

CONVENED: 10:02 AM

ADJOURNED: 10:34 AM

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

FOR INFORMATION, PLEASE CONTACT
 Lynda Smallwood
 100 Howe Avenue, Suite 100-South
 Sacramento, California 95825-8202
smallwl@slc.ca.gov
 (TDD/TT) 1-800-735-2929
 (916) 574-1923
 SUMMARY AND ITEMS ARE AVAILABLE
 ON CSLC WEB SITE: www.slc.ca.gov

IN ATTENDANCE:
 Lorena Gonzalez, Alternate
 Office of the Lt. Governor
 Cindy Aronberg, Alternate
 Office of the Controller
 Anne Sheehan, Alternate
 Dept. of Finance

AGENDA

MEETING OF THE CALIFORNIA STATE LANDS COMMISSION

Legislative Office Building
 1020 N Street, Room 100
 Sacramento, CA 95814

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

October 20, 2005

ORDER OF BUSINESS

I. 10:00 A.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.

IF YOU NEED REASONABLE ACCOMMODATION, TO CONDUCT BUSINESS WITH THE COMMISSION, FOR A DISABILITY AS DEFINED BY THE FEDERAL AMERICANS WITH DISABILITIES ACT AND THE CALIFORNIA FAIR EMPLOYMENT AND HOUSING ACT, PLEASE CONTACT THE COMMISSION IN ADVANCE TO ARRANGE FOR SUCH ACCOMMODATION.

II. CONFIRMATION OF MINUTES FOR THE MEETING OF SEPTEMBER 6, 2005

III. EXECUTIVE OFFICER'S REPORT

*Sitting in a non-voting capacity.

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							Controller	Lt. Governor	Director of Finance
					X	Y			Y
					X	Y			Y

IV. CONSENT CALENDAR C01-C41 FOLLOWING ITEMS ARE CONSIDERED TO BE NON-CONTROVERSIAL AND ARE SUBJECT TO CHANGE AT ANY TIME UP TO THE DATE OF THE MEETING.

ANYONE WISHING TO ADDRESS AN ITEM ON THE AGENDA SHOULD FILL OUT A SPEAKER FORM. WHEN YOU ARE CALLED TO SPEAK, PLEASE STATE YOUR NAME FOR THE RECORD.

LAND MANAGEMENT DIVISION

RPLs

- C 01 ALICE LAHL, TRUSTEE, U.D.T. (UNDER DECLARATION OF TRUST), DATED APRIL 10, 1992 AND WILLIAM A. LAHL, TRUSTEE OF THE LAHL FAMILY 2004 IRREVOCABLE TRUST (APPLICANTS):** Consider application for a new Recreational Pier Lease of sovereign lands located in Lake Tahoe, near Tahoe Vista, Placer County; for the retention of two mooring buoys previously authorized by the Commission. (WP 7860.9; RA# 19204) (A 4; S 1) (Negotiator: R. Barham)

- C 02 BARBARA B. CORNEILLE, TRUSTEE OF THE CORNEILLE LIVING TRUST DATED MARCH 19, 1990 (APPLICANT):** Consider application for a new Recreational Pier Lease of sovereign lands located in Lake Tahoe, near Tahoma, El Dorado County; for an existing pier with boat hoist and two mooring buoys previously authorized by the Commission. (WP 3654.9; RA# 09500) (A 4; S 1) (Negotiator: R. Barham)

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							Controller	Lt. Governor	Director of Finance
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					X	Y			Y
					X	Y			Y

C 03 EDITH STEEL SWIFT (APPLICANT): Consider application for a new Recreational Pier Lease of sovereign lands located in Lake Tahoe, near Carnelian Bay, Placer County; for the retention of one mooring buoy previously authorized by the Commission. (WP 3547.9; RA# 21104) (A 4; S 1) (Negotiator: R. Barham)

C 04 WESTLEY F. WOOD AND JULIE A. WOOD, TRUSTEES OF THE WOOD FAMILY TRUST UNDER DECLARATION OF TRUST DATED SEPTEMBER 4, 1997 (APPLICANTS): Consider the termination of Recreational Pier Lease No. PRC 8447.9; and consider application for a new Recreational Pier Lease of sovereign lands located in Donner Lake, near Truckee, Nevada County; for the reconstruction of a pier previously authorized by the Commission. (WP 8447.9; RA 27004) (A 3; S 1) (Negotiator: R. Barham)

C 05 HUGH W. HARRIS AS TRUSTEE OF THE HWH TRUST U/D/T 3/6/02 AND MURIEL M. HARRIS AS TRUSTEE OF THE MMH REVOCABLE TRUST (APPLICANTS): Consider application for a new Recreational Pier Lease of sovereign lands located in Lake Tahoe, near Homewood, Placer County; for the retention of two existing mooring buoys previously authorized by the Commission. (WP 6713.9; RA# 23804) (A 4; S 1) (Negotiator: R. Barham)

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					X	Y			Y

- C 06 **JAMES E. TEEL AND JOYCE RALEY TEEL (APPLICANTS):** Consider application for a new Recreational Pier Lease of sovereign lands located in Lake Tahoe, near Sunnyside, Placer County; for the retention of two existing mooring buoys previously authorized by the Commission. (WP 7566.9; RA# 24704) (A 4; S 1) (Negotiator: R. Barham)

- C 07 **WILLIAM E. DOYLE, JR. AND MARION P. DOYLE, TRUSTEES OF THE WILLIAM E. DOYLE AND MARION P. DOYLE TRUST UNDER INSTRUMENT DATED MARCH 18, 1992 (APPLICANTS):** Consider application for a Recreational Pier Lease of sovereign lands located in Donner Lake, near Truckee, Nevada County; for the continued use and maintenance of a fixed pier previously authorized by the Commission and an existing floating boat dock not previously authorized by the Commission. (WP 7805.9; RA 26404) (A 3; S 1) (Negotiator: R. Barham)

- C 08 **EVELYN H. HYATT, TRUSTEE OF THE ALBERT M. HYATT CREDIT SHELTER TRUST DATED JULY 10, 1997 (APPLICANT):** Consider application for a new Recreational Pier Lease of sovereign lands located in Lake Tahoe, at Meeks Bay, El Dorado County; for an existing pier and one mooring buoy previously authorized by the Commission. (WP 5787.9; RA# 26604) (A 4; S 1) (Negotiator: R. Barham)

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C 09 JANICE V. LAWLER AND GREGORY THELEN, TRUSTEE OF THE WILLIAM H. LAWLER RESIDENCE TRUST, DATED APRIL 25, 2000 (APPLICANTS): Consider application for a new Recreational Pier Lease of sovereign lands located in Lake Tahoe, near Tahoe City, Placer County; for an existing pier with boat hoist and one mooring buoy previously authorized by the Commission and the retention of one mooring buoy not previously authorized by the Commission. (WP 3616.9; RA# 21304) (A 4; S 1) (Negotiator: R. Barham)

C 10 BERNARD A. NEWCOMB, TRUSTEE OF THE BERNARD A. NEWCOMB LIVING TRUST DATED JANUARY 29, 1997 (APPLICANT): Consider application for a Recreational Pier Lease of sovereign lands located in Donner Lake, near Truckee, Nevada County; for the continued use and maintenance of an existing pier previously authorized by the Commission. (WP 7807.9; RA 27104) (A 3; S 1) (Negotiator: R. Barham)

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						Approved as Presented	Controller	Lt. Governor
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C 11 NANCY ECCLES HAYWARD, TRUSTEE UNDER TRUST AGREEMENT DATED JUNE 20, 1990 (LESSEE), AND WILLIAM ECCLES HAYWARD, CHRISTINA HOPE HAYWARD, AND WENDY ANN HAYWARD (APPLICANTS): Consider the termination of a Recreational Pier Lease and an application for a new Recreational Pier Lease of sovereign lands located in Lake Tahoe, near Carnelian Bay, Placer County; for an existing pier, boat hoist and one mooring buoy previously authorized by the Commission and the retention of one existing mooring buoy not previously authorized by the Commission. (PRC 4148; RA# 10892) (A 4; S 1) (Negotiator: B. Dugal)

C 12 JENNIFER D. GOMEZ (APPLICANT): Consider application for a new Recreational Pier Lease of sovereign lands located in Napa River, city of Napa, Napa County; for the proposed reconstruction of a new floating boat dock, with a walkway, and pilings not previously authorized by the Commission. (W 26091; RA# 00705) (A 7; S 2) (Negotiator: N. Quesada)

C 13 MICHAEL BOYD, AS TRUSTEE OF THE ELIZABETH S. BOYD TRUST OF 1999, U.T.A. DATED APRIL 23, 1999, AS AMENDED (APPLICANT): Consider application for a new Recreational Pier Lease of sovereign lands located in Donner Lake, near Truckee, Nevada County; for the construction of a new pier not previously authorized by the Commission. (W 8670.54; RA# 27904) (A 3; S 1) (Negotiator: S. Young)

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							Controller	Lt. Governor	Director of Finance
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GENERAL LEASES

C 14 SAMUEL M. LIVERMORE, AS TRUSTEE OF THE SAMUEL M. LIVERMORE 1993 TRUST, ESTABLISHED UNDER TRUST AGREEMENT DATED APRIL 7, 1993, AND NORMAN B. LIVERMORE III, AS TRUSTEE OF THE NORMAN B. LIVERMORE 1994 TRUST, ESTABLISHED UNDER THE TRUST AGREEMENT DATED AUGUST 31, 1994, AND PAULINE L. JEFFERS, AS TRUSTEE OF THE PAULINE JEFFERS REVOCABLE LIVING TRUST, ESTABLISHED UNDER THE TRUST AGREEMENT DATED MARCH 31, 1995, AND DAVID P. LIVERMORE, TRUSTEE OF THE DAVID P. LIVERMORE REVOCABLE TRUST ON FEBRUARY 6, 1998 (APPLICANTS): Consider application for a new General Lease – Recreational Use, of sovereign lands located in Lake Tahoe, near Paradise Flat, El Dorado County; for the retention of four existing mooring buoys not previously authorized by the Commission. (W 26036; RA# 10904) (A 4; S 1) (Negotiator: R. Barham)

C 15 STATE OF CALIFORNIA DEPARTMENT OF FISH AND GAME (APPLICANT): Consider application for a new General Lease – Public Agency Use, of sovereign lands located in the Klamath and Shasta Rivers, Siskiyou County; to maintain existing various low rock weirs for selected King Salmon spawning habitats previously authorized by the Commission. (WP 6077.9; RA# 19204) (A 2; S 4) (Negotiator: R. Barham)

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							Controller	Lt. Governor	Director of Finance
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					X	Y			Y
	X								
					X	Y			Y

C 16 YMCA OF GLENDALE (LESSEE) AND SANTA CATALINA ISLAND CONSERVANCY (APPLICANT): Consider acceptance of a Lease Quitclaim Deed and consider application for a General Lease – Recreational Use, of sovereign lands located in the Pacific Ocean, Santa Catalina Island, Los Angeles County; for an existing pier, landing floating and two string lines. (WP 6439.1; RA# 10702) (A 54; S 27) (Negotiator: M. Hays)

C 17 WILLIAM P. SMITH AND THEODORE F. BISI (LESSEE): Consider application for an amendment to Lease No. PRC 8566.1, General Lease - Agriculture Use, of sovereign lands located near the town of Lompoc, Santa Barbara County; to extend the lease term. (PRC 8566.1) (A 33; S 19) (Negotiator: M. Howe)

C 18 CALIFORNIA STATE LANDS COMMISSION; CALIFORNIA COASTAL COMMISSION; ACCESS FOR ALL (PARTIES): Consider transfer of a lateral public access easement, to Access for All, located at 32340 Pacific Coast Highway in the City of Malibu, Los Angeles County. (W 24665) (A 41; S 23) (Negotiator: M. Howe, C. Fossum)

C 19 SAN DIEGO GAS AND ELECTRIC COMPANY (LESSEE): Consider the continuation of rent for Lease No. PRC 4451.2, a General Lease – Right of Way Use, of school lands located in Cleveland National Forest, San Diego County; for an existing 69kV power line. (PRC 4451.2) (A 77; S 36) (Negotiator: N. Lee)

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- C 20 SAN DIEGO GAS AND ELECTRIC COMPANY (LESSEE):** Consider the continuation of rent for Lease No. PRC 6406.1, a General Lease – Right of Way Use, of sovereign lands located in the Colorado River, near the town of Bard and downriver of Laguna Dam, Imperial County. (W 6406.1) (A 80; S 37) (Negotiator: V. Massey)

- C 21 ROBERT J. ORR RT 1998 (APPLICANT):** Consider application for a new General Lease – Protective Structure Use, of sovereign lands located in the Sacramento River, adjacent to the Garden Highway, Sacramento County; for existing bank protection. (WP 5143.9; RA# 04805) (A 5, 9; S 6) (Negotiator: V. Massey)

- C 22 MARTHA J. NEVAI (APPLICANT):** Consider application for a new General Lease – Protective Structure and Recreational Use, of sovereign lands located in the Sacramento River, adjacent to the Garden Highway, Sacramento County; for the construction of a new uncovered floating boat dock, with gangway, steel pilings, and bank protection. (W 26090; RA# 26804) (A 2,5; S 4,6) (Negotiator: V. Massey)

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C 23 ABA ENERGY CORPORATION (APPLICANT): Consider application for a new General Lease – Right of Way Use, of tide and submerged lands located in the San Joaquin River/Stockton Deep Water Channel/ Stockton Ship Channel, near the city of Stockton, San Joaquin County; for the construction of a new horizontal directionally drilled (HDD) 6-inch natural gas gathering pipeline. (W 26083; RA# 23604) (A 15,17,26; S 05,14,31) (Negotiator: J. McComas)

C 24 CITY OF REDDING (APPLICANT): Consider application for a new General Lease – Public Agency Use, of submerged lands located in the Sacramento River, city of Redding, Shasta County; for an existing boat launching ramp previously authorized by the Commission and the widening of the boat ramp. (WP 3122.9; RA# 04905) (A 02; S 04) (Negotiator: J. McComas)

C 25 DANIEL E. AMES AND KATHRYN M. AMES, HUSBAND AND WIFE, AND PHILIP A. SPINAIO AND SUSAN SPINAIO, HUSBAND AND WIFE (APPLICANTS): Consider authorization of the preparation and processing of a State patent to be issued to P. J. Giraud for school lands located in Inyo County. (IND 2850; RA# 05505) (A 34; S 18) (Negotiators: J. Porter, J. Frey)

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					X	Y			Y

C 26 HOME DEPOT U.S.A., INC. (APPLICANT): Authorize the Executive Officer to execute a final Parcel Map, and authorize, as School Lands Trustee, modification of surface right of entry for 13.95 acres of State School Lands, intersection of Interstate 15 and L Street, Barstow, San Bernardino County. (SA 5760; RA# 18103) (A 34; S 18) (Negotiators: J. Porter, J. Frey)

C 27 WILLIAM W. DUFFIN (LESSEE): Consider the continuation of rent for Lease No. PRC 3756.1, a General Lease – Recreational and Residential Use, of sovereign lands located in the Petaluma River, at Blackpoint, Marin County; for the continued use and maintenance of a walkway, pier, and a portion of a residence. (WP 3756.1) (A 6; S 3) (Negotiator: N. Quesada)

C 28 EAST BAY REGIONAL PARK DISTRICT (APPLICANT): Consider application for a new General Lease – Public Agency Use, of sovereign lands located in Suisun Bay, at Bay Point Regional Shoreline, Contra Costa County; for open space purposes. (W 25529; RA# 08001) (A 11; S 7) (Negotiator: N. Quesada)

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C 29 SONOMA COUNTY WATER AGENCY (APPLICANT): Consider application for a new General Lease – Public Agency Use, of sovereign lands located in the Russian River, west of Jenner, Sonoma County; for proposed continuation of periodic breaching of the sandbar to create an outlet channel for flood control and habitat protection purposes previously authorized by the Commission. (WP 7918.9 RA# 06805) (A 7; S 2) (Negotiator: N. Quesada)

C 30 JAMES AND CAROLYN MOEN, ET AL.; CALAVERAS MATERIALS, INC. (LESSEES): Consider application for an amendment to Lease No. PRC 8520.9, a General Lease - Right of Way Use, of sovereign lands located in the San Joaquin River, northwest of Pinedale, Fresno and Madera counties; to approve the plans for removal/remediation of river crossings and restoration of lease premises. (WP 8520.9; RA# 06003) (A 25, 29; S 14) (Negotiator: J. Smith)

C 31 SOUTHERN CALIFORNIA EDISON COMPANY AND SAN DIEGO GAS & ELECTRIC COMPANY (LESSEES): Consider: 1) certification of a Final Environmental Impact Report (FEIR No. 729, SCH 2004061092); and 2) consider application for amendment of a Right of Way Easement concerning two water circulating conduits and appurtenances on sovereign lands located in the Pacific Ocean, at San Onofre, San Diego County. (WP 3193.1; RA# 20002) (A 73; S 38) (Negotiators: J. Smith; E. Gillies)

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C 32 FIVE STAR RESORT LLC AND ATHENS RESORT DEVELOPMENT LLC (LESSEES); CITY OF LAGUNA BEACH (APPLICANT): Consider termination of Lease PRC 8215.9, a General Lease – Recreational and Protective Structure Use; acceptance of a Lease Quitclaim Deed and consider issuance of a General Lease – Public Agency Use, of sovereign lands located in the Pacific Ocean, Laguna Beach, Orange County; for maintenance of an existing rock groin/seawall. (WP 8215; RA# 09404) (A 73; S 38) (Negotiator: J. Smith)

* **C 33 SANTA CATALINA ISLAND COMPANY/SANTA CATALINA ISLAND CONSERVANCY (LESSEES):** Consider application for an amendment to Lease No. PRC 3639.1, a General Lease - Commercial Use, of sovereign lands located in various coves around Catalina Island, Pacific Ocean, Los Angeles County; to authorize the installation of 32 additional moorings within existing mooring areas and replace the existing illustrative plats A1 - A11 with new illustrative plats A1 - A9. (WP 3639.1; RA# 11802) (A 54; S 27) (Negotiator: J. Smith)

C 34 CHEVRON PRODUCTS COMPANY (LESSEE): Consider revision of rent to Lease No. PRC 4117.1, a General Lease – Industrial Use, of sovereign lands located in San Pablo Bay, near the City of Richmond, Contra Costa County; for an existing groundwater protection system. (PRC 4117.1) (A 11; S 7) (Negotiator: N. Smith)

* C 33 was moved from consent to regular and approved by a vote of 2-0.

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							Controller	Lt. Governor	Director of Finance
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					X	Y			Y

ADMINISTRATION

C 35 CALIFORNIA STATE LANDS COMMISSION (PARTY):

Request authority for Executive Officer to solicit proposals for consultant services, negotiate fair and reasonable price, award and execute agreements for preparation of environmental documentation and mitigation monitoring for a proposed new 30-year lease for the Chevron/Texaco El Segundo Marine Oil Terminal offshore the city of El Segundo, Los Angeles County. (WP5574; W30068.3; RA# R15691) (Statewide) (Negotiator: D.Sanders, A. Abeleda, D. Brown)

C 36 CALIFORNIA STATE LANDS COMMISSION (PARTY):

Request authority for Executive Officer to solicit proposals for consultant services, negotiate fair and reasonable price, award and execute agreements for preparation of environmental documentation and mitigation monitoring for the proposed construction of three natural gas pipelines located within Sacramento/San Joaquin Valley, Sacramento, Yolo, San Joaquin and Contra Costa Counties. WP 5438; RA# R05105, R05005) (Statewide) (Negotiator: J Brown, A. Abeleda, D. Brown)

LEGAL

C 37 UNITED STATES NATIONAL PARK SERVICE

(PARTY) Cession of Jurisdiction Pursuant To California Government Code Section 126 At Pinnacles National Monument, Monterey and San Benito Counties. (W 20902) (A 27, 28; S 12,15) (Negotiator: Jim Frey)

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							Controller	Lt. Governor	Director of Finance
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C 38 UNION PACIFIC RAILROAD COMPANY, CITY OF SACRAMENTO, CALIFORNIA DEPARTMENT OF PARKS AND RECREATION AND CALIFORNIA STATE LANDS COMMISSION (PARTIES): Consideration of a proposed Title Settlement and exchange Agreement at the Sacramento railyards and certain nearby parcels within the City of Sacramento involving the former bed of the American River. Consider issuance of a 49-year lease of lands acquired to the City of Sacramento. (G-12-01, AD 98, PRC 8597) (A 9; S 6) (Negotiators: C. Fossum, C. Connor, K. Olin, G. Kato, D. Jones)

MINERAL RESOURCES DIVISION

C 39 TRANS BAY CABLE, LLC (APPLICANT): Consider approval of a Non-Exclusive Geophysical Survey and a Geological Sampling Permit on designated tide and submerged lands under the jurisdiction of the California State Lands Commission. (W 6005.104 RA#06105) (A 6, 7, 8, 11, 13, 14; S 2, 3, 5, 7) (Negotiator: R. Greenwood)

C 40 ORCHARD PETROLEUM, INC. AND LIVINGSTONE ENERGY, INC. (APPLICANTS): Consider approval of the First Amendment to Negotiated Limited Surface Use Oil and Gas Lease No. PRC 8605, Sacramento River, Colusa and Sutter counties. (PRC 8605 RA# 03105) (A 2; S 4) (Negotiator: J. L. Smith)

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C 41 PLAINS EXPLORATION AND PRODUCTION COMPANY (ASSIGNOR) AND DCOR, LLC (ASSIGNEE): Consider Assignment of Plains Exploration & Production Company's Interest in, and Amendment of, Oil and Gas Lease Nos. PRC 3033, PRC 3095, and PRC 3413, and Right-of-Way Lease Nos. PRC 3116, PRC 3394, and PRC 6417, to DCOR, LLC, Offshore Orange County. (PRC 3033, PRC 3095, PRC 3413, PRC 3116, PRC 3394, PRC 6417) (A 37, 58, S 33, 37 RA# 09804) (Negotiators: M. Voskanian, J. Planck)

V. REGULAR CALENDAR ITEM 42

42 CALIFORNIA STATE LANDS COMMISSION: Commission consideration of a resolution renewing the Commission's opposition to any weakening of the federal oil and gas leasing moratorium by the U.S. Congress or the Federal government whether contained in the post hurricane energy package, the budget reconciliation bill, the 5-year Outer Continental Shelf oil and gas leasing program of the Minerals Management Service or any other vehicle being pursued by the Congress or the Federal government. (Negotiator: P. Thayer)

