CONVENED: 1:00 PM  
ADJOURNED: 3:30 PM  

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.  


III. EXECUTIVE OFFICER’S REPORT  

FOR INFORMATION, PLEASE CONTACT:  
Lynda Smallwood  
100 Howe Avenue, Suite 100-South  
Sacramento, California 95825-8202  
www.slc.ca.gov  
(TDD/TT) 1-800-735-2929  
(916) 574-1923


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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)
| 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) |
| 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) |
| 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) |
| 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) |
| 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) |
| 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) |
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)

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)

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)

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)
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**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)

**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)

**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)

**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)
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)

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)

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)

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)
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**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)

**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)

**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)

**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)
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<th>Calendar Item</th>
<th>Applicant/Party</th>
<th>Consideration</th>
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<tr>
<td>C 26</td>
<td>SONOMA COUNTY WATER AGENCY</td>
<td>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)</td>
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<td>C 27</td>
<td>UNITED STATES BORDER PATROL</td>
<td>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)</td>
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<td>C 28</td>
<td>EDEN HOUSING, INC. (PARTY)</td>
<td>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)</td>
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<tr>
<td>C 29</td>
<td>MATTHEW A. AND PAMELA T. YOUNG</td>
<td>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)</td>
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<td>C 30</td>
<td>PELICAN POINT HOMEOWNERS ASSOCIATION</td>
<td>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)</td>
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<td>Calendar Item C30 was moved from Consent to Regular Calendar, Amended and then approved by 3-0 vote.</td>
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**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)

**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)

**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)

**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)
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**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)


**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)

**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**

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CALENDAR PAGE

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MINUTE PAGE
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)