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IN ATTENDANCE:

Cruz Bustamante
Lt. Governor
Kathleen Connell
Controller
Annette Porini
Department of Finance

VOTING RECORD

SUMMARY

MEETING OF THE
CALIFORNIA STATE LANDS COMMISSION

STATE CAPITOL
ROOM 437

SACRAMENTO, CALIFORNIA 95814

KATHLEEN CONNELL, STATE CONTROLLER, CHAIR
CRUZ M. BUSTAMANTE, LIEUTENANT GOVERNOR, MEMBER
B. TIMOTHY GAGE, DIRECTOR OF FINANCE, MEMBER

ALL ITEMS WERE APPROVED BY THE COMMISSION BY A 3 -0 VOTE EXCEPT ITEMS **C65 AND 67** WHICH WERE **POSTPONED** PRIOR TO THE MEETING, AND **68**, WHICH WAS **DEFERRED**.

OCTOBER 1, 2002

ORDER OF BUSINESS

- I. **1:30 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.

- II. CONFIRMATION OF MINUTES FOR THE MEETING OF AUGUST 14, 2002.
- III. **EXECUTIVE OFFICER'S REPORT**

ANYONE WISHING TO ADDRESS AN ITEM ON THE AGENDA MAY COME FORWARD AND STATE THEIR NAME FOR THE RECORD.

IV. CONSENT CALENDAR C01 – C66 THE FOLLOWING ITEMS ARE CONSIDERED TO BE NON-CONTROVERSIAL.

- C 01 PORT STOCKTON BOATERS, INC. (APPLICANT):** Consider application on an amendment to Lease No. PRC 2771.1, General Lease - Commercial Use, of sovereign lands located in the San Joaquin River, Headreach Island near the city of Stockton, San Joaquin County; to add bank protection and replace existing pilings and a deck. (WP 2771.1; RA# 22400) (A 26; S 5) (Negotiator: L. Burks)
- **Agenda Item** ([MS Word](#)) [39KB] ([Adobe Acrobat](#)) [67 KB]
 - **Exhibit A** ([MS Word](#)) [80 KB] ([Adobe Acrobat](#)) [45 KB]
 - **Exhibit B** ([MS Word](#)) [180 KB] ([Adobe Acrobat](#)) [114 KB]
- C 02 RIVERVIEW MARINA, A LIMITED PARTNERSHIP (LESSEE/SUBLESSOR); JEFF DAVIS AND MIKE SNEPER (SUBLESSEES):** Consider application for approval of a sublease and amendment to General Lease - Commercial Use No. PRC 6015.1, of sovereign lands located in the Sacramento River, adjacent to the Garden Highway, near the city of Sacramento, Sacramento County; for the operation of "Sushi On the River" as a restaurant and to amend the consideration section of the lease. (WP 6015.1; RA# 19001) (A 5; S 6) (Negotiator: L. Burks)
- **Agenda Item** ([MS Word](#)) [40 KB] ([Adobe Acrobat](#)) [83 KB]
 - **Exhibit A** ([MS Word](#)) [107 KB] ([Adobe Acrobat](#)) [160 KB]
 - **Exhibit B** ([MS Word](#)) [184 KB] ([Adobe Acrobat](#)) [106 KB]
- C 03 JOSEPH F. DAVI, SR. AND LAURA L. WRIGHT (APPLICANTS):** Consider application for a Recreational Pier Lease of sovereign lands located in Three Mile Slough, near the city of Rio Vista, Sacramento County; for construction of a boat dock. (W 25082; RA# 21401) (A 8,15; S 2,5) (Negotiator: L. Burks)
- **Agenda Item** ([MS Word](#)) [35 KB] ([Adobe Acrobat](#)) [70 KB]
 - **Exhibit A** ([MS Word](#)) [160 KB] ([Adobe Acrobat](#)) [93 KB]
- C 04 BONNIE L. SHARKEY (APPLICANT):** Consider application for a new Recreational Pier Lease of sovereign lands located in the Sacramento River, adjacent to the Garden Highway, Sacramento County; for an existing boat dock, concrete pad and stairway previously authorized by the Commission. (WP 4947.9; RA# 21001) (A 5, 9; S 6) (Negotiator: L. Burks)
- **Agenda Item** ([MS Word](#)) [36 KB] ([Adobe Acrobat](#)) [70 KB]
 - **Exhibit A** ([MS Word](#)) [145 KB] ([Adobe Acrobat](#)) [183 KB]

- C 05 MARY ASHLEY, DBA THE SPOT RESORT (ASSIGNOR); CRAIG J. CHAFFEE (ASSIGNEE):** Consider application for an assignment and amendment of Lease No. PRC 6445.1, General Lease - Commercial Use, of sovereign lands located in the Sacramento River at Brannan Island, near the city of Rio Vista, Sacramento County. (WP 6445.1; RA# 20001) (A 8,15; S 2) (Negotiator: L. Burks)
- **Agenda Item** ([MS Word](#)) [44 KB] ([Adobe Acrobat](#)) [76 KB]
 - **Exhibit A** ([MS Word](#)) [111 KB] ([Adobe Acrobat](#)) [161 KB]
 - **Exhibit B** ([MS Word](#)) [232 KB] ([Adobe Acrobat](#)) [138 KB]
 - **Exhibit C** ([MS Word](#)) [89 KB] ([Adobe Acrobat](#)) [45 KB]
- C 06 WICKLAND PIPELINES, A LIMITED LIABILITY COMPANY (APPLICANT):** Consider application for a General Lease – Right of Way Use, of sovereign lands located in the Sacramento River, near the city of Sacramento, Sacramento and Yolo counties; for installation of a 12-inch diameter jet fuel pipeline. (W 25840; RA# 16001) (A 5; S 4) (Negotiator: L. Burks)
- **Agenda Item** ([MS Word](#)) [42 KB] ([Adobe Acrobat](#)) [78 KB]
 - **Exhibit A** ([MS Word](#)) [192 KB] ([Adobe Acrobat](#)) [120 KB]
- C 07 PACIFIC GAS AND ELECTRIC COMPANY (APPLICANT):** Consider application for a General Lease – Right of Way Use, of sovereign lands located in Burns Cut-off, between Roberts Island and Rough and Ready Island, near the city of Stockton, San Joaquin County; for installation of a 4 1/2-inch natural gas pipeline. (W 25859; RA# 18001) (A 26, 17; S 05) (Negotiator: L. Burks)
- **Agenda Item** ([MS Word](#)) [37 KB] ([Adobe Acrobat](#)) [67 KB]
 - **Exhibit A** ([MS Word](#)) [156 KB] ([Adobe Acrobat](#)) [134 KB]
- C 08 JEFFREY A. YUROSEK AND DEBRA JANINE YUROSEK (APPLICANTS):** Consider application for a Recreational Pier Lease of sovereign lands located in Lake Tahoe, at Homewood, Placer County; for retention of two existing mooring buoys. (W 25854; RA# 20801) (A 4; S 1) (Negotiator: B. Dugal)
- **Agenda Item** ([MS Word](#)) [37 KB] ([Adobe Acrobat](#)) [72 KB]
 - **Exhibit A** ([MS Word](#)) [419 KB] ([Adobe Acrobat](#)) [703 KB]
- C 09 JON K. FOLAN AND GAIL L. FOLAN, CO-TRUSTEES OR SUCCESSOR TRUSTEES OF THE FOLAN FAMILY 1991 REVOCABLE TRUST, DATED MAY 7, 1991 (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 previously authorized by the Commission and the retention of one existing mooring buoy. (PRC 5125.9; RA# 01101) (A 4; S 1) (Negotiator: B. Dugal)
- **Agenda Item** ([MS Word](#)) [38 KB] ([Adobe Acrobat](#)) [75 KB]
 - **Exhibit A** ([MS Word](#)) [398 KB] ([Adobe Acrobat](#)) [610 KB]

- C 10 DANIEL J. COCKRUM AND SUZANNE M. COCKRUM, AS TRUSTEES OF THE DANIEL J. COCKRUM AND SUZANNE M. COCKRUM REVOCABLE TRUST DATED JUNE 12, 2001 (APPLICANTS):** Consider an application for a Recreational Pier Lease of sovereign lands located in Lake Tahoe, in the city of South Lake Tahoe, El Dorado County; for the retention of one existing mooring buoy. (W 25860; RA# 00102) (A 4; S 1) (Negotiator: B. Dugal)
- **Agenda Item** ([MS Word](#)) [37 KB] ([Adobe Acrobat](#)) [74 KB]
 - **Exhibit A** ([MS Word](#)) [420 KB] ([Adobe Acrobat](#)) [632 KB]
- C 11 WILLEM GEORGE C. PARSON OR NORMA MILDRED PARSON, CO-TRUSTEES UNDER REVOCABLE TRUST DATED AUGUST 21, 1986 (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 and two mooring buoys previously authorized by the Commission. (PRC 5631.9; RA# 07001) (A 4; S 1) (Negotiator: B. Dugal)
- **Agenda Item** ([MS Word](#)) [34 KB] ([Adobe Acrobat](#)) [73 KB]
 - **Exhibit A** ([MS Word](#)) [120 KB] ([Adobe Acrobat](#)) [76 KB]
- C 12 CITY OF LOS ANGELES, DEPARTMENT OF WATER AND POWER (LESSEE/SUBLESSOR); CALIFORNIA DEPARTMENT OF WATER RESOURCES (SUBLESSEE):** Consider application for a sublease under Lease No. PRC 8079.9, a General Lease – Public Agency Use, of sovereign lands located in the dry lakebed of Owens Lake, near the town of Keeler, Inyo County; for access, maintenance and monitoring of an existing weather station. (PRC 8079.9) (A 34; S 17) (Negotiator: B. Dugal)
- **Agenda Item** ([MS Word](#)) [37 KB] ([Adobe Acrobat](#)) [76 KB]
- C 13 WILLIAM E. BITTNER AND NANCY G. BITTNER (APPLICANTS):** Consider application for a new Recreational Pier Lease of sovereign lands located in Lake Tahoe, near Homewood, Placer County; for an existing pier previously authorized by the Commission and the retention of one existing mooring buoy. (PRC 3850.9; RA# 20197) (A 4; S 1) (Negotiator: B. Dugal)
- **Agenda Item** ([MS Word](#)) [36 KB] ([Adobe Acrobat](#)) [73 KB]
 - **Exhibit A** ([MS Word](#)) [114 KB] ([Adobe Acrobat](#)) [67 KB]
- C 14 ROBERT L. COLEMAN, TRUSTEE OF THE 1990 ROBERT LEWIS COLEMAN TRUST, UNDER DECLARATION OF TRUST DATED MARCH 16, 1990 (LESSEE/APPLICANT):** Consider the termination of a Recreational Pier Lease and consider the application for a new Recreational Pier Lease of sovereign lands located in Lake Tahoe, near Sunnyside, Placer County; for an existing pier and boat port previously authorized by the Commission and the retention of two existing mooring buoys. (PRC 5598.9; RA# 10302) (A 4; S 1) (Negotiator: B. Dugal)
- **Agenda Item** ([MS Word](#)) [44 KB] ([Adobe Acrobat](#)) [86 KB]
 - **Exhibit A** ([MS Word](#)) [159 KB] ([Adobe Acrobat](#)) [189 KB]

- C 15 ANN HOLMES TERRELL, TRUSTEE OF THE ANN HOLMES TERRELL 1998 TRUST (APPLICANT):** Consider application for a new Recreational Pier Lease of sovereign lands located in Lake Tahoe, near Meeks Bay, El Dorado County; for the retention of an existing mooring buoy. (W 25868; RA# 02502) (A 4; S 1) (Negotiator: B. Dugal)
- **Agenda Item** ([MS Word](#)) [36 KB] ([Adobe Acrobat](#)) [71 KB]
 - **Exhibit A** ([MS Word](#)) [158 KB] ([Adobe Acrobat](#)) [188 KB]
- C 16 ROBERT BUCCOLA (APPLICANT):** Consider application for a new Recreational Pier Lease of sovereign lands located in Lake Tahoe, city of South Lake Tahoe, El Dorado County; for the construction, use and maintenance of a pier and low level boatlift. (W 25807; RA# 08601) (A 4; S 1) (Negotiator: B. Dugal)
- **Agenda Item** ([MS Word](#)) [37 KB] ([Adobe Acrobat](#)) [73 KB]
 - **Exhibit A** ([MS Word](#)) [132 KB] ([Adobe Acrobat](#)) [77 KB]
- C 17 MARION CECILE MOHR FRY ZIMMERMAN, TRUSTEE OF THE FRY FAMILY TRUST OF 1999 (APPLICANT):** Consider application for a Recreational Pier Lease of sovereign lands located in Lake Tahoe, near the city of South Lake Tahoe, El Dorado County; for the reconstruction of an existing pier, addition of a boat lift and retention of four existing mooring buoys. (W 25203; RA# 27098) (A 4; S 1) (Negotiator: B. Dugal)
- **Agenda Item** ([MS Word](#)) [41 KB] ([Adobe Acrobat](#)) [73 KB]
 - **Exhibit A** ([MS Word](#)) [250 KB] ([Adobe Acrobat](#)) [174 KB]
- C 18 ROGER KELLY (APPLICANT):** Consider application for a new Recreational Pier Lease of sovereign lands located in the Calaveras River, in the city of Stockton, San Joaquin County; for the construction of a new floating boat dock, boathouse, ramp and walkway. (W 25805; RA# 07801) (A 17; S 5) (Negotiator: E. Gulli)
- **Agenda Item** ([MS Word](#)) [34 KB] ([Adobe Acrobat](#)) [71 KB]
 - **Exhibit A** ([MS Word](#)) [238 KB] ([Adobe Acrobat](#)) [157 KB]
 - **Exhibit B** ([MS Word](#)) [232 KB] ([Adobe Acrobat](#)) [138 KB]
- C 19 DAVID C. BANKS AND JUDITH A. BLASKI-BANKS, TRUSTEES OF THE BANKS FAMILY LIVING TRUST 1/20/2000 (APPLICANTS):** Consider termination of a Recreational Pier Lease, and consider application for a Recreational Pier Lease of sovereign lands located in Lake Tahoe, Meeks Bay, El Dorado County; for an existing pier and two mooring buoys. (WP 8005.9; RA# 20901) (A 4; S 1) (Negotiator: M. Hays)
- **Agenda Item** ([MS Word](#)) [40 KB] ([Adobe Acrobat](#)) [81 KB]
 - **Exhibit A** ([MS Word](#)) [143 KB] ([Adobe Acrobat](#)) [116 KB]

- C 20 LAKESIDE INVESTORS, L.P., A CALIFORNIA LIMITED PARTNERSHIP, DBA TAHOE CEDARS LODGE (APPLICANT):** Consider acceptance of the termination of General Lease-Recreational Use No. PRC 3637.1; consider application for a new General Lease – Recreational Use, of sovereign lands located in Lake Tahoe, Tahoma, Placer County, for an existing guest pier and five buoys. (WP 3637.1; RA# 11701) (A 4; S 1) (Negotiator: M. Hays)
- **Agenda Item** ([MS Word](#)) [33 KB] ([Adobe Acrobat](#)) [66 KB]
 - **Exhibit A** ([MS Word](#)) [143 KB] ([Adobe Acrobat](#)) [102 KB]
- C 21 WARREN HOPKINS (LESSEE):** Consider the continuation of rent for Lease No. PRC 7165.1, a General Lease – Grazing Use, of sovereign lands located in Goose Lake, near Alturas, Modoc County. (PRC 7165.1) (A 3; S 1) (Negotiator: M. Hays)
- **Agenda Item** ([MS Word](#)) [31 KB] ([Adobe Acrobat](#)) [55 KB]
 - **Exhibit A** ([MS Word](#)) [265 KB] ([Adobe Acrobat](#)) [193 KB]
- C 22 TAHOE KEYS MARINA (APPLICANT):** Consider application for a Dredging Lease to dredge material from sovereign lands located in Lake Tahoe, at Tahoe Keys, El Dorado County; disposal of dredged material at an approved upland disposal site. (WP 5305.1; RA# 20301) (A 4; S 1) (Negotiator: M. Hays)
- **Agenda Item** ([MS Word](#)) [34 KB] ([Adobe Acrobat](#)) [67 KB]
 - **Exhibit A** ([MS Word](#)) [148 KB] ([Adobe Acrobat](#)) [204 KB]
- C 23 RIVERBANK HOLDING COMPANY, LLC (APPLICANT):** Consider termination of General Lease-Commercial Use, PRC 6427.1 and issuance of a new General Lease - Commercial Use; approval of an Encumbrancing Agreement and subleases of sovereign lands located in the Sacramento River, in the city of Sacramento, Sacramento County; for an existing marina previously authorized by the Commission. (WP 6427.1; RA# 14695) (A 9; S 6) (Negotiator: D. Jones)
- **Agenda Item** ([MS Word](#)) [57 KB] ([Adobe Acrobat](#)) [105 KB]
 - **Exhibit A** ([MS Word](#)) [127 KB] ([Adobe Acrobat](#)) [74 KB]
 - **Exhibit B** ([MS Word](#)) [163 KB] ([Adobe Acrobat](#)) [116 KB]
 - **Exhibit C** ([MS Word](#)) [268 KB] ([Adobe Acrobat](#)) [178 KB]
- C 24 CALIFORNIA DEPARTMENT OF TRANSPORTATION (APPLICANT):** Consider application for a Dredging Lease to dredge material from sovereign lands located in Carquinez Straits, between the cities of Benicia and Martinez, Contra Costa and Solano counties; disposal of dredged material at the U.S. Army Corps of Engineers approved upland disposal site at Winter Island. (W25810; RA# 11597) (A 11; S 7) (Negotiator: G. Kato)
- **Agenda Item** ([MS Word](#)) [32 KB] ([Adobe Acrobat](#)) [68 KB]
 - **Exhibit A** ([MS Word](#)) [301 KB] ([Adobe Acrobat](#)) [251 KB]
 - **Exhibit B** ([MS Word](#)) [112 KB] ([Adobe Acrobat](#)) [62 KB]

- C 25 DENNIS H. KATSUKI AND LINDA M. KATSUKI (APPLICANTS):** Consider application for a new Recreational Pier Lease of sovereign lands located in Georgiana Slough, city of Isleton, Sacramento County; for an existing floating boat dock and ramp previously authorized by the Commission. (WP 5988.9; RA# 31100) (A 15; S 5) (Negotiator: T. Lipscomb)
- **Agenda Item** ([MS Word](#)) [30 KB] ([Adobe Acrobat](#)) [72 KB]
 - **Exhibit A** ([MS Word](#)) [24 KB] ([Adobe Acrobat](#)) [73 KB]
 - **Exhibit B** ([MS Word](#)) [265 KB] ([Adobe Acrobat](#)) [389 KB]
- C 26 ANNA B. YOUNG, CATTARINA VAN DEN TOORN, AND ALBERTA BONDOC (APPLICANTS):** Consider application for a new Recreational Pier Lease of sovereign lands located in the Petaluma River, near the city of Novato, Marin County, for an existing boat dock, gangway, and walkway previously authorized by the Commission. (WP 3582.9; RA# 18201) (A 6; S 3) (Negotiator: T. Lipscomb)
- **Agenda Item** ([MS Word](#)) [37 KB] ([Adobe Acrobat](#)) [71 KB]
 - **Exhibit A** ([MS Word](#)) [24 KB] ([Adobe Acrobat](#)) [71 KB]
 - **Exhibit B** ([MS Word](#)) [349 KB] ([Adobe Acrobat](#)) [250 KB]
- C 27 LIZ SUSAN GRAHAM (APPLICANT):** Consider application for a new Recreational Pier Lease of sovereign lands located in the Petaluma River, near the city of Novato, Marin County; for an existing floating boat dock, walkway, gangway and boathouse previously authorized by the Commission. (WP 3540.9; RA# 15501) (A 6; S 3) (Negotiator: T. Lipscomb)
- **Agenda Item** ([MS Word](#)) [37 KB] ([Adobe Acrobat](#)) [71 KB]
 - **Exhibit A** ([MS Word](#)) [24 KB] ([Adobe Acrobat](#)) [69 KB]
- C 28 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 Malibu, APN 4458-013-043, Los Angeles County. (W 24665) (A 41; S 23) (Negotiators: S. Nelson, J. Lam, V. Garcia, C. Fossum)
- **Agenda Item** ([MS Word](#)) [33 KB] ([Adobe Acrobat](#)) [64 KB]
 - **Exhibit A** ([MS Word](#)) [230 KB] ([Adobe Acrobat](#)) [156 KB]
 - **Exhibit B** ([MS Word](#)) [20 KB] ([Adobe Acrobat](#)) [45 KB]
- C 29 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 Malibu, APN 4466-009-020, Los Angeles County. (W 24665) (A 41; S 23) (Negotiators: S. Nelson, J. Lam, V. Garcia, C. Fossum)
- **Agenda Item** ([MS Word](#)) [33 KB] ([Adobe Acrobat](#)) [64 KB]
 - **Exhibit A** ([MS Word](#)) [296 KB] ([Adobe Acrobat](#)) [174 KB]
 - **Exhibit B** ([MS Word](#)) [20 KB] ([Adobe Acrobat](#)) [43 KB]

- C 30 JOHN R. GARAMENDI AND PATRICIA W. GARAMENDI, AS TRUSTEES OF THE GARAMENDI LIVING TRUST, DATED JULY 23, 1989 (APPLICANTS):** Consider application for a new Recreational Pier Lease of sovereign lands located in the Sacramento River, Grand Island, at Walnut Grove, Sacramento County; for an existing ramp and boat dock previously authorized by the Commission. (PRC 6351.9; RA# 19101) (A 8; S 4) (Negotiator: N. Quesada)
- **Agenda Item** ([MS Word](#)) [35 KB] ([Adobe Acrobat](#)) [72 KB]
 - **Exhibit A** ([MS Word](#)) [581 KB] ([Adobe Acrobat](#)) [189 KB]
- C 31 JON-MARK CHAPPELLET (APPLICANT):** Consider application for a new General Lease – Recreational Use, of sovereign lands located in the Napa River, near Edgerley Island, Napa County, for the construction of a new platform, ramp and boat dock. (W 24612; RA# 16801) (A 7; S 2) (Negotiator: N. Quesada)
- **Agenda Item** ([MS Word](#)) [35 KB] ([Adobe Acrobat](#)) [66 KB]
 - **Exhibit A** ([MS Word](#)) [542 KB] ([Adobe Acrobat](#)) [397 KB]
- C 32 MARTIN P. BRUTON AND BARBARA J. BRUTON (GRANTORS) BARBARA J. BRUTON TRUSTEE OF THE BRUTON SURVIVOR’S TRUST, A SUBTRUST OF THE MARTIN PATRICK BRUTON AND BABARA JANICE BRUTON REVOCABLE LIVING TRUST UTD 11/28/90 (GRANTEE):** Consider revision of rent, and application for the assignment of Lease No. PRC 2651.1, a General Lease – Recreational and Residential Use, of sovereign lands located in the Petaluma River, at Black Point, near the city of Novato, Marin County; for a floating boat dock, walkway, shed, and cabin. (PRC 2651.1;RA# 00902) (A 6; S 3) (Negotiator: N. Quesada)
- **Agenda Item** ([MS Word](#)) [41 KB] ([Adobe Acrobat](#)) [88 KB]
 - **Exhibit A** ([MS Word](#)) [354 KB] ([Adobe Acrobat](#)) [252 KB]
- C 33 PHILLIP R. PETERSON AND ROBERT L. PETERSON (LESSEES):** Consider the continuation of rent for Lease No. PRC 3716.1, a General Lease – Recreational Use, of sovereign lands located in the Petaluma River, near the city of Novato, Marin County. (PRC 3716.1) (A 6; S 3) (Negotiator: N. Quesada)
- **Agenda Item** ([MS Word](#)) [27 KB] ([Adobe Acrobat](#)) [54 KB]
 - **Exhibit A** ([MS Word](#)) [581 KB] ([Adobe Acrobat](#)) [189 KB]
- C 34 DIDRIK W. PEDERSEN, SR. AND DOROTHY E. PEDERSEN, 1991 LIVING TRUST (LESSEE):** Consider the continuation of rent for Lease No. PRC 2745.1, a General Lease – Recreational and Residential Use, of sovereign lands located in the Petaluma River, at Black Point, near the city of Novato, Marin County. (PRC 2745.1) (A 6; S 3) (Negotiator: N. Quesada)
- **Agenda Item** ([MS Word](#)) [30 KB] ([Adobe Acrobat](#)) [54 KB]
 - **Exhibit A** ([MS Word](#)) [354 KB] ([Adobe Acrobat](#)) [254 KB]

- C 35 JESUS GAMA DOMINGUEZ AND ROSA LILIA DOMINGUEZ (APPLICANTS):** Consider application for a new Recreational Pier Lease of sovereign lands located in the Sacramento River, near the town of Clarksburg, Yolo County; for the construction of a new boat dock and gangway. (W25853; RA# 20701) (A 8; S 4) (Negotiator: N. Quesada)
- **Agenda Item** ([MS Word](#)) [35 KB] ([Adobe Acrobat](#)) [72 KB]
 - **Exhibit A** ([MS Word](#)) [428 KB] ([Adobe Acrobat](#)) [187 KB]
- C 36 JOHN C. FOX (APPLICANT):** Consider application for a new Recreational Pier Lease of sovereign lands located in the Petaluma River, near the city of Novato, Marin County; for an existing walkway and floating boat dock previously authorized by the Commission. (WP 2995.9; RA# 06001) (A 6; S 3) (Negotiator: N. Quesada)
- **Agenda Item** ([MS Word](#)) [37 KB] ([Adobe Acrobat](#)) [72 KB]
 - **Exhibit A** ([MS Word](#)) [135 KB] ([Adobe Acrobat](#)) [155 KB]
- C 37 UNITED STATES DEPARTMENT OF COMMERCE, NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION (NOAA) (APPLICANT):** Consider application for a new General Lease – Public Agency Use, of sovereign lands located in the bed of the Pacific Ocean, near Pillar Point, San Mateo County; for an existing undersea cable and hydrophone arrays, previously authorized by the Commission. (WP 7831.9; RA# 14203) (A 19; S 5) (Negotiator: N. Quesada)
- **Agenda Item** ([MS Word](#)) [37 KB] ([Adobe Acrobat](#)) [69 KB]
 - **Exhibit A** ([MS Word](#)) [412 KB] ([Adobe Acrobat](#)) [158 KB]
- C 38 U.S. BUREAU OF RECLAMATION (APPLICANT):** Consider application for a new General Lease - Public Agency Use, of sovereign lands located in the Sacramento River, near Redding, Shasta County; for the placement and maintenance of clean gravel to promote salmon and steelhead spawning previously authorized by the Commission. (WP 5482.9; RA# 07100) (A 1; S 4) (Negotiator: F. Singer)
- **Agenda Item** ([MS Word](#)) [36 KB] ([Adobe Acrobat](#)) [63 KB]
 - **Exhibit A** ([Adobe Acrobat](#)) [174 KB]
- C 39 CHEVRON USA, INC. (LESSEE):** Consider revision of rent to Lease No. PRC 628.1, a General Lease – Right of Way Use, of sovereign lands located in Santa Monica Bay, El Segundo, Los Angeles County; for an existing saltwater intake pipeline. (PRC 628.1; RA# N/A) (A 53; S 28) (Negotiator: J. Smith)
- **Agenda Item** ([MS Word](#)) [32 KB] ([Adobe Acrobat](#)) [56 KB]
 - **Exhibit A** ([MS Word](#)) [192 KB] ([Adobe Acrobat](#)) [134 KB]

- C 40 CITY OF DEL MAR (APPLICANT):** Consider application for a new General Lease – Public Agency Use, of sovereign lands located in the Pacific Ocean and the San Dieguito Lagoon river mouth, city of Del Mar, San Diego County; for breaching and maintenance of the lagoon mouth. (W 25873; RA# 04002) (A 74; S 38) (Negotiator: J. Smith)
- **Agenda Item** ([MS Word](#)) [44 KB] ([Adobe Acrobat](#)) [75 KB]
 - **Exhibit A** ([MS Word](#)) [418 KB] ([Adobe Acrobat](#)) [418 KB]
- C 41 TIC HOTELS, INC. (FORMERLY TIC WORLD-WIDE CORPORATION) (ASSIGNOR); MARTIN RESORTS, INC. (ASSIGNEE):** Consider application for the assignment of Lease No. PRC 4698.1, General Lease - Recreational Use, of sovereign lands located in the Pacific Ocean, Pismo Beach, San Luis Obispo County. (WP 4698.1; RA# 21101) (A 33; S 18) (Negotiator: J. Smith)
- **Agenda Item** ([MS Word](#)) [38 KB] ([Adobe Acrobat](#)) [62 KB]
 - **Exhibit A** ([MS Word](#)) [256 KB] ([Adobe Acrobat](#)) [158 KB]
- C 42 KIEWIT PACIFIC CO. (LESSEE):** Consider application for an amendment to Lease No. PRC 8372.1, General Lease - Industrial Use, of filled sovereign lands located east of the Benicia-Martinez Bridge along Carquinez Straits, city of Martinez, Contra Costa County; to include an additional 6,775 sq. ft. area for assembling forms for the construction of the new bridge. (WP 8372.1; RA# 00802) (A 11; S 7) (Negotiator: N. Smith)
- **Agenda Item** ([MS Word](#)) [40 KB] ([Adobe Acrobat](#)) [65 KB]
 - **Exhibit A** ([MS Word](#)) [264 KB] ([Adobe Acrobat](#)) [120 KB]
 - **Exhibit B** ([MS Word](#)) [288 KB] ([Adobe Acrobat](#)) [157 KB]
- C 43 MAX A. KEECH AND MARK E. KENDALL (ASSIGNOR); REDWOOD SUITES, LLC (ASSIGNEE):** Consider application for the assignment of Lease No. PRC 8111.9, General Lease – Right of way Use, of sovereign lands located along Steinberger Slough, city of Redwood City, San Mateo County. (WP 8111.9; RA# 01702) (A 21; S 11) (Negotiator: N. Smith)
- **Agenda Item** ([MS Word](#)) [36 KB] ([Adobe Acrobat](#)) [60 KB]
 - **Exhibit B** ([MS Word](#)) [288 KB] ([Adobe Acrobat](#)) [177 KB]
- C 44 REGENTS OF THE UNIVERSITY OF CALIFORNIA (LESSEE):** Consider application for an amendment to Lease No. PRC 5161.9, General Permit - Public Agency Use, of sovereign lands located in the Pacific Ocean, city of Santa Cruz, Santa Cruz County; for expansion of existing seawater system, for the construction of a new 8-inch diameter saltwater discharge pipeline and two new 16-inch diameter saltwater intake pipelines. (WP 5161.9; RA# 00601) (A 28; S 16) (Negotiator: N. Smith)
- **Agenda Item** ([MS Word](#)) [44 KB] ([Adobe Acrobat](#)) [68 KB]
 - **Exhibit A** ([MS Word](#)) [277 KB] ([Adobe Acrobat](#)) [311 KB]

- C 45 RICHARD BOWLING, JR. AND KATHLEEN S. BOWLING, AS CO-TRUSTEES OF THE BOWLING REVOCABLE TRUST DATED DECEMBER 27, 1991 (APPLICANTS):** Consider termination of a Recreational Pier Lease, and consider application for a new Recreational Pier Lease of sovereign lands located in Lake Tahoe, Carnelian Bay, Placer County; for the extension of an existing pier and one mooring buoy previously authorized by the Commission, and installation of a new boat lift, and retention of one additional existing mooring buoy. (WP 5318.9; RA#18101) (A 4; S 1) (Negotiator: B. Young)
- **Agenda Item** ([MS Word](#)) [37 KB] ([Adobe Acrobat](#)) [82 KB]
 - **Exhibit A** ([MS Word](#)) [115 KB] ([Adobe Acrobat](#)) [70 KB]
- C 46 GEORGIA L. POPPIN AND JENNIFER L. SEIBOLD (APPLICANTS):** Consider application for a new General Lease - Recreational Use, of sovereign lands located in Eagle Lake near Susanville, Lassen County; for an existing portable pier previously authorized by the Commission. (WP 7372.1; RA# 12999) (A 3; S 1) (Negotiator: B. Young)
- **Agenda Item** ([MS Word](#)) [33 KB] ([Adobe Acrobat](#)) [62 KB]
- C 47 JOHN J. MAGGI AND EMILY B. MAGGI (APPLICANTS):** Consider application for a new Recreational Pier Lease of sovereign lands located in Lake Tahoe, Emerald Bay, El Dorado County; for an existing pier and retention of one existing mooring buoy. (W 25817; RA#11301) (A 4; S 1) (Negotiator: B. Young)
- **Agenda Item** ([MS Word](#)) [27 KB] ([Adobe Acrobat](#)) [72 KB]
 - **Exhibit A** ([MS Word](#)) [120 KB] ([Adobe Acrobat](#)) [67 KB]
- C 48 MARIE ANTOINETTE CLOUGH, AS TRUSTEE OF MARIE ANTOINETTE CLOUGH REVOCABLE LIVING TRUST DATED JANUARY 11, 1989 (APPLICANT):** Consider termination of a Recreational Pier Lease, and consider application for a new Recreational Pier Lease of sovereign lands located in Lake Tahoe, Rubicon Bay, El Dorado County; for two existing mooring buoys previously authorized by the Commission, and for the construction of a new pier and boat lift. (WP 8164.9; RA# 20101) (A 4; S 1) (Negotiator: B. Young)
- **Agenda Item** ([MS Word](#)) [35 KB] ([Adobe Acrobat](#)) [78 KB]
- C 49 ROBERT R. MYRMEL AND CAROLYN J. MYRMEL (APPLICANTS):** Consider application for a new Recreational Pier Lease of sovereign lands located in Lake Tahoe, Agate Bay, Placer County; for the retention of two existing mooring buoys. (W 25862; RA #00502) (A 4; S 1) (Negotiator: B. Young)
- **Agenda Item** ([MS Word](#)) [27 KB] ([Adobe Acrobat](#)) [73 KB]
 - **Exhibit A** ([MS Word](#)) [99 KB] ([Adobe Acrobat](#)) [55 KB]

- C 50 CRAIG MILLER AND BEVERLY JO MILLER (APPLICANTS):** Consider application for a new General Lease - Recreational Use of sovereign lands located in Lake Tahoe, Lake Forest, Placer County; for the retention of two existing mooring buoys and a swim float. (WP 5528.1; RA#10200) (A 4; S 1) (Negotiator: B. Young)
- **Agenda Item** ([MS Word](#)) [35 KB] ([Adobe Acrobat](#)) [65 KB]
- C 51 ROGER B. PRIMM, TRUSTEE OF THE REVISED AND RESTATED ROGER B. PRIMM FAMILY TRUST U/D/T JANUARY 30, 1990 (APPLICANT):** Consider termination of a Recreational Pier Lease, and consider application for a new Recreational Pier Lease of sovereign lands located in Lake Tahoe, South Lake Tahoe, El Dorado County; for the relocation and reconstruction of an existing pier and two existing mooring buoys previously authorized by the Commission. (WP 6863.9; RA#21700) (A 4; S 1) (Negotiator: B. Young)
- **Agenda Item** ([MS Word](#)) [35 KB] ([Adobe Acrobat](#)) [65 KB]
 - **Exhibit A** ([MS Word](#)) [100 KB] ([Adobe Acrobat](#)) [57 KB]
- C 52 KENT D. POWELL AND MARGARET JEAN POWELL, TRUSTEES OF THE KENT AND MARGARET POWELL FAMILY 1985 REVOCABLE TRUST, ESTABLISHED JAN. 8, 1985 (APPLICANTS):** 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. (WP 7597.9; RA# 10001) (A 3; S 1) (Negotiator: B. Young)
- **Agenda Item** ([MS Word](#)) [35 KB] ([Adobe Acrobat](#)) [65 KB]
 - **Exhibit A** ([MS Word](#)) [99 KB] ([Adobe Acrobat](#)) [58KB]
- C 53 SOUTHERN CALIFORNIA EDISON COMPANY (APPLICANT):** Consider application for a new General Lease – Right of Way Use, of school lands located in Section 36, T20N, R8E and Section 36, T20N, R9E, SBM, near the town of Tecopa, Inyo and San Bernardino counties; for an existing 33 Kv electrical facility previously authorized by the Commission. (WP 4629.2; RA# 27300) (A 34; S 17) (Negotiator: S.Young)
- **Agenda Item** ([MS Word](#)) [35 KB] ([Adobe Acrobat](#)) [65 KB]
 - **Exhibit A** ([MS Word](#)) [261 KB] ([Adobe Acrobat](#)) [272 KB]

LEGAL

- C 54 DEPARTMENT OF THE ARMY (PARTY):** Consideration of Retrocession of Jurisdiction at Parks Reserve Training Center, Contra Costa County. (W 25832) (A 15; S 7) (Negotiator: J. Frey)
- **Agenda Item** ([MS Word](#)) [35 KB] ([Adobe Acrobat](#)) [65 KB]
 - **Exhibit A** ([MS Word](#)) [21 KB] ([Adobe Acrobat](#)) [48 KB]

ADMINISTRATION

- C 55 CALIFORNIA STATE LANDS COMMISSION (PARTY):** Request Delegation of Authority for Executive Officer to solicit bids, award and execute agreement for North Coast Office Market Survey. (W 25665) (A & S Statewide) (Negotiator: J. Trout, D. Brown, A. Cueva)
- **Agenda Item** ([MS Word](#)) [35 KB] ([Adobe Acrobat](#)) [65 KB]
- C 56 CALIFORNIA STATE LANDS COMMISSION (PARTY):** Consider authorizing execution of an interagency agreement with the California Office of Emergency Services for completion of a seismic and tsunami hazard assessment for the San Francisco Bay Area. (W 9777.261) (A & S Statewide) (Negotiators: M. Eskijian, G. Gregory, M. Meier, D. Brown)
- **Agenda Item** ([MS Word](#)) [35 KB] ([Adobe Acrobat](#)) [65 KB]
- C 57 CALIFORNIA STATE LANDS COMMISSION (PARTY):** Request authority for the Executive Officer to solicit proposals, negotiate fair and reasonable price, award and execute agreement to provide data analysis concerning the effects passing vessels have on moored tank vessels. (W 9777.260) (A & S Statewide) (Negotiators: M. Eskijian, G. Gregory, M. Meier, D. Brown)
- **Agenda Item** ([MS Word](#)) [35 KB] ([Adobe Acrobat](#)) [65 KB]

ENVIRONMENTAL PLANNING MANAGEMENT

- C 58 CALIFORNIA STATE LANDS COMMISSION (PARTY):** Request Authorization for the Executive Officer to sign, on behalf of the Commission, the proposed Memorandum of Understanding/Conservation Agreement to ensure the conservation of a State endangered plant species, the Tahoe Yellow Cress, located exclusively at Lake Tahoe, Placer and Eldorado Counties. (W30087) (A 4, S 1) (Negotiator: E. Gillies, M. Falkner)
- **Agenda Item** ([MS Word](#)) [35 KB] ([Adobe Acrobat](#)) [65 KB]
 - **Exhibit A** ([Adobe Acrobat](#)) [819 KB]
 - **Exhibit B** ([Adobe Acrobat](#)) [89 KB]
- C 59 SANTA BARBARA CHANNEL HAZARDS REMOVAL PROGRAM (APPLICANT):** Adoption of Proposed Mitigated Negative Declaration and authorization to remove various inshore and offshore hazards located in Santa Barbara and Ventura Counties. (W 25812, W 30140) (A 33, 35, 37; S 18, 19) (Negotiator: E. Gillies, M. Ahuja)
- **Agenda Item** ([MS Word](#)) [35 KB] ([Adobe Acrobat](#)) [65 KB]
 - **Exhibit A** ([MS Word](#)) [237 KB] ([Adobe Acrobat](#)) [612 KB]
 - **Exhibit B** ([MS Word](#)) [421 KB]
 - **Exhibit C** ([MS Word](#)) [122KB] ([Adobe Acrobat](#)) [374 KB]

MINERAL RESOURCES MANAGEMENT

- C 60 RIO DELTA RESOURCES, INC., AND RUSSELL H. GREEN, JR. (APPLICANT):** Consider acceptance of the Full Quitclaim Deed of Negotiated Subsurface (no surface use) Oil and Gas Lease No. PRC 7670.1, Piper Slough, Contra Costa County. (PRC 7670.1) (A 10; S 7) (Negotiator: A. Nitsche)
- **Agenda Item** ([MS Word](#)) [35 KB] ([Adobe Acrobat](#)) [65 KB]
 - **Exhibit A** ([MS Word](#)) [23 KB] ([Adobe Acrobat](#)) [55 KB]
 - **Exhibit B** ([MS Word](#)) [205 KB]
 - **Exhibit C** ([MS Word](#)) [608 KB] ([Adobe Acrobat](#)) [193 KB]
- C 61 NEWMONT MINING CORPORATION (APPLICANT):** Consider approval of an application for a preferential mineral extraction lease on State fee-owned school land, Chocolate Mountains, Imperial County. (WP 8039.2) (A 80; S 37) (Negotiators: G. Pelka, E. Kruger)
- **Agenda Item** ([MS Word](#)) [35 KB] ([Adobe Acrobat](#)) [65 KB]
 - **Exhibit A** ([MS Word](#)) [686 KB] ([Adobe Acrobat](#)) [193 KB]
 - **Exhibit B** ([Adobe Acrobat](#)) [262 KB]
 - **Exhibit C** ([Adobe Acrobat](#)) [899 KB]
- C 62 RIO DELTA RESOURCES, INC. (APPLICANT):** Consider acceptance of the Full Quitclaim Deed of Negotiated Subsurface (no surface use) Oil and Gas Lease No. PRC 8094.1, False River and Piper Slough, Contra Costa County. (PRC 8094.1) (A 10; (S 7) (Negotiator: A. Nitsche)
- **Agenda Item** ([MS Word](#)) [35 KB] ([Adobe Acrobat](#)) [65 KB]
 - **Exhibit A** ([MS Word](#)) [23 KB] ([Adobe Acrobat](#)) [55 KB]
 - **Exhibit B** ([MS Word](#)) [205 KB] ([Adobe Acrobat](#)) [43 KB]
- C 63 RUSSEL H. GREEN, JR., AND RIO DELTA RESOURCES, INC. (APPLICANT):** Consider acceptance of the Full Quitclaim Deed of Negotiated Subsurface (no surface use) Oil and Gas Lease No. PRC 8095.1, San Joaquin River, Contra Costa County. (PRC 8095.1) (A 8; S 4) (Negotiator: A. Nitsche)
- **Agenda Item** ([MS Word](#)) [35 KB] ([Adobe Acrobat](#)) [65 KB]
 - **Exhibit A** ([MS Word](#)) [23 KB] ([Adobe Acrobat](#)) [55 KB]
 - **Exhibit B** ([MS Word](#)) [205 KB] ([Adobe Acrobat](#)) [43 KB]
- C 64 SEA SURVEYOR, INC. (APPLICANT):** Consider approval of a statewide offshore Non-Exclusive Geophysical Survey Permit from October 1, 2002, through, September 5, 2005, to conduct geophysical surveys using low energy equipment on tide and submerged lands under the jurisdiction of the California State Lands Commission. (W 6005.97) (A & S: Statewide) (Negotiator: A. Nitsche)
- **Agenda Item** ([MS Word](#)) [35 KB] ([Adobe Acrobat](#)) [65 KB]

C 65 **CITY OF LONG BEACH (APPLICANTS):** Consider request for renewal of 2001 Long Beach Tidelands Dry Gas Price Agreement and Amendment, Long Beach Unit, Wilmington Oil Field, Los Angeles County. (W 13001)(A 57,58; S 29) (Negotiators: A. Reid, M. Voskanian) THIS ITEM HAS BEEN **WITHDRAWN** FROM THE AGENDA

C 66 **CALIFORNIA STATE LANDS COMMISSION (INFORMATIONAL):** Staff Report on the status of Oil and Gas Lease No. PRC 3314.1, Offshore Montalvo Oil Field, Ventura County. (PRC 3314.1) (A 35; S 18) (Negotiator: J. Planck)

- **Agenda Item** ([MS Word](#)) [35 KB] ([Adobe Acrobat](#)) [65 KB]
- **Exhibit A** ([MS Word](#)) [23 KB] ([Adobe Acrobat](#)) [55 KB]
- **Exhibit B** ([MS Word](#)) [205 KB] ([Adobe Acrobat](#)) [43 KB]
- **Exhibit C** ([MS Word](#)) [156 KB] ([Adobe Acrobat](#)) [101 KB]

V. **REGULAR CALENDAR ITEMS 67-71**

67 **RINCON ISLAND LIMITED PARTNERSHIP/WINDSOR ENERGY US CORPORATION (CURRENT OPERATOR/TRANSFEROR) AND ENERGY DEVELOPMENT CORPORATION (PROPOSED OPERATOR/TRANSFEREE):** Consider Request for transfer of wells, related facilities, and right to operate, Oil and Gas Lease No. PRC 145.1, Rincon Oil Field, Ventura County. (PRC145.1) (A 35; S 19) (Negotiator: M. Hamilton) THIS ITEM HAS BEEN **WITHDRAWN** FROM THE AGENDA

68 **CALIFORNIA STATE LANDS COMMISSION (PARTY):** Consideration of a report entitled "Port – Community Relationships". (W 25846) (Statewide) (Negotiator: J. Lucchesi, G. Kato, M. Griggs, J. Lien, S. Rogalin) THIS ITEM WAS RECEIVED AS **INFORMATIONAL** WITH ACTION BEING **DEFERRED**.

- **Agenda Item** ([MS Word](#)) [35 KB] ([Adobe Acrobat](#)) [65 KB]
- **Exhibit A** ([MS Word](#)) [30 KB] ([Adobe Acrobat](#)) [80 KB]

69 **CALIFORNIA STATE LANDS COMMISSION (APPLICANT):** Reject the Bid for the Royalty Crude Oil Sales Contract, Oil and Gas Lease Nos. PRC 91, PRC 163, E-392, PRC 425, and PRC 426, Huntington Beach Field, Orange County. (W 9303.114) (A 57, 58, S 29) (Negotiator: J. Tanner)

- **Agenda Item** ([MS Word](#)) [35 KB] ([Adobe Acrobat](#)) [65 KB]
- **Exhibit A** ([MS Word](#)) [24 KB] ([Adobe Acrobat](#)) [43 KB]

01 **CALIFORNIA STATE LANDS COMMISSION (PARTY) (INFORMATIONAL):** Consider report by Gary Gregory, Chief of Marine Facilities Division, on security in California Ports. (W 9777.252) (A & S: Statewide) (Negotiators: G. Gregory, D. Hermanson) THIS ITEM WAS **PRESENTED FOR INFORMATIONAL PURPOSES** WITH NO ACTION BEING TAKEN

Agenda Item ([MS Word](#)) [35 KB] ([Adobe Acrobat](#)) [65 KB]

02 CALIFORNIA STATE LANDS COMMISSION (PARTY): Consider the adoption of an amended Environmental Justice Policy. (W 30144) (A & S: Statewide) (Negotiators: D. Sanders, P. Griggs)

- **Agenda Item** ([MS Word](#)) [35 KB] ([Adobe Acrobat](#)) [65 KB]
- **Exhibit A** ([MS Word](#)) [30 KB] ([Adobe Acrobat](#)) [80 KB]

VI. PUBLIC COMMENT

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):

Deep Sea Research Inc. v. Brother Jonathan

Sierra Club, et al. v. City of Los Angeles et al.

IN ADDITION, THE COMMISSION MAY CONSIDER MATTERS WHICH FALL UNDER GOVERNMENT CODE SECTION 11126 (e)(2)(B) OR (2)(C).