

VIA EMAIL

February 3, 2026

California State Lands Commission
100 Howe Avenue, Suite 100-South
Sacramento, CA 95825
Email: CSLC.Commissionmeetings@slc.ca.gov

Re: *Regular Meeting Agenda for February 9, 2026 at 1:00 pm*
Milton Road Lease Applications:
Agenda Items 16, 17, 19, 27, 29, 31, 33, 34, and 41
Reservation of Rights and Non-Waiver

Dear California State Lands Commission:

The undersigned counsel represents the applicants listed on **Agenda Items 16, 17, 19, 27, 29, 31, 33, 34, and 41**, all of whom are members of the **Milton Road Category 2 Owners Association**. This comment is submitted on behalf of those applicants solely to preserve the administrative record.

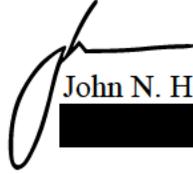
By submitting the referenced lease applications, the applicants expressly do not waive, release, concede, or admit any claim, right, title, or interest relating to or arising out of their ownership of, or rights in, the real property to which the applications relate (the “Property”), including without limitation any dispute as to the existence, extent, or location of sovereign lands or the Ordinary High Water Mark.

The applicants expressly dispute and do not concede that either (i) a 1953 Survey of the Ordinary High Water Mark along the Napa River or (ii) the 2019 Photogrammetric Survey prepared by or for the California State Lands Commission (collectively, the “Surveys”) accurately reflects the location of the Ordinary High Water Mark or otherwise affects, limits, or encumbers the applicants’ ownership or use of the Property.

Participation in the lease application process is undertaken solely on a without-prejudice basis and for administrative and risk-management purposes only. Such participation shall not be deemed, and is not intended to constitute, an admission, waiver, estoppel, or recognition of any asserted claim of State ownership, jurisdiction, or regulatory authority. The applicants expressly reserve all rights and remedies, including the right to dispute the Surveys and to seek judicial determination of title, boundaries, and any asserted State interest in the Property.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "John N. Heffner". The signature is stylized with a large, looping initial "J" and a horizontal line extending to the right.

John N. Heffner

