

# Memorandum

**To:** Chairman and Commissioners

**Date:** January 12, 2004

**From:** Diane C. Eidam

**File No:** BOOK ITEM 2.4e  
ACTION

**Ref:** EXCESS LANDS – REPORT ON FRESHWATER SPIT/LAGOON

**Issue:** Should the California Transportation Commission suspend the delegation of authority provided by CTC Resolution G-98-22 for the property known as the Freshwater Spit/Lagoon, as requested by the Department?

**Recommendation:** Commission Staff recommends that the Commission suspend the delegation of authority provided by CTC Resolution G-98-22 in regards to the property known as the Freshwater Spit/Lagoon, as requested by the Department.

**Background:** The property known as the Freshwater Spit/Lagoon is an approximate 80-acre parcel that has been deemed excess by the Department. The Department on November 20, 2003, in an effort to ensure that any input by the public, local community or public agencies would be fully considered in any actions, did notify its District 1 representatives that the delegation provided by CTC Resolution G-98-22, which would have allowed for the transfer/conveyance of said property if the appraised value of the parcel fell within the valuation limits (namely, an estimated market value of \$100,000 or less) has been pulled.

The Department will present a discussion of this item at the January 2004 California Transportation Commission meeting. The discussion should include brief history/background information regarding the property, its current status, and the process the Department uses to make its decisions for transfer/conveyance of excess properties.

**DEPARTMENT OF TRANSPORTATION**

DIVISION OF RIGHT OF WAY

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January 9, 2004

Diane C. Eidam  
Executive Director  
California Transportation Commission

Dear Ms. Eidam:

This letter is to confirm that the California Department of Transportation did on November 20, 2003, pull the delegation from District 1 to approve the sale of the Fresh Water Spit, Excess Parcel 2099, 2101, 2102, 2103 and 2104.

Prior to this action, if the appraised value of the parcel fell within the valuation limits, and met the other requirements of CTC Resolution G98-22, the sale then could have been approved by the District.

The pulling of the delegation for this specific parcel was to guarantee that any proposed sale or transfer of this property would go before the full Commission for approval, to ensure that any input by the public, local community or public agencies would be fully considered in any actions.

Sincerely,

A handwritten signature in black ink, appearing to read "Bruce Paris".

BRUCE D. PARIS

Chief

Division of Right of Way