APPEARANCES

BOARD MEMBERS

Mr. Cruz Bustamante, Chairperson, represented by
Ms. Lorena Gonzalez (via teleconference)

Mr. Steve Westly, represented by
Ms. Cindy Aronberg (via teleconference)

Mr. Steve Peace, represented by
Mr. David Takashima (via teleconference)

STAFF

Mr. Paul Thayer, Executive Officer

Mr. Jack Rump, Chief Counsel

Mr. Mary Howe

Ms. Kimberly Korhonen, Executive Assistant

ALSO PRESENT

Alan Hager, Deputy Attorney General (via teleconference)
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PROCEEDINGS

ACTING CHAIRPERSON GONZALEZ: I'm Lorena Gonzalez representing Lieutenant Governor Cruz Bustamante and I call this meeting of the State Lands Commission to order. Paul, as this is a telephone conference meeting, will you the call the roll of Commissioners and attendance and discuss the purpose of the meeting today.

EXECUTIVE OFFICER THAYER: Certainly.

Commission Gonzalez.

ACTING CHAIRPERSON GONZALEZ: Here.

EXECUTIVE OFFICER THAYER: Commissioner Aronberg.

ACTING COMMISSIONER ARONBERG: Present.

EXECUTIVE OFFICER THAYER: Commissioner Takashima.

ACTING COMMISSIONER TAKASHIMA: Present.

EXECUTIVE OFFICER THAYER: If I could take just a couple of minutes to explain briefly the two projects that brought about this telephonic meeting and the rules that apply to the meeting. We asked for this special meeting because of the urgency of the two projects involved, and also because of the construction windows that affected when they could be completed.

These projects are in Vallejo and have to do with dredging. The Corps of Engineers and several environmental agencies have imposed an August through
October 15th construction window on Napa River projects to protect Steelhead and Trout spawning.

Even with the proposed extension to that window, Commission action in October, which is when we are next contemplating meeting, would be too late to allow projects to be completed this year. The projects involve dredging a marina and at the ferry terminal in Vallejo. Operations at both facilities could be hampered if the projects can't be completed before next August.

Closing the ferry terminal, if the project wasn't completed, and that's a possible result, would halt the mass transit provided by the ferry to San Francisco.

Because of this urgency, Vallejo requested a special meeting of the Commission.

Staff notes that these meetings are difficult to arrange at the last minute because of prior commitments by the Commissioners, and we certainly appreciate the assistance of the Commissioners' offices in arranging for this meeting. And, of course, it's in keeping with the Commission's policy of expediting Commission matters.

The Lieutenant Governor and the Controller have made it their practice to personally attend State Lands Commission meetings. Because of the late notice for this meeting and the apparently routine nature of the items, they are represented as authorized by Section 7.6 of the
Government Code.

And, of course, representing the Lieutenant Governor today is Ms. Lorena Gonzalez, and for the Controller Ms. Cindy Aronberg. I would note for the record that these individuals are the liaisons for their respective Commissioners with staff and they are well versed in Commission matters and policy. We have letters on file designating them to represent their Commissioners at meetings. I should also note that David Takashima who's with us today is participating for the Director of Finance, and that he is also experienced in Commission matters, based on his prior attendance at meetings and participation in Commission affairs.

Section 7.6 of the Government Code also provides that when both Constitutional officers are represented only one can vote at a meeting. I understand that Commissioner Gonzalez will serve in the non-voting capacity, although she will act as chair.

Finally, I would like to note that we reviewed other pending applications and found that an applicant for a non-controversial recreational pier is also facing a construction window and so we added that to the calendar for today's meeting as well. We have no known opposition to all three projects and so they've been placed on the consent calendar. I'd be happy to answer any questions.
ACTING COMMISSIONER ARONBERG: No questions over here.

ACTING CHAIRPERSON GONZALEZ: No questions.

ACTING COMMISSIONER TAKASHIMA: Likewise.

ACTING CHAIRPERSON GONZALEZ: That did move us along?

EXECUTIVE OFFICER THAYER: Yes, it does.

ACTING CHAIRPERSON GONZALEZ: The first up on the agenda will be the adoption of the minutes from the Commission's last meeting. May I have a motion to approve the minutes.

ACTING COMMISSIONER TAKASHIMA: I make the motion to approve.

ACTING COMMISSIONER ARONBERG: Second.

ACTING CHAIRPERSON GONZALEZ: And a vote.

(Ayes.)

ACTING CHAIRPERSON GONZALEZ: The next order of business is the consent calendar. These items will be taken up and voted on as a single action. Is there anyone who wishes to be heard on these items? Is there anybody there with you?

ACTING COMMISSIONER ARONBERG: Alan Hager is here. There is nobody here for any of the three matters.

ACTING CHAIRPERSON GONZALEZ: He doesn't want to object.
ACTING COMMISSIONER ARONBERG: I assure you he doesn't want to stop the ferry from going to San Francisco.

(Laughter.)

ACTING CHAIRPERSON GONZALEZ: Okay. I assume that there's nobody in any of the other offices.

ACTING COMMISSIONER TAKASHIMA: Right. There's no one else here at my end.

ACTING CHAIRPERSON GONZALEZ: Okay, great.

Hearing no objection, do I hear a motion to approve the items?

ACTING COMMISSIONER ARONBERG: Move.

ACTING COMMISSIONER TAKASHIMA: I second it.

ACTING CHAIRPERSON GONZALEZ: Vote please.

(Ayes.)

ACTING CHAIRPERSON GONZALEZ: Wonderful. Note that the consent calendar is adopted. I guess it's not unanimous. Note it's 2 to 0.

Is there anyone present at the location that wishes to address the Commission during the public comment period? I believe I have already stated that there is nobody there.

ACTING COMMISSIONER ARONBERG: Alan said that it is unanimous.

ACTING CHAIRPERSON GONZALEZ: Okay, then it is
unanimous.

CHIEF COUNSEL RUMP: For the two voting members.

ACTING CHAIRPERSON GONZALEZ: For the two voting members. Yes, of course. I don't want to deconstruct the English language. It is unanimous.

I will again assume that there is nobody that showed up at any office and there's no public comment.

Are there any other matters to come before the Commission that need to be addressed today?

EXECUTIVE OFFICER THAYER: There are none. I would just note that we're on pretty close agreement at this point for October 20th at 1:00 o'clock in San Diego for our next meeting, and we're just waiting on the final word. I guess Commissioner Gonzalez, you had indicated that that was okay with the Lieutenant Governor but we haven't heard back from the scheduler yet.

ACTING CHAIRPERSON GONZALEZ: No, you can. I have talked to her about it, and it is fine.

EXECUTIVE OFFICER THAYER: All right. Well, then we're planning for that meeting then at 1:00 o'clock in San Diego.

ACTING CHAIRPERSON GONZALEZ: We're adjourned then.

EXECUTIVE OFFICER THAYER: Thank you very much.

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(Thereupon the California State Lands Commission meeting adjourned at 11:06 a.m.)
CERTIFICATE OF REPORTER

I, JAMES F. PETERS, a Certified Shorthand Reporter of the State of California, and Registered Professional Reporter, do hereby certify:

That I am a disinterested person herein; that the foregoing California State Lands Commission meeting was reported in shorthand by me, James F. Peters, a Certified Shorthand Reporter of the State of California, and thereafter transcribed into typewriting.

I further certify that I am not of counsel or attorney for any of the parties to said meeting nor in any way interested in the outcome of said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand this 11th day of September, 2003.

JAMES F. PETERS, CSR, RPR
Certified Shorthand Reporter
License No. 10063