COMMISSION MEMBERS:
Ms. Eleni Kounalakis, Lieutenant Governor, Chairperson
Ms. Betty T. Yee, State Controller, represented by Ms. Anne Baker
Ms. Keely Bosler, Director of Department of Finance, represented by Ms. Karen Finn

STAFF:
Ms. Jennifer Lucchesi, Executive Officer
Mr. Colin Connor, Assistant Executive Officer
Mr. Mark Meier, Chief Counsel
Ms. Sheri Pemberton, Chief, External Affairs Division and Legislative Liaison
Mr. Joe Porter, Senior Boundary Determination Officer
Mr. Phil Schlatter, GIS Coordinator
Ms. Marlene Schroeder, Public Land Management Specialist, Land Management Division

ATTORNEY GENERAL:
Mr. Andrew Vogel, Deputy Attorney General

ALSO PRESENT:
Mr. Tom Bohigian
Mr. Brett Frazier, Madera County Board of Supervisors
Mr. Santos Garcia, Madera City Council
APPEARANCES CONTINUED

ALSO PRESENT:

Mr. Dominick Gulli, Save Dad's Point
Mrs. Shelly Gulli
Ms. Julia O'Kane, San Joaquin River Parkway and Conservation Trust
Ms. Alison Madden, San Francisco Bay Marinas For All
Mr. Brent McCaffrey, Tesoro Viejo River Conservancy
Mr. Chris Rendall-Jackson, San Joaquin Area Flood Control Agency
Mr. John Shelton, San Joaquin River Conservancy
Ms. Sharon Weaver, San Joaquin River Parkway and Conservation Trust
I 1:00 P.M. - OPEN SESSION  1

II CONFIRMATION OF MINUTES FOR THE MEETINGS OF FEBRUARY 4, 2019 AND MARCH 21, 2019  4

III EXECUTIVE OFFICER'S REPORT  5

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

- Cliff's River Marina, Inc. (Lessee): Continuation of annual rent at $6,800 per year for a General Lease - Commercial Use located on sovereign land in Sacramento River, adjacent to 8651 River Road, near Freeport, Sacramento County. (PRC 3264.1)

- Delta Bay Club, LLC (Lessee): Continuation of annual rent at $4,817 per year for a General Lease - Commercial Use located on sovereign land in San Joaquin River, adjacent to 922 W. Brannan Island Rd, near Andrus Island, Sacramento County. (PRC 7067.1)

- Vollman-Clark Ranch, LLC (Lessee): Continuation of annual rent at $4,251 per year for a General Lease - Commercial Use located on sovereign land in Sacramento, adjacent to 14172 State Highway 160, near Walnut Grove, Sacramento County. (PRC 7620.1)

IV CONSENT CALENDAR C01-C66  10

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 DIVISION

NORTHERN REGION

C 01 10:10 HOLDINGS, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY (APPLICANT): Consider waiver of
rent, penalty, and interest and application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 8569 Meeks Bay Avenue, near Meeks Bay, El Dorado County; for the removal and reconstruction of an existing pier with an extension, relocation of an existing boat lift, and use and maintenance of one existing mooring buoy. CEQA Consideration: categorical exemptions. (PRC 5559.1; RA# 09518) (A 5; S 1)
(Staff: J. Toy)

C 02 3015 WLB, LLC, A NEVADA LIMITED LIABILITY COMPANY (APPLICANT): Consider application for General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 3005 West Lake Boulevard, near Homewood, Placer County; for one existing mooring buoy not previously authorized by the Commission. CEQA Consideration: categorical exemption. (W 26206; RA# 13818) (A 1; S1) (Staff: M.J. Columbus)

C 03 STEVEN LEE BROWN AND MICHIELE CONTENT BROWN, AS TRUSTEES OF THE THORSON HAYS FAMILY TRUST DATED 8-1-00 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 1278 West Lake Boulevard, near Tahoe City, Placer County; for an existing pier, boathouse with two boat lifts, boat hoist, and two mooring buoys. CEQA Consideration: categorical exemption. (PRC 8850.1; RA# 15518) (A 1; S 1) (Staff: S. Avila)

C 04 STEVEN A. BURD AND CHRISTINE L. BURD, TRUSTEES OF THE BURD REVOCABLE TRUST, DATED OCTOBER 31, 2007 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 4450 North Lake Boulevard, near Carnelian Bay, Placer County; for an existing pier, boat lift, and two mooring buoys. CEQA Consideration: categorical exemption. (PRC 7278.1; RA# 15118) (A 1; S 1) (Staff: S. Avila)

C 05 CALIFORNIA STATE LANDS COMMISSION AND PACIFIC GAS AND ELECTRIC COMPANY (PARTIES): Consider an Indemnification Agreement for an existing gas pipeline located on the Washington Street Bridge, over sovereign land located in the Petaluma River, adjacent
to North Water Street and River Plaza, Petaluma, Sonoma County. CEQA Consideration: not a project. (W 27220; RA# 13418) (A 10; S 3) (Staff: M.J. Columbus)

C 06 CITY OF PETALUMA (APPLICANT): Consider application for a General Lease - Public Agency Use, of sovereign land located in the Petaluma River, Petaluma, Sonoma County; for an existing bridge, known as the Washington Street Bridge, previously authorized by the Commission and appurtenant facilities and bank protection not previously authorized by the Commission. CEQA Consideration: categorical exemption. (PRC 3987.9; RA# 32215) (A 10; S 3) (Staff: M.J. Columbus)

C 07 CPN PIPELINE COMPANY (APPLICANT): Consider application for a General Lease - Right-of-Way Use, of sovereign land located in the Sacramento River, near Robbins, Sutter and Yolo counties; for an existing gas pipeline and an abandoned-in-place pipeline. CEQA Consideration: categorical exemption. (PRC 8046.1; RA# 22017) (A 3, 4; S 3, 4) (Staff: M.J. Columbus)

C 08 JOAN GOODMAN DAVIS, TRUSTEE UNDER THE AMENDED AND RESTATED JOAN GOODMAN ZIMMERMAN 1988 REVOCABLE TRUST (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 5418 North Lake Boulevard, near Carnelian Bay, Placer County; for an existing pier, boathouse with pitched roof and boat lift, boat hoist, and one mooring buoy. CEQA Consideration: categorical exemption. (PRC 3608.1; RA# 13718) (A 1; S 1) (Staff: S. Avila)

C 09 STEPHEN A. FINN, TRUSTEE OF THE FINN 2001 LIVING TRUST, DATED SEPTEMBER 21, 2001 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 2380 Sunnyside Lane, near Sunnyside, Placer County; for an existing pier, boat lift, one mooring buoy, and one swim float. CEQA Consideration: categorical exemption. (PRC 4250.1; RA# 07318) (A 1; S 1) (Staff: A. Franzoia)

C 10 CHARLES THOMAS KALJIAN; SUZANNE K. COHEN, TRUSTEE OF THE COHEN FAMILY REVOCABLE TRUST (SCHEDULE B ASSETS) ESTABLISHED UNDER REVOCABLE TRUST AGREEMENT DATED FEBRUARY 13, 2017; AND GARY P. CARLSON AND ANNE
INDEX CONTINUED

K. CARLSON AS TRUSTEES OF THE CARLSON FAMILY LIVING TRUST DATED MAY 29, 2009 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 6840 West Lake Boulevard, near Tahoma, Placer County; for an existing pier and two mooring buoys. CEQA Consideration: categorical exemption. (PRC 4362.1; RA# 12618) (A 1; S 1) (Staff: S. Avila)

C 11 NIELS T. LARSEN AND SUSAN E. LARSEN (ASSIGNOR); FREDERIC T. CLINE AND NANCY J. CLINE, TRUSTEES OF THE CLINE FAMILY TRUST, DATED MARCH 5, 1991 (ASSIGNEE): Consider assignment of Lease No. PRC 8575.1, a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 5046 West Lake Boulevard, near Homewood, Placer County; for two existing mooring buoys. CEQA Consideration: not a project. (PRC 8575.1; RA# 13618) (A 1; S 1) (Staff: S. Avila)

C 12 LOWELL W. LASH AND TERRY L. LASH (LESSEE): Consider revision of rent to Lease No. PRC 8515.1, a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 1740 North Lake Boulevard, Tahoe City, Placer County; for two mooring buoys and a freshwater intake pipeline. CEQA Consideration: not a project. (PRC 8515.1) (A 1; S 1) (Staff: S. Evans)

C 13 ANDRE E. MAGINOT AND NINA S. YOSHPE, AS TRUSTEES OF THE ANDRE E. MAGINOT AND NINA S. YOSHPE LIVING TRUST DATED AUGUST 11, 1988 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 5440 North Lake Boulevard, near Carnelian Bay, Placer County; for an existing pier, boat lift, and two mooring buoys. CEQA Consideration: categorical exemption. (PRC 2307.1; RA# 08218) (A 1; S 1) (Staff: J. Toy)

C 14 THOMAS E. MEAKIN, AS TRUSTEE OF THE THOMAS E. MEAKIN QUALIFIED PERSONAL RESIDENCE TRUST DATED MAY 5, 2009; JAMES W. MEAKIN, TRUSTEE OF THE NORTH LANE QUALIFIED PERSONAL RESIDENCE TRUST; AND PAUL SEIPP (APPLICANT): Consider application for a General Lease
- Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 8599 and 8605 North Lane, near Rubicon Bay, El Dorado County; for an existing joint-use pier, boathouse, and four mooring buoys. CEQA Consideration: categorical exemption. (PRC 3884.1; RA# 14418) (A 5; S 1) (Staff: J. Toy)

C 15 STEPHANIE MOOERS, TRUSTEE OF THE DONALD S. MOOERS DECEDEENT'S TRUST; AND STEPHANIE W. MOOERS, TRUSTEE OF THE STEPHANIE W. MOOERS QUALIFIED PERSONAL RESIDENCE TRUST (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 8661 Beach Lane, near Meeks Bay, El Dorado County; for an existing pier, boat lift, and one mooring buoy. CEQA Consideration: categorical exemption. (PRC 3147.1; RA# 09918) (A 5; S 1) (Staff: J. Toy)

C 16 WARREN E. SPIEKER, JR., TRUSTEE OF THE SPIEKER 1991 RESIDENTIAL TRUST NO. 1 U/A/D NOVEMBER 21, 1991; AND WARREN E. SPIEKER, JR., TRUSTEE OF THE SPIEKER 2010 IRREVOCABLE CHILDREN'S TRUST (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 251 and 255 Paradise Flat Lane, near Rubicon Bay, El Dorado County; for an existing pier, boat lift, and two mooring buoys previously authorized by the Commission, and two existing mooring buoys not previously authorized by the Commission. CEQA Consideration: categorical exemption. (PRC 4869.1; RA# 14218) (A 5; S 1) (Staff: S. Avila)

C 17 LOUIS STERVINOU AND MARY STERVINOU (LESSEE); SNS 5306, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY (APPLICANT): Consider acceptance of a lease quitclaim deed and an application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 5306 North Lake Boulevard, near Carnelian Bay, Placer County; for two existing mooring buoys. CEQA Consideration: categorical exemption. (PRC 9069.1; RA# 04918) (A 1; S1) (Staff: M.J. Columbus)

C 18 WALTER H. STEVENS AS TRUSTEE OF THE STEVENS SURVIVOR TRUST, ESTABLISHED UNDER THE STEVENS 1995 FAMILY TRUST; MARY ANN BALOCCH, TRUSTEE, THE BALOCCH
FAMILY TRUST DATED NOVEMBER 16, 2012; AND BARBARA MARIE STAMM, GEORGE A. STAMM, AND ANNE-MARIE STAMM, CO-TRUSTEES OF THE GEORGE F. STAMM TRUST DATED OCTOBER 23, 1973 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 3065 Jameson Beach Road, near South Lake Tahoe, El Dorado County; for an existing pier and two mooring buoys. CEQA Consideration: categorical exemption. (PRC 3657.1; RA# 00618) (A 5; S 1) (Staff: J. Toy)

C 19 JOHN STUMPF AND RUTH STUMPF, TRUSTEES OF THE STUMPF FAMILY TRUST (LESSEE); STEVEN A. GONSALES AND DEBRA E. GONSALES, TRUSTEES OF THE GONSALES FAMILY REVOCABLE TRUST DATED SEPTEMBER 10, 2009 (APPLICANT): Consider acceptance of a lease quitclaim deed and application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 1870 North Lake Boulevard, near Tahoe City, Placer County; for an existing pier, boat lift, and two mooring buoys. CEQA Consideration: categorical exemption. (PRC 4066.1; RA# R11018) (A 1; S 1)
(Staff: J. Toy)

C 20 J. ROBERT TAYLOR AND DONNA C. TAYLOR, CO-TRUSTEES OF THE 2005 TAYLOR FAMILY TRUST DATED JANUARY 6, 2005; MICHAEL ROBERT TAYLOR; BRET MATTHEW TAYLOR; AND JAIME TAYLOR LACHANCE (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 636 Olympic Drive, near Tahoe City, Placer County; for two existing mooring buoys. CEQA Consideration: categorical exemption. (PRC 8554.1; RA# 15818) (A 1; S 1) (Staff: N. Lee)

C 21 EVAN C. UNGER AND SUSAN J. UNGER, TRUSTEES OF THE UNGER FAMILY TRUST DATED OCTOBER 24, 1995, AS RESTATED JUNE 25, 2013 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 4148 Ferguson Avenue, near Carnelian Bay, Placer County; for two existing mooring buoys. CEQA Consideration: categorical exemption. (PRC 8367.1; RA# 13318) (A 1; S 1) (Staff: S. Avila)
C 22 BURLINGAME BAY ASSOCIATES (LESSEE): Consider amendment of lease and revision of rent to Lease No. PRC 4697.1, a General Lease - Commercial Use, of filled and unfilled sovereign land located in San Francisco Bay, near Burlingame, San Mateo County; for a restaurant, parking lot, lagoon, footbridge, pedestrian paths, landscaping, and shoreline protection. CEQA Consideration: not a project. (PRC 4687.1) (A 22; S 13) (Staff: A. Franzoia)

C 23 BURLINGAME POINT, LLC (LESSEE) JP MORGAN CHASE BANK, N.A., AS ADMINISTRATIVE AGENT ON BEHALF OF LENDERS IN ONE OR MORE BANK GROUPS (SECURED-PARTY LENDER): Consider application for an agreement and consent to encumbrancing of Lease No. PRC 9084.1, a General Lease - Recreation, Protective Structure and Other Use, of sovereign land adjacent to San Francisco Bay in Burlingame, San Mateo County; for reconstruction of a portion of the San Francisco Bay Trail, construction of a driveway, and interim improvements to Fisherman's Park including public parking. CEQA Consideration: not a project. (PRC 9084.1; RA# 16518) (A 22; S 13) (Staff: A. Franzoia)

C 24 CALIFORNIA DEPARTMENT OF TRANSPORTATION (APPLICANT): Consider application for a General Lease - Public Agency Use, of sovereign land located in the American River at PM R44.47, adjacent to Assessor's Parcel Numbers 001-0070-005 and 274-0120-010, near Sacramento, Sacramento County; for the installation, use, and maintenance of a temporary construction trestle, and use of a temporary construction easement for the American River Bridge Scour Repair project. CEQA Consideration: Mitigated Negative Declaration, adopted by the California Department of Transportation, State Clearinghouse No. 2017072043, and adoption of a Mitigation Monitoring Program. (W 27199; RA# 06318) (A 7; S 6) (Staff: G. Asimakopoulos)

C 25 CALIFORNIA STATE LANDS COMMISSION AND SUGAR ACQUISITION CORPORATION, A DELAWARE CORPORATION, AS SUCCESSOR-IN-INTEREST TO C&H SUGAR COMPANY, INC. AND CALIFORNIA AND HAWAIIAN SUGAR COMPANY (PARTIES):
Consider acceptance of a quitclaim deed for filled sovereign land, located in the Carquinez Strait, San Pablo Bay, Assessor's Parcel Numbers 354-320-007-9 and a portion of 354-320-008-7, adjacent to 1909 Dowrelies Drive, Crockett, Contra Costa County. CEQA Consideration: not a project. (W 27237) (A 14; S 3) (Staff: V. Caldwell)

C 26 LINO CATABRAN AND LINDA CATABRAN (LESSEE); RAUL AGUIRRE (APPLICANT): Consider waiver of rent, penalty, and interest; termination of Lease No. PRC 6437.1, a General Lease - Recreational and Protective Structure Use, and application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in the Sacramento River, adjacent to 5291 Garden Highway, near Sacramento, Sacramento County; for an existing covered boat dock with slip, one gangway, three pilings, one dolphin, a boat lift, and bank protection previously authorized by the Commission, and utility conduit not previously authorized by the Commission. CEQA Consideration: categorical exemption. (PRC 6437.1; RA# 16818) (A 7; S 6) (Staff: J. Holt)

C 27 LINCOLN CHAN FARMS, LLC (RESCINDING APPLICANT); DOUGLAS CHAN AND CARLA CHAN, TRUSTEES OF THE CHAN FAMILY TRUST, DATED APRIL 14, 2014 (APPLICANT): Consider rescission of approval and issuance of Lease No. PRC 4221.1, a General Lease - Right-of-Way Use, of sovereign land located in Hensley Slough, adjacent to 11488 State Highway 160, Courtland, Sacramento County; for an existing road crossing Hensley Slough. CEQA Consideration: not a project. (PRC 4221.1; RA# 31117) (A 9; S 3) (Staff: L. Pino)

C 28 CITY OF FOSTER CITY (APPLICANT): Consider acceptance of quitclaim deeds and application for a General Lease - Public Agency Use, of sovereign land located along the San Francisco Bay and Belmont Slough, near Foster City, San Mateo County; for rehabilitation, use, and maintenance of existing coastal levees, outfall structure, and recreational features. CEQA Consideration: Environmental Impact Report, certified by the City of Foster City, State Clearinghouse No. 2016012012, and adoption of a Mitigation Monitoring Program, Statement of Findings,
C 29 COUNTY OF MARIN (APPLICANT): Consider application for a General Lease - Public Agency Use, of sovereign land located in Tomales Bay, adjacent to Chicken Ranch Beach Park, near Inverness, Marin County; for installation, use, and maintenance of six marker buoys. CEQA Consideration: categorical exemption. (W 27225; RA# 16118) (A 10; S 2) (Staff: J. Holt)

C 30 COUNTY OF STANISLAUS (LESSEE/APPLICANT): Consider amendment of Lease No. PRC 7183.9, acceptance of a lease quitclaim deed, and an application for a General Lease - Public Agency Use, of sovereign land located in the San Joaquin River, adjacent to Crows Landing Road, near Patterson, Stanislaus County; for the replacement of the Crows Landing Bridge. CEQA Consideration: Mitigated Negative Declaration, adopted by Stanislaus County, State Clearinghouse No. 2013052050, and adoption of a Mitigation and Monitoring Program. (W 26932; PRC 7183.9; RA# 18214) (A 21; S 8,12) (Staff: M. Schroeder)

C 31 EAST BAY REGIONAL PARK DISTRICT (LESSEE): Consider amendment to Lease No. PRC 8640.9, a General Lease - Public Agency Use, of sovereign land in the area known as the Bay Point Regional Shoreline, Suisun Bay, adjacent to 1001 McAvoy Road, near Pittsburg, Contra Costa County; for the construction, use, and maintenance of a kayak launch ramp and park trail. CEQA Consideration: Mitigated Negative Declaration and Addendum, adopted by the East Bay Regional Park District, State Clearinghouse No. 2000122088, and adoption of a Mitigation Monitoring Program. (PRC 8640.9; RA# 02217) (A 14; S 7) (Staff: D. Tutov)

C 32 JULIE FOUNTAIN, TRUSTEE OF THE WILLIAM DUFFIN LIVING TRUST DATED 8/28/98 (LESSEE); CATHERINE ANN ARMSTRONG, TRUSTEE AND MELISSA JEAN ARMSTRONG, TRUSTEE OF THE BEATTIE TRUST DATED JULY 29, 2015 (APPLICANT): Consider termination of Lease No. PRC 3756.1, a General Lease - Recreational Use; and application for a General Lease - Recreational and Residential Use, of
sovereign land located in the Petaluma River, adjacent to 172 Beattie Avenue, near Novato, Marin County; for an existing portion of residence and appurtenant facilities. CEQA Consideration: categorical exemption. (PRC 3756.1; RA# 16117) (A 10; S 2) (Staff: J. Holt)

C 33 BETTY LOU HUDSON (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Tomales Bay, adjacent to 17715 Highway 1, near Marshall, Marin County; for two proposed mooring buoys. CEQA Consideration: Negative Declaration, adopted by the California State Lands Commission, State Clearinghouse No. 2012082074. (W 27212; RA# 08118) (A 10; S 2) (Staff: D. Tutov)

C 34 SEAN E. HUTTON, AS TRUSTEE OF THE SEAN E. HUTTON REVOCABLE TRUST DATED MARCH 10, 2015 (APPLICANT): Consider application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in the Sacramento River, adjacent to 2531 Garden Highway, near Sacramento, Sacramento County; for an existing covered boat dock with slip, appurtenant facilities, and bank protection. CEQA Consideration: categorical exemption. (PRC 6038.1; RA# 04018) (A 7; S 6) (Staff: J. Holt)

C 35 JASON KUECHLER (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in the Sacramento River, adjacent to 658 Riverlake Way, near Sacramento, Sacramento County; for the construction, use, and maintenance of a boat dock and appurtenant facilities. CEQA Consideration: categorical exemption. (W 27164; RA# 19017) (A 9; S 6) (Staff: G. Asimakopoulos)

C 36 SANDRA L. OMAN, TRUSTEE OF THE PAUP MARITAL TRUST (LESSEE): Consider finding of default; authorization of termination of a General Lease - Commercial Use; and authorization to take all steps necessary, including litigation or acceptance of a lease quitclaim deed, to remove an existing commercial marina and appurtenant facilities, located in the Sacramento River adjacent to 14031 River Road (Highway 160), Walnut Grove, Sacramento County, and to restore the land to its condition prior to the alterations.
made under Lease No. PRC 6200.1, a General Lease - Commercial Use, to the satisfaction of the Commission. CEQA Consideration: categorical exemption. (PRC 6200.1) (A 11; S 3) (Staff: M. Schroeder)

C 37 OPAL HOUSE, LLC (APPLICANT): Consider application for a General Lease - Protective Structure Use, of sovereign tide and submerged land located in the Pacific Ocean, adjacent to 4640 Opal Cliff Drive, near Santa Cruz, Santa Cruz County; for an existing stem wall. CEQA Consideration: categorical exemption. (PRC 8794.1; RA# 09618) (A 29; S 17) (Staff: D. Tutov)

C 38 THIRUMALAI MUPPUR RAVI AND FRANCINE C. LEJEUNE, CO-TRUSTEES OF THE RAVI-LEJEUNE FAMILY TRUST U/T/A DATED NOVEMBER 14, 2008 (ASSIGNOR); WILLIAM MANHEIM AND TRACY MANHEIM (ASSIGNEE): Consider assignment of Lease No. PRC 9332.1, a General Lease - Recreational Use, of sovereign land located in Tomales Bay, adjacent to 18876 State Route 1, near Marshall, Marin County; for an existing mooring buoy. CEQA Consideration: not a project. (PRC 9332.1; RA# 10918) (A 10; S 2) (Staff: D. Tutov)

C 39 SAN JOAQUIN AREA FLOOD CONTROL AGENCY (APPLICANT): Consider application for a General Lease - Public Agency Use, of sovereign land located in the San Joaquin River, adjacent to Assessor's Parcel Numbers 133-060-01 and 109-020-06, near Stockton, San Joaquin County; for the construction, use and maintenance of a fixed wall, gate structure, flood wall and bank protection. CEQA Consideration: Environmental Impact Report, certified by the San Joaquin Area Flood Control Agency, State Clearinghouse No. 2014062079, and adoption of a Mitigation Monitoring Program, Statement of Findings, and Statement of Overriding Considerations. (W 27210; RA# 09718) (A 13; S 5) (Staff: M. Schroeder)

C 40 BRET SISNEY AND CAROL REDING SISNEY, AS CO-TRUSTEES OF THE SISNEY LIVING TRUST DATED AUGUST 11, 2009; BRET SISNEY; AND CAROL REDING
SISNEY (APPLICANT): Consider application for a General Lease - Protective Structure Use, of sovereign land located in the Pacific Ocean, adjacent to 4660 Opal Cliff Drive, near Santa Cruz, Santa Cruz County; for an existing seawall and plugged sea cave previously authorized by the Commission, and the use and maintenance of an additional plugged sea cave not previously authorized by the Commission. CEQA Consideration: categorical exemption. (PRC 7971.1; RA# 12516) (A 29; S 17) (Staff: G. Asimakopoulos)

C 41 TESLA, INC. (APPLICANT): Consider application for a General Lease - Commercial Use, of filled sovereign land in San Francisco Bay, located near 150 Anza Boulevard, Burlingame, San Mateo County; for 18 electric vehicle charging stations and appurtenant facilities. CEQA Consideration: categorical exemption. (W 27203; RA# 06318) (A 22; S 13) (Staff: A. Franzoia)

C 42 WALDO POINT HARBOR, LLC (LESSOR/APPLICANT): Consider termination of Lease No. 8594.1, a General Lease - Commercial Use; an application for a General Lease - Other, and an Agreement and Consent to Encumbrancing of Lease, of partially filled and unfilled sovereign land at Waldo Point Harbor located in Richardson Bay, Marin County; for public access, a public park with public pier, landscaping, seating, signage, lighting, parking, fencing, trash containers, utilities, and open water areas. CEQA Consideration: categorical exemption. (PRC 8594.1; RA# 19417) (A 10; S 2) (Staff: V. Caldwell)

C 43 WILLIAM WEBER (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Tomales Bay, adjacent to 19225 Highway 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 27200; RA# 06816) (A 10; S 2) (Staff: D. Tutov)

C 44 WESTPORT OFFICE PARK, LLC, A DELAWARE LIMITED LIABILITY COMPANY (LESSOR); JPMORGAN CHASE BANK, N.A. (SECURED-PARTY LENDER): Consider correction to prior authorization and an Agreement and Consent to
Encumbrancing of Lease for Lease No. PRC 7876.1, a General Lease - Right-of-Way Use, of sovereign land located in Belmont Slough, adjacent to 1400 and 1600 Bridge Parkway, near Redwood City, San Mateo County; for two existing storm water outfalls and rock riprap. CEQA Consideration: not a project. (PRC 7876.1; RA# 20618) (A 22; S 13) (Staff: G. Asimakopoulos)

C 45 MAN WAH WONG AND BAO LING YU (LESSEE); KENNETH F. MOUNTAIN AND RICKI MOUNTAIN (APPLICANT): Consider termination of Lease No. PRC 4785.1, a General Lease - Recreational Use, and an application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in the Sacramento River, adjacent to 17420 Grand Island Road, near Walnut Grove, Sacramento County; for an existing pier and appurtenant facilities previously authorized by the Commission and existing bank protection not previously authorized by the Commission. CEQA Consideration: categorical exemption. (PRC 4785.1; RA# 10518) (A 11; S 3) (Staff: J. Holt)

CENTRAL/SOUTHERN REGION
C 46 CALIFORNIA STATE LANDS COMMISSION, ACTING AS TRUSTEE OF THE KAPILOFF LAND BANK FUND; CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE (PARTIES): Consider delegating authority to the Executive Officer to expend $135,000 from the Kapiloff Land Bank Fund and enter into an interagency agreement with the California Department of Fish and Wildlife to construct a fence around the Cartago Wildlife Area, located on the southwestern edge of Owens Lake, Inyo County. CEQA Consideration: categorical exemption. (W 27162) (A 26; S 8) (Staff: J. Garrett, D. Simpkin)

C 47 CALIFORNIA STATE LANDS COMMISSION AND CALIFORNIA COASTAL COMMISSION (PARTIES): Consider acceptance of an offer to dedicate lateral public access easement over land at 20624 Pacific Coast Highway, Malibu, Los Angeles County. CEQA Consideration: not a project. (W 24665) (A 50; S 27) (Staff: L. Pino)

C 48 CALIFORNIA STATE LANDS COMMISSION AND CALIFORNIA COASTAL COMMISSION (PARTIES): Consider acceptance of an offer to dedicate lateral public
access easement over land at 20630 Pacific Coast Highway, Malibu, Los Angeles County. CEQA Consideration: not a project. (W 24665) (A 50; S 27) (Staff: L. Pino)

C 49 CATALINA ISLAND CONSERVANCY (LESSEE/APPLICANT): Consider termination of Lease No. PRC 6439.1, a General Lease – Recreational Use; and application for a General Lease – Other, of sovereign land located at White's Cove, Santa Catalina Island, Los Angeles County; for an existing fixed recreational pier, landing float, and two mooring string lines. CEQA Consideration: categorical exemption. (PRC 6439.1; RA# 16218) (A 26; S 70) (Staff: D. Simpkin)

C 50 CITY OF LOS ANGELES DEPARTMENT OF WATER AND POWER (LESSEE): Consider amendment of Lease No. PRC 8079.9, a General Lease – Public Agency Use, of sovereign land located on Owens Lake, Inyo County; for the removal of gravel cover and installation of sprinklers in Dust Control Area T37-2d, modifications to Dust Control Areas T13-1 Addition and T17-2, to extend the term of the lease; and substitution of a Mitigation Measure. CEQA Consideration: Environmental Impact Report, State Clearinghouse No. 2014071057, certified by the City of Los Angeles Department of Water and Power, an Addendum prepared by Commission staff, and categorical exemptions. (PRC 8079.9; RA# 15117) (A 26; S 8) (Staff: D. Simpkin)

C 51 EL SEGUNDO POWER, LLC (APPLICANT): Consider application for a General Lease – Protective Structure Use, of sovereign land located in the Pacific Ocean, El Segundo, Los Angeles County; for an existing rock revetment. CEQA Consideration: categorical exemption. (PRC 5628.9; RA# 34117) (A 62; S 26) (Staff: D. Simpkin)

C 52 FLAVIO S. JAEN (APPLICANT): Consider amendment of Lease No. PRC 3570.1, a General Lease – Recreational Use, of sovereign land located in the Main Channel of Huntington Harbour, adjacent to 17011 Bolero Lane, Huntington Beach, Orange County; to remove and replace a boat dock and access ramp. CEQA Consideration: categorical exemption. (PRC 3570.1; RA# 34817) (A 72; S 34) (Staff: K. Connor)
C 53  JEFF KINDNESS (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign located in the Main and Midway Channels of Huntington Harbour, adjacent to 3552 Gilbert Drive, Huntington Beach, Orange County; for the removal and replacement of an existing boat dock and access ramp not previously authorized by the Commission. CEQA Consideration: categorical exemption. (W 26994; RA# 27417) (A 72; S 34) (Staff: K. Connor)

C 54  THOMAS MCINALLY AND LYNN T. MCINALLY (ASSIGNOR); FEIGE (ASSIGNEE): Consider assignment of Lease No. PRC 8293.9, a General Lease - Protective Structure Use, of sovereign land located in the main channel of Huntington Harbour, adjacent to 3382 Venture Drive, Huntington Beach, Orange County; for bulkhead protection. CEQA Consideration: not a project. (PRC 8293.9; RA# 10218) (A 72; S 34) (Staff: K. Connor)

C 55  NATIONAL PARK SERVICE - CHANNEL ISLANDS NATIONAL PARK (APPLICANT): Consider amendment of Lease No. PRC 8390.9, a General Lease - Public Agency Use, of sovereign land located in the Pacific Ocean, Scorpion Cove, Santa Cruz Island, Santa Barbara County; for the removal of the existing Scorpion Cove pier and construction, use and maintenance of a new pier, relocation of one existing steel mooring buoy, and the retention, use, and maintenance of rock riprap. CEQA Consideration: Environmental Impact Statement (EIS) certified by the National Park Service, was prepared and circulated for this project under State Clearinghouse No. 2015101041. The EIS and a Record of Decision were certified on August 14, 2018. Pursuant to California Code of Regulations, title 14, sections 15221 and 15225, staff recommends the use of the federal EIS in place of an Environmental Impact Report, and adoption of a Mitigation Monitoring Program and Statement of Findings. (PRC 8390.9; RA# 08017) (A 37; S 19) (Staff: D. Simpkin)

C 56  FRANK JOSEPH PIOTROWSKI (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in the Midway Channel of Huntington Harbour, adjacent to 3412 Gilbert Drive,
Huntington Beach, Orange County; for an existing boat dock and access ramp. CEQA Consideration: categorical exemption. (PRC 3081.1; RA# 11618) (A 72; S 34) (Staff: K. Connor)

C 57 IRIS M. SCHUSTER, TRUSTEE OF THE SCHUSTER RESIDENCE TRUST I AND II, U/D/T MARCH 6, 2001 (APPLICANT): Consider application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in the Main Channel of Huntington Harbour, adjacent to 16661 Carousel Lane, Huntington Beach, Orange County; for an existing boat dock, access ramp, cantilevered deck, and bulkhead protection. CEQA Consideration: categorical exemption. (PRC 8652.1; RA# 16318) (A 72; S 34) (Staff: K. Connor)

SCHOOL LANDS

C 58 COUNTY OF KERN (APPLICANT): Consider application for a General Lease - Public Agency Use, of State-owned school land located within a portion of Section 36, Township 10 North, Range 13 West, SBM, near Rosamond, Kern County; for an existing public road, known as Mojave-Tropico Road/County Road No. 221. CEQA Consideration: categorical exemption. (PRC 2234.2; RA# 30606) (A 36; S 16) (Staff: C. Hudson)

C 59 SOUTHERN CALIFORNIA EDISON COMPANY (APPLICANT): Consider application for a General Lease - Right-of-Way Use, of State-owned school land located within Section 16, Township 16 North, Range 13 East, SBM, near Mountain Pass, San Bernardino County; for an existing electric distribution line, wood poles and a dirt access road. CEQA Consideration: categorical exemption. (W 27201; RA# 06518) (A 33; S 16) (Staff: C. Hudson)

MINERAL RESOURCES MANAGEMENT

C 60 CALIFORNIA DEPARTMENT OF TRANSPORTATION (APPLICANT): Consider an application for a Non-Exclusive Geological Survey Permit on sovereign lands located in the American River, Sacramento County. CEQA Consideration: categorical exemption. (W
6005.196; RA# 18018) (A 7; S 6) (Staff: R. B. Greenwood)

C 61 CITY OF LONG BEACH (APPLICANT): Consider approval of subsidence monitoring costs for vertical measurements and studies for the 2019-2020 fiscal year, City of Long Beach, Los Angeles County. CEQA Consideration: categorical exemption. (W 10443) (A 70; S 33, 34) (Staff: R. B. Greenwood)

C 62 CITY OF LONG BEACH (GRANTEE): Consider acceptance of the Long Beach Unit Program Plan (July 1, 2019 through June 30, 2024), and the Annual Plan (July 1, 2019 through June 30, 2020), Long Beach Unit, Wilmington Oil Field, Los Angeles County. CEQA Consideration: not a project. (W 17166) (A 70; S 33, 34)
(Staff: E. Tajer)

C 63 MADERA COUNTY PUBLIC WORKS DEPARTMENT (APPLICANT): Consider an application for a Non-Exclusive Geological Survey Permit on sovereign lands located in the San Joaquin River, Madera County. CEQA Consideration: Environmental Impact Report, certified by the Madera County Department of Public Works, State Clearinghouse No. 2018031001. (W 6005.195; RA# 11818) (A 5; S 12)
(Staff: R. B. Greenwood)

C 64 TETRA TECH, INC. (APPLICANT): Consider an application for a General Permit to conduct geophysical surveys on tide and submerged lands under the jurisdiction of the California State Commission. CEQA Consideration: Mitigated Negative Declaration, Mitigation Monitoring Program, and addendum, adopted by the California State Lands Commission, State Clearinghouse No. 2013072021.
(W 6005.197; RA# 18118) (A & S: Statewide) (Staff: R.B. Greenwood)

MARINE ENVIRONMENTAL PROTECTION - NO ITEMS ADMINISTRATION
C 65 CALIFORNIA STATE LANDS COMMISSION: Consider granting authority to the Executive Officer to renew an agreement with University Enterprises, Inc., to procure the services of college students to assist the
C 66 CALIFORNIA STATE LANDS COMMISSION: Consider granting authority to the Executive Officer or her designee to enter into contracts with California State University, Fresno to digitize and preserve Commission map record sets. CEQA Consideration: not a project. (A & S: Statewide) (Staff: R. Singh)?

LEGAL - NO ITEMS

KAPILOFF LAND BANK TRUST ACQUISITIONS - NO ITEMS

EXTERNAL AFFAIRS

GRANTED LANDS - NO ITEMS

V INFORMATIONAL

67 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)

68 CALIFORNIA STATE LANDS COMMISSION: Report on the monitoring of possible subsidence, Long Beach Unit, Wilmington Oil Field, Los Angeles County. CEQA Consideration: not a project. (W 10442, W 16001) (A 70; S 33, 34) (Staff: R. B. Greenwood)

VI REGULAR CALENDAR 69-73

69 CALIFORNIA STATE LANDS COMMISSION: Consider supporting AB 926 (O'Donnell) in the 2019-20 legislative session to remove the $300 million cap on the Oil Trust Fund, resuming monthly deposits of $2 million from Long Beach oil operation revenues until the Fund reaches a balance that will cover the State's projected abandonment liabilities. CEQA Consideration:
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<td>70 CALIFORNIA STATE LANDS COMMISSION: Consider opposing certain provisions of SB 69 (Wiener) that would require the State Water Resources Control Board, instead of the State Lands Commission, to adopt regulations related to ballast water discharge performance standards. CEQA Consideration: not applicable. (A &amp; S: Statewide) (Staff: S. Pemberton)</td>
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<td>71 CALIFORNIA STATE LANDS COMMISSION: Consider supporting AB 467 (Boerner Horvath) in the 2019-20 legislative session that would require the California State Lands Commission, the California Coastal Commission, the Department of Parks and Recreation and the Department of Fish and Wildlife to include equal prize competition as a condition of any permit or lease authorizing a competitive event on lands under their jurisdiction. CEQA Consideration: not applicable. (A &amp; S: Statewide) (Staff: S. Pemberton)</td>
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<td>72 SAN JOAQUIN RIVER CONSERVANCY (INFORMATIONAL): Presentation by the San Joaquin River Conservancy's Executive Officer on the Conservancy's efforts to develop and manage the San Joaquin River Parkway, a planned 22-mile natural and recreational area extending from Friant Dam to Highway 99. CEQA Consideration: not applicable. (A 23; S 8) (Staff: J. Lucchesi)</td>
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<td>73 CALIFORNIA STATE LANDS COMMISSION (INFORMATIONAL): Update on efforts to achieve meaningful public access to the coast at Hollister Ranch, Santa Barbara County. CEQA Consideration: not applicable. (A 37; S 19) (Staff: J. Lucchesi)</td>
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VII PUBLIC COMMENT 83

VIII COMMISSIONERS' COMMENTS 91
At any time during the meeting the Commission may meet in a session closed to the public to consider the matters listed below pursuant to Government Code section 11126, part of the Bagley-Keene Open Meeting Act.

A. 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 Turnbull-Sanders, et al.

Oakland Bulk and Oversized Terminal, LLC v. City of Oakland

San Joaquin River Exchange Contractors Water Authority v. State of California; State Lands Commission


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

SLPR, LLC, et al. v. San Diego Unified Port District, California State Lands Commission


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.

Adjournment 92

Reporters Certificate 93
PROCEDINGS

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 am joined today by Deputy Controller for Environmental Policy, Anne Baker, and Karen Finn, 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 responsibility for the prevention of oil spills at marine oil terminals and offshore oil platforms, and for 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 that -- and take seriously our trust relationship with these sovereign governments. Today, our gratitude goes to the tribes of the 25 Yokuts people, who have inhabited the San Joaquin Valley and Sierra Nevada foothills for countless generations.

I'd like to welcome Madera County Supervisor
Brett Frazier and City Council Member Santos Garcia of Madera, who are both here. And Supervisor Frazier, I understand you'd like to come and say a few words, is that right?

Oh, there he is.

MADERA COUNTY SUPERVISOR FRAZIER: Sorry. I usually don't have to walk this far to talk to people.

CHAIRPERSON KOUNALAKIS: Thank you for the --

MADERA COUNTY SUPERVISOR FRAZIER: You think I would have known the Chambers better and that the microphone is right here, not sit over there.

(Laughter.)

MADERA COUNTY SUPERVISOR FRAZIER: Welcome, Madam Lieutenant Governor and Board. Ms. Finn, it's always great to see you.

ACTING COMMISSIONER FINN: Thank you.

MADERA COUNTY SUPERVISOR FRAZIER: I've spent a lot of time with you recently --

ACTING COMMISSIONER FINN: Yes, you have.

MADERA COUNTY SUPERVISOR FRAZIER: -- on the San Joaquin River Conservancy.

ACTING COMMISSIONER FINN: And Ms. Lucchesi.

MADERA COUNTY SUPERVISOR FRAZIER: And Ms. Lucchesi and Mr. Garcia.

But thank you all for coming to Madera County and
holding your meeting here. We really appreciate it. We're very happy to welcome you and have you here.

I also want to welcome you as a member of the Central Valley as a region, not just Madera County, but as region, as we're really trying to put ourselves forward as a really integral part of our state, and what it means to be part of this state and be partners. We've always been known as the gateway to Yosemite coming through here, and we want to be that same gateway to access State lands as well, and be a partner where we can -- where we can do that.

So again we have in Madera County a very unique opportunity. We have a blank canvas to look at 170 years of planning and things that went right and went wrong, and actually do things right right now. And we want to take that opportunity and work with you to do that at this time. So thank you very much for being here, and we look forward to a long and fruitful partnership with State Lands as well as the State of California.

Thank you.

CHAIRPERSON KOUNALAKIS: Thank you very much, Supervisor Frazier. It's already been a great day for me. I stopped off at Fresno State on my way over. They gave me abundant snacks --

(Laughter.)
CHAIRPERSON KOUNALAKIS: -- from their country store. All kinds of agricultural products that they produce right there, including a very large and productive winery that they have right on campus. It was just marvelous. I didn't partake in any of that just so you know.

(Laughter.)

CHAIRPERSON KOUNALAKIS: So we're looking forward to having a great meeting here. And thank you very much for welcoming us and giving us your dais.

MADERA COUNTY SUPERVISOR FRAZIER: Yeah. We do say that Madera and Fresno is for wine, Napa is for auto parts.

(Laughter.)

MADERA COUNTY SUPERVISOR FRAZIER: So thank you.

CHAIRPERSON KOUNALAKIS: That's great. Thank you. The first item of business will be the adoption of the minutes from the Commission's meetings of February 4th, 2019 and March 21st 2019. May I have a motion to approve the minutes.

ACTING COMMISSIONER BAKER: So moved.

ACTING COMMISSIONER FINN: I'll second.

CHAIRPERSON KOUNALAKIS: Any objection to a unanimous vote?

Seeing none. The motion passes unanimously.
Ms. Lucchesi, will you please conduct your roll -- oh, sorry.

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

EXECUTIVE OFFICER LUCCHESI: Yes, thank you.

I just have a couple of things I want to update the Commission, and the audience members, and those watching on our webcast about today. First is our regular update on our oil and gas facility decommissioning projects. The first is Platform Holly. And some -- and the Piers 421 wells. So in total there's 32 wells that we're responsible for plugging and abandoning at this time, 30 on Platform Holly, two within the shore zone on shore zone piers that come from the upland out into the ocean.

We have been spending a majority of the last year frankly conducting significant repairs on the platform and on Piers 421, frankly to get them ready to plug and abandon those wells. So the well -- the infrastructure repairs that we're doing on Platform Holly continue, but we are hopeful to start actually plugging and abandoning our first wells offshore at Platform Holly middle to late summer of this year. So we are making good progress on that.

And even better news is that we are ready to
start the plugging and abandonment of the two wells at
Piers 421 next week. So that has been delayed a bit,
because of some last minute repairs and equipment not
being delivered on time, but we are ready to get started
on that next week. So stay tuned to our website and our
Twitter feed, because I'm sure we'll have some pictures
associated with that work. We're really excited to get
started on that.

Next, is our Rincon Island and associated upland
leases. We are -- continue to make really great progress
on those wells. We have already plugged and abandoned 15
out of the 25 wells that are located onshore. And in
February, we started the work on plugging and abandoning
the 50 wells on Rincon Island itself. And as of today,
four wells have been plugged and abandoned. So on this
decommissioning project, we -- our work continues ahead of
the plan schedule, and under the plan budget. And we --
so we're very proud of that work. And we anticipate
commencing the CEQA process later this year to analyze
options for the final disposition of the island, and the
causeway, and the associated infrastructure.

Next, I want to update the Commission on our
budget hearings. On March 27th, we testified in front of
the Assembly Budget Committee number 3 on Resources and
Transportation. The Committee evaluated the Commission's
fall budget change proposals for inclusion in the budget.

Two of our proposals, Critical Business Technology needs and our School Lands Forest Inventory were placed on the consent-only agenda, and passed without further discussion.

The Committee then discussed the Commission's request for resources for the final stage of the SIRMS project. This is our State Inventory -- or Inventory Records Management System project. And I am happy to report that one of assembly members, Assembly Member Fong, asked about how the Commission approached the project, either by purchasing off-the-shelf software or building a custom solution?

And Phil Schlatter, who is our lead on this project, explained that the Commission had purchased several off-the-shelf solutions and wove them together to meet our needs. And we received actually a lot of praise from the assembly member and the Committee as a whole for keeping the project on schedule and under budget and not to the growing list of other IT projects that have not been as successful as we have. So that was a nice pat on the back for the Commission, that we were happy to receive.

Yesterday, Senate Budget subcommittee number 2 on Resources, Environmental Protection, Energy, and
Transportation placed the critical business technology needs and the SIRMS proposal on the vote only calendar and requested discussion of our school lands forest inventory proposal. Discussion centered around understanding the definition of school lands under the Commission's jurisdiction and the Commission's management of those lands, and then moved to a brief overview of the Commission's plans for the forested lands.

Chair Bob Wieckowski asked if there were plans to develop the forested lands and add recreational structures. But we explained that staff plans to evaluate options relating to really managing our healthy -- our forests to maintain their health and avoid diseases, obviously, prevent wildfires, and that sort of thing. The subcommittee voted unanimously to approve the proposal, as we proposed. So that was another successful day at the Capitol yesterday.

Two more items to update you on. One is our San Diego Ocean Planning Partnership. The San Diego Ocean Planning Partnership is a pilot project between the State Lands Commission and the Port of San Diego. And we are excited to announce the public release of interactive web mapping application next week on Thursday, April 11th.

The web mapping application is a dynamic map of the State waters offshore San Diego County. It displays a
variety of data sets related to Public Trust uses like commerce, navigation, fisheries, recreation, and environmental stewardship. Anyone can use it to explore and learn more about this ocean space. And it can also serve as a helpful tool for increased coordination and communication and partnership between ocean users and resource managers.

And so just a plug to access the map and find more information about the partnership, folks can visit www.sdoceanplanning.org.

And finally, I want to give the Commission an update on our efforts for a request for proposal for the development of a vacant piece of parcel -- vacant piece of property in Burlingame along the San Francisco Bay. This is 410 Airport Boulevard. And this was the subject of a Public Trust Needs Assessment that the Commission heard about last year.

And in October -- in October of last year, the Commission authorized staff to move forward with soliciting proposals for the development of the nine and a half acre site along the bayfront in Burlingame. And since that time, staff has been preparing this RFP, along with supporting information to publicize the availability and the appropriate use of the site informed by that Public Trust Needs Assessment.
And I'm happy to report that the request for proposals is almost ready. We are coordinating closely with the City of Burlingame and we look forward to fine-tuning and finalizing the RFP and hope to release it next month.

And that concludes my executive officer's report. Thank you.

CHAIRPERSON KOUNALAKIS: Okay. Thank you very much, Ms. Lucchesi. Do either of the Commissioners have any comments or questions?

All right. Moving along.

The next order of business will be the adoption of the consent calendar. Commissioner Baker, Commissioner Finn, are there any items that you would like removed from the consent calendar?

ACTING COMMISSIONER FINN: Nothing that I have.

ACTING COMMISSIONER BAKER: No.

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: Yes. I would like to remove consent items 41, 51, and item 70 completely from the agenda to be considered at a later date. And based on public comment forms that we have received so far, I would like to move Item C 39 to the regular agenda.
for a presentation. It appears we have a number of members of the public that would like to speak on that item.

And so just to clarify, we're removing C 41, C 51 and 70 completely from the agenda. We're moving 39 from the consent agenda to the regular agenda.

And if I may, I would like to speak a little bit on why we're moving -- removing Item 70 from the agenda altogether. This is a -- we were -- the staff was recommending to the Commission to oppose State Senate Bill 69 by Senator Wiener. And we had some significant concerns about an element of that bill relating to our Marine Invasive Species Program. Since that bill was introduced, we have had a number of conversations with Legislative staff, with the sponsors. I know that both the Lieutenant Governor and the Controller have been very active in providing additional information about the success of our Marine Invasive Species Program. And so based on the conversations that we've had, staff believes it's premature to ask the Commission to take a position on that bill at this time, and we'll wait to continue to have further discussions with the sponsor and the author's office on that bill as it moves forward.

CHAIRPERSON KOUNALAKIS: Yes.

ACTING COMMISSIONER BAKER: As we all know,
there's a section of that bill that dealt with our part of
the program. And it's my understanding, I just want to
put this on the record, that Tuesday in committee that
section will be removed. And so we're no longer
necessarily part of that bill.

EXECUTIVE OFFICER LUCCHESI: That is our
understanding, based on conversations. We have not yet
formally reviewed the staff analysis yet -- the Committee
analysis, so -- but that -- that is what we are -- that --
the conversations that we've had with legislative staff,
and like I said, the sponsor of the bill gives staff
confidence that the concerns that we had about 69 -- about
SB 69 will be addressed responsibly as we move forward.
So that is part of it.

CHAIRPERSON KOUNALAKIS: Okay. Is there anyone
in the audience who would like to speak on any item
remaining on the consent calendar?

All right. If not, we'll proceed with a vote.
Do we have a motion?

ACTING COMMISSIONER FINN: I would -- excuse
me -- move the consent calendar with the amendments of
deleting 41, 51, and 70, and pulling 39 off for later
discussion today.

ACTING COMMISSIONER BAKER: Second.

CHAIRPERSON KOUNALAKIS: Any objection to a
unanimous vote?

Seeing none. The motion carries unanimously.

Okay. The next order of business will be the regular calendar.

EXECUTIVE OFFICER LUCCHESI: Yes. So Sheri Pemberton of our External Affairs Division -- she's the Chief of our External Affairs Division. She'll be coming up to give the presentation for the Commission to consider supporting AB 926 to --

CHAIRPERSON KOUNALAKIS: Okay.

EXECUTIVE OFFICER LUCCHESI: -- relating to the Long Beach Unit in the City of Long Beach. This is Item 69.

CHAIRPERSON KOUNALAKIS: Item 69. All right. So everyone understood. Item 69 is to consider supporting AB 926 to remove the $300 million cap on the Oil Trust Fund.

EXTERNAL AFFAIRS AND LEGISLATIVE LIAISON CHIEF PEMBERTON: Thank you, Madam Chair and Commissioners. As you mentioned, Item 69 recommends that the Commission take a support position on AB 926 by Assembly Member O'Donnell. This bill would remove a cap on the State's Oil Trust Fund, which is a fund where money accrues from tideland oil revenue received from the Long Beach oil operations to pay for the State's abandonment when the operations end.

When the fund was first established, it was
thought that the total cost to decomm -- or the total abandonment cost would be around 300 million, which is the current cap. In the, past over a decade, we've had revised estimates. And the new estimate is upwards of around 900 million. So we have a gap of around 600 million. And this bill would restore diverting 2 million of tideland oil revenue from those operations back to the that fund to build up the balance to a point where it's more likely to be sufficient to pay for the State's abandonment liability when the oil operations end.

There's no opposition to the bill. It was recently approved in the Assembly Natural Resources Committee, and it's pending before the Assembly Appropriations Committee.

CHAIRPERSON KOUNALAKIS: Okay. Any questions? Do we have a motion?

ACTING COMMISSIONER BAKER: I move adoption of the item.

CHAIRPERSON KOUNALAKIS: Second?

ACTING COMMISSIONER FINN: I'm going to have to abstain on behalf of the Department of Finance on the position on the bill.

CHAIRPERSON KOUNALAKIS: We don't have a second, but I can support it, or can I second it and support it?

EXECUTIVE OFFICER LUCCHESI: Um-hmm.
CHAIRPERSON KOUNALAKIS: Okay. So motion carries. Should we have a voice vote then?

EXECUTIVE OFFICER LUCCHESI: Yes.

Commissioner Finn?

ACTING COMMISSIONER FINN: Abstain.

EXECUTIVE OFFICER LUCCHESI: Commissioner Baker?

ACTING COMMISSIONER BAKER: Yes.

EXECUTIVE OFFICER LUCCHESI: And Madam Chair?

CHAIRPERSON KOUNALAKIS: Yes.

EXECUTIVE OFFICER LUCCHESI: Great. It passes 2 to 0 with one abstention.

CHAIRPERSON KOUNALAKIS: All right. Item 70 is to consider opposing certain provisions of SB 69 -- oh, sorry.

EXECUTIVE OFFICER LUCCHESI: No, that's okay.

CHAIRPERSON KOUNALAKIS: That's why I was a little confused on how you laid this out.

All right. Item 71 is to consider supporting AB 467 relating to gender equality for competitive events on State Lands. May we have the presentation?

EXTERNAL AFFAIRS AND LEGISLATIVE LIAISON CHIEF PEMBERTON: Yes. Thank you, Madam Chair and Commissioners. AB 467 is a bill recently introduced that's sort of modeled off of a -- conditions in a lease that the Commission issued last year to the World Surf
League. It would require when the State Lands Commission, Coastal Commission, State Parks, and Department of Fish and Wildlife consider a lease or a permit for a supporting event on lands under their jurisdiction, that there be equal prize compensation regardless of gender.

And again, the origin of the bill is from that lease that the Commission issued, where it did require that as a element that is required in the lease.

We're not aware of any opposition. The bill was heard or I think is about to be heard in Assembly Jobs Committee, and we recommend that the Commission take a support position on the bill.

CHAIRPERSON KOUNALAKIS: Any questions, Commissioners?

Comments?

ACTING COMMISSIONER BAKER: Yeah. I have a couple. You know, the Controller was really involved with the Lands staff in the action on Mavericks, which was a start down the appropriate path. And I have no problem with Lands or Coastal, who are used to taking non-mission critical items and applying other issues to it. They have a process, they have a checklist, they have a way to do it.

I'm more worried about the other two. And I'm worried about -- we're worried about unintended
consequences, you know, how broadly does this cover, what
are the standards? I'm trying -- I try not to talk
about -- you know, somebody on our staff gave me a list of
what could go wrong. I don't really want to go down that
route. But it's a little bit broad in how it's currently
written, not in terms of the mission, but in terms of what
leases does it apply to. You know, and then I would take
a second question, which is, well, why shouldn't it cover,
you know, other events that are on local districts that
have these, you know, volleyball and golf, and all those
kind of events?

So I guess I'd like -- we've gone back and forth
on this. I guess I would like staff to continue to pursue
aggressively with the author and -- about getting some of
this pinned -- pinned downed as this goes through the
process. It's not that we oppose the concept, but -- you
know, we had an experience going through this about how
does it apply, and what does it do, and how do you write
it? And I don't want bad -- we don't want bad unintended
consequences.

So I would like to -- I'd like to move support,
but with direction to staff to try and work out some of
the specifics of this. Otherwise -- and to avoid the
silly season discussion that we got a little bit when we
were doing it, and talk about how to really make this work
in practice, and what does it apply to.

CHAIRPERSON KOUNALAKIS: Any other --

ACTING COMMISSIONER FINN: And again, I'm going
to have to abstain, but not withstanding the merits of the
discussion, so...

CHAIRPERSON KOUNALAKIS: So I'm of the same mind
as Commissioner Yee. I do think that when we start
walking down this path, there can be a lot of unintended
consequences. The intended consequences, of course --

ACTING COMMISSIONER FINN: Sure.

CHAIRPERSON KOUNALAKIS: -- are in a case like
what we saw with Mavericks that our role can actually
contribute in ensuring that women are compensated equally
for sporting events on public lands. That's a wonderful
thing. And I know we're all very proud of our role in
that moving along.

But I also think that when we get into this
question, it can open up a lot of other possible questions
about what goes on on State Lands. And so I also am
inclined to support this, but would also encourage, as
Commissioner Yee has, to have staff stay engaged, and
really ensure that, as a practical matter, the bill will
not have unintended consequences, that it will make us --
make it more difficult to be able to have certainty around
the use of the lands.
EXECUTIVE OFFICER LUCCHESI: Of course. I appreciate that direction. And we will carry that direction out, consistent with your intent in your motion. And we will report back to the Commission at our June meeting.

CHAIRPERSON KOUNALAKIS: Okay. Do we have a motion?

ACTING COMMISSIONER BAKER: So moved.

CHAIRPERSON KOUNALAKIS: I'll second. And roll call.

EXECUTIVE OFFICER LUCCHESI: Yes. Commissioner Finn?

ACTING COMMISSIONER FINN: Abstain.

EXECUTIVE OFFICER LUCCHESI: Commissioner Baker?

ACTING COMMISSIONER BAKER: Yes.

EXECUTIVE OFFICER LUCCHESI: Madam Chair?

CHAIRPERSON KOUNALAKIS: Yes.

EXECUTIVE OFFICER LUCCHESI: Great. It passes 2 to 0 with one abstention.

CHAIRPERSON KOUNALAKIS: Okay. Are we going to hear C39 after?

EXECUTIVE OFFICER LUCCHESI: Yes, after the regular agenda items, yes.

CHAIRPERSON KOUNALAKIS: Okay. So let's move to Item 72. This is an informational presentation by the San.
Joaquin River Conservancy's Executive Officer on the Conservancy's efforts to enhance the San Joaquin River Parkway.

May we have the presentation.

MR. SHELTON: Good afternoon, Chair and Board members. First, I wanted to very much thank you for -- for coming down to visit our area. I wanted to give a little bit of a friendly amendment to Supervisor Frazier's welcome. Madera County is maybe the gateway to Yosemite, but it is also home of the San Joaquin River Parkway.

So the Conservancy has been working on this for a couple decades now. There are people who preceded us. There are several of them in the room with the San Joaquin Trust -- San Joaquin River Conservation -- their name is really long -- Trust.

(Laughter.)

MR. SHELTON: But they've got several of their members here. And they've been doing a great job. They run some of our areas. They've actually purchased some of the areas and managed some of their own. And they have a beautiful river center that would be very worthwhile to take a look at some point.

(Thereupon an overhead presentation was presented as follows.)

MR. SHELTON: So if I can figure out which one of
these I'm working with.

So the Conservancy -- the idea behind the Conservancy is the land between Friant Dam down to Highway 99, along the San Joaquin River on both sides. What will join us together is the multi-use trail. Right now, we've got some pretty good sections I'll refer to as the Eaton Trail.

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MR. SHELTON: I wish we had a lot more. It is one of the areas we're trying to work on. As you can tell, there are several areas in there that are already owned, either by us, by the Department of Fish and Wildlife. There's a little bit that Fresno County has at Lost Lake Park. And then there's some areas that the Conservancy -- or the Trust owns.

But we manage it with all our partnerships together on this stuff. And we take a look at it and try and figure out the best way to work all of this.

The other thing that's out there is we join up next to Millerton, and Millerton is a State Park. And we actually work with the State Park, and they manage part of our lands right at the top. There's a river boat access for canoes and kayaks at, what we call, Friant Cove. And they run that for us, and they actually help us take care of some other small parcels in the area.
MR. SHELTON: So the Eaton Trail itself gets a tremendous amount of use. So most of this is -- right now is on the Fresno County sides. Fresno City helped us put together some early on. We have some area that goes by the River Center that the Trust had put together. Amazing amount of use and all sorts of diversity of use.

MR. SHELTON: We also have a small portion called MacMichael Loop Trail, which is down below Woodward Park on our Jensen property. It connects up with the Eaton Trail, but we get a tremendous amount of pedestrians, including runners and walkers, but bike riders and horses. We do have the multiuse with the Eaton Trail that's for horses, and we get horse riders out there quite a bit.

Woodward Park itself has places for loading and offloading of horses for equestrian rides, and you'll see people out on the horses off and on.

MR. SHELTON: The other thing that the conservancy is very interested in is the ecological values. We've done quite a bit of restoration. One of the things to keep in mind is, and I'm sure you're aware, a lot of our river systems in the San Joaquin Valley and the whole Central Valley have had a lot of use in the
past. In our area, a lot of that use has been gravel
mining, gravel operations.

So we do have a lot of areas that have been quite
disturbed that we're now doing restoration with. But
we've got a lot of remnant pieces in there. We also have
some areas that have never been touched. And within that,
we get quite a bit of bird use. And what I've got
pictured here is some of our raptors. We definitely have
Bald Eagles out there. We have quite a few -- we've got
quite a few places where we have osprey that nest. So
neat stuff.

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MR. SHELTON: The other ecological values, to
make sure we always point out besides the birds, we have
small mammals, including bobcats and raccoons, that go out
and use it. Reptiles, that's a garter snake that is
produced. We don't have the giant garter shake that's
listed. But we do have some very good reptiles or herps,
reptiles and amphibians.

The other thing that's very important to us is we
have the salmon restoration going on. And their main area
that they're working on for spawning habitat is right in
the same area we have. So there is quite a bit of fishery
monitoring. And we've worked with them quite a bit. And
almost all of those projects have also involved State
Lands Commission land, because it's along the river.

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MR. SHELTON: Other ecological values, of course our plants. We have lots of areas where we have some remnant mature riparian and upland with the Oak trees. We have lots of good sycamores, and willows, et cetera. This time of year, it's absolutely beautiful.

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MR. SHELTON: Recreation values. I already talked a little bit about the use of the Eaton Trail. Several different types that we'll get out there. One of the interesting things is we do get an awful lot of fishing going on. And there's a little bit of conflict on the fishing between the salmon restoration and fishing, because we don't want people to be fishing the salmon that are being restored, as we have an experimental population go.

But what we do have within the parkways, we have several old gravel ponds that are now full. So we have a lot of warm water fishery. Sycamore Island that we work with with the Conservation Trust, we actually have planted trout in there for fishing derbies and all. And we hope to do even more of that in the future.

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MR. SHELTON: A tremendous amount of cultural
values. Already mentioned that this was the area that the Yokuts were here for thousands of years. One of the interesting things is we had the Dumna Tribe, or Band of the Yokuts were right in the area of Millerton on down to Woodward Park. They were known to be able to cross the river and get other tribes across. So this is an area that had multiple uses for quite a few of the native folks that were here.

We do, of course, have some cultural areas, where we have grinding holes and other things. But the one picture of the grass, we actually have a Native American native plant garden down on our Jensen properties, where we've got some plants going, and we have Many Lightnings taking care of that for us.

We'd love to be able to expand that. We're still talking about working with it, but then also just incorporating cultural values throughout our area.

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MR. SHELTON: Educational values, I think I actually have a couple of slides on this, because this is an area dear to my heart. We have a tremendous amount of use by area schools and area home school associations that use the river system. Again, the Trust has been very involved with this. We also have Fresno County Office of Education has Scout Island, which is along the river,
where they bring in classes and teachers.

The Trust does quite a bit of work, both at Sycamore Island for Madera County Schools, and at their river center, which is the barn picture. And then also the San Joaquin Hatchery run by California Department of Fish and Wildlife. And they have the Small Fry Trail, which is basically lifestyle -- lifecycle of the salmon in toys. So there are bobbers that you can go for a swing on, if you're a 5-, 8-year old and stuff.

But they also do a once-a-year event there, where they invite folks in, and that's the picture of the kids playing with the fish.

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MR. SHELTON: Aesthetics values. There are some very beautiful areas along the river. And this is one of the things that I'm trying to figure out how to measure, how to work on is the enjoyment that people get. Being outside helps the well-being of the person who's there. With Many Lightnings have gone down there with Laura Wass. She will tell people when they first enter the gardens, the first thing to stop and greet the area and greet the ancestors and all.

And she says it's just something that makes you feel better, that connection. She actually works in rehab for her real life, where she gets paid to really do
something where she can make a living on. And the work she does at Many Lightnings is real important for her, but not financially. You know, we can pay her a little bit, not a whole lot. But the idea of connecting to nature I think is huge.

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MR. SHELTON: And again, we have many different types of ways we can look at this. But one of the things I've been amazed at, as I've been out both on the multi-use, trail but also on our smaller trails, is the amount of pictures that get taken. We have professional photographers that use our little Wildwood Park.

This picture right here, it's a little hard to see, by the Fresno area is home to a very large Southeast Asian population. A big chunk of that is Hmong. This is a little girl in her native costume getting a picture from, what I'm also positive, was her dad. I didn't want to interrupt them, because it looked like a good father-daughter sort of deal.

That little dog coming up on him is not theirs. There was another group that was walking by. But she was just adorable.

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MR. SHELTON: The other things is we do have some areas where you can just sit and enjoy. The Art of Life
Healing Garden is not part of the Conservancy that we put together, but it's part of Woodward Park, and it joins right up next to -- it's on the Eaton Trail and above the MacMichael Trail. A tremendous amount of use. Very good that -- the bench is one of the areas that you can sit and enjoy. And then in the background is one of the newest parts of our trail, which is up by the San Joaquin Hatchery. And unfortunately right now, it's closed up because of some construction going on at the hatchery, but we hope to open it soon.

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MR. SHELTON: So I do have a listing of all the different land that we have out there that we've purchased along the way. Basically, the bottom line is that we've got -- there's actually about 3,000 -- a little over 3,400 acres of State Land and Parkway Trust Land that you put out there. There's about 2,500, 2,600 that the Conservancy has been a main part of.

Again, we work with all our partners to manage this stuff. So sometimes the public doesn't understand who bought it. They just know it's there, which I think is a good thing.

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MR. SHELTON: And these are some of the current projects we have going on. And that's there for
information for later. I don't have -- don't have enough
time to go through them all. But we do have things that
are active right now, that are happening. Quite a few of
those are restoration that are happening. I took a trip
this morning for some restoration projects.

And then we have a few other projects that are
set up and ready to go, and some that the Board has
already given their blessing to, and we just need to be
able to make a move on.

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MR. SHELTON: So with that, any questions or
comments? I do want to mention we have quite a few of my
board in here. So Karen is one of my board members,
Santos, and Brett, and Jennifer. So, yeah, so they may
have answers too, because I've only been here since
November. So several of them have been here longer. So
Santos Garcia and me are both newbies to this. But he's
been out. I've taken him out three or four times. You've
been out at least two or three times with others, so...

CHAIRPERSON KOUNALAKIS: Thank you. Thank you so
much for that great presentation for coming down for all
the board members to be here as well. Do we have
questions, comments from the Commissioners?

ACTING COMMISSIONER BAKER: I want to applaud the
effort. I was around when this was created 20-some years
ago working in the Resources part of the budget in the Legislature. And I've watched you go through up and downs. And I hope we're on an upswing, because I watched a lot of money go to coastal projects. And this was really big one for the Central Valley.

And so we're really glad that this continues to rise and go forward. And I also -- I want to thank Jennifer who -- for whom I think is occasionally a challenge to come down here and go to your meetings and participate, but who has elevated it to she is the one who goes. And that shows State Lands Commission, I think, commitment to seeing if we can get on board with that. So just wanted to share that.

MR. SHELTON: Thank you.

CHAIRPERSON KOUNALAKIS: Thank you. Thank you, Commissioner Baker and thanks for giving us that historical context.

You know, I just think that one of the things, there's just a rising recognition is that, of course, we have to conserve sensitive habitat. But if we -- if we fence it off from people and not give, especially our kids, an opportunity to get out in nature, we're really doing a disservice to our societies. Because, let's face it, more and more of us are living in a very built environment.
And there's a wonderful book from, gosh now over 10 years ago, called the Last Child in the Woods by Richard Louv if you -- yeah. And it just goes into great detail about the psychological impacts of people not having that ability to go out into something that feels like the wild, right, more than just a landscaped environment, but somewhere where, you know, it really has that sense of beauty and freedom of really a preserve like this.

And so what a wonderful project. 2,500 acres is that about what it is?

MR. SHELTON: That's how much we have. We have a little over 3,000 when we include the Trust, and the City, and the County's lands that are out there.

CHAIRPERSON KOUNALAKIS: 3,000. That's just absolutely immense, and so incredibly important. So thank you for your stewardship. Thank you very much for presenting. And I'd like to move to public comment. We have a few people who'd like to speak on this issue.

First, I have Sharon Weaver, Executive Director of the San Joaquin River Parkway and Conservation Trust. And then just so people are ready, I have Tom Bohigian and Julia O'Kane. And then I believe Brant McCafrey wants to speak on this issue now and not in public comment.
Okay. Yes. Hello.

MS. WEAVER: Thank you. Again, my name is Sharon Weaver. I serve as Executive Director of the San Joaquin River Parkway and Conservation Trust. We do have a long name. We've been around for a while. Thirty-one years is we're at now. So we were around a few years before the Conservancy was formed, and we're happy to support that effort. And I just want to thank you all for choosing to meet here in Madera County. I'm a new Maderan myself. I live just a few miles down the road here.

And I want to echo the comments just thanking Jennifer for serving on the Board herself with the Conservancy board, and, of course, Ms. Finn in your role with the Department of Finance.

So our role as a nonprofit is that we're sort of the public face of the parkway. And I appreciated, Madam Chair, your comments about the importance of connecting people. There's a quote by Peter Forbes here that says, "To be truly meaningful and enduring, the work of conservation must be grounded not just in legal statutes, but in people's hearts, minds, and everyday choices".

And that's the work that we are -- we are doing every day out at the River Center, which is where our headquarters is located. And that's a public facility that includes an 1890's ranch house that's restored. It
includes a children's trail around a former gravel mining pit, where kids can experience what it's like to be a mouse, or to be a baby owl, in larger-than-life animal homes.

This morning, shortly after I drove into work, I heard a couple of school buses rumbling down the driveway. And they burst out with 96 second graders that were coming out for a field trip at the River Center. Right after they arrived, we had another school bus, which was preschool students coming out to do our Pond Pals curriculum, and learn about the frogs, and the fish, and all the wonderful creatures that live in the water.

And then a little later in the morning, we had a van drive up from United Cerebral Palsy of Central California bringing their daycare folks out for a picnic out at the River Center.

So those are just some of the activities we're involved with trying to help make that heart connect for the people in the valley, so that they will recognize the importance of conserving our public lands and our river ways.

So thank you again for meeting here today. And I want to thank John for his presentation, and the partnership that we have together.

CHAIRPERSON KOUNALAKIS: Thank you very much.
Tom Bohigian.

MR. BOHIGIAN: First of all, I want to welcome you and say how great it is to have the Commission here. This is -- this is fantastic. And I want to join the comments that have been made about Jennifer and also about Commissioner Finn. These are people who are not only asking the right questions, but they're shining a light in places that are really needed.

I'm a life-long resident of Fresno. This river has always been in my backyard. I live like maybe 10 minutes from it. I and my late wife had the opportunity and have always had the opportunity to go to the mountains a lot, to go to the coast, able to travel other parts of the world.

And this river, which is so close to us, is something that is so often over -- overlooked. And it's one thing when it's overlooked by somebody like me. But when you are from a place like Fresno and the Central Valley, which is an extraordinarily diverse place, as you know, we have families and we have children, tens of thousands, who don't have the opportunities that say I have, and that is why this parkway is so very, very important.

Because the fact of the matter is this is the second largest river in California. It's been dammed.
It's been mined. It's been diverted. And all of that is part of our history. It's also been dumped. This is -- these are some of the issues that you deal with on the Conservancy.

And now it's time, and we would like to see, I would like to see, an escalation and an acceleration of the efforts -- the good efforts that have been made to restore this property, these properties, and also to bring people down to the river so they can enjoy their river. This river is not owned by the people in one neighborhood, or in one city, or in one county, or another. This is the land that is owned by the People of California, all of us.

And I look at it that same way when I go to a property that's owned by the State on the coast, or at Lake Tahoe, some place like that. I'm grateful for this. And I want you to know how important the work is that you're doing in conjunction with private sector people and what-have-you.

But we really need continued attention and focus, because a lot is at stake, and it will determine the kind of place that we evolve into going forward, because all those kids are some day going to be my age. And in what we do for them between now and then is going to determine the kind of citizens and residents they are.

So I thank you again for being here, and we look
forward to seeing progress go forward. Have a great weekend.

CHAIRPERSON KOUNALAKIS: Thank you. Thank you.

Next we have Julia O'Kane a member of the Board of the San Joaquin River Parkway and Conservation Trust.

MS. O'KANE: Good afternoon. I'm Julia O'Kane. And I'm a resident of Madera County. I'm not a life-long resident. I'm actually from the city and from Oakland, as a matter fact. And so I really appreciate what it is like to be in a smaller town and have access to the outdoors and the river like we do here.

My profession was education. And I retired as a superintendent in Madera Unified School District, so it's home to me as well here.

I just wanted to speak a couple of minutes about the -- what we're doing with our students from the valley who get to go out to the river. About 30 years ago, I suppose, I had the opportunity as Assistant Superintendent in Madera Unified to help develop a program where we set up a field trip program for students from Fresno County, Fresno, Clovis, and Madera to send our students out to the river for field trip experiences.

I thought that was important, because students don't learn so well in the classroom what they can learn when they touch, and feel, and experience.
And doubly, a lot of our kids here in Madera are poor kids, and their families don't get to go to fancy places, and parks, and -- out of the area, and take their kids out to experience a lot on their own. And so I thought if we could give them the opportunity to get them out, and to see what's available to them in the area, then their families would be more likely to continue to take them out.

So we started our program. And then, of course, you know, other things happen in education, funding, and, you know, things. And so the program kind of died off. And about -- I guess it's been about 10 years ago now, we contacted Madera Unified School District and said, you know, your students can't afford to go to 6th grade camp for a week, but would you like to have them have an outdoor experience?

They jumped on it. They set up a field trip for every 6th grade student in the district, which is about 1,500 students. They have three experiences. Professionals from the river come out to their classrooms for the first experience, the second and the third experience is they go out to the river. And what they're learning is tied to the State core curriculum. So when they're studying where a river is, it's why civilizations developed along a river, what kind of resources are there,
how many times the water is used in the river, the kind of thing that these students need to know to be great citizens and adults in our world.

And so this river has given us just a gold mine of opportunity for educating kids. And the spin-off is now that those kids are going home and telling their parents about this great thing they can do. And so now, they're going out to Sycamore Island on the weekends and teaching -- you know, they're fishing, and swimming, and canoeing and all of that. And they're coming out to the River Center and bringing the little kids. And now we're getting much more interest and involvement in the river.

So it's a gold mine for us. We really thank you for doing what you can as stewards of our land to make sure that we continue to have this resource here.

Thank you very much.

CHAIRPERSON KOUNALAKIS: Thank you.

Thank you very much. And unless there's no other speaker on this, our last speaker is Brent McCaffrey, the president of the Tesoro Viejo River Conservancy project.

MR. McCAFFREY: Good afternoon, Madam Chairman members of the Commission. I'm Brent McCaffrey. I'm actually here on behalf of the River Conservancy of Tesoro Viejo.

Before I start, I'd like to just say for a
moment, we have a group of Fresno State students from their urban class here, and we've been using Tesoro Viejo as a case study for them. So they're here hearing a lot about what's going on here today.

Tesoro Viejo is a new master planned community in the southeastern Madera County and it has a unique natural landscape. We have 400 acres that's dedicated to parks, open space, preserved land, and about 15 miles of trails. We've taken great strides and opportunities -- excuse me -- and opportunities for our residents and visitors to interact with the natural beauty, including the San Joaquin River.

It is clear that we have a lot of work to do in the region to increase space and approve access to our region as the most coveted natural resource, the San Joaquin River. The San Joaquin River is literally in Tesoro Viejo's backyard. With miles of trails and residents -- excuse me. With miles of trails, residents can enjoy walking and biking trails at the edge of the river.

We have been working closely with the San Joaquin River Conservancy and are about to begin direct communication with State Lands Commission to collaborate on river access on both the Madera County and Fresno County sides. The public trail system would open up the
San Joaquin River's Conservancy's Ball Ranch and Ledger Island. And if I understood Mr. Schultz's[SIC] report correctly, I believe that's about 423 acres of a regional park that we could bring to life in reality today.

We anticipate -- excuse me, as you know, Ledger Island and Ball Ranch were among the first properties acquired by the San Joaquin River Parkway, but have remained closed to the general public for these years due to a lack of resources and operation and maintenance. I'm pleased to share that we are working on a model that will provide long-term implementation, operation, maintenance of the parkway, through the use, support, and stewardship of the local community.

The funding source that keeps the trails along the river clean and safe would come from a small transfer fee from the sale of the homes within the Tesoro Viejo community. The funds that will be used for ongoing and future maintenance, development of regional trails within then adjacent -- within and adjacent to Tesoro Viejo.

I'd like to be clear, we have no interest in building homes along the San Joaquin River. We simply want what most of the other speakers said before me. We want to create public access for everybody to the San Joaquin River. Sustainable life-long stewardship to these public lands so that the residents of Fresno and Madera
counties, along with our children and our children's children may have access to these natural resources.

With that, I thank you for your leadership, and we look forward to working with you.

CHAIRPERSON KOUNALAKIS: Thank you very much. Thank you. So there's no action on this. So I'm going to move on to Item 73. It is an informational update on efforts to achieve meaningful public access to the coast at Hollister Ranch. May we have the presentation.

EXECUTIVE OFFICER LUCCHESI: Yes. I will provide a brief opening and then I'm going to turn it over to Joe Porter and Phil Schlatter who will walk through the most exciting part of this presentation, which is our -- the results from our mean high tide line survey and our drone footage.

So just to step back a bit and give a little context on why we're here now. Last year, the California Coastal Commission, when wrestling with issues of public access at Hollister Ranch, they formally asked the State Lands Commission, through a letter, to work with them and others to figure out a way to achieve meaningful public access to the coast and tidelands at Hollister Ranch.

So that happened about six or seven months ago. One of the first things that we can do is to determine
where the mean high tide line is along the coast there, which then helps inform where the boundaries are between State tidelands and private uplands.

So as part of that, about six months ago, we started planning for that mean high tide line survey. And we'll talk a little bit more about the results from that in a bit.

Around the same time, the -- Assembly Member Limón authored a bill to do a number of things to help facilitate public access at Hollister Ranch. That bill ended up being vetoed by the then Governor. But his veto message was really informative and substantive in terms of providing direction to the various agencies that would have some influence and expertise in achieving public access.

He said in his veto message that this bill relies on the implementation of a coastal access program adopted in 1982. It is now outdated. And he asked that the State agencies that have the expertise in this area to work together to craft a sensible and fiscally responsible plan.

And so that really positioned the State Lands Commission, the Coastal Commission, the State Coastal Conservancy, and the State -- and State Parks to start working together in a very collaborative and deliberative
way to reevaluate and look at a new contemporary public access program at Hollister Ranch.

So in furtherance of that, we entered into really an unprecedented MOU between our four agencies, which can be found on all of our websites, and there's a link in the staff report. And that really sets out the framework for how we're going to work together, communicate, and collaborate on developing this contemporary public access program.

It also really focuses a lot on public outreach, and ensuring that we -- we solicit and really facilitate the public's input on how they see their experiences -- public access experiences at Hollister Ranch. And it also -- as part of this effort, we really focused on, too, how we were going to engage responsibly with the property owners at Hollister Ranch.

Towards that end, the four directors of these agencies, myself, Jack Ainsworth with the Coastal Commission, Sam Schuchat with the State Coastal Conservancy, and Lisa Mangat with State Parks, along with the Chair of the Coastal Commission, Dayna Bochco just conducted a site visit with the property owners last week. And that was a really productive conversation and site visit to really get to know that site a little bit better. It's amazing.
And there's a lot of opportunity there to share those experiences and those resources in a responsible manner.

So in addition, as part of the collaboration agreement, the State Coastal Conservancy is embarking on a request for proposal to -- proposals to solicit a facilitator to help us map out a public outreach plan. So that RFP is out now. Hopefully, we're getting responses to that, and we can bring on a facilitator fairly quickly with the goal of trying to start public outreach sessions in June -- in June or July.

So we're working towards that as well. And then in addition to that, Assembly Member Limón is -- has introduced a new bill this session to both encourage the State Lands -- the State agencies to work deliberatively and efficiently towards the development of a public access program, as well as other elements to that bill. And we're working closely with her as -- along with the other State agencies as that bill moves forward.

With all of that going on, our professionals back in the State Lands Commission offices were hard at work at not just conducting the mean high tide line survey over a number of weeks in December and January, but we were also out there with our drone conducting -- gathering aerial images to help support that mean high tide line survey.
And so without further ado, I do want to turn it over to our Senior Boundary Surveyor Joe Porter, who will walk through the results of that mean high tide line survey. And from there, Phil will get up and show -- talk through the drone imagery, which I'm very excited to show you, and to show those who may be watching on the webcast, and of course those in the audience.

So with that, I'll turn it over to Joe.

(Thereupon an overhead presentation was Presented as follows.)

SENIOR BOUNDARY DETERMINATION OFFICER PORTER:

Good afternoon, Madam Chair and Commissioners.

My name is Joseph Porter. And I'm a Senior Boundary Determination Officer and licensed land surveyor with the California State Lands Commission. I'm here today to provide a brief overview of the mean high tide line survey that was performed between December 5th, 2018 and March 18th, 2019 in the Hollister Ranch vicinity.

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SENIOR BOUNDARY DETERMINATION OFFICER PORTER: On the screen is a cover sheet of a 24-sheet plat that I've prepared to depict the results of the mean high tide line survey. This cover sheet includes a sheet layout area that depicts the approximate eight and a half miles of mean high tide line that was surveyed and depicts which
individual sheets to reference for a specific area.

Would you please zoom in?

AGP VIDEO: You want me to zoom in?

SENIOR BOUNDARY DETERMINATION OFFICER PORTER:
Yes, please.

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SENIOR BOUNDARY DETERMINATION OFFICER PORTER:
There we go. So that's the zoomed in area of the sheet layer of sheet 1. You can see the Drake's Beach access, Sacate Beach access. And at the easterly end is -- to the east of the surveyed area is Gaviota State Park.

Can we go back to the big one.

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SENIOR BOUNDARY DETERMINATION OFFICER PORTER: So in order to locate the mean high tide line on the ground and to prepare a mean high tide line plat like this, a surveyor starts by determining the elevation at which to survey the mean high tide line. This information can be gathered by NOAA the National Oceanic and Atmospheric Administration.

NOAA maintains tide gauge stations along the coast and calculates what is referred to as a mean high water elevation and at a particular tide station. Mean high water is a mean or mathematical average of all high
water elevations over a period of 18.6 years, which is referred to as a tidal epoch. The current tidal epoch is from 1983 to 2001.

Near the Hollister Ranch property, NOAA maintains a tidal station titled Gaviota State Park, which has a station ID of 9411399. Based on this tide station, the mean high water elevation was calculated to be 4.46 feet and NAVD 88, which stand for North American Vertical Datum of 1988.

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SENIOR BOUNDARY DETERMINATION OFFICER PORTER: So my next slide depicts the mean high tide line where it meets the shoreline. So once the mean high water elevation is determined, a meander of the mean high tide line, which is defined as the intersection of the mean high water with the shoreline is able to be surveyed on the ground. So this slide I have up on the board depicts an example of a cross-section view of the beach. The mean high tide line is the point on the shoreline where the vertical component, the mean high water elevation, meets the shoreline.

Due to sand being deposited and washed away by nature, the beach profile changes with time. So the point where the mean high water elevation means the shoreline changes too. And the mean high tide line is an ambulatory
or fluctuating line. Essentially, the location of a mean high tide line is as of the date of the survey, and likely changes from day to day and season to season.

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SENIOR BOUNDARY DETERMINATION OFFICER PORTER:
This next slide is one of the sheets of the plat. This is sheet 16. So this sheet 16 of the mean high tide line plat depicts an example of a large mean high tide line migration between the end of December and the end of January.

Would you please zoom in there.

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SENIOR BOUNDARY DETERMINATION OFFICER PORTER: On the zoomed-in area between stations 357 and 358, 357 was the end of December survey, and 358 was the beginning of January 2019 survey. And at that same location perpendicular to the beach, there's a -- the mean high tide line migrated approximately 60 feet in that one month.

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SENIOR BOUNDARY DETERMINATION OFFICER PORTER: So along with the location of the mean high tide line being depicted on these plats, the background imagery is aerial photography obtained by State Lands staff using unmanned aerial vehicles.
This concludes my portion of the presentation.

And now Phil Schlatter will talk about the imagery obtained through the unmanned aerial vehicles.

GIS COORDINATOR SCHLATTER: Good afternoon, Madam Chair and Commissioners. My name is Phil Schlatter. I'm the GIS Coordinator for State Lands Commission. Before we jump into the data, I wanted to give a little bit of background on our drone operations. The GIS Unit has been conducting unmanned aerial operations since October of 2016.

Both Chris Packer, a GIS analyst with the Commission, and myself conducted the Hollister Ranch flights in accordance with the FAA's Commercial Operations, known as Part 107. And we each hold FAA remote pilot certifications.

This operation consisted over -- of 31 flights over two separate weeks with the goal of providing an unmanned aerial survey in support of the Boundary Unit's larger survey effort.

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GIS COORDINATOR SCHLATTER: Roughly 3,000 images were collected by the Commission's unmanned aircraft system during the visits to Hollister Ranch in December and January.

Images are in and of themselves valuable for
understanding the local conditions, as they are high
resolution shots taken 400 feet above ground level. The
current slide shows a photo of one of the seawalls in the
area.

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GIS COORDINATOR SCHLATTER: As you zoom in to the
image detail, in this slide you can see more detail from
zooming in to the photo that was just shown. The seawall
has been compromised and erosion is occurring on the bluff
behind it.

Utilizing special software called Drone2Map, we
input the individual photos and GPS ground control points
provided by the boundary team and process them to create
data products.

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GIS COORDINATOR SCHLATTER: Here, you can see a
mosaic of many of the images. Roughly 40 images were
stitched together to produce this individual section.

Mosaics can be used to gather survey -- mosaics
can be used with gathered survey data to provide
additional context about the area, particularly the
on-the-ground conditions at the time of the survey. The
mosaics can also be used -- used for measurements from the
survey line to other features in the area.

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GIS COORDINATOR SCHLATTER: Using the Drone2Map software mentioned from the previous slide, we were also able to generate 3-D models. The displayed animation shows various access points along the beach. And here is that animation.

(Thereupon the slide showed the animation.)

GIS COORDINATOR SCHLATTER: So we've created these animations for each of the access points in the Hollister Ranch area.

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GIS COORDINATOR SCHLATTER: We can also overlay the mean high tide line with these 3-D models. And this model -- this model here shores a -- shows a portion of the beach the preliminary mean high tide line overlaid on top. It really does provide a sense of scale on those bluffs there. And you can see the railroad right there as well.

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GIS COORDINATOR SCHLATTER: Lastly, the GIS unit captured a limited amount of video at several points along the beach. This provides a brief overview of the project area, as well as the scale of this particular project.

And here is that video.

(Thereupon a video was played.)

GIS COORDINATOR SCHLATTER: All right. Thank
you. And Joe and I are here to answer any questions you may have.

Thanks.

CHAIRPERSON KOUNALAKIS: Well, that was just absolutely stunning to see that. You know, you have this image -- at least I've had this image in mind having heard about how beautiful it is and how untouched it is, but to have that perspective and to be able to see it that way, accompanied with some very soothing music, I might add.

(Laughter.)

CHAIRPERSON KOUNALAKIS: No, really just stunning, just beautiful. So, look, staff has its work cut out for you. Jennifer, you're going to have quite a process. It's great to hear that a facilitator is being brought in. When you have such a treasurer, you're going to have a lot of people with an emotional stake in it, and other kinds of interest as well. So the stakeholders are going to, I'm sure, be, you know, really committed to this process. So -- but what a great way to start for us to have an image like that. Would the other Commissioners like to make some comments.

ACTING COMMISSIONER BAKER: The -- first, I want to thank Jennifer and the staff. I am -- I scared some person on your staff I think about two months ago when we were down there and told him how --
EXECUTIVE OFFICER LUCCHESI: I think it was Joe.

ACTING COMMISSIONER BAKER: The look in his face as, you know, it went on and on was not good. But this was a political problem. It was for 36 years we can't have access. We've given up. And one of the things that helped turn it around was this Commission sitting here six months ago saying, yes, we'll put the money in to go do this survey. Yes, we'll go collect data to begin the conversation.

And Jennifer called me and giggles and said wait until you see, you know, the drone footage. And I would agree that's -- that's true. But, yes, it's a long road ahead, but we have turned the corner in a way that I think is really, really important.

And I think that this is a case where State Lands was not the main agency. State Lands was not the -- and yet, there are moments where we felt like we're like the little tail on the dog as we're whipping everybody around.

But Jennifer has provided incredible leadership, and for which I am really, really grateful in a situation that people have just set it's just too difficult to do, and it's not. It's the last eight and a half miles of the California coast for which there is no public access. That needs to get fixed.

But I have one question, what is the
difference -- what do I take away from a 60-feet swing in
the mean high tide line? What am I supposed -- you know,
this is the technical thing. What am I supposed to learn
from that and what is the practical application of that?

EXECUTIVE OFFICER LUCCHESI: Well, I think the
message to take away from that is that the coast is
incredibly dynamic. And you really see that through a
survey like you just saw, and the movement of that mean
high tide line within such a short period of time. We're
talking weeks.

ACTING COMMISSIONER BAKER: Right.

EXECUTIVE OFFICER LUCCHESI: And that's really --
it's also, I think, important from an educational
standpoint.

ACTING COMMISSIONER BAKER: Um-hmm.

EXECUTIVE OFFICER LUCCHESI: The State Lands
Commission's ownership and jurisdiction, generally
speaking, along the coast is -- is the ordinary high water
mark as measured by the mean high tide line. And that's
with the exceptions, unless there's been fill or
artificial accretion, that sort of thing.

So in a lot of different places along the coast,
the boundary between State property and private uplands is
a moving boundary and that's very different than how we
normally think about properties, and legal descriptions,
and ownership of land, right? We're used to owning kind
of four corners of property and it's bound by a legal
description. And everybody knows very clearly what
that -- where those boundaries are. That's not the case
for the open coast where there hasn't been any filling or
artificial accretion. It's a moving boundary.

And so -- and that movement can be quite great at
times, especially between different seasons, between the
spring and the summer, between the summer and the fall,
and obviously between the fall and the winter.

And so I think the more we have the opportunity
to share that kind of information and education, it helps
just advance the conversation, especially as we look
towards, you know, separate from Hollister Ranch, just
generally coastal management, sea level rise and climate
change, how we adapt and develop resiliency measures to
deal with sea level rise. Do we armor with protective
structures or do we do other kinds of adaptation measures.

And so the issue of where the State's ownership
is and where that mean high tide line boundary is integral
to having a meaningful conversation, and advancing policy
and practice in -- to deal with sea level rise and climate
change.

So that's -- that's what we hoped kind of the
broader picture of what folks would take away from that
particular slide. And just from those of us that work in this area of practice and the law, it's just -- it's incredible to -- we know that academically that that happens. It's always incredibly interesting and shocking, when we see it on the ground happen like that in such a short period of time. So those are the messages I would suggest taking away from that picture.

ACTING COMMISSIONER BAKER: Thank you.

CHAIRPERSON KOUNALAKIS: Commissioner Finn.

ACTING COMMISSIONER FINN: Yeah. Just again, thank you for all this. This -- that flyover was incredibly educating. And I had a chance to talk with the Director of Parks after your visit -- was it last week or the week before? Anyways.

She echoed everything you said. And it was just, as she said, mind-boggling how there's a -- everybody has this perception of what this looks like. And it does not meet anybody's perception. But she also commented on a couple things is how difficult it was to get there, I guess, crossing all of this private land, and then just how remote obviously it is.

And so she's, in her mind, thinking, I mean, you know, challenges of operations, monitoring, safety, you know, as you all go forward with your discussions. And hopefully, something like this can help educate the public
too to see -- that hopefully you can use in your public meetings, because they have to have a sense of how difficult it is to get there, you know, so --

EXECUTIVE OFFICER LUCCHESI: Right. I will just -- if I may respond really quickly to that. I think in terms of some of the things that Director Mangat talked about, I think that's what is so great about the collaboration between the four agencies, because we all bring different experiences and expertise, both technical and policy. You know, State Parks really brings kind of that operations perspective to things. You know, it's one thing to develop a program, and go through and develop the plan, and implement it, but then who's going to operate it and maintain it.

And equally, Coastal Conservancy and Coastal Commission bring their expertise to this endeavor. And so I really think we have a great team -- a great State team combined to do this work. And I will say the big -- you know, a big piece of this is not -- is the public, the general public, and understanding how they want to experience the site, and access the site, given the amazing and preserved natural resources out there and cultural resources, and the active cattle grazing operation going on out there, but also working really closely and productively with the property owners.
I will say, this was my second site visit out. I was able to join Commissioner Baker and Controller Yee about a month or so ago also for a site visit and to meet with the property owners. And while I am new to the issue of public access at Hollister Ranch - I don't have that 30 plus history - I was very pleased with how open to the discussion the property owners' representatives were and have been.

And so I'm -- I will say I'm an optimistic person anyways, but I am -- I'm optimistic that a meaningful discussion can be had. You know, there's -- that's not to say there aren't going to be challenges, and this isn't an easy thing to pursue, but I am -- I'm optimistic about the openness and willingness to have a discussion.

CHAIRPERSON KOUNALAKIS: Commissioner Baker.

ACTING COMMISSIONER BAKER: Yeah. Somebody who came back from that visit made a -- and it may have been Jennifer said to me this property is slightly almost untouched. It's not had all the other pressures we've seen. So it is really like looking back 40 years in history or longer and saying how do we create access to that without ruining it? You know, how do we find a way to share what we have here through programs and other things, so that everybody is -- you know, disadvantaged school kids in Ventura and Santa Barbara. You know, how
do we make this -- make this real?

I mean, in a funny way, we've been left with a gem that, you know, might not have happened otherwise. And we need to be careful. We need a plan for the 21st Century, so that -- so that we don't degrade it while we're, you know, providing access.

CHAIRPERSON KOUNALAKIS: I think that's -- yes. All right. Is there anyone from the public who would like to speak on this issue. I don't have a speaker's slip for you.

MR. MADDEN: I just went out.

CHAIRPERSON KOUNALAKIS: Oh, okay. Please say your name and your organization, if you will. Thank you.

MS. MADDEN: Hi. My name is Alison Madden. And I didn't realize that the ambulatory doctrine would be brought up. And so I went out there and asked if I could fill out a public comment slip. And it's just something that I want to contribute. It's not in opposition.

And it's funny. You know, I don't want to be a stick in the mud. And that's -- in the bay, a stick in the mud is fill, as you know, under the BCDC. And -- but I do want to speak on this. And I think it's interesting. And there are already private property, you know, think tanks and groups that are very much on this. And it's not that I oppose the concept of the ambulatory doctrine.
But what it is is this is rising tides are going
to overflow very long-held private tidal land. And the
way in which this is interpreted can and will be viewed by
these private property organizations as a taking and
potentially a regulatory taking.

And the concept of the Public Trust when every
State joined the union - under federal law, it's the Equal
Footing Doctrine, Pollard's Lessee, the Arkansas Swamp
Act, et cetera - is that the people -- the sovereign title
is mean high tide in 1850, which is why this very much is
a question as to whether the jurisdiction really does, you
know, get granted to the State Lands Commission with that
ambulatory change.

And me personally, you know, I support you having
the jurisdiction. But it's very much -- I think this will
be decided by the California Supreme Court or the United
States Supreme Court or both, because this applies all
over the United States, every bay, every creek. Every
everything that is water is going to rise and overflow
private title. And so it's far more complex than just
assuming that it happens and that it is what it is.

And so I just felt really compelled as an
attorney and one that is very knowledgeable in this area.
You know, to comment and just to say it's going to be a
huge impact. Some insurance is going to cover, but not
everybody. And a lot of people with homes on this land that is subject to overflow, including condos or private, you know, single stand-alone family homes. That's going to be overflowed. And so then what do you do with the concept of the residential use on Public Trust for somebody that has had this in their family for decades.

So it's very complex. I just wanted to kind of put my two cents in. I didn't know it was going to be on the agenda, but I couldn't just sit there and not say anything.

CHAIRPERSON KOUNALAKIS: Nobody doubts the complexity of this.

Jennifer, would you like to comment.

EXECUTIVE OFFICER LUCCHESI: Just briefly. Ms. Madden and I may disagree on the interpretation of the law over hundreds of years, but I don't disagree with her about the complex -- complexities associated with water boundaries, sea level rise, climate change, and the challenges that face the State moving forward.

CHAIRPERSON KOUNALAKIS: Yeah. And I guess I would just add, and I'm not a lawyer, but I do represent the people of the State of California, and as a California citizen, I grew up with an awareness and understanding that we, under our Constitution, have the right -- the public has a right to access all of our beaches.
So this is where we start the discussion. I know the facilitator is -- you're looking for one and I hope we'll have that established. And very hopeful that we'll have a process that will be collaborative, and as Commissioner Baker said, be able to find that common ground.

Any other comments?

All right. All right. Ms. Lucchesi, what is the next order of business.

EXECUTIVE OFFICER LUCCHESI: The next order of business is to consider staff report C 39, which was pulled from the consent agenda. And I will turn it over to our Land Management Specialist Marlene to give a staff presentation.

(Thereupon an overhead presentation was presented as follows.)

PUBLIC LAND MANAGEMENT SPECIALIST SCHROEDER:

Good afternoon Chairman Kounalakis and members of the Commission. My name is Marlene Schroeder and I'm a Public Land Management Specialist in the Commission's Land Management Division. I am here to present information on Item C 39.

The item is for a new general lease, public agency use with San Joaquin Area Flood Control Agency. In the interests of time I will say "the applicant". The
The applicant is applying for the construction, use, and maintenance of a fixed wall and gate structure adjacent to the San Joaquin Deep Water Channel near Stockton in the historic bed of the San Joaquin River and Smith Canal.

The Smith Canal is a backwater slough of the Sacramento, San Joaquin River delta adjacent to the San Joaquin River across from the Rough and Ready Island in the Port of Stockton.

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PUBLIC LAND MANAGEMENT SPECIALIST SCHROEDER: The lease exhibit shows the historic channel of the San Joaquin River, the proposed floodgate, structures identified as unit A, sovereign land, or lease area Exhibit A1 and Exhibit A2.

Exhibit A2 identifies a small fraction of Dad's Point that falls within the Commission's jurisdiction.

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PUBLIC LAND MANAGEMENT SPECIALIST SCHROEDER: A little bit of background. In 2009, the Federal Emergency Management Agency, or FEMA, revoked the accreditation of the levees surrounding Smith Canal. The applicant explored options for restoring FEMA accreditation to the Smith Canal area. Several alternatives were ultimately evaluated in the Environmental Impact Report, including in-place rehabilitation of the existing levees.
However, as detailed in the EIR, rehabilitation of the levees was determined to be economically infeasible and have greater environmental impacts compared to the other alternatives considered. The applicant concluded the environmentally superior and most cost effective alternative would be constructing the proposed project, which is a flood wall and gate structure at the mouth of the Smith Canal.

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PUBLIC LAND MANAGEMENT SPECIALIST SCHROEDER:

This slide gives a graphic perspective of the approximate flood depths in the 100-year floodplain. The purple coloring represents a flood depth of two to four feet. The red coloring has a flood depth of 10 to 12 feet. The proposed project will remove the reclamation district areas adjacent to the Smith Canal from the 100-year floodplain, and meet FEMA's minimum acceptable level of performance of withstanding a 100-year flood, which is regulatory standard specified by the National Flood Insurance Program.

A 100-year flood is a flood event with a one percent chance of taking place any given year, over a 100-year span. The applicant's proposed fixed wall and gate structure will be built above and beyond FEMA's 100-year requirement to provide a minimum 200-year level
of performance, as required in California's Central Valley Flood Protection Plan.

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PUBLIC LAND MANAGEMENT SPECIALIST SCHROEDER: The proposed project more specifically will be con-- will be to construct a cellular sheet pile wall consisting of interlocking flat-web steel sheet piles that will driven in a curved cellular design. The fixed wall will extend approximately 800 feet into the San Joaquin River at the mouth of the Smith Canal, and will include a 50-foot wide gate structure up to 8,650 cubic yards of material will be dredged for installation with fixed wall and gate structure.

The dredged material will be deposited at U.S. Army Corps of Engineers approved disposal sites or at approved beneficial upland use sites.

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PUBLIC LAND MANAGEMENT SPECIALIST SCHROEDER: During high flow and tide events, the gate structure will isolate Smith Canal from the San Joaquin River, and allow existing levees to function as a secondary flood risk reduction measure. Construction of the fixed wall and its use as a flood protection structure will require the banks upstream and downstream of the site to also meet the minimum elevation of 15 feet necessary to
achieve a 200-year level of protection.

The downstream banks adjacent to the Stockton Golf and Country Club already meet this elevation requirement. However, several areas along Dad's Point upstream of the proposed wall do not meet the elevation requirement, including most of its eastern half.

To address the elevation deficiency, a single sheet pile floodwall will be built on the upland of Dad's Point. Only a fraction of the project occurring on Dad's Point is within the Commission's jurisdiction. Dad's Point will be regraded following construction of the flood wall to cover both sides of the flood wall wherever possible, possibly requiring placement of fill material to form a 20-foot wide levee crown. After grading, an 8-foot wide all-purpose road and a 12-foot wide concrete paver trail will be constructed along the crown to provide access to the southern end of the fixed wall and gate structure.

A multi-use interpretive trail suitable for walking, running, and cycling will be constructed on Dad's Point after the flood wall and grade adjustment are complete. Kiosks with interpretive signs will provide information to the public on a variety of topics, including local wildlife and plants, the San Joaquin River Watershed, the history of the Delta and the Port of
Stockton.

This signs will be developed in multiple languages to reach the widest audience possible. Two fishing and wildlife viewing platforms will be constructed in the deep water channel adjacent to Dad's Point. Most of these improvements fall outside of the Commission's jurisdiction.

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PUBLIC LAND MANAGEMENT SPECIALIST SCHROEDER:

This conceptual drawing is looking from Smith Canal out to the deep water channel and the Port of Stockton. The gate is estimated to be closed an average of six times per year for flood control purposes and as needed for equipment testing. Equipment testing of the gate requires the gate to be closed and then immediately reopened. With the exception of the few times the gate requires closure, the gate will remain open allowing for tidal movement and continuous navigation and recreation between Smith Canal and the Stockton Deep Water Channel.

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PUBLIC LAND MANAGEMENT SPECIALIST SCHROEDER: The public concerns range broadly covering important issues, like: overall cost and current spending by the applicant. Property entitlements, impacts to boating and recreation, water quality, the environment, the capacity of the deep
water ship channel to handle larger ships, FEMA's oversight in the legion, and the general need for the project.

The public has voiced their concerns by commenting on all of the applicant's permit applications, suing the lead agency on the EIR, and challenging the proposal's consistency with the Delta Plan before the Delta Stewardship Council.

A lawsuit by the Atherton Cove Property Owners Association was resolved in favor of the applicant. Another lawsuit with Dominick Gulli was resolved in favor of the applicant, but was appealed and is pending resolution. Furthermore, the Delta Stewardship Council found unanimously that the public failed to demonstrate the project inconsistent with the Delta Plan.

Permits from the Army Corps, U.S. Fish and Wildlife, National Marine Fisheries Service, Central Valley Regional Water Quality Control Board, California Department of Fish and Wildlife, and the Central Valley Flood Protection Board are still pending.

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PUBLIC LAND MANAGEMENT SPECIALIST SCHROEDER:
Staff recommends the Commission authorize issuance of a general lease. Public agency is the applicant for the construction, use, and maintenance of a
fixed wall, gate structure, flood wall, bank protection, and dredging of up to 8,650 cubic yards for installation of the fixed wall and gate structure.

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PUBLIC LAND MANAGEMENT SPECIALIST SCHROEDER:

This concludes staff's presentation. We are available to respond to any questions. And as well, SJAFCA, which is the San Joaquin Area Flood protection board has a representative here to speak.

CHAIRPERSON KOUNALAKIS: Okay. I do have some speakers for this issue. But first, I want to ask if any of the Commissioners would like to speak before public comment.

ACTING COMMISSIONER FINN: Just a -- actually, a question. Could we put the presentation back up and go to the site plan where it showed the wall. Yeah, right there. So were you saying that our lease is covering is it the two red areas on the end of the wall?

PUBLIC LAND MANAGEMENT SPECIALIST SCHROEDER: No. It's going to be the green area.

ACTING COMMISSIONER FINN: Thre green area okay.

PUBLIC LAND MANAGEMENT SPECIALIST SCHROEDER:

Right, where it's green and there's a part of the flood fate structure side, say up north -- the portion up there. That green. It's the green, but not the entirety
of it. So I would say approximately right here --

ACTING COMMISSIONER FINN: Okay.

PUBLIC LAND MANAGEMENT SPECIALIST SCHROEDER:

-- to here, somewhere in about there.

ACTING COMMISSIONER FINN: Oh, okay.

PUBLIC LAND MANAGEMENT SPECIALIST SCHROEDER:

That's our lease area.

ACTING COMMISSIONER FINN: That's what our lease area is?

PUBLIC LAND MANAGEMENT SPECIALIST SCHROEDER:

Yes.

ACTING COMMISSIONER FINN: Okay. Thanks. I just wanted to have a visual of it.

Thank you.

PUBLIC LAND MANAGEMENT SPECIALIST SCHROEDER: And then also, I do -- there is a portion down here that's a very small portion of Dad's Point down in this area somewhere.

CHAIRPERSON KOUNALAKIS: Okay. So our first speaker is Chris Rendall-Jackson, counsel for the SJAFCA, San Joaquin Area Flood Control Agency.

This is the applicant?

EXECUTIVE OFFICER LUCCHESI: Yes.

CHAIRPERSON KOUNALAKIS: Okay.

MR. RENDALL-JACKSON: Thank you. My name is
Chris Rendall-Jackson. I'm an attorney at Downey Brand which acts as counsel to SJAFCA.

First, I'd just like to thank the staff for working with us to move this project forward, and for putting forward such a robust and well reasoned report and presentation just now.

Personally, because of this, SJAFCA doesn't have anything to add at this time, other than to say that we support both the analysis and recommendations of staff.

Both myself, members of SJAFCA, and members of our technical team are here in case you have any questions that you would like us to answer.

CHAIRPERSON KOUNALAKIS: Okay. Any questions of the applicant?

ACTING COMMISSIONER FINN: Not at this time, no.

CHAIRPERSON KOUNALAKIS: Okay. So we have two more speakers.

First is Dominick Gulli the -- an engineer and surveyor for Save Dad's Point.

Welcome.

MR. GULLI: Yeah. Thank you, State Lands Commission. My name is Dominick Gulli. I'm a licensed engineer -- civil engineer, State of California, number 50887. I obtained that in 1993. I'm also a licensed land surveyor, number 7244, obtained on my birth day in 1996.
I'm also a general engineering A contractor, which is a classification the big guys that use the big dozers and stuff, requiring specialized engineering knowledge and skill, including the following divisions or subjects: Flood control; inland waterways; harbors, docks, and wharfs; shipyards and ports; dams and hydroelectric project levees; river control; and reclamation works. So I'm an expert.

Now, in 2015 -- or right now -- and I have a handout package. Did everyone get their handout package? This handout package is a proposal called the value engineering proposal that I plan to submit to numerous flood control agencies within the San Joaquin County.

And I priced it to be under what SJAFCA's cost is to build the whole -- their construction cost and my costs will not only fix the levees along the Smith Canal, but they'll also provide recreation, boating, and habitat. So the first page is just going to be my cover letter when I finish my proposal on Sunday sometime.

The second page is a copy of the first page. The third page is a smaller map of the works. And these pages are my estimate. These will be the bid items that I'll be submitting to the agency as a design/build. And the total cost of this is going to be
48,661,200, which includes all the FEMA coordination, urban levee design criteria, as well as fixing the two pump stations that are deficient, which is the real problem.

The flood map that they showed up there is incorrect. That's SJAFCA's assessment district that they set up to pay for this gate, which is $1.5 million dollars a year for the small disadvantaged community.

Hold on. I'm on my engineering hat still here first, so -- anyways, this -- this map is what I submitted in 2013 when they requested a Statement of Qualifications to design the gate. The person who got to design the gate was the same person who came up with the feasibility study and did all that stuff.

But this shows the cross-sections pri -- and then you look at this map, a little bit bigger. This is the USGS topo map. They keep saying it's at the mouth of --

CHAIRPERSON KOUNALAKIS: Can I just ask are you speaking in favor, opposed, or are you --

MR. GULLI: Oh, good question. No, I am totally opposed.

Yeah. No, I believe that you should reject this lease or at least delay the -- the opposition -- I mean, the lease for this land, because this lease is in the middle -- it's in the -- it's in the original bank of the
San Joaquin River. But Dad's Point is within -- she's -- it's not adjacent to the -- it is within the Stockton Deep Water Ship Channel. Okay. And it ties into the Stockton Golf and Country Club where last Thursday they started eminent domain proceedings to obtain two golf holes on the -- to tie into the existing levee. So I'm opposed to it.

I am -- I'm going to get to my second hat was the attorney general hat. But for now, I'm just explaining that this proposal, which the Board of the San Joaquin Area Flood Control Agency has never seen, because the solution -- the way they pick their engineer is they do a Statement of Qualifications process, and then they select three people to review the qualifications. It doesn't matter what was submitted. It doesn't matter the cost or anything. They pick who they feel is more qualified.

It's a select selection panel. It's a select criteria. This was never reviewed by the San Joaquin Area Flood Control Agency. Now, I've submitted significant papers to the -- to you as well for your consideration.

And I really don't think it's -- you guys have got to use your heart, and you got to have the attorneys and whatnot really look over what I'm saying, because it's a lot bigger than this. But anyways, my solution is to glue a double-shield sheet pile wall on these people --
which, by the way, a lot of these people along Atherton Cove are tenants of yours, because this is the original bed of the San Joaquin River.

Joe Zeiter, for example, lives right here. And just to try and conform with the 200-year level of protection, they just basically made this a -- the biggest strongest levee in the County of San Joaquin. But the dam is right here. Well, it's not. Actually, Dad's Point has eroded all the way back to here. It used to go to the light.

But the dam is not across -- the Smith Canal starts right over here. The dam is across the Atherton Cove. Okay. It's 800 feet. And in my papers -- well, I'm still on the engineering side of things. I've got three hats to wear here today. So that's my proposal.

It will fix it. I also, as I said, fix the pump stations, which are the real problems. The map that she showed up there again was not the FEMA map. The FEMA map is clear. I've submitted papers to Marlene about, you know, where the real map is. Half of this assessment district is an X zone, which is the same exact as Brookside, Lincoln Village West and everything. They're not even in a flood zone. It's just a story that was made up by the engineers. But anyway. So then this is their opinion of costs, so you can compare.
Now, that was my engineering hat. Now, my attorney hat, I brought up a lot of issues in the papers that I've submitted are significant. You know, I'm in the process of exhausting remedies to get ready to sue, because I've been waiting for this lease. The superior court said that you can't sue on this item until there's an actual lease to sue on. So once this lease is executed, then it's -- you're -- I'm going to be forced to sue and it's not just you.

Okay. So my attorney general hat. I'm acting as the attorney general in the State of California based on this CEQA cause. The lease is landlocked. There's no way to get to the property. Okay. You've got to -- Dad's Point, as I said -- and they didn't show the thing up there -- it's within the Stockton Deep Water Ship Channel. In addition to this, you're not going to believe it, but outside of that ship water channel, there's a deed for a turning basing for a ship, which is totally incompatible with a sheet pile wall and a dam.

Okay. So, you know, we're saying, oh, well, it's fine to give them a lease for the dam, and they can deal with it right of way and everything else, but they can't complete this project until the United States of America gives up its right for a ship channel and a turning basin.

And to say -- what they'll say is they'll say,
oh, well, we can get -- it's not -- it's compatible.
Well, it's not, because the United States of America obtained that ship turning basin by eminent domain. I'm not an attorney, but it seems to -- I'm a land surveyor and I know that when land is not used for the public purpose that it was, it reverts back to the landowner. So it's beyond an act of Congress to try and obtain this Dad's Point.

And same with the Stockton Country Club. If you look at the Statement of Overriding Considerations in the CEQA case, eminent domain will be avoided. Here they started it next -- last week. So the legal side of it is very, very complicated. There's a lot of financial issues with it. There's a lot of public contracting stuff. And somebody needs to really review that and take a look at it.

CHAIRPERSON KOUNALAKIS: Okay.
MR. GULLI: One more -- I have one more hat to wear, and that is my Delta grandpa had.
Okay. I work in the Delta. Okay. I have seven reclamation districts. I've been working there since 1992. Okay. My granddaughter, she is 7 now. And if you look in the -- if you look at the last bits of the picture, the picture tells a thousand words. My wife is going to play a video.
This one here is Trace Adkins with his granddaughter. And this is very similar to Dad's Point. It's low. It's easy. You can swim. You can fish. It's actually got water on both sides. This is Trace Adkins, and the words to his song.

This is my granddaughter Mia. Had a fish. We didn't really catch this fish. It was just laying on the water.

CHAIRPERSON KOUNALAKIS: So can I just -- can I just stop you here, because we -- usually, we do three minutes for public comment.

MR. GULLI: I know.

CHAIRPERSON KOUNALAKIS: I've let you go way over. And I understand your wife is speaking next.

MR. GULLI: Well, she's going to play the Trace Adkins video. There's a country music song for everything.

CHAIRPERSON KOUNALAKIS: All right.

MR. GULLI: And She Thinks We're Just Fishin' is just the best song ever.

(Laughter.)

MR. GULLI: I mean, you guys can't let these guys build a dam here and take away Dad's Point. It's the only peninsular in the Delta. It's the nicest recreation. The little teeny area they show up there is in fact a beach.
And I have pictures somewhere of --

CHAIRPERSON KOUNALAKIS: So I'm going to ask --

MR. GULLI: -- Spanish people fishing there.

CHAIRPERSON KOUNALAKIS: I'm going to ask staff to respond. But why don't we start with our final speaker on this issue that I have Shelly Gulli.

MRS. GULLI: Hello. Thank you for letting me speak. I don't understand how it's gotten this far either. It's just crazy. From the moment that my husband submitted his proposal to now, people didn't even look at his proposal. He spent months putting a booklet together, a plan that's better than this wall that they're showing you.

And not only is it better, but it's going to save the residents a ton of money. I don't -- I just don't understand how it got this far. It's all about people trying to put money in their pockets, when we don't need that huge monstrosity of a gate. We do not need it in Stockton. There's so many other better ways to go about it and more cost effective.

But what I did want to say is that I love that area down there too. I grew up in Stockton. I'm a Stockton resident. I grew up down there, and there -- that is a beautiful beach. And I loved how everybody got up here to speak about the future of children and their
children's children. And I just -- I love that, because that is our biggest concern. It's not about putting money our pocket. It's about the future of our children.

But anyway go ahead and play the video, because it's a very meaningful video, and...

(Thereupon Trace Adkins "Just Fishin'" video was played.)

MRS. GULLI: It's about -- it reminds me of my husband who took my granddaughter out there to go fishing.

CHAIRPERSON KOUNALAKIS: Is this a music video you're showing us?

MRS. GULLI: Yes.

CHAIRPERSON KOUNALAKIS: Okay.

MRS. GULLI: This is it here coming on.

CHAIRPERSON KOUNALAKIS: Maybe we'll just do a couple seconds of it though, because, it's a little bit over our time.

MRS. GULLI: Can you turn it up a little?

CHAIRPERSON KOUNALAKIS: So that is absolutely adorable. And we could watch it all day, but I think we got the idea from it.

MRS. GULLI: Okay.

CHAIRPERSON KOUNALAKIS: And thank you very much for coming down to talk to us.

MRS. GULLI: Okay.
CHAIRPERSON KOUNALAKIS: I actually want to get to one more item on this issue. They're not here to speak, but there is a letter -- a comment letter that came in, Jennifer. And if you could maybe just -- I'm not sure quite how to proceed with the comment letter, but there were some other issues that were raised in this letter, and I thought maybe we could ask you to --

EXECUTIVE OFFICER LUCCHESI: Of course, this is the letter from a law firm representing the Atherton Cove Homeowners, right?

CHAIRPERSON KOUNALAKIS: Yes. Yes.

EXECUTIVE OFFICER LUCCHESI: And their concerns are that they don't believe that the State Lands Commission has jurisdiction to issue a lease in this area, because of some prior easements that the United States holds in this area.

The -- our Commission boundary staff has spent many, many months researching the Commission's jurisdiction in this area. We are confident that the Commission does retain leasing jurisdiction definitely in the historic bed of the San Joaquin River, as it -- as it flowed into Atherton Cove.

There are easements that exist in favor of the United States. Without going into a whole lot of detail about that, we believe that the lease area that Marlene
outlined for you on the PowerPoint, as well as the specific lease boundaries that are in the staff report, does encompass the State's best interest of what the State owns and claims to.

We have been engaged very closely with the project applicant surveyor. And we will -- and sharing information. And we will also -- in the event the United States, whether through the Navy or through any other department of the U.S. has concerns or questions about our leasing jurisdiction in that area, we will definitely engage with them.

I think it's important to note. This is a little nuanced, but it is important from a legal perspective and the leasing perspective is our leases are non-prejudicial. So if the United States does have a claim in the area that we are leasing in this area, there are avenues to fleshing that out and making determinations down the road. And we aren't foreclosing any of that through our leasing process here.

So again, we're confident based on our professional and technical research and analysis of our jurisdiction, and that's what we're recommending the Commission lease today. But we understand that that -- that folks have different perspectives on that, and we've shared all of our data with folks that have asked about...
that.

CHAIRPERSON KOUNALAKIS: Okay. Thank you, Jennifer. Do we have a motion on this item?

ACTING COMMISSIONER BAKER: I move.

CHAIRPERSON KOUNALAKIS: Or comments and then motion.

ACTING COMMISSIONER BAKER: I don't have comments. I'll move the staff report.

ACTING COMMISSIONER FINN: I will second.

CHAIRPERSON KOUNALAKIS: All right. If there's no -- if we have no opposition for a unanimous, then all right, seeing none, the motion carries unanimously.

Okay. I have two speakers for public comment, but I don't see public comment here on the agenda, Jennifer.

It's not on mine, but we're going to move to public comment.

EXECUTIVE OFFICER LUCCHESI: Oh, it's not. I apologize that's not on the information --

CHAIRPERSON KOUNALAKIS: Oh, that's okay.

EXECUTIVE OFFICER LUCCHESI: -- before you. Yes, we are having public comment definitely.

CHAIRPERSON KOUNALAKIS: Okay. All right.

Wonderful.

So I have two people who have signed slips to
speak in public comment. First is Alison -- I think it
Madden. Yes. Alison Madden, Director of San Francisco
Bay Marines for All.

    MS. MADDEN: Marinas.

    CHAIRPERSON KOUNALAKIS: Marinas for All.

    Thank you.

    MS. MADDEN: Thank you.

    So my name is Alison Madden. Sorry my
handwriting is terrible.

    I'm here with the second speaker is Chris Stone
and we're both Board members of the nonprofit. And he's
requested that I make the full address with both of our
time, if that's okay.

    CHAIRPERSON KOUNALAKIS: How many minutes should
I put on the clock.

    MS. MADDEN: I just think three of us each. I'm
trying to keep it short.

    CHAIRPERSON KOUNALAKIS: Okay. Great.

    MS. MADDEN: I definitely -- so the first is that
we desire to preserve the marinas that exist and to
maintain them nonprofit, focused on all uses, Public Trust
uses and the allowable amount of residential liveaboards,
depending on the circumstances for safety and security or
otherwise.

    And the reason -- first of all, we support your
mission very much. We know how much you -- you do, both, in your capacities as, you know, Lieutenant Governor and basically the CFO of California. And the fact that you have your arms around so much of this is really impressive and your staff is incredible. And so we don't doubt any of that. So we wanted to make sure you know that.

And I also think this -- judicially, it's called circuit riding, when you go all over. I think it's great that the Commission in the last few years has gone to all these communities. And as you see then people become aware of what the Commission does, and particularly in their area.

And I think it's engendered a lot of engagement, some emotional, as you know, and -- involving a lot of situations that involve a lot of people with long-term uses, and, in our case, a liveaboard marina that is very tied to the Public Trust uses of the marina. It's a commercial recreational marina. It always has been mixed use. And we encourage Public Trust uses, kayaking. We clean the creek and all kinds of things.

So what we came to say today is that, you know, it's obvious that we're persistent. We come pretty much every time. We want to be consistent, positive, and proactive. When I speak about nonprofit, that would be putting the revenues from the trust back into the trust.
And I think that you guys have so many leases in so many areas, and there's so many people operating these leases not putting revenues back into the trust and abandoning these marinas unmaintained after decades of making millions and millions of dollars off Public Trust land. And we're aware of that. We think it's a problem, and we want to be part of the solution.

And also, we specifically wanted to come here today to just update -- you know, I think last time whether it was February or March, we mentioned that we had had 11 people still down at Docktown under eviction, under unlawful detainer. And we have a petition for review in front of the Supreme Court, and indeed they granted it. And so we will be going forward. It's a very interesting issue of statewide impact in unlawful detainer, not so much in Public Trust. It's not what touches your area, but it's an early motion that unlawful detainer tenants have to challenge the complaint.

And so we don't have a desire to try it in the public, but we just wanted to let you know, that petition for review was granted. It will be briefed through the end of May, including with friend of the court briefs. And that will be, you know, statewide community law groups, legal aid societies that are wanting to protect tenants from getting evicted, because they only have a
five-day response period from when they're served with an unlawful detainer.

So it's something that kind of just arose in this case, unforeseen and unpredicted, but it's where we are. And so we expect the Supreme Court maybe to hear arguments in June to take however long it takes to decide. Whether it goes in our favor or not, I think they're going to give it a very fair hearing, because they've already even said, as the Supreme Court, that we have a housing crisis. And that's not normally the kind of thing that the Supreme Court puts in a published opinion. It was a couple years ago, and I think it's just in general.

The Legislature also went and revised accessibility of the list of people that have been sued in unlawful detainer, because it's so hard even if you get evicted to find a new place and you're on this list. So now it's really, really hard to obtain that, almost -- almost impossible, which I really commend the Legislature for doing in a housing crisis.

So we pretty much just wanted to come and update you on that. We think that we'll be getting an opinion, and also continuing to defend, which our defense to the unlawful detainer, if we don't win at the Supreme Court, is that the Council of Redwood City just doesn't even have jurisdiction here, that it's the Port. And so we think
that will be tried by the end of the year, maybe next year.

So we're around for a while. And we want to be positive and proactive, and work out the safety and security issue and keep the marina. We think these marinas are a treasure. Once they're gone, they're hard to get back. We have rising tides. They accommodate residential and commercial endeavors.

And so that's mostly what we wanted to say. I think I do -- oh, yes. In Latitude 38, which is the boating magazine. This is 5th -- 500th issue. I'll leave it. There is an article on the changing coastline and as it impacts marinas. And, you know, there's Mark Sanders in here and a really well written article that may be even -- under the BCDC maybe even more than 10 percent is justified, but very specifically, depending on the conditions of the marina.

Like we went by Owl Harbor, which was approved a couple months ago, and it's locked on both sides. It says it's a private marina. There's no public access. And they wouldn't even let us in. And we have an unlocked marina. We welcome people onto the docks to fish and to walk around. We're right by an underpass. We have homeless encampments. People walking through.

The conditions of where a marina is should also
be go into the policy -- not policy, but interpretation of what's allowed at that marina. Very specifically, our city manager said there was only one shot at legislation, and they wouldn't consider any more. We don't think you intended that, but they did.

And at this point, I don't think we need legislation. I think we just need a recognition that who's down there, which is 11 households, can provide the safety and security that's needed. It's in a long string of a marina. It's not rows and columns like a matrix. So there's a lot of reasons why what's reasonable under any given circumstances is case specific.

I think that's about all that we wanted to say, and appreciate your time.

CHAIRPERSON KOUNALAKIS: Well, thank you. Thank you for coming back and keeping us updated.

I think you've already -- I guess --

MR. GULLI: Public comment, please.

CHAIRPERSON KOUNALAKIS: All right.

Three minutes, please.

CHAIRPERSON KOUNALAKIS: Let's keep -- let's try to keep it from going over a little bit.

MR. GULLI: I'll keep it nice, yeah.

CHAIRPERSON KOUNALAKIS: Okay.

MR. GULLI: I thought having a board of all women
would be advantageous to protecting the Public Trust. But
this whole thing has been just, you know, three minutes
here, the lies that they state. They're all lies. So
it's unfortunate.

You know, prior to the State Lands Commission,
these tasks were handled by the Surveyor General. It was
one person. That was one person qualified, such as
myself, to make these decisions. And, you know, if I was
up there making this decision, I'd say get this thing out
of here. Just fix the levees.

But unfortunately, you know, when one person is
in charge, it gets a little bit messed up. And I guess
there were some problems with some oil rights that were
given to somebody and they decided it would be better to
have a Commission, so that the public can be involved.

But here, we only get three minutes. I'm acting
attorney general in the State of California telling you
you're breaking the -- is SJAFCA is breaking the law. And
it's just sad. It really is.

And it's -- the only way to do this is -- and who
can do this? Who -- who can take on an agency like this?
You know, they've got $1,200 an hour here. $1,200 an hour
coming down from Stockton. So they spent what $3,000. I
mean, how can a little guy like me fight it? Well, I'm
going to fight it.
And I just hope that maybe you guys read the thick stuff that I gave you, the money, the finances, okay. They've spent over 20 million. It's gone. They spent our reserves. It's all gone. Look at the bond funds that are being used here. Look deeper down, and hopefully, I pray, that in subsequent meetings you can reconsider this decision.

I hate what I'm doing here, but somebody has got to do it. Otherwise who's -- you're going to take Dad's Point. You know, you're going to take Dad's Point away.

Thank you.

CHAIRPERSON KOUNALAKIS: Thank you.

Okay. Commissioners, anymore comments?

All right. Then we will now adjourn to closed session.

(Off record: 3:16 p.m.)

(Thereupon the meeting recessed into closed session.)

(Thereupon the meeting reconvened open session.)

(On record: 4:10 p.m.)

CHAIRPERSON KOUNALAKIS: I hereby call the Commission back into session in order to adjourn.

Do we have a motion to adjourn?

ACTING COMMISSIONER FINN: I'll move adjournment.

ACTING COMMISSIONER BAKER: Second.
CHAIRPERSON KOUNALAKIS: All in favor?

(Ayes.)

CHAIRPERSON KOUNALAKIS: All right. Thank you, everyone.

(Thereupon the California State Lands Commission meeting adjourned at 4:10 p.m.)
CERTIFICATE OF REPORTER

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

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

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 9th day of April, 2019.

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