MR. NORTHROP: Just a correction.

1 CHAIRMAN BELL: Without objection, 13(A) is  
2 approved.

3 Item 14, Approval of Project on the Municipal  
4 Wharf at Santa Cruz.

5 MR. NORTHROP: This is an approval of an enlarge-  
6 ment of a Municipal Wharf of the City of Santa Cruz. Jim,  
7 would you care to address us on it?

8 MR. TROUT: Yes. In 1967, when the grant to  
9 Santa Cruz was ammended by the Legislature, they added a  
10 provision in which the Commission was to approve any improve-  
11 ments in the wharf, or in the grant actually, for consis-  
12 tency with the then developed comprehensive ocean area plan.

13 This was prior to the passage of Proposition 20  
14 and the comprehensive ocean area plan was never formally  
15 accepted by the State but was completed by task force.

16 And the proposals of the City of Santa Cruz are  
17 entirely consistent with the comprehensive ocean area plan.  
18 We believe also from the drafts we have received from the  
19 Coastal Commission that it is also consistent with the  
20 policy stated therein.

21 Commission approval is required under the statute.

22 CHAIRMAN BELL: Our approval is, but is also any  
23 approval required of the Coastal Commission?

24 MR. TROUT: I believe ~~they~~ have that approval.  
25 In fact, what happened was at the last minute someone

1 discovered that Lands Commission approval was required  
2 pursuant to the grant.

3 CHAIRMAN BELL: I see. Are there any questions  
4 on this item?

5 If not, Item 14(A) is approved.

6 Item 15, Major Litigation.

7 MR. NORTHROP: Mr. Chairman, my staff has no  
8 reports on the status of litigation at this time but perhaps  
9 Mr. Taylor would like to.

10 MR. TAYLOR: We have nothing to report.

11 CHAIRMAN BELL: No reports?

12 MR. NORTHROP: Mr. Chairman, as an aside, and it  
13 probably should have been mentioned in my report earlier,  
14 but there has been considerable mention in the press today  
15 and last week about the Queen Mary.

16 I have written last Friday a letter to -- last  
17 Monday -- a letter to the City Manager of Long Beach asking  
18 him to bring us up to date on that and whatever it is. If  
19 it is something urgent, then we will get it to you immediately.  
20 Otherwise, it will be at the next meeting.

21 CHAIRMAN BELL: If not, it will be at the next  
22 meeting.

23 All right. Information only. So the status of  
24 major litigation is not before us.

25 Item 15(B), a Stipulation and Disclaimer of

1 Interest.

2 MR. HIGHT: Yes. Mr. Chairman, the Federal  
3 Government has filed a condemnation action in the Port  
4 Chicago area, and by this stipulation and disclaimer the  
5 State is out of the picture, and the Federal Government  
6 stipulates that they are not condemning any land belonging  
7 to the State.

8 CHAIRMAN BELL: So this just takes us out of the  
9 action which is a rather old action, is it not?

10 MR. HIGHT: Yes, filed in 1967.

11 CHAIRMAN BELL: Any questions?

12 If not, Item 15(B) is approved.

13 Any other business?

14 MR. NORTHROP: Mr. Chairman, if you will notice,  
15 in Item 16 the time and place of the next meeting is in  
16 December, and because of the schedules of the Commissioners,  
17 it seems as though December 1 will be a meeting which we  
18 will try to discuss not only November's business but try to  
19 wrap up the year end at that same meeting, and perhaps have  
20 our first meeting in mid-January again, somewhere around the  
21 15th.

22 CHAIRMAN BELL: Are there any other items to come  
23 before the Commission today?

24 If not, we stand adjourned.

25 (Thereupon the October 29 meeting of the State

1 Lands Commission was adjourned at 11:05 A. M.)

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STATE OF CALIFORNIA )  
COUNTY OF SACRAMENTO ) ss.

I, RONALD J. PETERS, a Notary Public in and for the County of Sacramento, State of California, duly appointed and commissioned to administer oaths, do hereby certify:

That I am a disinterested person herein; that the foregoing State Lands Commission Meeting was reported in shorthand by me, Ronald J. Peters, a Certified Shorthand Reporter of the State of California, and thereafter transcribed into typewriting.

I further certify that I am not of counsel or attorney for either or any of the parties to said meeting, nor in any way interested in the outcome of the cause in said caption.

IN WITNESS WHEREOF, I have hereunto set my hand  
and affixed my seal of office this 4<sup>TH</sup> day of DECEMBER,  
1975.

Ronald J. Peters  
RONALD J. PETERS, C.S.R.

