CONVENED: 1:00 PM

ADJOURNED: 3:30 PM

Y-Yes N-No A-Abstain

Amended*	Deferred	Pulled	Considered - No Action Taken	Informational Only - No Action	Approved as Presented	VOTE: Controller	VOTE: Lt. Governor	VOTE: Director of Finance
				X	Y	Y	Y	

*Signing in a non-voting capacity

FOR INFORMATION, PLEASE CONTACT:
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IN ATTENDANCE:
Cruz Bustamante
Lt. Governor, Chair
Lorena Gonzalez, Alternate
Office of the Lt. Governor
Steve Wesley
State Controller, Member
David Takashima, Alternate
Department of Finance

SUMMARY

MEETING OF THE CALIFORNIA STATE LANDS COMMISSION

PORT OF SAN DIEGO
BOARD ROOM, 1st Floor
3165 PACIFIC HIGHWAY
SAN DIEGO, CA 92101

CRUZ M. BUSTAMANTE, LIEUTENANT GOVERNOR, CHAIR
STEVE WESTLY, STATE CONTROLLER, MEMBER
STEVE PEACE, DIRECTOR OF FINANCE, MEMBER

APRIL 7, 2003

ORDER OF BUSINESS

I. **1:00 P.M. OPEN SESSION** CALENDAR ITEM REFERENCES TO AB 884 DENOTE THE PERMIT STREAMLINING ACT (CALIFORNIA GOVERNMENT CODE SECTION 65920 ET SEQ.).

A SIGN LANGUAGE INTERPRETER WILL BE PROVIDED UPON ADVANCE NOTIFICATION OF NEED BY A DEAF OR HEARING IMPAIRED PERSON. SUCH NOTIFICATION SHOULD BE MADE AS SOON AS POSSIBLE PRIOR TO DATE OF THE EVENT.

II. **CONFIRMATION OF MINUTES FOR THE MEETING OF FEBRUARY 21, 2003.**

III. **EXECUTIVE OFFICER'S REPORT**

Amended	Deferred	Pulled	Considered-No Action Taken	Informational Only-No Action Taken	Approved as Presented	VOTE: Controller	VOTE: Lt. Governor	VOTE: Director of Finance	
					X	Y	Y	Y	C 01
					X	Y	Y	Y	C 02
					X	Y	Y	Y	C 03

IV. **CONSENT CALENDAR C01 – 37** THE FOLLOWING ITEMS ARE CONSIDERED TO BE NON-CONTROVERSIAL.

ANYONE WISHING TO ADDRESS AN ITEM ON THE AGENDA MAY COME FORWARD AND STATE THEIR NAME FOR THE RECORD.

C 01 **CPN PIPELINE COMPANY (APPLICANT):** Consider application for a General Lease – Right of Way Use, of sovereign lands located in the Sacramento River, between Brannan Island and the Montezuma Hills, near the city of Rio Vista, Sacramento and Solano counties; for construction of a 12-inch diameter high-pressure natural gas pipeline. (W 25838; RA# 15701) (A 15; S 5) (Negotiator: L. Burks)

C 02 **AGATE BAY PROPERTIES, INC. (ASSIGNOR); AGATE BAY PIER AND SWIM CLUB, INC. (ASSIGNEE):** Consider application for the assignment of Lease No. PRC 3994.1, General Lease - Recreational Use, of sovereign lands located in Lake Tahoe, Agate Bay, Placer County for continued use and maintenance of an existing pier, one swim float, and 14 mooring buoys. (WP 3994.1; RA# 26399) (A 4; S1)(Negotiator: M. Hays)

C 03 **RIVERBANK HOLDING COMPANY, LLC (LESSEE/SUBLESSOR); DANA HAMILTON AND STEVEN PAGANO, DBA RIVER CITY SURVEYS (SUBLESSEES):** Consider application for a sublease under Lease No. PRC 6427.1, a General Lease - Commercial Use, of tide and submerged lands located in the Sacramento River, in the city of Sacramento, Sacramento County; to authorize office space for public trust purposes to River City Surveys. (WP 6427.1; RA# 14402) (A 5, 9; S 6) (Negotiator: D. Jones)

Amended	Deferred	Pulled	Considered-No Action Taken	Informational Only-No Action Taken	Approved as Presented	VOTE: Controller	VOTE: Lt. Governor	VOTE: Director of Finance	
					X	Y	Y	Y	**C 04 RIVER VIEW MARINA, A LIMITED PARTNERSHIP (LESSEE/SUBLESSOR); RICHARD CHAPA, ANITA MARIE CHAPA, TOSHIRO KIDO AND CHAPAKIDO ENTERPRISES, INC., A CALIFORNIA CORPORATION (ASSIGNEES/SUBLESSEES):** Consider application for the First Amendment and Agreement to Assign the Sublease under Lease No. PRC 6015.1, a General Lease – Commercial Use, of tide and submerged lands located in the Sacramento River, in the city of Sacramento, Sacramento County; for the operation of "Sushi On the River" as a restaurant. (PRC 6015.1; RA# 13902) (A 5, 9; S 6) (Negotiator: D. Jones)
					X	Y	Y	Y	**C 05 THOMAS EDWARD RADFORD (APPLICANT):** Consider application for a General Lease - Commercial Use, of sovereign lands located in the San Joaquin River, near Lathrop, San Joaquin County; for continued use and operation of an existing commercial marina and bank protection. (WP 7631.1; RA# 10602) (A 26, 17; S 14, 5) (Negotiator: D. Jones)
					X	Y	Y	Y	**C 06 BEL MARIN KEYS COMMUNITY SERVICES DISTRICT (APPLICANT):** Consider application for a Maintenance Dredging Lease to dredge material from sovereign lands located in Novato Creek near the city of Novato at Bel Marin Keys, Marin County; disposal of dredged material will be at a United States Army Corps of Engineers approved privately owned upland disposal site, known as the Leveroni Parcel, and other United States Army Corps of Engineers approved upland disposal sites. (WP 6921; RA# 27398) (A 6; S 3) (Negotiator: G. Kato)

Amended	Deferred	Pulled	Considered-No Action Taken	Informational Only-No Action Taken	Approved as Presented	VOTE: Controller	VOTE: Lt. Governor	VOTE: Director of Finance	
					X	Y	Y	Y	**C 07 STEVEN MERRILL AND JACQUELINE MERRILL (APPLICANTS):** Consider application for a new Recreational Pier Lease of sovereign lands located in Lake Tahoe, Tahoe City, Placer County; for an existing pier and boathouse previously authorized by the Commission and the retention of one existing mooring pile and two existing mooring buoys. (WP 2666.9; RA# 25899) (A 4; S 1) (Negotiator: N. Lee)
					X	Y	Y	Y	**C 08 NICHOLAS J. KOURETAS AND VALDEAN J. KOURETAS, TRUSTEES OF THE KOURETAS FAMILY TRUST DATED NOVEMBER 15, 1978 (LESSEES) AND KOURETAS FAMILY LIMITED PARTNERSHIP (APPLICANT):** Consider the termination of a Recreational Pier Lease and an application for a new General Lease - Recreational Use, of sovereign lands located in Lake Tahoe, Carnelian Bay, Placer County; for an existing pier and two mooring buoys previously authorized by the Commission and the installation of one boatlift. (WP 1710.1; RA# 09202) (A 4; S 1) (Negotiator: N. Lee)
					X	Y	Y	Y	**C 09 TAHOE CITY PUBLIC UTILITY DISTRICT AND CALIFORNIA DEPARTMENT OF FISH AND GAME, ACTING THROUGH THE WILDLIFE CONSERVATION BOARD (LESSEES):** Consider application for an amendment to Lease No. PRC 2754.9, General Lease - Public Agency Use, of sovereign lands located in Lake Tahoe, Tahoe City, Placer County; to add a temporary float section to an existing pier and install a temporary boat ramp extension. (PRC 2754.9; RA# 06302) (A 4; S 1) (Negotiator: N. Lee)

Amended	Deferred	Pulled	Considered-No Action Taken	Informational Only-No Action Taken	Approved as Presented	VOTE: Controller	VOTE: Lt. Governor	VOTE: Director of Finance		
					X	Y	Y	Y	C 10	**BRUCE A. KRATER AND DORIS A. KRATER, TRUSTEES, OR THEIR SUCCESSORS IN TRUST, UNDER THE KRATER LIVING TRUST, DATED NOVEMBER 15, 2000, AND JOHN R. STRICKLEY AND HELEN K. STRICKLEY AS TRUSTEES U/T/A DATED 5/20/88 KNOWN AS THE JOHN R. STRICKLEY AND HELEN K. STRICKLEY FAMILY TRUST (APPLICANTS):** Consider application for a new Recreational Pier Lease of sovereign lands located in Lake Tahoe, South Lake Tahoe, El Dorado County; for the retention of an existing pier and one existing mooring buoy. (W 25899; RA# 12602) (A 4; S 1) (Negotiator: N. Lee)
					X	Y	Y	Y	C 11	**DOROTHY E. RAY SURVIVOR'S TRUST AND HUBERT CARLISLE RAY BYPASS TRUST (APPLICANTS):** Consider application for a new Recreational Pier Lease of sovereign lands located in the Sacramento River, at Long Island near Isleton, Sacramento County, for an existing pier and walkway previously authorized by the Commission. (WP 4784.9; RA# 11702) (A 8, 15; S 5, 14) (Negotiator: T. Lipscomb)
					X	Y	Y	Y	C 12	**CALIFORNIA STATE LANDS COMMISSION AND CALIFORNIA COASTAL COMMISSION (PARTIES):** Consider acceptance of one offer to dedicate lateral public access easement over land adjacent to State tidelands in the city of Encinitas, APN 258-153-05, San Diego County. (W 24665) (A 74; S 38) (Negotiators: S. Nelson, J. Lam, V. Massey, C. Fossum)
					X	Y	Y	Y	C 13	**CALIFORNIA STATE LANDS COMMISSION AND CALIFORNIA COASTAL COMMISSION (PARTIES):** Consider acceptance of one offer to dedicate lateral public access easement over land adjacent to State tidelands in the city of Encinitas, APN 258-153-06, San Diego County. (W 24665) (A 74; S 38) (Negotiators: S. Nelson, J. Lam, V. Massey, C. Fossum)

Amended	Deferred	Pulled	Considered-No Action Taken	Informational Only-No Action Taken	Approved as Presented	VOTE: Controller	VOTE: Lt. Governor	VOTE: Director of Finance		
					X	Y	Y	Y	C 14	**CALIFORNIA STATE LANDS COMMISSION AND CALIFORNIA COASTAL COMMISSION (PARTIES):** Consider acceptance of one offer to dedicate lateral public access easement over land adjacent to State tidelands in the city of Oxnard, APN 191- 0-91-045, Ventura County. (W 24665) (A 41; S 23) (Negotiators: S. Nelson, J. Lam, V. Massey, C. Fossum)
					X	Y	Y	Y	C 15	**CALIFORNIA STATE LANDS COMMISSION AND CALIFORNIA COASTAL COMMISSION (PARTIES):** Consider acceptance of one offer to dedicate lateral public access easement over land adjacent to State tidelands in the city of Ventura, APN 060-0-082-295, Ventura County. (W 24665) (A 35; S 19) (Negotiators: S. Nelson, J. Lam, V. Massey, C. Fossum)
					X	Y	Y	Y	C 16	**CALIFORNIA STATE LANDS COMMISSION AND CALIFORNIA COASTAL COMMISSION (PARTIES):** Consider acceptance of one offer to dedicate lateral public access easement over land adjacent to State tidelands in the city of Ventura, APN 060-0-090-300, Ventura County. (W 24665) (A 35; S 19) (Negotiators: S. Nelson, J. Lam, V. Massey, C. Fossum)
					X	Y	Y	Y	C 17	**CALIFORNIA STATE LANDS COMMISSION AND CALIFORNIA COASTAL COMMISSION (PARTIES):** Consider acceptance of one offer to dedicate lateral public access easement over land adjacent to State tidelands in the city of Encinitas, APN 258-153-11-01,02, and 03, San Diego County. (W 24665) (A 74; S 38) (Negotiators: S. Nelson, J. Lam, V. Massey, C. Fossum)

Amended	Deferred	Pulled	Considered-No Action Taken	Informational Only-No Action Taken	Approved as Presented	VOTE: Controller	VOTE: Lt. Governor	VOTE: Director of Finance	
					X	Y	Y	Y	**C 18 CALIFORNIA STATE LANDS COMMISSION AND CALIFORNIA COASTAL COMMISSION (PARTIES):** Consider acceptance of one offer to dedicate lateral public access easement over land adjacent to State tidelands in the city of Ventura, APN 060-0-082-335, Ventura County. (W 24665) (A 35; S 19) (Negotiators: S. Nelson, J. Lam, V. Massey, C. Fossum)
					X	Y	Y	Y	**C 19 PORT OF OAKLAND (APPLICANT):** Consider application for a Dredging Lease to dredge material from granted sovereign lands, minerals reserved, located at berths 59 through 63, in the Port of Oakland, Alameda County; disposal of dredged material at U.S. Army Corps of Engineers designated upland Disposal Sites at SF-11 (Alcatraz), SF-DODS (Deep Ocean Disposal Site) and Montezuma Wetlands Restoration Project. (PRC 7483.9; RA# 12802) (A 13; S 9) (Negotiator: D. Oetzel)
					X	Y	Y	Y	**C 20 PORT OF SAN FRANCISCO (APPLICANT):** Consider application for a Dredging Lease to dredge material from granted sovereign lands, minerals reserved, located in the Port of San Francisco, City and County of San Francisco; disposal of dredged material at U.S. Army Corps of Engineers designated Disposal Sites at SF-11 (Alcatraz), SF-DODS (Deep Ocean Disposal Site), and upland Disposal Sites at Winter Island, Mare Island, Montezuma and the Port of San Francisco rehandling site at Pier 94/96. (PRC 7668.9; RA# 10902) (A 13; S 9) (Negotiator: D. Oetzel)
					X	Y	Y	Y	**C 21 FRANK TSANG AND JUDY MING-MING-SZE TSANG (APPLICANTS):** Consider application for a new Recreational Pier Lease, of sovereign lands located in the Petaluma River, city of Petaluma, Sonoma County; for the construction of a new pier, gangway, and a floating boat dock. (W 25894; RA# 09902) (A 6; S 3) (Negotiator: N. Quesada)

Amended	Deferred	Pulled	Considered-No Action Taken	Informational Only-No Action Taken	Approved as Presented	VOTE: Controller	VOTE: Lt. Governor	VOTE: Director of Finance		
					X	Y	Y	Y	C 22	**SCANVIK L.P.; A CALIFORNIA LIMITED PARTNERSHIP (ASSIGNOR); RUMSEY GPF I, LLC, AND MORTON L. FRIEDMAN AND MARCINE FRIEDMAN, DBA TRIANGLE PARTNERS (ASSIGNEES):** Consider application for the assignment of Lease No. PRC 1987.1, General Lease – Industrial Use, for the continued use and maintenance of an existing wharf and six pilings for industrial purposes of sovereign lands located in the Sacramento River, City of West Sacramento, Yolo County. (WP 1987.1; RA# 15201) (A 8; S 5) (Negotiator: N. Quesada)
					X	Y	Y	Y	C 23	**DUDLEY F. MILLER AND SARAH ALLEN MILLER, TRUSTEES OF THE MILLER AND ALLEN TRUST, DATED OCTOBER 23, 1999 (APPLICANTS):** Consider application for a new Recreational Pier Lease of sovereign lands located in Tomales Bay, at Inverness, Marin County; for one existing mooring buoy. (W 25888; RA# 08802) (A 6; S 3) (Negotiator: N. Quesada)
					X	Y	Y	Y	C 24	**SANTA CRUZ COUNTY, PUBLIC WORKS DEPARTMENT (APPLICANT):** Consider application for a new General Lease – Public Agency Use, of sovereign lands located at the mouth of the Pajaro River, Monterey Bay, Monterey and Santa Cruz Counties; for the breaching of the sandbar previously authorized by the Commission. (WP 7934.9; RA# 03202) (A 27; S 11,15) (Negotiator: N. Quesada)
					X	Y	Y	Y	C 25	**SANTA CLARA VALLEY WATER DISTRICT (APPLICANT):** Consider application for a General Lease – Public Agency Use, of sovereign lands located near the city of San Jose, Santa Clara County; for maintenance as a construction staging area in connection with a levee restoration project on the Guadalupe River. (W 25882; RA# 06602) (A 22; S 10) (Negotiator: F. Singer)

Amended	Deferred	Pulled	Considered-No Action Taken	Informational Only-No Action Taken	Approved as Presented	VOTE: Controller	VOTE: Lt. Governor	VOTE: Director of Finance		
					X	Y	Y	Y	C 26	**SONOMA COUNTY WATER AGENCY (APPLICANT):** Consider application for a new General Lease - Public Agency Use, of sovereign lands located in the Russian River, near Jenner, Sonoma County; for the continued breaching of the sandbar barrier at the mouth of the Russian River previously authorized by the Commission. (WP 7918.9; RA# 07601) (A 1; S 2) (Negotiator: F. Singer)
		X							C 27	**UNITED STATES BORDER PATROL (APPLICANT):** Consider application for a General Lease – Public Agency Use, of sovereign lands located in the Pacific Ocean, Imperial Beach, San Diego County; for the removal of an existing border fence; and the construction and maintenance of a new border fence. (W 24999; RA# 10802) (A 79; S 40) (Negotiator: J. Smith)
					X	Y	Y	Y	C 28	**EDEN HOUSING, INC. (PARTY):** Consider the approval of a Title Settlement, resolving title to real property in the city of Petaluma, adjacent to the Petaluma River at Washington and Baylis Streets, Sonoma County. (W25614); (A 6; S 3) (Negotiator: N. Smith, B. Stevenson)
					X	Y	Y	Y	C 29	**MATTHEW A. AND PAMELA T. YOUNG (APPLICANT):** Consider application for a new General Lease - Recreational Use, of sovereign lands located in the Napa River, near the city of Napa, Napa County; for the construction of two new docks and an existing walkway and dock. (W 25605); RA# 13599) (A 7; S 2) (Negotiator: N. Smith)
X						Y	Y	Y	* C 30	**PELICAN POINT HOMEOWNERS ASSOCIATION (APPLICANT):** Consider approval of a seawall project for lands located at the mouth of the Pajaro River, Monterey Bay, Santa Cruz County. (WP 7196.9); (A 27; S 11,15) (Negotiator: N. Smith)

* Calendar Item C30 was moved from Consent to Regular Calendr, Amended and then approved by 3-0 vote.

Amended	Deferred	Pulled	Considered-No Action Taken	Informational Only-No Action Taken	Approved as Presented	VOTE: Controller	VOTE: Lt. Governor	VOTE: Director of Finance	
					X	Y	Y	Y	C 31 **VICTOR L. METAS AND SHIRLEY F. METAS, TRUSTEES OF THE METAS TRUST DATED JUNE 17, 1998 (APPLICANTS):** Consider application for a new Recreational Pier Lease, of sovereign lands located in Lake Tahoe, Tahoe Vista, Placer County; for the retention of two existing mooring buoys. (W 24103; RA# 20401) (A 4; S 1) (Negotiator: B. Young)
					X	Y	Y	Y	C 32 **TAHOE CITY PUBLIC UTILITY DISTRICT (APPLICANT):** Consider application for a new General Lease – Right of Way Use, of sovereign lands located in Lake Tahoe, McKinney Shores, Placer County; for an existing water intake pipeline and appurtenant facilities previously authorized by the Commission. (WP 4222.9; RA# 15001) (A 4; S 1) (Negotiator: B. Young)
					X	Y	Y	Y	C 33 **HAROLD M. MESSMER, JR. AND MARCIA N. MESSMER, TRUSTEES OF THE MESSMER FAMILY TRUST U/D/T DATED OCTOBER 31, 1993 (APPLICANTS):** Consider application for a new General Lease - Recreational Use, of sovereign lands located in Lake Tahoe, Carnelian Bay, Placer County; for an existing pier, boathouse with sleeping quarters and two boat slips previously authorized by the Commission, and the placement of a new boat lift, retention of two existing mooring buoys and a swim float. (WP 4380.1; RA# 11901) (A 4; S 1) (Negotiator: B. Young)
					X	Y	Y	Y	**LEGAL** C 34 **DEPARTMENT OF THE NAVY (PARTY):** Consider Retrocession of Jurisdiction over a portion of the Naval Construction Battalion Center, Port Hueneme, Ventura County. (W 25898) (A 35, S 18) (Negotiator: J. Frey)

Amended	Deferred	Pulled	Considered-No Action Taken	Informational Only-No Action Taken	Approved as Presented	VOTE: Controller	VOTE: Lt. Governor	VOTE: Director of Finance	
					X	Y	Y	Y	**ADMINISTRATION** **C 35 CALIFORNIA STATE LANDS COMMISSION (PARTY):** Request authority for Executive Officer to enter agreement for the performance of a systems safety audit of oil and gas facilities and solicit proposals, negotiate fair and reasonable price, award and execute agreements for consultant services. (R13102) (A 33, 35; S 18) (Negotiator: D. Brown)
					X	Y	Y	Y	**C 36 CALIFORNIA STATE LANDS COMMISSION (PARTY):** Requests authority for Executive Officer to execute interagency agreements for fiscal year 2003-2004. (C2003-001, C2003-03, C2003-04) (A & S Statewide) (Negotiator: D. Brown)
					X	Y	Y	Y	**MINERAL RESOURCES MANAGEMENT DIVISION** **C 37 CITY OF LONG BEACH (APPLICANT):** Consider approval of the Long Beach Unit Program Plan (July 1, 2003 through June 30, 2008) and the Long Beach Unit Annual Plan (July 1, 2003 through June 30, 2004), Long Beach Unit, Wilmington Oil Field, Los Angeles County. (W17157) (A 54; S 27) (Negotiator: M. LeClair)
					X	Y	Y	Y	**V. REGULAR CALENDAR ITEM** **38 CITY OF LONG BEACH (APPLICANT):** Consider amendment of the Long Beach Parcel and Parcel "A" Oil Contract, and the transfer of ownership interests in Tidelands Oil Production Company, the contractor to the City of Long Beach, Wilmington Oil Field, Los Angeles County. (W 12001)(A 57,58; S 29) (Negotiators: A. Reid, M. Voskanian) **VI. PUBLIC COMMENT**

Amended	Deferred	Pulled	Considered-No Action Taken	Informational Only-No Action Taken	Approved as Presented	VOTE		
						Controller	Lt. Governor	Director of Finance

VII. **CLOSED SESSION** AT ANYTIME DURING THE MEETING THE COMMISSION MAY MEET TO CONSIDER POSSIBLE AND PENDING LITIGATION IN A SESSION CLOSED TO THE PUBLIC PURSUANT TO THE ATTORNEY-CLIENT PRIVILEGES (SEE GOVERNMENT CODE SECTION 11126). THE FOLLOWING MATTERS WILL BE CONSIDERED UNDER GOVERNMENT CODE SECTION 11126 (e)(2)(A):

Sierra Club v. City of Los Angeles

IN ADDITION, THE COMMISSION MAY CONSIDER MATTERS WHICH FALL UNDER GOVERNMENT CODE SECTION 11126 (e)(2)(B) or (2)(C)