COMMISSION MEMBERS:
Ms. Eleni Kounalakis, Lieutenant Governor, Chairperson,
Also Represented by Mr. Matthew Dumlao
Ms. Betty T. Yee, State Controller
Ms. Keely Bosler, Director of Department of Finance,
Represented by Ms. Gayle Miller

STAFF:
Ms. Jennifer Lucchesi, Executive Officer
Mr. Mark Meier, Chief Counsel
Seth Blackmon, Senior Attorney
Maren Farnum, Staff Scientist, Executive Office
Ken Foster, Public Land Manager, Land Management Division
Chris Packer, Research Data Specialist, Information Systems Division
Sheri Pemberton, Chief of External Affairs and Legislative Liaison

ATTORNEY GENERAL:
Mr. Andrew Vogel, Deputy Attorney General
APPEARANCES CONTINUED

ALSO PRESENT

Paloma Aguirre, Imperial Beach City Councilmember
Clement Alberts, Environmental Coordinator
Leon Benham, Executive Director, Citizens for Coastal Conservancy
Molly Bruce, Legal Intern, Surfrider Foundation
Kevin Carone, Signal Hill/Carone
Bruce Cowen, Carone Petroleum/Signal Hill
Matt Everingham, Board Member, San Diego Fisherman's Working Group
Nolan Fargo, Legal Intern, Surfrider Foundation
Carlos Galarza, Rig Driller, Signal Hill
Dave Gibson, Executive Officer, San Diego Water Board
Mark W. Gilbert, Head Mechanic, Signal Hill
Mark Gilbert, Jr., Mechanic, Signal Hill
Jason Giffen, Assistant Vice President, Port of San Diego
Christopher Goodall, Plant Operator, Pacific Offshore
David Grubb, Sierra Club
John Heatherington
Pam Heatherington, Board Member, Environmental Center of San Diego
Dylan Jaff, District Representative, Senator Ben Hueso
Matt Kenney, Roustabout, Signal Hill/Carone
APPEARANCES CONTINUED

ALSO PRESENT

Erik Knudsen, Maintenance Supervisor, Signal Hill
Tom Le, Payroll personnel, Signal Hill
Tyler Little, Rig Hand, Signal Hill
Luis Luna, Tool Pusher, Signal Hill
Chris Magill, Operations Superintendent, Signal Hill Petroleum
Bishoy Matta, Engineer, Signal Hill
Amalia Medina, Driller, Signal Hill
Gabriel Mendoza, Roustabout, Signal Hill
Job Nelson, Port of San Diego
Edgar Peña, Roustabout, Signal Hill
Anastacia Pirello, Legal Intern, Surfrider Foundation
Miguel Prado, Petroleum Engineer, Signal Hill
Raznik Rocher, Operator Trainee, Signal Hill
Michael Schield, Rig Hand, Signal Hill
Miguel A. Sosa, Rig Supervisor, Signal Hill
Gabriela Torres, Policy Coordinator, Surfrider Foundation
Joaquin Torres, Jr., Fire watch, Signal Hill
Lily Tsukayama, Planner, Port of San Diego
Kaily Wakefield, Policy Coordinator, Surfrider Foundation
Marcia Yoshida, Office Manager, Signal Hill Service
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### I. 1:00 PM – Open Session

### II. Confirmation of minutes for the April 5, 2019 meeting

### III. Executive Officer’s Report

Continuation of Rent Actions to be taken by the Executive Officer pursuant to the Commission’s Delegation of Authority:

- **Stephen Doyle Anthony and Roxanne Marie Anthony, Trustees of the Anthony Living Trust (Lessee):** Continuation of rent at $491 per year for a General Lease – Recreational Use located on sovereign land in the Colorado River adjacent to 1182 Beach Drive, Needles, San Bernardino County. (PRC 9134.1)

- **Mark A. Bantle Jr. And Jennifer K. Bantle and Joseph R. Brown and Evelyn M. Brown, Trustees of the Joseph E. Brown and Evelyn M. Brown Family Trust (Lessee):** Continuation of rent at $365 per year for a General Lease – Recreational Use located on sovereign land in the Colorado River adjacent to 1154 Beach Drive, Needles, San Bernardino County. (PRC 9135.1)

- **Marion M. R. Brooding, as Trustee of the Marion M. R. Brooding 1994 Living Trust, and Larry D. Brooding (Lessee):** Continuation of rent at $1,309 per year for a General Lease – Recreational Use located on sovereign land in the Georgiana Slough, adjacent to 17241 Terminous Road, near Isleton, Sacramento County. (PRC 3289.1)

- **Califia, LLC, a California Limited Liability Company (Lessee):** Continuation of rent at $450 per year for a General Lease – Right-of-Way Use located on sovereign land in the San Joaquin River, adjacent to 250 Sadler Oak Drive, near...
Lathrop, San Joaquin County. (PRC 2854.1)

- Apolla Farthing and Art Acosta and Michelle Acosta (Lessee): Continuation of rent at $470 per year for a General Lease - Recreational Use on sovereign land in the Colorado River adjacent to 1150 Beach Drive, Needles, San Bernardino County. (PRC 9136.1)

- Ryan Hughes (Lessee): Continuation of rent at $236 per year for a General Lease - Recreational and Protective Structure Use located on sovereign land in the Sacramento River, adjacent to 2345 Garden Highway, near Sacramento, Sacramento County. (PRC 6340.1)

- Loren A. Jensen and Melissah A. Jensen, or Their Successor(s), as Trustees of the Loren and Melissah Jensen 2013 Family Trust, dated March 6, 2013; Doris A. Jensen, Trustee of the Elbert A. Jensen Bypass Trust; Birney Alan Jensen, Alice Winifred Croft, Janice Lee Jensen, Wayne Anders Jensen, Warren Boomer Jensen, and Marna June Javete; and Ronald A. Ubaldi and Esther Ubaldi, Trustees of the Ubaldi Living Trust dated July 19, 1993, and Restated August 7, 2008 (Lessee): Continuation of rent at $377 per year for a General Lease - Recreational Use located on sovereign land in Lake Tahoe, adjacent to Assessor's Parcel Number (APN) 083-195-013, Tahoe City, Placer County. (PRC 5611.1)

- Loche M. Johnson and Susan M. Johnson, and successors in trust, as Trustees of the Johnson Family Trust dated August 13, 1999 (Lessee): Continuation of rent at $221 per year for a General Lease - Recreational and Protective Structure Use located on sovereign land in the Sacramento River, adjacent to 4603 Garden Highway, Sacramento, Sacramento County. (PRC 7212.1)
· John M. Kruger and Ellen M. Kruger, Trustees of the John and Ellen Kruger Trust, U/A dated June 17, 1998, as amended; and Scott Littman, Trustee of the John M. Kruger 2008 Irrevocable Trust, U/A dated May 31, 2008 (Lessee): Continuation of rent at $1,194 per year for a General Lease – Recreational Use located on sovereign land in Lake Tahoe, adjacent to 1040 West Lake Boulevard, near Tahoe City, Placer County. (PRC 6937.1)

· Charlotte P. (Shirley) Mencarini, Trustee of the Mencarini Family Trust, dated July 29, 1998 (Lessee): Continuation of rent at $152 per year for a General Lease – Recreational and Protective Structure Use located on sovereign land in the Sacramento River, adjacent to 3563 Garden Highway, Sacramento, Sacramento County. (PRC 5376.1)

· Harold M. Messmer, Jr. And Marcia N. Messmer, Trustees of the Messmer Family Trust dated 10/1/93 (Lessee): Continuation of rent at $1,339 per year for a General Lease – Recreational Use located on sovereign land in Lake Tahoe, adjacent to 4420 North Lake Boulevard, Carnelian Bay, Placer County. (PRC 4315.1)

· Pacific Fruit Farms, A Corporation (Lessee): Continuation of rent at $182 per year for a General Lease – Recreational Use located on sovereign land in the Sacramento River, adjacent to 14090 State Highway 160, Walnut Grove, Sacramento County. (PRC 7796.1)

· Richard Alan Rethford and Bambi-Lynn Rethford, Trustees of the Rethford Family Trust (Lessee): Continuation of rent at $642 per year for a General Lease – Recreational and Protective Structure Use located on sovereign land in the
Sacramento River, adjacent to 2399 Garden Highway, near Sacramento, Sacramento County. (PRC 9126.1)

‘Jeffrey R. Schotsal (Lessee): Continuation of rent at $353 per year for a General Lease – Recreational and Protective Structure Use located on sovereign land in the Sacramento River, adjacent to 4471 Garden Highway, near Sacramento, Sacramento County. (PRC 6672.1)

‘Kenneth Erik Sorensen and Mary Elizabeth Sorensen, Trustees of the Sorensen Family 2000 Trust dated April 18, 2000 (Lessee): Continuation of rent at $170 per year for a General Lease – Recreational and Protective Structure Use located on sovereign land in the Sacramento River, adjacent to 17444 Grand Island Road, near Walnut Grove, Sacramento County. (PRC 7213.1)

‘Joanne C. Taylor or her successor(s) as Trustee of the Joanne C. Taylor Trust certified under Agreement dated June 29, 1993; Joanne C. Taylor and Carrie Hughes Taylor, Co-Trustees of the Carrie Hughes Taylor Trust under the Will of Edward H. Taylor; Bruce C. Taylor and Linda R. Taylor, Trustees of the Bruce and Linda Taylor Family Trust dated November 27, 2002; Jeffrey Edward Taylor; Stephen Bruce Taylor (Lessee): Continuation of rent at $1,293 per year for a General Lease – Recreational Use located on sovereign land in Lake Tahoe, adjacent to 2580 West Lake Boulevard, near Homewood, Placer County. (PRC 5560.1)

‘Wildland, Inc. (Lessee): Continuation of rent at $450 per year, for a General Lease – Other, located on indemnity school land in Section 18, Township 11 North, Range 13 West, SBM, north of Oak Creek Road, Kern County. (PRC 8110.2)
IV. Consent Calendar 01-90

The following items are considered to be noncontroversial and are subject to change at any time up to the date of the meeting.

Land Management
Northern Region

01 10:10 HOLDINGS, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY (LESSEE); GREGORY M. KING AND KAREN M. KING, AS TRUSTEES OF THE GREGORY M. KING AND KAREN M. KING FAMILY TRUST (APPLICANT): Consider termination of Lease No. PRC 8419.1, a General Lease – Recreational Use, and an application for a General Lease – Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 8551 Meeks Bay Avenue, near Tahoma, El Dorado; for one existing mooring buoy. CEQA Consideration: Categorical exemption. (PRC 8419.1; RA# 20818) (A 5; S 1) (Staff: A. Franzoia)

02 LUIS ROBERT UBILLUS ADELMAN (APPLICANT): Consider application for a General Lease – Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 1590 North Lake Boulevard, near Tahoe City, Placer County; for an existing pier and two mooring buoys. CEQA Consideration: Categorical exemption. (PRC 8644.1; RA# 12218) (A 1; S 1) (Staff: A. Franzoia)
BABBAGE, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY (LESSEE): Consider amendment of Lease No. PRC 8728.1, a General Lease – Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 1530 North Lake Boulevard, near Tahoe City, Placer County; to reduce the length of a pier. CEQA Consideration: Categorical exemption. (PRC 8728.1, RA# 21018) (A 1; S 1) (Staff: M. J. Columbus)

BELLE HAVEN REALTY, A CALIFORNIA CORPORATION (APPLICANT): Consider application for a General Lease – Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 710 West Lake Boulevard, near Tahoe City, Placer County; for an existing pier and two mooring buoys. CEQA Consideration: Categorical exemption. (PRC 4893.1; RA# 14518) (A 1; S 1) (Staff: S. Avila)

BODEGA FARMS (LESSEE): Consider revision of rent to Lease No. PRC 6617.1, a General Lease – Right-of-Way Use, of sovereign land located in the Pacific Ocean at EsteroAmericano and Bodega Bay, near Bodega Bay, Sonoma County. CEQA Consideration: Not a project. (PRC 6617.1) (A 2; S 2) (Staff: N. Lee)

ALAN BRYAN AND MARTHA BRYAN, TRUSTEES OF THE BRYAN FAMILY TRUST DATED OCTOBER 27, 1994 (APPLICANT): Consider application for a General Lease – Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 7422 North Lake Boulevard, near Tahoe Vista, Placer County; for one existing mooring buoy not previously authorized by the Commission. CEQA Consideration: Categorical exemption. (W 27196; RA# 02118) (A 1; S1) (Staff: M.J. Columbus)

LESLIE CAREY (APPLICANT): Consider application for a General Lease – Recreational and Protective Structure Use, of sovereign land located in the
Napa River, adjacent to 1812 Milton Road, Napa, Napa County; for an existing boat dock, appurtenant facilities, and bank protection. CEQA Consideration: Categorical exemption. (PRC 7250.1; RA# 20518) (A 4; S 3) (Staff: S. Avila)

08 CEDAR POINT HOMEOWNERS ASSOCIATION (LESSEE): Consider revision of rent to Lease No. PRC 2859.1, a General Lease – Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 1200 West Lake Boulevard, near Sunnyside, Placer County; for an existing pier, 18 mooring buoys and six marker buoys. CEQA Consideration: Not a project. (PRC 2859.1) (A 1; S 1) (Staff: S. Avila)

09 RICHARD HELZBERG AND CAROL HELZBERG, TRUSTEES OF THE RICHARD M. HELZBERG AND CAROL A. HELZBERG REVOCABLE TRUST DATED APRIL 10, 2003; AND MELVIN BLAUSTEIN AND MARILYN BLAUSTEIN, TRUSTEES OF THE MELVIN BLAUSTEIN AND MARILYN BLAUSTEIN REVOCABLE TRUST DATED 7/15/2015 (LESSEE); MAQUINA DE VAPOR, LLC, A DELAWARE LIMITED LIABILITY COMPANY (APPLICANT): Consider acceptance of a lease quitclaim deed for Lease No. PRC 9414.1, a General Lease – Recreational Use, and application for a General Lease – Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 6061 North Lake Boulevard, near Carnelian Bay, Placer County; for two existing mooring buoys. CEQA Consideration: Categorical exemption. (PRC 9414.1; RA# 15418) (A 1; S 1) (Staff: J. Toy)

10 THOMAS R. KEANE AND SUSAN D. KEANE (LESSEE); ROBERT A. MANDEL, TRUSTEE OF THE 6800 DUME DRIVE TRUST, DATED OCTOBER 4, 2011 (APPLICANT): Consider acceptance of a lease quitclaim deed for Lease No. PRC 8871.9, a Recreational Pier Lease; and application for a General Lease – Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 1250
West Lake Boulevard, near Tahoe City, Placer County; for two existing mooring buoys. CEQA Consideration: Categorical exemption. (PRC 8871.1; RA# 19718) (A 1; S 1) (Staff: S. Avila)

KW-NORTHSTAR VENTURES, LLC, A DELAWARE LIMITED LIABILITY COMPANY (LESSEE); BHR TAHOE, LP, A DELAWARE LIMITED PARTNERSHIP (APPLICANT): Consider acceptance of a quitclaim deed for Lease No. PRC 8601.1, a General Lease – Commercial Use; and an application for a General Lease – Commercial Use, of sovereign land located in Lake Tahoe, adjacent to 7170 North Lake Boulevard, near Tahoe Vista, Placer County; for an existing pier, boat lift, six mooring buoys, and one marker buoy. CEQA Consideration: Categorical exemption. (PRC 8601.1; RA# 19418) (A 1; S 1) (Staff: S. Avila)

TODD W. LOCKWOOD AND KAREN SUE LOCKWOOD, HIS WIFE, TRUSTEES UNDER DECLARATION OF TRUST DATED SEPTEMBER 30, 1980; LISA L. MILEY, TRUSTEE, AND KAREN SUE LOCKWOOD, TRUSTEE OF THE LISA (LOCKWOOD) MILEY TRUST; CYNTHIA SUE CLIFT, TRUSTEE OF THE CYNTHIA SUE CLIFT SEPARATE PROPERTY TRUST; AND DANIEL P. MOYLAN, TRUSTEE AND SHAWNE L. MOYLAN, TRUSTEE OF THE MOYLAN FAMILY TRUST UNDER DECLARATION OF TRUST DATED FEBRUARY 7, 1996 (APPLICANT): Consider application for a General Lease – Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 6650 West Lake Boulevard, near Tahoma, Placer County; for an existing pier, boathouse with boat lift, and two mooring buoys. CEQA Consideration: Categorical exemption. (PRC 3787.1; RA# 21218) (A 1; S 1) (Staff: S. Avila)

ROBERT D. MAY AND JUDITH T. MAY, TRUSTEES OF THE MAY FAMILY TRUST AS AMENDED AND UPDATED IN 2013 (APPLICANT): Consider acceptance of a lease quitclaim
Deed for lease No. PRC 8983.1, a General Lease – Recreational Use, and an application for a General Lease – Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 8441 Meeks Bay Avenue, near Rubicon Bay, El Dorado County; for the removal and reconstruction of an existing pier with an extension, and use and maintenance of three existing mooring buoys. CEQA Consideration: Categorical exemptions. (PRC 8983.1; RA# 15918) (A 5; S 1)
(Staff: J. Toy)

14 MARCUS MONTE, TRUSTEE OF THE MARCUS MONTE LIVING TRUST DATED APRIL 23, 2002, AS AMENDED (APPLICANT): Consider application for a General Lease – Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 6100 North Lake Boulevard, near Tahoe Vista, Placer County; for two existing mooring buoys not previously authorized by the Commission. CEQA Consideration: Categorical exemption. (W 27232; RA# 17518) (A 1; S 1) (Staff: J. Toy)

15 RTI INFRASTRUCTURE, INC. (APPLICANT): Consider adoption of a Mitigated Negative Declaration, State Clearinghouse No. 2019049159, adoption of a Mitigation Monitoring Program, and consider an application for a General Lease – Right-of-Way Use, of sovereign land located in the Pacific Ocean, near Manchester, Mendocino County; for installation, use, maintenance, and repair of four steel conduits and one fiber-optic cable. (W 27136; RA# 05417) (A 2; S 2) (Staff: A. Francoia)

(APPLICANT): Consider application for a General Lease – Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 7750 North Lake Boulevard, near Kings Beach, Placer County; for two existing mooring buoys. CEQA Consideration: Categorical exemption. (PRC 8857.1; RA# 22718) (A 1; S 1) (Staff: S. Avila)

17 SIERRA PACIFIC POWER COMPANY (LESSEE): Consider revision of rent to Lease No. PRC 7902.1, a General Lease – Right-of-Way Use, of sovereign land located in the Pit River, adjacent to Assessor’s Parcel Numbers 022-010-052 and 022-010-053, near Alturas, Modoc County; for an existing overhead transmission line and associated facilities. CEQA Consideration: Not a project. (PRC 7902.1) (A 1; S 1) (Staff: S. Avila)

18 ELAINE-MARYSE SOLARI, TRUSTEE OF THE ELAINE-MARYSE SOLARI REVOCABLE TRUST, DATED SEPTEMBER 9, 2009; MATTHEW SCOTT FERRANTE; JASON ANTHONY FERRANTE; MARISSA DIANE FERRANTE; RICHARD DONALD JOHNSON; AND ANN SOLARI FERRANTE, TRUSTEE OF THE JOSEPH A. FERRANTE AND ANN SOLARI FERRANTE 2004 TRUST, U/D/T DATED MARCH 31, 2004 (APPLICANT): Consider application for a General Lease – Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 8453 Meeks Bay Avenue, near Meeks Bay, El Dorado County; for an existing pier, boat lift, boat hoist, and two mooring buoys. CEQA Consideration: Categorical exemption. (PRC 7416.1; RA# 18318) (A 5; S 1) (Staff: S. Avila)

INDEX CONTINUED

General Lease - Recreational Use, of Sovereign land located in Lake Tahoe, adjacent to 251 and 261 Paradise Flat Lane, near Rubicon Bay, El Dorado County; for an existing pier, boat lift, and four mooring buoys. CEQA Consideration: Not a project. (PRC 4869.1; RA# 14218) (A 5; S 1) (Staff: S. Avila)

20  VIRGINIA K. STOCK AND GEORGE JOHANNESSEN (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 5568 North Lake Boulevard, near Carnelian Bay, Placer County; for two existing mooring buoys. CEQA Consideration: Categorical exemption. (PRC 7949.1; RA# 16918) (A 1; S 1) (Staff: J. Toy)

21  KENNEDY WHITE AND JEANETTE RAE WHITE, AS TRUSTEES OF THE WHITE FAMILY LIVING TRUST DATED MARCH 16, 1987 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Donner Lake, adjacent to 14926 South Shore Drive, near Truckee, Nevada County; for the removal of an existing pier not previously authorized by the Commission, and the construction, use, and maintenance of a new pier. CEQA Consideration: Categorical exemptions. (W 27234; RA# 18218) (A1; S 1) (Staff: S. Avila)

Placer County; for an existing pier, Boathouse, and two mooring buoys. CEQA Consideration: Categorical exemption. (PRC 3132.1; RA# 15718) (A 1; S 1) (Staff: S. Avila)

Bay / Delta Region

23 BRIAN D. BURKE AND KATHY LAMPRECHT (ASSIGNOR); DAVID HOYLE AND SARA L. WELCH (ASSIGNEE): Consider assignment of Lease No. PRC 8795.1, a General Lease – Protective Structure Use, of sovereign land located in the Pacific Ocean, adjacent to 4630 Opal Cliff Drive, near Santa Cruz, Santa Cruz County; for an existing stem wall. CEQA Consideration: Not a project. (PRC 8795.1; RA# 25218) (A 29; S 17) (Staff: D. Tutov)

24 CALIFORNIA DEPARTMENT OF TRANSPORTATION – DISTRICT 3 (LESSEE): Consider amendment to Lease No. PRC 9422.9, a General Lease – Right-of-Way Use, of sovereign land located in the Sacramento River, near Sacramento and West Sacramento, Sacramento and Yolo counties; for the Tower Bridge Fender System Replacement Project. CEQA Consideration: Mitigated Negative Declaration, adopted by the California Department of Transportation, State Clearinghouse No. 2015112002. (PRC 9422.9; RA# 28018) (A 7; S 6) (Staff: A. Francoia)

25 CALIFORNIA STATE LANDS COMMISSION (PARTY): Consider approval of the 2019 Category 2 Corte Madera Creek benchmark rental rate for sovereign land in Corte Madera Creek, near Greenbrae and Larkspur, Marin County. CEQA Consideration: Not a project. (I 1093) (A 10; S 2) (Staff: V. Caldwell)

26 CALIFORNIA STATE LANDS COMMISSION AND PACIFIC GAS AND ELECTRIC COMPANY (PARTIES): Consider an Indemnification Agreement for installation of two
Electrical distribution ducts on the Bon Air Road Bridge, on sovereign land located in Corte Madera Creek, adjacent to Bon Air Road, near Larkspur, Marin County. CEQA Consideration: Not a project. (A 2066; RA# 23518) (A 10; S 2) (Staff: M. Schroeder)

CITY OF LARKSPUR (LESSEE): Consider waiver of rent, penalty, and interest, amendment of lease, and revision of rent to Lease No. PRC 1977.1, a General Lease - Public Agency Use, of sovereign land in Corte Madera Creek, adjacent to Bon Air Road, near Larkspur, Marin County; for removal of PG&E as a sublessee; and installation, use and maintenance of a conduit and appurtenant facilities for seismic instrumentation. CEQA Consideration: Categorical exemption. (PRC 1977.1; RA# 17418) (A 10; S 2) (Staff: M. Schroeder)

BRENT J. COHN AND HOPE COHN, TRUSTEES OF THE COHN FAMILY TRUST DATED AUGUST 9, 2005, A TRUST (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in the Sacramento River, adjacent to 513 River Road, near Rio Vista, Solano County; for an existing boat dock with slip and appurtenant facilities. CEQA Consideration: Categorical exemption. (PRC 8832.1; RA# 16618) (A 11; S 3) (Staff: J. Holt)

GENE H. COLVER AND KATHY C. COLVER DBA DECKHANDS (LESSEE): Consider revision of rent to Lease No. PRC 5498.1, a General Lease - Commercial Use, of sovereign land located in the Sacramento River, adjacent to 14090 Highway 160, near Walnut Grove, Sacramento County; for an existing commercial marina, known as Deckhands. CEQA Consideration: Not a project. (PRC 5498.1) (A 11; S 3) (Staff: J. Holt)
30  CONEY ISLAND FARMS, INC. (LESSEE):
Consider revision of rent to Lease No. PRC 2222.1, a General Lease -
Right-of-Way Use, of sovereign land located in the Old River, adjacent to
Contra Costa County Assessor’s Parcel Number (APN) 001-111-005 and San Joaquin
County APN 189-250-007, between Coney Island and Union Island, San Joaquin and
Contra Costa counties; for a wood bridge, boat dock, and appurtenant facilities.
CEQA Consideration: Not a project. (PRC 2222.1) (A 14, 13; S 5, 7) (Staff: N.
Lavoie)

31  COUNTY OF SANTA CRUZ (APPLICANT):
Consider application for a General Lease - Public Agency Use, at the mouth of the
Pajaro River at Monterey Bay, near Watsonville, Santa Cruz and Monterey
counties; for periodic breaching of a sandbar. CEQA Consideration: Mitigated
Negative Declaration, State Clearinghouse No. 2002122066, adopted by County of
Santa Cruz. (PRC 7934.9; RA# 17718) (A 29; S 17) (Staff: M. Schroeder)

32  RAYMOND L. DEGENNARO AND MARGARET E.
DEGENNARO (APPLICANT): Consider application for a General Lease -
Recreational Use, of sovereign land located in the Sacramento River, at Long
Island, adjacent to 17460 Grand Island Road, near Isleton, Sacramento County;
for an existing boat dock and appurtenant facilities. CEQA Consideration:
Categorical exemption. (PRC 4766.1; RA# 33917) (A 11; S 3) (Staff: G.
Asimakopoulos)

33  LIONEL L. DUFF, JR. AND JOAN R. DUFF
(APPLICANT): Consider application for a General Lease - Recreational and
Protective Structure Use, of sovereign land located in the Calaveras River,
adjacent to 2739 Calariva Drive,
Stockton, San Joaquin County; for an
Existing floating boathouse with boat lift, appurtenant facilities, and bank protection. CEQA Consideration: Categorical exemption. (PRC 5653.1; RA# 20718) (A 13; S 5) (Staff: J. Holt)

34 EQUILON ENTERPRISES LLC DBA SHELL OIL PRODUCTS US (LESSEE): Consider revision of rent to Lease No. PRC 4908.1, a General Lease – Industrial Use, of sovereign land located in the Carquinez Strait, Martinez, Contra Costa County; for the operation and maintenance of an existing marine oil terminal. CEQA Consideration: Not a project. (PRC 4908.1) (A 14; S 3) (Staff: N. Lavoie)

35 ANDOREA HOPE GOODMAN (APPLICANT): Consider application for a General Lease – Recreational Use, of sovereign land located in Tomales Bay, adjacent to 19225 State Route 1, near Marshall, Marin County; for an existing mooring buoy not previously authorized by the Commission. CEQA Consideration: Negative Declaration, adopted by the California State Lands Commission, State Clearinghouse No. 2012082074. (W 27229; RA# 28715) (A 10; S 2) (Staff: D. Tutov)

36 STEVEN JACK LININGER, AS TRUSTEE OF THE JACK A. LININGER TRUST DATED JANUARY 4, 2008 (APPLICANT): Consider application for a General Lease – Recreational and Protective Structure Use, of sovereign land located in the Sacramento River, at Long Island, adjacent to 17412 Grand Island Road, near Isleton, Sacramento County; for an existing boat dock, appurtenant facilities, and bank protection. CEQA Consideration: Categorical exemption. (PRC 7769.1; RA# 34217) (A 11; S 3) (Staff: G. Asimakopoulos)

37 ANDREW K. MARCKWALD (APPLICANT): Consider application for a General Lease – Recreational Use, of sovereign land
Located in Tomales Bay, adjacent to 19695 State Route 1, near Marshall, Marin County; for an existing mooring buoy not previously authorized by the Commission.

CEQA Consideration: Negative Declaration, adopted by the California State Lands Commission, State Clearinghouse No. 2012082074. (W 27230; RA# 17315) (A 10; S 2) (Staff: D. Tutov)

38 DONALD G. PHILLIPS AND DEBRA L. PHILLIPS (LESSEE); GARY M. MARTIN AND COLETTA A. MARTIN, AS TRUSTEES OF THE GARY M. MARTIN AND COLETTA A. MARTIN REVOCABLE TRUST DATED SEPTEMBER 27, 2000 (APPLICANT): Consideration of termination of Lease No. PRC 8221.1, a General Lease – Recreational Use, and an application for a General Lease – Recreational Use, of sovereign land located in Georgiana Slough, adjacent to 17211 Terminous Road, near Isleton, Sacramento County; for an existing covered boat dock with boat slip, boat lift, personal watercraft dock, and appurtenant facilities. CEQA Consideration: Categorical exemption. (PRC 8221.1; RA# 21718) (A 11; S 3) (Staff: J. Holt)

39 RIVERBANK HOLDING COMPANY LLC (LESSEE): Consider revision of rent to Lease No. PRC 6427.1, a General Lease – Commercial Use, of sovereign land located in the Sacramento River, adjacent to 1383 Garden Highway, near Sacramento, Sacramento County; for an existing commercial marina known as Riverbank Marina. CEQA Consideration: Not a project. (PRC 6427.1) (A 7; S 6) (Staff: N. Lavoie)

40 SACRAMENTO VALLEY CONSERVANCY (LESSEE): Consider amendment of Lease No. PRC 9033.1, a General Lease, of sovereign land located near the American River, Assessor’s Parcel Numbers 274-0120-007 and 274-0120-009, Sacramento, Sacramento County; for Camp Pollock. CEQA Consideration: Categorical exemptions.
MICHEL AND TERESA SMANIO (LESSEE): Consider revision of rent to Lease No. PRC 7912.1, a General Lease – Recreational and Protective Structure Use, of sovereign land located in Sutter Slough, adjacent to 12080 Sutter Island Road, Courtland, Sacramento County; for an existing boat dock, appurtenant facilities, and bank protection. CEQA Consideration: Not a project. (PRC 7912.1) (A 11; S 3) (Staff: N. Lavoie)

TOMALES BAY SAILING LLC (APPLICANT): Consider application for a General Lease – Commercial Use, of sovereign land located in Tomales Bay, adjacent to 19225 State Route 1, near Marshall, Marin County; for an existing mooring buoy not previously authorized by the Commission. CEQA Consideration: Negative Declaration, adopted by the California State Lands Commission, State Clearinghouse No. 2012082074. (W 27227; RA# 30215) (A 10; S 2) (Staff: D. Tutov)

UNION SANITARY DISTRICT (APPLICANT): Consider application for a General Lease – Public Agency Use, of sovereign land located in the Alameda Creek Flood Control Channel, adjacent to Assessor’s Parcel Number’s 482-22-6-5 and 482-80-3, Union City, Alameda County; for an existing outfall pipeline and construction, use and maintenance of appurtenant facilities. CEQA Consideration: Mitigated Negative Declaration, adopted by Union Sanitary District, State Clearinghouse No. 2018062006, and adoption of a Mitigation Monitoring Program. (W 27235; RA# 19618) (A 20; S 10) (Staff: M. Schroeder)

UNITED STATES DEPARTMENT OF THE INTERIOR, FISH AND WILDLIFE SERVICE (LESSEE): Consider amendment of Lease No. PRC 6045.9, a General Lease – Public Agency Use, of sovereign land located in
Various sloughs and creeks in the San Francisco Bay National Wildlife Refuge Complex in San Mateo, Alameda, and Santa Clara counties to include sovereign lands in Mountain View Slough near Mountain View, Santa Clara County. CEQA Consideration: Environmental Impact Report, certified by the California State Coastal Conservancy, State Clearinghouse No. 2013092010, and adoption of a Mitigation Monitoring Program, Statement of Findings and State of Overriding Considerations. (PRC 6045.9; RA# 04617) (A 24; S 13) (Staff: D. Tutov)

45 RAY W. WALKER, TRUSTEE OF THE WALKER LIVING TRUST (LESSEE); CARTER FISHER AND SHARON FISHER (APPLICANT): Consider termination of Lease No. PRC 5226.1, a General Lease – Recreational Use; and application for a General Lease – Recreational Use, of sovereign land located in the Sacramento River, adjacent to 14370 Highway 160, near Walnut Grove, Sacramento County; for an existing boat dock, pier, and appurtenant facilities. CEQA Consideration: Categorical exemption. (PRC 5226.1; RA# 18518) (A 11; S 3) (Staff: J. Holt)

46 WESTPOINT HARBOR, LLC (APPLICANT): Consider application for a General Lease – Dredging to dredge material from sovereign land located in Westpoint Slough, near Redwood City, San Mateo County; disposal of dredged material at U.S. Army Corps of Engineers-approved in-bay disposal or upland reuse sites. CEQA Consideration: Categorical exemption. (W 27126; RA# 32016) (A 22; S 13) (Staff: A. Franzoia)

47 ANNA YOUNG, TRUSTEE OF THE ANNA YOUNG TRUST DATED APRIL 21, 1997; CATTARINA BIRGITTA VAN DEN TOORN, TRUSTEE OF THE CATTARINA BIRGITTA VAN DEN TOORN SEPARATE PROPERTY TRUST DATED DECEMBER 2, 2002; AND LINNEA ALBERTA BONDOC, TRUSTEE OF THE
LINNEA ALBERTA BONDOC SEPARATE PROPERTY
TRUST DATED DECEMBER 2, 2002
(LEESSEE/ASSIGNOR); LAUREN VOGT
(APPLICANT/ASSIGNEE): Consider assignment
of Lease No. PRC 3582.1, a General Lease - Recreational Use, of sovereign land
located in the Petaluma River, adjacent
to 55 Havenwood Road, near Novato, Marin County; for an existing walkway, access
ramp, and fixed boat dock. CEQA
Consideration: Not a project. (PRC
3582.1; RA# 20218) (A 10; S 2) (Staff: G. Asimakopoulos)

Central / Southern Region

48
TOM ACCETTA AND FRANCINE ACCETTA,
TRUSTEES OF THE TOM ACCETTA AND FRANCINE
ACCETTA TRUST DATED NOVEMBER 20, 1995
(APPLICANT): Consider application for a
General Lease - Recreational Use, of
sovereign located in the Main Channel of
Huntington Harbour, adjacent to 16872
Coral Cay Lane, Huntington Beach, Orange
County; for an existing boat dock, access
ramp, and cantilevered deck not
previously authorized by the Commission.
CEQA Consideration: Categorical
exemption. (W 27013; RA# 21618) (A 72; S
34) (Staff: K. Connor)

49
NAZIR S. ANTOUN, TRUSTEE OF THE NAZIR
AND MARY ANTOUN TRUST U/T/D/ JUNE 13,
1985 (APPLICANT): Consider application
for a General Lease - Recreational Use, of
sovereign land located in the Main
Channel of Huntington Harbour, adjacent
to 16971 Bolero Lane, Huntington Beach,
Orange County; for the use and
maintenance of an existing boat dock,
access ramp, and cantilevered deck. CEQA
Consideration: Categorical exemption.
(PRRC 3568.1; RA# 25518) (A72; S34)
(Staff: K. Connor)

50
NAZIR S. ANTOUN, TRUSTEE OF THE NAZIR S.
ANTOUN AND MARY ANTOUN LIVING TRUST DATED
JUNE 13, 1985 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign located in the Main Channel of Huntington Harbour, adjacent to 16787 Bolero Lane, Huntington Beach, Orange County; for an existing boat dock, access ramp, and cantilevered deck not previously authorized by the Commission. CEQA Consideration: Categorical exemption. (W 27046; RA# 24718) (A 72; S 34) (Staff: K. Connor)

CALIFORNIA-AMERICAN WATER COMPANY (LESSEE): Consider amendment to Lease No. PRC 9177.1, a General Lease - Right-of-Way Use, of sovereign land located in the Pacific Ocean, Monterey Bay, near Marina, Monterey County; to modify the Lease Special Provisions and extend the lease term. CEQA Consideration: Categorical exemption. (PRC 9177.1; A2070; RA# 27118) (A 29; S 17) (Staff: D. Simpkin)

CALIFORNIA HIGH-SPEED RAIL AUTHORITY (APPLICANT): Consider application for a General Lease - Public Agency Use, of sovereign land crossing the Kings River old channel, near Laton, Kings County; for the construction of a railroad system and steel truss bridge crossing. CEQA Consideration: Environmental Impact Report, certified by the California High-Speed Rail Authority, State Clearinghouse No. 2009091126, and adoption of a Mitigation Monitoring Program and Statement of Findings. (W 27137; RA# 06317) (A 31, 32; S 12, 14) (Staff: C. Hudson)

CALIFORNIA STATE LANDS COMMISSION AND CALIFORNIA COASTAL COMMISSION (PARTIES): Consider acceptance of an offer to dedicate a lateral public access easement over land adjacent to 28118 Pacific Coast Highway, Malibu, Los Angeles County. CEQA Consideration: Not a project. (W 24665) (A 50; S 27) (Staff: L. Pino)
CALIFORNIA STATE LANDS COMMISSION AND CALIFORNIA COASTAL COMMISSION (PARTIES):
Consider acceptance of an offer to dedicate a lateral public access easement over land adjacent to 21100 Pacific Coast Highway, Malibu, Los Angeles County. CEQA Consideration: Not a project. (W 24665) (A 50; S 27) (Staff: L. Pino)

CALIFORNIA STATE LANDS COMMISSION AND CALIFORNIA COASTAL COMMISSION (PARTIES):
Consider acceptance of an offer to dedicate a lateral public access easement over land adjacent to 21106 Pacific Coast Highway, Malibu, Los Angeles County. CEQA Consideration: Not a project. (W 24665) (A 50; S 27) (Staff: L. Pino)

CALIFORNIA STATE LANDS COMMISSION AND CALIFORNIA COASTAL COMMISSION (PARTIES):
Consider acceptance of an offer to dedicate a lateral public access easement over land adjacent to 18954 Pacific Coast Highway, Malibu, Los Angeles County. CEQA Consideration: Not a project. (W 24665) (A 50; S 27) (Staff: L. Pino)

CALIFORNIA STATE LANDS COMMISSION AND CALIFORNIA COASTAL COMMISSION (PARTIES):
Consider acceptance of an offer to dedicate a lateral public access easement over land adjacent to 19768 Pacific Coast Highway, Malibu, Los Angeles County. CEQA Consideration: Not a project. (W 24665) (A 50; S 27) (Staff: L. Pino)

CITY OF AVALON (LESSEE): Consider revision of rent to Lease No. PRC 6696.1, a General Lease - Commercial Use, of sovereign land located in the Pacific Ocean at Hamilton Cove, Santa Catalina Island, Los Angeles County; for 10 mooring buoys. CEQA Consideration: Not a project. (PRC 6696.1) (A 70; S 28) (Staff: D. Simpkin)
DUNCAN MCINTOSH COMPANY INC. (APPLICANT): Consider application for a General Lease – Commercial Use, of sovereign land located in Harbor Island West Basin, San Diego, San Diego County; for construction and deconstruction of a temporary marina for an annual boat show. CEQA Consideration: Categorical exemption. (PRC 8602.1; RA# 36715) (A 78; S 39) (Staff: R. Collins)

GREGORY A. GRANI (APPLICANT): Consider application for a General Lease – Recreational Use, of sovereign land located in the Midway Channel of Huntington Harbour adjacent to 3302 Gilbert Drive, Huntington Beach, Orange County; for an existing boat dock, access ramp, and two cantilevered decks not previously authorized by the Commission. CEQA Consideration: Categorical exemption. (W 26998; RA# R18718) (A 72; S 34) (Staff: L. Pino)

BARTBARA ANN GREER (APPLICANT): Consider application for a General Lease – Recreational Use, of sovereign located in the Main Channel of Huntington Harbour, adjacent to 16851 Bolero Lane, Huntington Beach, Orange County; for an existing boat dock, access ramp, and cantilevered deck not previously authorized by the Commission. CEQA Consideration: Categorical exemption. (W 27030; RA# 05718) (A 72; S 34) (Staff: K. Connor)

MADERA COUNTY/CSA-16 (APPLICANT): Consider application for a General Lease – Public Agency Use, of sovereign land located in the San Joaquin River, 4 miles south of Friant Dam, San Joaquin County; for bank restoration, cove fill, and a temporary construction easement. CEQA Consideration: Environmental Impact Report, certified by Madera County, State Clearinghouse No. 2018031001, and adoption of a Mitigation Monitoring Program and Statement of Findings. (W
27208; RA# 09818) (A 5; S 8) (Staff: D. Simpkin)

64 PETER W. MCKINLEY AND LIZ NORRIS MCKINLEY, TRUSTEES OF THE PETER W. MCKINLEY AND LIZ NORRIS MCKINLEY FAMILY TRUST DATED MARCH 9, 1994 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign located in the Main Channel of Huntington Harbour, adjacent to 16882 Coral Cay Lane, Huntington Beach, Orange County; for an existing boat dock, access ramp, and cantilevered deck not previously authorized by the Commission. CEQA Consideration: Categorical exemption. (W 27012; RA# 13417) (A 72; S 34) (Staff: K. Connor)

65 KHEIM VAN NGUYEN AND VAN KIM NGUYEN, TRUSTEES OF THE KHEIM VAN NGUYEN AND VAN KIM NGUYEN 2010 TRUST, DATED DECEMBER 12, 2010 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in the Main Channel of Huntington Harbour adjacent to 17001 Bolero Lane, Huntington Beach, Orange County; for an existing boat dock, access ramp, and cantilevered deck. CEQA Consideration: Categorical exemption. (PRC 3567.1; RA# R32417) (A 72; S 34) (Staff: L. Pino)

67 PACIFIC GAS AND ELECTRIC COMPANY (APPLICANT): Consider rescission of approval and issuance of a General Lease - Right-of-Way Use, of sovereign land crossing the San Joaquin River, near Fresno, Fresno and Madera Counties; for an existing electrical transmission line and the installation, use, and maintenance of a fiber-optic cable. CEQA Consideration: Categorical exemptions. (PRC 9524.1; RA# 35217) (A 5, 23; S 8, 12) (Staff: D. Simpkin)
PACIFIC GAS AND ELECTRIC COMPANY (APPLICANT): Consider application for termination of a General Lease – Data Collection Use and acceptance of a quitclaim deed, of sovereign land located in the Pacific Ocean, adjacent to Diablo Canyon Power Plant, San Luis Obispo County; for four autonomous ocean bottom seismometer (AOBS) units. CEQA Consideration: Not a project. (PRC 8985.1; RA# 22018) (A 35; S 17) (Staff: C. Hudson)

PEBBLE BEACH COMPANY (APPLICANT): Consider application for a General Lease – Recreational Use, of sovereign land located in Stillwater Cove, Carmel Bay, Monterey County; for an existing multiuse pier with public access, and approval of “Pier Rules & Regulations By Pebble Beach Company” for public access to, and use of, the multiuse pier. CEQA Consideration: Categorical exemption. (PRC 2714.1; RA# 20918) (A 29; S 17) (Staff: D. Simpkin)

TERESA N. RICE, TRUSTEE OF THE TERESA N. RICE LIVING TRUST 1999 (APPLICANT): Consider application for a General Lease – Recreational Use, of sovereign land located in Morro Bay, adjacent to 1135 5th Street, Los Osos, San Luis Obispo County; for an existing recreational pier not previously authorized by the Commission. CEQA Consideration: Categorical exemption. (W 27239; RA# 22818) (A 35; S 17) (Staff: L. Pino)

SURFSONG OWNERS ASSOCIATION (APPLICANT): Consider application for a General Lease – Protective Structure Use, of sovereign land located in the Pacific Ocean, adjacent to 205-239 South Helix Avenue, City of Solana Beach, San Diego County; for existing seawalls and portions of seacave/notch fills. CEQA Consideration: Categorical exemption. (PRC 8834.1; A2072; RA# 26718) (A 78; S 17)
74 STEEVE D. TRAN AND MARY A. TRAN (APPLICANT): Consider application for a General Lease – Recreational Use, of sovereign land located in the Main Channel of Huntington Harbour adjacent to 16881 Bolero Lane, Huntington Beach, Orange County; for an existing boat dock, access ramp, and partially enclosed cantilevered deck. CEQA Consideration: Categorical exemption. (PRC 3853.1; RA# R21318) (A 72; S 34) (Staff: L. Pino)

75 CYNTHIA D. WILLIAMS AND NICHOLAS DIBENEDETTO, TRUSTEES OF THE WILLIAMS-DIBENEDETTO TRUST DATED JULY 30, 2008 (APPLICANT): Consider application for a General Lease – Recreational Use, of sovereign land located in the Main and Midway Channels of Huntington Harbour adjacent to 16632 Coral Cay Lane, Huntington Beach, Orange County; for an existing boat dock, access ramp, and three cantilevered decks. CEQA Consideration: Categorical exemption. (PRC 5749.1; RA# R17318) (A 72; S 34) (Staff: L. Pino)

76 KARL W. WOLFSLAU AND LOIS C. WOLFSLAU (APPLICANT): Consider application for a General Lease – Recreational Use, of sovereign located in the Main Channel of Huntington Harbour, adjacent to 16812 Coral Cay Lane, Huntington Beach, Orange County; for an existing boat dock, access ramp, and two cantilevered decks not previously authorized by the Commission. CEQA Consideration: Categorical exemption. (W 27016; RA# 21518) (A 72; S 34) (Staff: K. Connor)

77 CALIFORNIA STATE LANDS COMMISSION AND BARSTOW SPANISH TRAIL, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY (PARTIES): Consider amendment to the “Offer to
Purchase Real Estate in the County of San Bernardino and Acceptance of Offer to Purchase" for approximately 63.3 gross acres of indemnity school lands in Barstow, San Bernardino County; to extend the closing date. CEQA Consideration: Not a project. (SA 5772; RA# 24716) (A 33; S 16) (Staff: J. Porter, P. Huber)

78 ALLAN L. FAUGHN (APPLICANT): Consider application for a General Lease - Grazing Use of State-owned indemnity school land located in a portion of Section 18, Township 27 South, Range 28 East, MDM, Kern County; for livestock grazing and existing fencing. CEQA Consideration: Categorical exemptions. (PRC 8089.2; RA# 22118) (A 26; S 16) (Staff: C. Hudson)

79 PACIFIC GAS AND ELECTRIC COMPANY (LESSEE): Consider revision of rent to Lease No. PRC 6703.2, a General Lease - Right-of-Way Use, of State-owned indemnity school land located in Section 28, Township 4 South, Range 18 East, MDM, south of Sherlock Road, Mariposa County; for existing overhead transmission lines, one wood pole, and an unpaved access road. CEQA Consideration: Not a project. (PRC 6703.2) (A 5; S 8) (Staff: J. Porter)

80 SOUTHERN CALIFORNIA EDISON COMPANY (LESSEE): Consider revision of rent and amendment to Lease No. PRC 4465.2, a General Lease - Right-of-Way Use, of State-owned school land located within a portion of Section 36, Township 6 South, Range 5 West, SBM, near Elsinore Peak, Riverside County; to replace an existing power line with new overhead distribution lines, and install new poles. CEQA Consideration: Categorical exemption. (PRC 4465.2; RA# 11918) (A 67; S 28) (Staff: C. Hudson)
UNAVCO, INC. (APPLICANT): Consider application for a General Lease – Other, of State-owned school land located in Section 36, Township 32 North, Range 15 East, MDM, north of Shinn Ranch Road, Lassen County; for an existing geodetic monitoring system. CEQA Consideration: Categorical exemption. (PRC 7879.2; RA# 24018) (A 1; S 1) (Staff: J. Porter)

Mineral Resources Management

CITY OF SACRAMENTO (APPLICANT): Consider application for a Non-Exclusive Geological Survey Permit on sovereign lands located in the Sacramento River, Sacramento and Yolo counties. CEQA Consideration: Categorical exemption. (W 6005.198; RA# 24818) (A 7; S 6) (Staff: R. B. Greenwood)

LINCOLN GOLD US CORP. (APPLICANT): Consider application for a prospecting permit for precious metals and minerals other than oil, gas, geothermal resources, or sand and gravel, Assessor’s Parcel Number 042-050-018, containing approximately 640 acres of State fee-owned school land, located within Section 36, T14S, R20E, SBM, Imperial County. CEQA Consideration: Categorical exemption. (W 41000; RA# 25318) (A 56; S 40) (Staff: R. Lee)

UNITED STATES GEOLOGICAL SURVEY (APPLICANT): Consider application for a Non-Exclusive Geological Survey Permit on sovereign lands located offshore. CEQA Consideration: Categorical exemption. (W 6005.200; RA# 26918) (A & S: Statewide) (Staff: R. B. Greenwood)

Marine Environmental Protection – see Regular Calendar Administration
CALIFORNIA STATE LANDS COMMISSION:
Consider authorizing the Executive Officer to execute an agreement to renew the Commission’s subscription to an online real estate database. CEQA Consideration: Not a project. (C2019006) (A & S: Statewide) (Staff: C. Wong, T. Cowgill)

Legal - see Regular Calendar
Kapiloff Land Bank Trust Acquisitions - no items
External Affairs

Granted Lands

CITY OF ARCATA (GRANTEE): Consider adopting findings relating to certain lands subject to the legislative trust grant to the City of Arcata and the authorization to file a certificate that would temporarily lift the Public Trust use restrictions on those lands as provided under Chapter 1040, Statutes of 1976. CEQA Consideration: Not a project. (G 04-01) (A 2; S 2) (Staff: R. Boggiano, S. Scheiber)

CITY OF PITTSBURG (GRANTEE): Review a proposed trust revenue expenditure, in an amount not to exceed $683,547 by the City of Pittsburg for a capital improvement project located on legislatively granted sovereign land in the City of Pittsburg, Contra Costa County. CEQA Consideration: Not a project. (G 02-03) (A 14; S 7) (Staff: M. Moser)

Informational

CALIFORNIA STATE LANDS COMMISSION:
Legislative Report providing information and a status update concerning state legislation relevant to the Commission. CEQA Consideration: Not applicable. (A & S: Statewide) (Staff: S. Pemberton)
CALIFORNIA STATE LANDS COMMISSION:
Application of the Consumer Price Index to update the minimum rents pursuant to California Code of Regulations, title 2, section 2003. CEQA Consideration: Not applicable. (A & S: Statewide) (Staff: G. Kato)

V. Regular Calendar 93-103

CALIFORNIA STATE LANDS COMMISSION:
Consider supporting AB 552 (Stone) in the 2019-20 legislative session that would establish the Coastal Adaptation, Access, and Resilience Program. CEQA Consideration: Not applicable. (A & S: Statewide) (Staff: S. Pemberton)

CALIFORNIA STATE LANDS COMMISSION:
Consider supporting AB 1680 (Limón) in the 2019-20 legislative session that would require the California Coastal Commission, in collaboration with the California State Coastal Conservancy, the Department of Parks and Recreation, and the State Lands Commission to develop a new coastal access plan for Hollister Ranch in the County of Santa Barbara. CEQA Consideration: Not applicable. (A & S: Statewide) (Staff: S. Pemberton)

CALIFORNIA STATE LANDS COMMISSION:
Consider sponsoring state legislation that would grant in trust to the City of San Diego title to three parcels of land in the vicinity of Mission Bay, known as the Famosa Slough parcels, that are associated with a 2011 land exchange agreement between the State of California, acting by and through the California State Lands Commission, and the City of San Diego. CEQA Consideration: Not applicable. (A & S: Statewide) (Staff: S. Pemberton)
CALIFORNIA STATE LANDS COMMISSION:

Consider supporting H.R. 2995, the Spent Fuel Prioritization Act of 2019 introduced by U.S. Representative Mike Levin in the 116th Congress and H.R. 2699, the Nuclear Waste Policy Amendments Act of 2019 introduced by U.S. Representative Jerry McNerney in the 116th Congress. CEQA Consideration: Not applicable. (Federal) (Staff: S. Pemberton)

CALIFORNIA STATE LANDS COMMISSION:

Consider sponsoring a legislative resolution to defend California’s authority to protect state waters and prevent invasive species introductions. CEQA Consideration: Not applicable. (A & S: Statewide) (Staff: S. Pemberton, N. Dobroski)

CARONE PETROLEUM CORPORATION AND EXXONMOBIL CORPORATION (LESSEE): Consider termination of State Oil and Gas Lease Nos. PRC 3133.1, PRC 4000.1, and PRC 7911.1, located in the Santa Barbara Channel, Santa Barbara and Ventura counties. CEQA Consideration: Not a project. (PRC 3133.1, PRC 4000.1, PRC 7911.1) (A 37; S 19) (Staff: S. Blackmon; J. Fabel)

SIGNAL HILL SERVICE, INC. (LESSEE): Consider termination of Lease No. PRC 3914.1, a General Lease - Right-of-Way Use, of sovereign land located in the Santa Barbara Channel, near Rincon Point, Santa Barbara and Ventura counties; for five existing pipelines. CEQA Consideration: Not a project. (PRC 3914.1) (A 37; S 19) (Staff: L. Pino)

CALIFORNIA STATE LANDS COMMISSION (PARTY): Consideration of the Commission’s “Abandoned Commercial Vessel Removal Plan, Sacramento-San Joaquin River Delta Region” covering Contra Costa, Sacramento, San Joaquin, Solano,
And Yolo counties, prepared pursuant to AB 2441 (Frazier), Chapter 540, Statutes of 2018. CEQA Consideration: Not a project. (A 4, 7, 9, 11, 13, 14, 15, 16; S 3, 5, 6, 7, 9) (Staff: K. Foster, A. Kershens)

101  CALIFORNIA STATE LANDS COMMISSION (INFORMATIONAL): Informational update on two new public GIS-based interactive spatial tools, the San Diego Ocean Planning Partnership Web Mapping Application, and the State Lands Commission Sea-Level Rise Viewer, created to enhance Public Trust resource management and decision-making. CEQA Consideration: Not applicable. (A 78, 80; S 39, 40) (Staff: M. Farnum, C. Packer)

102  CALIFORNIA STATE LANDS COMMISSION (INFORMATIONAL): Informational update on the Tijuana River Valley pollution issues. CEQA Consideration: Not applicable. (A 78, 80; S 39, 40) (Staff: M. Farnum, B. Johnson)


VI. Public Comment

VII. Commissioners’ Comments

VIII Closed Session

At any time during the meeting the Commission may meet in a session of Government Code section 11126, part of the Bagley-Keene Open Meeting Act.
Litigation.
The Commission may consider pending and possible litigation pursuant to the confidentiality of attorney-client communications and privileges provided under Government Code section 11126, subdivision (e).

1. The Commission may consider pending and possible matters that fall under Government Code section 11126, subdivision (e)(2)(A), concerning adjudicatory proceedings before a court, an administrative body exercising its adjudicatory authority, a hearing officer, or an arbitrator, to which the Commission is a party. Such matters currently include the following:
   · Baywood, LLC and California State Lands Commission v. DOES
   · California Coastkeeper Alliance, California Coastal Protection v. California State Lands Commission
   · Eugene Davis v. State of California and California State Lands Commission
   · In re: Rincon Island Limited Partnership Chapter 7
   · In re: Venoco, LLC, Bankruptcy Chapter 11
   · In re: PG&E Corporation and Pacific Gas and Electric Company, Bankruptcy Chapter 11
   · Madden v. City of Redwood City
   · Martins Beach 1, LLC and Martins Beach 2, LLC v. Effie Turnbul-Sanders, et al.
   · Oakland Bulk and Oversized Terminal, LLC v. City of Oakland
   · Public Watchdogs v. California State Lands Commission
   · San Joaquin River Exchange Contractors Water Authority v. State of California; State Lands Commission
   · Seacliff Beach Colony Homeowners Association v. State of California, et al.
   · Sierra Club, et al. V. City of Los Angeles, et al.
   · SLPR, LLC, et al. V. San Diego Unified
2. The Commission may consider matters that fall under Government Code section 11126, subdivision (e)(2)(b), under which;
   A. A point has been reached where, in the opinion of the Commission, on the advice of its legal counsel, based on existing facts and circumstances, there is a significant exposure to litigation against the Commission, or
   B. Based on existing facts and circumstances, the Commission is meeting only to decide whether a closed session is authorized because of a significant exposure to litigation against the Commission.

3. The Commission may consider matters that fall under Government Code section 11126, subdivision (e)(2)(C), where, based on existing facts and circumstances, the state body has decided to initiate or is deciding whether to initiate litigation.

B. Conference with real property negotiators.
The Commission may consider matters that fall under Government Code section 11126, subdivision (c)(7), under which, prior to the purchase sale, exchange, or lease of real property by or for the Commission, the directions may be given to its negotiators regarding price and terms of payment for the purchase, sale, exchange, or lease. At the time of publication of this Agenda, it is not anticipated that the Commission will discuss any such matters; however, at the time of the
Scheduled meeting, a discussion of any such matter may be necessary or appropriate.

C. Other matters.
The Commission may also consider personnel actions to appoint, employ, or dismiss a public employee as provided for in Government Code section 11126(A)(1).

Adjournment 176

Reporter's Certificate 177
CHAIRPERSON KOUNALAKIS: I call this meeting of the State Lands Commission to order. All the representatives of the Commission are present. I am Lieutenant Governor Eleni Kounalakis. I'm joined today by State Controller Betty Yee and Gayle Miller. Yeah. Okay. I'm sorry. Gayle Miller representing the Department of Finance.

For the benefit of those in the audience, the State Lands Commission manages State property interests in over five million acres of land, including mineral interests. The Commission also has the responsibility for the prevention of oil spills in marine oil terminals and offshore oil platforms and from preventing the introduction of marine-invasive species into California's marine waters.

Today, we will hear requests and presentations involving the lands and resources within the Commission's jurisdiction. We recognize that the lands we manage have been inhabited for thousands of years by California's native people and take seriously our trust relationship with these sovereign governments. Today, our gratitude goes to the Kumeyaay people who have inhabited the San Diego area and Baja California for over 12,000 years or 600 generations.
The first item of business will be the adoption of the minutes from the Commission's Meeting of April 5th, 2019. May I have a motion to approve the minutes?

COMMISSIONER YEE: Yes, move to approve the minutes.

ACTING COMMISSIONER MILLER: I second.

CHAIRPERSON KOUNALAKIS: Any objection to unanimous vote? If not, the motion passes unanimously.

The next order of business is the Executive Officer's report. Ms. Lucchesi, may we have that report?

EXECUTIVE OFFICER LUCCHESI: Yes. Good afternoon. I have a number of things to report to the Commission and the public on. First, is the State Lands Commission 2019/20 budget highlights. The 2019/20 State Lands Commission budget of $88,862,000 -- excuse me -- continues the trend of heavy special project funding, nearly outweighing our usual baseline budget. The oil and gas plug and abandonment activities at Platform Holly in Rincon Island account for most of this at 40 -- over $40 million, along with another $4 million to fund litigation costs related to those efforts.

Other 2019/20 special projects include $2 million for one more year of the Bolsa Chica Wetlands dredging; $2 million to continue the new Coastal Hazards Removal program pursuant to SB 44 by Senator Hannah-Beth
Jackson; and over $1 million towards maintenance and
operation of our new Records Management IT project.

In addition to the special project funding, it
also brings a new Forestry position, to restart our
Forested School Lands Management program, plus a new
Environmental Justice Coordinator and an Administrative
Liaison to drive this new initiative. The Commission is
also gaining two new IT positions to right size the
Information Services Division of the Commission and
continues to build a solid technological foundation for
its strategic goals.

Finally, the Natural Resources Agency has
included over $900,000 in an agency-wide budget request
for State Lands' continued record preservation and
digitization. This funding and resulting contracts will
be managed at the agency with support from our Records
Management staff.

Next, I want to provide an update on the
Hollister Ranch Public Access efforts in coordination and
collaboration with State Parks, Coastal Commission, and
the State Coastal Conservancy. We have completed the RFP
bid and interview process and have selected a consulting
firm to develop the Phase One of the Hollister Ranch
Contemporary Access Plan. The principal firm is KTUA, a
well-respected planning and landscape architecture design
firm located in San Diego, with many acclaimed public access projects along the central coast.

In addition their in-house Public Engagement Team, KTUA has partnered with a professional public engagement firm, Participation by Design. The founder, Lewis Michaelson, has over 30 years of professional public engagement experience, and he is highly recommended for facilitating high-conflict, public engagement processes through to consensus. KTUA and their consultants will develop and execute a public engagement strategy to ensure meaningful participation in the development of a shared vision for public access at Hollister Ranch through statewide and local public engagement.

So the next steps is to finalize the contract, which is currently in process. The contract is anticipated to be executed after July 1st of this year. We are also planning a site visit to Hollister Ranch with agency team members, supporting staff, and consultants. It's currently being planned for the end of July.

And, finally, we are monitoring Assembly Member Limón's bill, AB 1680, and that's actually an item on the Commission's agenda today, with a recommendation to support. That item is being heard on July 9th by the Senate Natural Resources and Water Committee.
Next, I want to update the Commission on the State Lands Commission's Environmental Justice policy and implementation. In late May and early June, we provided all Commission staff with comprehensive environmental justice training. This was a key implementation effort -- element of the EJ policy the Commission adopted in December. Our internal EJ team prepared and implemented the all-day trainings together with CalEPA staff. The training went exceptionally well, incorporated social and racial equity justice issues, and the overall consensus among staff was that it was beneficial and a really great training.

We are now in the process of providing staff with additional training about how to use CalEnviroScreen as an environmental justice screening tool, and we're working closely with CalEPA who is providing the staff training, and we are also planning a more targeted training for our staff later this year, which is going to be focused on community outreach.

I'm deeply, deeply grateful to CalEPA staff and our internal EJ team for their involvement and guidance on our environmental justice trainings and for all their hard work in putting those together. They were two all-day trainings, one in Sacramento, one in Long Beach, and it was a Herculean effort to put that on, and it was
done through CalEPA staff and our staff only, no consultants were used. So we're very proud of that training and we can hope to continue to build on that training over the year.

Next, I want to update the Commission on the Platform Holly Decommissioning Project. I'll talk a little bit about the status of the project in general, and, specifically, the May 28th release of oil that occurred that we are still continuing to address and monitor. Platform the -- relating to Platform Holly itself, the platform drilling equipment required to do the plugging and abandonment of the 30 wells on Holly has entered a second phase. The rig repairs are done and most of the testing has been completed.

We are awaiting delivery of the new equipment for the actual plugging and abandonment work, and we hope to start the plugging and abandonment work by the end of this year. There's been a significant amount of buildup to get to that point of plugging and abandoning those wells, because we essentially had to rebuild portions of the platform and the rig to be able to implement that plugging and abandonment project.

Relating to the Ellwood Onshore Facility, no new operations have been completed or are planned at this time. Currently the facility is only in service for the
support of Platform Holly that is supplying the platform with required utilities for electric and gas services. We are continuing to be involved in litigation over the ultimate use of the EOF with the Trustee throughout the District Court in Delaware.

PRC 421, which is the Beachfront Wells, the two piers, shore-zone piers offshore Goleta. The Number One well has been fully plugged and abandoned; the Number Two well was almost complete, a little over 80 percent complete, when, as you are aware, there was a release of approximately 100 to 125 gallons of what we call "dead oil." That oil is -- has sat around and weathered for quite some time. Most of this oil came up inside the caisson and some released into the intertidal zone. Clean up was quick and efficient and took about five days. The incident command was comprised of OSPR, the Coast Guard, the City of Goleta, the Commission and its agents.

The coring inside the caisson so far has revealed that no free oil, just an old tarry mix into the soil. So, essentially, what we know is that the oil that was released was not from the production zone; that had already been completely plugged and abandoned. What we are trying to figure out and are in the process of investigating now is where did this oil come from and
what pathways exist for it to be released into the environment. We don't know the answers to those questions now. We're actively working with our partner agencies, as well as our contractors to figure that out.

We did have -- we did host a town hall meeting in Goleta last night from 5:00 to 8:00 p.m. It was a packed full house. Staff provided a presentation both on the status of the overall decommissioning project but really focused on the May 28th release and attempted to answer all the questions and concerns that the community had. I'm happy to report that it was -- it went very well. I believe that we genuinely answered all the questions that were asked of us and were very transparent in expressing what we didn't know yet but what we're trying to find out.

I want to thank the City of Goleta for hosting us and for welcoming us in Goleta. Thank OSPR, Coast Guard, DOGGR, and the Chumash governments, and the community and many others for spending the evening with us, providing perspective, insight, and asking very smart questions of staff.

Next, is an update on the Rincon -- Rincon Island decommissioning. The most significant milestone achieved during the last month is the abandonment of the Rincon oil wells, Island Wells 1466-8A and 1466-50A.
These two wells were known to be capable of natural flow, which coupled with a deteriorating condition of their wellhead assemblies constituted an unacceptable risk. The risk has now been eliminated and because both are now sealed to the mud line with multiple cement plugs.

And I'm happy to report with this project we are ahead of schedule and under budget. So currently, 21 of the -- oh, I just lost my spot. Excuse me for a second -- 21 of the 25 onshore wells have been abandoned, and 13 of the 50 offshore wells have been abandoned. The project is about six wells ahead of schedule by well count and approximately $1.3 million under plan forecast at $15.8 million actual.

Next, I want to update the Commission on the Burlingame parcel request for proposal. Staff released the request for proposal -- request for project proposals on May 22nd, with the request that interested parties indicate their interest by filling out an Interested Party Registration Form. To date, four parties have registered, and today, June 28th, is a deadline for submittal of questions or requests for clarification. Based on feedback and, if necessary, staff will put out an amendment to the request for project proposals or a Frequently Asked Questions document. The submittal deadline for proposals is July 26, and we'll provide an
update for you at the August Commission meeting based on
what we've received so far.

Next, I want to update the Commission on the San Francisco Waterfront Plan. State Lands Commission Staff
recently participated in a comprehensive public process
to update the Port of San Francisco Waterfront Land Use
Plan. The original plan adopted by the Port in 1997
guides the Port's land use and development decisions
along the Port's seven-and-a-half mile stretch of granted
Public Trust lands. With direction from the Port
Commission, Port staff established a 32-member Waterfront
Plan Working Group, comprised of representatives and
stakeholders from San Francisco and the Bay Area,
including the State Lands Commission.

The three-year public planning process led by
the working group -- excuse me -- led by the working
group was charged with developing a Port-wide policy
recommendation on how best to update the Waterfront Plan.
The collaborative process delved into land use,
transportation, resilience, Public Trust uses, and
resulted in a shared public understanding of the complex
and often competing challenges of managing a thriving
waterfront.

State Lands Commission representation in the
working group also led to new leasing strategies, Public
Trust objectives, and policy recommendations for the rehabilitation of the Embarcadero Historic District's decaying finger piers. The working group unanimously approved 160 out of 161 policy recommendations, which were then all endorsed by the Port Commission and incorporated into draft plan amendments to update the Port's new Waterfront Plan. Commission staff is grateful for the collaborative partnership with the Port, which has been essential to addressing the complex Public Trust issues surrounding the Port's unique properties and the future of the waterfront.

And, finally, we are also very excited to share with the Commission that we are embarking on a major digital transformation effort to streamline the inquiry and application process for the Commission. We call this new system OSCAR, the Online System for Customer Applications and Records. We believe OSCAR will revolutionize the way we process applications and provide information to the public.

The project is being developed in three phases. Phase one is a digital application that can be electronically routed to allow all divisions within the Commission to work on applications in a concurrent manner. Applicants will be able to submit online, as opposed to completing a paper application, and follow
their application through the process. The system will also allow for online payments, and, in addition to applications, interested parties who request jurisdictional determinations from the Commission will be able to utilize OSCAR as well.

Phase two is a document management in Geographic Information Systems, or GIS, search will replace the existing paper-based GIS indexed of the Commission's records and title history; and, Phrase three will be an online GIS integrated records portal that will allow the public to search and download historic records.

OSCAR should minimize the number of missing files each month, reduce the time spent for searching for files, improve timely fulfilment of Public Records Act Requests, and preserve and protect historic records from damage, loss, wear and tear. In alignment with the Commission's strategic plan, OSCAR will cultivate operational excellence by integrating technology by implementing richer technologies and business processes. It will extend the GIS contact and capabilities. It will implement an automatic -- automated electronic data system management system, and deliver enhanced information technology tools, services, and applications.

While the focus is on -- while the focus is technology centric, the work involves staff from all of
the Commission's divisions who have been working collaboratively with the developers for this new system and are currently deep in two-week sprints to prepare for the new deployment of the project to the general public. Staff anticipates a full go-live system in August.

That concludes my report. I'm happy to answer any questions.

CHAIRPERSON KOUNALAKIS: Thank you, Ms. Lucchesi. Are there any questions from the Commissioners? Commissioner Yee?

COMMISSIONER YEE: Thank you. Thank you, Madam Chair. Thank you, Jennifer for the report. As you were speaking about the Waterfront Plan, with respect to the San Francisco Port Commission, it did trigger a thought. And I know we have been kept up to date, with respect to the Board of Supervisors' actions, with respect to the navigation centers to respond to some of the homelessness issues and the potential of Public Trust involvement with that, but it raised a question with respect to other jurisdictions through their granted lands, as to whether that's becoming an increasing consideration, with respect to using public lands, for either temporary housing or trying to deal with some of the effects of the homelessness issues and housing issues?

EXECUTIVE OFFICER LUCCHESI: Yeah. As far as I
know today, we have not been contacted from any other waterfront grantees, in terms of exploring options, legal options, for addressing the homelessness issue through navigation centers. However, as always, we're here to work with our grantees to accomplish the goals that they are charged with accomplishing consistent with the law. And so we're available, and we did discuss with the Port of San Francisco while this navigation center was moving through the process, and I can't really speak more to that because we do anticipate litigation in that.

CHAIRPERSON KOUNALAKIS: Okay. The next order of business will be the adoption of the Consent Calendar. Commissioner Yee, Commissioner Miller, are there any items you would like removed from the Consent Calendar?

(Head shakes.)

CHAIRPERSON KOUNALAKIS: Okay. Next, I call on Ms. Lucchesi to indicate which items, if any, have been removed from the Consent Calendar.

EXECUTIVE OFFICER LUCCHESI: Consent Items 51, 69, 72, 84, 85, and 89 are removed from the agenda and will be considered at a later time.

CHAIRPERSON KOUNALAKIS: Okay. Is there anyone in the audience who wishes to speak on any item remaining on the Consent Calendar? Okay. If not, we will now proceed with the vote. Motion?
COMMISSIONER YEE: I'll move the remainder of the --

EXECUTIVE OFFICER LUCCHESI: I'm sorry. Okay.

I would like to add Item 66 -- sorry. I would like to add Item 66 to the list of Consent Items removed from the agenda. So just to be clear, I'd like to remove 51, 66, 69, 72, 84, 85, and 89.

CHAIRPERSON KOUNALAKIS: Okay. Do we have a motion?

COMMISSIONER YEE: Yes. Move approval of the remainder of the Consent Calendar.

ACTING COMMISSIONER MILLER: Second.

CHAIRPERSON KOUNALAKIS: Okay. Motion passes unanimously.

The next order of business will be the Regular Calendar. Item 93 is to consider supporting State Legislation that would establish the Coastal Adaptation, Access, and Resilience Program. May we have the presentation?

EXTERNAL AFFAIRS AND LEGISLATIVE LIAISON CHIEF PEMBERTON: Thank you. Item 93 recommends that the Commission support AB 552, which would establish and fund a Coastal Adaptation and Resiliency Program. It would be funded through what's known as Tideland Oil Revenue, which is revenue generated from State Oil and Gas Leases.
or revenue from legislatively granted oil and gas production offshore, where the State gets a net profit from those agreements.

It would apportion about 30 percent of those revenues on an ongoing basis to this program for adaptation projects in the coastal zone, and that would be, we estimate, around 20 million potentially per year. While it's sort of a drop in the bucket, the author hopes that it will help get things moving and kind of prime the pump and also provide a funding source that's a little less or a little more flexible than some of the bond funding that's out there for these types of adaptation projects.

There's no opposition. It's in the Senate Appropriations Committee and was recently approved in the Senate Natural Resources and Water Committee earlier this week, and it would allow the State Lands Commission along with Ocean Protection Council, the Coastal Commission, and the Coastal Conservancy and State Parks to access money in the fund using the criteria in the bill. So we recommend that the Commission take a support position on the bill.

CHAIRPERSON KOUNALAKIS: Okay. Commissioners, any questions? Do we have a motion?

COMMISSIONER YEE: Yes. Move in support on AB
CHAIRPERSON KOUNALAKIS: Oh, yes. I'll second. And so all in favor? Aye.

COMMISSIONER YEE: Aye.

CHAIRPERSON KOUNALAKIS: And one abstention.

EXECUTIVE OFFICER LUCCHESI: Because we have an abstention, can we take a roll call vote?

CHAIRPERSON KOUNALAKIS: Yes.

EXECUTIVE OFFICER LUCCHESI: So Chair Kounalakis?

CHAIRPERSON KOUNALAKIS: Yes.

EXECUTIVE OFFICER LUCCHESI: Commissioner Yee?

COMMISSIONER YEE: Aye.

EXECUTIVE OFFICER LUCCHESI: Commissioner Miller?

ACTING COMMISSIONER MILLER: Abstention, please.

EXECUTIVE OFFICER LUCCHESI: The motion passes two to zero with one abstention.

CHAIRPERSON KOUNALAKIS: Item 94 is to consider supporting state legislation relating to Hollister Ranch. May we have the presentation, please.

EXTERNAL AFFAIRS AND LEGISLATIVE LIAISON CHIEF PEMBERTON: Yes. AB 1680, by Assembly member Limón, relates to Hollister Ranch in Santa Barbara County. It would require the Coastal Commission in collaboration
with the State Coastal Conservancy, State Parks, and the State Lands Commission to develop a new coastal access program for Hollister Ranch.

Hollister Ranch is a 14,000 acre subdivision with about eight-and-a-half miles of coastline that is among the most beautiful in California but also unfortunately inaccessible to the public. About 40 years ago, the Coastal Commission created a coastal access program, but, for a number of reasons, it was never implemented and the area continues to be generally inaccessible to the public.

So this bill tries to create a new framework for state agencies to create a new meaningful coastal access program, and it includes a deadline of April 2020 for the agencies to come up with a new program. If that doesn't happen by that time, then the bill would require the agencies to implement the existing program. It's supported by the Coastal Commission and a variety of environmental groups, has no opposition, and is scheduled to be heard on July 9th in the Senate Natural Resources Committee.

CHAIRPERSON KOUNALAKIS: Okay. Thank you for the presentation. Do we have any comments from Commissioners? We do have some members of the audience who would like to speak on this issue. The first speaker
is Molly Bruce followed by David Grubb.

MS. BRUCE: Good afternoon, Commissioners. My name's Molly Bruce, and I'm speaking on behalf of the California Coastal Protection Network and Azul. CCPN and Azul are pleased to express support for AB 1680, which would ensure access to the coastline at Hollister Ranch in Santa Barbara County, and ask the Commission to ensure access equity along California's coastline in all areas of the state.

Polling data continually affirms that the coast is a key priority for Californians, but much remains to be done to make sure beach access is a reality for all residents and visitors to our state, particularly for groups that have historically lacked access to the coast. It's unfortunate some local communities and land owners put up barriers to prevent access by the general public. AB 1680 would dramatically improve the public's long overdue ability to access and enjoy the Hollister Ranch section of the California coast, access to which the public is entitled under law.

We, therefore, hope you will join us in supporting this important bill. Thank you.

CHAIRPERSON KOUNALAKIS: Next, we have David Bruce.

MR. GRUBB: Good afternoon, Commissioners.
David Grubb speaking for the Sierra Club. The Sierra Club strongly supports AB 1680, and we hope you will join us in doing the same. Thank you.

CHAIRPERSON KOUNALAKIS: Thank you very much. Do we have a motion?

COMMISSIONER YEE: Yes. Move that the Commission support AB 1680.

CHAIRPERSON KOUNALAKIS: Roll call vote, Ms. Lucchesi?

EXECUTIVE OFFICER LUCCHESI: Yes. We do need a second.

CHAIRPERSON KOUNALAKIS: I'll second it.

EXECUTIVE OFFICER LUCCHESI: Great. Chair Kounalakis?

CHAIRPERSON KOUNALAKIS: Yes.

EXECUTIVE OFFICER LUCCHESI: Commissioner Yee?

COMMISSIONER YEE: Aye.

EXECUTIVE OFFICER LUCCHESI: Commissioner Miller?

ACTING COMMISSIONER MILLER: Abstain, please.

EXECUTIVE OFFICER LUCCHESI: The motion passes two to zero with one abstention.

CHAIRPERSON KOUNALAKIS: Item 95 is to consider sponsoring state legislation that would grant, in trust, to the City of San Diego, title to three parcels of land
in the vicinity of Mission Bay, known as Famosa Slough.

We -- may we please have the presentation?

EXTERNAL AFFAIRS AND LEGISLATIVE LIAISON CHIEF PEMBERTON: Yes. Thank you. This item recommends that the Commission sponsor legislation to grant these three parcels that the state obtained in a land exchange that was approved by the Commission in 2011, and this is a pretty routine type of transaction.

The legislation contemplated and, in fact, required that the State Lands Commission and the City of San Diego would pursue legislation to grant these three parcels to the city, and they would hold and manage it in trust, consistent with their existing grant. It's around 30 acres of land that's used for tidal wetlands and open space, and we've identified a bill in the legislature, SB 507, pertaining to the Port of San Diego, and the author is amenable to putting this language in to grant those three parcels back to the city.

We don't anticipate any opposition. If approved by the Commission, the language would be amended into the bill in the coming days, and it would be heard in the Assembly Natural Resources Committee on July 8th.

CHAIRPERSON KOUNALAKIS: Thank you very much. Comments from Commissioners? Do we have a motion?

COMMISSIONER YEE: Yes. Move that the
Commission sponsor this legislation to the -- relating to the land exchange.

CHAIRPERSON KOUNALAKIS: I'll second it. Ms. Lucchesi, roll call vote, please.

EXECUTIVE OFFICER LUCCHESI: Thank you. Chair Kounalakis?

CHAIRPERSON KOUNALAKIS: Yes.

EXECUTIVE OFFICER LUCCHESI: Commissioner Yee?

COMMISSIONER YEE: Aye.

EXECUTIVE OFFICER LUCCHESI: Commissioner Miller?

ACTING COMMISSIONER MILLER: Abstain.

CHAIRPERSON KOUNALAKIS: Item 96 is to consider supporting federal legislation regarding the Spent Fuel Prioritization Act of 2019 and the Nuclear Waste Policy Amendments Act of 2019. May we have the presentation, please?

EXTERNAL AFFAIRS AND LEGISLATIVE LIAISON CHIEF PEMBERTON: Yes. This item recommends that the Commission support two pieces of federal legislation that are intended to remove spent nuclear fuel from the San Onofre Nuclear Generating Station in southern California. When the Commission approved an EIR and issued a lease for Units 2 and 3 of the station earlier this year, it expressed concerns about the onsite storage of spent
nuclear fuel and authorized staff to advocate to accelerate the national efforts to identify a safe, secure long-term facility for spent nuclear fuel.

These two bills would prioritize removal of spent nuclear fuel at decommissioned sites based on a variety of factors that would most likely lead to the prioritization of the spent nuclear fuel at San Onofre being moved off site for storage. And because that is consistent with the direction to the Commission, we recommend that the Commission support these two bills.

CHAIRPERSON KOUNALAKIS: Okay. Thank you so much. Do we have any comments from Commissioners? Do we have a motion?

EXECUTIVE OFFICER LUCCHESI: We actually have one public comment slip.

CHAIRPERSON KOUNALAKIS: Oh. 96, there it is. This is 52. I don't know what that --

EXECUTIVE OFFICER LUCCHESI: 52 was part of the Consent Agenda, and they marked the box that they only wished to speak in the event the item came off of consent.

CHAIRPERSON KOUNALAKIS: Okay. Thank you for clarifying that. So we have one speaker from the public, Nolan Fargo.

MR. FARGO: Good afternoon. Thanks for having
us here today. My name's Nolan Fargo, and I'm here to speak on behalf of Surfrider Foundation. Surfrider is here to represent the beach-going public, coastal communities, and livelihoods that depend on a safe and healthy coastal environment. And I'm going to be commenting a little bit on HR 2995 and Federal Spent Nuclear Fuel Legislation in general.

So, due to the threats that spent nuclear fuel storage poses to our coastal environment, including at SONGS, Surfrider urges the Commission to support HR 2995, the Spent Fuel Prioritization Bill, because it prioritizes getting spent nuclear fuel off the California coast. Under current federal law, the oldest nuclear power plants are first in line to have their spent fuel collected and transported off site, but, under this bill, the removal of spent nuclear fuel from decommissioned sites is prioritized based on the operating status of the reactor, the population size of the area in which the reactor is located, and the earthquake hazard of the area.

And this bill is beneficial because, as was stated earlier, this would put the waste at SONGS first in line to be removed because SONGS is the only site in the nation that has the seismic risk, high population density, and is a decommissioning site. So we support
this legislation, but Surfrider's stance is that further federal legislation is needed because this bill only prioritizes the removal of the waste, but it does not mandate the removal.

So, specifically, we believe that effective new federal legislation would provide for permanent storage of nuclear waste at a site that is approved by the affected states and native nations. Furthermore, the legislation should address safety and environmental concerns by giving states and the EPA regulatory authority over the environmental review for the siting process, and the legislation should also address resource protection by, for example, disqualifying proposed sites that are close protected marine and ocean resources.

Lastly, the legislation should require strict timeline for permanent storage of the waste and should impose mitigation requirements, if there's a deviation from the timeline. The federal government up to this point has failed to provide a final resting place for nuclear fuel, as they're mandated to do in the Nuclear Waste Policy Act of 1982. So the 8 million people residing within 50 million -- excuse me -- 50 miles of SONGS should no longer have to bear the burden of hosting millions of pounds of spent nuclear fuel in the coastline. Because of this, Surfrider urges the
Commission to push for further federal legislation that would mandate the removal of the nuclear waste at SONGS.

Thank you very much.

CHAIRPERSON KOUNALAKIS: Thank you very much.

Do we have a motion?

COMMISSIONER YEE: Yes. Move to have the Commission support both federal bills.

CHAIRPERSON KOUNALAKIS: Second?

ACTING COMMISSIONER MILLER: I second it.

CHAIRPERSON KOUNALAKIS: All in favor, aye.

(Ayes.)

CHAIRPERSON KOUNALAKIS: Motion carries.

Item 97 is to consider sponsoring a legislative resolution to defend California's authority to protect state waters and prevent invasive species introductions.

May we have the presentation, please?

EXTERNAL AFFAIRS AND LEGISLATIVE LIAISON CHIEF PEMBERTON: Yes, thank you. Preventing marine invasive species introductions in California from vessels calling at California ports is one of our Commission's main regulatory duties.

Earlier or late last year federal legislation was enacted that would preempt a key piece of our work, which is setting state-specific ballast water discharge standards. Under the federal law, which is known as
VIDA, the U.S. EPA would establish one uniform national standard for ballast water discharge by December 2020, and the U.S. Coast Guard would establish regulations for enforcement and inspection of that national standard.

The states that are affected by VIDA can participate and advocate for a stronger standard, and we, through our Marine Invasive Species Program, fully intend to do that. This item recommends that the Commission sponsor legislation to advocate -- or sponsor a resolution to advocate for the strongest possible standard at the federal level and really push back on preemption and push for the strongest possible enforcement and inspection provisions for our Marine Invasive Species Program.

CHAIRPERSON KOUNALAKIS: Okay. Thank you very much. Questions or comments from the Commissioners?

ACTING COMMISSIONER MILLER: Madam Chair, just a clarifying question. Is this a resolution that you'd be sponsoring or actual legislation?

EXTERNAL AFFAIRS AND LEGISLATIVE LIAISON CHIEF PEMBERTON: Yes. I'm sorry. It's a resolution, not legislation.

ACTING COMMISSIONER MILLER: Thank you.

COMMISSIONER YEE: I have a question, too. And this would be a California State Legislative Resolution
rather than a joint resolution? Do we communicate these resolutions to our Congress when we do something like this?

EXTERNAL AFFAIRS AND LEGISLATIVE LIAISON CHIEF PEMBERTON: Yes.

COMMISSIONER YEE: Okay.

EXTERNAL AFFAIRS AND LEGISLATIVE LIAISON CHIEF PEMBERTON: It would be a state resolution, but it would be transmitted to Congress.


Wonderful.

CHAIRPERSON KOUNALAKIS: Do we have a motion?

COMMISSIONER YEE: Yes. Move that the Commission sponsor the subject legislative resolution.

CHAIRPERSON KOUNALAKIS: Second?

ACTING COMMISSIONER MILLER: I second that.

CHAIRPERSON KOUNALAKIS: Any objection? Motion carries. Okay.

Item 98 is to consider termination of State Oil and Gas Lease, PRC 3133.1, PRC 4000.1, and PRC 7911.1, located in Santa Barbara channel. May we have the presentation?

EXECUTIVE OFFICER LUCCHESI: Before we get to the presentation, I do just want to note that we will be presenting both Items 98 and 99 in one presentation
together; those two items will be voted on separately, and I recommend that the Commission take public comment on both items, and I recommend the Commission consider a time limit of three minutes but provide flexibility to the speakers.

CHAIRPERSON KOUNALAKIS: Okay. We will take Item 98 and Item 99, which is to consider termination of a Right-of-Way Lease, PRC 3914.1, located in the Santa Barbara channel near Rincon point. As we will be taking these two items together as one presentation, we have quite a few speakers who are here to speak on this. Since we are taking them together, we ask the speakers to each speak within the three-minute limit. If anyone feels the need to speak longer, please just let us know and we will see what we can accommodate. But, again, we have many people here who want to speak on this issue.

(Thereupon an overhead presentation was presented as follows.)

SENIOR ATTORNEY BLACKMON: Good afternoon, Commissioners. My name is Seth Blackmon. I'm the senior attorney for the State Lands Commission presenting for you today. As we note from the topic here, we're looking at potential termination of a series of leases.

The first set, under Item 98, it consists of three State Oil and Gas Leases, PRC 3133, PRC 4000, and
PRC 7911. The second item, Item 99, deals with a Right-of-Way Lease for pipelines that connect to outer continental shelf federal platforms. That lease is PRC 3914.

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SENIOR ATTORNEY BLACKMON: The important part here and I think this is what we wanted to make a point of, in terms of collaborating the two presentations, is that, while Carone is the lessee for the State and Oil Gas Leases and Signal Hill is the lessee for the Pipeline Right-of-Way, they're operated by the same group out of the same address and they -- while the infrastructure do not overlap entirely, the purpose -- and I'll explain this in a moment -- the purpose for these being brought together will be made clear.

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SENIOR ATTORNEY BLACKMON: The picture that I have up here and it may be difficult for everyone to see is a little bit of a breakdown of the existing infrastructure that's out and the leases.

In the sort of the pink portions, those are the old original leases. You'll see on the left-hand side there is a lease, 3150; that lease was actually at one time held by Chevron. That lease was partitioned, and part of it was assigned to Carone Petroleum, Inc., the
other part was assigned to Venoco Inc. The 3150 segment was actually quitclaimed as part of the bankruptcy from Venoco, Inc.

The sliver pieces, which are kind of hard to see here, again, but we can blow these up in other pictures, are PRC 4000 and PRC 7911. Those are the pieces that are closest to the three-mile limit. You'll notice the proximity on the picture to Platform Hogan, which is the platform closest to shore. The original plan when Carone took assignment on these leases from Chevron and from ExxonMobil was to try and develop a program where they were going to drill from the federal Platform Hogan into the state waters under PRC 7911, PRC 4000, and PRC 3133.

And so this was going to be an interstate development project. It started out as a combined EIR/EIS between the State Lands Commission and what was, Mineral Management Service now BSEE and BOEM, and that never actually was able to proceed. And we'll get into some more of that in a second.

The pipeline that you see runs from Platform Hogan all the way to shore to the La Conchita facility. That pipeline runs through two grants, Santa Barbara County and Carpinteria; and the ungranted section is the lighter section, and that's the section we're looking at potential termination for today.
SENIOR ATTORNEY BLACKMON: As I said, these leases were originally developed in state waters. 3150, PRC 4000, 7911, and 3133 were all part of leases that Chevron held. There were four platforms at one time that Chevron operated from. Those are called the 4H platforms; they're now called -- well, they're now gone. They were decommissioned and removed in 1996, and the assignment of the leases occurred a few years later in 1999 when Carone took this on subject to a development plan that a prior Commission approved.

As we said before, Carone was planning on creating a development plan for 25 long-reach wells from Hogan into state waters.

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SENIOR ATTORNEY BLACKMON: There is a lot to unpack on this, and the project was actually very difficult to come up with in the first place because there are certain types of regulations between the federal production and state production that are quite different, and there were numerous delays in the EIR/EIS process that were both technical, regulatory, and financial.

The financial we bring up because in 2009 the Commission actually heard a potential termination of the
project at one point in time because there were significant delays and financial liabilities associated with trying to finish the EIR at that point in time. Carone came in and worked with the Commission, and the Commission granted the fact that Carone met their requirements and the EIR continued to move on.

As you note on the list here, by 2013 the EIR had not continued forward; the EIS side of that hasn't continued forward either. We've talked with BSEE and BOEM on some of these things, and, in fact, they're wanting to close the book on the EIR/EIS process. It's been out for nearly 20 years. And, as we note here, Carone ceased funding the EIR/EIS prior to 2018, and, quite frankly, in one of our correspondences with Carone, has identified that really the development of the State Oil and Gas Leases is just not feasible; it's not going to happen.

More importantly, however, and this is really why we're here today is we've been working with Carone on and off over the last few years to try rectify and outstanding compliance issue for rent and for bonding, and that started back in 2015 and has persisted to today.

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SENIOR ATTORNEY BLACKMON: For the Oil and Gas Leases, there are a couple of different bases for
termination. First and foremost among those, is the failure to produce oil or develop a development plan renders the savings clause of the lease language ended, meaning that these are effectively month-to-month leases that we don't have to maintain if we don't wish to, and that means that these leases are in a position because they have failed to produce economically in more than 23 years -- in 23 year in fact. The leases are expired in terms of our ability -- excuse me -- they're not expired in that sense. The right of the lessee to continue to hold these leases no longer exists. The savings is gone.

The secondary part of this is that during a period of time where there is no production or development, there are potential savings for payment of rent; however, as we've noted before, there hasn't been a rental payment on these leases since 2015, and, with that, we're in a position where these leases are just not viable; we're not going to produce them. And I think that, again, the basis for this is pretty easy.

The kind of final statement I will put on this is that there are no improvements on these leases. There's been no drilling since 1996. The original abandonment work was done. So there's no new infrastructure nor any new liability that either Carone or the State Lands Commission would be responsible for.
SENIOR ATTORNEY BLACKMON: The Pipeline Right-of-Way, PRC 3914, now Item 99, contains four lines servicing the OCS platform. This is waterlines, gas lines, and oil -- crude oil lines. Approximately 500 barrels per day throughput on these lines based on information that we've received from BSEE and BOEM. You'll note, as I mentioned before, that this does -- the pipeline does cross segments of the Santa Barbara Grant and the Carpinteria Grant, so there are other leases that Carone has and has to maintain.

Our current lease expires in 2023. Because these are standard Right-of-Way Leases, we're under no obligation to offer renewal or continue that lease, assuming we didn't terminate today. So the timeframe that we're looking at on the lifespan of that lease is, of course, continuing -- is short in and of itself.

SENIOR ATTORNEY BLACKMON: The second part of this is that -- and, again, this was based on ongoing negotiations with Carone and Signal Hill -- that the bond associated with the Right-of-Way Lease was only $50,000, which was set years and years ago, and it was actually allowed to lapse. So the minimum bonding was nominal to begin with, but it was also allowed to lapse, and that...
was a problem because that hasn't been rectified.

Secondary to that was that over the past four years the rent on the pipeline has not been paid. We've worked with Carone on a number of different timeframes and proposals, and I'll get more into that a little bit later, but, at the end of the day, the final resolution of the rental payments hasn't been -- well, it hasn't been resolved.

We'll talk a little bit more about the offer that was rejected by the Commission. Until just recently -- and, again, I'll come back to this. We had on here there was no interceding attempts at payments by Signal Hill. That changed earlier this week, and I'll come to that kind of in a chronology that I think is a little more explanatory.

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SENIOR ATTORNEY BLACKMON: So critical issues. This kind of breaks this down a little bit more for us on both 98 and 99. From September 2017 to January 2018, staff was working with Signal Hill and Carone to bring them into compliance to address all these issues.

In February of 2018, Signal Hill and Carone proposed a settlement to basically do monthly payments and arrears and to try to bring themselves back into compliance, based on the price of oil because -- and I
think this is an important point, too -- Carone and Signal Hill were impacted heavily by the fires in Carpinteria and Santa Barbara area and the mud slides, and this impacted their ability to maintain their efficacy of the business. And so we were sort of looking at these different items and seeing what was feasible.

In January 2019, you know, nearly a year has passed. Staff sent a letter on January 30th to Carone saying, hey, you know, we're still looking at this proposal to see whether or not this is viable, but you still have outstanding rent; you still have obligations to pay your rent -- your annual rent, which is coming up in March, and, you know, you're not off the hook. You can't just sit out there without paying rent, and that was January of 2019.

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SENIOR ATTORNEY BLACKMON: March 1st, 2019 I put up because this marks the most recent annual rent that was due from Carone for the pipeline -- or sorry -- from Signal Hill.

April 2019 the Commission actually evaluated the proposal that Carone had previously put together. We brought it to the Commission; the Commission rejected that proposal.

As of June 17, staff had been putting together
the termination and default letters for Carone and Signal Hill. Those letters were sent giving notice.

June 21st, Chief Counsel Mark Meier and staff talked with Carone, and Carone -- and Signal Hill, who offered a proposed settlement stopgap as of June 21st to put a down payment of 10 to 15 percent on the total value owed against the rent outstanding, which is in excess of $300,000 plus a $50,000 bond.

Staff was not authorized to agree to that at any point because we haven't brought this back to the Commission, and so we simply said, we can't agree to that at this point in time, and we have to go through the process of the presentation today and giving the Commission a chance to weigh in on this.

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SENIOR ATTORNEY BLACKMON: June 24th we received a FedEx package from Signal Hill/Carone with checks for $150,000 -- sorry. That was June 26th -- with checks for $150,000 and $22,000 respectively. The 150,000 was for the Right-of-Way Lease; the 22,000 was for the aggregate of the State Oil and Gas Leases. This was subject to a proposal that Carone and Signal Hill made on June 24th by email suggesting that they make this net payment of $172,000; that they then make a payment schedule of $15,000 a month until they are brought into
compliance, and they will also work to provide the
$50,000 bonding within 90 days.

That proposal is in front of this Commission
today for you to weigh on. As I said, we haven't done
anything with the checks; the checks have been held
because we're not authorized to deposit them or otherwise
agree, and we are currently at this point. I will say
that ongoing negotiations with Carone and Signal Hill
over the years have not been particularly productive. As
you can tell from some of the prior issues with the 2009
year termination and other issues, there are significant
financial realities that we think Carone is suffering from
that may not make sense for this Commission to continue a
relationship.

You know, this is one of these very difficult
items where when we're not certain that the lessee has
the capability to fully financially operate safely all of
the infrastructure. It puts everybody at risk. So this
is one of these big questions. And, again, as recently
as last week -- the end of last week, the maximum that
Carone was able to offer was 10 percent down -- 10 to
15 percent down, somewhere around $40,000. They were
able to find some other funding and come to us with this
last proposal, but we definitely still have some
significant concerns. This is, like I said, a very long
gap in terms of rent.

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SENIOR ATTORNEY BLACKMON: So just summing up the Pipeline Right-of-Way bases for termination. Again, failure to pay annual rent since 2015. The total on the Pipeline Right-of-Way actually ends up being about $282,000 outstanding in rent.

The failure to maintain an adequate bond, which, at this point, the lease requires $50,000. We don't actually believe that that's truly adequate. The bonding for a comparable pipeline by other operators would be far higher.

Additional compliance concerns. One of these things these are not uniquely a reason for default or termination, but they definitely influence our judgment, is that there are procedures and requirements that Carone has and Signal Hill have to test their lines. There's, in particular, a thing that's called a hydro test. This is to test to make sure the line doesn't have holes or is not porous.

It goes in addition to other things that we do, like smart pigging. These inspection reports are overdue. In fact, since 2013 we haven't received the hydro test according to our engineering department. BSEE and USDOT issued a final order in May 2019 for inspection
and recordkeeping violations. Even more recently than that, on June 12th, 2019, BSEE issued a notice of noncompliance for failure to properly clean the marine jacket and that's continuing on now.

The most recent news on that -- I think our Executive Officer can expand on this a little bit because she was the person talking to them -- was that BSEE issued a shut-in order until the compliance with the marine jacket cleaning and everything else is done, and that is not yet resolved, so this is where we set.

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SENIOR ATTORNEY BLACKMON: In the event that the Commission chooses to terminate these leases, there are post-termination issues and work that we would need to engage in with federal, state and local actors. First and foremost, would be the requirement that the existing operator pig, flush, and inert the oil and gas pipelines. That's to get out as much of the residual oil as we can that's in there immediately.

We would be working with BSEE and local Ventura representatives for closing and lockout the valves for the -- from shore to Hogan pipeline, to make sure that there's no use of that line, and then also work with Signal Hill for commencing abandonment.

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SENIOR ATTORNEY BLACKMON: So the two separate
authorizations -- and these are directly from the staff
report -- are going to be up on here. I'm not going to
read them word for word because they're in the staff
report, and they're here. But the broad spectrum on this
is that the Commission is in a position to find that it's
time to terminate the leases and that we direct Signal
Hill and Carone to take certain steps. As I said,
Carone, as it relates to the Oil and Gas Leases, doesn't
have anything to remove or to ultimately address as far
as the decommissioning goes; however, Signal Hill, as it
relates to the Oil and Gas Pipeline, would have to
address those termination issues.

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SENIOR ATTORNEY BLACKMON: I think the most
important part of the authorizations that we would make a
point of here are in authorization 5 and 6 for Item 98.
And that's to authorize the Executive Officer or her
designee to recover any outstanding rental amounts owed
by Carone, either by Carone directly or through
performance bonds held to ensure rental payment
obligations, to do what we can to offset costs to the
general fund that are outstanding.

And, 6, to authorize the Executive Officer or
her designee in cooperation with the office of the
Attorney General, and, if reasonably necessary, retaining
outside counsel to take all steps reasonably necessary
including litigation to enforce the termination of State
Oil and Gas Lease Nos. PRC 3133, PRC 4000, PRC 7911
against Carone, and any agent, successors, or assigns; to
access the leases to ensure the health and safety of the
people of California in the surrounding environment; to
eject trespassers that occupy the leases; to remove
improvements, if any, from state sovereign land overlying
the leases; to restore the sovereign land at this
location to the satisfaction of this Commission; and to
recover the Commission's damages and costs. That's for
the Oil and Gas Leases and Item 98.

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SENIOR ATTORNEY BLACKMON: Item 99, again, this
is important because there are the same types of
obligations outstanding. You have obligations even
post-termination to clean up the infrastructure that you
placed on state sovereign lands.

So we would seek to access, in any way we could,
some sort of funding to offset costs that are due the
State of California for the use and occupation for state
sovereign lands over the last four years that have
remained unpaid.

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SENIOR ATTORNEY BLACKMON: Again, as we have here, direct staff to cooperate, as needed, with federal, state, and local agencies in any activity necessary to enforce the termination of the lease.

Authorize the Executive Officer or her designee, much as we had said before, to follow through on any actions that need to be taken to ensure the health and safety of the line and the termination -- or the decommissioning process and to take any steps necessary to restore the property to the state the Commission directs.

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SENIOR ATTORNEY BLACKMON: That's my presentation for this Item. I'm here available for questions or for other speakers.

CHAIRPERSON KOUNALAKIS: Okay. As I mentioned, we have a lot of people here who want to speak on this issue, but, first, do we have any comments or questions from Commissioners?

ACTING COMMISSIONER MILLER: I just wanted to ask one question in general, in terms of the financial liability of the state. So we know that often times what the bond requires is that these companies foot the bill of cleaning it up and decommissioning it, but, as we know from past experience, that's not always the case. The
Department of Finances is concerned about a $50,000 bond because, while that may cover the least, everything else that goes into it.

So can we just talk a little bit about how the original bond values were set and what they include and what they don't, please.

SENIOR ATTORNEY BLACKMON: So, yeah. The original bond was a performance bond for the actual rental value at one point in time. It was never modified. This predates my time with the Commission, but, as I've said before, by today's standards, this is, you know, radically underfunded. A comparable sized line would be somewhere in the realm of between $3 and $6 million in bonding, because the bonding would take into account not just the expanded rental costs.

So you have your performance obligations, but you also have your removal costs and decommissioning, which, you know, can be quite expensive, and depending on the length of the line it can be anywhere between $150 and $250 per linear foot. Again, it just depends a little bit on what you're dealing with. That requires a little more information that I have at hand, but that would be sort of the range we would be looking at. So this bond was set by an earlier lease and was never -- we were never in a position to amend or force an amendment;
it's not unilateral, so it would require a cooperative effort between us and the lessee.

EXECUTIVE OFFICER LUCCHESI: And I would just add a couple of additional elements to that. The pipeline, if the Commission ends up voting to terminate the Right-of-Way Lease, the pipeline will not be ready to be abandoned right away. It will need to be placed safely in an inactive status until a determination is made on the ultimate disposition of the federal platforms, be it Platform Hogan and Platform Houchin, because that pipeline is critically necessary for any decommissioning of those platforms or any future use of those platforms. So that is something that we can plan for moving forward because we will have to place that pipeline in an inactive status.

Further, as part of the staff recommendation authorizing us to work with the Attorney General's Office to recover all costs, that would also include the costs associated with the responsibility of Signal Hill to abandon that pipeline ultimately. So we would pursue all litigation to recover those potential costs.

SENIOR ATTORNEY BLACKMON: All right. Thank you.

CHAIRPERSON KOUNALAKIS: I have a question for you, Ms. Lucchesi. If you could just clarify one issue
on the timeline. The difference between when the lessee stopped making lease payments on the lease related to Item 98 versus Item 99.

EXECUTIVE OFFICER LUCCHESI: Excuse me. Do you want clarification on when they stopped making payments on the Offshore Production State Leases versus when they stopped making payments on the Right-of-Way Pipeline Leases?

CHAIRPERSON KOUNALAKIS: Correct.

EXECUTIVE OFFICER LUCCHESI: Can you help me?

SENIOR ATTORNEY BLACKMON: Absolutely. So the last payment that was received on the State Oil and Gas Leases was a partial payment in 2015. It was incomplete; it didn't include all of the penalty and interest that was owed, and the last payment on the Right-of-Way Pipeline or Pipeline Right-of-Way was 2015. That was the last official payment.

CHAIRPERSON KOUNALAKIS: Okay. Thank you for that clarification. All right. We have, as I mentioned, many people who would like to speak. I'm going to call two or three at the same time, and, if you could come and maybe wait, so that you're ready to follow one after the other, and, as I mentioned, we're going to limit public comment to three minutes, unless you feel that you need to speak separately on the two issues, in which case
please let me know at the beginning. Our first speaker is Bruce Cowen, followed by Miguel Prado, followed by Matt Kenney.

MR. COWEN: Good afternoon. I'm Bruce Cowen. I represent both Carone Energy, Carone Petroleum, and Signal Hill. I would ask for indulgence since I need to give you background and information. Employees will take much shorter time, might only be a minute or less.

CHAIRPERSON KOUNALAKIS: Okay. Six minutes all right?

MR. COWEN: Six minutes is fine. But you can stop me --

CHAIRPERSON KOUNALAKIS: Go ahead and put six minutes on.

MR. COWEN: -- because, you know, the staff are good people but not everything. There's always two sides to a coin, and some of that presentation is incorrect. Where Seth said that we're shut down, we're not shut down. That is inaccurate. We are up and operating as we speak right now. That's a big difference.

I want to first apologize that we haven't paid. We acknowledge we haven't paid. We want to make it right. We want to make it right to the state, we want to make it right to our employees. But we've gone through a very difficult period the last five years. We've been in
an extended oil collapse, the Thomas Fire hit. We have pictures that I sent around, and we have a few pictures here today if you could just hold them up.

Our plant almost burned down. These employees that you're going to hear from shortly manned fire hoses to save the company, and the damage that resulted from the Thomas Fire caused six month interruption. The Thomas Fire was in December of '17; we made a proposal in February of '18. If we knew the impact of the Thomas Fire, you know, there would have been difficulty meeting that proposal.

Then we had the floods, the landslides. Our employees couldn't get to work. The 101 was closed. That's a little bit of history of why we don't -- why we have delinquency. We want to make it right to the state. We sent the state, as Seth said, $172,000, which is a substantial payment toward that outstanding balance. 100 percent of the payment for the Oil Leases; $150,000 against the Right-of-Way, with $15,000 a month payment to make it current. This -- the money came from contribution of employees, management. We don't want the state to be hurt; we don't want our employees to be hurt. I can only apologize that we're in the situation we're in, but the conditions have improved; oil prices have increased. We're doing much
better, so our financial condition is better. But let me
give you a little background.

We're a 45-year-old company. We're minority
majority owned. We have 51 employees, most of which are
Latino. We have people that you might hear from that
have worked for us for 30 years. That's how loyal our
employees are. Most of the people you're going to hear
from they have high-paying jobs. If they lose their
jobs, there are no comparable jobs in the area with
Venoco shutting down and Rincon shutting down.

The fire impacted us. We had $3 million of
uninsured losses. The flood, you know, as I said, there
were people that couldn't even get out of their houses to
come to work. So how did we survive? And I think that's
an important thing. Our trade worked with us; they
extended payments. This is not the first downturn we've
been in; we've been in six, and we've always paid
afterwards, and we intend to do the same, if you allow us
to continue operating.

Our employees. Every employee in the company
took significant pay cuts. We received forbearance
agreements from our banks, which we're in compliance
with. The Office of Natural Resource Revenue, Federal
Government, extended us five-year payment plans for
deferring payments on royalty. So we had the help of our
trade, our banks, the federal government, and our employees.

Now, you know, we've worked with the State during this difficult period, maybe our communication could have been better. I take responsibility for that, and I apologize also for that. But we had a meeting with, you know, the State approached us, they informed us, as Seth said, that we're delinquent and we need to make payment and we met with the staff in, I believe, it was September of '17, was followed up by a proposal in '18.

In 15 months since we submitted the proposal, no response. It's a proposal. Could have sent a counter proposal; it could have been rejected; no response at all. Then, in January, and Seth -- I have to share this with you because it's important you have to have the entire flavor. The January 31st letter of this year that we received from the staff, which Seth put, you know, comments on, didn't give you the tenor of the letter, and I have the letter, which I would be -- I have three copies. I could give you a copy if you ask.

But let me just share what the letter said. It says, number one, I agree. They have not received the good-faith payment discussed. Number two, the staff apologizes for delaying responding to our February 18,
2018 proposal. It also says, "Staff considering the proposal and hopes to respond shortly." And also, "If good-faith payment not received by March 1st, you know, a penalty and interest will be assessed." They had waived penalty and interest.

But then it ended. This is how it ended, "We look forward to working with you to resolve this matter." It was understanding. It was not a threatening letter. It was a letter that, you know, you know, they're telling us what we need to do, but no threats in that letter.

Next thing we get, is the notice of termination -- what was it -- eight or nine days ago to be here. I know the Commission voted on this to bring it forward in April. From April, May, and June, no word at all from the staff. It would have been nice to have been informed on that instead of having to scramble in less than ten days to be able to respond to you.

The lease has default remedies. The first default, there are two actions you can take. Yes, you can terminate us. But, in the lease, it says that you have the option to maintain the lease in full force and effect and recover any rent without terminating lessees right of possession. That's what we recommend. And the State will get paid.

Just briefly a little bit of history because --
and I'm not doing this other than historical so you have
to have understand this. In March of '14, we were paying
$12,895 a year for the Right-of-Way Lease. March 1, '15,
346 percent increase. It went to $57,575. We have a
comparable -- we have a lease with the County, which is
the grant portion. The current lease by the State is
400 percent higher per foot. We signed the lease, we
don't have legal staff on board; we're a small company.
May be shame on us, and I know other companies are
disputing those increases and, your know, other -- so,
you know, others are fighting it where we didn't. But I
think you needed to understand that.

As to what is the effect of the termination of
the Right-of-Way, production shut down, company collapse,
51 employees lose their job, the economies of Santa
Barbara and Ventura $12 million taken out of the economy
because that's what we contribute to their economy. We
also, besides the leases, we contribute $400 -- I don't
want to use the word "contribute" because that is wrong,
but we pay $408,000 annually -- this doesn't include
State Lands -- to the State of California for
unemployment compensation withholding, county taxes,
agency fees. So the State will be hurt from us not being
in business.

As to the risk on the Right-of-Way, this is a
pipeline. We have a California Certificate of Financial Responsibility, a COFR. It is issued by the Office of Spill Prevention and Response, and I have the current one. We have three of them from offshore, to onshore, and onshore pipelines. We have not ever had a problem in obtaining those. We have pollution insurance coverage in case there's a spill or there's an issue. We have pipeline insurance. We are a fully covered company. This is not a situation like Venoco or Rincon. You don't have exposure to wells. This is a pipeline.

I'm going to just -- I'm going to wrap it up. I'll cut it short because, you know, I guess I could talk on. We want to make this right to the State. We want to make this right to our employees. I think everybody is a loser, including the State, if these leases are terminated, and I thank you.

CHAIRPERSON KOUNALAKIS: Okay. Can you -- I have one question for you, but just for everyone here, we definitely have two sides of a story here, but, the fact is, that the lessee has not made a payment since 2015. And when you're talking about something as sensitive as offshore drilling performance on obligations is something that is held as very critical and very important for the development of trust, let alone the fact that these are contractual obligations. But I wanted to ask two things.
One of staff and one of you. First, for you, can you
address the B-C-E-E [sic] violations, the BSEE,
violations and give us a status update on those?

MR. COWEN: Well, the marine growth, the report
has been submitted and accepted by BSEE. It was put in
the mail. They did receive -- we hand delivered it to
them today. So that has already been resolved. So, you
know, whenever you have a platform, from time to time
they may see a violation, but we have always taken
corrective action. None of those have resulted in
environmental harm, and, you know, I have my
superintendent here; he could explain that further, but
they are all resolved.

CHAIRPERSON KOUNALAKIS: Okay. Commissioners,
do you have any other questions?

COMMISSIONER YEE: Thank you, Madam Chair.
Mr. Cowen, you made reference about the recent payment
that you were attempting to make as having been cobbled
together from different sources. I don't have any
confidence about the sustainability of the company
meeting its obligation going forward, if that's the
nature of how these payments are being put together. Can
you comment on that?

MR. COWEN: Well, my comment on that is we had
eight days' notice. So we needed to have some immediate
money --

COMMISSIONER YEE: But you knew you had the obligation all these years.

MR. COWEN: We were awaiting response from the staff to our proposal. We have come off of a difficult time. The company is doing much better now, and, you know, it's unfortunate that we didn't make a good-faith payment prior to this, and all I can do is apologize for that. But one of the things that, you know, I have talked to certain staff members that if there was -- if our proposal or some proposal was accepted, to defer any action and, if we become out of compliance and nonpayment, it doesn't have to come back to the Commission. I would agree to that. We will be in compliance going forward.

CHAIRPERSON KOUNALAKIS: Okay. So I would like, actually, if staff could respond to some of the differences between what we're hearing and the presentation. In particular, address the claim that they sent a letter that wasn't responded to for 15 months.

SENIOR ATTORNEY BLACKMON: So what Mr. Cowen is speaking to is the proposal that this Commission actually finally took up and heard in April of 2019. So this was something that had been kind of floating around with the previous Commission and hadn't been fully considered at
their regular meeting. And so that was the final proposal.

The January 30th letter that was sent by staff from our Land Management Division was to remind Carone -- Signal Hill, in this case, that you do have outstanding payment obligations and that you do have these things. As staff, we can't say one way or the other what's happening with the proposal because it's not up to us to make the decision, which is what we said. We were still looking at the proposal, which we were bringing to this Commission.

Following the resolution from this Commission, we were looking at what the next steps were, and really, when we looked at the details associated with where we were and the fact yet another month -- another month -- another yearly rental had come and passed, that was the basis for the termination, and that was sent out on June 17th. So that was when that email was sent out, and the receipt was -- so we sent courtesy copy digitally, and then receipt of that final letter would have been later.

EXECUTIVE OFFICER LUCCHESI: And I would just add that the responsibility to comply with lease obligations rests solely with the lessee. And we understand that there might be some differences in how we interpret the communication that has occurred over a
number of years, but the fundamental issue is that they
had an obligation to comply with the lease terms, and
they failed to do so year, after year, after year.

ACTING COMMISSIONER MILLER: Madam Chair, if I
may?

CHAIRPERSON KOUNALAKIS: Yes.

ACTING COMMISSIONER MILLER: Mr. Cowen, thank
you for being here. I was interested to hear the way you
had described the communication from State Lands
Commission, and obviously the State is very concerned
with anyone who doesn't pay the bills, and we do expect
people to do so even if the communication isn't perfect.
So I'm just interested to know how you interpreted the
letter that you received since 2015 as not being the
obligation to actually pay at that time because it was
cordial. I just here a little bit of disconnect in the
way it was communicated.

MR. COWEN: I think if you read the letter --
can I give you copies of the letter? Would you like to
see the letter? I'd be happy -- I have copies of it if
you'd like, but the letter -- the way I interpreted the
letter was, if we don't make the payment, interest and
penalties, we'll be assessed. That's the way --

CHAIRPERSON KOUNALAKIS: So you thought you
didn't have to pay?
MR. COWEN: No. It's not that I didn't think I had to pay, but, if we didn't make a payment, interest and penalties. We always were going to pay. We have been in situations like this six different times, with six oil collapses, we've always paid -- fully paid our bills.

CHAIRPERSON KOUNALAKIS: Okay. I think that's probably not a reasonable assumption on your part that instead of paying you can just allow penalties to accrue, but, I don't know if, Ms. Lucchesi, you can speak to that?

EXECUTIVE OFFICER LUCCHESI: During the communication between our legal staff and Carone representatives, there was conversations about tolling penalties and interest, but there was never any waiver of penalty and interest, and there was never any waiver of the rent to be paid. That was always an obligation from the moment that they missed.

And so I understand what Mr. Cowen is saying in terms of we always -- what I heard him say was, "We always planned on paying." But, again, the fundamental issue, the fundamental concern was that they had obligations to pay on an annual basis, by a certain date, and they failed to do so time and time again. Regardless of the rental payment, we also have the issue of the
bond, and that was maintaining a sufficient bond of $50,000, and that has not been maintained in compliance with the lease as well.

So I think from staff's perspective, the pattern of behavior over the, you know, the past years leads us to the judgment that we can't trust that they will pay in the future, and so the promises that are made today should be taken at face value, with a grain of salt, and we've been in this kind of situation, most recently publicly in 2009, and things have not gotten better over that period of time.

So I think we have a history and a pattern of behavior, and, again, what we're currently dealing with now is specific defaults that are ripe for consideration of termination of the leases.

MR. COWEN: Can I just -- can I just make one last comment? You know, the issues in 2009 relate to the Oil and Gas Lease development, and we've paid the staff and their consultants a million-and-a-half dollars. A million-and-a-half dollars. This became a very extended process, so there were some issues. The second thing is that, you know, I'm not here to address other issues, but the current Lease that we have on the Right-of-Way, if you look at the plotting on it, it looks like it goes to Sutherland. It's much north. It's incorrect, but that's
a separate issue.

I'm just trying to resolve this to the betterment of the State. I can understand their position. You know, if you give us a chance, we will be good citizens, and all I can do is ask.

CHAIRPERSON KOUNALAKIS: Okay. We have, again, many people who wish to speak. So what I would like to do is ask you to come up and form a line where the chairs start, so that one after another we can move the comments along. We'll start with Miguel Prado, then Matt Kenney, and then Tom Le. Thank you. And say your name and introduce yourself.

MR. PRADO: Good afternoon, Commissioners. I am Miguel Prado, and I'm the newest employee at the company. I just wanted to add some, you know, perspective on the company. For me, I see it as an opportunity that was provided to me. The way I came about, I started off as a summer intern. Last year I did an internship, you know, and then from there an opportunity opened up to where it became a full on job. So, to me, the company just represents the opportunity to work, you know, to provide for my bills and in living, and that's just the only thing I wanted to add. Thank you.

CHAIRPERSON KOUNALAKIS: Okay. Thank you.

MR. KENNEY: Good afternoon. My name is Matt
Kenney, and I'd like to point out that the -- I've worked for the Carone's, the company, for a year-and-a-half, and I have previous careers in Biomedicals, and I'd like to say that this company is kind of unique in that it's a collection of families.

We have as many as six people from the same family working for the company. And there's other sets of four, and we have cousins, and we also have a unique situation in that we have -- our master mechanic is training his son in his trade. The welder is training his son in his trade, and now we have one of the owner's sons is a new engineer who has brought Miguel and a couple other of his fellow students who are now professional engineers, and these fellows are coming online and we'd like an opportunity for them to help us boost our production.

So even though oil is low, we can boost our production up, working better, meet our obligations, and restore the company to profitability despite, you know, the fire and the mud slides and those extenuating circumstances. So we've been working very hard to upgrade the platform. The Carone's have invested a lot of money in upgrades, and we would like -- and this is anticipation of our new talent coming on board that could help us, you know.
So I'd like to also point out that it's a small company, but a number of people would be here other than that they have to maintain the platform. So I know we all feel the same that we'd rather be working in contributing to the people of the State of California, as opposed to being on unemployment and being joined in the ranks of the unfortunate that we see so many of.

Finally, I mentioned that my previous career was in Biomedicals. For ten years, I worked with a company supplying research chemicals across America for all your famous medical schools, hospitals, research institutes, and another twenty years working in manufacturing producing medical devices and consumables that are used in hospitals and medical schools, and I happen to know that many of these items we often take for granted and even things in the home are all products of raw materials our oil that we produce. So we just ask for an opportunity to continue to serve you and the people of California. Thank you.

CHAIRPERSON KOUNALAKIS: Thank you.

MR. LE: Good afternoon, Commissioner. My name is Tom Le. I've been with the company for four years now. I'm pretty much on the same boat as my colleague here; I can't afford to lose my job. This job is the only source of income I have to support my family. I
have a wife who doesn't work and a one-year-old child.
It's pretty tough. If I lose this job, I don't know what
to do financially wise. Yeah. That's pretty much what I
have to say.

CHAIRPERSON KOUNALAKIS: Thank you very much for
coming.

All right. The next three speakers are Carlos
-- I think -- Galarza, and Christopher Goodall, and
Miguel Sosa.

MR. GALARZA: Good afternoon, my name is Carlos
Galarza. I'm 58-year old. I work for this company for
two years. It's a good job, you know. I got a family.
I got to pay house. I need this job. Thank you much.

CHAIRPERSON KOUNALAKIS: Thank you for coming.

MR. GOODALL: Good afternoon, Commissioner. My
name is Christopher Goodall. I've been working with the
company for about ten years this month. I work as a
plant operator at the La Conchita facility. Actually,
these photos don't bring a very good -- they don't bring
up good memories for me because I was actually at the
facility when it was burning, and we didn't have a whole
lot of support from the local fire department because
they were actually focused on -- rightfully -- protecting
the houses at the local town at La Conchita right next to
us.
During that time, I remember I was able to provide water for the local and out-of-state fire department so that they could protect them and keep those people from losing their homes. But I'll try to keep it real short and sweet. How this impacts me, is I bring 70 percent of the income in my home, that provides my girlfriend the ability to go to school full time. She's looking to transfer to California State University Channel Islands with 3.7 GPA. I'm very proud of her for that because she really does work really hard, and a lot of what I do I do that for her.

If I were to lose my job, I can't do that. She's going to have to look at the harsh reality of putting her future on hold, and I would have to figure out how to make up that gap of, you know, the 70 percent of the income that we bring in. So I hope you guys take all that into consideration. Thank you very much.

(Applause.)

MR. SOSA: Good afternoon. My name Miguel Sosa, and I'm a rig supervisor, and I've been working for this company for twenty-nine years. This company I could say has been very supportive to us, my family. Thank God I haven't missed a paycheck in twenty-nine years. I know this company has had very difficult times, but here and there they so far they've been able to survive.
Hopefully, this time you guys fix that up too a little bit. If this thing continue going, we're going to have to job; otherwise, what's going to happen, we all go to unemployment. Thank you.

CHAIRPERSON KOUNALAKIS: Thank you. Next three speakers are Marcia Yoshida, Raznik Rocher. Sorry. It's a -- handwriting is a little hard to read -- and Joaquin Torres, Junior.

MS. YOSHIDA: Good afternoon. My name is Marcia Yoshida. I'm the office manager for Signal Hill Service. I've been with them for thirteen years. They've provided me to own a home in California, and I've been born and raised here for three generations. I've been to Cal State Northridge, and my family is still in the area so I would love to stay very close to them. And I love my job. So thank you.

CHAIRPERSON KOUNALAKIS: Thank you very much for coming.

(Applause.)

MR. ROCHER: Good afternoon, Commissioners, Madam Chair. My name is Raznik Rocher. I'm 23 years old. I've been employed by the company for less than two months; I'm a fairly new employee. I would like to point out a couple things. I am first generation American, the son of two immigrants. My mother fled her home country
from persecution to build a better life for herself. My father fled his country to be able to support his loved ones.

I currently survive and honor them by attempting to accomplish both of their goals. I would love to be able to build a better life for myself, which this company has enabled me to do currently and also support my loved ones. If I lose this position, I am currently in a place where because I am procuring an apartment I would no longer be able to afford that. I would also be unable to support myself by putting myself through college where I seek to have a doctorate in psychology.

These things are factors that severely affect my standing as a citizen. I do appreciate your time and consideration with listening to us today, and I do hope that you reach a -- if not understanding -- fair judgment. Thank you.

CHAIRPERSON KOUNALAKIS: Thank you very much.

(Appause.)

MR. TORRES, JR.: Hello my name is Joaquin Torres, Junior. I would just like to say this company provides for us; they're good people. My father, I'm speaking on behalf of him; he's not here; he's working. But this company it's really good for us. They provide for my family. I have two older sisters who are in
college. We're middle class so we don't get FAFSA or anything, government help. So my father has to pay for their tuition, their rent, and our rent that we live in. It's a lot of bills, and we like this job. That would be all. Thank you.

CHAIRPERSON KOUNALAKIS: Thank you for coming.

(Applause.)

CHAIRPERSON KOUNALAKIS: All right. Next three speakers are Tyler Little, Luis Luna, and Mark Gilbert, Junior.

MR. LITTLE: Hi. My name is Tyler Little. I started working for the company in January, and it's been a big change for me. My previous job was making nowhere near as much as I am now, and it's granting me a lot of opportunities, you know, to be able to save up and go to college and be able to pay my bills and help out my family.

I go down to the Valley often, travel back and forth from Santa Barbara to there, go and visit my family, and this job provides me with that money to be able to do that and see them all the time. And just, you know, be able to take care of stuff that I like to. I can -- basically I'm at a point where I can pay my bills and have money left over. I can actually, you know, live a life, versus working day-to-day slaving away, and I
just want you to understand that and thank you for the opportunity to speak.

CHAIRPERSON KOUNALAKIS: Thank you.

(Appplause.)

MR. LUNA: Good afternoon my name Luis Luna. I am the tool pusher or rig supervisor. I have 30-years old. I started working with this company 14 years ago. I have three kids, and my older kid that's only 13-years old. So this company give me the opportunity to give a better life to my family, you know. And it's real -- it's real family company because I saw my father-in-law is working next to his son. You know, my brother-in-law, they kind of just showing to his son the next step. We are a new generation and hopefully you guys will give the opportunity to keep working like that, you know. I'm really happy with my company. I'm really happy with my job, and I worry about my family too. You know, my car, my bills, my kids, and everything. Thanks for the time.

CHAIRPERSON KOUNALAKIS: Thank you.

(Appplause.)

MR. GILBERT: Hello, there. My name is Mark Gilbert, and it's so much more than what they have been speaking about. They're such great men. But what I don't understand is -- and I'm not supposed to talk about this. I'm the head mechanic offshore for two platforms.
I'm responsible for any equipment hurting anybody, hurting the ocean, anything wrong; it's a big deal to me, and I'm training my son.

When we were on the bus coming down here, one of the operators called Chris Magill and said that BSEE just shut us down. Low and behold we got told that here too also, which I thought was very strange. But it was totally incorrect. What had happened was the job was done, they didn't get the paperwork in time. But, when Chris spoke to the supervisor of the area, everything was all right. It was the people in the office doing things that -- I'll let Chris explain it. But, to me, the boss didn't understand why they were down. The boss didn't understand why they shut us down, and that to me is a problem.

We cleaned those legs; we worked on it. These boys scraped with 30-foot scrapers, and we had the divers out there. It was a big deal. I was the one that complained the most at the start because there's a specification of growth on the legs, six inches at the top growth and an inch at the bottom. And I started to do some research in Santa Barbara why we don't have much this year. We haven't had for the past few years because before we had feet. There's no doubt about it. But the past few years we haven't had any. There's been like
just a few inches of growth that's it.

And what I found out was that Santa Barbara fisherman had gotten like a $500,000 grant to grow a muscle farm closer to shore because there's a bacteria or something destroying the muscles offshore. So I always said we don't even need to clean it. So I just want you to understand that my job those legs were cleaned perfectly and inspected good. If they were a day late because of paperwork, I'm sorry about that. But work wise these guys spent overtime in the cold. It's been stormy, miserable. I understand that's not anybody's job but ours that's why we're out there.

The other part is the pipeline. My understanding, and I can't quote this, but, when those two platforms were built, that pipeline handled 34,000 barrels a day, back in the day. Okay? It's doing 500 barrels a day. That's why we don't get wear on it. There's just -- we need to go in and ask for an extension on inspections because the inspections were always the same; there's no wear. So why spend this enormous fee when we know we've proven that it's not going to be warn that much.

So there's really not as much default on operations out there as I hear. Everybody is on it. Everybody comes to me. Everyone goes to their boss.
They make sure it's done. This is not a 7/11 job. We're in the ocean. We understand what that means. They've all been told that they can go to jail for things they do wrong. They all know it, and I know it. So I just want you people to understand no matter what happens today. I'm not a legal-minded guy. I'm just a mechanic. I'm proud of it, but that's what I am. But I just wanted you to know that all these men are on it. Every day and every night, twenty-four hours a day and at the plant also. And that fire that they fought was unbelievable. Because the firemen, it was like a riot they can't be there. They were off helping others and they did supply them with water which they didn't have to do that but they know they should.

I'm not going to deal with -- I'm not going to say that they've supplied me with money my whole life and put my kids through school and gave me three children and homes that I didn't think I would ever own or speedboats. I'm not going to explain that. But I will say that they gave me a good, proud life, and, if they made a mistake in the office, I'm sorry. That happens.

But the important part to us is offshore and in that pipeline and we are taking care of that, not to the best of our ability, but we are taking care of that. There is no excuses. And I just wanted you to maybe take
that in mind because it is very important to these guys about their income and their families. They're very proud. And I've been with them since 1982. Long time. So thank you for your time.

CHAIRPERSON KOUNALAKIS: Thank you.

MR. GILBERT: And I just hope everything is fair. That's all I want, all anyone can expect. Thank you very much.

CHAIRPERSON KOUNALAKIS: Thank you very much.

(Applause.)

CHAIRPERSON KOUNALAKIS: We have Mark W. Gilbert. That was you? So Mark Gilbert, Junior?

MR. GILBERT: No. He's done. He's okay.

CHAIRPERSON KOUNALAKIS: All right. Thank you.

Amalia Medina and Nolan Fargo and Erik Knudsen --

MR. MEDINA: I speak Spanish.

CHAIRPERSON KOUNALAKIS: Oh we're going to have a translator. Oh, great. Thank you. For the record, we want to go ahead and let him translate back and forth so we have it in both languages. Thank you.

MR. MEDINA: Good afternoon, Commissioner. This is Amalia Medina. He's 57-year-old. He's been with the company for thirty-one years. He pays his children college tuition. He pays his mortgage payment. He loves
our company. He sees the company as family. He has many -- he has many problems here. He has many problems in Mexico, but the company is always willing to give him time to help out -- to help him out, and he just wants, you know, to consider that.

CHAIRPERSON KOUNALAKIS: Thank you very much.

Thank you.

(Applause.)

MR. FARGO: Were all the comments in support again supposed to be together?

CHAIRPERSON KOUNALAKIS: I don't know. Would you like to wait?

EXECUTIVE OFFICER LUCCHESI: They're organized in the order they were submitted. If you would like to organize them between support and opposition of staff's recommendation, we can certainly do that. I can help you do that.

CHAIRPERSON KOUNALAKIS: I think that probably would be useful. So can we go ahead and skip you until the end?

MR. FARGO: Absolutely.

CHAIRPERSON KOUNALAKIS: All right. So we will come back to you. So I'm going to continue reading names, but, if you are here to support staff action, so far we have speakers against the staff recommendation.
So we're going to keep going, but, if you hear your name
and you support staff recommendation, I'll ask you to
just let us know and we'll have those comments taken

MR. KNUDSEN: Good afternoon, Commissioners. My
name is Eric Knudsen. I've been very fortunate to work
for this company for almost 15 years now. It's pretty
hard watching my guys, my family here come up here and
speak in front of you guys. We work so hard. We work
12, 13-hour days. You know, this company's been so
reliable, well-paying, you know, it's giving myself, my
family the stability to have a couple kids. Try to
continue on the best we can.

But, you know, besides our personal family and
bills and all that, we are family offshore and we work
really hard. Really enjoy working for these guys day in
and day out, and they do sacrifice to keep us going with
the job, and I think I'm just going to stop right there,
but we all love this job. We work really hard, and I
really hope you guys can come to resolve this situation
in a fair manner and thank you.

CHAIRPERSON KOUNALAKIS: Thank you.

(Applause.)

CHAIRPERSON KOUNALAKIS: Edgar Peña?

MR. PEÑA: Good afternoon. My name is Edgar
Peña, and I've been working for this company for about four-and-a-half years maybe, and it's everything to me. Like, they provide for me everything. I have a wife that doesn't work because she takes care of our 2-year-old and 8-month-old daughters, and I really just need to stay in this job because I would have nowhere else to go to. So it would be considerate if you guys would be fair with everything. Thank you.

CHAIRPERSON KOUNALAKIS: Thank you.

(Applause.)

MR. MAGILL: Good afternoon, Commissioner. My name is Chris Magill. I've been with the company for twenty-seven years. Like Erik and all of our men and women, we need these jobs, and they're specialized enough to where if that pipeline easement is taken away and we lose our jobs, we're going to have to move out of state to find equivalent jobs, you know. And we've all sacrificed an awful lot to keep this thing going and going in the right direction.

And so we all would appreciate giving us that opportunity to at least keep the easement for the pipelines so we can continue to operate. And, you know, I'm very proud of the way everybody has come up here and spoke. It's very challenging. None of us are public speakers, including myself. And like the incident, you
know, Mark brought up, our mechanic, the incident this morning. Basically a little lack of communication there.

BSEE's regional supervisor was a little animated and got off to a start four days before it was actually all due, and the green copies of the INCs were already done and the work was done and the report was FedExed to them and it was actually in their office when they sent the guys out to shut the platforms down. And, when you do that, all we had to have was a phone call. One phone call would have resolved the whole thing.

When we shut those wells down, we lost two wells coming back on because the rods part and the oil well doesn't produce and you have to skid the rig, and, of course, the majority of our rig crew is here today to stand up for the company. So that could have been resolved in a much better fashion but it doesn't matter. It is resolved. They immediately called their inspectors and allowed us to come back on this morning.

The pipeline internal surveys, all those surveys have been done and are current, and we're currently meeting -- I'm meeting with Rose and the company who supplies the smart pigs and the equipment, and I'm meeting with those guys in about three weeks. So we're making preparations to do that work this year again on schedule. You know, there's a lot of different things to
talk about, but we'll just keep it that simple.

We really appreciate whatever latitude you can give us so that we can continue to keep our jobs because, you know, my daughter and grand kids moved back in with me two years ago, so my wife and I have another support issue to take care of, and I would have to leave the state to get another job like I have, and these guys have been very good to all of us.

CHAIRPERSON KOUNALAKIS: Thank you.

MR. MAGILL: Thank you very much.

CHAIRPERSON KOUNALAKIS: Thank you very much.

Okay. Next, we have Gabriel Mendoza, Michael Schield, and Bishoy Matta.

MR. MENDOZA: Good afternoon, everybody. My name is Gabriel Mendoza. I've been working for this company for 19 years, and I'm so happy working with these guys. It's fun over there, and, like, the problem we have right now with oil line and everything, I hope this thing fixes soon. Because nobody wants to lose their job over there because everybody has a lot of bills to pay. Thank you.

CHAIRPERSON KOUNALAKIS: Thank you very much.

(Applause.)

MR. SCHIELD: Hi. My name is Michael Schield, and I've been with this company now for seven years. And
just like everyone else I have a new daughter that just
came into my life and a fiance, and I just -- I hope to
continue my life with them and continue paying my
mortgage and bills. Thank you.

CHAIRPERSON KOUNALAKIS: Thank you.

(Appause.)

CHAIRPERSON KOUNALAKIS: Bishoy Matta and then
Kevin Carone.

MR. MATTA: Good afternoon, Commissioners. My
name is Bishoy Matta, and I'm 23-years old, and I really
appreciate this job, and it means a lot to me because I
really worked hard to get it. I was born and raised and
Abu Dhabi UAE. I moved here by myself when I was 17 to
pursue a career in the oil industry, and I started, like,
my journey in San Francisco, East Bay, Cal State East
Bay, and then had to relocate again to go to Cal State
Bakersfield and had to relocate again to Santa Barbara to
get a job, and I just started, like, in April and finally
all of the years have paid off.

And, if I lose my job, I guess, it's going to be
really hard to find another job and I'll have to relocate
again, and I was hoping that all these years were, like,
finally paying off, and it would, like, give me some time
to, like, at least take a break and gain the fruits of
all of these years. And I would really appreciate it if
you considered this in your -- in making your decision, and I thank you.

CHAIRPERSON KOUNALAKIS: Thank you.

(Applause.)

MR. CARONE: Hi. I'm Kevin Carone. I'm an assistant to Bruce, but I would like to say two or three things. A lot of these guys got their green card because of the company. They have six -- a lot of them have six-figure jobs.

I think there's some miscommunication about the intent to pay. There was an intent to pay. I don't know if, you know, maybe there's a miscommunication in our own office or something like that, but the more you make -- more investigation should be done. We have a future. There's a big future for the company, if we continue to operate. You see we've been hiring people, a lot of people got raises recently, and we're going to be continuing to get more raises. There is a something about the abandonment.

We do have a separate abandonment that's in addition to the $50,000 that you guys are asking for that is, I believe, $900,000. But so there's money to abandon. And I'll leave the rest to Bruce.

(Applause.)

MR. COWEN: I just want to wrap it up for a
minute. You know, I know the responsibility of being on
the Commission. I was Chairman of Connecticut's Gaming
Special Revenue that generated $2 billion to the State,
and I've been in meetings like you have and overseen
them.

And the thing I just ask is you have some
compassion for the employees. I am not a shareholder of
the company. I'm a lender to the company. And to make
this issue go away with the payment of $172,000 there's
approximately $130,000 outstanding; I will write a check
for that, in lieu of termination. It will bring the
payments current, and I've asked for 90 days to get the
bond put in place, but then leases would be in
compliance. So I'm offering that personally.

CHAIRPERSON KOUNALAKIS: I have some comments,
but I want to ask my fellow Commissioners if they have
any questions.

(Applause.)

CHAIRPERSON KOUNALAKIS: Actually, we have some
more. Let's finish. We'll go ahead and get through now.
Everyone so far has spoken in opposition to the staff
recommendation. I believe the rest are speakers are in
support of staff recommendation.

So the first three speakers I have coming up are
Nolan Fargo, Gabriela Torres, and David Grubb.
MR. FARGO: Nolan Fargo with Surfrider Foundation. So, first of all, Surfrider would like to express our deep sympathy for the position that these workers have been put in by the leadership of the company. You know, sounds like they really do work really hard, and the company has up to this point has provided them with livelihood. So we express our sympathy to the workers for, you know, the position they've been put in.

Surfrider would also like to express that we strongly support the staff's recommendation to terminate the leases. And, as Ms. Lucchesi noted before, it's really quite simple. The conditions placed on Carone when the company became the lessee in 1996 have never been fulfilled. Carone is in clear violation of the conditions of the leases and, therefore, is not entitled to the leases. So we ask you to uphold the terms of the leases and vote to terminate them, as the staff suggests.

Thank you.

CHAIRPERSON KOUNALAKIS: Thank you.

MS. TORRES: Good afternoon. Thank you for the opportunity to speak. My name is Gabriela Torres. I'm the policy coordinator at Surfrider Foundation. I'll be speaking later today on the Clean Border Water Now Campaign. In my previous background, I was an attorney
working in the litigation in complex environmental matters.

I am here to voice my support for the staff recommendation to terminate the lease because Carone has not met its obligation, nor has it maintained its bond. The only good-faith attempt to pay was made years after it was already in arrears. Given the sensitive nature of offshore drilling, I think we must expect more if we're going to truly protect our environment. Terminating the leases consistent with the Commission's commitment to protect the California coast from new offshore oil and gas development.

I do have to make it known that I did find the testimony of the employees to be moving and compelling. I do not agree with Carone putting its employees in this position and having to plead for their jobs, and I would like just to end my comment by saying shame on Carone.

Thank you.

CHAIRPERSON KOUNALAKIS: Okay. Next, we have David Grubb, Molly Bruce and Pam Heatherington.

MR. GRUBB: Good afternoon, Commissioners. David Grubb speaking for the Sierra Club. The Sierra Club strongly supports the staff recommendation to terminate the leases. Having said that, we are getting a preview today of a very painful period in California's
history that is in front of us. We all understand that we must stop burning fossil fuels; that means the oil industry is going to die, and that means many thousands of people are going to be without jobs. We all have a responsibility to do something about that. So I support the staff recommendation, but I support anything that the State can do to make this less painful for the people that are involved. Thank you.

MS. BRUCE: Good afternoon, and thank you again. My name is Molly Bruce with Surfrider. First, I'd like to say that, likewise, I am empathize with these employees. I think you'd have to have a heart of stone not to be affected by their testimonies. However, it also seems obvious to me that, if Carone Petroleum's management valued these employees, they wouldn't have put their employees in the position the first place.

The States Lands Commission is charged with managing and protecting public lands for all Californians, and that charge leaves no room for indulging bad actors, as Carone Petroleum has clearly proven to be. From failing to pay rent, to not even attempting to seek project approval, the company has scoffed at the conditions the Commission set forth back in 1996. Carone's failure to pay rent on the leases enumerated, as well as the company's failure to maintain
the $50,000 surety bond, requires that the lease -- that the State Lands Commission staff recommendation be upheld. Thank you.

MS. HEATHERINGTON: Good afternoon, Lieutenant Governor Kounalakakis and Commissioners. I am Pam Heatherington from the Environmental Center of San Diego. We are here today in support of staff's recommendations and to also point out that we're really looking at a trickle down impact from a corporation not playing by the rules and it impacting everybody under their purview.

As stated in the staff report, these leases have been unproductive for over twenty-five years. The infrastructure necessary for production was decommissioned many years ago and rents have not been paid. If anyone of us failed to paid rent over this amount of times, we would have been evicted years ago. The central coast of California has had its share of oil disasters. A vote in support of staff's recommendations syncs with the Commission's strong commitment to protect our State's coast from new offshore oil and gas development.

In addition, termination of the leases furthers the goals of the California Coastal Sanctuary Act by permanently protecting this area. Please adopt the staff recommendations and terminate the leases and the
pipelines associated with them. Thank you.

CHAIRPERSON KOUNALAKIS: Okay. I have three more speakers, John Heatherington and Anastacia Pirello and Kaily Wakefield. And, if anyone else here would like to speak either in support or in opposition to staff recommendation, please submit a notice right away; otherwise, that is the last of the speakers. Thank you.

MR. HEATHERINGTON: Good afternoon, Madam Chair and honorable members of the Commission. I'm John Heatherington, and I'm speaking in support of staff's recommendation to terminate these leases. It is obvious that the lessee has not complied with the terms of the agreements, and, therefore, you have full discretion to terminate the leases.

California once led the world in oil production, but now we must lead the fight to end it because we will not survive the future by clinging desperately to the past. So, on behalf of all future generations of man kind, I am asking you to end these leases and keep the carbon in the ground. Thank you.

MS. PIRELLO: Good afternoon, Commissioners. My name is Anastacia Pirello, and I represent the Surfrider Foundation, and we strongly support the staff's recommendation to terminate these leases. Based on the staff report, the Commission must terminate these leases.
The absence of any production for more than twenty-five years, failure to undertake significant work toward production, and the refusal to pay rent for these leases allows the Commission to end these entitlements.

It's noted such action is not only required by the facts of the case, but is consistent with Commission's strong commitment to protect our State's coast from new offshore oil and gas development. Please support your staff and the people of California in terminating these leases. Thank you.

MS. WAKEFIELD: Good afternoon, Commissioners my name is Kaily Wakefield. I am with the San Diego Chapter of the Surfrider Foundation. I would like to echo everything that was said by my colleagues and some of the other environmentalists who stood up here today. Again, we express our sympathy for the employees, and we do feel that this is not a fair situation that they were put in.

The Surfrider Foundation is a grassroots nonprofit environmental organization, dedicated to the protection of the world's ocean waves and beaches. We've been actively campaigning against offshore drilling for quite some time now. I'm here today to support the staff recommendation as well. I don't have anything further to add for the other comments. I'll stand on that, but thank you for your consideration and your time today.
Thank you.

CHAIRPERSON KOUNALAKIS: Thank you. One more speaker, Clement Alberts.

MR. ALBERTS: Good afternoon, Commissioners. Clement Alberts, and I'm pushing -- am I supposed to give my age? I'll give my age. I'm pushing -- I'll be 69 years old this year. I have worked for the company for 30 years. I have known the Carone's since I was a boy. I lived here, somebody else lived here, and the Carone's lived here (indicating.) Good people. Dear friends. Okay. Grew up together. And they hired me, and they said, "If you can't do it, we're going to fire you." Okay. Here I am 30 years later. Okay.

That said, it's my responsibility to keep them out of trouble environmentally. I have to see to it that things are done according to Hoyle. This goes to the EPA, to the air pollution control districts, to OSPR, the spill drills, and very briefly, they comply. They do what they're supposed to do. I see to that. And, if they don't, there's hell to pay.

I think your concern is well based; it's well founded that, you know, your charge is to see to it that nothing adverse happens to the coastline. I don't want to see that either, and that's my job and I take it seriously. Background in engineering, background in law
enforcement. I was a police officer. I teach concealed
weapon trainings. I hold a general license. I take my
job seriously. I have for 30 years, and I will continue
to do so, if you allow me to do so. Thank you.

(Applause.)

CHAIRPERSON KOUNALAKIS: Okay. Do we have any
questions or comments from Commissioners? Commissioner
Yee?

COMMISSIONER YEE: Thank you, Madam Chair.
First of all, I want to thank all of the workers for
taking the time to come before the Commission. This is a
difficult issue and just to say thank you for the
diligence of the work that you have performed at the
locations and certainly the emphasis placed on safety.
We very much appreciate that.

As much as I'd like to think about the offer
that Mr. Cowen had put forth before the Commission, we
have some fundamental legal issues that are before us,
with respect to the obligation of Carone, that have not
been fulfilled. It's really -- comes down to a very
simple arrangement of where the payment of rent is really
the requirement of the State authorizing Carone to
utilize our sovereign lands, and, you know, that payment
is the obligation.

And the question I posed earlier, with respect
to the sustainability of the company to make this
obligation going forward, is still a question in my mind.
There has not been production that's been maintained. We
are entering an era in California where we are moving to
a more renewable energy environment. But even without
regard to that larger vision, the commitment that is
really embodied in these leases have not been fulfilled
by the company.

And I'm really sorry that all the workers who
are here today are kind of being placed in a position at
the 11th hour of making a plea before this Commission.
The company, essentially, failed on its obligation. And
it's a legal obligation, and the question, I think, is
very clear before this Commission about what needs to be
decided.

What I want to say to Mr. Cowen, with respect to
the $130,000 that you put forth before the Commission, is
while there's still an ability to hopefully have
resources available, to help think about the future of
these workers. I would hope that there would be some
consideration made of that by the company. That this is
a tough time for many workers in this industry, as we
look at the energy transition, and I would hope that the
company would honor any opportunity to fulfill -- I hope
-- a responsibility that it feels to its workers for the
dedication that they've shown to their work, to look for
how they will transition professionally, with respect to
the opportunities beyond working for Carone.

So, Madam Chair, I do think the question before
us is fairly clear. It is unfortunate that we are going
to see some impacts on the workers, but I also would like
to implore Carone to begin to pay some attention to the
transition of the workforce as well while there's still
an opportunity to do that. And I also would say that
there's been a lot of concern for many years now. It's
not just the financial obligation but certainly the
underproduction, and there's been concerns all the way
around at the State level and Federal level.

Again, I appreciate the workers being here, but
I do believe that the question before us is quite clear.

CHAIRPERSON KOUNALAKIS: Commissioner Miller?

ACTING COMMISSIONER MILLER: Thank you, Madam
Chair. I just wanted to briefly echo the Controller's
comments and thank all of you for being here, and please
note that the decision before us today isn't about the
quality of your work or the integrity that you bring
every day. I think the State is incredibly grateful for
that.

Today is about a contractual obligation that the
company has with the State of California, not only this
company, but all companies. In order to maintain not only the health and safety, but the ability of the State to ensure that all laws are followed. So normally I wouldn't speak on this, but I did want to make clear that the decision today is about the actions of the company in regards to its obligations and not about how much we value what you bring to work every day.

So I deeply appreciate you being here. Thank you very much. And when you're ready --

CHAIRPERSON KOUNALAKIS: Do we have a motion?

EXECUTIVE OFFICER LUCCHESI: Before a motion is taken, I would like just to remind the Commission that we will want to take each item up separately.

CHAIRPERSON KOUNALAKIS: Separately. Okay. Why don't -- I'll make some comments, and then we can call for a motion.

Just to echo what you've heard from my fellow Commissioners, this has been a four-year long process that has brought us to this point, and no one in government, whether elected to government or working in government, should ever be, ever be cavalier about actions that will result in the loss of jobs for hard-working Californians, and I don't think anyone up on this dais or anyone at the State Lands Commission who has worked on this for one minute has taken for granted the
hard work of the people at this company every day. And hearing from you directly has obviously been, you know, moving to all of us.

But the fact of the matter is that the State Lands Commission is very straightforward about the contractual obligations of the lessees. They deal with thousands of lessees at any given time, and I still can't quite understand how a company with 50 employees isn't meeting -- paying the rent on the fundamental -- the fundamental basis of the operation of the company. It really does not add up to me. And so I will say I intend to support the staff recommendation, unless anything Ms. Lucchesi, that you and your team have heard today reflect anything -- any new information that you didn't know or anything different about your experience over the last four years in working with this company to try to bring them to the place where they can be in compliance, which I know is your standard practice in these kinds of things.

EXECUTIVE OFFICER LUCCHESI: I also want to echo the sentiments of the Commissioners and many members of the public in expressing our empathy and sympathy to the workers, and I wholeheartedly agree that the actions before the Commission today are really a reflection of the companies lack of respect and compliance with the
lease obligations.

    Nothing that I have heard today changes or alters the staffs recommendation; however, I do want to correct the record, with regards to the BSEE violation. From -- we were, during the course of the testimony, able to contact BSEE and get verification of what actually happened today. So, with that, Carone or the operator of the federal platforms were issued a shut-in order around 9:59 this morning. BSEE received the required reports from the company about twenty minutes later; the order was then lifted around 11:00.

    So I wanted to just correct the record in front of you today about the interactions with the federal regulatory agency regarding the shut-in order today. But, with that, as I mentioned, the staff stands by its recommendations for both Item 98 and 99.

    CHAIRPERSON KOUNALAKIS: Do we have a motion?
    EXECUTIVE OFFICER LUCCHESI: Just to remind --
    COMMISSIONER YEE: -- separate motions.
    EXECUTIVE OFFICER LUCCHESI: -- separate motions. For Item 98, we can take up first.
    CHAIRPERSON KOUNALAKIS: Do we have a motion for Item 98?
    COMMISSIONER YEE: I'll move to adopt the staff recommendation relating to the proposed termination of
the lease for Item 98.

ACTING COMMISSIONER MILLER: I second.

CHAIRPERSON KOUNALAKIS: Any objection to a unanimous vote? Seeing none. Motion passes unanimously.

Item 99. Do we have a motion?

COMMISSIONER YEE: Move to adopt the staff recommendation.

CHAIRPERSON KOUNALAKIS: Second?

ACTING COMMISSIONER MILLER: I second.

CHAIRPERSON KOUNALAKIS: No opposition, so motion carries.

EXECUTIVE OFFICER LUCCHESI: So we are ready to move onto the next item, unless the commission would like to take a break.

CHAIRPERSON KOUNALAKIS: Yeah. We'll take a five-minute break.

(Off record: 3:17 p.m.)

(Thereupon a recess was taken.)

(On record: 3:32 p.m.)

CHAIRPERSON KOUNALAKIS: All right. I'd like to call this meeting back into order. Item 100 is the consideration of the Commission's "Abandoned Commercial Vessel Removal Plan, Sacramento-San Joaquin River Delta Region," prepared pursuant to AB 2441 by Assembly Member Frazier. May we have the presentation?
EXECUTIVE OFFICER LUCCHESI: Actually, Chair Kounalakis, if it pleases the Commission, I would like to take items a little bit out of order to accommodate speakers. So I would like to take Item 102 up first.

CHAIRPERSON KOUNALAKIS: All right. Item 102 is an informational update on the Tijuana River Valley pollution issues. May we have the presentation?

STAFF ENVIRONMENTAL SCIENTIST FARNUM: Good afternoon, Commissioners and Chair Kounalakis. I'm Maren Farnum from the State Lands Commission, and this is going to be an informational update and presentation on the Tijuana River Valley pollution issues, which is a real critical problem here in San Diego and across the border. I am actually going to just briefly provide an overview of the issue, and then I'm going to turn it over to some others here locally, who are going to give you more detailed information from their respective entities that are all actively engaged in this issue here in the San Diego region.

(Thereupon an overhead presentation was presented as follows.)

STAFF ENVIRONMENTAL SCIENTIST FARNUM: The Tijuana River Valley experiences repeated pollution events from untreated wastewater flows, contaminated sediments loads, and influxes of trash. The pollution is
largely caused by inadequate and under-maintained infrastructure and public utility services both within the City of Tijuana and the incorporated areas around the city that are home to growing unplanned communities, as well as there is infrastructure deficiencies here on this side of the border, too, that contribute to the problem of this interconnected water system.

They're going to give you a lot more info about this, but I'll just try to sort of synthesize what's going on here. During dry weather, there are untreated wastewater flows that get concentrated in the river valley. There's not enough fresh water to sort of flush them out, though, the majority of the wastewater through infrastructure improvements in the last few decades does divert a lot of untreated wastewater before it enters California and discharges it about five miles south of the border into the Pacific Ocean.

During wet water, however, the water diversion infrastructure in Mexico can frequently become overwhelmed and frequent overflows of untreated wastewater enter the Tijuana River Valley, the Tijuana River Estuary, and they exit through the mouth of the river into the Pacific Ocean, directly south of the City of Imperial Beach. Winter storms also carry sediment and debris, including plastic bottles and tires down the
steep canyon walls that line the upper river valley and watershed. The problem directly affects Public Trust lands and resources located within the watershed and concentrate in the lower Tijuana Estuary in the southern San Diego County coastline.

In November of 2017, staff updated the Commission on the pollution problems and impacts to the Public Trust, Public Trust lands, and resources. Commission has jurisdiction over sovereign land in and near the Tijuana Estuary and leases some of those lands to the U.S. Fish and Wildlife Service for the Tijuana River National Estuarine Research Reserve.

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STAFF ENVIRONMENTAL SCIENTIST FARNUM: That's going to be sort of the orange block in the upper part of the map. We also have a lease to California State Parks for Border Field State Park; that's the big orange block just below that. And then we also have a lease with the International Border and Water Commission in the City of San Diego for the South Bay Ocean Outfall, which is associated with the South Bay International Wastewater Treatment Plant, and that is a lease area that goes out into the ocean about three nautical miles.

On September 4th, 2018, the Regional Water Quality Control Board, San Diego Section, filed a lawsuit
against the United State Section of the International Border and Water Commission, one of the lessees I just mentioned, for violation of the Clean Water Act related to pollution in the Tijuana River. The Commission joined Regional Water Board's lawsuit as a plaintiff on December 13th, 2018. The City of San Diego also joined the lawsuit as a plaintiff.

There are two other lawsuits related to the Tijuana River pollution, one brought by the Surfrider Foundation, and another brought by the cities of Imperial Beach, and Chula Vista, and the San Diego Unified Port District.

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STAFF ENVIRONMENTAL SCIENTIST FARNUM: There are many different ideas and proposals to advance solutions to the pollution problems in the Tijuana River Valley. Government agencies, nongovernmental organizations, and communities on both sides of the border are deeply engaged in these efforts. We now want to give an opportunity to some of those entities to share their perspectives with you and the public. There's additional information available through our staff report, which can be found on this meeting's agenda, on our website online, or I believe outside on the table.

We'd like to express our gratitude to the
following speakers for offering to come to our meeting today to make these presentations: First, I would like to introduce Assistant Vice President Job Nelson, from the Port of San Diego. After Mr. Nelson speaks, we will be joined by San Diego Regional Water Quality Control Board Executive Officer, David Gibson.

Following Mr. Gibson, we will hear from Policy Coordinator Gabriela Torres, from Surfrider Foundation. And oh, I'm sorry. Prior to Gabriela, we'll actually be hearing from Councilwoman Paloma Aguirre, from the City of Imperial Beach, and then we will hear from Gabriela Torres, from the Surfrider Foundation.

So thank you very much, and I'll welcome Job Nelson.

MR. NELSON: While they're pulling up the presentation, thank you, Maren. Chair Kounalakis, Controller Yee, Commissioner Miller, Jennifer, welcome to our wonderful bay. I feel bad that you're in here and not out there because it is gorgeous outside, and the water is glistening and you are in the wrong spot.

But you're actually in the right spot to talk about a very serious issue, and I want to take a moment, again, my name Job Nelson; I'm Assistant Vice President for the Port of San Diego. Thank you for inviting us here today to provide an update on the fight to stop the
flow of transboundary sewage into the Pacific Ocean. The Port is the state-designated trustee of public resources in and around Imperial Beach. And through our Public Trust lands, as well as agreements with the City, we oversee more than 400 acres of trust resources, both beachfront and water.

The resources held in trust by the district for the people of the State of California are severely impacted by these water discharges. For that reason, we are grateful to the State Lands Commission and appreciate your partnership on the litigation we are pursuing against the federal government. With me today is David Gibson, from the Regional Water Quality Control Board, to speak to this issue and describe where we go from here.

We are also appreciative of our partners who have been invited to speak today, the city of Imperial Beach and Surfrider Foundation. I have with me today Jason Giffen, who is an AVP at the Port of San Diego, as well as John Carter, from our General Counsel's office, should any questions arise.

(Thereupon an overhead presentation was Presented as follows.)

MR. NELSON: First, as of today, we've had a large number of closed beaches at Imperial Beach, and the Tijuana Slough Shorelines has been closed for all of
2019. These closures have been caused by nearly 100 million gallons of sewage-contaminated water that has been pouring into our coastal waters.

According to U.S. Customs and Border Protection water quality tests, those contaminated flows deliver e-coli, coliform, and other bacteria to our shores, as well as uranium, arsenic, lead, cyanide and other pesticides, herbicides, metals, volatile organic compounds, and a host of other pollutants coming from uncontrolled industrial and agricultural discharges.

If you find that list a bit overwhelming, you are in very good company. Right now we are confronted by the largest water quality crisis in the United States and it's happening just miles from here. That's why we are demanding accountability through legal action and any other means at our disposal. As far as the Port is concerned, all options need to be on the table. This is about demanding environmental justice, and we believe that reaching 100 percent prevention should be our goal. The costs we pay in human life for not doing that are simply not acceptable.

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MR. NELSON: The District requires everyone on tidelands property to comply with all applicable federal, state, and local environmental laws that includes the
Clean Water Act. The Federal Government is not exempt from this expectation, in fact, they should be leading by example. The Port takes the decision to file a lawsuit very seriously, but this one is necessary. This is one of the biggest ongoing water quality and environmental justice crisis in the United States, and it's happening right here in California.

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MR. NELSON: We firmly believe that the Federal Government must comply with the Federal Clean Water Act and Federal Resource Conservation and Recovery Act. How? The International Boundary Water Commission, or IBWC for short, through its facilities, including the main flood channel control conveyance. The IBC intentionally created a system of diversion, capture, and treatment that does none of these thing nearly well enough to protect the very people and natural resources that the agency was designed to protect. I want you to notice on this image that highlights the proximity of the IBWC's flood control conveyance to the IBWC's International Sewage Treatment Plant.

As you can see, the flood control conveyance discharges sewage and other waste literally a stone's throw away from the sewage treatment facility without any treatment whatsoever. Discharging those wastes into the
Tijuana River Valley and ultimately the Pacific Ocean and the beaches in Imperial Beach. It closes beaches, makes people sick, and severely impacts the local economy.

That is a clear violation of the Federal Clean Water Act and the Resource Conservation and Recovery Act. It also seems contrary to the IBWC's stated mission, which is, I quote, "to provide binational solutions regarding water quality and flood control on the border region."

The flood control conveyance is the source of the vast majority of pollution plaguing our communities and natural resources. The solution is common sense. The IBWC must direct flows from the flood control channel to the plant for treatment. The lawsuit intends to cure those inadequacies by applying long-standing federal environmental laws and force IBWC to do its job, which is remarkably simple: Capture and treat contamination using readily available technology and resources. The trial is set to begin in October of 2020.

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MR. NELSON: Turning to another front in this effort, three weeks ago EPA Region 9 held a major stakeholder meeting to discuss Tijuana River issues and project options. The federal agencies, the San Diego and Colorado River Regional Water Quality Control Boards and
San Diego County provided presentations followed by questions and answer sessions. There were a number of project priorities that were previewed for potential funding and implementation. So I would like to share a few of those with you.

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MR. NELSON: One set of possible solutions is coming from the County of San Diego's SB 507 Needs and Opportunities Assessment. They include projects such as new lift stations to divert flows to South Bay and International Water Treatment Plant, and the City of San Diego's South Bay Water Reclamation Plant and expand primary treatment capacity of the City of San Diego South Bay Water Reclamation Plant.

Also new storm water treatment facility at IBWC South Bay International Wastewater Treatment Plant; gravity flow direct discharges to South Bay Ocean Outfall without treatment; Tijuana River In-Stream Water Quality Detention Basins; Retrofit Smuggler's Gulch Low Flow Diversion and In-Stream Water Quality Detention Basins; Low-Flow Diversion at Yogurt Canyon.

I'm not going to ask you to remember all of those solutions. I just mention them just to point out there are solutions that can be implemented. Ultimately, the most effective control options won't be determined by
one single entity but driven by stakeholder agreement. 

The story doesn't end there. In fact, we're keeping the 
pressure on because that's the only way anything will 
change.

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MR. NELSON: So what are the next steps? In the 
coming weeks, the Port looks -- along with our numerous 
partners -- forward to finalizing project evaluation, 
design, and funding solutions that we can continue to 
drive support and Congress and the Executive Branch. 
When it comes to the challenge of funding these projects, 
the IBWC should disclose their federal budget request for 
funding solutions.

Let me say that again. It's a simple thing. 
They should disclose their funding request for funding 
solutions. So far we have seen nothing from them even as 
the problem continues to grow worse. The Port of San 
Diego has continued to engage our lawmakers in Washington 
DC and Sacramento and is prepared to jointly lobby with 
our member cities and other stakeholders for these and 
any other priority projects that will improve the lives 
of those who are impacted daily by this crisis.

Today, I invite the State Lands Commission to 
join us in that effort. We take seriously our shared 
responsibilities with you to protect the Tidelands Trust
and the public we serve. The State Lands Commission was an early partner in the litigation and is our closest ally in our mission to care for California's precious natural resources that have been entrusted to us, and we are proud to be your partner in protecting the public's interest. Now it's time to extend that partnership and join forces in lobbying for greater resources to get the job done.

The State has a major interest in defending the public from this egregious assault on the environment. The magnitude of what we are fighting here requires an equally forceful engagement by the State. This is no longer a local issue or regional problem but a state and national responsibility. That is why today we look to you, the State Lands Commission and ask you to join us in the most assertive, aggressive response possible.

Help us amplify the messages as only you can. Join the Port and our partners in IB, San Diego, and Coronado in advocating in Washington and Sacramento to the legislature, to Congress, and to this administration. Lend your voice and raise awareness. The saying goes, "go big or go home." And right now home is getting flooded with sewage.

As California's steward of state lands, your leadership can make a huge difference in calling for all
solutions to be on the table, nothing held back, in
delivering the message to our fellow state and federal
authorities that the public we serve is being endangered
by a catastrophic failure of the government to act; and
in ramping up the pressure on holding those responsible
to account.

The State Lands Commission has always been our
strongest state partner. We believe that working
together the whole is greater than the sum of its parts.
There's no better state champion for California state
lands than the folks right here in front of me, and the
challenge we face requires this kind of leadership.

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MR. NELSON: Thank you for focusing on the
severity and urgency of this challenge and for inviting
us here today to speak with you. I would like to turn it
over now to another one of the members of the Tijuana
River Valley Recovery Team Steering Committee, Dave
Gibson, from the Regional Water Quality Control Board.
And, at the end of the presentations, Jason, John, and
myself will be available to answer any of your questions.
Thank you again for your continued support.

(Thereupon an overhead presentation was
Presented as follows.)

MR. GIBSON: Thank you very much. My name is
Dave Gibson; I'm the Executive Officer of the San Diego Regional Water Quality Control Board and the Chair of the Tijuana River Valley Recovery Team. Thank you very much, Chairwoman, members of the Commission, Executive Director, and staff for this opportunity.

I'm glad that we have a chance to spend a few hours talking about the Tijuana River. It often feels that way, but I'll keep this brief and to the point. You already probably know that the river and the watershed are shared by the United States and Mexico; about 70 percent of is it in Mexico.

What you may not realize, however, is the good news is that the upper watershed, actually, it constitutes some of the highest quality waters in both of our countries. It is, in fact, source water supply for both the City of San Diego and for the City of Tijuana. That is the Rodriguez Reservoir in the lower picture and Long Canyon Creek a tributary of Morena Reservoir in the upper watershed.

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MR. GIBSON: Unfortunately, though -- well, unfortunately, it provides many beneficial --

CHAIRPERSON KOUNALAKIS: Hold on. Can you go back to the map?

MR. GIBSON: Sure.
CHAIRPERSON KOUNALAKIS: Is that in California, that upper watershed?

MR. GIBSON: Yes, it is. So the line goes approximately diagonally across that upper third, and that photograph is taken in that upper third in the Rodriguez Reservoir's in the lower part of the watershed.

MR. GIBSON: The watershed as a whole and the lower valley in particular support many beneficial uses and activities, including training for the United States Navy SEALs and U.S. Navy Helicopter Crews, but it's also a source of sustainable local agriculture and recreational values, wildlife and habitat values as well, and beneficial uses.

MR. GIBSON: Unfortunately, though, the lower watershed differs remarkably from the upper watershed, in terms of the gross impacts to those receiving waters and the beneficial uses. This is one day rain event in Tijuana, not even one of the larger ones, and that is a mixture of both wastewater releases, as well as trash and sediment. And that was taken at Hollister Avenue Bridge.

MR. GIBSON: When the flood waters recede, the
trash remains behind in many places and that includes tires, literally thousands of tires. They are transported south of the border legally. They are part of our tire recycling, which is to say Tire Resale Program, and they go through several more uses in Tijuana before they are discarded. But those tires, as they land in the river valley at places like this, they are also habitat for mosquitos. Two species of mosquitos, Aedes albopictus and Aedes aegypti, are competent vectors for Dengue, Chikungunya, Yellow Fever and Zika.

So we have now completed the equation. We have the tires, which are the breeding habitat. The mosquitos have also reappeared in our region, and we have a community nearby where immigrants are traveling from various parts of the world where those diseases are endemic. We can fix that potential risk by removing the tires, both from the sources and from where they land in the river valley.

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MR. GIBSON: We are also, though, plaqued by industrial releases in Tijuana, and this is an industrial release from Los Laureles Canyon as it enters the U.S. into Goat Canyon; and the result has been, among other things, we can play the game of what color is Goat Canyon today, because it frequently changes color based on the
releases there.

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MR. GIBSON: But, unfortunately, this is no laughing matter because Customs and Border Protection Agents have reported over 86 cases of Workers' Compensation claims due to exposures that have caused burns and dermatitis and respiratory illnesses and reactions from the exposure to the waters in the channel and the persons that they have taken into custody that they have to handle. They also pick up a lot of the water and the materials in it.

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MR. GIBSON: The river and the estuary are listed for over 26 constituents of concern. The two most important for our purposes today are bacterial indicators and trash. These are two of the issues that we most want to address, but all of them eventually have to be addressed.

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MR. GIBSON: The Water Board has for the last ten years led the Tijuana River Valley Recovery Team in partnership with International Boundary and Water Commission and over 30 other organizations, state, local and federal, and the number one work area in that strategy was to partner with Mexico on effective source
control.

And I do want to make the point today before we go on that Mexico has, in some regards, tried to address some of the issues and concerns raised in the recovery strategy. In Los Laureles Canyon, they constructed a sediment and trash basin that removed substantial amount of those wastes. However, the overwhelming outcome of the last ten years is quite apparent in an environmental justice symposium that the Board conducted in 2017.

The number one concern that the public brought to the Board was the fact that the transboundary flows have not materially changed in ten years despite some of the measures taken in Tijuana. The problem is much larger than the fixes that have been attempted, and that the Water Board needs to begin using its regulatory authority, which we held in abeyance for a collaborative and cooperative binational approach.

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MR. GIBSON: To that end, the Water Board resolved, even at that meeting, that we would begin developing what we call Total Maximum Daily Loads. It's a tool under the Clean Water Act to address long-standing impairments when all the other regulatory measures have failed.

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MR. GIBSON: So the Water Board is now preparing two Total Maximum Daily Loads. One, for bacterial indicators, and these are the water quality standards. In short, you can look at the estimate of 100 colony forming units or 320 colony forming units per 100 milliliters as the standard. But what do we see?

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MR. GIBSON: Well, this is what Customs and Border Patrol reported, and they are not a singular example, 1.7 million, 2.6 million colony forming units, that is essentially raw sewage and orders and orders of magnitude above the water quality objectives.

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MR. GIBSON: For trash, the Basin Plan, our regulatory document, basically asserts that trash should not be present in quantities and amounts that would adversely affect beneficial uses and causing nuisance. Well I think one good look at that photograph and the ones you've already seen would indicate that the measures we've taken over the last ten years and, indeed, going back over 60 years. This is a resolution from 1953. The Board adopted asking IBWC to address transboundary flows of sewage. These issues have not substantially changed.

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MR. GIBSON: The timeline for these regulatory
actions. We have conducted the CEQA Scoping Meeting; we're preparing the technical documents, which we expect to have out, peer reviewed next year, and by early 2021 the Board will be able to consider and adopt those TMDLs. They would then have to be approved by State Board, the Office of Administrative Law, and US EPA.

In those Total Maximum Daily Loads, are a regulatory measure that, if approved, has the force of law. The Water Board proposes to assign the entire waste load allocation in all of the waste load reductions to the U.S. Federal Government in the agency of the International Boundary and Water Commission, and I'll explain why in just a moment.

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MR. GIBSON: Here it is. This is a map of the Tijuana River Valley out of the recovery strategy, and you will note the dark areas in blue down at the bottom. There's Goat Canyon, there's the main channel of the Tijuana River where most of the waste are conveyed, and Smuggler's Gulch.

These were areas that the recovery strategy -- again, IBWC was a partner in developing this -- submitted a commitment to letter to implement the priorities and the recommendations in the approach of the recovery strategy. We all agree that these areas should be
actively managed to intercept and divert waste crossing the border.

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MR. GIBSON: And Goat -- Yogurt Canyon is also an issue. Here's an example of what that can look like. In Goat Canyon, the State of California has constructed two sediment basins and installed a trash interception net and manages and maintains that system every year to a cost of $1 and $2 million per year. No such structure exists on the main channel.

There is no interception or diversion of solid waste; no ability to intercept and divert the sewage flows; and no capture of sediment other than the semi-decadal effort to go out there and maintain the flood control channel. The other canyons, like Goat Canyon and Smuggler's Gulch, they actually have a canyon collector. An interceptor that captures dry-weather flows and keeps them from going downstream, but there's no such structure in the main channel. The result is that, after ten years, the Board itself has already answered its question on this.

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MR. GIBSON: This is La Jolla a day or two after the rain event. The beach is open. So our point of view is that San Ysidro, Imperial Beach, and Playa de Tijuana
deserve to be as clean and safe as La Jolla a day after a rain.

On the right, is a photograph from the San Diego Union Tribune of Imperial Beach closed for over 300 days of the year, rain and shine.

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MR. GIBSON: The result is that, unless we have a truly effective U.S. side approach to manage under reasonable conditions the transboundary flows of waste, this is what we’re going to be seeing in the Tijuana River Valley for decades to come, just as it has been decades since.

This is an enormous issue. It takes more than 70 percent of my time this week and 30 percent of my time overall, but I want to extend my thanks and compliments to you and your staff for participating and partnering with us in the litigation and the hard work of your staff and counsel even this week as we met with the parties to discuss how to resolve these issues, both legally but also what to do to change the nature of the flows and the impacts.

So, with that, I thank you very much for your time and attention and would be glad to take any questions that you may have now or later.

CHAIRPERSON KOUNALAKIS: So just to understand
the recommendations that you have, you talked about a
trash-collector-type thing. What are the other specific
recommendations that you believe if the -- on the U.S.
side, that if the U.S. Government took would help to
remediate the problem?

MR. GIBSON: I believe that Surfrider may very
well speak to this point, but I will describe this on two
scales. When I met with Commissioner Drusina and
Commissioner Salmon in 2018 in March, we had frequent
shut downs of a pump station in Tijuana, which takes
river water out of the river during the dry season and
pumps it over the hill to San Antonio de los Buenos to be
discharged offshore there. That way the water doesn't
flow down the Tijuana River into the U.S. The pump
station was frequently being shut down or failing, due to
electrical issues fouling of the intake system.

My suggestion to them at the time was that if
they construct a small earthen to capture and hold the
few thousand or few tens of thousands or a million
gallons of water, until they can turn the pumps back on
and then pump that back down. They did take that advice.
I don't claim the credit for it. They built it, and that
actually has worked.

Farther down stream, we need a duplicate to the
PB-Cila Pump Station. That's within the United States
and where we can expect daily and regular operational and control. The types of issue at the PB-Cila Pump Station are such that we have two nations attempting to communicate with one another through Juarez and El Paso about the operation of a pump station. That's not a solution for success.

So a pump station like that in the U.S. should take wastewater and other polluted flows out of the channel during the dry season -- if no other time -- into the treatment plant at IBWC. They can mingle it as the do the canyon collector flows, which are already taking into the treatment plant; they can blend it with their influent or they can even mix it with their effluent and discharge it offshore.

All of those are examples of measures that are being considered right now by the US EPA in their diagnostic survey and that Surfrider has drawn up examples of how that would look schematically. You would couple that with a trash interceptor like you saw in Goat Canyon and active management of the channel for sediment and trash that those don't capture. So they have some very good drawings and schematics about how that can work, but what I would emphasize is this is not rocket science. We're not putting a Falcon Heavy into orbit.

This is actually simple, on the ground, last
century technology, and we have some good examples of how trash booms can work that are being proposed for Smuggler's Gulch and there may be also copies of that built in Monte De Oro; and, there, that project proponent Dr. Oscar Romo is actually collecting the plastic and recycling it as a building and perhaps marketable material.

So there's more than one way that this can work. But looking at a main channel weir with a diversion into the treatment plant and the ability to capture sediment, that is what that would look like.

CHAIRPERSON KOUNALAKIS: Commissioner Yee?

COMMISSIONER YEE: Thank you, Madam Chair.

Thank you, Mr. Gibson. I just had a question with respect to any discrete initiatives related to the tires. I think there was some focus, at least during the budget process, the State budget process this year, about perhaps looking at the existing tire recycling program and looking at some of the proceeds out of that program to try to be directed in this regard. I guess overall given how vastly the issues are, has there been, I guess, an attempt to try to prioritize and at least identify where there might be some existing state and federal programs already addressing some of this that we can look to enhance or to repurpose?
MR. GIBSON: Thank you, Commissioner Yee.

There's a lot to say there. First of all, we have successfully implemented two pilot projects in Mexicali and Tijuana using the tire recycling fund, as a way to buy back and recycle tires definitively. So that they aren't simply reused and then discharged. Both of those were limited term projects and CalEPA also updated their Solid Waste Management Plan, with regard to the tire funds.

Unfortunately, I have to also carry the bad news that almost all of the money in the tire funds has now been dedicated to other purposes, the Air Board and Natural Resources Agency have uses for those funds that the legislature has authorized. So we're looking at now literally only a few thousands of dollars that we might put towards projects in the border area either in the U.S. or in Tijuana to address tires.

We do, I think, as a state need to find a way to recycle tires. That is simply not a resale program where they simply come back into the environment later on at a very inconvenient and very inappropriate location. That is monumental challenge. There just isn't enough market for recycled tires; you have to deal with the steel, the copper, and the nickle, and other ingredients in there.

So those are some of the issues that we're
facing. With regard whether there are state and local programs that can be effective. I would also mention the City of San Diego spends over $3 to $8 million per year managing the waste in Smuggler's Gulch and the Pilot Channel. State Parks spends the money that I mentioned, County of San Diego and others. Most of those programs, though, have gone simply to treat the symptoms and most of those agencies are reluctant now to carry those burdens indefinitely without some federal leadership to make those investments permanent and durable.

If we do not interrupt these flows, then we will lose over $60 million worth of investments in wildlife habitat in the estuary and the lower river. So we have to do this, and that's why the City and others have taken those steps. But we need a permanent solution, so our plead to the International Boundary and Water Commission has been, let us be your true partners and indeed convey the international dialogue. They had a very good approach to carry forward the recovery team projects, including, number one, working with Mexico. Minute 320 was a very good forum. It addressed solid waste, sewage and sediment. You guessed them.

Unfortunately, I have to tell you that International Boundary and Water Commission has functionally abandoned that forum. They have ceased the
meetings. They have no projected timeframe to complete an engineers report, which would have identified the projects we could partner with, including tires, for example.

So that remains an ongoing issue, and I've asked the Commissioner twice now when we can expect to see Minute 320 resume. It is the way to truly deal with these issues, but in the absence of that kind of commitment, the Water Board has taken the actions that it has.

The TMDLs to regulate effectively, although, that horizon is much longer than we would like and the litigation to try to compel compliance with the Clean Water Act in a nearer term. I apologize if my answers are a little lengthy; there's so much to share.

CHAIRPERSON KOUNALAKIS: All right. Okay. I think the next speaker -- you had a few more who were part of the presentation.

(Thereupon an overhead presentation was
Presented as follows.)

MS. AGUIRRE: Thank you so much, Madam Chair Kounalakis, Commissioner Yee, Commissioner Miller. Thank you so much for the opportunity to come give you an update on behalf of the City of Imperial Beach. My name is Paloma Aguirre. I'm here representing the City of
Imperial Beach, a community -- the coolest little beach
town in California, from my point of view. We are a
community of about 28,000 residents. We are working
class, very diverse community that is bordered by the
estuary to the south, the Pacific coast line to the west,
and the South Bay Wildlife Refuge to the north.

I first moved to Imperial Beach back in 2003
because I fell in love with its waves. The coast and the
ocean is a central part of our life and our culture in
Imperial Beach. Unfortunately, as you've heard before,
we have a lot of challenges with cross-border pollution,
you know, sewage, tires, plastics.

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MS. AGUIRRE: I won't go that much back that
into detail on that, but I will share with you that just
yesterday the International Boundary and Water Commission
reported a sewage spill of 3.5 million gallons that
crossed the border and entered our shore lines,
especially closing the southern end of our beach. And
so far this year we've had 50 beach closer days for
Imperial Beach and the southern part of Imperial Beach,
which is Border Field State Park shore line, has been
closed since fall of 2018.

So it greatly affects -- I mean, I can't
emphasize it enough. Just yesterday Giovanni Solis was
body boarding, you know, the southern part of IB when the lifeguards had to pull him out and tell him the beach is now closed. It affects our economy, our environment, our quality of life because for a lot of kids, especially right now, the summer, I mean, as I mentioned, we're working class communities. A lot of families can't afford to send their kids to summer camp or to other programs, and the beach is where they go. They go to have fun. They go to recreate, and this is our reality that they can't do that because of these cross-border flows.

The good news, the very good news, today, I was -- I had the honor to accompany Senator Hueso and Assembly Member Todd Gloria when they announced their $15 million budget approval; thanks to Governor Newsom as well. We are very, very grateful for that funding. It's unprecedented the amount that's going to river valley now, and I would say that all of us stakeholders were in agreement that whatever is constructed on the U.S. side to capture some of these low or to medium-size flows should have infrastructure that addresses sediment or captures sediment, trash, and sewage. So we're very excited about that new funding.

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MS. AGUIRRE: Now, federal funding. We -- and I
say myself and Surfrider and a number of many other organizations -- advocated for an increase in funding for the Border Wastewater Infrastructure Program, which is a program under EPA that provides funding for infrastructure -- wastewater infrastructure improvements along the border.

Those $30 million are shared by the entire border from California to Texas, but it's a critical program because this type of funding could be used to improve some of the collectors throughout Tijuana that are always, you know, in danger of collapsing, like the one that caused the sewage spill yesterday was a collector in Tijuana that sent all the sewage flowing to our beaches.

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MS. AGUIRRE: Now, what's going on the Mexican side; right? There's a lot of new changes happening. We have a new administration at the federal level of government. We have a new administration at the state level, and we have a new administration at the local level. So back in March we were part of a delegation organized by the San Diego Regional Chamber of Commerce to Mexico City, where we met with the Minister of Foreign Relations and his team to brief him on the need to invest more resources in their infrastructure in Tijuana, the
wastewater infrastructure.

And because of that meeting, he sent some of his closest advisers down to our region just last Wednesday. Both Mayor Dedina and myself and a number of other stakeholders provided a tour, both of the U.S. side some of the infrastructure that Mr. Gibson referenced earlier and some of the infrastructure in Tijuana as well.

Now, just wanted to point out that there are two sources of pollution that affect Imperial Beach; it's the Tijuana River itself and all its major tributaries, but there's also a sewage treatment plant about three to five miles south of the border that Mr. Gibson also referenced called Punta Bandera. It's a sewage plant that's completely outdated. It has, quote, unquote, "lagoon treatment system" but it's not even treating anything, and it's discharging about 40 million gallons of sewage into the surf zone.

So every summer when we have south to north currents, we have impacts from the sewage treatment plant. So we've asked the foreign minister to really prioritize this issue in addition to some of the collectors throughout the City of Tijuana.

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MS. AGUIRRE: Now, as far as our lawsuit, I mean, you've heard that we're making great strides, and
the bottom line is that we're all in agreement that, as I mentioned, that whatever happens we need to make sure that investments are made in sediment, trash, and wastewater capture.

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MS. AGUIRRE: This is a picture right there of the point of entry of the Tijuana River into the U.S., which could be one of the many options that some of my colleagues discussed earlier that could be explored and looked into for infrastructure.

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MS. AGUIRRE: Now, some of the other efforts that have been going on, it's not without, you know, will from our partners to the south. I wanted to just share with you that they have been making some strides to address some of the plastics and Styrofoam. Last summer, one of the council members from Tijuana helped pass one of the first single-use plastic bag bans in the history of the state really.

So just this past month they passed a single-use plastics and Styrofoam ban. And I didn't mention but I've been working on this issue for over 12 years and have done several different trash assessments throughout the river valley, and we have found that one of the major polluters in the river valley, as far solid waste, are
single-use plastics and Styrofoam. So this is very exciting at least for us in Imperial Beach knowing that we're going to have a significant reduction in the input of marine debris affecting our beaches.

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MS. AGUIRRE: And then I just wanted to update -- I don't have a slide, but on the waste tire issue as well. We have been in conversations engaging our legislators in Sacramento on, you know, sharing recommendations on what can be done to address some of these tires impacting our parks in the Tijuana River Valley, and we believe that Cal Recycle could use -- and you've heard before that some of those resources are being used for other purposes.

But there's no reason why we couldn't allocate a dollar of that dollar seventy-five that goes to that fund. A dollar per tire to go specifically to tires -- to recycle tires before they come back into U.S. territory. And I would mention that I do believe that there is a market. I do believe that there is a demand, and I do believe that there's many efforts both at the state level and at the NGO level to repurpose those tires.

Those tires that originated in California that are being used in Mexico in Tijuana and repurpose them,
recycle them before they come back across the border and impact our region as Mr. Gibson mentioned causing, you know, accumulation of stagnant water, sewage infested water, and posing a public health threat for all of our local residents.

So, again, thank you so much for the opportunity. Thank you for continuing to be engaged on this issue and for coming down and visiting us, and I respectfully would like to extend an invitation, Madam Chair and Commissioner Miller, to come tour the area any time you would like. We would love to have you. We can take you throughout the region, both in Imperial Beach and across the border. Thank you so much, and I'm available for questions.

CHAIRPERSON KOUNALAKIS: Thank you. We were just actually recognizing that we may have a time issue today. So my apologizes for the fuss up here. Part of the reason that I am concerned about that is because I have a lot of questions. And what I'd like to do -- I know you have been down, Betty, to tour the area. I would very much would like to come and tour it.

The Governor several months ago designated me his representative for international affairs, and one of the very first meetings I actually had in my job was with Serge, with your mayor, and we started this discussion.
And really, it is an all-hands-on-deck challenge that we have in front of us.

As your colleagues said, these are 20th century solutions that we're looking at to fix it, and it's absolutely imperative because there is simply nothing less acceptable that I can think of than massive quantities of pollution and sewage being dumped onto our beaches in California without an ability to effectively stop it.

And so whatever it takes for us to work together and to work with our partners in Mexico to really effectively address it, you know, I think, you know, everybody agrees we have to do it. So what I'd like to do, I don't know if there are any more presenters on this topic.

EXECUTIVE OFFICER LUCCHESI: We do. We have Gabriela Torres with Surfrider Foundation who was next up to present, and we do have two public speakers on this.

CHAIRPERSON KOUNALAKIS: Okay. So we're going to continue with this, but I just want to say I'm going to hold some of my questions but do look forward to coming down to see the impacts very soon. Thanks.

MS. AGUIRRE: Okay. Thank you so much.

MS. TORRES: Good afternoon. Thank you for the opportunity to speak. I'll keep my comments short. My
name is Gabriela Torres, and I am the Policy Coordinator for Surfrider Foundation San Diego. I work exclusively on the transboundary pollution issue.

Given that my colleagues, Job Nelson, David Gibson, Paloma Aguirre have covered most of the points that I was intending on covering as well, I will only focus on a few slides. I'm still waiting for my presentation. That's it. That's me. Thank you so much.

(Thereupon an overhead presentation was Presented as follows.)

MS. TORRES: So I was going to talk a little bit about what Surfrider does and all the campaigns that we have, but I'll just skip through that right now.

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MS. TORRES: So at the Clean Border Water Now campaign my focus is to address sewage, the chemicals, and the plastics as best I can, using a network of robust volunteers, using policy, and engaging litigation when we have to.

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MS. TORRES: Ms. Aguirre already covered the beach closures this year. They have been quite substantial and have been keeping our Surfrider membership and other community members from using the beach.
MS. TORRES: This is what we have to enjoy when we're walking through the Tijuana River Valley on a stroll with our children. That's my daughter in that photo, and she could not believe that in California this is what I have to offer her, and this isn't good enough and it hasn't been for a long time. And we need to do better. I have some of the similar photos that have already been shown.

MS. TORRES: But I'll just focus a little bit on what Surfrider is doing. We have had a robust involvement for the last ten years on this. One of the things that we are trying to push right now is TRV solution. We have gone through -- if I were add it up -- maybe 60 to 70 meetings in order to get input from the stakeholders, from the community, at beach clean ups, at letter writing events to see what the solutions that are needed are.

And we put that into a comprehensive conceptual plan that we're still forwarding to the stakeholders trying to get more consensus on it, trying to get other ideas, and we've pulled that together, and I've shared it with the State Lands Commission; I'm not sure I've shared it with you, but I will forward it to your office so that...
you can have a chance to review it and maybe give us feedback if there's any.

We're supportive of Senator Hueso's bill, SB 690. We've collected a thousand letters in support of that only in this week. We're continuing to lobby the Federal Government aggressively for investment into the Border Wastewater Infrastructure Program. We also believe that we need USMCA, which is the replacement to NAFTA, as a vehicle that can also be used in order to push this forward. So that's our second objective.

We're increasing our outreach in Mexico, raising awareness, engaging in beach clean ups down there, and policy letter writing events. We're going to reach out to children more this year so that they have an understanding of an issue that's incredibly local, and they can actually just go see the impacts that plastics have on our local beaches. That's something that we're rolling out in September, and, of course, we were the second party to file a litigation on this issue for violations to the Clean Water Act.

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MS. TORRES: I did this because there's a lot of confusion over the lawsuits. There's three lawsuits. The first one was filed by the City of Imperial Beach, San Diego Unified Port District, and the City of Chula
Vista. Surfrider came second, and the third was a Regional Water Quality Board, where the State Lands Commission and the City of San Diego intervened.

And I just did that because we have lot of misinformation going out there. And so we have three lawsuits, seven plaintiffs, and it's a really strong time to get involved and we would welcome your partnership. I would like to also extend the invitation that Council Member Aguirre extended.

I had the privilege of hosting controller Yee, Deputy Controller Baker, and Jennifer Lucchesi at Surfrider did in March, and it was an amazing experience to get to show them the actual problem, the impact, and to meet with some of our stakeholders. So I really look forward to seeing you in the TRV, and thank you for the opportunity to speak.

CHAIRPERSON KOUNALAKIS: Thank you very much. We have two speakers from the public. The first is Leon Benham and Dylan Jaff.

MR. BENHAM: Hello. My name is Leon Benham, and I'm a local Imperial Beach resident. I have been a project manager on numerous environmental restoration projects, including projects in Imperial Valley, petroleum removal in aquifers, Camp Pendleton removal of petroleum in aquifers in that area, and I have worked
with ecologist throughout the state on numerous projects. I also happen to live in Imperial beach, and my house is on the estuary, so I live a charmed life.

Growing up in the valley in the '60s and '70s it was a beautiful place. Something happened in 1973, which a lot of people don't really get in the valley, is that the farmers used to actually go down and do flood control. The farmers had their fields, which were all dairies at the time, and so, if the water flooded out on to the plain, it would contaminate their grass. So they would actually go in as a point of self-preservation.

In 1973 a stop notice was given to them by the State of California. Since that time, that channel has basically flattened out. The water does not flow in the channel anymore. It goes over the flood plain, which is unlike anywhere else in any of the other watersheds in California. Basically -- basic flood control practices you clean the channel out so that when the water and the sand and the cobble travel down the river, it creates a scour.

And we used to have in Imperial beach very wide beaches. In fact, in the 1960s the founder of the Revel Scripps Institute of Oceanography, he founded the coastal studies and his research was largely based off Imperial Beach. He said the river used to supply an average of
650,000 cubic yards a year, an average. In the 1906 flood, he said that basically it was about 21 million yards of cobbles and sands came to the beach and went through the valley.

There's been some changes and one of the biggest has been is that there's been invasive species; one of the biggest is arundo and castor bean. Those species, actually, as Tijuana has grown, the trash and sand now gets caught in the arundo, and it basically stop drops the sand. And interestingly enough, in the last rains, which we documented, is that the river actually runs back towards Tijuana because -- and there's now a pond of sewage and smell that goes from Hollister -- actually, it goes all the way over by Smuggler's, and it goes all the way to Hollister and to Darimont Road, and so the water can't move towards the beach anymore.

And so there's a lot of problems with the valley, but what the Surfrider plan and the plans that have been developed do not restore the valley to its natural state, and that's hugely important because until you can get the water to move under these storm events, which are more like flash floods. We don't live in an area where we have constant rain. We have 17 days, maybe 13 days of rain. During that time, that water comes and flows. And even any kind of sewage capture system at
that time will fail, and even the EPA says that's not --
and it can't work. So the other thing is in this report
on Page 5, it's suggesting that we should put out 30
million gallons a day of untreated overflow wastewater.

CHAIRPERSON KOUNALAKIS: I'm sorry. We just
realized we don't have the clock.

MR. BENHAM: It's in your summary Page 5.

CHAIRPERSON KOUNALAKIS: Oh, the clock. Just so
I can ask you, how long is your presentation?

MR. BENHAM: It's going to be another three
minutes hopefully. So, basically, this proposal would
discharge untreated wastewater off Imperial Beach at a
rate of basically twice the amount that it is now, and
this is not treated at Level 1 or Level 2 or Stage 1.
When that outfall was developed and put in 1997, it was
putting out and basically putting out about 25 million
gallons a day of only Stage 1 and we experienced a big
die off of our fish. We don't have kelp beds anymore,
and the reason is because there's chemicals in there that
basically the plankton and the fish and it depletes the
oxygen level.

So it's a blighted condition, and, essentially,
on our jetties and where you would normally find muscles
and aquatic life, that's gone. So, in moving forward, to
put this kind of flow off Imperial Beach, it's just
you're going back twenty years. There's much more I
could say, and I guess what I'll do is just write it down
and send you a letter.

CHAIRPERSON KOUNALAKIS: Thank you. Thank you
very much for all that great information.

And our second speaker is Dylan Jaff, I believe.

Jaff? Jaff?

MR. JAFF: Jaff.

CHAIRPERSON KOUNALAKIS: Jaff.

MR. JAFF: Hi. Good afternoon. Thank you,
Chair and Members, for being here today. I wasn't
planning on speaking today, but I'll keep my comments
short. I'm a district representative for State Senator
Ben Hueso, and I just wanted to thank you all for being
here today, and more specifically I wanted to thank
Council Member Aguirre and Surfrider, as well as Gabriela
for their assistance on this issue.

This issue takes collaboration on all fronts,
and our office is happy to take collaboration anywhere we
can. We are happy to announce we did actually receive
$15 million, as was previously mentioned, in this year's
State budget, thanks to this administration. And, as I
said, we're happy to work on this issue further with all
stakeholders.

CHAIRPERSON KOUNALAKIS: Thank you. Okay. Are
there any comments from Commissioners? Questions? All right. This was an informational item, so we'll go ahead and move on to the next one. Council Woman, thank you very much for coming. Thank you all for your time and helping to educate the staff and the Commission.

Again, I think whenever you're dealing with some -- a cross border issue and we work at the subnational level, it makes for a lot of complicated things. But I really don't think that there's anything that we're dealing with on a fundamental subnational level that is more important than addressing this and cleaning up the river beds. So thank you for all of your work and your commitment.

Okay. Matt Dumlao is going to be standing in for me, but I think I can just call for the next report. Item 100 is the consideration of the Commission's Abandoned Commercial Vehicle Vessel -- sorry. Commercial Vessel Removal Plan, the Sacramento-San Joaquin River Delta Region.

(Thereupon an overhead presentation was Presented as follows.)

PUBLIC LAND MANAGER FOSTER: Good afternoon, Madam Chair and Commissioners. My name is Ken Foster. I'm a Public Land Manager with the Commission's Land Management division. I'm here today to present
information on Agenda Item 100, The Abandoned Commercial Vessel Removal Plan for the Sacramento-San Joaquin River Delta Region.

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PUBLIC LAND MANAGER FOSTER: The Delta is an important piece of the state's economy and environment, but abandoned vessels, especially abandoned commercial vessels pose a significant risk. Abandoned commercial vessels are navigational, environmental, and public health and safety hazards. They're also very costly to process, remove, and dispose of. Single abandoned commercial vessel can cost anywhere from tens of thousands to several million dollars to remove.

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PUBLIC LAND MANAGER FOSTER: Here are just a few examples of the problem.

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PUBLIC LAND MANAGER FOSTER: Introduced by Assembly Member Frazier is AB 2441 Public Resources Code Section 6302.2 directs the Commission to develop a plan by July 1st, 2019, in consultation with other relevant state and local agencies directly involved in abandoned vessel removal, that prioritizes abandoned commercial vessel removal based on its risk to the delta environment and public health and safety. The plan covers a five
county area and will be implemented upon funding.

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PUBLIC LAND MANAGER FOSTER: This graphic shows the plan's five county delta region.

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PUBLIC LAND MANAGER FOSTER: The plan proposes to accomplish four objects. The first is to develop a systematic approach to identifying and prioritizing vessels for removal purposes. The second objective is to develop the necessary internal infrastructure for successful plan implementation. Since funding is the key to implementing the plan, the third objective is to develop a cost basis for budgeting purposes. The fourth objective is to provide recommendations for possible future actions to help prevent abandoned commercial vessels from continuing to be a problem.

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PUBLIC LAND MANAGER FOSTER: California's funded program to abate abandoned recreational vessels, the Surrendered and Abandoned Vessel Exchange, SAVE Program, is administered by the Department of Boating and Waterways, but the SAVE Program does not include commercial vessels. The Commission has an Abandoned Vessel Program but has no funding for it. This plan would become part of that program upon funding.
PUBLIC LAND MANAGER FOSTER: For plan purposes, staff developed this definition of a commercial vessel to help minimize overlap with abandoned vessels that fall under the SAVE Program.

PUBLIC LAND MANAGER FOSTER: This graphic shows the distribution by county of currently known abandoned commercial vessels within the plan area.

PUBLIC LAND MANAGER FOSTER: The plan describes a number of essential components, including staffing; Ground Truthing Survey; a risk-based priority matrix for ranking vessels for removal once identified; a database and user interface; partner agency coordination; the program administrative process for owner and public noticing; and cost analysis and budgeting.

PUBLIC LAND MANAGER FOSTER: The plan would add new functions to the Commission's existing program, which would increase current workloads and require adding new positions. At minimum, staff recommends adding positions for a boat captain, support staff, and a supervisor.

PUBLIC LAND MANAGER FOSTER: The proposed Ground
Truthing Survey would verify information on known abandoned commercial vessels, acquire new information to help prioritize vessels, identify and gather information on previously unknown vessels, and develop a fiscally responsible, risk-based systematic approach to removal.

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PUBLIC LAND MANAGER FOSTER: A risk-based priority matrix is the heart of the plan. Once all available information has been gathered about each vessel on the list, staff would use the matrix to rank each one from, priority one, emergency, immediate or high risk, to priority four, non-emergency no immediate risk. For example, a priority one vessel could be a navigation hazard or it could be leaking hazardous substances into the water; whereas a priority four vessel would be relatively stable with little chance of becoming a hazard in the immediate future.

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PUBLIC LAND MANAGER FOSTER: The matrix includes a description of four criteria that would be applied to each vessel for ranking purposes; its seaworthiness state; mooring condition; hazard state; and public accessibility state.

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PUBLIC LAND MANAGER FOSTER: Additional factors
may influence a vessels priority and other factors can be considered when developing ranking, such as a vessels size or proximity to populated areas in disadvantaged communities.

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PUBLIC LAND MANAGER FOSTER: These next sides feature photos of vessels that generally illustrate the four priority levels. This is an example of what could be considered a priority one, high-risk vessel.

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PUBLIC LAND MANAGER FOSTER: These are vessels that could be considered a priority two, moderate risk.

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PUBLIC LAND MANAGER FOSTER: And these are vessels that could be considered a priority three or four, low or no immediate risk.

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PUBLIC LAND MANAGER FOSTER: The plan proposes developing an interactive database for vessel information tracking and mapping. The database would be used by staff, partner agencies, and the public.

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PUBLIC LAND MANAGER FOSTER: The plan lays out the Commission's Abandoned Vessel Program Administrative Process, which defines marine debris and vessels subject
to the program and specifies how ownership identification, noticing, and cost recovery is accomplished.

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PUBLIC LAND MANAGER FOSTER: Plan cost analysis and budgeting describes each activity and process, including functions that would occur upon start up.

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PUBLIC LAND MANAGER FOSTER: And those that will have ongoing costs.

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PUBLIC LAND MANAGER FOSTER: No specific funding mechanism is in place, although funding could come from various sources.

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PUBLIC LAND MANAGER FOSTER: The plan includes several recommendations for possible future actions, including expansion to a statewide program, requiring owners obtain insurance and have vessels inspected prior to transfer, and working with California's elected officials to effect change on a state and a national level.

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PUBLIC LAND MANAGER FOSTER: Staff recommends the Commission approve the proposed plan, authorize staff
to make non-substantive changes, and submit the plan to the legislature on or before July 1st, 2019.

Are there any questions?

ACTING CHAIRPERSON DUMLAO: Any questions from Commissioners? I do not see any public comment --

ACTING COMMISSIONER MILLER: No questions, but do you want us -- is this a plan that would be approved today?

EXECUTIVE OFFICER LUCCHESI: Yes.

ACTING COMMISSIONER MILLER: Okay. I move to approve the plan as proposed by staff.

COMMISSIONER YEE: Second.

ACTING CHAIRPERSON DUMLAO: Great. Great. We have two -- we have a motion and a second. Any objection to a unanimous vote?

No objection.

The motion passes unanimously.

PUBLIC LAND MANAGER FOSTER: Thank you. That concludes my abbreviated presentation.

(Laughter.)

EXECUTIVE OFFICER LUCCHESI: Real quick. Before moving on to the next item, I do just want to acknowledge Ken Foster and a whole host of staff members who put this plan together in six months. The bill was passed and became effective January 1st and required us to prepare
that plan and submit it to the legislature by Monday.

    So it was a real herculean effort, but we also
had great support from the Office of Spill Prevention and
Response, OSPR, as well as many other stakeholders, and I
want to expressly thank Assembly Member Frazier for him
and his staff's attention to this really important issue.
So thank you.

    ACTING CHAIRPERSON DUMLAO: Yet another
wonderful example of staff's great work. Thank you.

    All right. So moving on to Item 101, which is
an informational update on two new public, GIS based
interactive special tools. May we have the presentation?

    (Thereupon an overhead presentation was
presented as follows.)

    STAFF ENVIRONMENTAL SCIENTIST FARNUM: Hi,
again. I'm, for the record, Maren Farnum, and here with
me today is Chris Packer, who is one of our geographic
information system's analyst.

    We are going to show you very briefly just a
couple of new web-based GIS mapping applications that
we've created for the public to use. We were going to
show you a couple of videos today to really sort of dig
into it and demonstrate what these things can do. We're
going to shorten up here and not show those videos, but
we're just going to walk you through a couple of the
highlights and features of these applications.

So the first one I'm going to talk about is the web mapping application that we built with our team members at the Port of San Diego as part of the San Diego Ocean Planning Partnership, and this web mapping application contains lots and lots of spatially referenced information about the waters offshore San Diego and all of the Public Trust uses within it.

The next one that we're going to show you is a new public sea level rise viewer that we've also made. Both of these are tools that can help with making more informed decisions with resource management and help us face the challenges of the future, as conditions change rapidly out in the ocean.

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STAFF ENVIRONMENTAL SCIENTIST FARNUM: So really quickly I'll just remind you of our partnership with the Port of San Diego on the San Diego Ocean Planning Partnership. We signed an MOA back in 2016 to look at Public Trust uses offshore San Diego, understand them better, and increase our sort of coordination and collaboration on Public Trust resource management, as well as offer a lot more information than has ever been offered before to the public about these Public Trust resources.
STAFF ENVIRONMENTAL SCIENTIST FARNUM: So I won't
go too far into that, but just to remind you here we have
shared Public Trust resource management responsibilities
with the Port of San Diego. They manage many of the
sovereign lands here within San Diego Bay, and then the
State Lands Commission has jurisdiction offshore San
Diego County, and this partnership helps us understand
how those uses connect throughout these ocean spaces, and
we both manage under the lens of the Public Trust
Doctrine.

STAFF ENVIRONMENTAL SCIENTIST FARNUM: Some of
those Public Trust uses that we manage are navigation,
commerce, fisheries, recreation, and environmental
stewardship. This pilot project has been based around
understanding these uses better. It's been based on
robust public engagement with stakeholders and ocean
users throughout this area, and we really relied on that
robust public engagement to, not only develop our
assessment of the area, which was found in the
Preliminary Assessment Report released in December of
2018, but also to develop in web mapping application.

So this is how the web mapping application is
organized around these Public Trust uses, and, in the
mapping application, you can find a lot of information on a few of these things like navigational aids, wrecks and obstructions for the category of navigation. You can find things about resource potential, like different types of energy, sediment sources, and coastal energy facilities, under the heading of commerce.

You can find the location of fishing piers and jetties, which support a robust sport and commercial fishing industry here in San Diego, as well as recreational fisheries. You can also find information on commercial landings.

For recreation, we've got SCUBA dive sites, boat launch sites, also public access points, and the public and free regional transportation systems that connect to those public access points.

For environmental stewardship, we've got a lot of data and layers related to things like our marine protected areas, important habitats, like canopy forming kelp, and wetlands, and things like that.

So I'd just like to say as well that even though this web mapping application is organized by these different uses and the data associated with those uses is all, you know, connected spatially to a point on a map, a lot of these uses are very significant and very important throughout this ocean space, fisheries, tribal and
cultural resources, the Navy's use of this space. They really are significant throughout.

And so another feature of this web mapping application is that, in many instances, we do provide contact information for these uses where you can actually reach out directly to a representative from one of these important use categories and connect with them directly to understand more context than what the map alone can provide for you.

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STAFF ENVIRONMENTAL SCIENTIST FARNUM: So we were going to have this video. We're going to skip passed it real quick, but I'm going to ask Chris if he would like to say a couple of words about some of the unique features in the map.

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RESEARCH DATA SPECIALIST PACKER: Sure. So the web mapping was released in early April -- my name is Chris Packer. The web mapping application was released in early April. It's available at sdoceanplanning.org.

Just to highlight quickly some of the features. You'll be able to turn on and off layers from different Public Trust categories that will be available at the top left of the map. You can mix and match those. You'll be able to search for areas of interest; add your own data,
such as an area of interest, a project area. You'll be able to do analysis; identify specific leases of interest and get to those quickly, and get additional information by being directly linked to the calendar item.

There's a host of additional authoritative data sets, you can add through ArcGIS online, and, you know, we just released this recently, but we continue to look for new sources of data sets. We welcome feedback, and we encourage the public to visit the site and check it out.

STAFF ENVIRONMENTAL SCIENTIST FARNUM: Yeah. And last thing I'll mention on it is I think it's unique to this web mapping application. We have a lot of layers for the U.S. Navy, and they show extensive areas that the U.S. Navy uses for training and operations, and that's pretty unique. We worked with them for a long time to help raise the transparency and awareness of their activities throughout this area, which are so important.

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STAFF ENVIRONMENTAL SCIENTIST FARNUM: So next I'll just tell you about another new application that we've also just released. This one a little bit more recently, just this last week, but we actually, as staff, have been using this application to inform our own Sea-Level Rise Analysis process that we've undertaken
with our Lease Application Review.

So this can also be found through our Commission's website, and it contains lots of great, unique layers. One thing that's unique to it is the Commission's Lease-Point Layer, so we can actually really specifically hone in on the vulnerabilities and risk to the Public Trust assets and resources on Public Trust lands that we lease. It contains the ability to display different sea-level rise scenarios, as well as things like critical infrastructure, sensitive habitats, and a host of other things.

So, again, we won't take you through this video, but it is available for our own staff's use, as well as the public's use now as well.

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STAFF ENVIRONMENTAL SCIENTIST FARNUM: And I think -- we're going to skip this one too.

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STAFF ENVIRONMENTAL SCIENTIST FARNUM: Yeah. So Chris and I our contact information is up there, and, you know, we hope people will be in touch if they have any questions. We'll be happy to answer them thanks.

ACTING CHAIRPERSON DUMLAO: Thank you very much.

Comments from Commissioners?

COMMISSIONER YEE: Thank you. First of all, I
always get excited about these presentations because these applications are -- I'm already seeing just a lot of different possibilities in terms of how they can be utilized, but I just want to thank you and the partnership, obviously, with the Port of San Diego, just the expansive thinking with respect to what's being developed here.

I think it's just really truly remarkable, and what I would like to suggest -- this is part of the focus in our strategic plan as well with respect to just general public education about the Public Trust and certainly other issues that are before the Commission. And, as well delve more into ocean-related issues, I hope we can actually put together some educational programs utilizing these applications, and I think it would have really broad base interest given the tools that I think will be well-received.

ACTING CHAIRPERSON DUMLAO: Yeah. I wholeheartedly agree. I spent some time using CalEnviroScreen and that was such a powerful tool, and I see this being just another example of a powerful way of integrating all these complicated interactions and visualizing it so we can better make decisions. Thank you very much.

STAFF ENVIRONMENTAL SCIENTIST FARNUM: Did you
want to mention that we have CalEnviroScreen in there?

    RESEARCH DATA SPECIALIST PACKER: Yeah. I just
    wanted to make a quick plug. We have an open data portal
    through the Commission's website. So a lot of
    authoritative Commission data is available for the public
    to download there, as well as the Sea-Level Rise viewer
    and other applications as well.

    ACTING CHAIRPERSON DUMLAO: Great. Thank you.
    Ms. Lucchesi?

    EXECUTIVE OFFICER LUCCHESI: I just have a
    couple of closing comments. First, I wanted to
    acknowledge that Jason Giffen and Lily Tsukayama are from
    the Port of San Diego are in the audience, and they
    wanted to just express their continued support of our
    work, and I wanted to really emphasize the partnership
    that we have with the Port of San Diego and how much we
    value that, and I think the Commission shares that
    sentiment as well.

    Both of these applications that were just
    presented to you, the one with relating to the San Diego
    Planning Partnership and the Sea-Level Rise Viewer.
    Those were done the Sea-Level Rise Viewer in house from
    our staff and then the San Diego Planning Partnership in
    partnership obviously with the Port of San Diego, and we
    are entering into a new phase of the work that the
Commission does in terms of really creating tools that will help the public and the Commissioners and staff do all of our jobs better and be better informed about the interactions between the different Public Trust lands and resources and all the other things that people are interested in out in the ocean space.

So this is an incredibly exciting time for us, and I can just not state enough how wonderful Chris and Maren and our whole GIS team are in putting these tools together, without extra additional consultants or extra resources, and we're doing this in-house and we couldn't do a lot of it without the partnership with the Port of San Diego. So thank you.

ACTING CHAIRPERSON DUMLAO: Thank you very much. We have two people who wanted to speak, Matt Everingham and then Lily Tsukayama.

Did she want to speak or --

EXECUTIVE OFFICER LUCCHESI: I think that Lily is fine. They just wanted to express their support.

MR. EVERINGHAM: Hello. My name is Matt Everingham. I'm here today on behalf of the San Diego Fishermen's Working Group. We represent commercial fishing in the San Diego area, and we just wanted to say that we appreciate that we've been included in this process, and that we standby to continue participating
and working with the Port of San Diego and the State
Lands Commission to do that.

So, again, thank you. We can also help put the
team into contact with other associations that represent
fisheries as well. So thank you.

ACTING CHAIRPERSON DUMLAO: Thank you. All
right. So that is an informational only item, so no
vote. All right. Moving on to Item 103, which is an
informational update on AB 691 from Muratsuchi, which is
State Granted Trust Lands and Sea-Level Rise. May we
have the presentation?

STAFF ENVIRONMENTAL SCIENTIST FARNUM: Yeah.
It's me again.

ACTING CHAIRPERSON DUMLAO: Welcome back.

(Laughter.)

(Thereupon an overhead presentation was
presented as follows.)

STAFF ENVIRONMENTAL SCIENTIST FARNUM: We'll
also go through this efficiently here. For the record,
I'm Maren Farnum and here to present on AB 691, which was
passed in 2013, and this is about preparing certain
granted Public Trust lands and resources for sea-level
rise.

I would like to take the time to mention that
this is actually the first time that the State of
California has ever comprehensively planned for the risks of sea-level rise to the public's lands and resources. And these are arguably some of the state's most valuable lands and assets.

So sea-level rise planning has gone on at a community and regional level, which is really important. But this is about the state's assets that are managed locally in trust by local grantees or trustees. And these lands represent major ports, countless beaches, trails, wharfs that support retail, recreation, our robust coastal tourism economy, as well as public health and access needs, and also really critical coastal habitats, like wetlands, kelp beds, inner tidal rocky areas. These are really important areas for the state.

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STAFF ENVIRONMENTAL SCIENTIST FARNUM: AB 691, again, was passed in 2013. It requires local trustees of granted Public Trust lands with gross revenues that average over $250,000 annually to inventory their trust assets, assess their vulnerability to sea-level rise, and begin to formulate feasible and effective adaptation and resiliency measures. The assessments are due to the Commission on July 1st, 2019, which is Monday. We've already received a number of submissions, but we still have a few more to go.
So we will make these assessments available to the public online. And just pointing out on here is the picture of the Port of Los Angeles, one of the trustees who has submitted their assessment to the Commission.

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STAFF ENVIRONMENTAL SCIENTIST FARNUM: I won't go over this too much, but just as a refresher the legislature has granted sovereign Public Trust lands to over 80 local public entities, and these are known as local trustees. They are meant to manage their trust lands the same as us in accordance with the Public Trust Doctrine, the specific granting statutes, the California Constitution, and other laws governing the trust and the trustee's fiduciary duties.

While they are Public Trust lands and assets managed locally, the Commission does have residual and review authority over these granted lands. And we represent the statewide public interest to ensure that trustee's manage their granted lands in conformance with applicable laws.

So this piece of legislation, AB 691, really supports the Commission's oversight role over granted Public Trust lands, by gathering information from trustees on a local and site specific vulnerabilities associated with sea-level rise, as well as preferred
strategies for safeguarding and adapting Public Trust land and resources.

Rapidly warming temperatures and rising waters will result in a wide range of impacts, and the Commission and trustees have a responsibility to the public to ensure that these Public Trust values and uses are carefully considered amid the challenges of planning for sea-level rise.

And quickly, this effort is also consistent, as Commissioner Yee mentioned earlier, with the Commission's strategic plan. We have a number of key elements in there related to proactively addressing climate change and sea-level rise in all of our decision making and planning processes, encouraging our trustees to do the exact same thing, fostering these important partnerships and collaborations, and adopting sort of flexible and adaptive approaches that meet the state's policy and guidance surrounding sea-level rise.

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STAFF ENVIRONMENTAL SCIENTIST FARNUM: So this is a list of the 33 local trustees that are subject to AB 691 based on the revenue threshold. We've been corresponding with these trustees since 2015 about AB 691 and the requirements and criteria associated with it. We've developed a number of resources to assist these
trustees with the development of their assessments; those can be found on a web page through our website. There's a link down there at the bottom.

And the main point is to, you know, gather up all of this information and look at the commonalities and differences as part of our effort to understand sea-level rise vulnerability statewide to Public Trust lands and resources. But I'll just say that, you know, these grantees or trustees represent a wide range of different types of lands and uses, from major ports, small harbors, and cities and counties. So it's not a one-size-fits-all approach.

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STAFF ENVIRONMENTAL SCIENTIST FARNUM: These are some of the Public Trust lands and resource types and uses that are all going to be impacted by sea-level rise that we're looking at. Again, we've got things like shipping channels and ports; critical infrastructure, like utility pipelines; marine oil terminals; facilities that support fisheries operations; again, recreational and tourism uses, and critical habitats.

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STAFF ENVIRONMENTAL SCIENTIST FARNUM: Here are the criteria that must be satisfied for AB 691. Starts out that you need to assess your vulnerability to
sea-level rise, that includes inventorying your Public Trust assets that are most vulnerable. Moving on to creating maps of different sea-level rise scenarios for 2030, 2050, and 2100. This gives us a handle on how to prioritize short, mid, and long-term solutions and adaptation strategies.

Then also unique to AB 691, they must include an estimation of financial costs posed by sea-level rise to these assets, and then develop or describe a number of proposals for adaptation strategies to protect and preserve these local trust assets and lands.

Up here is an example I decided to include from the Port of San Diego since they're here today of one area that they manage called Shelter Island. On here they've provided two different maps of two different scenarios for 2100. Sort of an optimistic, low sea-level rise scenario, if all goes well and we cut emissions drastically. And then a scenario that corresponds to a higher sea level that we might see, if we continue on sort of a business-as-usual path. So this is one of the ways that these trustees can visualize and prioritize what assets are most at risk and how to adapt for them.

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STAFF ENVIRONMENTAL SCIENTIST FARNUM: So we aren't just going to collect all these things and let
them sit on a shelve. We are going to do something with them. Thanks to generous funds that were allocated to us in the budget last year, we've been able to -- we're about to bring on a consultant here; expand a bit on our staff resources and capacity to embark on a cumulative study to evaluate all of these submissions in total; figure out, again, what assets are most at risk, most vulnerable, and what are the most preferred strategies by local trustees for adaptation.

As part of that we'll also, again, do the full sort of financial evaluation and bring all these things together to develop a set of recommendations to the state on how best they can support local implementation efforts. As part of that, I do want to emphasize that we are also exploring collaborations and partnerships with other state agencies, our sister state agencies, as well as federal and local partners. It's really important to bring more sort of more people to the party here, more people to the table to raise awareness of what these risks and vulnerabilities are and figure out how we can address them together.

And we're also going to be looking to work more closely with the legislature and the local trustees themselves on how to move forward on this set of recommendations that we developed. And, with that, I'm
happy to take any questions that you may have.

ACTING CHAIRPERSON DUMLAO: Great. Thank you.

Any comments from Commissioners?

Great. We do have one slip from a speaker, Jason Giffen with the Port of San Diego.

MR. GIFFEN: Great. Thank you very much. Good afternoon to the Commission and glad to have you in San Diego. Again, for the record, Jason Giffen for the Port of San Diego, and I just want to thank Maren and the whole team for their coordination.

The Port of San Diego submitted our sea-level rise vulnerability and coastal resilience report this week, as required by Assembly Bill 691. As a trustee of tidelands around San Diego Bay preparing for sea-level rise is an important priority for us, our region, and the state. The Port of San Diego contributed $9.4 billion of combined direct and indirect economic impact to our region in 2017, and we provide coastal access to numerous visitors, and we are steadfast environmental stewards, as you've heard on some of these items today.

The Public Trust lands that we manage are diverse, and, through the processes of assessing our future vulnerabilities and developing a framework to prepare for the risk, we've learned a lot. We have a great opportunity today to be proactive and administer
the Public Trust resources with resiliency in mind, and
that's what we're going to do. Our report sits at
baseline for planning of sea-level rise. We realize the
science is going to change, that strategies will change,
but we now have an adaptive management process to follow,
as outlined in our report, to make necessary changes
along the way.

Throughout the development of the report, we
sought out technical feedback from external stakeholders,
which included our tenants, government agencies, interest
groups stakeholders and Academia. We will continue this
collaboration with external stakeholders, for example, we
have a memorandum of agreement with Navy Region
Southwest, which allows us to align our planning and
share resources regarding sea-level rise in San Diego
Bay.

We also are initiating research with Scripps
Institution of Oceanography on how wave activity may
influence coastal flooding in and around San Diego Bay,
and that pilot is just about to begin. We're already
starting to incorporate adaptive sea-level rise into our
planning and design projects, whether that is restoration
of natural resources infrastructure improvements or new
development, and this including a cornerstone of our
comprehensive update to our Port master plan that's
underway.

And this is going to be the new normal for us. Especially, as we have a task of protecting coastal dependent uses, and our work together will clearly become more challenging. We would like to, in conclusion, thank staff and the State Lands Commission for resources and guidance throughout this process, and we look forward to tackling these challenges issues together. Thank you.

ACTING CHAIRPERSON DUMLAO: Thank you. All right. I think that concludes Item 103.

Ms. Lucchesi, is there anything else? What's the next order?

EXECUTIVE OFFICER LUCCHESI: The next order of business is public comment, and I believe we have about four speaker slips for public comment.

ACTING CHAIRPERSON DUMLAO: All right. I'm just going to go ahead and read the four names, and you guys can line up. We have Leon Benham and then John Heatherington, Pam Heatherington, and Lily Tsukayama.

MR. BENHAM: Hello. My name is Leon Benham, and you have in your possession some photographs from the San Diego Bay. I am the Executive Director of a new 501(c)(3) nonprofit called Citizens for Coastal Conservancy. We have established ourselves in March. We're very young, and we represent the public interests
of ranchers in the valley, people from National City, people from Chula Vista, and, of course, Imperial Beach directly related to our use and the shared use of our bay.

The first photo you see is a new project that was just completed by the Port district where they created a new beach up in Shelter Island. There's also been several beaches created in Coronado at the Ferry Landing over the years. Those beaches are gleaming, and they're just what we should do in the Bay. The next few photos show down in our neck of the woods, National City, and, you know, areas that need help.

Even though the Port is developing -- has just got approval for the Chula Vista Bay Front Development, right next to that are these pictures, here, of car engines and things that are right in the public area where we go to use the beach. And much of this debris here is from an old project called the Shangri-La Hotel, which was demoed and the asphalt concrete and steel is still there.

So, as a steward of our lands, we would ask that any future or even current considerations of these projects, is that we have, with mitigation, tangible benefits to the people that live there. These would be let's clean up this beach; let's bring in some new sand,
like they've done in Coronado and Point Loma.

One of the other things that on the last one in Coronado where you see the dike -- it's called, basically -- you'll see that this concrete these areas were vast rookeries back in the '60s and '70s where birds would congregate and they would stay there. But because of this rubble that's there -- I hate to say it -- there's animals that live in, rats and stuff, that basically eat the eggs of the nesting birds.

So most of the -- there's only one rookery left down there on all those miles of dikes, and so part of this clean up effort to remove this concrete and rubble and return it to clean sand, it would benefit the ecology obviously of the area. And so I know we've been here a long time, and I'm just going to leave it at that. And thank you for your work. Appreciate it.

ACTING CHAIRPERSON DUMLAO: John Heatherington and Pam.

MR. HEATHERINGTON: I'd like to give my time to Pam Heatherington, if that's possible.

ACTING CHAIRPERSON DUMLAO: Yes. That's fine.

MS. HEATHERINGTON: I promise I won't take it all. I know it's been a long day, and you guys are very patient.

(Thereupon an overhead presentation was
presented as follows.)

MS. HEATHERINGTON: Good afternoon, again. I hope you get some time to enjoy San Diego. I am Pam Heatherington speaking on behalf of the Environmental Center of San Diego. Last year, I presented a short power point on the De Anza cove area of Mission Bay. This is what it looked like in the 1800s; it was known as False Bay.

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MS. HEATHERINGTON: Here is a picture of the De Anza Point from I5 going, I think, north. In the 1940s, the State Lands Commission deeded the property to San Diego as part of Mission Bay Park.

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MS. HEATHERINGTON: And this is what happened. In the 1950s, the city leased the land allowing the area to be used by visitors for travel trailers purposes. Well, the city let them drop anchor and stake a claim. Looking at the slide on the left is the Kendall-Frost Marsh, next to that is Campland by the bay, and the boot area, which was supposed to be public lands, turned out to be mobile homes on the point and trailers up towards the top with a thin line of RV parks that are available right now, RV spaces.

By the late 1970s, the question was raised
whether it was legal to have permanent residence on
Mission Bay. State lands officials responded by saying
the city needed to phase them out. At the same time,
state law was passed ensuring people could live there
until the 50-year lease expired in 2003. I think it was
referred to as the Kapiloff legislation.

At the same time as the lease of the state
tidelands ran out, the city leaders professed that they
wanted to turn the property into a public park. Many
years later, all the residents are gone and many of the
mobile homes and trailers are gone. Like any restoration
project, it takes time, money and political will.

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MS. HEATHERINGTON: In 1992, a survey was done
prior to the Mission Bay Master Plan where people
responded that water quality habitat restoration and
public access were their priorities. The Environmental
Center did outreach at the Bay this month, and the public
sentiment has not changed. So we're on the right path to
improve water quality, restore wetland habitat, and give
the public back their land at De Anza Cove, or so we
thought.

But earlier this week the City of San Diego took
that thought and blew it away. By entering into a lease
agreement that allows management of the city's existing
camping facility on De Anza Cove to enlarge for private
use, lands us back to the 1970s when the trailer park
parked and never left. The area in the light green on
the boot area is where the city thinks that all of this
RVs should be expanded.

This and the amendment to the existing Campland
Lease crafted behind closed doors, a settlement to a
15-year-old litigation -- and without much public notice
-- has managed to once again privatize De Anza Cove,
another gift of public funds.

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MS. HEATHERINGTON: Sure we're told there's
going to be a public beach, but this is how they deal
with the public now at the existing Campland facility.
I'm sorry you can't see the guard shack.

--o0o--

MS. HEATHERINGTON: You can see it in this one
with the arms of gate down. Now the city has committed
to blocking the public once again to only a path way
around the newly-sanctioned developed.

--o0o--

MS. HEATHERINGTON: So, if you go back and look
at this, there's not a lot of public beach space left.
All of this is taking place before there is even a
project for De Anza Cove. Eventually, whatever plan the
city puts forward, we cannot allow the public access to be located in the most vulnerable areas that will be the first to be swallowed as the sea levels rise.

--00o--

MS. HEATHERINGTON: And, as you can see here, this was taken at king tides in December of 2018. There again, the public area that was left when the mobile homes were closed down is now falling into the bay. The wetland restoration that was to start 25 years ago has not materialized. We've been promised park dedication and protection for Rose Creek, the only source of fresh water into Mission Bay, with no action in sight. And the public is being denied fair access to these Public Trust lands.

For over 50 years, the public has been waiting for the mobile home park to be removed and for this land to be returned to coastal dependent and coastal-related uses that would serve all of the people. We hope that our presentations help you to understand the frustrations of the public, as they see the city resisting efforts to enhance wetland restoration and restore public access to the lands around De Anza Cove.

We ask for your help in making sure the city doesn't continue to violate the Public Trust lands in De Anza Cove and Mission Bay by holding them to a public
access plan, as they grant privileges before presenting a plan. And, on the issue of public access, the Environmental Center is working on a pathway in La Jolla that's been closed for thirty years. You know, that's not right, and so we ask your help in not letting this happen in the Bay. Thank you.

ACTING CHAIRPERSON DUMLAO: Thank you. All right. Do any of the Commissioners have any comments? Okay. All right. So we will now adjourn for closed session --

EXECUTIVE OFFICER LUCCHESI: We have one more public commenter.

ACTING CHAIRPERSON DUMLAO: Oh, my gosh. I'm sorry.

EXECUTIVE OFFICER LUCCHESI: It's okay.

ACTING CHAIRPERSON DUMLAO: Lily, please come on down.

MS. TSUKAYAMA: Good afternoon, Commissioners, Jennifer Lucchesi, State Lands staff. Thank you for the opportunity to provide public comment today. My name is Lily Tsukayama, and I'm a planner with the Port of San Diego, and I'm here to update you on the Port's integrating planning update, known as the Port Master Plan Update, which is first comprehensive update to our Port Master Plan since it was certified by the Coastal
Commission in 1981.

The Port has been engaged in this effort since 2013, directed by our Board of Port Commissioners and led by Port staff, such as Jason, who've you already heard from today and the Director of Planning, Lesley Nishihira. In April, we released a full discussion draft of the updated Port Master Plan for a 90-day public review period, which closes on July 31, 2019.

Just last night we wrapped up our fourth community engagement event at the Tijuana River National Estuary and Research Reserve in Imperial Beach. All of these events were held throughout San Diego County to help spread the word about the document, answer questions, and receive written comments. We've had a great turnout during these events and are looking forward to receiving feedback from the public, stakeholders, and other agencies.

We encourage you and State Lands' staff to review this discussion draft during the 90-day window, and we brought informational forepages about the Port Master Plan update, as well as fliers that provide more information about how to provide written comment on the document.

Thank you for your time, and I look forward to continuing to develop meaningful collaboration between
the Port and the State Lands Commission.

ACTING CHAIRPERSON DUMLAO: Thank you very much. All right. So I believe we are done with everything else, so we will now adjourn for closed session. Will the public please clear the room.

(Off record: 5:14 p.m.)

(Thereupon the meeting recessed into closed session.)

(On record: 5:31 p.m.)

(Thereupon the meeting reconvened open session.)

ACTING CHAIRPERSON DUMLAO: Great. I call this meeting back to order. Ms. Lucchesi, is there anything to report from closed session?

EXECUTIVE OFFICER LUCCHESI: No. Not at this time.

ACTING CHAIRPERSON DUMLAO: Great. Thank you. That concludes the open meeting. We are adjourned.

(Thereupon the California State Lands Commission meeting adjourned at 5:31 p.m.)

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CERTIFICATE OF REPORTER

I, MICHELLE M. WILSON, a Certified Shorthand 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, Michelle M. Wilson, a Certified Shorthand Reporter of the State of California;

That the said proceedings was taken before me, in shorthand writing, and was thereafter transcribed, under my direction, by computer-assisted transcription.

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 10th day of July, 2019.

[Signature]

Michelle M. Wilson, CSR, RPR
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