

**STATE OF CALIFORNIA  
CALIFORNIA STATE LANDS COMMISSION MEETING  
OPEN SESSION MINUTES  
PORT OF SAN DIEGO  
BOARD ROOM, FIRST FLOOR  
3165 PACIFIC HIGHWAY  
SAN DIEGO, CALIFORNIA 92101**

**2:00 PM**

**December 9, 2004**

**APPEARANCES**

**COMMISSIONERS PRESENT**

Steve Westly, Controller, Chair (Controller left meeting early upon which  
Cindy Aronberg, Alternate, sat in his absence)  
Cruz M. Bustamante, Lt. Governor, (Lt. Governor left meeting early upon  
which Lorena Gonzalez, Alternate, sat in his absence)  
Dave Harper, Alternate for Department of Finance

**STAFF MEMBERS IN ATTENDANCE**

Paul D. Thayer, Executive Officer  
Jack Rump, Chief Counsel

**REPRESENTING THE OFFICE OF THE ATTORNEY GENERAL**

Alan Hager, Supervising Deputy Attorney General

**STATE OF CALIFORNIA  
CALIFORNIA STATE LANDS COMMISSION  
MINUTES OF THE OPEN SESSION**

**MEETING OF DECEMBER 9, 2004**

Controller Steve Westly, Chair, called the regular meeting of the California State Lands Commission to order at 2:19 p.m., at the Port of San Diego, Board Room, 1<sup>st</sup> Floor, 3165 Pacific Coast Highway, San Diego, CA 92102.

The minutes of the October 10, 2004 meeting were approved by a 2-0, with Commissioner Harper abstaining.

**RECORD OF ACTION TAKEN BY THE  
CALIFORNIA STATE LANDS COMMISSION  
MEETING OF DECEMBER 9, 2004**

Calendar Item C31 was removed from the agenda to be heard at a subsequent meeting.

The recommendation of staff, relative to Calendar Items C01-C30, and C32-56 were approved by unanimous vote of Commission Chair Steve Westly; Lt. Governor Cruz M. Bustamante; and Dave Harper representing Department of Finance.

**Regular Item 57:** A status report was presented to the Commission on a comprehensive review of marina leases to ensure that the leases and their provisions were comprehensive to ensure protection for the state's waterways. The commission approved by the item by a 3-0 vote with directions to staff to pursue as far as they could, under the context of current law.

**Regular Item 58:** A staff presentation was made to the Commission regarding the assignment of a lease to the Port of Stockton and construction of a new bridge. The Commission amended the lease assignment and issuance of a new lease conditioned upon the establishment of a truck replacement program funded by a percentage of the Port's profits from the west complex, and directed staff to work with the Port to describe a program that: 1) is consistent with and equitable when compared to the programs of other ports and 2) has the flexibility to allow monies dedicated to the program to be spent on other air quality improvement measures that produced a greater benefit than truck replacement. The item was approved by a 2-1 vote.

**Regular Item 59:** The Commission listened to a staff presentation pertaining to discussion of an invitation for the SLC to join the California Maritime Transportation Homeland Security Evaluation and Training Support Consortium. The item was approved as presented by a 2-0 vote.

**Regular Item 60:** The Commission listened to a presentation by the Executive Officer on the possible sale of our Huntington Beach office. Staff will bring the item before the Commission at a later date, once staff has collected all the proper information. This was an informational item; no vote was taken.

**PUBLIC ADDRESSING THE FOLLOWING CALENDAR ITEMS  
CALIFORNIA STATE LANDS COMMISSION MEETING**

**DECEMBER 9, 2004**

**REGULAR CALENDAR ITEM 57 - MARINA LEASES**

- Ross Campbell, Attorney Coast Law Group
- Sandy Perden, Commissioner, Department of Marine Waterways
- Dave Plummer, Regional Manager, Land Management Division, CSLC
- Bruce Resnick, Executive Director, Baykeeper

**REGULAR CALENDAR ITEM 58 – PORT OF STOCKTON**

- Curtis Fossum, Senior Staff Counsel, CSLC
- Henry McKay, Port of Stockton
- Melissa Lin Perella, representing NRDC
- Dave Plummer, Regional Manager, Land Management Division, CSLC
- Barbara Schussman, Attorney with Bingham McCutchen

**REGULAR CALENDAR ITEM 59 – HOMELAND SECURITY CONSORTIUM**

- Gary Gregory, Chief, Marine Facilities Division, CSLC

**REGULAR CALENDAR ITEM 60 – HUNTINGTON BEACH FIELD OFFICE**

- Paul Thayer, Executive Officer, CSLC