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MEETING  
STATE LANDS COMMISSION  
STATE OF CALIFORNIA

COPY

STATE CAPITOL  
ROOM 447  
SACRAMENTO, CALIFORNIA

WEDNESDAY, SEPTEMBER 27, 1989  
12:35 P.M.

Ronald J. Peters  
Certified Shorthand Reporter  
License Number 2780

MEMBERS PRESENT

1  
2 Mr. Leo T. McCarthy, Lieutenant Governor, Chairman

3 Mr. Russell Gould, Representing Mr. Jesse R. Huff,  
4 Director of Finance

5 Mr. James Tucker, Representing Mr. Gray Davis,  
6 State Controller

STAFF PRESENT

7  
8 Ms. Claire Dedrick, Executive Officer

9 Mr. James Trout, Assistant Executive Officer

10 Mr. Robert Hight, Chief Counsel

11 Mr. N. Gregory Taylor, Assistant Attorney General

12 Mr. W. M. Thompson, Chief

13 Ms. Gail Moore, Secretary to the Commission  
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**PETERS SHORTHAND REPORTING CORPORATION**

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P R O C E E D I N G S

1  
2 CHAIRMAN MC CARTHY: My profound apologies for  
3 all of you who have been waiting patiently for this  
4 Commission to get started.

5 As I mentioned to the audience before we started,  
6 there are some items that have been taken off the calendar  
7 and I hope none of you have been waiting here on these  
8 items.

9 Consent Item 13 and Calendar Items 22, 25, 30,  
10 31, 38, 39, 41, 42, 45, 46, 47.

11 Those items have all been pulled off calendar.

12 I said Item 22 was pulled off calendar. That was  
13 an error. It's Item 23 that has been pulled off calendar.  
14 Item 22 is still on. Thank you.

15 Let's begin the meeting.

16 The Commission minutes of the last meeting are  
17 approved if there is no objection.

18 Hearing none, they are approved.

19 Item Number 2, the Consent Calendar, Items 1  
20 through 12. Is there anyone in the public audience who  
21 wishes to make a comment on any of these consent items?

22 If not, Items 1 through 12 are passed as  
23 recommended.

24 Item 14.

25 ASSISTANT EXECUTIVE OFFICER TROUT: Calendar

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1 Item Number 14 is an assignment of a lease for the Lanai  
2 Corporation for a piece of submerged land at Lake Tahoe  
3 for a pier, reconstruction of a pier, and two existing  
4 mooring buoys.

5 CHAIRMAN MC CARTHY: Is there any question in  
6 the audience about this?

7 All right. That's passed as recommended.

8 Fifteen.

9 ASSISTANT EXECUTIVE OFFICER TROUT: Fifteen  
10 is determination of a recreational pier and the issuance of  
11 a new five-year General Permit for construction of an  
12 existing pier and boathouse at Lake Tahoe.

13 CHAIRMAN MC CARTHY: Any questions on Item 15?

14 Hearing none, the recommendation is adopted.

15 Sixteen.

16 ASSISTANT EXECUTIVE OFFICER TROUT: Sixteen is a  
17 similar item for Tahoe Tavern Property approval of a  
18 termination of a ten-year Recreational Pier Permit and  
19 a five-year Recreational Use Permit starting October 1st,  
20 and it is for roughly 3.1 acres, maintenance of an existing  
21 pier and 90 mooring buoys.

22 CHAIRMAN MC CARTHY: Questions on this?

23 All right, adopted.

24 Seventeen.

25 ASSISTANT EXECUTIVE OFFICER TROUT: Seventeen,

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1 Item 17. This is a five-year Recreational Permit for the  
2 Angells for the repair of a boathouse and decking of an  
3 existing pier, extension of the pier and retention of two  
4 mooring buoys.

5 CHAIRMAN MC CARTHY: Mr. and Mrs. Angell, yes.  
6 Any questions from the audience?

7 Adopted.

8 Eighteen.

9 ASSISTANT EXECUTIVE OFFICER TROUT: Eighteen is  
10 a five-year Recreational Pier Permit again at Tahoe for an  
11 extension to an existing permitted pier.

12 CHAIRMAN MC CARTHY: Any questions?

13 Adopted.

14 Nineteen.

15 ASSISTANT EXECUTIVE OFFICER TROUT: Nineteen is  
16 a five-year Recreational Pier for John and Marilyn Wickland  
17 at Lake Tahoe, including two previously unauthorized  
18 buoys.

19 CHAIRMAN MC CARTHY: Questions?

20 Adopted.

21 Twenty.

22 ASSISTANT EXECUTIVE OFFICER TROUT: Item 20 is  
23 another five-year Recreational Pier Permit for an existing  
24 pier and boathouse and to authorize a previously  
25 unauthorized mooring buoy.

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1 CHAIRMAN MC CARTHY: Any questions?

2 Adopted.

3 Twenty-one.

4 ASSISTANT EXECUTIVE OFFICER TROUT: Twenty-one is  
5 a five-year Recreational Pier Permit for replacement of  
6 seven pilings on an existing pier at Lake Tahoe. I have  
7 an indication that Mr. Ed Hendrix would like to speak on  
8 this item.

9 MR. HENDRIX: I will waive that. Thank you.

10 CHAIRMAN MC CARTHY: All right. Any objections  
11 to this in the audience?

12 If not, adopted.

13 Twenty-two.

14 ASSISTANT EXECUTIVE OFFICER TROUT: Item 22 is  
15 for the construction of four artificial fishing reefs off  
16 of Batiquitos in San Diego County. The Department of Fish  
17 and Game believes that this will improve the fishing in  
18 what is otherwise a very desert-type area on the sea floor.

19 CHAIRMAN MC CARTHY: Questions from anybody?

20 If not, adopted.

21 Twenty-four.

22 ASSISTANT EXECUTIVE OFFICER TROUT: Twenty-four is  
23 the approval for the staff of the State Lands Commission  
24 to issue a patent to James Crochran involving 120 acres of  
25 school land. A full page certificate of purchase was

1 issued in the late 1800's, I believe, but no patent was  
2 ever issued. The property has now come into the hands of  
3 the Hearst Corporation and they want to clarify the chain  
4 of title.

5 Our staff has looked at it and all requirements  
6 have been met and we recommend you to authorize us to issue  
7 a patent.

8 CHAIRMAN MC CARTHY: Any questions?

9 That is adopted.

10 Twenty-six.

11 ASSISTANT EXECUTIVE OFFICER TROUT: Twenty-six is  
12 an agreement with the City of Palo Alto to allow the  
13 construction of a park in an area where we have not yet  
14 determined title. This will authorize the City to occupy  
15 whatever interest the State might have in that area.

16 CHAIRMAN MC CARTHY: Questions?

17 Adopted.

18 Twenty-seven.

19 ASSISTANT EXECUTIVE OFFICER TROUT: The City of  
20 San Diego, in Item Number 27, wants to make some changes  
21 and provide a new outfall in the San Diego area for their  
22 Point Loma Wastewater Treatment Plant.

23 CHAIRMAN MC CARTHY: They don't have any  
24 secondary treatment there. Is this outfall, and I know  
25 they have got other outfalls putting primary treatment

1 sewage out into the ocean, is this --

2 CHIEF COUNSEL HIGHT: Mr. Chairman, this is for  
3 a riprap which is protecting the existing outfall.

4 CHAIRMAN MC CARTHY: Okay. Thank you.  
5 Twenty-eight.

6 ASSISTANT EXECUTIVE OFFICER TROUT: Go ahead.

7 EXECUTIVE OFFICER DEDRICK: The County of Ventura  
8 and the City of San Buenaventura to amend a Life of  
9 Structure Permit to the County of Ventura to delete a  
10 groin and do some other work on a partial submerged land in  
11 the Pacific Ocean in Ventura County.

12 CHAIRMAN MC CARTHY: Questions?

13 All right, passed.

14 Twenty-nine.

15 EXECUTIVE OFFICER DEDRICK: Twenty-nine is  
16 California Fish Growers to approve the extension of a  
17 construction-limiting date on a lease for an outfall  
18 pipeline at Bodega Bay, Sonoma County, the extension to  
19 go through November 30th, 1990.

20 CHAIRMAN MC CARTHY: Questions?

21 Authorized.

22 Thirty and thirty-one are out.

23 Thirty-two.

24 EXECUTIVE OFFICER DEDRICK: Thirty-two,  
25 C and H Sugar Company to authorize dredging a maximum of

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1 1200 cubic yards of material at Crockett for their  
2 operation there by the Carquinez Bridge.

3 CHAIRMAN MC CARTHY: Questions?

4 All right, authorized.

5 Thirty-three.

6 EXECUTIVE OFFICER DEDRICK: Thirty-three is the  
7 City of Long Beach as applicant. A request to approve  
8 specifications and forms for inviting bids for a royalty  
9 oil sale from several Fault Blocks in the Wilmington Oil  
10 Field.

11 CHAIRMAN MC CARTHY: Questions?

12 Authorized.

13 Thirty-four.

14 EXECUTIVE OFFICER DEDRICK: Thirty-four,  
15 Huntway Refining Company, is the request to approve the  
16 award of a royalty oil sale contract for the South Ellwood  
17 Field in Santa Barbara County.

18 CHAIRMAN MC CARTHY: Questions?

19 Authorized.

20 Thirty-five.

21 EXECUTIVE OFFICER DEDRICK: Thirty-five, Shell  
22 Western is the lessee and Chevron the operator. This is a  
23 request for a two-year deferment of drilling on a lease in  
24 Ventura County.

25 CHAIRMAN MC CARTHY: Questions?

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1 Authorized.

2 Thirty-six.

3 EXECUTIVE OFFICER DEDRICK: Same applicant. And  
4 it is a request for an approval of an assignment of State  
5 oil and gas leases 3743, 3833, 3895, and 3896, which are  
6 Contra Costa, Sacramento and Solano counties.

7 The assignment is from Shell Western to Chevron.

8 CHAIRMAN MC CARTHY: Any questions?

9 Authorized.

10 Number 37.

11 EXECUTIVE OFFICER DEDRICK: Thirty-seven is  
12 Mobil Exploration's request for a deferment of drilling  
13 on oil and gas leases PRC 3489 and 3490 until September of  
14 1991.

15 CHAIRMAN MC CARTHY: Okay. Any questions?

16 Authorized.

17 Number 40.

18 EXECUTIVE OFFICER DEDRICK: Forty, the City of  
19 Long Beach, to submit the Unit Operator's final report and  
20 closing statement for 1988-'89 Plan of Development and  
21 Operations and Budget for the Wilmington Oil Field.

22 CHAIRMAN MC CARTHY: Any questions?

23 It's authorized.

24 Forty-three.

25 EXECUTIVE OFFICER DEDRICK: Forty-three is a

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1 legal item.

2 CHIEF COUNSEL HIGHT: Consideration of the  
3 annexation of tide and submerged lands into the City of  
4 Pittsburg. This is for an existing Marina for which the  
5 city would like to provide fire and police protection to  
6 the area.

7 CHAIRMAN MC CARTHY: Any questions?

8 It is authorized.

9 Forty-four.

10 CHIEF COUNSEL HIGHT: Forty-four is a Compromise  
11 Title Settlement which the Commission is acting as Land  
12 Bank Commissioners in accepting \$8,400 for the Commission's  
13 interest in a half acre park in the City of Martinez.

14 CHAIRMAN MC CARTHY: Any questions?

15 That is authorized.

16 Forty-eight.

17 CHIEF COUNSEL HIGHT: Forty-eight. The Surf  
18 Rider Foundation, Mr. Chairman, filed litigation against  
19 Mutual Savings and Loan Association to provide public access  
20 for a beach in Santa Barbara County. The Title Company  
21 requested the Commission and the Office of the Attorney  
22 General to stipulate that the access easement being provided  
23 is consistent with Commission policy and we recommend  
24 approval.

25 CHAIRMAN MC CARTHY: Okay.

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1 Any questions?

2 That is approved.

3 Forty-nine.

4 EXECUTIVE OFFICER DEDRICK: Item 49, State Lands  
5 Commission, is a proposed sale of royalty crude oil in  
6 Orange County in the Belmont Field and the Rincon Field in  
7 Ventura County.

8 CHAIRMAN MC CARTHY: Questions?

9 That is authorized.

10 Fifty.

11 EXECUTIVE OFFICER DEDRICK: Fifty, the City of  
12 Long Beach, approval to amend and restate cooperative  
13 agreement for water injection operations between the Long  
14 Beach Unit and TERMO Company. This, again, is in the  
15 Wilmington Field.

16 CHAIRMAN MC CARTHY: Any questions?

17 All right. That's authorized.

18 EXECUTIVE OFFICER DEDRICK: That is the end of  
19 the calendar.

20 CHIEF COUNSEL HIGHT: Mr. Chairman, may I make  
21 a few announcements about events which occurred in the  
22 Executive Session with regard to pending litigation?

23 The Commission authorized the execution of a  
24 waiver and release as a part of the dismissal of the  
25 Amigos De Bolsa Chica versus Signal.

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1 With regard to State of California versus  
2 City of Stockton, and LAFCO, the Commission instructed  
3 staff as to the position to be taken in negotiations to be  
4 conducted in Stockton tomorrow.

5 With regard to the Surf Rider Foundation,  
6 that was confirmed by action just taken and the staff has  
7 been authorized to apply to the Interior Board of Land  
8 Appeal for BLM for a set aside of an area in controversy  
9 in Stinson Beach in Marin County.

10 CHAIRMAN MC CARTHY: All right. Thank you.

11 Is Mr. Stanley Roden in the audience?

12 Okay. He had a slip up here that he wanted to  
13 speak on Item 48 and I whisked right by him. I assume he  
14 got the result that he was interested in.

15 I just wanted to apologize to him for that  
16 oversight.

17 Is there anything else to come before this  
18 Commission?

19 EXECUTIVE OFFICER DEDRICK: No, sir, that's it.

20 CHAIRMAN MC CARTHY: All right. We are  
21 dismissed.

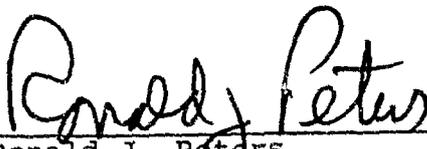
22 (Thereupon the September 27th meeting  
23 of the State Lands Commission was  
24 adjourned at 12:45 p.m.)  
25

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3 **CERTIFICATE OF SHORTHAND REPORTER**

4 I, RONALD J. PETERS, a Certified Shorthand  
5 Reporter of the State of California, hereby certify that  
6 I am a disinterested person herein; that I reported the  
7 foregoing Meeting of the State Lands Commission in  
8 shorthand writing, and thereafter caused my shorthand  
9 writing to be transcribed into typewriting.

10 I further certify that I am not of counsel  
11 or attorney for any of the parties to said meeting, and  
12 in no way interested in the outcome of said meeting.

13 IN WITNESS WHEREOF, I have hereunto set my hand  
14 this 6th day of October, 1989.

15  
16   
17 Ronald J. Peters  
18 Certified Shorthand Reporter  
19 License Number 2780  
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