

CONVENED:

1:19 PM

ADJOURNED:

3:49 PM

Commissioners Present:

John Garamendi, Lt. Governor
Jim Lombard, Alternate for
Controller

Anne Sheehan, Alternate
for Dept. of Finance

FOR INFORMATION, PLEASE CONTACT:

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Sacramento, California 95825-8202
smallwl@slc.ca.gov
(TDD/TT) 1-800-735-2929
(916) 574-1923
AGENDA AND ITEMS ARE AVAILABLE
ON CSLC WEB SITE: www.slc.ca.gov

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

AGENDA

MEETING OF THE CALIFORNIA STATE LANDS COMMISSION

STATE CAPITOL
ROOM 444
SACRAMENTO, CALIFORNIA 95814

JOHN GARAMENDI, LIEUTENANT GOVERNOR, CHAIR
JOHN CHIANG, STATE CONTROLLER, MEMBER
MICHAEL C. GENEST, DIRECTOR OF FINANCE, MEMBER

DECEMBER 3, 2007 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.

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.

*Sitting in a non-voting capacity.

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

II. CONFIRMATION OF MINUTES FOR THE MEETING OF OCTOBER 30, 2007

III. EXECUTIVE OFFICER'S REPORT

IV. CONSENT CALENDAR ENTER CONSENT ITEM C01- C33 THE 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
RECREATIONAL PIER LEASES

C 01 **CRAIG P. FILICE (APPLICANT):** Consider application for a new Recreational Pier Lease of sovereign lands located in Lake Tahoe, Carnelian Bay, Placer County; for an existing pier, boathouse and two mooring buoys previously authorized by the Commission. (WP 4993.9; RA# 02207) (A 4; S 1) (Negotiator: B. Badeker)

C 02 **JANICE LYNN B. MINOR (APPLICANT):** Consider application for a new Recreational Pier Lease of sovereign lands located in Donner Lake, near Truckee, Nevada County; for an existing pier previously authorized by the Commission. (PRC 7941.9; RA# 04907) (A 4, 3; S 1) (Negotiator: R. Barham)

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

C 03 JAMES TREMBATH AND JOANNE TREMBATH; CLARENCE J. CRAVALHO AND MARY M. CRAVALHO, TRUSTEES OF THE CRAVALHO FAMILY LIVING TRUST, DATED AUGUST 5, 1993; DEAN C. CROFT AND ARMA B. CROFT, TRUSTEES OF THE CROFT FAMILY TRUST DATED MAY 20, 1993; STEVE FOSTER AND JILL FOSTER; MONTE LEE OSBORN AND MARY KAY OSBORN, TRUSTEES OF THE 1993 FAMILY TRUST DATED 7/22/93; DEAN C. CROFT AND BERNICE CROFT; JAMES R. TREMBATH AND JOANN OLVERA TREMBATH; AND WILLIAM B. SEITH AND MARY S. SEITH (APPLICANTS): Consider application for a new Recreational Pier Lease of sovereign lands located in Lake Tahoe, near Agate Bay, Placer County; for an existing pier previously authorized by the Commission. (WP 5784.9; RA# 24806) (A 4; S 1) (Negotiator: R. Barham)

C 04 LACHLAN M. RICHARDS III; STEPHEN F. MCCARL AND KIM S. MCCARL, AS TRUSTEES OF THE MCCARL FAMILY TRUST (SPW), UNDER DECLARATION OF TRUST DATED NOVEMBER 1, 2001; AND WAYNE R. ROWLANDS, AS TRUSTEE OF THE SEPARATE SHARE TRUST F/B/O COURTNEY E. ROWLANDS, CREATED UNDER THE 1997 ROWLANDS FAMILY TRUST U/T/A DATED APRIL 24, 1997 (APPLICANTS): Consider application for a new Recreational Pier Lease of sovereign lands located in Lake Tahoe, near South Lake Tahoe, El Dorado County; for an existing pier and two mooring buoys previously authorized by the Commission. (WP 3241.9; RA# 29806) (A 4; S 1) (Negotiator: M. Clark)

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

- C 05 CHARLOTTE M. HAHN, TRUSTEE UNDER AGREEMENT DATED DECEMBER 30, 1980, AS AMENDED AND MICHAEL P. GARTON AND BEVERLEY J. GARTON (APPLICANTS):** Consider application for a new Recreational Pier Lease of sovereign lands located in Lake Tahoe, near Homewood, Placer County; for an existing pier, boat lift, and two mooring buoys previously authorized by the Commission. (WP 3680.9; RA# 28306) (A 4; S 1) (Negotiator: C. Hudson)
- C 06 HARVEY H. PERMAN AND LOIS V. PERMAN, HIS WIFE, AS TRUSTEES OF THE PERMAN FAMILY TRUST (CREATED BY A DECLARATION OF TRUST DATED JUNE 18, 1986) (APPLICANTS):** Consider application for a new Recreational Pier Lease of sovereign lands located in Lake Tahoe, near Rubicon Bay, El Dorado County; for an existing pier with catwalk, boat lift and two mooring buoys previously authorized by the Commission. (WP 5729.9; RA# 06307) (A 4; S 1) (Negotiator: N. Lee)
- C 07 LORRAINE J. BRIGGS, TRUSTEE, BRIGGS FAMILY TRUST; BONNIE LYNN ANDERSON; AND COLEEN A. NELSON, AS CO-TRUSTEE FOR THE JAMES & COLEEN NELSON TRUST DATED MARCH 19, 2004 (APPLICANTS):** Consider application for a new Recreational Pier Lease of sovereign lands located in Lake Tahoe, near Tahoma, Placer County; for an existing pier previously authorized by the Commission. (WP 2336.9; RA# 01907) (A 4; S 1) (Negotiator: B. Terry)

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

GENERAL LEASES

- C 08 DALE E. HARTZELL (APPLICANT):** Consider application for a new General Lease – Recreational and Protective Structure Use, of sovereign lands located in the Sacramento River, adjacent to the Garden Highway, Sacramento County; for an existing floating boat dock, walkway, pilings and bank protection previously authorized by the Commission. (WP 7091.9; RA# 31606) (A 5, 9; S 6) (Negotiator: B. Badeker)

- C 09 SKYLAND HOMEOWNERS ASSOCIATION, A CALIFORNIA NON-PROFIT MUTUAL BENEFIT CORPORATION (APPLICANT):** Consider application for a new General Lease – Recreational Use, of sovereign lands located in Lake Tahoe, near Homewood, Placer County; for an existing multiple use pier previously authorized by the Commission. (WP 1797.9, RA# 09005) (A 4; S 1) (Negotiator: R. Barham)

- C 10 EXXONMOBIL CORPORATION (LESSEE):** Consider revision of rent to Lease No. PRC 6371.1, a General Lease - Industrial Use, of sovereign lands located in the Pacific Ocean, near Coal Oil Point, Santa Barbara County; for an offshore mooring buoy. (PRC 6371.1) (A 35; S 19) (Negotiator: J. Brown)

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

C 11 CITY OF LOS ANGELES DEPARTMENT OF WATER AND POWER (APPLICANT): Consider application for an Archaeological Investigation Permit for Phase II Testing and Evaluation of Sites on sovereign lands located in Owens Lake, Inyo County; for Phase II cultural resources information collection in support of the 2008 Owens Valley PM₁₀ Planning Area Demonstration of Attainment State Implementation Plan. (W 26250; RA# 08107) (A 34; S 18) (Negotiator: J. Brown, P. Griggs)

C 12 STEPHEN L. SIMARD (APPLICANT): Consider application for a new General Lease – Recreational and Protective Structure Use, of sovereign lands in the Sacramento River, located near the town of Verona, adjacent to the Garden Highway, Sutter County; for an existing uncovered single-berth floating boat dock, dolphin, two pilings, gangway, and bank protection previously authorized by the Commission and the retention of an existing boatlift not previously authorized by the Commission. (WP 7184.9; RA# 03307) (A 2, 5; S 4, 6) (Negotiator: V. Caldwell)

C 13 RIVERBANK HOLDING COMPANY, LLC (LESSEE/SUBLESSOR); CAROLYN LANGENKAMP AND BETH CURTIS, dba LAW OFFICES OF LANGENKAMP & CURTIS, LLP (SUBLESSEES): Consider application for approval of a sublease and revision of rent under Lease No. PRC 6427.1, a General Lease - Commercial Use, of sovereign lands located in the Sacramento River, near the city of Sacramento, adjacent to the Garden Highway, Sacramento County; for the operation of an existing commercial marina. (WP 6427.1; RA# 07407) (A 9; S 6) (Negotiator: V. Caldwell)

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

C 14 COUNTY OF SUTTER (APPLICANT): Consider application for a General Lease – Public Agency Use, of sovereign lands located in the Sacramento River, at the Tisdale Weir, between Meridian and Knights Landing, Sutter County; for the construction of a two-lane concrete boat launching ramp, concrete parking area, and bank protection. (W 26074; RA# 22004) (A 2; S 4) (Negotiator: V. Caldwell)

C 15 BUFFER PROPERTIES, LLC (LESSEE/SUBLESSOR); THE VIRGIN STURGEON, INC. (SUBLESSEE/SUB-SUBLESSOR) AND THE VIRGIN STURGEON, LLC (SUB-SUBLESEE): Consider application for a sub-sublease under Lease No. PRC 5167.1, a General Lease - Commercial Use, of sovereign lands located in the Sacramento River, adjacent to the Garden Highway, in the city of Sacramento, Sacramento County; for an existing commercial marina. (WP 5167.1; RA# 05607) (A 5, 9; S 6) (Negotiator: V. Caldwell)

C 16 JOHN MATLEY & SON (APPLICANT): Consider application for a new General Lease – Grazing Use, of State school lands located near the city of Doyle, Plumas County; for cattle grazing previously authorized by the Commission. (WP 5531.2; RA# 01407) (A 3; S 1) (Negotiator: M. Clark)

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

- C 17 RICHARD T. STEPHENS AND DONNA S. STEPHENS, CO-TRUSTEES OF THE RICHARD AND DONNA STEPHENS FAMILY TRUST, (A REVOCABLE INTER VIVOS TRUST), UNDER AGREEMENT DATED JANUARY 31, 1992 (APPLICANTS):** Consider application for a new General Lease – Recreational and Protective Structure Use, of sovereign lands located in the Calaveras River, near the city of Stockton, San Joaquin County; for an existing uncovered floating boat dock, pontoon, walkway, platform, and five pilings previously authorized by the Commission and the retention of bank protection not previously authorized by the Commission. (WP 3937.9; RA# 01607) (A 17, 26; S.5) (Negotiator: M. Clark)
- C 18 GENERAL CHEMICAL CORPORATION (LESSEE):** Consider revision of rent to Lease No. PRC 4410.1, a General Lease – Right of Way Use, of sovereign lands located in Suisun Bay, near Nichols, Contra Costa County; for an existing effluent discharge pipeline. (PRC 4410.1) (A 11; S 7) (Negotiator: C. Hudson)
- C 19 CITY AND COUNTY OF SAN FRANCISCO (APPLICANT):** Consider application for a new General Lease – Public Agency Use, of filled sovereign lands located in the San Mateo Canal, within San Francisco Bay, San Mateo County, for an existing paved public access roadway and fill slopes previously authorized by the Commission. (WP 2315.9; RA# 05307) (A 13; S 03,08) (Negotiator: J. McComas)

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					✓	Y	Y	Y	
✓						Y	Y	Y	
					✓	Y	Y	Y	
					✓	Y	Y	Y	

- C 20 **DAGO MARY'S (LESSEE):** Consider application for an amendment to Lease No. PRC 5467.1, a General Lease - Commercial Use, located in filled and unfilled sovereign lands, in the city of Burlingame, San Mateo County; for the construction, use, and maintenance of a cold storage and garbage building, with appurtenances, and the upgrading of utility services. (WP 5467.1; RA# 05407) (A 19; S 8) (Negotiator: J. McComas)
- C 21 **SHAWN BERRIGAN AND DIANE HOUSE (APPLICANTS):** Consider application for a new General Lease - Commercial Use, of sovereign lands located in the Sacramento River, near the town of Courtland, Sacramento County; for a commercial marina. (WP 5637.1; RA# 20704) (A 8; S 4) (Negotiator: J. McComas)
- C 22 **CALIFORNIA STATE LANDS COMMISSION (INFORMATIONAL):** Supplemental Report to the Joint Legislative Budget Committee regarding potential hazards on State school lands. (W 26253) (A Statewide; S Statewide) (Negotiator: J. Porter)
- C 23 **NEWPORT FEDERAL, A CALIFORNIA CORPORATION (APPLICANT):** Consider application for a new General Lease - Recreational Use of sovereign lands located in Lake Tahoe, South Lake Tahoe, El Dorado County; for a mooring buoy previously authorized by the Commission. (WP 5013.1; RA# 16306) (A 4; S 1) (Negotiator: B. Terry)

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

C 24 DCOR LLC (LESSEE): Consider application to amend and extend the term of a General Lease – Right of Way Use, of sovereign lands located in the Pacific Ocean, near the city of Huntington Beach, Orange County; for two existing power cables and one natural gas pipeline serving both federal and state oil and gas leases in the Pacific Ocean. (WP 6417.1; RA# 23706) (A 67; S 35)(Negotiator: S. Young)

C 25 MODESTO IRRIGATION DISTRICT (APPLICANT): Consider application for a new General Lease – Public Agency Use, of sovereign lands located in the San Joaquin River and Tuolumne River, near the city of Modesto, Stanislaus County; for the construction of a new 230-kilovolt overhead electrical transmission line. (W 26056; RA# 17004) (A 25, 26; S 12, 14) (Negotiator: D. Jones)

ADMINISTRATION

C 26 CALIFORNIA STATE LANDS COMMISSION (PARTY): Request authority for the 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 proposed AT&T Cable Replacement in San Bernardino County. (PRC 7264.2, RA# 01807) (A & S Statewide) (Negotiators: D. Brown, A. Abeleda, V. Van Way, M. Clark)

MINERAL RESOURCES MANAGEMENT

C 27 CITY OF LONG BEACH (APPLICANT): Consider approval of the Final Report and Closing Statement for the Long Beach Unit Annual Plan (July 1, 2006 through June 30, 2007), Long Beach Unit, Wilmington Oil Field, Los Angeles County. (W 17160) (A 54; S 27) (Negotiator: A. Reid)

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

- C 28 CALIFORNIA STATE LANDS COMMISSION (APPLICANT) (INFORMATIONAL):** Staff Report on the monitoring of possible subsidence, Long Beach Unit, Wilmington Oil Field, Los Angeles County. (W 16001, W 10440) (A 54, 55; S 27, 28) (Negotiator: V. Duda)
- C 29 CALIFORNIA STATE LANDS COMMISSION (APPLICANT):** Supplemental Report to the Joint Legislative Budget Committee on the Commission's Mineral and Land Audit Program. (W 40001) (A & S: Statewide) (Negotiators: J. Velez; D. Mercier, D. Brown)
- C 30 CALIFORNIA STATE LANDS COMMISSION (APPLICANT):** Consider approval of qualifying miles for subventions to cities and counties for fiscal year 2007-2008, Orange, Los Angeles, Ventura, and Santa Barbara Counties. (W 4848.1, W 4848.3, W 4848.4, W 4848.5, W 4848.6, W 4848.8) (A 35, 54, 67; S 19, 27, 35) (Negotiators: J. Smith, H. Rassamdana, D. Brown)
- C 31 ROSETTA RESOURCES OPERATING LP (APPLICANT):** Consider acceptance of the full Quitclaim Deed of Negotiated Subsurface (no surface use) Oil and Gas Lease No. PRC 8525.1, Cache Slough, Solano County. (PRC 8525.1) (A 8; S 2) (Negotiator: J. Smith)
- C 32 TOWNE EXPLORATION COMPANY (APPLICANT):** Consider acceptance of the full Quitclaim Deed of Negotiated Subsurface (no surface use) Oil and Gas Lease No. PRC 8604.1, Georgiana Slough, Sacramento County. (PRC 8604.1) (A 15; S 5) (Negotiator: J. Smith)

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

C 33 WEBBER PLYLEY INC. (DBA: SIGMA STONE COMPANY) (ASSIGNOR) AND VULCAN LANDS, INC. (ASSIGNEE): Consider approval of assignment of Webber Plyley's 100 percent interest in Mineral Extraction Lease No. PRC 8253.2 to Vulcan Lands, Inc. and amendment to Lease No. PRC 8253.2, San Bernardino County. (PRC 8253.2) (A 34, S 17) (Negotiator: S. Mulqueen)

V. REGULAR CALENDAR ITEMS 34- 38

34 CALIFORNIA STATE LANDS COMMISSION: Consider approval of the Legislative Report titled "Assessment of the Efficacy, Availability and Environmental Impacts of Ballast Water Treatment Systems for Use in California Waters". (W 9777.234, W 9777.290) (A & S Statewide) (Negotiators: N. Dobroski, M. Falkner, G. Gregory)

35 ROBERT L. HULBERT (LESSEE): Authorization of notification of default for failure to comply with the terms and conditions of Lease No. PRC 8531.1, a General Lease – Recreational Use, authorization to terminate said lease, and adoption of related findings, involving sovereign lands located in the Sacramento River, near the city of Sacramento, Sacramento County, for an existing covered floating boathouse, dock, four pilings, stairway and gangway. (PRC 8513.1) (A 9; S 6) (Negotiator: B. Dugal, J. Frey)

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	Amended	Deferred	Pulled	Considered-No Action Taken	Informational Only-No Action Taken	Approved as Presented	VOTE		
							Controller	Lt. Governor	Director of Finance
					✓	Y	Y	Y	
					✓	Y	Y	AD H-Z M-S U-D	
					✓	Y	Y	Y	

36 JEANNE C. TAYLOR (LESSEE/APPLICANT): Consider denial of the application for a General Lease – Recreational Use, Lease No. PRC 6382.1 and authorization of a holdover tenancy under Lease PRC 6382.1 on a month to month basis for a maximum of six months with conditions, for sovereign lands located in the Sacramento River, near the town of Courtland, Sacramento County. (PRC 6382.1; RA# 25906) (A 15; S 5) (Negotiator: J. McComas, J. Frey)

37 THOMAS ENTERPRISES SACRAMENTO, INC., CITY OF SACRAMENTO, CALIFORNIA DEPARTMENT OF PARKS AND RECREATION, CALIFORNIA STATE LANDS COMMISSION (PARTIES): Consideration of a proposed Title Settlement and Exchange Agreement involving the Downtown Sacramento Railyards and certain nearby parcels along the Sacramento River. The result of the Agreement would be to terminate any and all Public Trust and sovereign property rights in the former bed of the American River within the Railyards, acquisition of various parcels by the State, and issuance of a 49-year lease of lands acquired by the State Lands Commission to the City of Sacramento of sovereign lands located in the City of Sacramento, Sacramento County (AD 498, G 21-01) (A 9; S 06) (Negotiator: C. Fossum, C. Connor, G. Kato, D. Jones)

38 CALIFORNIA STATE LANDS COMMISSION: Consider a resolution proposed by the Controller supporting the United Nations Convention on the Law of the Sea, which would promote the United States interest in the environmental health of the oceans, secure sovereign rights over extensive marine areas, and protect national security interests.

VI. PUBLIC COMMENT

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	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).

In Re: ASARCO, LLC

La Jolla Beach & Tennis Club v. California Coastal Commission

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

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