

MEETING  
STATE OF CALIFORNIA  
STATE LANDS COMMISSION

ORIGINAL

STATE CAPITOL  
ROOM 2040  
SACRAMENTO, CALIFORNIA

WEDNESDAY, AUGUST 30, 1989

11:15 A.M.

Eileen Jennings, C.S.R.  
License No. 5122

COMMISSIONERS PRESENT

Leo T. McCarthy, Lieutenant Governor, Chairperson

Jim Tucker, Commission Alternate  
for Gray Davis, State Controller

Russell Gould, Commission Alternate  
for Jesse R. Huff, Director of Finance

STAFF PRESENT

Claire T. Dedrick, Executive Officer

James Trout, Assistant Executive Officer

Robert Hight, Chief Counsel

ALSO PRESENT

N. Gregory Taylor, Assistant Attorney General

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PROCEEDINGS

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3 CHAIRPERSON MCCARTHY: Ladies and gentlemen, before  
4 the Commission begins I wanted to bring to your attention the  
5 items that are off the calendar. If you are here in  
6 connection with those items, we don't want to delay you. The  
7 following items are pulled from today's calendar: 12, 18,  
8 23, 27, 38, 41, 42, 43, 44 and 45. Thank you.

9 I also want to announce that Item 37 is pulled off  
10 the calendar today.

11 All right. Minutes of the previous meeting are  
12 deemed read and approved if there are no questions from the  
13 commissioners.

14 I'd incidentally like to welcome Commissioner  
15 Russell Gould today, who's here representing the Department  
16 of Finance. Now that the budget is over, Russell is  
17 returning to the work of the Lands Commission here.

18 COMMISSIONER GOULD: A few other entertaining  
19 things.

20 CHAIRPERSON MCCARTHY: A few other entertaining  
21 things.

22 And, of course, Commissioner Jim Tucker is here  
23 representing Controller Davis.

24 Consent Calendar, items 1 through 11. Any objection  
25 to our acting on any of those items?

1           Hearing none, the Consent Calendar is adopted by the  
2 Commission.

3           No. 12. Ms. Dedrick.

4           EXECUTIVE OFFICER DEDRICK: No. 12 is off calendar,  
5 Commissioner.

6           No. 13 is --

7           CHAIRPERSON MCCARTHY: Thank you.

8           EXECUTIVE OFFICER DEDRICK: -- the Pacific Offshore  
9 Pipeline Company. This is approval of an amendment to the  
10 general lease to reduce the land use area and amend other  
11 conditions of a current lease in the Pacific Ocean near El  
12 Capitan State Beach in Santa Barbara County.

13           CHAIRPERSON MCCARTHY: Questions by Commissioners or  
14 members of the audience?

15           If not, the action's authorized.

16           Fourteen.

17           EXECUTIVE OFFICER DEDRICK: Item 14, Roy and Janet  
18 Wickland. This is approval of a partial reconstruction of an  
19 existing pier at Lake Tahoe. It has all the required  
20 approvals and complies with the RCRA requirements.

21           CHAIRPERSON MCCARTHY: Any questions by members of  
22 the Commission or the public?

23           If not, the action's authorized.

24           EXECUTIVE OFFICER DEDRICK: Fifteen, Beverly Bone, a  
25 five-year recreational pier permit and another partial

reconstruction and maintenance at Tahoe. Same conditions.  
CHAIRPERSON MCCARTHY: Questions by members of the

Commission or the audience?  
Action is authorized.  
Sixteen.

EXECUTIVE OFFICER DEDRICK: Sixteen is a ten-year recreational pier permit for maintenance of an existing rock crib pier at Fallen Leaf Lake, adjacent to Tahoe.

CHAIRPERSON MCCARTHY: Questions by members of the Commission or the audience?

All right. The action's authorized.  
Seventeen.

EXECUTIVE OFFICER DEDRICK: Seventeen, Ann Milton Wallis Trust. This is a five-year recreational pier permit for partial reconstruction of an existing pier again at Lake Tahoe.

CHAIRPERSON MCCARTHY: Questions by members of the Commission or the audience?

All right. The action is authorized.  
Nineteen.

EXECUTIVE OFFICER DEDRICK: Item 19, Barbara Hefner, trustee, a five-year recreational pier permit at Tahoe. Again, this is an extension of an existing pier. And the authorization is two previously unauthorized buoys.

CHAIRPERSON MCCARTHY: Questions by members of the

1 Commission or the public?

2 All right. The action is authorized.

3 Twenty.

4 EXECUTIVE OFFICER DEDRICK: This is the Minasians,  
5 applicants, and Minasian Ambrose, a five-year recreational  
6 pier permit for reconstruction and the extension of an  
7 existing pier and the addition of a boat lift at Tahoe.

8 CHAIRPERSON MCCARTHY: Questions by members of the  
9 Commission or the audience?

10 All right. The action is authorized.

11 Next item.

12 EXECUTIVE OFFICER DEDRICK: Item 21 is Robert F.  
13 Marx, Phoenician South Seas Treasures, Ltd. This is approval  
14 of a one-year extension for his search and retrieval and  
15 salvage of a Manila Galleon in Drake's Bay in Marin County.

16 CHAIRPERSON MCCARTHY: Okay. Questions by members  
17 of the Commission?

18 All right. It's authorized.

19 EXECUTIVE OFFICER DEDRICK: Item 22, John Batelle,  
20 Batelle Construction. This is a denial of a salvage permit  
21 application that's been sitting around for more than a year  
22 and has never been completed.

23 CHAIRPERSON MCCARTHY: Questions by members of the  
24 Commission or the audience?

25 All right. Authorized.

1                   Twenty-four.

2                   EXECUTIVE OFFICER DEDRICK: Twenty-four, the Great  
3 Basin Unified Air Pollution Control District. This is to  
4 approve a permit, geological survey permit, to drill in the  
5 Owens Lake as part of the air pollution control experimental  
6 program we're carrying out up there.

7                   CHAIRPERSON MCCARTHY: Questions by members of the  
8 Commission? The audience?

9                   It's authorized. Go ahead.

10                   Twenty-five.

11                   EXECUTIVE OFFICER DEDRICK: Twenty-five is Capitol  
12 Oil Corporation, consent to pooling of 6.37 acres of leased  
13 lands in state, oil and gas lease PRC 7283 in Sutter County.

14                   CHAIRPERSON MCCARTHY: Questions by members of the  
15 Commission or the public?

16                   All right. Authorized.

17                   Twenty-six.

18                   EXECUTIVE OFFICER DEDRICK: Item 26, the applicants  
19 are Santa Catalina Island Company, David Gemilere and the  
20 Catalina Flying Boats for an extension -- or a lease, 15-year  
21 lease, for their ramp to land the flying boats at Catalina.

22                   CHAIRPERSON MCCARTHY: Questions by members of the  
23 Commission? Audience?

24                   It's authorized.

25                   Twenty-eight.

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EXECUTIVE OFFICER DEDRICK: Twenty-eight, GRI Exploration and Development Corporations, amendment of the geothermal lease to allow a change in the day in which payments are due to the State to conform with a payment that they received.

CHAIRPERSON MCCARTHY: Questions?

Authorized.

Twenty-nine.

EXECUTIVE OFFICER DEDRICK: Okay. CGG American Services, Inc. This is an amendment to the geophysical survey permit for state tide and submerged lands in the Delta. This is a geophysical permit, but it is outside of the normal program; because this is an inland permit and has been approved by the Department of Fish and Game.

CHAIRPERSON MCCARTHY: Questions?

Authorized.

Thirty.

EXECUTIVE OFFICER DEDRICK: Thirty is the State Lands Commission year end status report of the 88-89 Plan of Development and Operations of the Long Beach unit.

CHAIRPERSON MCCARTHY: Any questions by members of the Commission? The audience?

It's authorized.

Thirty-one.

EXECUTIVE OFFICER DEDRICK: Thirty-one is to approve

1 consent to the first amendment to the tidelands Parcel A  
2 contract to permit the contractor to do some work on Segment  
3 II of the Fault Block. This is again the Long Beach  
4 Tidelands.

5 CHAIRPERSON MCCARTHY: Questions?

6 All right. It's authorized.

7 Thirty-two.

8 EXECUTIVE OFFICER DEDRICK: Item 32, Morris Tug and  
9 Barge. This is renewal of a mineral extraction lease for  
10 oyster shell in South San Francisco Bay.

11 CHAIRPERSON MCCARTHY: Questions?

12 Authorized.

13 Thirty-three.

14 EXECUTIVE OFFICER DEDRICK: Thirty-three, Sand Cove  
15 Development Company. This is a dredging permit to authorize  
16 removal of 15,000 cubic yards of material from the river to  
17 replenish an upland beach which had been dredged out without  
18 approval of the city.

19 CHAIRPERSON MCCARTHY: Questions?

20 Authorized.

21 Thirty-four.

22 EXECUTIVE OFFICER DEDRICK: Thirty-four is the  
23 County of Orange. This is a dredging permit authorizing the  
24 removal of 50,000 cubic yards of material from Upper Newport  
25 Bay.

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1 CHAIRPERSON MCCARTHY: Questions?

2 It's authorized.

3 Thirty-five.

4 EXECUTIVE OFFICER DEDRICK: Thirty-five is the City  
5 of Santa Barbara. It's a maintenance dredging permit to  
6 authorize the removal of 309,300 cubic yards from five  
7 locations in Santa Barbara Harbor. The material will be  
8 discharged onto beaches.

9 CHAIRPERSON MCCARTHY: Questions?

10 Authorized.

11 Thirty-six.

12 EXECUTIVE OFFICER DEDRICK: Army Corps of Engineers.  
13 This is a dredging permit for 10,000 cubic feet -- or, no,  
14 I'm sorry about that. This is a three million cubic yards  
15 dredging at least 10,000 cubic feet offshore of  
16 Surfside-Sunset Beach in Huntington Beach. The material is  
17 to be used for the replenishment of eroded beaches at  
18 Surfside and Sunset.

19 CHAIRPERSON MCCARTHY: So the dredged material is  
20 going to be placed back --

21 EXECUTIVE OFFICER DEDRICK: Back on the --

22 CHAIRPERSON MCCARTHY: -- on part of the beach?

23 EXECUTIVE OFFICER DEDRICK: That's correct.

24 CHAIRPERSON MCCARTHY: Any questions?

25 Authorized.

1           Thirty-seven is off calendar. Thirty-eight's off.  
2           Thirty-nine.

3           EXECUTIVE OFFICER DEDRICK: Thirty-nine is Crowley  
4           Maritime Corporation has requested consideration of  
5           boundaries and a proposal to annex tide and submerged lands  
6           in the City of Martinez in Contra Costa County.

7           COMMISSIONER GOULD: Is this old?

8           MR. HIGHT: No. In this case, Mr. Chairman, the  
9           Commission is approving only the legal sufficiency of the  
10          description.

11          CHAIRPERSON MCCARTHY: Okay. Any questions?

12          It's authorized.

13          Forty.

14          EXECUTIVE OFFICER DEDRICK: Mr. Chairman, I just  
15          noticed we're in the legal division of the section, and  
16          Bob Hight will be presenting these. I apologize.

17          MR. HIGHT: Item 40, Mr. Chairman, is the  
18          consideration of the legal description for the incorporation  
19          of the City of Pepple Beach in Monterey County. And the  
20          description meets the Commission's legal requirements.

21          CHAIRPERSON MCCARTHY: Any questions?

22          It's authorized.

23          All right. We're up to 46.

24          EXECUTIVE OFFICER DEDRICK: The administration  
25          section Mr. Trout will present.

1 ASSISTANT EXECUTIVE OFFICER TROUT: Mr. Chairman, on  
2 Item 46, the Legislature added money for the continuation of  
3 the Great Basin Unified Pollution District's dust abatement  
4 program. This is authorization to enter into a contract with  
5 the district to carry out that work.

6 CHAIRPERSON MCCARTHY: Any questions? Audience?

7 Authorized.

8 Forty-seven.

9 ASSISTANT EXECUTIVE OFFICER TROUT: Item 47 is to  
10 authorize the Executive Officer to contract for services and  
11 testimony of an expert witness in reference to the Arco  
12 litigation. This would be to aid the Attorney General's  
13 Office in the pursuit of that lawsuit.

14 CHAIRPERSON MCCARTHY: Questions?

15 It's authorized.

16 Forty-eight.

17 ASSISTANT EXECUTIVE OFFICER TROUT: Item 48 is  
18 authorization for the Executive Officer to work out a deal  
19 with a consultant to work in the oil spill recovery and be an  
20 advisor to the Commission. The Executive Officer has  
21 requested that you grant her this approval to start contract  
22 discussions with the suggestion that when she's completed,  
23 that she brings the contract back to you with specifics for  
24 final approval.

25 CHAIRPERSON MCCARTHY: Questions by members of the

1 Commission?

2 COMMISSIONER GOULD: One question. What size  
3 contract would you expect from this? And is it something  
4 that you expect to be able to deal with with the existing  
5 resources?

6 EXECUTIVE OFFICER DEDRICK: The contract is probably  
7 about \$100,000, Commissioner, and the resources of the  
8 Commission are very strained, as you know. We have a couple  
9 of ideas of ways that we could fund this. One perhaps  
10 would -- the worst case is through salary savings.

11 CHAIRPERSON McCARTHY: Within the existing budget.

12 COMMISSIONER GOULD: Would that be part of your  
13 description then in coming back to the Commission and  
14 describing the contract would be the means?

15 CHAIRPERSON McCARTHY: As I understood the proposal,  
16 Commissioner, the Executive Officer would have to bring the  
17 contract back to us. And that would certainly be an  
18 appropriate part of the conversation at that time, how do we  
19 fund it.

20 COMMISSIONER GOULD: Okay.

21 COMMISSIONER TUCKER: Could we notice this for the  
22 11th meeting?

23 EXECUTIVE OFFICER DEDRICK: I'm sorry, I didn't hear  
24 you.

25 COMMISSIONER TUCKER: Could we notice this for the

1 11th?

2 EXECUTIVE OFFICER DEDRICK: If you wish. You'd like

3 to have the contract prepared by the 11th?

4 COMMISSIONER TUCKER: Yeah, so we can take it up.

5 EXECUTIVE OFFICER DEDRICK: Can we physically do  
6 that, gentlemen?

7 Yes. I want to be sure I've got staff.

8 COMMISSIONER TUCKER: We have a meeting on the 11th

9 I've been told.

10 CHAIRPERSON MCCARTHY: We had a Commission meeting

11 planned for the 11th?

12 EXECUTIVE OFFICER DEDRICK: We have a special

13 meeting, a one-item special meeting for the benefit of a  
14 client who has been trying to put in a fiber optic cable and  
15 is losing money every day. It was intended to be a one-item  
16 and --

17 CHAIRPERSON MCCARTHY: So there is a meeting planned

18 for that day?

19 EXECUTIVE OFFICER DEDRICK: There is a meeting

20 planned for that day. And then the regular session is  
21 planned for, I think, the 27th.

22 CHAIRPERSON MCCARTHY: Okay. I want to make sure I

23 can be here. Where's Ed?

24 MR. MANNING: Here.

25 CHAIRPERSON MCCARTHY: Ed, do you know if anybody's

1 checked my calendar for September 11th to see --

2 MR. MANNING: I know Roy was looking at it, but I  
3 don't know.

4 CHAIRPERSON McCARTHY: You've already checked my  
5 calendar?

6 MS. MOORE: Uh-huh.

7 CHAIRPERSON McCARTHY: And it's okay?

8 MS. MOORE: It's okay.

9 CHAIRPERSON McCARTHY: Any further questions on  
10 this?

11 All right. Let's schedule it for the Commission  
12 meeting of the 11th --

13 EXECUTIVE OFFICER DEDRICK: Okay.

14 CHAIRPERSON McCARTHY: -- for discussion at that  
15 time. Anything else?

16 All right. Thank you.

17 Next item, 49.

18 ASSISTANT EXECUTIVE OFFICER TROUT: Item 49 is  
19 approval of modifications to the Application List and  
20 Criteria. Legislation passed requires agencies to provide  
21 additional information to applicants. This would do that.  
22 It must include a description of the general application  
23 procedure of the Commission, details the environmental  
24 process. And as part of this, we're streamlining the form  
25 and consolidating some stuff.

1 We're also telling applicants the legal basis for  
2 rejection of application. There are some other new  
3 procedures. The applicant must indicate whether or not he  
4 considers his project a project. It would also involve a new  
5 provision relating to shipwreck salvage permits, and we  
6 request your approval.

7 CHAIRPERSON MCCARTHY: Any questions?

8 All right. Approved as requested.

9 No. 50.

10 EXECUTIVE OFFICER DEDRICK: Item 50 is Dale Hanson  
11 and Margery Hanson. This is a five-year recreational pier  
12 permit for the retention of an existing -- maintenance of an  
13 existing pier at Lake Tahoe.

14 CHAIRPERSON MCCARTHY: Any questions? Audience?

15 Approved as authorized.

16 EXECUTIVE OFFICER DEDRICK: Mr. Chairman, I did  
17 leave out one item. There's before you a proposed resolution  
18 of the California State Lands Commission.

19 CHAIRPERSON MCCARTHY: This is regarding supporting  
20 California Coastweeks.

21 EXECUTIVE OFFICER DEDRICK: Right.

22 CHAIRPERSON MCCARTHY: I will read into the record  
23 the resolved clauses and just assume that the language of the  
24 whereases is deathless prose.

25 \*NOW THEREFORE BE IT RESOLVED,

1 that the California State Lands  
2 Commission hereby recognizes and  
3 supports the designation of the  
4 weeks September 16 through  
5 October 9 as California Coastweeks;  
6 including September 16 as  
7 'Estuaries Day', and September 23  
8 as 'Adopt-A-Beach Coastal Cleanup  
9 Day'; and

10 BE IT FURTHER RESOLVED, that  
11 the California State Lands  
12 Commission encourages all public  
13 institutions, private groups and  
14 business and individual citizens to  
15 observe these events and to  
16 participate in activities in their  
17 local community which promote the  
18 responsible preservation and  
19 protection of the California  
20 coastline."

21 Worthy goals.

22 Any comment on this?

23 COMMISSIONER TUCKER: This gives everybody two weeks  
24 off.

25 CHAIRPERSON MCCARTHY: Everybody two weeks off.

1 (Laughter.)

2 CHAIRPERSON McCARTHY: All right. Adopted by the  
3 Commission.

4 Anything else to come before us?

5 Thank you all very much.

6 MR. HIGHT: Mr. Chairman, for the record, before we  
7 adjourn, if we can state that we're going to meet in executive  
8 session.

9 CHAIRPERSON McCARTHY: Thank you. We recessed the  
10 executive session we were in before the public hearing, and we  
11 will now reconvene that executive session downstairs in another  
12 office.

13 Thank you all very much.

14 (Thereupon the meeting of the State Lands  
15 Commission was adjourned at 11:30 a.m.)

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