MEMBERS PRESENT

Jim Tucker, representing Leo T. McCarthy, Lieutenant Governor, Commissioner

Stephen Hopcraft, representing Gray Davis, State Controller, Chairman

La Venus Stancell, representing Jesse R. Huff, Director of Finance, Commissioner

STAFF PRESENT

Claire T. Dedrick, Executive Officer
James Trout, Assistant Executive Officer
Bob Hight, Chief Counsel
Jan Stevens, Deputy Attorney General
Michael Valentine, staff counsel
Jane Smith, Secretary
Lisa Lynn, Secretary
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CHAIRMAN TUCKER: Good morning. This is the Lands Commission, in case you were looking for the child care bills, you're in the wrong place.

However, we could probably use a little of that here. Today, we will be taking up the consent calendar first. If there are any items on the consent calendar that anyone is concerned about, you should indicate that now so that we will pull that item off the consent calendar.

In addition, on any of the other items, if you wish to be heard, we'd appreciate it if you fill out one of our forms here so that we know that you're available and interested in speaking.

If we zip by one of the items that you're interested in and you didn't jump up in time, don't hesitate to indicate that you'd like to be heard, and we'll go back to that item.

And we do welcome the public's participation in these meetings. So, everyone should feel free to come forward and participate if that is your desire.

First of all, we have to confirm the minutes for a meeting of May 25th, 1988. Stan, do you have corrections on the minutes?

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COMMISSIONER STANCELL: No, Mr. Chairman. I was just about to move to confirm.

CHAIRMAN TUCKER: Okay. And also, I'd like to note the executive session which we held this morning, and which caused us to be late for our regular meeting, in addition to the items listed there, we also took up the issue of Meridian Ocean Systems vs. State Lands Commission, and Monterey Sand vs. the Lands Commission.

Okay. Does anyone wish to be heard on the items 1 through 18 on the consent calendar? Okay.

Don't see any. We'll deem that as approved.

And for purposes of the record, Mr. Hopcraft is voting today for the Lieutenant Governor, and Mr. Stanell is voting for Mr. Huff.

Okay. Item 19: Edward and Priscilla Ghirado.

EXECUTIVE OFFICER DEDRICK: Item 19 is approval of a 49 year general lease right-of-way for a bridge across 1.4 acres of tide and submerged lands in Novato County -- I mean in Marin County. Kovato Creek in Marin County.

CHAIRMAN TUCKER: Okay. There's a Mr. Keane?

MR. KEANE: Good morning. I'm here to answer any questions that you might have on this. I don't have any planned presentation.

CHAIRMAN TUCKER: Okay. Does anybody have any questions? Okay. Thank you. That item is approved.
Item 20, Riverside Community College.

EXECUTIVE OFFICER DEDRICK: Yes, Mr. Trout, will you present this?

MR. TROUT: This is an approval of a negotiated sale of 67 acres of property in Norco, Riverside County. The staff has reviewed an appraisal that was made and also an appraisal provided by the Riverside Community College District, and we believe the fair market value is $1,375,000.

The Community College District intends to acquire this property; in turn, carve out 17 to 19 acres for an addition to a site adjoining for a future campus and sell the remainder of the property at public bid.

In order to protect the Commission should the subsequent sale of the property produce more per unit than the million three-hundred seventy-five thousand, we propose to add a condition to the sale that after deduction of costs of making the sale, all of the remaining revenue would come to the State or transfer to the State Teachers' Retirement System.

There will also be a provision that requires that the district sell at bid. Their own rules and regulations and statute require that, but we will also include that. And our proposal is to come back to you at either the July or August meeting with the specific terms.
of the agreement. This is just authorization to put such
an agreement together using these general out, ze terms.

That's approved.

21, City of Poway?

EXECUTIVE OFFICER DEDRICK: This is another
School Lands Trust sale to the City of Poway of 39 acres
on top of a hill in Poway for a public park. The price is
$290,000, which will go in the School Land Bank Trust.

CHAIRMAN TUCKER: Okay. Any questions? All
right. That's approved.

22, State Reclamation Board.

EXECUTIVE OFFICER DEDRICK: Oh, I'm sorry. Mike
Valentine has done the negotiations. I believe Ray
Barsch, who's the executive officer of the Reclamation
Board, and I believe Bob Cotter, Deputy Director of the
Department of Water Resources, are both here. Mike --
if you'd like to hear from the staff first, Mike will
present this issue.

CHAIRMAN TUCKER: Okay.

MR. VALENTINE: Mr. Chairman, members of the
Commission. The Reclamation Board was granted a master
lease by the State Lands Commission on Mi. 9 for the
Sacramento River Bank Protection project; that is, flood
control activities on the Sacramento River and its
tributaries between Collinsville and Chico Landing.

This is the first request for an amendment to
the master lease to approve what are called contract units
41A, 41B, and 42, which are now consolidated into 42,
and contract unit 43.

42 consists of 19 sites on the Sacramento River
and three sloughs south of the City of Sacramento.

Contract unit 43 includes one site on the
Feather and several other sites in the drains and bypasses.

We have negotiated for some months over
mitigation, primarily on contract unit 42. The riparian
habitat on contract unit 42 also the sloughs that is,
trees along the water, has been mitigated fully or will be.

Commitments have been made to mitigate the aquatic
habitat -- that's the habitat consisting of roots and shade
over the water along the sloughs. There was at their
outset, no plan to mitigate. A part of that was occasioned
by the fact that none of the wildlife agencies were able
to tell the Rec Board or the Corps what techniques would be
sufficient to mitigate for this habitat and how much of it
was required.

We have developed a plan in cooperation with the
Rec Board and members of the wildlife agencies' staff,
whereby this year, an experimental program consisting of
at least 900 feet at three separate sites -- a total of 900
feet -- will be the subject of experimental construction methods of low berms and/or islands to see if they work. These will be monitored over a period of years and -- up to five years. At the end of the five-year period, full mitigation will be achieved using one of these techniques. Those -- that's the general summary of the findings and the mitigation adopted by the Reclamation Board at its meeting on Monday.

We're recommending that the Commission approve this year's amendment for contract units 42 and 43, and that we continue to cooperate and move forward with this process in the future.

CHAIRMAN TUCKER: Any questions before we hear from Mr. Yeates?

All right. We have Mr. Yeates.

MR. YEATES: Mr. Chairman, I'm Bill Yeates. I'm representing the Pacific Coast Federation of Fishermen Associations today.

We're in support of the lease proposal, because we think it helps to ensure that someone is going to look after implementation of the mitigation requirements. I think that has always been our concern and led us to essentially sue the Reclamation Board over much of this bank protection work, because the record on mitigation is dismal.
And what we have is we have a State and Federal
bureaucracy that sees their mission as to rock rivers. And
our problem is that if you look at history, you've destroyed
an awful lot of natural habitat. And for the commercial
salmon fishing industry, you've wiped out significant
natural spawning areas of which our industry is immediately
dependent upon.

So, I think that the key here is implementation.
I mean, if, in fact, the Lands Commission enters into this
lease, we must have assurances that the staff is going to
follow through, and that there's going to be an effort here
to make sure that the Army Corps of Engineers and the
Reclamation Board don't just ignore what essentially is the
State's interest here in preserving other things than
rocking rivers.

And I think that's the biggest hope that we can
get from this, is that this means that there's going to be
some significant implementation from an agency that has a
record in looking out for the public trust interest beyond
just rip-rapping streams.

I would like, at this opportunity, to point
out one other thing that maybe that Lands Commission may
want to consider. About a year or so ago, I think
Defenders of Wildlife had an article written by former
Governor Bruce Babbitt in Arizona about something that he
accomplished as Governor of Arizona, where essentially he traded school lands in order to protect riparian canyons and habitat in Arizona. It was a very successful program, because the development community loved it. Because essentially what he did was he traded land that was adjacent to Phoenix or Tucson in exchange for getting areas preserved on riparian canyons. And I'm not sure if it's totally analogous to what we can do here in California, but I know that when Director Dedrick was in the Resources Agency, the person who did this was Vern Shanks (phonetic).

And so, I think that he's here at Cal State Sacramento. Maybe it's a possibility to simply go over that. It certainly would be an exciting opportunity for us to do some positive things towards preserving some stretches of riparian habitat, which we have, you know, very little.

So, that's my testimony. Thank you.

CHAIRMAN TUCKER: Okay. Thank you. We will look at that, your suggestion in regard to the School Lands. We have examined that before. But we can certainly examine it again.

In addition, the Commission will meet from time to time on the issue of reviewing the status of these leases and the degree to which the Reclamation Board is observing the conditions of the lease. So, that will give
us an opportunity to hear from staff as to what they see as going on, and also an opportunity for the public as to what they see is going on or not going on.

MR. YEATES: Thank you.

CHAIRMAN TUCKER: Daniel Taylor, Corey Brown?

MR. TAYLOR: Mr. Chairman and members of the Commission, I'm Daniel Taylor, Regional Representative for the National Audubon Society. And on behalf of our 54 chapters and 50,000 members of our organization in the State of California, I appear before you today.

First of all, I'd like to just support the proposed amendment, realizing that this is not an ultimate solution to the riparian crisis in the State of California. But it does represent, we believe, a step in the right direction, and we support and applaud the work of the State Lands Commission to reach this compromise.

I would, however, like to second the remarks of Mr. Yeates and echoing our concern for the idea of followup and implementation.

If there is a real concern in this area, it's that many of the agreements that have been made in the past simply have not been honored to the maximum that should have happened.

So we applaud and urge you to remain steadfast in your review of this action, and continue to in your
process of being good stewards over riparian resources in California.

Thank you.

COMMISSIONER HOPCRAFT: I'd like to ask if we can involve our crack enforcement unit to do some kind of specific scheduled investigation, review?

EXECUTIVE OFFICER DEDRICK: One of the -- excuse me. I didn't mean to interrupt you. In thinking about this, I hadn't had an opportunity to discuss this with representatives of the Department of Water Resources and the Reclamation Board, but it seems to me that we could put together a review task force of the two agencies with consultation from the interested parties who are testifying today and others, and report back to our respective bodies -- to the Rec Board and to this Commission -- on the status of the situation on some regular basis, which I'd like some time to determine if that were an acceptable situation.

As I say, I haven't discussed this with anybody, but I think that we can work out a productive working relationship. We've gone a long, long way working together with the Rec Board as this lease demonstrates. And I really do think that's a very good question.

COMMISSIONER HOPCRAFT: Would it be possible, or would it be helpful for us to include in our action
today a specific direction that there be a review panel
which would include the interested parties and affected
agencies that would work with the enforcement unit to
make sure --

EXECUTIVE OFFICER DEDRICK: Let me ask that you --
I'd like a chance to come back to you with a proposal.
Could you authorize us to put together such a proposal?
I think we need to -- in the first place, I think it'd
work. I think we need to devise a method that is a pro-
ductive working relationship type of method. What I really
would like to be able to do is come back to you in August
or September with a proposal for your authorization.

Would that be acceptable to the Commissioners?

COMMISSIONER HOPCRAFT: Just as long as we don't
lose the little bit of leverage we have.

EXECUTIVE OFFICER DEDRICK: It won't get lost.

COMMISSIONER HOPCRAFT: Okay.

COMMISSIONER STANCELL: That's a question I
had. What leverage do we have to ensure that the followup
does take place?

EXECUTIVE OFFICER DEDRICK: This is a legal
document, Commissioner Stancell, and I think it's a good
idea to have the attorneys speak directly to that.

MR. VALENTINE. Commissioner Stancell, as a
roundabout way, if you will, of answering your question, we
should probably start with the master lease, which
requires that the Reclamation Board report and publicly
circulate a report on the status of the mitigation for
their activities.

They're required to designate a coordination
person to coordinate their mitigation activities and
information on those activities, as are we, and we have
done so.

Secondly, that the mitigation measures which
have been adopted by the Reclamation Board are legally
enforceable by environmental groups, members of the public,
as well as responsible agencies like ourselves.

I think it's probably a good idea for us to set
up some schedule to report back to you from time to time
so that you know what the staff knows. But I think a
system has been created whereby information will be
available. Staff just needs to figure out a way to make
it available to you.

COMMISSIONER STANCELL: The problem is that
we have all the sanctions available to us, but we just
haven't been exercising them in the past.

EXECUTIVE OFFICER DEDRICK: We hadn't had them
in the past.

COMMISSIONER STANCELL: You haven't had the
problems in the past?
EXECUTIVE OFFICER DEDRICK: We haven't had the authority in the past.

COMMISSIONER STANCELL: Oh, I see.

MR. VALENTINE: The master lease is only one month old, Mr. Stancell.

COMMISSIONER HOPCRAFT: It's like dealing with the Department of Finance.

COMMISSIONER STANCELL: Not quite.

(Laughter.)

COMMISSIONER HOPCRAFT: Finance has all the money.

CHAIRMAN TUCKER: Okay. Corey?

MR. BROWN: Mr. Chairman, members of the Commission. Corey Brown, general counsel for the Planning and Conservation League.

We're very pleased to see the active role the State Lands Commission is taking in protecting the public trust resources associated with Sacramento and San Joaquin Rivers. Your involvement, we believe, is one of the most important elements in terms of protecting these very valuable resource, especially in light of the fact we've lost more than 90 percent of the habitat along these two major river systems.

We greatly appreciate and applaud the work of the staff. We believe this is an amendment that we can
give a cautious green light on and urge you to support it.

I very much appreciate the comments of Commissioner Hopcraft in terms of asking for close surveillance to make sure that mitigation does occur.

You have before you -- I passed out -- photographs that were provided by the U. S. Fish & Wildlife Service. Those photographs were taken on existing mitigation parcels the Reclamation Board required on the Sacramento River for projects that they had already carried out.

As you can see from those parcels, according to the Fish & Wildlife Service, half the parcels that should be providing high habitat value aren't providing habitat value. Many of those parcels basically look like they're parking lots, because the Reclamation Board's failure to enforce the purposes of the easement, so that if there's any inconsistent use of the lands, they are to post the areas, really providing meaningful enforcement to make sure that the habitat value for which those parcels were acquired were actually provided.

We hope that you will be very careful in your review and help make sure that the public trust values and mitigation sites are realized. We have had experience, as we've seen in the past, which you can -- which is well documented by those photographs. We have had
discussions with the Department of Water Resources and the
Reclamation Board, and we're hoping to get the habitat
values of the past -- past mitigation sites restored.

We urge you to also include a review of what's
happening on those sites, because they are, again, public
trust values. Especially for Commissioner Stancell with
the Department of Finance, I thought you might be interested
in another finding that the Department -- the U.S. Fish &
Wildlife Service has with respect -- has mitigation
parcels. The Reclamation Board has spent $527 per acre
to actually acquire these easements. They spent over
$4,000 per acre for indirect overhead. We think that the
State Lands Commission can play a role as well in making
sure that mitigation dollars are spent appropriately
and efficiently so that we get the value of our money
and that we don't burn up too much money in terms of -- in
terms of the indirect administrative overhead costs.

There's a new leadership, hopefully, in the
Department of Water Resources. Been working in discussions
with one of the deputy directors, and we're hopeful that
these situations can be corrected.

One other area of caution I want to point out
is, recently, this spring, the Corps of Engineers was
carrying out -- on Site 41A -- pursuant to contract 41A
some of the bank work. The environmental documents said
that 129 trees would be protected. What ended up happening was that about 16 trees were protected.

The contract documents weren't the same as the environmental documents in terms of how these trees were supposed to be protected. It ended up in the field. We thought it was very deleterious to the public trust values.

We also urge the staff when they're reviewing the specific contracts to make sure that the specific contracts the Corps lets reflects what the environmental documents have promised in terms of how projects are designed and whether mitigation actually occurs.

In light of the very excellent suggestion to have a very close monitoring -- and we'd be more than happy to work with you on that -- we urge a cautious green light; that clearly the public supports protecting riparian habitat. We were very involved in Proposition 70 which provided several million dollars for habitat protection along rivers. That was approved by voters at 65 percent. Public opinion is clearly behind your efforts.

We applaud you for getting more and more involved and for upholding and working to protect the public trust resources.

We're available to assist in your efforts in any way we can. Thank you.

CHAIRMAN TUCKER: Any questions? Okay. Thank
you. We also have representatives here from Fish & Game from U.S. Fish & Wildlife Service. I don't know if either one of them want to speak.

MR. DE HAVEN: Good morning. My name is Rich De Haven. I'm a Fish & Wildlife biologist with the U.S. Fish & Wildlife Service here in Sacramento.

One of the jobs that our office here in Sacramento has under federal law is to review large federal projects and determine what impacts they're going to have on fish and wildlife resources and try to make reasonable recommendations for compensating for those losses that will occur.

And, as such, we are involved in regular contact with the U.S. Army Corps of Engineers regarding their Sacramento River rip-rapping or bank protection project.

Unfortunately, the recommendations we make to these large federal agencies have no force under the existing law. They're merely advisory. And unfortunately, too, in the past, the recent past, many of our recommendations have not been adopted or they have not been implemented with a real commitment. And so they've failed. And the overall result has been that we have been far short of mitigation needs on many of these past contracts for fish and wildlife resources.
I'm very happy to be here today, though, to say that I really believe that the package that's been prepared for these two pending contracts of bank protection work and with respect to this particular lease amendment, are a good deal.

And the reason is I think largely because of the hard work and diligence of the State Land's Commission's staff on this issue. They have really led the way in developing an innovative new mitigation package that I think will be instrumental in providing real replacement values. And they've also been instrumental in getting a consensus among all the various agencies that are involved in this issue.

So, I would just like to give or urge you to give your endorsement to this lease package and the mitigation plan that the State Lands Commission staff has placed before you.

I think it's an excellent plan and, as a biologist, I think it's a very good deal for fish and wildlife resources. Thank you.

CHAIRMAN TUCKER: Thank you.

COMMISSIONER HOPCRAFT: I'd like to ask you a couple of questions. If I understand you correctly, what you are saying is that you make recommendations for mitigation, and they are ignored because you don't have the
leverage to enforce implementation of those; is that
correct?

MR. DE HAVEN: Under federal law, that's
essentially true. We merely have an advisory capacity.

COMMISSIONER HOPCRAFT: And I'm wondering if the
remedy for that -- since I think this body would be
interested in strengthening the hand of those who give
the technical advice as regards those who are, you know,
doing the engineering side of it. Is that a change
that's needed in federal law or is that a matter of
politicking within the bureaucracy as to how has more
muscle?

MR. DE HAVEN: Well, my own opinion is that the
remedy or remedies may already be available to us in
existing State laws which heretofore I don't think have
been pressed to the full extent. And I think we're
starting to see that with this issue now. And I think
we may already have the remedies at hand.

COMMISSIONER HOPCRAFT: So the direction that we are
moving also could help you?

MR. DE HAVEN: Very definitely.

COMMISSIONER HOPCRAFT: Thank you very much.

CHAIRMAN TUCKER: Thank you very much. Anybody
else who wishes -- oh, I'm sorry.

MR. CLEMONS: My name is Scott Clemons with the
Department of Fish & Game. I would like to echo Rich De Raven's comments and encourage the Commission to approve the amendment as requested by your staff.

We have entertained and we have been very busy for the last two months trying to develop a way to provide mitigation for this habitat. It's been very difficult and also very worthwhile efforts.

And we realize that this effort will be closely scrutinized, as well it should be, due to the history that's been presented to you this morning.

Thank you very much.

EXECUTIVE OFFICER DEDRICK: Mr. Chairman, the staff would sure like to express our appreciation to both the Department of Fish & Game and Fish and Wildlife Service for all the time they put into it.

CHAIRMAN TUCKER: I've just got one quick question for Mr. Valentine. Is it correct to say that it's less expensive to make efforts in regards to mitigation while you're doing the work initially than it is to come in and wipe out the area, and then come in at a later point to try and restore what's been done?

MR. VALENTINE: It stands to reason that that should be part of the same contract right at the same time as they're handled by both the project and principal as well as the mitigation measures.
The problem we have with the heavily shaded river and aquatic habitat is we can't tell the contractor or anybody else what to build or how much of it.

CHAIRMAN TUCKER: But we can, in terms of things like if they're tearing out trees, then we decide -- or someone will be consulted at the time that it would have been better not to take those out, it would be certainly less expensive to leave them there than it is to come back at some later point to try to figure out what you can put there instead of that kind of a plant, trees, or whatever.

MR. VALENTINE: Certainly.

CHAIRMAN TUCKER: Anything else? Okay. I'd like to thank staff for all the work they've put in on this. It's been a very difficult issue.

The record of the Reclamation Board is obviously not one that anyone would admire. This is a serious problem, because of the fact that this work many times does have to be done for flood control which is also -- or irrigation -- which are important goals also.

To come up with something that tries to get the Reclamation Board to do what it ought to be doing has not been an easy task. And I know the staff has done a very good job of putting together a good beginning. And it really is just a beginning. It's something that we're going to have to make sure is successful in the future.
Thank you very much for your help. Any questions?

Okay. That item is approved.

Item 23?

EXECUTIVE OFFICER DEDRICK: Item 23, I'd ask Mr. Trout to give you a rundown on.

MR. TROUT: Mr. Chairman, we're going to change from water to fire here and ask your approval of a multi-phased project for the rehabilitation of an area in Mendocino County that was burned last summer. You've already approved two phases of this project, which involved just the initial emergency corrections. And what we're asking you to now do is approve a plan that will carry out over the next few years the preparation of this site for subsequent harvest of timber or subsequent harvest of salvageable timber, and to prepare the ecological and environmental benefits and restore those that are on the site.

Probably I ought to tell you specifically what it is not doing. This approval, if you grant it as requested here, will not allow for the road repair work off of State property. It will not allow for the carrying on of these activities until we resolve the access issue, which you discussed before.

The calendar item does not authorize eminent
domain.

We continue to work with the adjoining property owners to determine access to this property for the actual removal of timber. However, we are seeking your approval to work with them for access to take conservation camp crews and other contractors into the area to work solely on the State approved land. This project would carry out over a number of years; if funding is available, in subsequent years.

Much of the work will be done by hand crews either from the CCC or from one of the State Conservation Camps.

The project has received the support of the Department of Fish & Game and other agencies. The Wardens, who have the property adjoining, through which we believe we have access, are here, and they want to make a statement about it.

But basically, this is to continue the emergency--or to take care of the emergency work required because of the fire last summer. And then, in the later stages, prepare for the subsequent harvest of the standing merchantable timber that was not burned.

CHAIRMAN TUCKER: All right. Any questions?

Let's see. Wanda and Allen Warden?

MR. WARDEN: Mr. Chairman, I'm Allen Warden, and
Wanda. And we're here just to give you some of the reasons why we're here, and it's this right-of-way through our property. And they've been using the right-of-way, we're cooperating. It's been going on at least four years that State Lands has been acquiring permission to use it. And we have had legal advice. And this right-of-way is clouded.

CHAIRMAN TUCKER: This right-of-way is what?

MR. WARDEN: Clouded in the description of the right-of-way. The State feels they have a right to it and we have a right to it. So, we have some appraisers. And they're really going to get with this thing if the State will go along with us and our lawyer. And we'd like to finalize this. All these provisions are made, we're trying -- we realize they've got a problem up there with fire damage and should be straightened out.

So, these are our thoughts along that line.

This negative declaration has some useful chemicals, and we're awful concerned about that. The whole thing was put out -- I understand there's supposed to be a public meeting that we should have been to, invited to to put our input in it at the time this is drawn up. And that was neglected.

This goes to two different streams of water that people use for drinking. So, we're quite concerned, and we
want to be sure this is safe.

MRS. WARDEN: What we're saying is that many

times the foresters, and we both know what these brush

killers will do --

(Thereupon the reporter requested the

witness to speak louder.)

MRS. WARDEN: Oh. We all know that these

brush killers are good, and we'd like to use them, too,

because we have land right below 'em that would be nice.

But we also know that the people that put those things on
don't really care. I mean, they just start spraying.

And we even found 'em around our own home with Roundup

that our little grandson broke out from just him spraying

the poison oak and getting rid of the manzanita after the

winter's rain.

So there is a washoff. I wouldn't even give a
care, except for the fact that these streams, people
drink out of them. We drink out of them, or we have and

probably will again out of Salmon Creek. And the one on

Mill Creek, you've got several people that drink out of it.

So, whether those things wash off or not, I'm

just saying -- we're saying that they should be handled
carefully. And we want the Department to know this, that

it isn't people like Mr. Miller, or these other people,

they don't put the stuff on. The people that are out there
with the spray guns really just work it over.

So, we -- that's what we feel about that.

CHAIRMAN TUCKER: Okay.

MR. TROUT: I can say the staff is also

concerned that that issue. And all of the spraying will

be done under the direct supervision of one of our

foresters. We will not just turn people loose in there

and let them go about doing something without having onsite

inspection.

CHAIRMAN TUCKER: Will you let the Wardens

know when this is going to happen?

MR. TROUT: Absolutely. And we really

appreciated their cooperation in allowing us access as

necessary to prepare these plans. And our staff, our

counsel is working with their counsel, and we're sure

that we can resolve this in some fashion, and we will bring

that back just as quickly as we can resolve it.

CHAIRMAN TUCKER: Okay. They will give you

notice on spraying. And I think if you do have the time,

you may want to go with the person who's from the

Commission staff who will be there so you can see.--

MRS. WARDEN: (Interjecting) One of the

things they do is that they're big, and they get ready,

they make their plans, you know, and sometimes they -- it

just doesn't get over to us. And the time we're aware-- it's
done, you know.

It's like the negative declaration. We were here for the last one, and they pulled it off the agenda, you know. So, we'd like to know a little bit ahead of time so that we can make preparations.

CHAIRMAN TUCKER: We'll make sure that you get adequate notice.

MRS. WARDEN: Thank you.

CHAIRMAN TUCKER: Thank you for coming this morning.

MR. WARDEN: Thank you.

CHAIRMAN TUCKER: Okay. Anything else?

That item's approved.

24, Stockton Water Ski Club.

MR. TROUT: This is just the issue of approving some water ski buoys and some additional things in an area that already has been leased to the Commission. It's on the San Joaquin River in San Joaquin County.

CHAIRMAN TUCKER: Any questions? Okay. That's approved. 25?

EXECUTIVE OFFICER DEDRICK: 25 is an approval of a 49-year general permit public agency lease to the Department of Fish & Game for 605 acres of tide and submerged lands in Black John Slough in Marin County.

CHAIRMAN TUCKER: Any questions? Okay. That's
approved. 26 is off calendar. 27.

EXECUTIVE OFFICER DEDRICK: 27 is an authorization for the State -- for you, as School Land Bank Trustees as well as the Commission to exchange State land for private land and subsequently sell that private land to the Wildlife Conservation Board to provide some enlargement of wildlife habitat area they consider very important in -- at Honey Lake in Lassen County.

CHAIRMAN TUCKER: Any questions? All right. That's approved. 28.

EXECUTIVE OFFICER DEDRICK: 28, Tahoe Keys Property Owners. This is another one of the main dredging projects which has completed all the requirements under the -- along the rest -- it's like the rest of them we did last month.

CHAIRMAN TUCKER: Okay. Any questions?

COMMISSIONER HOPCRAFT: There's still water left in the lake?

EXECUTIVE OFFICER DEDRICK: There's water in the lake, yes, several thousand feet of it.

CHAIRMAN TUCKER: Okay. 28's approved. 29?

EXECUTIVE OFFICER DEDRICK: 29. This is an approval of a nonexclusive geological survey permit for Texas A & M.

CHAIRMAN TUCKER: Any questions?
COMMISSIONER HOPCRAFT: This is low intensity; is that correct?

EXECUTIVE OFFICER DEDRICK: This is no intensity at all. This is a geologic permit, and it's onsite for samples.

CHAIRMAN TUCKER: Okay. 30 is off calendar.

31?

EXECUTIVE OFFICER DEDRICK: 31 --

MR. HIGHT: 31, Mr. Chairman, is the item we discussed in executive session, which is the subject of an agreement between the Commission and the litigants.

CHAIRMAN TUCKER: It shall remain secret.

EXECUTIVE OFFICER DEDRICK: Confidential, I believe is the word.

(Laughter.)

CHAIRMAN TUCKER: Well, I won't tell. 32.

EXECUTIVE OFFICER DEDRICK: 32, this is a City of Long Beach, the seventh modification of 87-88 plan and budget, revised economic projections for the Wilmington oil sales. And Mr. Thompson is here if you have any questions.

CHAIRMAN TUCKER: Any questions? Okay. That's approved. 33?

EXECUTIVE OFFICER DEDRICK: 33, again the City of Long Beach. This is approval of subsidence costs for the district.
CHAIRMAN TUCKER: Any questions? That's approved. 34?

EXECUTIVE OFFICER DEDRICK: 34 is again the City of Long Beach, which is the gas department. This is for approval of the consideration of a price agreement between -- for Los Angeles County that is a result of some changes in regulations put forth by the Public Utility Commission. Staff supports this recommendation.

CHAIRMAN TUCKER: Okay. Any questions? That's approved. 35?

MR. HIGHT: 35, Mr. Chairman, is the approval of a boundary and exchange agreement in Alameda County. This is pursuant to 1965 legislation. It's unfortunate that Mr. Taylor isn't here so that we can at least harangue him a little bit for taking so long to getting the settlement done.

EXECUTIVE OFFICER DEDRICK: But he did do it before he retired.

CHAIRMAN TUCKER: Just terrible. Okay. (Laughter.)

CHAIRMAN TUCKER: Okay. That's approved. Item 36?

MR. HIGHT: 36, Mr. Chairman, is the authorization to disclaim. The Commission has no interest in this parcel.
CHAIRMAN TUCKER: Okay. 225 acres more or less.

Any questions? Did we run out of surveyors or something?

MR. HIGHT: It’s the federal government’s description, and sometimes they’re a little sloppy on the more or less.

EXECUTIVE OFFICER DEDRICK: Cheap shot.

(Laughter.)

CHAIRMAN TUCKER: Okay. 36 is approved. 37.

MR. HIGHT: 37 is the authorization for the approval of the description of the incorporation of the City of Mendocino, and the area includes about 500 feet of the Big River, and that’s the reason for it coming before the Commission today.

CHAIRMAN TUCKER: Okay. Any questions? All right. That’s approved. 38?

MR. HIGHT: 38 is the authorization to file a disclaimer on two of the three parcels contained in the water district litigation. We still want to discuss the remaining parcel.

CHAIRMAN TUCKER: Okay. Any questions? That’s approved. 39?

MR. HIGHT: 39 is the approval of the specifications and bid form for the re-release of the tidelands in the City of Long Beach commonly known as LBOD and Parcel A. The City of Long Beach is in support of these
bids and specifications.

CHAIRMAN TUCKER: This item is going to go out for public bid?

MR. HIGHT: Yes. It'll go out for public bid and then it will come back to the Commission for approval.

CHAIRMAN TUCKER: Okay. Any questions on this item? Okay. That's approved. Item 40?

MR. TROUT: Item 40 is the approval of the subventions to local government for offshore oil and gas development on State lands for the 87-88 fiscal year.

What you are approving is the frontage, the length of frontage to which the subventions apply. We still have a lack of agreement with the county as to how that should be done. We've agreed with the county. We're in a hard and fast position, but we have not had the time to get together. But the fiscal year is almost over and the Controller will need to make the allocations to the other governments. We have agreement with the county that two mile pier will be reviewed, and if it turns out that they should have more, we will amend this action at a later time. We recommend approval of the mileage frontage for the subvention item for 87-88.

CHAIRMAN TUCKER: Okay. Any questions? Is there any other item that anyone would like to speak on? Okay. The meeting's adjourned. Thank you for attending.

(Thereupon the meeting was adjourned at 11:30 a.m.)
I, Nadine J. Parks, a shorthand reporter of the State of California, do hereby certify that I am a disinterested person herein; that the foregoing meeting before the State Lands Commission was reported in shorthand by me, and thereafter transcribed into typewriting.

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

IN WITNESS WHEREOF, I have hereunto set my hand this 31st day of July, 1988.

Nadine J. Parks
Shorthand Reporter