MEETING OF THE
CALIFORNIA STATE LANDS COMMISSION

TRANSCRIPT OF PROCEEDINGS
February 12, 1997
10:30 A.M.
City of Huntington Beach
City Hall Council Chambers
2000 Main Street
Huntington Beach, California

REPORTED BY:
Malia Carlsen,
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APPEARANCES:

GRAY DAVIS, LIEUTENANT GOVERNOR, CHAIRMAN;
KATHLEEN CONNELL, STATE CONTROLLER, MEMBER;
THERESA PARKER, CHIEF DEPUTY DIRECTOR,
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MR. DAVIS: This meeting of the Lands Commission will come to order. We note that all three members are present. So we have a quorum. Begin by accepting a motion to approve the minutes of the last meeting.

MS. CONNELL: I move that we approve the minutes.

MS. PARKER: Second.

MR. DAVIS: Then it's unanimously adopted.

The first item of this business is the consent calendar.

Do I have a motion on the consent calendar?

MS. CONNELL: I move that we approve the consent calendar.

MS. PARKER: Second.

MR. DAVIS: Consent calendar is unanimously adopted.

And I believe, Mr. Hight, that leaves us with two items?

MR. HIGHT: Correct, Mr. Chairman.

That leaves us with two items, No. 89 and 90, which we will take up as a package, which both deal with the Bolsa Chica acquisition and restoration.
At the moment we have been advised by private parties that they are very close to finishing their negotiations which would allow the Lands Commission the opportunity to move forward on this. And I would suggest that I give you a brief presentation of the facts, and then we hold public testimony, with the hope that during that time we will have some definitive word.

This transaction, while it has been extremely nerve-racking, is really very simple in concept. The Ports of Los Angeles and Long Beach desire to fill submerged lands in order to expand. In order to do that, they need mitigation credits which would be the result of the restoration of Bolsa Chica.

This project has been the cooperative results of four federal and four state agencies and the two ports. On the state side it's naturally the Commission, the Department of Fish and Game, the Coastal Conservancy, the Resources Agency. On the federal side it's Fish and Wildlife, EPA, National Marine Fisheries and Corps of Engineers and, plus, the two ports.

You'll recall from previous Commission meetings that the Commission authorized
the execution of the Memorandum of Understanding which was really precedent-setting in the sense that that agreement, for the first time in history, provided a mechanism by which the ports could deposit money with the Commission. And if certain conditions were met, they could do their restoration. Their fill work and the restoration work would go forward.

I have been advised by all of the federal and state agencies that they have made a go decision contingent upon the Commission's adoption and approval of this item, which is likewise contingent upon the final resolution between the private parties.

MR. DAVIS: So we are the last state or federal agency to put its stamp of approval on this transaction?

MR. HIGHT: Correct.

MR. DAVIS: Although the other agencies just approved of this yesterday?

MR. HIGHT: Yes.

MR. DAVIS: It's not like we've been stalling around here.

MR. HIGHT: Now, that transaction is as follows: The Commission would take title to
880 acres from the Koll Company and 25 acres previously owned by the Metropolitan Water District, which has been conveyed to the Bolsa Chica Land Trust, for a purchase price of $25 million. The property, absent the 25 acres, has been appraised at $31 million.

The private parties, CalResources and Koll, have agreed to clean up the property at their expense, at no expense to the public. And the work for the cleanup will be overseen by the Regional Water Quality Control Board.

Immediately upon closing, the Fish and Wildlife Service will start a sampling, additional sampling of the property, to determine the areas that need to be cleaned up.

Simultaneously, the Coastal Conservancy will start a public outreach program to determine the conceptual plan for the restoration.

These two projects will merge then in an EIR/EIS, which the Commission will be the lead state agency. The Corps of Engineers will be the lead federal agency. And that EIR/EIS is anticipated to be finished sometime in late '98, with restoration to begin around 2000. And these
numbers are a little fuzzy because they are planning the future based upon what we know.

And that, in substance, is the transaction. It's really very simple. The problem has been placing the worth on paper to arrive at this conceptual solution.

MR. DAVIS: You have described it as a "simple transaction."

As we well know, it has taken years of cooperative effort, by a host of agencies and many private, to bring us to the brink of success.

So it may sound simple. But it took a long time.

MR. HIGHT: A very long time.

MR. DAVIS: Shall we hear from the public now?

MR. HIGHT: Yes.

MR. DAVIS: First, I'd like to call to the microphone for comment, the mayor. Then following the mayor, the mayor pro tem, Huntington Beach.

We're glad to be here. Thank you for your hospitality.
MR. BAUER: You're very welcome.

I'm Ralph Bauer, Mayor of Huntington Beach. And on behalf of my six colleagues, as well as the 200,000 people of Huntington Beach, you're welcome to Huntington Beach, and we're pleased that you're here.

MR. DAVIS: Thank you.

MR. BAUER: You always wonder what you ought to say at a time like this. And I guess I try to get some perspective, and I look back at our society and review the sorts of groups, if you will, who keep the system honest.

And I count among those, three groups that we think are very important. One, of course, the free-and-open press, which we do have and, of course, intend to preserve.

Second, the grand jury.

And the third is the League of Women Voters. And I mention League of Women Voters because about 20 years ago a small group of ladies gathered in a living room here in Huntington Beach and asked the question, "What should we do about Bolsa Chica? Does that not belong to the citizens
The group studied, and they decided, yes, indeed it does belong to the citizens of California. And that was the first time somebody had asked that question. And from that group, the Amigos de Bolsa Chica, a whole group of other organizations, activist groups, the Bolsa Chica Land Trust and a variety of others.

So from that early beginnings of a group of about a half a dozen or so women asking that question, we have arrived to the issue today. Needless to say we thank very much all of the people who participated in the Land Trust, all the agencies and all the organizations.

But we must never forget that group of women, which is typically American, who got together and asked questions. And from that, led us here today. I want us to all recollect that, and we have great admiration for those women.

MR. DAVIS: Are any of those women still with us?

MR. BAUER: There are some of them here.

MS. CONNELL: I hope they were young women when this process started.
MR. DAVIS: Can we ask them to stand if you're still here?

MR. BAUER: I might also mention that we recognize our city as a city of activists, some call us "troublemakers." But activists is a little nicer word. And a lot of the activists are here.

We're all in agreement that this is a wonderful project. And we urge you to support, and I know that you will.

Thank you very much.

MR. DAVIS: Thank you.

SHIRLEY DETTLOFF

MS. DETTLOFF: I'm one of those old ladies who was young once upon a time.

Good morning and welcome to the city of Huntington Beach. I'm Mayor Pro Tem Shirley Dettloff.

And I want to thank all of the state and federal agencies for the hours of work, determination and wisdom in putting together the acquisition of Bolsa Chica Wetlands.

Many of us have spent years working
on what we once saw as a dream, and now, because
of the dedication and hard work of so many, have
made this a reality.

At no time in history have we seen
state and federal agencies putting aside
differences to work for a common goal. They have
achieved that goal.

What you are doing today is
preserving for future generations one of the
largest remaining wetlands in California. The
state will not only acquire a viable wetland, but
the resources to clean up the oil operations and
moneys to restore the area.

This is a once-in-a-lifetime and very
unique opportunity. Today you will be making one
of the most important and significant decisions
ever made by the State Lands Commission, one that
generations of Californians will thank you for.

Again, my thanks to all who brought
us to this day. A special thanks to Bob Hight,
Hugh Barroll, Tom Yocom, Secretary Wheeler and
Under Secretary Frampton and all who participated
in the endless discussions and negotiations. What
you have done is good for the economy and is good
for the environment.
As a past president of the Amigos de Bolsa Chica and having worked on the Bolsa Chica project for the past 20 years, I would like to bring to you the thanks of thousands and thousands of volunteers and dedicated citizens who want these lands placed in public ownership.

And I thank you for your consideration of this issue. And this is a win-win for all of us in the state of California.

MR. DAVIS: Thank you. Mayor --

MS. DETTLOFF: Yes?

MR. DAVIS: We didn't identify, by name, some of the early pioneers who helped you bring us to this point.

Could you identify the three people who stood up so we can add their names to the record and thank them officially.

We are great believers that we stand on the shoulders of those who precede us.

MS. DETTLOFF: Virginia Whipple.

MR. DAVIS: Virginia, thank you so much.

MS. DETTLOFF: Linda Moon and Charlene Bauer.

MR. DAVIS: Charlene, thank you.

Madam Secretary, did you get those
MS. SHAW: Virginia Whipple, Charlene Bauer and Linda Moon.

MR. HIGHT: Mr. Chairman, I left out one minor detail in my presentation. Before you we have over 300 letters of support, the largest number of letters that, to my knowledge, the Commission has ever received.

In addition, every local, state and federal elected official that touches the coast from Orange County to Los Angeles has supported this, and there’s a letter there from them before you.

MR. DAVIS: Why did it take us so long if everyone is in favor of this?

MS. CONNELL: Unfortunately, the people that delayed it were not necessarily those who have been writing the letters of support.

MR. DAVIS: But I am told that we have no letters of opposition, which is rare for our meetings.

MS. CONNELL: Yes.

MR. DAVIS: Let's proceed with the people who have asked to testify. We have, I believe, another nine of them.
We have the president of the Amigos de Bolsa Chica from Huntington Beach, someone who has been very active in this effort, Tom Livengood.

Tom, if you would please give us the benefit of your thoughts.

And I'd like to ask the people who speak if they could follow the good example of the two elected officials who kept their remarks well under three minutes. So, I think it's a good model for the rest of us to follow.

TOM LIVENGOOD

MR. LIVENGOOD: Before I start, my name is Tom Livengood. I'm the president of the Amigos de Bolsa Chica. I would like to point out that Linda Moon and Charlene Bauer are presently serving on the Board of Amigos de Bolsa Chica.

For 20 years Amigos members have invested thousands of volunteer hours in fund-raising, lobbying and participating in educational programs to support the Amigos' mission, save Bolsa Chica.

The proposal before you to purchase
880 acres of Bolsa Chica and acceptance of 25 more acres, will bring the Amigos' dream to reality. The Amigos strongly recommend you approve the proposal.

Support for the proposal comes from elected officials at all levels of government -- federal, state, county and city, Republican and Democrats.

Support also comes from environmental groups, community activist groups and business organizations.

As you heard Bob Hight say that hundreds of citizens have submitted letters of support.

Today you have the opportunity to approve a project financed by the ports, place over 900 acres of land in the control of the state with over $50 million interest for restoration.

By approving the purchase and acceptance of over 900 acres of Bolsa Chica Wetlands, you will set the wheels in motion for restoration of valuable wetlands for future generations, jump start the opportunity for thousands of jobs and stimulate positive economic growth in this region. You have a
once-in-a-lifetime opportunity to approve a
project that is a true partnering of the
environmental and business community.

Again, the Amigos urge you to take
action now and vote yes on the proposal.

The Amigos would like to take this
opportunity to thank the individuals that
represent the state and federal agencies, the
landowner and oil operators that worked so hard to
hammer out an agreement.

We would also like to thank you for
scheduling this historical meeting in Huntington
Beach, the city that surrounds the Bolsa Chica.
Thank you.

I do have the latest support list
that was completed yesterday afternoon. We have
added U.S. Congressman Christopher Cox and
Supervisor Tom Wilson in Orange County.

MS. CONNELL: You mean they weren’t part of
our 300 letters of support?

MR. DAVIS: Thank you, Tom. Thank you for
your good work.

Are there any questions?

(No response.)

MR. DAVIS: Next I’d like to ask Bob
Sulnick, who is the executive director of the American Oceans Campaign, who has been very active in the work, to come forward and give us the benefit of his thoughts.

BOB SULNICK

MR. SULNICK: Thank you, Mr. Chairman, and the members of the Commission.

My name is Bob Sulnick. I'm the executive director of the American Oceans. I'm here on behalf of our organization to speak in favor of the acquisition and restoration of the lowlands of Bolsa Chica.

I have brought with me a letter of support from nine other environmental leaders. I would like to read it into the record, and I will give you a copy.

You've just heard from Tom Livengood, the president of the Amigos de Bolsa Chica.

In addition, supporting the acquisition and restoration is: Roger McManus, who is the president of Center for Marine Conservation; Rodger Schlickeisen, who is the president of Defenders of Wildlife; Mark Gold, who
is the executive director of Heal the Bay; Paul
Hansen, who is the executive director of the Izaak
Walton League; Mel Nutter, who is the chairperson
of the League for Coastal Protection; Dan Taylor,
who is the executive director of the National
Audubon Society, California; Joel Reynolds, who is
the senior staff attorney at the Natural Resources
Defense Council; and Vic Sher, who is the
president of Sierra Club Legal Defense Foundation.

The reason you have so many national
CEOs of environmental organizations signing this
letter of support, speaks to the importance of
restoring our wetlands in the state of California.

We have lost 91 percent of our
wetlands over the past century. They are a
central part of a functioning ecosystem. They
provide an essential hatchery for most of the
sport and commercial fisheries that we rely on in
this state. They are the nesting grounds for a
multitude of migratory birds and endangered
species. They are a flood-control plain, nature's
design. They recharge our groundwater and
replenish our aquifers. And they dilute pollution
from our ecosystems.

We cannot afford to continue to lose
valuable wetlands. And therefore we are very excited about the potential of restoring these some 900 acres.

There is one other thing that I would like to put on the record. I think that what you have before you today is a paragon for a new model of environmental problem solving, desperately needed by the 21st century. This is the first time in my career, which has gone on for more years than I would like to admit, that I have seen cooperation between the private sector, the Koll Company, eight federal and state agencies including your own -- and tremendous regard for your executive director, Mr. Hight -- two ports and the environmental community, none of which could have accomplished this task on its own.

Clearly the environmental community doesn't have any infrastructure capable of approaching this process. And it would seem to me that everyone in this process has had to come off a traditional position to make this happen. I think it speaks well for the future, and we strongly urge you to approve this wonderful possibility.

MR. DAVIS: Thank you, Bob, very much.
The next person to speak is the president of Bolsa Chica Land Trust, Nancy Donovan.

Thank you for your assistance and for your participation.

Nancy, were you one of these original pioneers?

NANCY DONOVAN

Good morning, commissioners and chairman. I am here today to speak on behalf of the Bolsa Chica Land Trust, a group of over 3300 members, the largest environmental group ever in Huntington Beach, and currently a property owner in the wetlands, as you well know.

Our group, along with the Sierra Club, Surfrider Foundation and Huntington Beach Tomorrow, was instrumental three years ago in interesting the Fish and Wildlife Service in the Bolsa Chica project and helped to bring the agencies together to accomplish this Herculean feat of agreement.
Suffice it to say that, with the
responsibility for cleanup of contamination being
taken by the contaminators, we have no further
concerns about the purchase of the wetlands. We
support this purchase and hope you will vote to
approve it.

Further, we currently are planning to
acquire the other endangered parts of the Bolsa
Chica jewel, and that is the Bolsa Chica Mesa. We
would like you to keep this in mind and would hope
that members of the state government will
cooperate with the federal to help to bring this
about also.

I will not go into the whys and
wherefores of the importance of this effort,
except that there has to be some reason that we
receive many new membership applications each
week.

Thank you very much.

MR. DAVIS: Thank you, Nancy.

The next speaker is Haydee Tillotson
from Huntington Beach. Haydee is speaking --
there is no indication of what organization she
represents, but maybe she will tell us.

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MS. TILLOTSON: Thank you, Mr. Chairman, members of the committee. Thank you for this opportunity.

My name is Haydee Tillotson. I'm representing myself as a citizen of Huntington Beach.

I am a member of the Amigos de Bolsa Chica. But what I wanted to express at this meeting is the fact that 20 years ago I was not a member of Amigos. As a matter of fact, I opposed the Amigos.

I live across the street from the Bolsa Chica in an area called Huntington Harbor. Today Huntington Harbor could not be built. I enjoy the harbor life, being able to look at the water across from my living room, so on and so forth.

I wanted marinas. I wanted commercial in Bolsa Chica. I wanted all of those things. When I first moved to the harbor, I was told there was going to be a cut to the ocean -- but I saw the light. And I saw the light thanks to the Amigos de Bolsa Chica.
The Amigos did an excellent job in educating the public, educating people like myself that, of course, I enjoy the birds; of course, I enjoy the open space. But I really did not have a full understanding of what this really meant, not only to me, but to future generations.

And I think it's important to know that there are many people in Huntington Beach and probably in Southern California just like myself.

I'm a developer in the city of Huntington Beach, and developers do like open space. Developers do like to see birds and fish and beautiful areas that are preserved and conserved in the wetlands.

I drive by Bolsa Chica two and three times a day. And I can tell you that, as I'm driving along, I'm always looking to one side and seeing the beautiful, beautiful fauna that goes on and birds.

And one of the most beautiful sights that I saw years ago, for the first time, was when I saw a flock of white pelicans. I had never seen that. And I've gotten to the point where I can really and truly appreciate it. I know that I am not the only one.
Therefore, I sincerely, from the bottom of my heart, ask you to do everything possible to conserve this wonderful and precious land that we have here in the city of Huntington Beach.

And I thank you very much.

MR. DAVIS: Thank you, Haydee.

That was a very nice testament to the Amigos.

The next speaker is Bob Biddle. He represents Huntington Beach Tomorrow, and he’s the president.

Bob, if you would come forward.

BOB BIDDLE

MR. BIDDLE: Good morning, Mr. Chairman and members of the Commission.

My name is Bob Biddle. I represent 2000-plus members of Huntington Beach Tomorrow which is a local quality-of-life organization. The Bolsa Chica is just one of the issues that we address within our community here. It is also, probably, one of the main projects that we’ve been looking at for many years trying
to work with organizations such as the Amigos de Bolsa Chica and the Bolsa Chica Land Trust and the other organizations that were mentioned here already this morning.

I would like to echo the sentiments of the previous speakers and to piggyback on some of their comments. Our organization wholeheartedly endorses this. And I have a pen here, if you need one, to sign the documents today, if you’re short on pens.

As an activist organization, however, you sometimes get called, like, a negative group because you may point out certain facts of development and projects that come up that maybe others haven’t seen or at least are not getting out to the public. And maybe I’ll toss us out as sort of being the group that is maybe the "fly in the ointment."

One of the things, in your staff report here, that we are concerned about -- and I do want to congratulate your staff on their diligence -- is the contamination issue. And this is an issue that we are very greatly concerned about, about the cleanup. And it does state that contaminants have been identified and will be
cleaned up at the expense of the seller. We agree with this and hope that that remains that way.

One of the things that we do want to bring out, however, is the question of, are there any other contaminants that aren't identified? And what happens if those contaminants pop up or something pops up in the future? Who is going to be responsible for that?

So we want to, sort of, guarantee and ask you that the public bear no impact financially on the cleanup cost on this.

Other than that, I'll let you to it. I hope you can sign this today. And, again, I hope you endorse this wholeheartedly.

MR. DAVIS: Thank you, Bob, very much.

MS. CONNELL: Mr. Hight, can you speak to the issue of the contaminants and the securities that we have and the legal agreement that the state will bear on no liability?

MR. HIGHT: Yes. That is the agreement. And I think I'll let Hugh Barroll, who is the attorney for the Environmental Protection Agency, who was instrumental to help negotiate that piece, describe that.

MR. BARROLL: I'll describe it very briefly
but focus on the question that was posed by the
commenter in terms of the future discovery of
contamination, because that is a critical one.

The overall structure of the clean-up
agreement has the project -- the state and federal
agencies conducting an environmental risk
assessment and confirmatory sampling effort.
We're going to go out to the whole property that
we are looking at for restoration and look at it
and find out what the contamination is. We're not
relying on what we know now. We're going to go
out to find more. And we expect we will probably
find more. We don't know yet.

To the extent we find anything
through this effort -- and we're not going to
pinch pennies on this. This is something that we
control. CalResources and Koll will be on the
hook to clean it up.

And we may not find everything. No
sampling effort can be perfect in this regard.
And our clean-up agreement has to end at some
point. If we find it during the term of our
sampling, it's required to be cleaned up.

If for some reason we miss something
and need to come back in the future, we aren't
waiving regulatory authority relating to cleanup.

We won’t have a cleanup agreement for it, but we aren’t going to be giving away the store either. We will have a way to make sure that anything that we missed in the sampling is also addressed.

We think we’re going to find everything that we need. We’re not anticipating problems on this score. But we’re not foreclosing our options to make sure that the public is protected on this.

MR. DAVIS: I’m happy to hear that you expect to be very diligent in the sampling phase, because that is our best insurance policy that all of the contaminated area that needs to be cleaned up is identified and the public is not left holding the bag in the future.

So please proceed with all due diligence and take the time you need to do a thorough job.

MS. CONNELL: What is your understanding of the timetable for your initial survey?

MR. BARROLL: We expect to spend the next few months developing our work plan to make sure that we do it right. And we will be consulting with Regional Water Quality Control Board as well.
as the people from CalResources to basically make
sure that we’re thorough in this regard.

It’s in no one’s interest to get a
surprise down the road. We want to do it right
the first time.

This will take, basically, through
the spring, early summer. Then we expect to do
the sampling work, probably, over about a six- to
nine-month period between summer of ’97 and early
1998. We hope and expect to be done with this
effort late winter of 1998.

MS. CONNELL: At which point the cleanup can
begin and the restoration?

MR. BARROLL: Yes.

The cleanup and restoration will
generally progress -- cleanup first, restoration
next -- except for possibly some cleanup
activities that make more sense to combine with
restoration.

MR. DAVIS: Are there any further questions
on this subject?

(No response.)

MR. DAVIS: Let’s move to our next speaker
who is Irvin Haydock, private citizen. He says
representing "my children and my grandchildren."
So thank you, Irvin, for representing that very special contingency.

IRVIN HAYDOCK

MR. HAYDOCK: Thank you, Mr. Chairman.

My name is Irvin Haydock. I'm a Ph.D. Ecologist, graduate from the University of California, Davis, and a marine pollution expert for the past 30 years.

I’m a former Huntington Beach resident, former chairman of the Environmental Council here at Huntington Beach. I now live in Fountain Valley at 11570 Aqua Marine Circle.

I am here to represent my four children and also my grandchildren, because they’re not here for a variety of reasons. The four children are working to pay off their mortgages; and the grandchildren, I hope, are in school today, some of them at least. Most of them live here in the county.

As a matter of fact, my great grandfather started the fruit canning industry in California in San Jose, on my mother’s side. And my great grandfather on my father’s side was a
conductor for the Southern Pacific Railroad.

And I would say that it's very important to me to see this happen. And I was pleased to hear that the young ladies in this area had formed a counsel 20 years ago and thought about this.

But, in fact, science is way out ahead on these matters. In 1969 I read the mega report that Dillingham put out on Bolsa Chica with full-color illustrations. And the most impressive thing that I saw were the old maps of the Bolsa Chica and of all of the other wetland areas here in Southern California. Tremendous production.

There were only a few copies, probably one here in the local library. I wasn't able to get a copy for myself. But it's a classic.

Aldo Leopold in his "Sand County Almanac" said:

"Save all the bits and pieces if you expect to save Mother Nature."

You're well aware that that's your job today, I think. And you're well aware that over 90 percent of California's wetlands are now gone. And because of this, also gone is the former rich productivity of the adjacent coastal
zone which supported some of the world's greatest fisheries.

I think we need to remember that purchasing this piece will begin to turn the tide. You will greatly please some of us. Purchasing all the pieces of Bolsa Chica would please us even more.

I urge you to do this deal for my children and my grandchildren. In Orange County, the perfect California, it's time to start putting the pieces back together where they belong.

Thank you very much for your attention.

MR. DAVIS: The next speaker is Joseph Underwood. He's the president of the Wildlife and Natural Beauty Association.

Is Joseph here? Joseph Underwood?

(No response.)

MR. DAVIS: All right. Pass on Joseph. The next speaker is Rudy Vietmeier.

He's a member of the Sierra Club and lives in Lakewood, California.

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RUDY VIETMEIER

MR. VIETMEIER: Mr. Chairman, members, I’m a member of the Sierra Club, Preserve Bolsa Chica Task Force. And the task force was formed for the express purpose of assisting the Bolsa Chica Land Trust in acquiring all of Bolsa Chica. So the Sierra Club used this auspicious occasion today as a down payment for acquiring all of Bolsa Chica. That is our ultimate goal. We echo that concern of the Land Trust to acquire all of Bolsa Chica. This is an opportunity that won’t come again, and we should not let it pass. We also echo concern of the gentleman from Huntington Beach Tomorrow about the contaminant issue. And I would like to see that this is a matter of concern to yourselves as well. And I feel very confident that will be dealt with adequately. That is the extent of my comments. Thank you.

MR. DAVIS: Thank you very much.

The next speaker is the executive director of the Bolsa Chica Conservancy, Les
MR. RIDDELL: Good morning, Chairman Davis and members of the Commission.

I'm pleased to be here today on behalf of the Volunteer Corps of the Bolsa Chica Conservancy to encourage your support and to pledge our support with the added duties that we perform as a nonpolitical organization and whose sole mission is to preserve, enhance and protect the Bolsa Chica wetlands.

So we encourage your support and pledge ourselves to see that the project is carried out.

Thank you.

MR. DAVIS: Thank you.

The next member is a council member here at Huntington Beach.

If I had known your name was in here, I would have recognized you earlier, Dave. Dave Garofalo, thank you for your presence.
DAVE GAROFALO

MR. GAROFALO: Chairman Davis, honorable members of the State Lands Commission, welcome.

I am privileged to occupy one of those seven chairs every Monday night. And I just want to make sure that you understand that you are welcome in the eleventh largest city in the state of California, the ninetieth largest city in the country and certainly the safest city in America for two consecutive years.

And all the friends and enemies are all in one room today.

I wanted to bring the broadest perspective I possibly could to this meeting in a very brief way. Being an elected official in this community, owning one of the community newspapers that serves Huntington Beach, Fountain Valley and Westminster and just coming off the --

MR. DAVIS: Who did they endorse in your race?

MR. GAROFALO: -- and just coming off of the board of directors of the Amigos of Bolsa Chica, just going on the board of directors of the Conservancy, and having stood before the voters of
the community that have embraced this concept of Bolsa Chica just 30 months ago.

And the promise was sincere then, and it remains this way today: To do everything we possibly can for public acquisition and restoration.

My plea to you today is very simple: The future is now. Sometimes our lives are just simply -- my plea is not to struggle so hard for perfection that we lose perspective of the focus of what the objective is.

And while we all want this to be a perfect scenario, I'm hoping that the wisdom of your leadership will result today in the vote to acquire the site even if there remains a few questions and even if we have to rely on Mother Nature at the end to fulfill the entire promise for the next 20, 25 years, however long it might take to make this piece of property truly environmentally productive.

Again, I join everyone else who has been at the podium today. I sincerely thank you for coming and hope that your vote will be an affirmative, yes, even if perfection is not achieved.
MR. DAVIS: Thank you.

The next speaker is Joyce Riddell of the Huntington Beach Chamber of Commerce.

JOYCE RIDDELL

MS. RIDDELL: Good morning. I'd like to welcome you to Huntington Beach, Commissioner Davis and commission members.

I'm here today on behalf of our organization, which represents 800 businesses in the community, to officially state our support for the acquisition.

Our organization has been involved, over the past 20 years, in the debates and the discussion. And I would like to just take the opportunity to applaud all of the parties that have been involved in the negotiations that have brought us to this point. It is a day of celebration. It is a win-win situation.

I won't take the time to go over all the points the previous speakers have mentioned. But we urge your support of the acquisition because I think it is a win for the citizens of Huntington Beach, the citizens of the county and...
MR. PAULK: I'm Jim Paulk, president of the United Anglers of Southern California. We have two divisions, one up north and one down south. United Anglers of California is the largest fishing organization in the state. We represent over 80,000 affiliated members, and, hence, the largest organization -- we represent one and a half to two million recreational anglers in California.

We have a couple of projects that we are working on right now that I'm going to mention. One is the Bolsa Chica Artificial Reef right here off our coast. It's 220 acres. It's the largest artificial reef on the west coast of the United States.

The other is a white sea bass...
program. We have ten pens raising white sea bass to be put back in the ocean, these ten pens located from San Diego to Santa Barbara. And about 40,000 volunteer hours a year go into that program.

One of those pens is located here in Huntington Beach in Huntington Harbor, and the Amigos are actively involved in that program as well.

So we're here to speak on behalf of the fish. And with the loss of the wetlands is one of the reasons that our fisheries off the coast of California are so severely depleted. Restoring those wetlands will be a real asset to the fish and to the fishermen. And on behalf of the fish and the fishermen we ask your support for this project.

MR. DAVIS: Thank you.

The next speaker is Ralph Bauer.

MR. BAUER: I did speak already.

MR. DAVIS: Dave Hall, then, will be the next speaker, representing himself.
Mr. Chairman and members of the Commission, I welcome you to Huntington Beach. I come before you today to say that, as all of us realize, the Bolsa Chica is very important. As a matter of fact, when I looked at the Los Angeles Times today there was nothing about O.J. but the headline story was about Bolsa Chica. So the Bolsa Chica is important.

And I'm glad that members of the State Commission are here. The people of Huntington Beach have known that for a long time, and we welcome you.

I support the agreement. It does purchase the wetlands, and it does save lowland species. For example, it saves the California least terns and also the Belding's Savannah sparrow. I think it's an outstanding purchase agreement.

However, the Bolsa Chica mesa is important also. There are many raptor species such as the burrowing owl and the red-tailed hawk that use the mesa and the lowland.

So I don't think that this deal is
perfect. But I do support the agreement, and I support Calendar Item 90 and also 89.

And, again, thank you very much for being here.

MR. DAVIS: Thank you.

Now our next speaker is -- unless I've called this gentleman before. You keep giving me new requests for the speakers -- Ed Laird of Huntington Beach, representing Californians for Bolsa Chica.

Thank you, Ed, for being here.

ED LAIRD

MR. LAIRD: Good morning. Thank you for being here this morning and welcome to the city of Huntington Beach.

I represent the Californians for Bolsa Chica Business Group. It is an organization not just from the county, but from the greater area of Southern California that hopes to build consensus on the cleanup and the restoration of Bolsa Chica.

At first when we first started many years ago, we said part of our charge was to count
the number of organizations that had Bolsa Chica in their name. We found that there were quite a few. But we do support this landmark purchase, and we hold hope that you will move forward with it today.

I also am the chairman of the Boy Scouts Council of Orange County, and we represent 95,000 youths. And we need the Bolsa Chica for environmental and eco-projects in the future.

I would like to, also, thank the Koll Company, in particular Lucy Dunn, for their diligence in bringing this forward today.

That's all I have to say. Thank you.

MR. DAVIS: Now the last request for speaking that I have, we passed over once before, but I want to see if Joseph Underwood has returned to the room?

(No response.)

MR. DAVIS: Apparently not. All right.

Mr. Hight, those are all the people who wanted to express their views on the subject.

MR. HIGHT: Mr. Chairman, may I suggest that we take a five-minute break to find out where we are on negotiations --

MR. DAVIS: -- negotiations between
CalResources and Phillips?

MR. HIGHT: Yes.

MR. DAVIS: Let's do that. We will recess for five minutes.

(Brief recess.)

MR. DAVIS: We're reconvening today's meeting of the Lands Commission.

I'm advised by -- ask the executive director if it would be appropriate to ask Mr. Harper of CalResources to brief us on the status of negotiations between Phillips and CalResources.

MR. HIGHT: Yes, Mr. Chairman. I think that would be very appropriate.

MR. DAVIS: Mr. Harper, if you could come to the microphone and tell us whether or not we have agreement between the private parties.

MR. HARPER: Yes. I'm William Harper. I'm manager of government affairs for CalResources and have been working with your staff and your Commission and others over the last year and a half on this.

And I'm happy to say that I believe the private parties have reached agreement and that we are waiting for the documentation to be
completed. But when that is completed, we will be
prepared to go forward.

So we think this has been a fine
effort. We appreciate the opportunity to work
with you all. And I believe that we have reached
agreement among the private parties to go forward.

MS. CONNELL: Mr. Chairman, having that
reassurance from Mr. Harper, I'd like to make a
motion to formalize the action of the Commission
today.

I would like to move the Commission
approve the agreement contingent upon CalResources
written statement to be received by 5:00 p.m.
today; that they will execute all necessary
documents related to the cleanup of Bolsa Chica.

And secondarily the Commission will
authorize its executive director to sign all
necessary agreements related to the acquisition
and the restoration of Bolsa Chica by noon on
Friday.

MS. PARKER: Mr. Chairman, I would second
that motion.

I think the motion provides the
assurance for the amount of time that's necessary
for us to complete this deal and in that sense
gives assurance to the people in the community
that we are prepared to move forward in
recognizing the major support for this particular
project.

MR. DAVIS: I, too, support the motion.

It gives a time certain by which
CalResources has to formally notify us in writing,
namely today at 5:00 o’clock, that they will
proceed with the costs of cleaning up those parts
of the properties on which oil was drilled for
many, many years and gives a time certain for all
necessary documents to be reduced to writing,
namely noon on Friday. That’s the drop dead
date.

I also think that with the
cooperation of countless agencies, we’ve done
something rather special. We’ve preserved for
generations to come a magnificent part of
California. Children will be able to see how
nature works and parents will be able to
experience the natural wonders of Bolsa Chica.

This couldn’t happen without more
than a year of active cooperation with dozens of
private and public parties. And I want to salute
each and every one of them for their goodwill and
their determination.

A lot of times government disappoints people. This time I think we truly are acting in the public interest. So, with that, I will call for the vote on Ms. Connell's motion.

Secretary will call roll.

MS. PARKER: Aye.

MS. CONNELL: Aye.

MR. DAVIS: I vote aye.

The matter is approved.

MS. CONNELL: Mr. Chairman, I'd like to point out that the motion was inked in green, a good environmental color and hopefully will be a sign of our movement forward on these issues.

MR. DAVIS: I think people should see it.

(Document displayed by Chairman Davis.)

MR. DAVIS: I don't think we have any other business; do we?

MR. HIGHT: No, Mr. Chairman.

If you would indulge me for 30 seconds, I would like to list the people who we owe this moment to: Rick Ludlow, who has spent a year working diligently on this; Lance Kiley; Dan Siegel with the Attorney General's Office; Paul
Mosley and Owen Olpin with O'Melveny, who have assisted us; Department of Interior, Frampton, Ted Boling and Jay Ziegler, an old name from the past; U.S. Fish and Wildlife, Bill McDonald, Don Steffeck, Chuck McKinley, Jack Fancher; Environmental Protection Agency, Hugh Barroll, who is with us, and Tom Yocom, who is with us, and Arthur Haubenstock; Army Corps of Engineer, Pam Castens, Ruth Villalobos and Dan Dykstra -- the list goes on; National Marine Fisheries, Bob Hoffman, Katherine Pease; Coastal Conservancy, Glenn Alex and Melanie Denninger; Department of Fish and Game, Patty Wolf and Troy Kelly; the Resources Agency, Secretary Wheeler and Craig Denisoff; Port of Long Beach, Geraldine Knatz and Tom Johnson; Port of Los Angeles, Ralph Appy; Koll Real Estate Group, Dick Ortwein, Lucy Dunn, their able counsel, Howard Coleman; CalResources, Bill Harper, who we will love forever, R.J. Pautsch, Sub Sen; and Phillips Petroleum, Mike Wofford; and the City of Huntington Beach; the Amigos de Bolsa Chica.

Personal thanks to Sondra Rennie, who has come in as mediator on this project. And I think she would just as soon we didn't call her
anytime soon.

MR. DAVIS: Sondra, would you stand up?

Because I think people ought to recognize you.

MS. CONNELL: I would like to add,

Mr. Chairman, it began with a group of women, and
it ended with a woman.

MS. PARKER: I would like to add Bob Hight’s
name to that list.

Obviously, he’s not going to speak.

He’s a little too modest. But I have heard Bob,
over the years, talk about this project sometimes
when other people were essentially throwing their
hands up and saying it wasn’t going to happen.
And I really think that his perseverance, along
with, obviously, not only other governmental
agencies but the private sector and the community,
really made this very unique situation happen.

It’s, I think, a model for the future
to show how public-private partnerships can, in
fact, come together. So I think we really, in
that sense, should recognize our executive
director.

MR. HIGHT: Thank you very much.

MR. DAVIS: I just want to close with these
thoughts: I don’t know that I’ve ever seen so
many public and private parties come together for
the public good. It just shows that on occasion
we can work in the best interest of the public and
the best interest of the American taxpayers. It
doesn’t happen too often. As a matter of fact, we
probably put this right up there with Mount
Rushmore. It’s a very, very unique situation.

But it all started with the three
women who were acknowledged at the very
beginning. And I cannot tell you how much we are
in your debt for the vision you had of what could
happen with the Bolsa Chica wetlands. So I want
to dedicate today’s vote to you and tell you we
are very grateful for all of your wisdom and
inspiration.

And with that we will adjourn.

UNIDENTIFIED SPEAKER: Real quickly, we have
one last thing.

MR. DAVIS: I’m sorry. I haven’t hit the
gavel. So there’s one last ceremony that Ed wants
to participate in.

UNIDENTIFIED SPEAKER: Just real quickly, we
have a gift for everybody that’s here. It’s a
signed, autographed book on the wildlife by
Peterson.
And everyone here really appreciates what you've done. And thank you very much.

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BARNEY, UNGERMANN & ASSOCIATES  818 226-5900
I, Malia Carlsen, CSR 10577, a Certified Shorthand Reporter in and for the State of California, do hereby certify:

That the foregoing proceeding was taken down by me in shorthand at the time and place named therein and was thereafter reduced to typewriting under my supervision; that this transcript is a true record of the testimony given by the witnesses and contains a full, true and correct record of the proceedings which took place at the time and place set forth in the caption hereto as shown by my original stenographic notes.

I further certify that I have no interest in the event of the action.

EXECUTED this 21st day of February, 1997.

Malia Carlsen, CSR No. 10577