

STATE OF CALIFORNIA

Minutes of the meeting of the  
State Lands Commission  
Sacramento, California

APPEARANCES

Commissioners Present:

Sid McCausland, Acting Chairman, Deputy Director  
of Finance, Alternate for Commissioner Roy M. Bell,  
Director of Finance  
Betty Jo Smith, Staff Counsel, Alternate for  
Commissioner Mervyn M. Dymally, Lieutenant Governor

Staff Members in Attendance:

William F. Northrop, Executive Officer  
R. S. Golden, Assistant Executive Officer  
R. C. Hight, Chief Counsel  
James F. Trout, Chief, Division of Land Management  
and Conservation  
Dwight E. Sanders, Chief, Planning and Environmental  
Coordination  
D. J. Everitts, Chief, Extractive Development--State  
Leases  
W. M. Thompson, Chief, Extractive Development--Long  
Beach Operations  
A. D. Willard, Supervising Mineral Resources Engineer  
D. K. Hayward, Deputy Chief, Long Beach Operations  
W. E. Pace, Research Manager  
Diane Jones, Secretary

Representing the Office of the Attorney General:

Jan Stevens, Assistant Attorney General  
Alan Hager, Deputy Attorney General

Re Minutes Item 31:

Jeffrey Pendergraft, Attorney, representing Atlantic  
Richfield Company  
William Watson, Attorney, Holme, Roberts & Owen,  
representing Petro-Lewis Corporation  
K. S. Beancett, Sr., Vice-President-Acquisition,  
Petro-Lewis Corporation  
Nancy Knight, Attorney, representing Century  
Resources Development, Inc.  
John Parkin, representing the City of Long Beach

MINUTES OF THE STATE LANDS COMMISSION  
MEETING OF  
SEPTEMBER 27, 1978

The regular meeting of the State Lands Commission was called to order by Acting Chairman Sid McCausland, at 10:03 a.m., in Room 2170, State Capitol, Sacramento.

Also present was Commission-Alternate Betty Jo Smith, representing Commissioner Mervyn M. Dymally, Lieutenant Governor.

The minutes of the meeting of August 31, 1978 were approved as presented.

EXECUTIVE OFFICER'S REPORT:

A report was not given by the Executive Officer.

ASSISTANT EXECUTIVE OFFICER'S REPORT:

Mr. R. S. Golden's written report is attached as Exhibit "A".

Attachment: Exhibit "A"

ASSISTANT EXECUTIVE OFFICER'S REPORT

SEPTEMBER 27, 1978

THIS REPORT SUMMARIZES AND PRESENTS SIGNIFICANT ACCOMPLISHMENTS AND ITEMS OF CONCERN REGARDING THE STATE LANDS COMMISSION STAFF'S INTERACTION WITH THE COASTAL COMMISSION AND THE SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION (BCDC).

COASTAL COMMISSION

W 9800.3

OCS LEASE SALE 48

WE HAVE RECEIVED THE DRAFT EIS FOR DEPARTMENT OF INTERIOR LEASE SALE 48 FOR REVIEW. COMMENTS ARE DUE AT THE RESOURCES AGENCY ON SEPTEMBER 30. ADDITIONALLY, THE PORT OF HUENEME AND PORT OF LOS ANGELES MASTER PLANS ARE BEING REVIEWED BY STAFF. BOTH PLANS ARE INTENDED FOR SUBMISSION TO THE COASTAL COMMISSION PURSUANT TO THE COASTAL ACT OF 1976. FORMAL COMMENTS TO THE RESOURCES AGENCY ON THE PORT OF HUENEME MASTER PLAN ARE DUE ON OCTOBER 30, 1978. THE PORT OF LOS ANGELES MASTER PLAN HAS BEEN SUBMITTED FOR INFORMAL REVIEW ONLY AT THIS TIME.

BCDC

W 21858

PICKLEWEED ASSOCIATES

IN MY REPORT TO YOU LAST MONTH, I DISCUSSED THIS PROPOSED 92-UNIT HOUSING PROJECT IN MILL VALLEY, MARIN COUNTY. THE APPLICATION INVOLVES THE CONSTRUCTION OF FOUR BRIDGES WHICH, ACCORDING TO MAPS DATED 1895, 1899, AND 1849 APPEAR TO CROSS HISTORICAL SLOUGH BED AREAS.

ALTHOUGH STAFF HAS NOT COMPLETED ITS REVIEW OF STATE TITLES WITHIN THE PROJECT, OUR TITLE INVESTIGATION TO DATE INDICATES:

- A. THE PROJECT PARCEL WAS TRAVERSED BY A TIDAL/ NAVIGABLE SLOUGH WHICH HAS BEEN CUT OFF AND PARTIALLY FILLED.
- B. THE TITLE EVIDENCE INDICATES THAT IT IS LIKELY THAT THE STATE IS THE OWNER OF THE FEE TITLE TO THE AREA WITHIN THE SLOUGH BED.
- C. BASED ON THE APPLICANT'S MAP, AT LEAST THE TWO CENTER BRIDGES ARE LOCATED WITHIN THE SLOUGH BED. THE WESTERLY BRIDGE MAY ALSO BE WITHIN THE SLOUGH SHOWN BY THE APPLICANT. WE HAVE NO REASON TO BELIEVE ANY OF THE BRIDGES WILL BE FOUND TO FALL OUTSIDE THE SLOUGH BED AFTER FURTHER PLACEMENT REVIEW BY OUR STAFF. THE PRELIMINARY EVIDENCE REVIEW INDICATES THAT THE SLOUGH MAY HAVE BEEN SUBSTANTIALLY WIDER THAN THE SLOUGH BED SHOWN ON THE APPLICANT'S MAP.

WE HAVE INFORMED BCDC STAFF OF THE ABOVE FINDINGS. BASED ON THIS INFORMATION, IT IS DOUBTFUL THAT THE BCDC PERMIT CAN BE APPROVED.

W 20837

LAND DEDICATION-ACCEPTANCE BY THE STATE LANDS COMMISSION

RECENTLY, BCDC APPROVED AN APPLICATION TO CONSTRUCT A HOUSE DIRECTLY ADJACENT TO THE SHORELINE IN THE CITY OF BENICIA. THE PROJECT AREA INCLUDES AN UNDERWATER PORTION ENCUMBERED WITH

THE PUBLIC TRUST. BCDC, IN ITS ADMINISTRATION OF THE APPLICATION AND ITS TRUST RESPONSIBILITIES, REQUIRED THE APPLICANT TO PERMANENTLY GUARANTEE THAT THOSE AREAS OF THE "APPLICANT'S PROPERTY NOW SUBJECT TO TIDAL ACTION SHALL REMAIN IN ITS PRESENT NATURAL STATE". AS INDICATED IN THE ADOPTED AND APPROVED MINUTES, BOTH THE BCDC STAFF AND THE APPLICANT AGREED "THAT THE AREA WOULD GO TO THE STATE LANDS COMMISSION". STAFF IS EXPECTED TO DRAFT UP CONVEYANCE DOCUMENTS AND/OR PROPER DEED RESTRICTIONS WITH BCDC STAFF.

RECORD OF ACTION TAKEN BY THE  
STATE LANDS COMMISSION  
AT ITS MEETING OF SEPTEMBER 27, 1978

During the meeting, the recommendations of the staff relative to Calendar Items C1, C2, C3, C4, C5, C6, C7, C8, C9, C10, C11, C12, C13, C14, C15, C16, C17, C18, C19, C20, 23, 24, 26, 28, 29, 30, 32, 33, 34, 35, 36, and 37 were adopted as resolutions of the Commission by unanimous vote.

Commission action on Calendar Items 21, 22, 27 and 32 is set forth on pages

Calendar Item 25 was withdrawn from the agenda prior to the meeting.

Status of Major Litigation is set forth on page 1945.