

MEETING  
STATE OF CALIFORNIA  
LANDS COMMISSION

HOLIDAY INN SACRAMENTO DOWNTOWN - ARENA  
300 J STREET  
SACRAMENTO, CALIFORNIA

FRIDAY, DECEMBER 6, 2019  
10:04 A.M.

JAMES F. PETERS, CSR  
CERTIFIED SHORTHAND REPORTER  
LICENSE NUMBER 10063

A P P E A R A N C E S

COMMISSION MEMBERS:

Ms. Eleni Kounalakis, Lieutenant Governor, Chairperson

Ms. Betty T. Yee, State Controller

Ms. Keely Bosler, Director of Department of Finance,  
represented by Ms. Gayle Miller

STAFF:

Ms. Jennifer Lucchesi, Executive Officer

Mr. Colin Connor, Assistant Executive Officer

Mr. Seth Blackmon, Chief Counsel

Mr. Brian Bugsch, Chief, Land Management Division

Ms. Lisa Lloyd, Assistant Chief, Administrative Services  
Division

Ms. Jennifer Mattox, Environmental Program Manager and  
Tribal Liaison

Ms. Sheri Pemberton, Chief, External Affairs Division

Ms. Katie Robinson-Filipp, Sea Grant Fellow

Mr. Dobri Tutov, Public Land Management Specialist, Land  
Management Division

ATTORNEY GENERAL:

Mr. Andrew Vogel, Deputy Attorney General

A P P E A R A N C E S C O N T I N U E D

ALSO PRESENT:

Ms. Kathy Bancroft, Lone Pine Paiute-Shoshone Reservation

Ms. Heather Blair, Ascent Environmental

Mr. Francis Coats

Mr. Matt Dias, California Department of Forestry and Fire Protection

Mr. Jerry Forstell, PBF Energy

Ms. Charlotte Lange, Mono Lake Kutzadike Tribe

Mr. Steve Leshner, Shell

Ms. Jolie Varela, Indigenous Women Hike

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I 10:00 AM - Open Session	1
II Confirmation of Minutes for the October 24, 2019 meeting	5
III Executive Officer's Report Continuation of Rent Actions to be taken by the Executive Officer pursuant to the Commission's Delegation of Authority:	5

County of Orange (Lessee): Continuation of rent at 8.5 percent of gross income per year generated from boat berthing located on the lease premises included within Sunset Harbor Marina; which for the purposes of calculating the annual rent is agreed to be 3 percent of the total gross income per year from boat berthing within Sunset Harbor Marina, for a General Lease - Public Agency Use located on tide and submerged lands in Anaheim Bay, Seal Beach, Orange County. (PRC 4076.1)

MFS Globenet, Inc. (Lessee): Continuation of rent at \$128,377 per year for a General Lease - Non-Exclusive Right-of-Way Use located on sovereign land in the Pacific Ocean, offshore of Montaña de Oro State Park, San Luis Obispo County. (PRC 8141.1)

MFS Globenet, Inc (Lessee): Continuation of rent at \$16,652 per year for a General Lease - Non-Exclusive Right-of-Way Use located on sovereign land in the Pacific Ocean, offshore of Montaña de Oro State Park, San Luis Obispo County. (PRC 8142.1)

Southern California Gas Company (Lessee): Continuation of rent at \$1,309 per year, with annual application of the Consumer Price Index, for a General Lease - Right-of-Way Use located on sovereign land in the Burton Mesa Ecological Reserve, Santa Barbara County. (PRC 8720.1)

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IV Consent Calendar 01-51

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

Land Management

Northern Region

- 01 RICHARD J. BOYLE, JR. AND CATHERINE M. BOYLE, TRUSTEES OF THE BOYLE FAMILY TRUST DATED APRIL 13, 2006 (LESSEE/APPLICANT): Consider acceptance of a lease quitclaim deed for Lease No. PRC 8227.1. a General Lease - Recreational Use, and application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 8789 Rubicon Drive, near Tahoma, El Dorado County; for the removal and reconstruction of an existing pier with an extension, and use and maintenance of two existing mooring buoys. CEQA Consideration: categorical exemptions. (Lease 8227.1; A2059; RA# 25618) (A 5; S 1) (Staff: J. Toy)
- 02 CASCADE MUTUAL WATER COMPANY, A CALIFORNIA NONPROFIT MUTUAL BENEFIT CORPORATION (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 2117 Cascade Road, near Emerald Bay, El Dorado County; for an existing pier. CEQA Consideration: categorical exemption. (Lease 5899.1; A2191; RA# 2019031) (A 5; S 1) (Staff: S. Avila)
- 03 WILLIAM M. FEELEY; KATHERINE B. FEELEY; SUZANNE E. FEELEY; DENNIS C. HERSLEY AND JANE FEELEY LILLY-HERSLEY, TRUSTEES OF THE HERSLEY 2009 FAMILY TRUST DATED DECEMBER 2, 2009; AND STEVEN WESLEY MARCHETTE AND LAURA FEELEY MARCHETTE OR THEIR SUCCESSORS IN TRUST, AS TRUSTEES OF THE MARCHETTE FAMILY TRUST DATED MAY 3, 2001 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 6762 North Lake Boulevard, near Tahoe Vista, Placer County; for two existing mooring buoys. CEQA Consideration: categorical exemption. (Lease 8866.1; A2239; RA# 2019061) (A 1; S 1) (Staff: S. Avila)

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- 04 JULIE LANE GAY (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 181 and 185 Paradise Flat Lane, near Tahoma, El Dorado County; for an existing pier, boat lift, two mooring buoys, and one swim float. CEQA Consideration: categorical exemption. (Lease 8316.1; A2311; RA #2019072) (A 5; S 1) (Staff: S. Avila)
- 05 RICHARD GHILOTTI, TRUSTEE OF THE RICHARD AND NANCY GHILOTTI FAMILY TRUST UNDER DECLARATION OF TRUST DATED JULY 11, 1997; AND MICHELLE GHILOTTI MANDEL, TRUSTEE OF THE JOSEPH AND STELLA MAY RESIDENCE TRUST DATED MAY 18, 1992; AND DALE L. MARCELLINI AND JILL A. MARCELLINI, CO-TRUSTEES, OR ANY SUCCESSOR TRUSTEE, OF THE DALE L. MARCELLINI AND JILL A. MARCELLINI REVOCABLE LIVING TRUST EXECUTED ON NOVEMBER 1, 2005 (LESSEE); RICHARD GHILOTTI, TRUSTEE OF THE RICHARD AND NANCY GHILOTTI FAMILY TRUST UNDER DECLARATION OF TRUST DATED JULY 11, 1997; AND MICHELLE GHILOTTI MANDEL, TRUSTEE OF THE JOSEPH AND STELLA MAY RESIDENCE TRUST DATED MAY 18, 1992; (ASSIGNOR); LORAIN LEE SIMPSON AND WILLIAM BRAXTON SIMPSON, TRUSTEES OF THE SIMPSON LIVING TRUST DATED 12/10/2004 (ASSIGNEE): Consider assignment of Lease No. PRC 5491.1, a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to Assessor's Parcel Number (APN) 085-344-008, near Homewood, Placer County; for an existing pier and three mooring buoys. CEQA Consideration: not a project. (PRC 5491.1; A2272; RA# 2019086) (A 1; S 1) (Staff: S. Avila)
- 06 JOSEPH KARP, SURVIVING TRUSTEE OF THE KARP FAMILY TRUST DATED FEBRUARY 5, 1988; STEVEN M. KARP, AS TRUSTEE OF THE STEVEN M. KARP 2008 IRREVOCABLE TRUST DATED DECEMBER 13, 2008; AND RONALD M. KARP, AS TRUSTEE OF THE RONALD M. KARP 2008 IRREVOCABLE TRUST DATED DECEMBER 13, 2008 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 3770 North Lake Boulevard, near Carnelian Bay, Placer County; for an existing pier and two mooring buoys. CEQA Consideration: categorical exemption. (Lease 5355.1; A2232; RA# 2019056) (A 1; S 1) (Staff: S. Avila)
- 07 WILLIAM R. LEWIS, M.D. AND DUNCAN B. LEWIS, AS TRUSTEES OF LEWIS FAMILY TRUST DATED JANUARY 29, 2004 (APPLICANT): Consider application for a General Lease

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- Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 4726 North Lake Boulevard, near Carnelian Bay, Placer County; for an existing pier, boat lift, and two mooring buoys. CEQA Consideration: categorical exemption. (Lease 4378.1; RA# 04118) (A 1; S 1) (Staff: J. Toy)
- 08 MICHAEL J. LOMBARDI AND HELEN E. LOMBARDI, TRUSTEES OF THE LOMBARDI LIVING TRUST ESTABLISHED BY DECLARATION OF TRUST DATED JANUARY 14, 1997 (LESSEE); KEVIN CHESSEN AND CHRISTINE CHESSEN, TRUSTEES OF THE KEVIN AND CHRISTINE CHESSEN REVOCABLE TRUST DATED NOVEMBER 6, 2002 (APPLICANT): Consider acceptance of a lease quitclaim deed for Lease No. PRC 4858.9, a Recreational Pier Lease; and an application for a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 3940 North Lake Boulevard, near Carnelian Bay, Placer County; for an existing pier, boat lift, and one mooring buoy. CEQA Consideration: categorical exemption. (Lease 4858.1; RA# 07918) (A 1; S 1) (Staff: M.J. Columbus)
- 09 SKYLANDIA, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY (ASSIGNOR); ERIC W. STILLE AND KATHLEEN RILEY STILLE, AS TRUSTEES OF THE ERIC AND KATE STILLE FAMILY TRUST, DATED 7-8-05 (ASSIGNEE): Consider assignment of Lease No. PRC 4058.1, a General Lease - Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 3740 North Lake Boulevard, near Carnelian Bay, Placer County; for an existing pier, boathouse, boat hoist, sundeck with stairs, and two mooring buoys. CEQA Consideration: not a project. (PRC 4058.1; A2127; RA# 31218) (A 1; S 1) (Staff: S. Avila)
- 10 TAHOE CITY PUBLIC UTILITY DISTRICT AND CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE, ACTING THROUGH THE WILDLIFE CONSERVATION BOARD (PERMITTEE/APPLICANT): Consider acceptance of a permit quitclaim deed for Permit No. PRC 2754.9, a General Permit - Public Agency Use; and application for an amendment to Permit No. PRC 2754.9, a General Permit - Public Agency Use, of sovereign land located in Lake Tahoe, adjacent to 2500 Lake Forest Road, near Tahoe City, Placer County; to remove the California Department of Fish and Wildlife, acting through the Wildlife Conservation Board as a permittee. CEQA Consideration: not projects. (PRC 2754.9; A2300; RA# 2019090) (A 1; S 1) (Staff: J. Toy)

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- 11 TAHOE KEYS PROPERTY OWNERS' ASSOCIATION (APPLICANT): Consider application for a General Lease - Recreational Use of sovereign land located in Lake Tahoe, adjacent to 356 Ala Wai Boulevard., South Lake Tahoe; for an existing pier not previously authorized by the Commission. CEQA Consideration: categorical exemption. (A2245; RA# 22316) (A 5; S 1) (Staff: A. Franzoia)

Bay / Delta Region

- 12 JOHN R. AREIAS AND JULIE NOEL SANDINO (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in the Sacramento River, adjacent to 13950 State Highway 160, near Walnut Grove, Sacramento County; for an existing boat dock, personal watercraft float, and appurtenant facilities. CEQA Consideration: categorical exemption. (Lease 7692.1; A2158; RA# 2019009) (A 11; S 3) (Staff: G. Asimakopoulos)
- 13 HECTOR BECERRA, JUAN BECERRA, AND ODULIA BECERRA (LESSEE): Consider revision of rent to Lease No. PRC 2761.1, a General Lease - Commercial Use, of sovereign land located in the Sacramento River, adjacent to 14175 River Road, near Walnut Grove, Sacramento County; for an existing accommodation dock and appurtenant facilities. CEQA Consideration: not a project. (PRC 2761.1) (A 11; S 3) (Staff: G. Asimakopoulos)
- 14 CITY OF LARKSPUR (APPLICANT): Consider application for a General Lease - Public Agency Use, of sovereign land located in Corte Madera Creek, adjacent to 50 Drakes Landing Road, Greenbrae, Marin County; for the removal, replacement, use, and maintenance of an existing boat dock, ramp, and appurtenant facilities. CEQA Consideration: Mitigated Negative Declaration and Addendum adopted by the City of Larkspur Public Works Department, State Clearinghouse No. 2012052052. (Lease 7667.9; A2183; RA# 2019025) (A 10; S 2) (Staff: J. Holt)
- 15 CITY OF SUISUN CITY (LESSEE): Consider amendment of Lease No. PRC 7757.9, a General Lease - Dredging, of sovereign land in Suisun Slough and in the area around the Suisun City Marina, City of Suisun City, Solano County; to extend the dredging window to November 30 and to include Exhibit C, Mitigation Monitoring



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- Program. CEQA Consideration: Mitigated Negative Declaration, adopted by the City of Suisun City, State Clearinghouse No. 2019069029 (PRC 7757.9; A2229; RA# 2019058) (A 11; S 3) (Staff: D. Tutov)
- 16 THE NANTUCKET REVITALIZATION LLC (APPLICANT): Consider application for a General Lease - Other of sovereign land located in the Carquinez Strait, adjacent to 501 Port Street, Crockett, Contra Costa County; for maintenance, debris removal, and monitoring of subject property. CEQA Consideration: categorical exemptions. (A2081; RA# 20118) (A 14; S 3) (Staff: V. Caldwell)
- 17 LINDA BEERS HEISIG (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Whiskey Slough, adjacent to 399 South Boulton Road, near Stockton, San Joaquin County; for an existing boat dock and appurtenant facilities. CEQA Consideration: categorical exemption. (Lease 6009.1; A2185; RA# 2019027) (A 13; S 5) (Staff: D. Tutov)
- 18 KIT H. KINNE AND LISA MACK KINNE (ASSIGNOR); BRIAN AND CATHERINE MULHOLLAND (ASSIGNEE): Consider assignment of Lease No. PRC 5865.1, a General Lease - Recreational and Protective Structure Use, of sovereign land located in the Sacramento River, adjacent to 7257 Garden Highway, near Sacramento, Sacramento County; for an existing boat dock, appurtenant facilities, and bank protection. CEQA Consideration: not a project. (PRC 5865.1; A2190; RA# 2019030) (A 7; S 6) (Staff: D. Tutov)
- 19 PORT SONOMA ASSOCIATES, LLC (LESSEE): Consider revision of rent to Lease No. PRC 5650.1, a General Lease - Right-of-Way Use, sovereign land located in the Petaluma River, adjacent to Assessor's Parcel number 068-140-026, near Black Point, Marin and Sonoma Counties; for a waterline and public access easement. CEQA Consideration: not a project. (PRC 5650.1) (A 10; S 3) (Staff: N. Lavoie)
- 20 ESPERANZA ROSS (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in the Sacramento River, adjacent to 13880 State Highway 160, near Walnut Grove, Sacramento County; for an existing boat dock and appurtenant facilities. CEQA Consideration: categorical exemption. (Lease 8501.1; A2157; RA# 2019008) (A 11; S 3) (Staff: G. Asimakopoulos)
- 21 TEACHERS BEACH ASSOCIATION (APPLICANT): Consider application for a General Lease - Recreational and

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Protective Structure Use, of sovereign land in Tomales Bay, adjacent to assessor's parcel numbers 112-011-14 and 112-011-15, near Inverness, Marin County; for an existing pier, appurtenant facilities, a boat hoist, float, boat shed, deck, groin retaining wall, stairs, access road and grass area. CEQA Consideration: categorical exemption. (Lease 4899.1; RA# 14917) (A 10; S 2) (Staff: D. Tutov)

Central / Southern Region

- 22 BROAD BEACH GEOLOGIC HAZARD ABATEMENT DISTRICT (LESSEE): Consider amendment to Lease No. PRC 9364.1, a General Lease - Beach Replenishment and Protective Structure Use, of sovereign land located in the Pacific Ocean at Broad Beach, Malibu, Los Angeles County, to extend the grace period for project completion and authorize a restatement of the lease. CEQA Consideration: statutory exemption. (PRC 9364.1; A2031; RA# 24218) (A 50; S 27) (Staff: D. Simpkin)
- 23 CALIFORNIA-AMERICAN WATER COMPANY (APPLICANT): Consider application for a General Lease - Other, of sovereign land located in the Pacific Ocean, near Marina, Monterey County; for the placement and operation of ocean water quality monitoring equipment. CEQA Consideration: Environmental Impact Report/Statement, certified by the California Public Utilities Commission and the Monterey Bay National Marine Sanctuary, State Clearinghouse No. 2006101004. (A2147; RA# 27118) (A 29; S 17) (Staff: D. Simpkin)
- 24 CALIFORNIA DEPARTMENT OF TRANSPORTATION (APPLICANT): Consider application for a Public Agency Permit and Right-of-Way Maps pursuant to Section 101.5 of the Streets and Highways Code and Section 6210.3 of the Public Resources Code, of sovereign land located at Owens Lake, near Cartago, Inyo County; for a project to widen US Route 395. CEQA Consideration: Environmental Impact Report, certified by the California Department of Transportation, State Clearinghouse No. 2010091023, and adoption of a Mitigation Monitoring Program and Statement of Findings. (A2114; RA# 29818) (A 26; S 8) (Staff: D. Simpkin)
- 25 CALIFORNIA RESOURCES PETROLEUM CORPORATION (LESSEE): Consider amendment to Lease No. PRC 3913.1, a General Lease - Right-of-Way Use, of sovereign land located in

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- the Pacific Ocean, near Emma Wood State Beach, Ventura County; to extend the lease term. CEQA Consideration: categorical exemption. (PRC 3913.1; RA# 05018) (A 37; S 19) (Staff: C. Hudson)
- 26 CITY OF ENCINITAS (APPLICANT): Consider application for a General Lease - Public Agency Use, of sovereign land located in the Pacific Ocean at Batiquitos Beach, Moonlight State Beach, Leucadia State Beach, and Cardiff State Beach, Encinitas, San Diego County; for the deposition of sand under the City of Encinitas Opportunistic Beach Fill Program. CEQA Consideration: Mitigated Negative Declaration, adopted by the City of Encinitas, State Clearinghouse No. 2013111057. (Lease 8817.9; A2193; RA# 2019033) (A 76; S 36) (Staff: L. Pino)
- 27 CITY OF PISMO BEACH (LESSEE): Consider amendment of Lease No. PRC 6674.1, a General Lease - Public Agency Use, of sovereign land in the Pacific Ocean, Pismo Beach, San Luis Obispo County; to authorize the operation and maintenance of up to two food or bait concessions, and an information kiosk on the pier. CEQA Consideration: categorical exemption. (PRC 6674.1; A2255; RA# 2019071) (A 35; S 17) (Staff: L. Pino)
- 28 FRANK B. DEGELAS AND DONNA L. DEGELAS, AS TRUSTEE(S) OF THE FRANK AND DONNA DEGELAS TRUST ESTABLISHED 2-27-2003 (APPLICANT): Consider amendment of Lease No. PRC 7986.1, a General Lease - Recreational Use, of sovereign land located in Huntington Harbour, adjacent to 3632 Venture Drive, Huntington Beach, Orange County; to remove and replace a boat dock, access ramp, and cantilevered deck. CEQA Consideration: categorical exemption. (PRC 7986.1; A2282; RA# 2019084) (A 72; S 34) (Staff: K. Connor)
- 29 JOE V. HERNANDEZ OR SHARON J. HERNANDEZ, TRUSTEES OR THEIR SUCCESSORS IN TRUST UNDER THE HERNANDEZ FAMILY LIVING TRUST DATED JUNE 12, 1997 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in the Midway Channel of Huntington Harbour, adjacent to 16831 Marina Bay Drive, Huntington Beach, Orange County; for an existing boat dock, access ramp, and cantilevered deck not previously authorized by the Commission. CEQA Consideration: categorical exemption. (W26997; A2187; RA# 2019028) (A 72; S 34) (Staff: K. Connor)

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- 30 OAK HILLS ESTATE, LLC (APPLICANT): Consider rescission of approval, and issuance of a General Lease - Other, of sovereign land located in Burton Mesa Ecological Reserve, near Lompoc, Santa Barbara County; for the installation, use, and maintenance of habitat restoration and mitigation; and consider accepting a deposit into the Kapiloff Land Bank Fund. CEQA Considerations: Environmental Impact Report, certified by the County of Santa Barbara, State Clearinghouse No. 2015111069, and adoption of a Mitigation Monitoring Program and Statement of Findings; statutory exemption. (Lease 9570.9; RA# 34917) (A 35; S 19) (Staff: R. Collins)
- 31 PARADISE COVE LAND COMPANY, LLC (APPLICANT): Consider application for a General Lease - Commercial Use, of sovereign land located in the Pacific Ocean at Paradise Cove, Malibu, Los Angeles County; for an existing pier. CEQA Consideration: categorical exemption. (Lease 391.1; RA# 11718) (A 50; S 27) (Staff: D. Simpkin)
- 32 SEA HARBOUR STATE CHANNEL SLIP OWNERS ASSOCIATION, INC. (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in Huntington Harbour adjacent to 17100 through 17154 Bluewater Lane, Huntington Beach, Orange County; for 30 existing boat slips. CEQA Consideration: categorical exemption. (Lease 4953.1; A2139; RA#32518) (A 70; S 35) (Staff: L. Pino)
- 33 GERALD R. TARPO AND SHARON A. TARPO, AS CO-TRUSTEES OF THE JERRY AND SHARON TARPO REVOCABLE TRUST UDT AUGUST 16, 2002 (APPLICANT): Consider application for a General Lease - Recreational Use, of sovereign land located in the Main Channel of Huntington Harbour, adjacent to 16981 Bolero Lane, Huntington Beach, Orange County; for an existing boat dock and access ramp previously authorized by the Commission, and a cantilevered deck not previously authorized by the Commission. CEQA Consideration: categorical exemption. (Lease 3566.1; A2106; RA# 29118) (A 72; S 34) (Staff: K. Connor)
- 34 ING LIONG WONG AND CHU FONG WONG, AS TRUSTEES UNDER THE WONG 1986 FAMILY TRUST (CREATED BY A DECLARATION OF TRUST DATED SEPTEMBER 18, 1986) (APPLICANT): Consider application for a General Lease - Recreational and Protective Structure Use, of sovereign land located in the Main Channel of

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Huntington Harbour, adjacent to 16891 Bolero Lane, Huntington Beach, Orange County; for an existing boat dock, access ramp, cantilevered deck, and bulkhead protection. CEQA Consideration: categorical exemption. (Lease 3254.1; A2174; RA# 2019017) (A 72; S 34)  
(Staff: K. Connor)

School Lands

- 35    CITIZENS TELECOMMUNICATIONS COMPANY OF CALIFORNIA INC. (LESSEE): Consider revision of rent to Lease No. PRC 8145.2, a General Lease - Right-of-Way Use, of State school land in a portion of Section 16, Township 35 North, Range 5 East, MDM, near Burney, Shasta County; for a fiber-optic cable and appurtenant facilities. CEQA Consideration: not a project. (PRC 8145.2) (A 1; S 1) (Staff: N. Lee)
- 36    PACIFIC GAS AND ELECTRIC (LESSEE): Consider revision of rent to Lease No. PRC 7562.2, a General Lease - Right-of-Way Use, of State indemnity school land in portions of Section 26 and 27, Township 9 North, Range 2 East, SBM, near Newberry Springs, San Bernardino County; for a gas transmission line, blow-off line, and communication line. CEQA Consideration: not a project. (PRC 7526.2) (A 33; S 16) (Staff: K. Foster)
- 37    SIERRA PACIFIC INDUSTRIES (APPLICANT): Consider application for a General Lease - Right-of-Way Use, of State-owned school land located in portions of Section 36, Township 36 North, Range 4 West and Section 36, Township 36 North, Range 5 West, MDM, northeast of Lakehead, Shasta County; for construction, use and maintenance of two access roads. CEQA Consideration: CEQA equivalent document. (W27211; RA# 11118) (A 1; S 1) (Staff: J. Porter)
- 38    SOUTHERN CALIFORNIA EDISON COMPANY (LESSEE): Consider revision of rent for Lease No. PRC 9194.2, a General Lease - Right-of-Way Use, of State school land in a portion of Section 36, Township 15 North, Range 8 East, SBM, San Bernardino County; for an existing underground utility line. CEQA Consideration: not a project. (PRC 9194.2) (A 33; S 16) (Staff: K. Foster)
- 39    SOUTHERN CALIFORNIA EDISON COMPANY (LESSEE): Consider revision of rent for Lease No. PRC 2679.2 a General Lease - Right-of-Way Use, of 14.39 acres, more or less, of State-owned indemnity lands located in portions of Sections 3, 4, and 10, Township 3 North,

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- Range 3 East; Sections 29, 30, 32, and 33, Township 4 North, Range 3 East; and Sections 21, 22, 23, and 25, Township 4 North, Range 2 East, SBM, south of Barstow, San Bernardino County; for an existing overhead electrical distribution line. CEQA Consideration: not a project. (PRC 2679.2) (A 33; S 16) (Staff: J. Porter)
- 40 SOUTHERN CALIFORNIA EDISON COMPANY (APPLICANT): Consider application for a General Lease - Right-of-Way Use, of State-owned school land located within a portion of Section 36, Township 20 North, Range 8 East, SBM, San Bernardino and Inyo counties, and a portion of Section 36, Township 20 North, Range 9 East, SBM, southeast of Tecopa, San Bernardino County; for an overhead electric distribution line and appurtenant facilities. CEQA Consideration: categorical exemption. (Lease 4629.2; A2226; RA# 2019052) (A 33; S 16) (Staff: J. Porter)

Mineral Resources Management

- 41 CALIFORNIA STATE LANDS COMMISSION (PARTY): Consider approval of qualifying mileages for subventions for Fiscal Year 2019-2020 to the cities of Huntington Beach and Seal Beach, located in Orange County; and to the city of Long Beach, located in Los Angeles County. CEQA Consideration: not a project. (W 4848.1, W 4848.4, W 4848.8) (A 70, 72, 74; S 33, 34, 37) (Staff: N. Heda, D. Cook)
- 42 DAVID EVANS AND ASSOCIATES, INC. (APPLICANT): Consider an application for a General Permit to conduct geophysical surveys on sovereign tide and submerged lands under the jurisdiction of the California State Commission. CEQA Consideration: Mitigated Negative Declaration, Mitigation Monitoring Program, and addendum, State Clearinghouse No. 2013072021. (A2273; RA# 2019080) (A & S: Statewide) (Staff: R. B. Greenwood)
- 43 FUGRO USA MARINE, INC. (APPLICANT): Consider an application for a General Permit to conduct geophysical surveys on sovereign tide and submerged lands under the jurisdiction of the California State Commission. CEQA Consideration: Mitigated Negative Declaration, Mitigation Monitoring Program, and addendum, State Clearinghouse No. 2013072021. (A2280;

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- RA# 2019098) (A & S: Statewide) (Staff: R. B. Greenwood)
- 44 MERKEL & ASSOCIATES, INC. (APPLICANT): Consider an application for a General Permit to conduct geophysical surveys on sovereign tide and submerged lands under the jurisdiction of the California State Commission. CEQA Consideration: Mitigated Negative Declaration, Mitigation Monitoring Program, and addendum, State Clearinghouse No. 2013072021. (A2270; RA# 2019085) (A & S: Statewide) (Staff: R. B. Greenwood)
- 45 TERRASOND, LIMITED (APPLICANT): Consider an application for a General Permit to conduct geophysical surveys on sovereign tide and submerged lands under the jurisdiction of the California State Commission. CEQA Consideration: Mitigated Negative Declaration, Mitigation Monitoring Program, and addendum, State Clearinghouse No. 2013072021. (A2289; RA#2019092) (A & S: Statewide) (Staff: R. B. Greenwood)

Marine Environmental Protection - no items

Administration

- 46 CALIFORNIA STATE LANDS COMMISSION (PARTY): Consider granting authority to the Executive Officer to solicit proposals for consultant services, negotiate a fair and reasonable price, and award and execute an agreement for preparation of the Commission's 2021-2025 Strategic Plan. CEQA Consideration: not a project. (W 27242) (A & S: Statewide) (Staff: C. Connor, K. Forbes)
- 47 CALIFORNIA STATE LANDS COMMISSION, ACTING AS THE SCHOOL LAND BANK FUND TRUSTEE (PARTY): Consider granting authority to the Executive Officer to either enter into an interagency agreement or solicit proposals for consultant services, negotiate a fair and reasonable price, and award and execute an agreement to conduct an inventory of the Commission's forested school lands and prepare a forest management plan or plans. CEQA Consideration: not a project. (W 27241) (A & S: Statewide) (Staff: C. Connor, K. Forbes)

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Legal

- 48 CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE, CALIFORNIA STATE LANDS COMMISSION, THE SIERRA CLUB, THE OWENS VALLEY COMMITTEE, AND THE CITY OF LOS ANGELES DEPARTMENT OF WATER AND POWER: TO RESOLVE LITIGATION CHALLENGING THE CITY OF LOS ANGELES DEPARTMENT OF WATER AND POWER'S WELL 385R PUMPING TEST (PARTIES): Consider approval of a settlement agreement to resolve litigation challenging the City of Los Angeles Department of Water and Power's pumping test for Well 385R. CEQA Consideration: not a project. (Owens Valley Committee v. City of Los Angeles, Los Angeles Department of Water and Power; Los Angeles Department of Water and Power Board of Commissioners, Case No. SICVCV17-61853) (A 26; S 8) (Staff: J. Garrett)
- 49 CALIFORNIA STATE LANDS COMMISSION (PARTY): Consider amendment of the Comprehensive Delegation of Authority, as amended, to: authorize the Executive Officer to approve certain lease assignments and certain rent revisions; re-delegate various budget, fiscal, and personnel matters to the Assistant Chief, Administrative Services Division; modify criteria for granting letters of non-objection; and make other modifications. CEQA Consideration: not a project. (W 9301) (A & S: Statewide) (Staff: E. Kennedy)

Kapiloff Land Bank Trust Acquisition - no items

External Affairs

Granted Lands

- 50 CALIFORNIA STATE LANDS COMMISSION AND THE CITY OF VALLEJO (PARTIES): Consider amending the October 30, 1981 exchange agreement between the State of California, acting by and through the State Lands Commission, and the city of Vallejo, to terminate the state's Public Trust interest on an additional 1.6 acres of land located in the city of Vallejo, Contra Costa County. CEQA Consideration: statutory exemption. (G 17-02) (A 14; S 3) (Staff: R. Boggiano, A. Kershen)
- 51 CITY OF LONG BEACH (TRUSTEE): Review a proposed tideland oil revenue expenditure in an amount not to exceed \$500,000 by the City of Long Beach for one capital improvement project located on or adjacent to



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- legislatively granted sovereign land in the of the City of Long Beach, Los Angeles County. CEQA Consideration: not a project. (G 05-03) (A 70; S 33) (Staff: M. Moser)
- V Informational Calendar - see Regular Calendar
- VI Regular Calendar 52-58
- 52 EQUILON ENTERPRISES, LLC DBA SHELL OIL PRODUCTS US (ASSIGNOR); MARTINEZ REFINING COMPANY LLC (ASSIGNEE): Consider assignment and amendment of Lease No. PRC 4908.1, a General Lease - Industrial Use, of sovereign land located in the Carquinez Strait, Martinez, Contra Costa County; for an existing marine oil terminal wharf and appurtenant facilities. CEQA Consideration: not a project. (PRC 4908.1; A2162; RA# 2019013) (A 14; S 3) (Staff: D. Tutov, J. Fabel) 21
- 53 IDEOL USA, INC. (APPLICANT): Consider application for a General Lease - Other, of sovereign land located in the Pacific Ocean, between the Vandenberg State Marine Reserve and Point Conception State Marine Reserve, near Lompoc, Santa Barbara County; for scientific data collection, including the installation, use, and maintenance of a buoy. CEQA Consideration: categorical exemption. (A2152; RA# 2019005) (A 35, 37; S 19) (Staff: S. Meshkati, G. Kato) 20
- 54 CALIFORNIA DEPARTMENT OF TRANSPORTATION (APPLICANT): Consider authorization, as trustee of the School Land Bank Fund, for the sale and issuance of a patent of 17.13 gross acres, more or less, of State-owned school land; consider authorization of an application for a General Lease - Public Agency Use, of 1.07 acres, more or less, of State-owned school land for a dirt access road with both the sale of the 17.13 gross acres and the lease conditioned on the conceptual commitment to preserve a culturally significant adjacent parcel; and consider authorization of an archaeological permit, all

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	located in Section 36, Township 18 South, Range 36 East, MDM, north of Cartago, Inyo County. CEQA Consideration: Environmental Impact Report, certified by the California Department of Transportation, State Clearinghouse No. 2010091023, and adoption of a Mitigation Monitoring Program and Statement of Findings. (SA5773, A2115; RA# 30018) (A 26; S 8) (Staff: J. Porter, C. Huitt, J Mattox, P. Huber)	33
55	CALIFORNIA STATE LANDS COMMISSION (PARTY): Consider adopting a resolution supporting infrastructure projects and operational changes to prevent transboundary pollution in the Tijuana River Valley and Pacific Ocean, San Diego County. CEQA Consideration: not a project. (A & S: Statewide) (Staff: J. Lucchesi, B. Johnson, K. Robinson-Filipp)	53
56	CALIFORNIA BOARD OF FORESTRY (INFORMATIONAL): Presentation by the Board of Forestry on the California Vegetation Treatment Program, which will be implemented statewide to reduce wildfire risks. CEQA Consideration: not applicable. (A & S: Statewide) (Staff: J. Lucchesi)	58
57	CALIFORNIA STATE LANDS COMMISSION (INFORMATIONAL): Progress report on the Commission's first-year implementing its new Environmental Justice Policy. CEQA consideration: not applicable. (A & S: Statewide) (Staff: S. Pemberton, K. Robinson-Filipp)	78
58	CALIFORNIA STATE LANDS COMMISSION (INFORMATIONAL): Informational update on the Commission's participation in the Government Alliance on Race and Equity Capitol Cohort. CEQA consideration: not applicable. (A & S: Statewide) (Staff: S. Pemberton, L. Lloyd)	86
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IX Closed Session

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At any time during the meeting the Commission may meet in a session of Government Code section 11126, part of the Bagley-Keene Open Meeting Act.

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
- California State Lands Commission v. Signal Hill Service, Inc.; Pacific Operators, Inc., dba Pacific Operators Offshore, Inc.; DOES 1-100
- Eugene Davis v. State of California and California State Lands Commission
- In re: HVI Cat Canyon, Inc., Bankruptcy Chapter 11
- In re: PG&E Corporation and Pacific Gas and Electric Company, Bankruptcy Chapter 11
- In re: Rincon Island Limited Partnership Chapter 7

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- In re: Venoco, LLC, 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
- Owens Valley Committee v. City of Los Angeles, Los Angeles Department of Water and Power, et al.
- Public Watchdogs v. California State Lands Commission
- Safe Embarcadero for All v. State ex rel. State Lands Commission, City and County of San Francisco
- San Francisco Baykeeper, Inc. v. State Lands Commission
- San Joaquin River Exchange Contractors Water Authority v. State of California; State Lands Commission
- Seacliff Beach Colony Homeowners Association v. State of California, et al.
- SLPR, LLC, et al. v. San Diego Unified Port District, California State Lands Commission
- SOS Donner Lake v. State of California, et al
- State of California v. International Boundary and Water Commission, et al.
- State Lands Commission v. Plains Pipeline, L.P., et al.
- United States v. Walker River Irrigation District, et al.

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2. The Commission may consider matters that fall under Government Code section 11126, subdivision (e)(2)(b), under which;
  - a. A point has been reached where, in the opinion of the Commission, on the advice of its legal counsel, based on existing facts and circumstances, there is a significant exposure to litigation against the Commission, or
  - b. Based on existing facts and circumstances, the Commission is meeting only to decide whether a closed session is authorized because of a significant exposure to litigation against the Commission.
3. The Commission may consider matters that fall under Government Code section 11126, subdivision (e)(2)(C), where, based on existing facts and circumstances, the state body has decided to initiate or is deciding whether to initiate litigation.

B. Conference with real property negotiators.

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

C. Other matters.

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

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## P R O C E E D I N G S

1  
2 CHAIRPERSON KOUNALAKIS: Good morning, everyone.  
3 Good morning everyone. I call this meeting of the State  
4 Lands Commission to order. All the representatives of the  
5 Commission are present.

6 I am Lieutenant Governor Eleni Kounalakis. I'm  
7 joined today by State Controller Betty Yee and Gayle  
8 Miller representing the Department of Finance.

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

17 Today, we will hear requests and presentations  
18 involving the lands and resources within the Commission's  
19 jurisdiction. We recognize that the lands we manage have  
20 been inhabited for thousands of years by California's  
21 native people and take seriously our trust relationship  
22 with these sovereign governments.

23 Today, our gratitude goes to the Nisenan, Wintun,  
24 and Miwok people who have inhabited the Sacramento River  
25 Valley, and corridor, and the foothills for countless

1 generations. I would like to start our meeting today by  
2 welcoming Robert T. Hatch, Executive Director of Cultural  
3 Preservation for the Wilton Rancheria to come to the  
4 microphone and say a few words.

5 Mr. Hatch.

6 Welcome.

7 MR. HATCH: Thank you. Thank you. It's Ralph  
8 Hatch, Executive Director of Wilton Rancheria. And, you  
9 know, the Chairman -- you know, we're very honored to be  
10 here to open, you know, the meetings this way, and, you  
11 know, honor the people that came here -- or that's been  
12 here. The Nisenan people and the Miwok people that come  
13 from these areas.

14 My job is to protect those things for the next  
15 generation and the generations. So, you know, all that I  
16 try to gather the history, the culture, the ceremonies,  
17 all those things I protect. And I protect everything in  
18 the ground. And so, you know, I -- I wanted to come here  
19 and I -- to share a song with you. And it come from  
20 William Franklin, Bill Franklin. You know, he helped  
21 preserve a lot of these things in this area. And he's  
22 been working with the State and working with, you know,  
23 the communities to keep these things here.

24 And so he used to sing this song. And it was a  
25 song that was -- it was -- it was a social song. But in



1 our dance, when we go into the roundhouses and to the  
2 hun'ges, that's where we go pray, and that's where we ask  
3 for things or we need help spiritually. So we would sing  
4 these songs and we would invite the people to come up to  
5 do that with us. And so what it was doing is it was  
6 brining us all together to pray for something, to pray for  
7 the earth, to pray for the water, to pray for these things  
8 that give us life.

9           And so, you know, I see it fit that -- I sing  
10 that hear because we've got -- you know, going last night  
11 to the tree lighting, and opening it there with my family,  
12 I seen all kinds of different nations come and be a part  
13 of that. And, you know, thinking about California and how  
14 many people are here of different -- from different  
15 nations. And we all got to take care of each other. We  
16 all got to live together. We all got to do these things.  
17 And it's going to take all of us to do that, to change the  
18 environment, to change the things that we go through.

19           And so I brought one of my monitors here today  
20 with me to help me sing this song. You know, he goes out  
21 in the field. And he's -- on any kind of excavating, he's  
22 there to protect. And so I brought him here today, so I'm  
23 going to share that with you. And like I said, we're very  
24 honored to be here, and we're thankful, and, you know, we  
25 have laws inside of our own world that we can't go to

1 somebody else's land and do a prayer or opening. We don't  
2 do that, because it's disrespect to the people that come  
3 from there.

4           And so it's good that we're opening up these  
5 things and I've been traveling for the last few months for  
6 the Chairman and say, hey, go do this, go do this, go do  
7 this.

8           So, you know, again, we're very -- just very  
9 honored to come out here and do this, and to be a part of  
10 it, and, you know, ask prayers for everybody, for all your  
11 families, for you to make good decisions on behalf of the  
12 people, you know. And so I'm going to share.

13           And if you guys can stand, that would be good.  
14 If not, that's fine.

15           (Thereupon they sang.)

16           MR. HATCH: And again, thank you. And have a  
17 good meeting. Thank you.

18           CHAIRPERSON KOUNALAKIS: Thank you so much, Mr.  
19 Hatch. Thank you not just for the beautiful sounds and  
20 meaning of the song, but for your inspirational words.  
21 There is nothing more important than all of us recognizing  
22 that with all of our differences, coming together here in  
23 California in the spirit of community and friendship, we  
24 can do anything.

25           Thank you.

1           So the first item of business will be the  
2 adoption of the minutes from the Commission's meeting of  
3 October 24th, 2019.

4           May I have a motion to approve the minutes?

5           COMMISSIONER YEE: Yes. So moved.

6           CHAIRPERSON KOUNALAKIS: Second?

7           ACTING COMMISSIONER MILLER: Second.

8           CHAIRPERSON KOUNALAKIS: Any objection to a  
9 unanimous vote?

10          If not, the motion passes unanimously.

11          The next order of business is the Executive  
12 Officer's report.

13          CHAIRPERSON KOUNALAKIS: Ms. Lucchesi, may we  
14 have that report?

15          EXECUTIVE OFFICER LUCCHESI: Yes, of course.  
16 Good morning and thank you.

17          I do have a slide deck.

18          Can I get the advancer. I'm sorry.

19          (Thereupon an overhead presentation was  
20 presented as follows.)

21          EXECUTIVE OFFICER LUCCHESI: Thank you.

22          So I just have a couple of items I want to update  
23 the Commission on.

24          The first is our decommissioning projects. I'll  
25 start first with the Rincon Island and onshore leases. We

1 continue to make significant progress in abandoning the  
2 offshore and onshore wells at the former Rincon leases.  
3 On the island, 24 of the 50 offshore wells have been  
4 cemented back to the mud line. Onshore, 24 of the 25  
5 State wells have been abandoned and the removal of the  
6 wellheads and concrete well cellars are underway. Two  
7 private wells were also abandoned within this area using  
8 funds made available by DOGGR.

9           Thus far, 540 tons of concrete have been hauled  
10 to disposal from these operations and a like amount is  
11 being processed at the lease area for disposal.

12           We recently hosted a tour of the island with  
13 County of Ventura representatives, as well as  
14 representatives from UCSB's Bren Institute, including the  
15 Dean, to brainstorm and talk about options for the  
16 ultimate use of the island and disposition. It was a  
17 great beautiful day, as you can see from the pictures, and  
18 we're looking forward to hearing ideas that UCSB may have  
19 for the future use of that island.

20           Because we're making such great progress on the  
21 plugging and abandonment of the wells, we continue to be  
22 ahead of schedule and under budget. We're looking to  
23 start the CEQA process and the public engagement process  
24 on the ultimate disposition of these properties in the  
25 second half of 2020.

1                   --o0o--

2                   EXECUTIVE OFFICER LUCCHESI: Next, with Platform  
3 Holly, we have become -- we have begun the first phase of  
4 the plugging and abandonment of the wells on Platform  
5 Holly. We are -- so far, we have been able to finish  
6 the -- cementing the production zone of three wells and  
7 are working on the fourth.

8                   Each well gets a little better -- working on each  
9 well gets a little better and quicker with less downtime,  
10 as we learn from the previous wells. So we're continuing  
11 to make good progress on that.

12                  Safety continues to be our main concern. And so  
13 far, we have not had any incidences. So that's a good  
14 thing.

15                   --o0o--

16                  EXECUTIVE OFFICER LUCCHESI: In terms of an  
17 update on the Piers 421 wells, we have -- as I mentioned  
18 at our last meeting, we have completed the plugging and  
19 abandonment of the production well there. So we are now  
20 starting to do some prep work for the additional CEQA  
21 compliance that we need to do in order to move forward on  
22 removing those piers from the shore zone there. As you  
23 can see those are the actually -- one of the last -- the  
24 last shore zone pier -- piers relating to oil and gas.  
25 And so we're looking forward to actually removing those

1 from the shore zone and being able to have a much more  
2 smooth access way across the beach there.

3           In terms of the Ellwood Onshore Facility, no new  
4 operations have been done or planned at this time. The  
5 facilities are only in service to -- for the support of  
6 Platform Holly. And that's supplying the platform and  
7 the -- with required utilities for electric and gas  
8 services and stripping the small amounts of hydrogen  
9 sulfide from the gas sent in from the platform.

10           We did hold a town hall event in November. And  
11 that was a successful event in terms of being able to  
12 update the community and the city on our progress with all  
13 aspects of the Platform Holly decommissioning. And  
14 importantly, we were also able to spend some time with  
15 various representatives from the tribal communities in  
16 that area that we're working closely with, both in terms  
17 of keeping them updated on our work out at the platform  
18 and at the piers, but also to help position us and them to  
19 be able to provide meaningful interaction, and feedback,  
20 and support if the unthinkable happens and there is an  
21 incident, as we're plugging and abandoning the wells. So  
22 we're continuing to build and enhance those relationships  
23 with the tribal communities there. We had a great meeting  
24 with them on that, and OSPR participated with us.

25                           --o0o--

1 EXECUTIVE OFFICER LUCCHESI: Next, I want to  
2 update the Commission on a couple of hazard removal  
3 activities that we've completed. This first one is  
4 dealing with the Cemex wharf removal in West Sacramento  
5 near Freedom Bridge. This wharf is under lease for a  
6 non-operational concrete pier and wharf structure that was  
7 originally built in the 1950's.

8 Cemex had submitted an application for removal of  
9 the existing wharf facilities and the termination of the  
10 existing lease. And we began the initial stages of  
11 preparing a workplan and environmental documents for  
12 removal. However, during a site visit in May, staff  
13 discovered that the levee side of the wharf was collapsing  
14 and threatening the integrity of the pier and the wharf  
15 structure.

16 And based on an inspection by our engineers on  
17 June 13th, we determined that the structure was critically  
18 damaged and required immediate removal for public health  
19 and safety reasons. And so as part of that work, we  
20 issued a letter of non-objection to fully remove the  
21 structure. And we're happy to report that the levee has  
22 been completely remediated --

23 --o0o--

24 EXECUTIVE OFFICER LUCCHESI: -- and the -- all  
25 the facilities have been removed. And so this is what it

1 looks like now, again providing access to the river right  
2 there.

3 --o0o--

4 EXECUTIVE OFFICER LUCCHESI: Our next removal  
5 activity deals with the Crockett waterfront. As you may  
6 remember from our last meeting that was held in Contra  
7 Costa County, we had a lot of discussion around the future  
8 of the Crockett waterfront there. We have been working  
9 very closely with the San Francisco Bay Conservation and  
10 Development Commission, BCDC, the National Marine  
11 Fisheries Service, Lind Marine, and Hanson Aggregates to  
12 pursue removal of two abandoned vessels and 30 pilings.  
13 And so that work has recently been completed and everybody  
14 did a really great job.

15 And I actually have a video, I think, if you  
16 could help me play it maybe, from our drone -- there.  
17 There you go -- of the -- some of the work that was  
18 completed as part of this removal activity.

19 (Thereupon a video was played.)

20 EXECUTIVE OFFICER LUCCHESI: And we don't have --  
21 maybe press play again.

22 AGP VIDEO: Is there audio?

23 EXECUTIVE OFFICER LUCCHESI: No.

24 AGP VIDEO: It's still playing.

25 EXECUTIVE OFFICER LUCCHESI: It's -- oh, okay.



1 Great. There it goes.

2 AGP VIDEO: Do you want me to start it over?

3 EXECUTIVE OFFICER LUCCHESI: No, it's fine.

4 Thank you.

5 And so just associated with this on the consent  
6 agenda, we do have Item 16, which we're proposing a lease  
7 with the Nantucket Revitalization, LLC to maintain and  
8 help with security and debris removal for the restaurant  
9 area on shore there.

10 So this is really just to follow up on a lot of  
11 discussion that held -- we had at our last meeting about  
12 the future of this area and working with the county, and  
13 with our applicants for that area, and other State and  
14 federal agencies to really do what we can to clean that  
15 area up. So we're really proud of the work that we're  
16 doing, especially since we don't have dedicated funding  
17 sources for this. So there's a lot of work that goes --  
18 involved in trying to find partners to be able to help  
19 with this clean-up.

20 So I'll move forward.

21 --o0o--

22 EXECUTIVE OFFICER LUCCHESI: So this is what it  
23 looks like now. Obviously, we still have a lot more work  
24 to do, but a significant amount of material was removed  
25 from that site.

1                   --o0o--

2                   EXECUTIVE OFFICER LUCCHESI: Next, I want to  
3 update you on our regulations for our offshore geophysical  
4 survey program.

5                   Recently the Office of Administrative Law  
6 approved the publication of the Commission's new survey --  
7 or, excuse me, regulations. These regulations streamline  
8 and enhance the Commission's existing program and seek to  
9 ensure that geophysical surveys occurring in State waters  
10 are protective of the environment.

11                   --o0o--

12                   EXECUTIVE OFFICER LUCCHESI: And next, the  
13 Commission staff are working with staff from the Ocean  
14 Science Trust to conduct an independent peer review of the  
15 Commission's recent report, entitled *The 2018 Assessment*  
16 *of the Efficacy, Availability, and Environmental Impacts*  
17 *of Ballast Water Treatment Technologies For Use in*  
18 *California's Waters*. This has to do with our Marine  
19 Invasive Species Program.

20                   That report led to AB 912 by Muratsuchi, a  
21 Commission-sponsored bill that goes into effect on January  
22 1st, 2020 and amends the Marine Invasive Species Act to  
23 delay implementation of California's Ballast Water  
24 Discharge Standards and authorize the Commission to  
25 enforce the federal standards in the interim.

1           During the development of the bill, Commission  
2 staff encountered some initial concerns questioning the  
3 findings and conclusions in the 2018 report. And so in  
4 order to ensure that the Commission's scientific review  
5 and decision-making process is grounded in science --  
6 sound science, staff has requested the Ocean Science  
7 Trust, an independent nonprofit organization dedicated to  
8 ocean health, to convene a Scientific Review Panel and  
9 coordinate an independent scientific and technical review  
10 of the 2018 report.

11           OST is working with staff to finalize the scope  
12 of work for the review and it's expected to be complete in  
13 early 2020.

14           The scope of work and final summary report will  
15 be posted on OST's website and a technical report offering  
16 details from the reviewers will be provided to the  
17 Commission. And feedback from the reviewers will also be  
18 useful for the Commission as we prepare comments to the  
19 U.S. EPA and the U.S. Coast Guard during the development  
20 of regulations to establish federal vessel discharge  
21 standards under the recently enacted Vessel Incidental  
22 Discharge Act. And funding -- finally, funding for this  
23 project is provided through a grant from the Ocean  
24 Protection Council.

25                           --o0o--

1 EXECUTIVE OFFICER LUCCHESI: Just a couple more  
2 items I want to update the Commission on. The strategic  
3 plan update. We are embarking next year -- well, we've  
4 already kind of started, but we will be embarking in  
5 earnest next year to develop the Commission's next  
6 five-year strategic plan. We are tentatively scheduled  
7 for an early February 2020 meeting that's going to be  
8 focused on receiving and soliciting input and feedback on  
9 the Commission's current strategic plan, and what people  
10 would like to see for the next strategic plan.

11 And I also want to highlight that Consent Item 46  
12 on the agenda does relate to we're requesting the  
13 Commission to authorize staff to retain a consultant to  
14 help us develop that next strategic plan, as well as a  
15 public engagement process associated with that.

16 Two more Commission personnel issues I want to  
17 identify. First, I want to acknowledge and congratulate  
18 Seth Blackmon as our new Chief Counsel. Seth's education,  
19 litigation experience, leadership attributes, and overall  
20 collaborative and inclusive personality makes him the best  
21 fit for the Chief Counsel. And I could not be more  
22 excited and grateful that he took the position. And I  
23 think I speak for our entire staff for that. So we're  
24 very excited to have him up at the table with us today.

25 And I really look forward to all that we will

1 accomplish together as a Commission with Seth's thoughtful  
2 and comprehensive legal advice, insight, and support.

3           And finally, on a bit of a sad note, I do want to  
4 acknowledge and recognize that we have had three  
5 Commission staff members pass away within the last 12 to  
6 15 months all in the same division, our Mineral Resources  
7 Management Division. And I wanted to request of the Chair  
8 that we close this meeting in honor of them, Mark LeClair,  
9 Raul Valdez, and Steve Staker. They all worked as  
10 inspectors and engineers in our Mineral Resources  
11 Management Division. And as you know, our Commission is  
12 very small and we're very family oriented, so it's been a  
13 huge hit to our agency, and in particular that Division  
14 that worked with them so closely. They were committed,  
15 dedicated public servants. And we're going to miss them  
16 and the State of California is going to miss them very  
17 much.

18           And with that, I'll close my Executive Officer's  
19 report.

20           CHAIRPERSON KOUNALAKIS: Thank you. Thank you so  
21 much Ms. Lucchesi for that very comprehensive and thorough  
22 report. And I certainly support, we all do, closing  
23 today's meeting in the honor of the three staff members  
24 who have been lost in the last 12 to 15 months. It's  
25 really very, very sad.

1           And I also want to congratulate Seth. Welcome to  
2 the team. There's overwhelming support for you being in  
3 this position. And it's been said in the past,  
4 congratulations. You caught the piano.

5           (Laughter.)

6           CHAIRPERSON KOUNALAKIS: A lot of work ahead. A  
7 lot of complicated issues, but we know that you are up to  
8 it. And then finally, I just wanted to recognize just how  
9 much has been going on out there in cleaning up our  
10 beautiful coast and making it more -- you know, more  
11 accessible and attractive to -- to people in the  
12 communities who live there, and to all Californians. And  
13 that the upcoming update of the strategic plan is going to  
14 be a great opportunity for all of us, both up on the dais  
15 and in the community to really reassess and think about  
16 the priorities of the State Lands Commission and hear from  
17 the public about the work that we do, and, you know, what  
18 else we should be thinking about.

19           So thank you very much. And Commissioners, I'll  
20 proceed to the next order of business. Okay. Comments  
21 from Commissioners.

22           How did we not have that?

23           COMMISSIONER YEE: Thank you, Madam Chair. First  
24 of all, I wanted to also add my condolences to the three  
25 staff members. You know, this is a division that's

1 actually pretty globally recognized for the work that they  
2 do. And so it is quite a significant loss, I think, for  
3 the State of California and even beyond. So thank you for  
4 the recognition of them and we will duly recognize them at  
5 the adjournment of this meeting.

6 I wanted to also congratulate Seth and really  
7 welcome him aboard. And I love the analogy, Madam Chair,  
8 of the piano. And that's -- I would say that's probably  
9 most days for many of us in the work that we do.

10 But also, I want to just say with respect to the  
11 strategic plan, I want to just thank Jennifer for the  
12 strong direction that she's really taken to implement the  
13 plan. This has really been integrated throughout the  
14 organization in terms of the work that all of our  
15 divisions are doing. And I think it's really been just  
16 so -- such a great guide and roadmap. And I know for each  
17 of us as Commissioners, it's really helped us kind of put  
18 a focus to, you know, where we want to place our emphasis  
19 and priority.

20 But what I did want to say too is that, you know,  
21 our stakeholders have been a really wonderful part of  
22 this. And we're going to take the public process -- we're  
23 going to take the process public -- more publicly going  
24 into the next year. But I wanted to thank the  
25 stakeholders who we've been able to convene just to get

1 feedback about how it's working for them. This is a  
2 partnership. And I think if there's anything about this  
3 Commission that just should not go unnoticed, it's the  
4 fact that most everything we do is partnership.

5           And so I thank the stakeholders. We did convene  
6 a group, one with the ports and the lessees and another  
7 that really represented the environmental interests and  
8 the environmental justice community. And we're happy that  
9 we have the environmental justice community at the table,  
10 as we begin this new process, and -- but I'm just looking  
11 forward to beginning to have this more public engagement.  
12 The work that we do obviously has broad reach and really  
13 has impacts for a lot of people.

14           But I appreciated, Madam Chair, that, you know,  
15 we have adopted this tradition of beginning every meeting  
16 now with the recognition of our native peoples. It's so  
17 important and so critical that we not forget. And I think  
18 certainly the ongoing work that we will do to make our  
19 consultation process with the tribal communities more  
20 robust will also be just all the more beneficial to the  
21 work that we're going to be carrying out together.

22           Thank you.

23           CHAIRPERSON KOUNALAKIS: Thank you very much.

24           And let me just say that when we start with the  
25 February meeting, and the discussion of the update of the



1 strategic plan, Commissioner Yee will be back in this  
2 chair as the Chair. And with your experience in getting  
3 us to this point, I think it's going to be really terrific  
4 to have your leadership on the update.

5 Okay. The next order of business will be the  
6 adoption of the consent calendar. Commissioners, are  
7 there any items you would like removed from the consent  
8 calendar?

9 EXECUTIVE OFFICER LUCCHESI: I believe that  
10 Commissioner Yee would like to remove Item 29, because she  
11 will need to abstain from that.

12 COMMISSIONER YEE: Yes. If we can remove that  
13 and have a separate vote.

14 CHAIRPERSON KOUNALAKIS: Okay.

15 EXECUTIVE OFFICER LUCCHESI: Yes. So I have a --  
16 I can set that up for the Commission to vote on the  
17 consent agenda to account for her abstention on that item.

18 CHAIRPERSON KOUNALAKIS: Okay.

19 ACTING COMMISSIONER MILLER: So I move adoption  
20 of the consent agenda.

21 EXECUTIVE OFFICER LUCCHESI: Oh. Can I --

22 ACTING COMMISSIONER MILLER: Oh, sorry.

23 CHAIRPERSON KOUNALAKIS: Not quite.

24 EXECUTIVE OFFICER LUCCHESI: Yeah. Let me remove  
25 some items first.

1 (Laughter.)

2 EXECUTIVE OFFICER LUCCHESI: So I'd like to  
3 remove Consent Items 11, 12, 23, and 31, and Regular Item  
4 53 from the agenda altogether. And those will be  
5 considered at a later time.

6 Item 29 will be voted on separately to allow the  
7 Controller to abstain.

8 COMMISSIONER YEE: Thank you

9 CHAIRPERSON KOUNALAKIS: Okay. Thank you.

10 Is there anyone in the audience who wishes to  
11 speak on any item remaining on the consent calendar?

12 If not, we will now proceed with two votes for  
13 consent agenda to account for Commissioner Yee's request.

14 For the consent agenda items, except for items  
15 11, 12, 23, 29 and 31, may I have a motion and a second?

16 COMMISSIONER YEE: So moved.

17 ACTING COMMISSIONER MILLER: Second.

18 CHAIRPERSON KOUNALAKIS: Any objection?

19 Seeing none.

20 Motion passes.

21 For the Consent Agenda Item 29, may I have a  
22 motion and a second.

23 ACTING COMMISSIONER MILLER: So moved.

24 CHAIRPERSON KOUNALAKIS: Ms. Lucchesi, will you  
25 please conduct a roll call vote?

1 EXECUTIVE OFFICER LUCCHESI: Chair -- Madam  
2 Chair --

3 CHAIRPERSON KOUNALAKIS: Second.

4 EXECUTIVE OFFICER LUCCHESI: Thank you.

5 Okay. Commissioner Miller?

6 ACTING COMMISSIONER MILLER: Aye.

7 EXECUTIVE OFFICER LUCCHESI: And Chair  
8 Kounalakis?

9 CHAIRPERSON KOUNALAKIS: Aye.

10 EXECUTIVE OFFICER LUCCHESI: And abstention from  
11 Commissioner Yee?

12 COMMISSIONER YEE: Yes, abstain.

13 EXECUTIVE OFFICER LUCCHESI: The motion passes  
14 2-0.

15 COMMISSIONER YEE: Thank you.

16 CHAIRPERSON KOUNALAKIS: The next order of  
17 business will be the Regular Calendar.

18 Item 52 is to consider assignment an amendment of  
19 a marine -- did I -- were you saying something?

20 Oh, I'm sorry.

21 Item 52 is to consider assignment and amendment  
22 of a marine oil terminal lease located in the Carquinez  
23 Strait in Martinez.

24 May we please have the presentation.

25 (Thereupon an overhead presentation was

1           presented as follows.)

2           PUBLIC LAND MANAGEMENT SPECIALIST TUTOV: Good  
3 morning, Chairwoman Kounalakis and members of the  
4 Commission. My name is Dobri Tutov, and I'm a Public Land  
5 Management Specialist with the Commission.

6           I'm here to present Item 52, recommending the  
7 assignment and amendment of general lease, industrial use,  
8 issued to Equilon Enterprises, LLC doing business as Shell  
9 Oil Products.

10                           --o0o--

11           PUBLIC LAND MANAGEMENT SPECIALIST TUTOV: The  
12 lease is for an existing marine oil terminal associated  
13 with the upland Shell Martinez Refinery in the Carquinez  
14 Strait. Shell's marine oil terminal wharf is located west  
15 of the Interstate 680 bridge and Tesoro marine oil  
16 terminal and east of Martinez City marina.

17           To give you a better idea of the scope and  
18 location of the site, I will play a short drone video  
19 taken on October 22nd by Commission staff working with --  
20 in coordination with Shell employees at the marine oil  
21 terminal

22                           (Thereupon a video was played)

23           AGP VIDEO: Is there audio with this?

24           PUBLIC LAND MANAGEMENT SPECIALIST TUTOV: No, no  
25 audio.

1           The lease area includes an existing concrete  
2 marine oil terminal wharf with mooring dolphins at each  
3 end, and a 16-foot wide approach trestle.

4           Shell has operated a wharf for the transfer of  
5 petroleum products adjacent to its upland refinery in  
6 Martinez since approximately 1915. The first lease was  
7 issued to Shell in 1948 and the company has been under  
8 lease for the marine oil terminal ever since.

9           The current lease was issued in 2011 for a term  
10 of 30 years beginning August 1st, 2009. On June 11th,  
11 2019, Shell executed a sale and purchase agreement with  
12 PBF Holding Company, LLC, which I will refer to as PBF  
13 throughout the remainder of my presentation.

14           The agreement was for the Shell Martinez  
15 Refinery, which included the marine oil terminal  
16 associated with the Commission's lease number PRC 4908.1.

17                           --o0o--

18           PUBLIC LAND MANAGEMENT SPECIALIST TUTOV: Under  
19 the sales arrangement, all of Shell's rights and  
20 obligations under the lease will be assigned to Martinez  
21 Refining Company, LLC, which is a subsidiary of PBF. I  
22 will refer to Martinez Refining Company as MRC throughout  
23 the remainder of my presentation.

24           PBF is one of the largest independent petroleum  
25 refiners and suppliers of unbranded transportation fuels,

1 heating oil lubricants, and other petroleum products in  
2 the United States. PBF Energy currently owns and operates  
3 five domestic oil refineries and related assets with a  
4 combined processing capacity of approximately 900,000  
5 barrels per day.

6 PBF refineries are located in California,  
7 Delaware, Louisiana, New Jersey, and Ohio. PBF, through  
8 MRC, plans to operate the existing marine oil terminal  
9 facilities without substantial changes, retaining the  
10 current employee base consistent with Shell's historical  
11 use of the site.

12 As part of the assignment review process, staff  
13 performed a financial review of the assignee's assets and  
14 that of its parent company, PBF, to ensure their ability  
15 to perform under the terms of the existing lease.

16 MRC is a new entity created on June 26th, 2019  
17 and will not have any major assets until the close of the  
18 sale transaction with Shell. MRC is a wholly owned  
19 subsidiary of PBF, which itself is a parent company of the  
20 various subsidiaries that own and operate oil refining and  
21 transportation facilities elsewhere in the country.

22 Because MRC has no financial history on which to  
23 assess the company's financial strength and reliability,  
24 nor its business experience, expertise, and reputation,  
25 PBF has agreed to execute a parental guarantee to ensure



1 assessment for decommissioning the facilities and the  
2 restoration of the leased premises.

3 Under the amendment, staff will have the  
4 opportunity to reassess sufficiency of the surety ten  
5 years after the effective date of the amendment. The  
6 ten-year -- the ten-year reassessment will be informed by  
7 the results of the decommissioning cost assessment.

8 --o0o--

9 PUBLIC LAND MANAGEMENT SPECIALIST TUTOV: The  
10 inspection and maintenance of the marine oil terminal  
11 wharf are regulated primarily by the Commission. And the  
12 operator must comply with the engineering and structural  
13 requirements of the Marine Oil Terminal Engineering and  
14 Maintenance Standards, also known as MOTEMS.

15 MOTEMS became effective in 2006 and Shell marine  
16 oil terminal wharf has completed three MOTEMS oil and  
17 inspection cycles, evaluating the condition of the  
18 facility.

19 Several deficiencies were identified during these  
20 audits and inspections, which have been corrected or are  
21 in the process of being addressed for compliance purposes.  
22 As part of CEQA compliance and as a condition of the  
23 current lease, the Shell marine oil terminal is required  
24 to adhere to Mitigation Monitoring Program. The facility  
25 is currently compliant with the requirements of that



1 program. And MRC will be required to maintain compliance  
2 with the program during the remainder -- remaining term of  
3 the lease.

4 As part of the assignment review process and  
5 consistent with Commission's adopted Environmental Justice  
6 Policy, staff conducted outreach to environmental justice  
7 community stakeholders. Starting August 2nd, 2019, staff  
8 conducted, via email and phone, 49 different individuals  
9 and representatives of more than 15 environmental justice  
10 organizations. Staff has received no comments regarding  
11 the proposed lease assignment.

12 --o0o--

13 PUBLIC LAND MANAGEMENT SPECIALIST TUTOV: Staff  
14 recommends the Commission:

15 Authorize the assignment of lease number PRC  
16 4908.1 from Equilon Enterprises LLC, dba Shell Oil  
17 Products U.S. to Martinez Refining Company, LLC;

18 Authorize the amendment of the lease to increase  
19 the surety amount and require a decommissioning cost  
20 assessment;

21 And, accept a corporate parental guaranty by PBF  
22 Holding Company, LLC for performance of the obligations  
23 associated with the lease.

24 Thank you. This concludes my presentation.  
25 Staff is available for question. And also PBF and Shell

1 staff is here, and available, and ready to answer any  
2 questions you have.

3 CHAIRPERSON KOUNALAKIS: Thank you very much, Mr.  
4 Tutov, for that thorough report.

5 Are there any Commissioners who would like to ask  
6 any questions or comment on this item?

7 ACTING COMMISSIONER MILLER: Please.

8 CHAIRPERSON KOUNALAKIS: Yes.

9 ACTING COMMISSIONER MILLER: Thank you, Madam  
10 chair. Just briefly on the terms of the lease, not a  
11 question, but just acknowledging the Commission and the  
12 work you've done in terms of ensuring that the bond  
13 amounts are commensurate with the clean-up amounts. And  
14 to the parties that are involved, it's -- it's incredibly  
15 important that we recognize the long-term benefits, but  
16 also the risks to the State, when we enter into these  
17 agreements.

18 So we're really appreciative that you have  
19 acknowledged that and see the financial risks that the  
20 State takes on every time it approves one of these leases.  
21 And we're very pleased to see that the bond amounts and  
22 also all the other requirements that will ensure that  
23 there is responsibility on both sides to keep our  
24 coastlines clean.

25 So thank you for that --

1 PUBLIC LAND MANAGEMENT SPECIALIST TUTOV: Thank  
2 you.

3 CHAIRPERSON KOUNALAKIS: So we have a few people  
4 from the public who would like to speak. First, we have  
5 Dave[SIC] Leshner, followed by Jerry Forstell, followed by  
6 Jeff Harris.

7 Mr. Leshner.

8 MR. LESHER: Yes, thank you. Steve Leshner from  
9 Shell Oil Company. I am the Government Relations Manager  
10 for U.S. west coast. I started my career at the Shell  
11 Refinery in Martinez 18 years ago and am very proud to  
12 have worked on this lease several years ago with the  
13 Commission. So it's a pleasure to be back here before  
14 you.

15 I just wanted to underscore Shell's support for  
16 transferring this lease to PBF. Obviously, they're buying  
17 the facility. But, you know, in my role, as an external  
18 facing person, my obligation is as much to the communities  
19 that we serve as it is to our shareholders. And I've been  
20 very impressed working with PBF. I know they share that  
21 commitment.

22 This lease is among the most robust of its kind.  
23 It went through an exhaustive EIR process with several  
24 opportunities for public input. And I know that PBF is  
25 going to be a good steward of that lease, just as Shell

1 was.

2           So I really want to thank the Commission. I want  
3 to thank Jennifer and the Commission staff for the  
4 outstanding work they've done and I would urge you to  
5 support the lease transfer.

6           Thank you.

7           CHAIRPERSON KOUNALAKIS: Thank you very much.

8           Jerry Forstell.

9           Is Jerry Forstell here?

10          Here he is.

11          MR. FORSTELL: Good morning, Madam Chair,  
12 Commissioners, staff, and members of the public. My name  
13 is Jerry Forstell representing PBF Energy as the refinery  
14 manage -- manager designee, for the Martinez refinery,  
15 which we're in the process of acquiring from Shell as you  
16 know, subject to regulatory approvals and so forth.

17          My background is a mechanical engineer. I've  
18 worked in the industry for about 35 years, including 11 of  
19 those years actually in the Martinez Refinery, in a  
20 various number of roles there.

21          In addition, in a head office assignment for  
22 Shell, I supported the refinery from Houston. So I'm  
23 quite familiar with the facility, the people, the  
24 workforce. Thank you for considering the assignment of  
25 the refinery's wharf lease from Shell to PBF, which is

1 critical to the refinery's operation as you would expect  
2 in the acquisition.

3           Representatives from both companies are here to  
4 respond to questions, should you have any further  
5 questions. But because PBF is a merchant refiner without  
6 retail presence, I thought I'd take a minute or two to just  
7 up -- give you a little background on the company.

8           And to some degree, I don't want to be  
9 repetitive, but our profile shows PBF as an extensive  
10 growing nationwide -- having a nationwide footprint,  
11 including in Torrance, California, down south for the last  
12 three years.

13           And I'd like to give you a little more  
14 background. PBF and its subsidiary -- subsidiaries own  
15 and operate domestic oil refineries in Torrance;  
16 Chalmette, Louisiana, which is near New Orleans; Toledo,  
17 Ohio; Delaware City; and Paulsboro, New Jersey.

18           We have about 3,300 employees at present, and  
19 which will increase to about 4,000, if we're successful in  
20 acquiring Martinez from shell.

21           PBF is also a general -- has a general partner of  
22 a mastered limited partnership, or an MLP, which operates  
23 terminals typically associated -- terminals and pipelines  
24 typically associated with those refineries.

25           Shares of PBF energy have been publicly traded on

1 the New York Stock Exchange since December 2012, and PBF  
2 Logistics since May of 2014. As a growth company, we're  
3 now acquiring the Martinez refinery -- and your staff has  
4 done an excellent job advocating on behalf of the State of  
5 California, and as a residence, throughout the assignment  
6 process of the Martinez Wharf Lease.

7 We compliment Executive Officer Lucchesi, who did  
8 make a visit out to the refinery in October with us and  
9 members of her senior staff for being responsive and  
10 responsible for taking steps like visiting the refinery,  
11 as I mentioned.

12 As a result, PBF has satisfactorily met the  
13 staff's conditions of assignment. And so in closing, I'd  
14 like to assure you that if you approve the assignment  
15 today, we intend to continue operating the Martinez  
16 Refinery and the wharf safely, reliably, and in an  
17 environmentally responsible manner following the close of  
18 the acquisition, which we anticipate in the first quarter  
19 of 2020.

20 We look forward to responding to any questions  
21 that you might have, as well as your earnest consideration  
22 for the lease assignment.

23 And thanks again for providing me the opportunity  
24 to make these introductory comments.

25 Thank you.

1 CHAIRPERSON KOUNALAKIS: Thank you very much.

2 Jeff Harris.

3 MR. HARRIS: I'll pass.

4 CHAIRPERSON KOUNALAKIS: Okay. Are there any  
5 other members here of the public who would like to speak  
6 on this issue?

7 That is all of the slips that I have.

8 Do we have a motion?

9 ACTING COMMISSIONER MILLER: So moved.

10 COMMISSIONER YEE: Second.

11 CHAIRPERSON KOUNALAKIS: Second?

12 COMMISSIONER YEE: Second.

13 CHAIRPERSON KOUNALAKIS: Any objection?

14 Seeing none.

15 The motion passes unanimously. Thank you.

16 Item 54 is to consider authorization as trustee  
17 of the School Land Bank Fund for the sale of approximately  
18 17 acres of State-owned school land; consider  
19 authorization of a general lease of approximately one acre  
20 of school land; and, consider authorization of an  
21 archaeological permit all located in Inyo County. May we  
22 please have the presentation.

23 Thank you.

24 (Thereupon an overhead presentation was  
25 presented as follows.)

1           LAND MANAGEMENT DIVISION CHIEF BUGSCH: Good  
2 morning, Commissioners. My name is Brian Bugsch and I am  
3 Chief of the Land Management Division. I'm here to  
4 present on Item 54.

5                                           --o0o--

6           LAND MANAGEMENT DIVISION CHIEF BUGSCH: This item  
7 is an application from Caltrans that consists of three  
8 parts, an application to purchase 17.13 acres of school  
9 land for the Olancha-Cartago four-lane highway project,  
10 and application for a general lease, for a short-term  
11 right-of-way lease to provide access during project  
12 construction; and the third part is an application for an  
13 archaeological permit to recover cultural resources from a  
14 portion of the construction area.

15                                           --o0o--

16           LAND MANAGEMENT DIVISION CHIEF BUGSCH: The  
17 proposed project has been in development since 1998.  
18 Caltrans is proposing to upgrade U.S. Highway 395 from a  
19 two-lane conventional highway to a combination of a  
20 four-lane conventional highway and a divided expressway.

21           The project begins south of the community of  
22 Olancha and ends north of the community of Cartago near  
23 the southern end of Owens Lake. So there it is on the  
24 little corner of Owens Lake, a little zoom in on the State  
25 Lands parcels.





1           During preparation of the Environmental Impact  
2 Report for the project, Caltrans discovered cultural  
3 Resources, which require further investigation,  
4 documentation, and preservation. The area of excavation  
5 is within the proposed sale parcel. Staff is requesting  
6 authority to execute an archaeological permit for these  
7 purposes, which will give Caltrans the ability to conduct  
8 work during the interim period while the patent is being  
9 processed.

10           I would now like to introduce Jennifer Mattox,  
11 the Commission's Science Policy Advisor and Tribal  
12 Liaison, who will discuss staff's consultation with the  
13 Tribal Historic Preservation Officers from the Lone Pine  
14 Paiute Shoshone Reservation, Fort Independence Community  
15 of Paiute and Big Pine Paiute Tribe of the Owens Valley.

16           SCIENCE POLICY ADVISOR & TRIBAL LIAISON MATTOX:

17           Good morning. Thank you for having us for this  
18 time and on this item. Jennifer Mattox. I'm the Tribal  
19 Liaison for the Commission. And I'm just going to go over  
20 really briefly the process.

21           Oh, my PowerPoint went away.

22           Okay.

23           (Laughter.)

24           SCIENCE POLICY ADVISOR & TRIBAL LIAISON MATTOX:

25           And I'm just -- for my little portion, I'd really

1 like to just give a very brief overview of the process  
2 underwhich our agree -- our proposed agreement came to be,  
3 because in terms of just the value and the importance, I'd  
4 really like you to hear directly from the tribes and the  
5 tribal communities that are affected. And they are also  
6 here today to speak on this item.

7           So because I don't want to speak for them, I can  
8 just speak to the process. We became aware of this  
9 project, or at least I became aware of the tribal issues  
10 related to this project in approximately August. We have  
11 an ongoing relationship with the tribes in the Owens  
12 Valley due to our activities on the Owens Dry Lake. So we  
13 have a long-standing relationship. And we're also really  
14 well aware of the importance of this valley and it's -- in  
15 fact, we're working on a nomination package to the  
16 National Register with several other State agencies and  
17 all the tribes in the Owens Valley.

18           So that's just to speak to how valuable this area  
19 is. It remains relatively undeveloped compared to a lot  
20 of other areas of California, where cultural resources,  
21 inherited resources, are a lot -- either destroyed or a  
22 lot harder to find because of urbanization.

23           So our staff became aware of this project in  
24 August, where we were requested to have consultation on  
25 this project due to some ongoing unresolved concerns that

1 the tribes had related to excavation and storage of  
2 cultural resources, and artifacts, and also just cultural  
3 landscape values.

4           The project was approved, cert -- the EIR was  
5 certified and the project was approved with its current  
6 approved alignment in 2017. But we -- this became -- came  
7 about to us upon the application for the sale. So once we  
8 started doing research and had our consultation begin, we  
9 ended up having a meeting down in October in Lone Pine.  
10 And that meeting was attended by Caltrans archaeological  
11 staff, environmental staff, myself, and then  
12 representatives from three of the tribes.

13           So what the request was was that the -- not  
14 having a cultural resources repository option local was  
15 problematic to the tribes and exacerbated the injury that  
16 they -- that they experienced from the excavation and  
17 removal of the artifacts.

18           You may remember that prior last year, we also  
19 had an item on the agenda related to Owens Lake artifacts  
20 for their Phase 9/10 dust control project, where we had  
21 undertaken a review process for the cultural center  
22 repository in Lone Pine, where we had consulted with the  
23 Office of Historic Preservation and the Native American  
24 Heritage Commission. And we have found that that location  
25 was satisfactory for storage of cultural artifacts.

1           So that request we were able to accommodate. And  
2 then process-wise, the other request that the tribal  
3 members had was that the -- that an area that is adjacent  
4 to the sale parcel that contains the remainder of a  
5 archaeological site that was identified. That that is  
6 integral to the continuity of preservation of the cultural  
7 artifacts and landscape in that area.

8           So once we -- this is not the right slide, but I  
9 was just talking.

10                           --o0o--

11           SCIENCE POLICY ADVISOR & TRIBAL LIAISON MATTOX:

12           So, you know, because there was some destruction  
13 of cultural resources, and they could not be avoided, once  
14 we concluded consultation, we found several reasons to  
15 recommend to you today that this cultural preservation  
16 parcel be included as part of the Commission's approval.

17           And that has to do with three things, primarily.  
18 So first is we have our strategic plan, which talks in  
19 Strategy 3.2 to continue our commitments through our  
20 consultation process for early and meaningful engagement  
21 with Native American tribes.

22           Second we have our Environmental Justice Policy.  
23 And as you remember, we had an outside independent review  
24 group and that included the tribal voice. And we did  
25 include several goals in our Environmental Justice Policy.

1 And this project really seems to be emblematic of how we  
2 can effectuate some of the goals of that policy, including  
3 Goal 7, which is, "To honor the importance of tribe's  
4 ancestral's homelands, and whenever possible, actively  
5 support opportunities to empower tribes to protect,  
6 restore, and manage their ancestral lands".

7 So there's a couple reasons that we found that  
8 that fit within what we could do to engage and to fulfill  
9 those environmental justice policies.

10 And then thirdly, really within the broad  
11 spectrum of what is in the best interests of the State on  
12 this school lands parcel, which has a very -- which, you  
13 know, has very significant cultural value to the tribes.  
14 And when we think about the best use of that land, what it  
15 would mean to do something else with that land, like build  
16 on it, would be highly problematic and would really be  
17 contrary to many of the policies that you have adopted  
18 here.

19 So that is how we resolved that consultation.  
20 That consultation lasted approximately four months. We  
21 had several meetings with the tribes, several meetings  
22 with Caltrans, and several conversations internally.

23 So that's all I have to summarize that. And I  
24 would just love to have you hear from the tribal members  
25 themselves, and there are three of them here today.

1 Thank you.

2 CHAIRPERSON KOUNALAKIS: Wonderful. Can I -- can  
3 I ask you, did you have an appraised value of the 45  
4 acres?

5 SCIENCE POLICY ADVISOR & TRIBAL LIAISON MATTOX:

6 The cultural preservation parcel -- proposed  
7 cultural preservation parcel has not had its own  
8 appraisal.

9 CHAIRPERSON KOUNALAKIS: Um-hmm.

10 SCIENCE POLICY ADVISOR & TRIBAL LIAISON MATTOX:

11 But the appraisal was done for the sale parcel.  
12 And because it is located --

13 CHAIRPERSON KOUNALAKIS: Um-hmm. Sure.

14 SCIENCE POLICY ADVISOR & TRIBAL LIAISON MATTOX:

15 -- as part of the larger school lands parcel,  
16 we've put right now sort of the estimated appraised value  
17 of being the same or similar, but I believe that that  
18 hasn't been finalized yet.

19 EXECUTIVE OFFICER LUCCHESI: It will require a  
20 survey --

21 CHAIRPERSON KOUNALAKIS: Um-hmm.

22 EXECUTIVE OFFICER LUCCHESI: -- of the cultural  
23 preservation parcel, so we could be very clear on the  
24 legal description, and then we can apply that to the  
25 appraised value to get a final price.

1           CHAIRPERSON KOUNALAKIS: But based on what we  
2 know about the value of the easement land --

3           EXECUTIVE OFFICER LUCCHESI: Um-hmm, right.

4           CHAIRPERSON KOUNALAKIS: -- what is our rough  
5 estimation of the value?

6           EXECUTIVE OFFICER LUCCHESI: Very rough is around  
7 \$30,000.

8           CHAIRPERSON KOUNALAKIS: Okay. Thank you.

9           I have some thoughts, but I want to ask other  
10 Commissioners any questions or comments.

11           So, I'm really intrigued by this, because one of  
12 the issues that I understand has come up is a question of  
13 precedent setting, precedent for Caltrans, precedent for  
14 us. But what I see and what I think we can all really  
15 hear in your voice is that this is just one of those  
16 golden opportunities, where you can recognize pretty  
17 clearly that for a relatively small amount of what we are  
18 offering, a parcel of 45 acres estimated somewhere around  
19 \$30,000, we have the opportunity to live up to the goals  
20 and the strategic priorities of the State Lands  
21 Commission, which is to honor the indigenous people who  
22 lived in California, and that this site in particular has  
23 so much to offer.

24           So I just want to commend staff for not being --  
25 not backing away from this opportunity out of concern over



1 precedent setting, because it was so clear that the  
2 opportunity here to do something really great at a  
3 relatively small cost to us was just too good to pass up.

4           So thank you. And beyond that I think we'll go  
5 ahead and move to public comment.

6           SCIENCE POLICY ADVISOR & TRIBAL LIAISON MATTOX:

7           Yeah. Thank you. And based -- just, if I may,  
8 based on your, you know, asking about precedent setting  
9 and, you know, it is and it isn't. I would point out that  
10 there are several land trusts have been established. Amuh  
11 Mutsun, the Kumeyaay have a land trust. There's -- there  
12 are tribal land trusts that have been established that  
13 have been very successful in achieving conservation  
14 easements and other types of repatriation. The Wiyot have  
15 just received repatriation of Indian Island up in  
16 Humboldt.

17           I'm -- and then in addition to that, I would just  
18 say that there has also been, recently adopted by the  
19 California Public Utilities Commission, a Land Transfer  
20 Policy, that any surplus real estate from investor-owned  
21 utilities that are looking for a sale, give tribal nations  
22 first right of refusal for that land. So it -- while it  
23 is a first for us, it is definitely very much in line with  
24 where the momentum of the state is going, if you keep in  
25 mind the Governor's recent Executive Order, and apology,

1 and then also through what is happening with the Office of  
2 Historic Preservation.

3 CHAIRPERSON KOUNALAKIS: But I think just if  
4 we -- if we -- again, I really do want to say this though,  
5 because there may be a lot of things happening there  
6 around sentiment, right? And I understand that. But we  
7 also have to live by the decisions that we make in the  
8 future. And so what I would say is that if there's a  
9 precedent being set here, it's that there is a big  
10 opportunity for a relatively small investment.

11 And that without necessarily creating a precedent  
12 for other things, which need to be taken, yeah, in the  
13 context of this, but also in the context of the other  
14 circumstances surrounding them, that we shouldn't be  
15 unwilling to do something that is so beneficial, because  
16 we're worried that that might force us into a position to  
17 prejudge decisions in the future, which may be more  
18 difficult.

19 So I wanted to make that point. And then with  
20 that, thank you, again, everyone for that great  
21 presentation.

22 We have three people who have asked to speak on  
23 this item. If there are any others, please submit your  
24 speaker slips. Kathy Bancroft, Jolie Varela, and  
25 Charlotte --

1 MS. LANGE: Lange.

2 CHAIRPERSON KOUNALAKIS: Lynn[SIC].

3 Please approach the dais. Thank you, at the  
4 podium.

5 MS. BANCROFT: Good morning. I'm Kathy Jefferson  
6 Bancroft. I'm the Tribal Historic Preservation for the  
7 Lone Pine Paiute Shoshone Reservation. And first of all,  
8 I would like to thank the Miwok people for taking care of  
9 this land so long, so that we're able to all come and  
10 enjoy it, and meet here and everything.

11 And then I really want to thank the State Land --  
12 California State Lands Commission and staff for the  
13 support and just the breath of fresh air of somebody who  
14 understands, and has been there for us, and done really  
15 great things to help us in the Owens Valley -- on the  
16 Owens Lake, and now, with this project.

17 I started working on this project, the highway  
18 project. When I first came home from graduate school in  
19 2002, it was my first experience as a tribal monitor. And  
20 it was very strange, because I couldn't figure out half  
21 the stuff they were doing and why.

22 And I've been continued -- and now in my --  
23 what -- in my job what I do now, they came to us in 2014  
24 to consult. And they wanted us to consult with Caltrans.  
25 We said Caltrans is not a federal -- they're not federal

1 people. We want -- so they did send Federal Highways.  
2 And we consulted, I think, for over a year. And it was  
3 very frustrating, because we would sit there and talk, and  
4 tell them all kinds of stuff, and our concerns. And  
5 they'd had come back to the next meeting like they hadn't  
6 heard a word we said. And we went on and on like that.

7           And then they just disappeared and we're like,  
8 okay. And it was all good until a little over -- well, I  
9 guess, almost two years ago now, we heard this project was  
10 starting back up. So we're like, okay.

11           And -- but since then we have talked with  
12 Caltrans, and the archaeologists and everybody, but it's  
13 been more the attitude of here's what we're going to do  
14 the project is a go. And so this is what we're going to  
15 do. We have gotten some, you know, working on the ground  
16 level and without being noticed gotten some things  
17 changed. But pretty much it's like here's what we're  
18 doing and not listening to -- you know, we tell them our  
19 concerns, they say okay, and then walk away.

20           This area is a really -- it's sacred, and -- but  
21 it's really special. It's a ceremonial place that has  
22 been used for thousands and thousands of years in the --  
23 as part of the lifecycle. And we don't want that word to  
24 get out, because it just cause -- everything we let get  
25 out causes more problems it seems like. But because of

1 this project, it's all going to be destroyed. There's  
2 already been 30 years worth of archaeology in this area.  
3 They know how sensitive this area is.

4 And we are constantly warning them, constantly  
5 talking -- trying to stay on top of everything they're  
6 doing, just so we know what's going on, trying to get  
7 along with them, and -- because we have to keep that open  
8 discussion and doing what we can.

9 There are certain people at Caltrans who have  
10 listened, but a lot of them, you know, just like, well, we  
11 can't do anything about that. So it's a little  
12 frustrating. So it was really nice when California State  
13 Lands got involved, because of their permit, because all  
14 of a sudden, they're not just having to listen to us, and  
15 that backing of somebody who has some authority and can  
16 hold that permit over their head.

17 So we just appreciate the patience and the --  
18 the, what do you call it, the persistence in making them  
19 answer to what is important. And this land transfer and  
20 just the -- you know, we spoke, and spoke, and spoke for  
21 years about our artifacts are being dug up. They're taken  
22 from us right then. And I said you don't have to take  
23 them. You can leave them here at our facility. And they  
24 disappear and then we never see them again.

25 So that's the hardest part, because we feel a lot

1 of the restlessness and, you know, unsettledness in the  
2 valley is because our ancestors are sitting on the shelf  
3 some place in a city far away, and they're not being cared  
4 for or even paid attention to there.

5           And that's not where they belong. They belong  
6 where they were put, first of all, which hopefully with  
7 this land transfer we can at least, you know, put them  
8 close. But we do have a facility there to care for these  
9 items. And so there's no reason that they haven't even --  
10 even given us that little bit. So this is really big to  
11 have somebody listen to us and make somebody else listen  
12 to you.

13           And we -- so just that -- the actions that  
14 California State Lands have shown that, the understanding,  
15 the knowledge of history, the compassion, the empathy  
16 towards how we feel, because this is a place that we've  
17 protected for thousands, and thousands, and thousands of  
18 years, and who better to protect it than those who really  
19 care and know how to protect it. So we appreciate this.

20           Thank you.

21           CHAIRPERSON KOUNALAKIS: Thank you. Thank you  
22 very much for those great words.

23           Jolie Varela and Charlotte Lange.

24           MS. VARELA: (Spoke in native language.)

25           Hello. My name is Jolie Varela. I come from the

1 place of flowing water and Tule River. I'm very happy to  
2 be here with you today. Pai-hu'-yu is also known as the  
3 Owens Valley. But Pai-hu'-yu is the original name for  
4 that valley that our people have called it for thousands  
5 of years. And it means the place where water flows.

6           And I'm very grateful to be here with some of my  
7 elders today. I feel this is so very important. And I  
8 don't believe that you can place a monetary value on these  
9 artifacts. They are a part of our identity and our  
10 culture. And we would just like to see them preserved for  
11 future generations. I've had the honor and the privilege  
12 to be at UC Berkeley working with the American Cultures  
13 Program there, and to be able to see some of the artifacts  
14 from our home that are housed there. And they're very  
15 beautiful. But I know that not all of us have that  
16 opportunity to visit and to see these items that are a  
17 part of our history and a part of who we are. So, to me,  
18 it is very important that we preserve them and we keep  
19 them home with us. And that's why I'm here speaking to  
20 you right now.

21           And I just want to say thank you. And thank you  
22 to my elders really who I get to learn about these things  
23 from every day.

24           And just stress again the importance of this  
25 land, and the cultural importance, and how we don't want

1 our artifacts to leave. And they're not -- to me, they're  
2 not really, you know, artifacts. These are -- these are  
3 pieces of us, pieces of who we are. And it's so important  
4 to preserve that for future generations. And I just want  
5 to thank you for that opportunity.

6 CHAIRPERSON KOUNALAKIS: Thank you. Thank you  
7 very much for being here.

8 Charlotte Lange and Francis Coats.

9 MS. LANGE: Good morning.

10 (Spoke in native language.)

11 MR. LANGE: Charlotte Lange from the Land of Mono  
12 Lake Kutzadike people.

13 I'm Charlotte Lange and I come from Mono Lake.  
14 And we're the headwaters of this valley. And we're having  
15 lots of, lots of issues in our beautiful country. And we  
16 want to keep our country. We want to keep it for our  
17 generations, for you, for your children, your  
18 grandchildren to come and enjoy this land.

19 But in order to preserve our heritage, we need to  
20 take care of our sources, and our elders, and our cultural  
21 resources, and the land. And this is a big step. It's a  
22 small step. It's a huge, huge, huge thing for our elders  
23 to see that people are starting to get a heart and  
24 recognize that us Indian people have a voice and we take  
25 care of our people, and our spirits, and our land.



1           We're not there just because we were put there.  
2 We are the first people of this country and we really  
3 appreciate this small endeavor. And State Lands is just  
4 in the bottom of our heart to stick with us on this.

5           We were in Berkeley and we're reaching out to  
6 other cultures and feeling their pain as well as ours.  
7 And speaking with these young people who are moving up in  
8 this world and able to make change as well as us is a  
9 great honor to start speaking. And what we all care about  
10 is this land.

11           And we need all of you, as well as these young  
12 students to help us get it back and keep it. Coming  
13 into -- I've been in Sacramento since I was a little kid  
14 and I just go, oh, gosh, that used to be so pretty and now  
15 it's all concrete. You know, when do we stop. When do  
16 you start thinking of this land, and enjoying, and keeping  
17 it pretty, the beautiful fall flowers, the beautiful  
18 flowers on the trees that are falling so graciously.  
19 Let's keep it and think about what we can do for these  
20 lands.

21           And I would really like to honor the Governor for  
22 his kind words in recognizing it and apologizing to our  
23 people. We accept it. It's small, but it's a big deal  
24 and it's in the right movement. But there again -- in my  
25 language we say nanaka. And every time we say nanaka, we

1 don't have a thank you. We don't have a lot of words in  
2 the English language. But when we say nanaka that means  
3 we grow. So nanaka, let's all grow together.

4 Thank you.

5 CHAIRPERSON KOUNALAKIS: Thank you very, very  
6 much.

7 And then finally, I have Francis Coats. If  
8 there's anyone else who would to speak on this item,  
9 please submit a speaker's slip. Thank you.

10 MR. COATS: Hello. I'm Francis Coats. I was  
11 wondering in the transfer of the 45 acre parcel, were they  
12 going to reserve the fishing rights on that?

13 CHAIRPERSON KOUNALAKIS: Mr. Vogel or Ms.  
14 Lucchesi.

15 EXECUTIVE OFFICER LUCCHESI: We are still working  
16 through the details. We actually have a meeting scheduled  
17 with Mr. Coats later in the week to talk about a number of  
18 things, so we can work on answering that question with him  
19 then.

20 CHAIRPERSON KOUNALAKIS: Okay. So any other  
21 discussion on this item?

22 Do we have a motion?

23 ACTING COMMISSIONER MILLER: I'll move. And I am  
24 really grateful for the comments, Madam Chair, and hope  
25 that your ancestors do, in fact, find some peace. So

1 thank you for sharing and I learned a lot.

2 CHAIRPERSON KOUNALAKIS: Second?

3 COMMISSIONER YEE: I'll second that motion.

4 CHAIRPERSON KOUNALAKIS: Any objection?

5 Seeing none. Motion passes unanimously.

6 Item 55 is to consider adopting a resolution  
7 supporting infrastructure projects and operational changes  
8 to prevent transboundary pollution in the Tijuana River  
9 Valley and Pacific Ocean.

10 May we have the presentation, please.

11 (Thereupon an overhead presentation was  
12 presented as follows.)

13 EXECUTIVE OFFICER LUCCHESI: Yes. I will be  
14 giving this presentation. And I believe that we have a  
15 PowerPoint for this.

16 There we go.

17 All right.

18 --o0o--

19 EXECUTIVE OFFICER LUCCHESI: So this past  
20 Tuesday, several agencies and cities came together to  
21 support a consensus resolution recommending actions for  
22 the federal government to take to eliminate transboundary  
23 flows in the Tijuana River Valley. Due to a lack of in --  
24 lack of adequate water infrastructure, transboundary flows  
25 are a significant source of untreated sewage, trash,

1 sediment, hazardous chemicals, heavy metals, and toxins.  
2 These flows severely impact waters and communities  
3 resulting in public health, environmental, and safety  
4 crises.

5 --o0o--

6 EXECUTIVE OFFICER LUCCHESI: One of the  
7 Commission's primary goals over the past couple years has  
8 been to find and advocate for solutions to the  
9 transboundary pollution impacting Southern California's  
10 Public Trust Lands.

11 This resolution identifies the most urgent  
12 actions needed from the federal level to address the  
13 underlying causes of sewage, sediment, and trash. The  
14 resolution requests that the Federal government do the  
15 following: allocate funding to the U.S. EPA to carry out  
16 capital projects already identified; restore and maintain  
17 the chemical, physical, and biological integrity of the  
18 Tijuana River Valley; and authorize and direct the U.S.  
19 EPA and the International Boundary and Water Commission to  
20 cooperate and expeditiously execute projects.

21 --o0o--

22 EXECUTIVE OFFICER LUCCHESI: So in summary, staff  
23 recommends adopting the resolution calling on the federal  
24 government to act on the Tijuana River Valley pollution.  
25 And if adopted, the Commission will join several agencies

1 and local cities in a unified call for urgent action. The  
2 joint resolution includes the County of San Diego, the  
3 City of San Diego, the City of Imperial Beach, the City of  
4 Chula Vista, the of City Coronado, the Port of San Diego,  
5 the San Diego Regional Water Quality Control Board, the  
6 State Lands Commission, and the Surfrider Foundation.

7 And with that, we ask for aye vote.

8 CHAIRPERSON KOUNALAKIS: Do we have any comments  
9 from Commissioners or questions?

10 COMMISSIONER YEE: Yeah. I'll make a comment.

11 Thank you, Madam Chair. First of all, thank you.  
12 I think this resolution is really memorializing a lot of  
13 the focus by all the different entities on the work that  
14 needs to be done. And I want to thank you, Madam Chair,  
15 for really elevating these issues as well with respect  
16 to -- I mean, I think there's a lot of will to do a lot of  
17 good work there, but just the presence of the State Lands  
18 Commission, the leadership that we're showing, and  
19 certainly the encouragement that we will be there in a  
20 sustained way to be sure that we really are going to make  
21 some good progress here. So I appreciate the resolution  
22 and would make a motion to adopt it.

23 ACTING COMMISSIONER MILLER: I'll second that.

24 CHAIRPERSON KOUNALAKIS: All right. We have a  
25 motion on the table. Before we -- I call for a vote, I

1 have spent a little bit of time down there on the border  
2 and in Mexico meeting with people on both sides of the  
3 border who've been working on this issue for a long time.  
4 It has gotten worse over the years, as the population  
5 particularly in Tijuana has grown.

6           And what I saw the first time I went down there  
7 really was -- I couldn't really believe my own eyes,  
8 because we don't have these kinds of sewage flows in  
9 California. We have -- we build water treatment plants.  
10 We build infrastructure. We ensure that our cities and  
11 our communities are built in a way that we don't have  
12 these kinds of polluting situations.

13           But because of the nature of the flows of water  
14 over the border, we have a very, very serious problem.  
15 And there are things that we can do on our side. And so  
16 the allocation by the Legislature of California to enhance  
17 the infrastructure on our side of the border are a very --  
18 that's a very important first step.

19           The commitment on the other side of the border to  
20 improving the infrastructure on the Tijuana side is really  
21 very key to resolving this.

22           But in the meantime, we have a pollution issue on  
23 the beaches of San Diego and within the Tijuana River  
24 Valley that is in desperate need of advancing solutions.  
25 And it is going to take all of us working together.

1           There are people who are down in the San Diego  
2 area on our side who've been working on this for a long  
3 time. There is a lot of knowledge now on what needs to be  
4 done, what can be done. There are many overlapping  
5 jurisdictions that are all committed and working together  
6 right now.

7           We have the leadership of Senator Dianne  
8 Feinstein in Washington. We have people within this  
9 administration in Washington who are committed. And just  
10 this week, I had the opportunity to be with Governor  
11 Newsom in San Diego as he signed the MOU to reestablish  
12 the Commission of the Californias along with the Governors  
13 of Baja California and Baja California Sur, Governor  
14 Mendoza and Governor Bonilla.

15           So the players are in place. The issue is raised  
16 to a very high level. This vote today will help to  
17 advance that. There is no question that the State Lands  
18 Commission has a very important leadership role to play.  
19 But this is truly one of those things where it is a  
20 concerted effort by people on the ground who've been  
21 working on this for a long time, along with the leadership  
22 of the State of California and the leadership of the  
23 Mexican government as well that is going to get us to  
24 resolution. It's not going to happen immediately. It's  
25 not going to be easy. But there are solutions that can be

1 implemented quickly, and there are longer term solutions,  
2 all of which I know that we're going to be able to make  
3 progress on this.

4           So thank you for bringing this before us. And  
5 with that, I will call for a vote.

6           Is there any objection to unanimous approval?

7           Seeing none. Motion carries unanimously.

8           Item 56 is an informational presentation by the  
9 Board of Forestry on the California Vegetation Treatment  
10 Program.

11           May we have the presentation, please.

12           EXECUTIVE OFFICER LUCCHESI: I'd like to  
13 introduce Executive Officer Matt Dias from the Board of  
14 Forestry.

15           (Thereupon an overhead presentation was  
16 presented as follows.)

17           MR. DIAS: Thank you. I appreciate it.

18           Madam Chair, Commissioners, Matt Dias, Board of  
19 Forestry and Fire Protection.

20           Thank you.

21           AGP VIDEO: Would you point that mic towards your  
22 mouth.

23           Are we on?

24           I actually have one of those voices that often  
25 does not need a microphone.



1 (Laughter.)

2 MR. DIAS: And accompanying me today is Heather.

3 CHAIRPERSON KOUNALAKIS: If you could actually  
4 start over, because I don't know that they caught your  
5 introduction through the mic.

6 MR. DIAS: Oh, I'm sorry. I'm sorry.

7 Madam Chair, Commissioners, my name is Matt Dias.  
8 I'm the Executive Officer with the State Board of Forestry  
9 and Fire Protection. And with me today I have Heather  
10 Blair with Ascent Environmental. Ascent Environmental has  
11 been a key player over the course of the last year on the  
12 project that we're going to be giving you a brief  
13 introduction on today.

14 And today, we are going to be covering the  
15 California Vegetation Treatment Program -- the program and  
16 the programmatic EIR that the Board has been working on.  
17 We lovingly call it the CalVTP. It's been rebranded in  
18 the course of the last year and a half or so. About last  
19 year or so, we rebranded it CalVTP. This has been a  
20 project that the State Board of Forestry and Fire  
21 Protection has been working on for about 15 years now.

22 --o0o--

23 MR. DIAS: So the goals -- and I would say in the  
24 interests of time we are going to attempt to keep this  
25 presentation to 15 minutes or less, but we want to provide

1 ample time for you guys to answer any questions or ask any  
2 questions that you may have.

3           Our goal for today is again to cover not only the  
4 program of which we're analyzing, but also the  
5 programmatic EIR that's going to be put forth and  
6 considered by the Board of Forestry soon. We're going to  
7 cover the intended uses and get into some level of detail  
8 on the project-specific analysis, which will be the tiered  
9 projects that would come off of this Programmatic EIR.

10           So the State Board of Forestry and Fire  
11 Protection is proposing the CalVTP. As I stated, we've  
12 been working on this for quite some time. And as the  
13 wildland fires have become a greater issue in terms of not  
14 only impacts on wildland resources, natural resources, but  
15 also to life and assets within the state of California,  
16 this CalVTP has become a critical piece of the prevention  
17 goals of the State wildland fire prevention goals of the  
18 State.

19           The structure of this CalVTP has kind of changed  
20 over the course of the last year or so, where initially,  
21 when we were working on this, the initial thought was that  
22 this was going to be a CAL FIRE program, and CAL FIRE was  
23 going to be the primary implementing entities.

24           Since -- over the course of the last year, we  
25 kind of changed our trajectory. And the new iterations of

1 this Program EIR or -- has been redrafted to allow  
2 multiple government agencies, both local and State, to  
3 be -- to conduct a -- to take on a lead role agency as it  
4 relates to implementing projects ultimately under this --  
5 under this PEIR.

6 So the vision is CAL FIRE will be the primary  
7 implementing agency, while others -- other agencies, State  
8 Lands Commission, could be one of them. Coastal  
9 Commission, local water districts, any local government,  
10 or State agency could -- any local or government agency  
11 could participate in a Vegetation Treatment Program under  
12 this EIR once it's certified.

13 The Final Program EIR was -- was released just  
14 last week. November 27th made available. It's on the  
15 Board's website. We have sent out information as it  
16 relates to this final draft widely. It's been  
17 disseminated not only to public stakeholders but as well  
18 to agency stakeholders. State Lands Commission was one of  
19 them. You guys were one of the entities that provided  
20 comment letters on the NOP when it was published earlier  
21 in this year.

22 Just as a means of trying to highlight the  
23 importance of this particular program, last year, Senate  
24 Bill 632 was chaptered. And 632 mandates the State Board  
25 of Forestry and Fire Protection have this program in place

1 no later than February 2nd -- or February 1st of this next  
2 year of 2020. Our internal guidelines -- or our internal  
3 goals is to have the project done by the first of the  
4 year. So we do believe that we are going to be well  
5 within the thresholds of 632. But this particular program  
6 has caught the interests at the highest levels within our  
7 State governance.

8 --o0o--

9 MR. DIAS: The ultimate goal of the CalVTP is to  
10 treat approximately 250,000 acres of non-federal land  
11 within the State for wildland fire prevention. So that  
12 250,000-acre threshold is what the program has been  
13 analyzed at. In order to get to that threshold, it's  
14 going to take the highest level of cooperation between all  
15 entities out there, all stakeholders to get to that  
16 threshold. I do not believe that initially as the program  
17 is being implemented we're going to get to that number.  
18 But I think as -- over the course of the time, as we've  
19 become familiar with the program, I think that the  
20 opportunity will arise.

21 The CalVTP is a CEQA document. It continues --  
22 it contains an analysis of all physical environments and  
23 all impacts, as required by the California Environmental  
24 Quality Act. It is a -- it is a tool, one tool, that is  
25 intended to help implement Governor Brown's Executive

1 Order B-52-18. And for those of you that may not be  
2 familiar with the B-52-18 towards the end of Governor  
3 Brown's tenure, he offered this Executive Order after  
4 significant wildland fires, and loss of life, and  
5 structures, and natural resources, and has pushed -- or  
6 mandated that our state move towards this increasing pace  
7 and scale message. The message is to increase pace and  
8 scale of vegetation management.

9           And I want to be -- this is really important,  
10 because I believe that there's some misconceptions as it  
11 relates to some of the public perception of the CalVTP,  
12 that this is the only effort that the State is engaging in  
13 as it relates to wildland fire prevention. And this is  
14 simply one tool.

15           We all recognize -- the State Board for Forestry  
16 and Fire Protection recognizes it as well -- as well as  
17 many entities recognize that wildland fire prevention  
18 takes a lot of different actions, if you will. Public  
19 outreach, land-use planning, building codes, all these  
20 pieces play an integral role. The State Board of Forestry  
21 and Fire Protection role is generally forestry and fire  
22 protection, and veg management. And so we have been  
23 asked, as this point, to engage in the veg management  
24 piece of this.

25           But we all -- we also deal with land-use

1 regulations and we also engage closely on building codes.  
2 And so we recognize that this is just one tenet to a  
3 greater strategy as it relates to wildland fire  
4 prevention.

5 --o0o--

6 MR. DIAS: What we -- what the -- the treatment  
7 area, if you will, that's contained within the SR -- or  
8 within the PEIR is 20.3 million acres. So we identified  
9 20.3 million acres within the state of California. We  
10 analyze, I should say, 20.3 million acres within the state  
11 of California as area that projects for wildland fire  
12 prevention could occur. When I talk about cooperation  
13 between different agencies, we have very -- quite a few  
14 agencies within CNRA, within the California Natural  
15 Resources Agency that are land management agencies. State  
16 Parks, State Lands Commission, DWR all owned or managed, I  
17 should say, on behalf of the Public Trust lands.

18 State Lands Commission appears, from our analysis  
19 of data that we've received through GIS layers, that the  
20 State Lands Commission has about 65,000 acres within that  
21 treatable landscape. And so part of the rationale of  
22 coming to here and working with your senior staff is to  
23 try to work together with CAL FIRE, the Lands Commission,  
24 and DFW, and the cooperative under our agency, under CNRA  
25 to effectuate this program in the very near future.

1           The treatable landscape is available online. You  
2 can get on our website. It's a GIS layer. It's very --  
3 it's easy to navigate. We do not have ownership patterns  
4 there. It's a treatable landscape as it -- and its  
5 entirety along with some other data, but not down to the  
6 granular level that's going to show where State Lands  
7 Commission resides within that treatable landscape. But  
8 we do have the data and can get it to you, if you need it.

9                           --o0o--

10           MR. DIAS: Proposed treatment types are three  
11 types. We have three proposed treatment types. This is  
12 really important. Ecological restoration is key, fuel  
13 breaks are key, and wild land urban interface fuel  
14 reduction projects are key. So when we speak about  
15 wildland urban interface, we're talking about veg  
16 management treatments around communities at risk, so that  
17 wildland fire does not enter into those communities, and  
18 vice versa, fires within those communities do not enter  
19 the wildlands.

20           Fuel breaks are strategically placed. Generally,  
21 in what we would consider -- well, outside of the wildland  
22 urban interface zone of influence, and these are focused  
23 on suppression activities, allowing for CAL FIRE to  
24 strategically place assets during suppression activities  
25 and effectively fight a wildland fire.

1           And then ecological restoration is focused on  
2 trying to successfully migrate veg types that have been --  
3 where a wildland fire or fire in general has been excluded  
4 from those landscapes and that departure of fire has  
5 resulted in a makeup of veg types that are no longer  
6 resilient to fire, if you will.

7           So we are looking at trying to engage in higher  
8 levels of prescribed fire activity. And this ecological  
9 restoration piece is looking at trying to have landscapes  
10 or veg types that are going to effectively respond to  
11 prescribed fire.

12                           --o0o--

13           MR. DIAS: So these are the treatment activities.  
14 So we talked about the project types. And these are the  
15 treatment activities that are being analyzed: prescribed  
16 burning; manual vegetation treatment; mechanical  
17 vegetation treatment; prescribed herbivory, which is the  
18 use of animals, if you will, targeted grazing; and  
19 targeted ground application of herbicides, where  
20 necessary.

21           So we have this matrix of three project types  
22 with these treatment types. And ultimately, that menu is  
23 going to be what the projects will ultimately -- will  
24 ultimately be pushed forward by project proponents, if you  
25 will.



1           So with that said, I'm going to pass it to  
2 Heather and she's going to give you some additional detail  
3 on the mechanics of the PEIR itself.

4           MS. BLAIR: Thanks, Matt. Again, I'm Heather  
5 Blair with Ascent Environmental. We've been under  
6 contract with the Board of Forestry and Fire Protection  
7 since late last year to prepare the Program EIR.

8           As Matt was saying, essentially, the CalVTP is a  
9 toolbox of treatment types and treatment activities that  
10 can be selected by project proponents in designing  
11 treatment projects to reduce wildfire risk.

12           SPRs are another integral part of the CalVTP.  
13 They function to avoid and minimize environmental impacts  
14 and comply with applicable environmental regulations.  
15 They will be integrated into later vegetation treatment  
16 projects under the CalVTP as a standard part of treatment  
17 design and implementation.

18           These are the product of extensive interagency  
19 coordination efforts. As Matt alluded to, we've been  
20 working with the Coastal Commission, with CDFW, with the  
21 California Air Resources Board, and the State Water  
22 Quality Control Board, as well as some regional water  
23 quality control boards to develop these standard project  
24 requirements.

25                           --o0o--

1 MS. BLAIR: So now that I've told you a bit about  
2 the CalVTP itself, we'd like to tell you a bit more about  
3 the Program EIR for the CalVTP. CEQA allows for use of a  
4 Program EIR for a series of actions that can be  
5 characterized as one large project or related to a  
6 continuing program. That is indeed the CalVTP.

7 One of the main functions of a Program EIR is to  
8 facilitate CEQA review of later activities, in this case,  
9 later vegetation treatment projects that are consistent  
10 with the Program EIR.

11 As Matt was saying, one of the features of this  
12 Program EIR is that it's designed for use by many agencies  
13 or what the Program EIR calls "Project Proponents". That  
14 is defined as CAL FIRE or other public agency that is  
15 providing funding for vegetation treatment, or with land  
16 ownership or land management responsibilities, or other  
17 regulatory responsibility in the treatable landscape.

18 So as Matt said, CAL FIRE would be by far and  
19 away the project proponent with the largest implementation  
20 responsibility, given that 95 percent of the treatable  
21 landscape is private. But other landowners, such as CDFW,  
22 and State Parks, or State Lands Commission could use this  
23 Program EIR to reduce wildland fire risk.

24 --o0o--

25 MS. BLAIR: So we prepared quite a comprehensive

1 EIR that endeavored to anticipate any impact that could  
2 occur from vegetation treatment throughout the state.

3 Sixteen resource areas were analyzed. They're  
4 listed here. They include air quality, biological  
5 resources, cultural and tribal resources, greenhouse gas  
6 emissions, hazardous materials, hydrology, et cetera.

7 --o0o--

8 MS. BLAIR: So how will CAL FIRE and project  
9 proponents use this Program EIR as a CEQA tool to  
10 facilitate that increase in pace and scale of vegetation  
11 treatments?

12 Project proponents must evaluate that later  
13 treatment project to determine the extent to which the  
14 project is consistent with the activities in the CalVTP  
15 and the impacts that were analyzed in the Program EIR.  
16 This evaluation will be documented in what's called a  
17 project-specific analysis, or a PSA.

18 And if that later vegetation treatment project is  
19 found to be within the scope of the CalVTP Program EIR,  
20 then No additional CEQA document need be prepared or  
21 circulated to the public. And in this case, a notice of  
22 determination would be filed if the project is approved.

23 So what does it mean for a later project to be  
24 within the scope? It means that the activities are  
25 consistent with those that were described in the Program

1 EIR, that it's within the treatable landscape, and that  
2 it's consistent with the impacts analyzed in the Program  
3 EIR, meaning that there are no new impacts or no impacts  
4 that are substantially more severe than those significant  
5 impacts that were identified.

6 And where later activities or later vegetation  
7 treatment projects do not qualify for this within the  
8 scope finding, the Program EIR can be used to focus only  
9 on those impacts that are new or substantially more severe  
10 in a site-specific Negative Declaration, Mitigated  
11 Negative Declaration, or a focused EIR.

12 --o0o--

13 MS. BLAIR: So this flowchart here, it  
14 illustrates the CEQA streamlining process that is allowed  
15 for under the CalVTP Program EIR, and the different  
16 pathways that get you to it within the scope finding, or  
17 an additional CEQA document.

18 So it is -- it is the use of the Program EIR by  
19 many project proponent agencies, and particularly the  
20 maximum use of "within the scope" findings that will  
21 facilitate the increase in pace and scale of vegetation  
22 treatments while maintaining environmental perfection --  
23 protections.

24 I'll also say that this Program EIR requires the  
25 public availability of information that goes well above

1 and beyond the requirements of CEQA for a Program EIR.  
2 Information needs to be made available to the public at  
3 three stages, at the planned project stage, the approved  
4 project stage where the project-specific analysis is  
5 available, as well as the completed project stage.

6 --o0o--

7 MS. BLAIR: Here's a slide showing our schedule  
8 and next steps. As Matt mentioned, the final Program EIR  
9 has been released. The Board will consider it for  
10 approval and certification this month. And in 2020,  
11 implementation will begin, including training on how to  
12 use this Program EIR and how to complete a robust  
13 project-specific analysis throughout the state for some of  
14 these potential project proponents, as well as continued  
15 interagency coordination to develop the PSA and  
16 implementation.

17 --o0o--

18 MS. BLAIR: That concludes our presentation, if  
19 there are any questions.

20 CHAIRPERSON KOUNALAKIS: Okay. I think we may  
21 have some.

22 Ms. Lucchesi, did you have something?

23 EXECUTIVE OFFICER LUCCHESI: I was just going to  
24 thank Matt for the presentation and also to try to tie it  
25 back to a -- to an action that you actually approved in

1 the consent agenda and try to package this in a more  
2 direct way.

3           So under Item 47, you authorized staff to pursue  
4 either an interagency agreement or consultant services to  
5 inventory our school lands, primarily the 55,000 acres  
6 that are forested. And so as we move towards that process  
7 of inventorying those lands for purposes of better  
8 managing those for wildlife -- excuse me, wildfire  
9 prevention purposes, assuming that the Board of Forestry  
10 approves or certifies the EIR, as we move forward to  
11 actual project implementation for that vegetation  
12 management, we will be saving significant time, resources,  
13 and school lands funds because we'll be able to utilize  
14 the Programmatic EIR as part of our CEQA compliance. And  
15 so I just want to thank that effort, because it really  
16 makes our management responsibilities and opportunities a  
17 lot more streamlined and effective, and we get to be able  
18 to be more efficient with the use of our school land  
19 funds.

20           CHAIRPERSON KOUNALAKIS: So are the 55,000 acres  
21 of school lands that are forested that we are doing --  
22 conducting an inventory on, are they within the 250,000  
23 acres that this EIR will cover?

24           MS. BLAIR: They appear to be.

25           EXECUTIVE OFFICER LUCCHESI: Yes.

1 MS. BLAIR: And we can verify that using GIS.

2 CHAIRPERSON KOUNALAKIS: Now, one of the things  
3 with our forested land, our school lands, is that they  
4 tend to be in the middle of federal lands. So how is the  
5 proposed VTP, if approved, consistent or not consistent  
6 with the protocols for federal land?

7 MR. DIAS: So the EIR itself, PEIR, applies to  
8 non-federal lands. But it's important to realize that the  
9 State of California has asked to increase its pace and  
10 scale to 500,000 acres of treatment a year. And the  
11 federal -- our federal partners have come forward and set  
12 that same goal. So in terms of environmental  
13 compliance --

14 CHAIRPERSON KOUNALAKIS: Sorry, say -- say that  
15 again?

16 MR. DIAS: The State of California has identified  
17 that they want to increase our -- the pace and scale of  
18 veg abate -- veg management activities to 500,000 acres a  
19 career, half million acres a year. We're currently  
20 achieving about 250. Okay. So that's where the 250,000  
21 that's being analyzed under the program is.

22 CHAIRPERSON KOUNALAKIS: I see.

23 MR. DIAS: The federal partners have identified  
24 that same goal. So ultimately, we are trying to  
25 cooperatively treat up to a million acres a year in

1 California for veg management act -- for wildland fire  
2 prevention

3 CHAIRPERSON KOUNALAKIS: So this EIR will cover  
4 the 20 million acres that you mentioned?

5 MR. DIAS: The EIR covers the 20 million acres of  
6 non-federal.

7 CHAIRPERSON KOUNALAKIS: Okay. Got it.

8 MR. DIAS: But there's a lot of cooperation  
9 between federal and State agencies right now. So the fact  
10 that your lands lie within the federal landscape, although  
11 the EIR itself -- the PEIR would no assist the Feds --

12 CHAIRPERSON KOUNALAKIS: Um-hmm.

13 MR. DIAS: -- the messaging and cooperation  
14 between the -- and efficiencies of this PEIR and federal  
15 NEPA documents is something that we're looking at very  
16 closely. So, there is -- there is a bit of a demarcation  
17 of -- in terms of being able to achieve the goals on  
18 non-federal lands and federal lands. But there is a --  
19 the highest level of cooperation achieving those goals  
20 together right now, if that makes sense.

21 CHAIRPERSON KOUNALAKIS: Okay. That -- so that  
22 was my first question.

23 My second question is this, when you talk about  
24 controlling vegetation, there are lots of ways to do it.  
25 You can put cows, you can mow it, you could put chemicals.



1 What do you have in this EIR that would be the actual  
2 mechanism for controlling the vegetation?

3 MR. DIAS: That would be the treatment types. So  
4 that -- when I -- on my last slide, I believe, I think  
5 it's slide 7 maybe or 8, those are the actual treatment  
6 types, which would be mechanical mastication. That would  
7 be heavy equipment.

8 CHAIRPERSON KOUNALAKIS: Okay. Okay.

9 MR. DIAS: There are hand crews that we can use  
10 for sure, like the -- anyone from CAL FIRE's hand crews,  
11 prevention activities through the CCCs, private  
12 contractors, so actual hand crews.

13 CHAIRPERSON KOUNALAKIS: Hold on. Let's get your  
14 slide back up here.

15 Okay.

16 MR. DIAS: So I don't see it up here, but the  
17 treatment types are there before you. And so those are  
18 the analyzed treatment types.

19 CHAIRPERSON KOUNALAKIS: Do we see this slide?

20 MR. DIAS: You did. That was my last slide that  
21 I covered.

22 CHAIRPERSON KOUNALAKIS: Okay.

23 MR. DIAS: It's a lot of information, so it's --

24 CHAIRPERSON KOUNALAKIS: But this is an important  
25 part of it, because it will help us to have a concept of

1 exactly how you intend to remove the vegetation.

2 MR. DIAS: To treat.

3 CHAIRPERSON KOUNALAKIS: Yeah. Or treat it.

4 MR. DIAS: And it's really important to -- you  
5 know, one thing that I think is really important is that  
6 this PEIR doesn't only contemplate initial treatments, but  
7 it contemplates maintenance.

8 CHAIRPERSON KOUNALAKIS: Um-hmm.

9 MR. DIAS: We're dealing with a system of  
10 vegetation that requires maintenance activities as well.  
11 And that varies by veg type, and aspect, and slope, and  
12 topography, and precipitation. But far be it to say that  
13 these projects cannot be treated once and you walk away  
14 from them. So these treatment types, if you will, are a  
15 menu of options that are going to allow you to effectuate  
16 the initial treatment, as well as to effectuate the  
17 maintenance that's required over the course of time.

18 CHAIRPERSON KOUNALAKIS: So burn it, cut it,  
19 graze --

20 MR. DIAS: Um-hmm.

21 CHAIRPERSON KOUNALAKIS: -- or put herbicides.

22 MR. DIAS: That's correct.

23 CHAIRPERSON KOUNALAKIS: And does the EIR go  
24 through in more detail exactly what those parts of the  
25 program look like, so the general public has the

1 opportunity to review those?

2 MR. DIAS: In a very robust manner, it does.

3 CHAIRPERSON KOUNALAKIS: Okay.

4 MR. DIAS: This is a 30,000-foot presentation  
5 here. The EIR is comprehensive and covers each one of  
6 these treatment types and any impacts associated with  
7 these treatment types very well.

8 MS. BLAIR: And just, if I could add, you know, I  
9 mentioned standard project requirements. There's many of  
10 those that address individually each one of these  
11 treatment activities. So we have, you know, a handful, or  
12 probably more, maybe close to a dozen that address  
13 herbicide application and protections associated with that  
14 treatment type specifically.

15 CHAIRPERSON KOUNALAKIS: And have you found that  
16 of these various treatment programs that any have  
17 generated more interest -- more public interest than  
18 others?

19 MS. BLAIR: Of these treatment activities?

20 CHAIRPERSON KOUNALAKIS: Um-hmm.

21 MS. BLAIR: I would say the prescribed burning is  
22 an important consideration --

23 CHAIRPERSON KOUNALAKIS: Um-hmm.

24 MS. BLAIR: -- because one of the features of  
25 this program is increased use of prescribed burning to

1 achieve some of these acreage targets, as well as  
2 herbicide application.

3 CHAIRPERSON KOUNALAKIS: Okay. Commissioners,  
4 questions or comments?

5 All right. Thank you very much for the  
6 presentation. We will be following closely.

7 Item 57 is a progress report on the Commission's  
8 first year implementing its new Environmental Justice  
9 Policy.

10 May we have the presentation, please.

11 (Thereupon an overhead presentation was  
12 presented as follows.)

13 MS. ROBINSON-FILIPP: Thank you, Madam Chair and  
14 Commissioners. My name is Katie Robinson-Filipp and I'm a  
15 Sea Grant Fellow at the Commission.

16 Commission Staff and our internal environmental  
17 Justice team have ardently worked to implement the  
18 Commission's Environmental Justice Policy adopted in  
19 December 2018. Today, I will provide an update on the  
20 Commission's progress during first year of implementation.

21 --o0o--

22 MS. ROBINSON-FILIPP: I will start with a brief  
23 overview of our Environmental Justice Policy, then discuss  
24 our interagency coordination, and our efforts to educate  
25 staff to build a shared understanding of environmental

1 justice principles and issues. I will also discuss the  
2 internal environmental justice team's diligent work to  
3 apply the policy. And I will conclude -- I will conclude  
4 with an update on our Environmental Justice Position --  
5 Liaison Position.

6 --o0o--

7 MS. ROBINSON-FILIPP: In December 2018, the  
8 Commission adopted a comprehensive Environmental Justice  
9 Policy and implementation framework. In doing so, the  
10 Commission committed to the principle that past  
11 environmental injustices will not be define California's  
12 future.

13 The policy outlines 12 bold and transformative  
14 goals reflecting input from regional community meetings  
15 and guidance from an environmental justice working group.  
16 These goals are summarized in a handout given to you  
17 today. And we also have additional copies available for  
18 the public as well.

19 --o0o--

20 MS. ROBINSON-FILIPP: California was one of the  
21 first states to codify the definition of environmental  
22 justice. And the Commission was one of the first Resource  
23 Agencies to adopt an updated policy. Interagency  
24 coordination and collaboration have played a vital role in  
25 how we have addressed our implementation efforts and has

1 also been critical as we work towards an equitable  
2 California for all.

3 Commission staff participated in a San Francisco  
4 Bay Conservation and Development Commission, BCDC, working  
5 group on environmental justice. As the working group  
6 looked to address environmental justice and social equity  
7 in BCDC's Bay Plan, Commission staff had the opportunity  
8 to share our lessons learned with BCDC staff.

9 Similarly, the Commission has engaged in periodic  
10 collaboration with the California Coastal Commission, as  
11 they embark on implementing their recently adopted  
12 Environmental Justice Policy. The Commission has also  
13 developed an invaluable partnership with the California  
14 Environmental Protection Agency, CalEPA, leveraging the  
15 Agency's experience and knowledge from a well established  
16 environmental justice program to design and facilitate our  
17 staff education and training.

18 --o0o--

19 MS. ROBINSON-FILIPP: Staff education and  
20 training have been a critical focus of this implementation  
21 year. In partnership with CalEPA, the Commission has  
22 designed and facilitated two staff-wide trainings, three  
23 CalEnviroScreen screen trainings, and is currently working  
24 on developing a community engagement and outreach workshop  
25 to be held in February 2020. These efforts help

1 contribute to a shared understanding of environmental  
2 justice and encourage our staff to view their work through  
3 a lens of equity.

4 --o0o--

5 MS. ROBINSON-FILIPP: The Commission held two  
6 staff-wide trainings in May and June of this year, one in  
7 Sacramento and another in Long Beach. The all-day  
8 training, facilitated by CalEPA, Commission staff, and  
9 Mari Rose Taruc, a community advocate, educated staff  
10 about environmental justice principles and the  
11 Commission's policy. Opening remarks from Commissioner  
12 Betty Yee and Executive Officer Jennifer Lucchesi  
13 encourage and empowered staff to engage in challenging  
14 conversations.

15 Based on evaluations from both Sacramento and  
16 Long Beach, the training was well received by staff. In  
17 the bottom left-hand corner here, this is a graph based  
18 off of the evaluations that were conducted after the  
19 training. This is from the Sacramento session and it  
20 mirrors closely that of the Long Beach session. And staff  
21 rated the training very highly. These sessions were also  
22 recorded and are available to incoming -- to new and  
23 incoming staff.

24 --o0o--

25 MS. ROBINSON-FILIPP: After our staff-wide

1 training, staff were eager to understand how to apply the  
2 policy in their work. Building on this momentum, the  
3 Commission, in partnership with CalEPA and the Office of  
4 Environmental Health Hazards Assessment developed three  
5 engaging and interactive CalEnviroScreen 3.0 training  
6 sessions for staff who will be involved in environmental  
7 justice analyses.

8 CalEnviroScreen 3.0 is a powerfully illustrative  
9 tool for assessing relative burdens in California  
10 communities from pollution and population vulnerability.

11 --o0o--

12 MS. ROBINSON-FILIPP: This year, Governor Gavin  
13 Newsom signed into law AB 1628 revising California's  
14 definition of environmental justice to include meaningful  
15 involvement. This Commission fully understands that  
16 meaningful community involvement is crucial to advancing  
17 environmental justice and social equity in California. We  
18 are currently involved in a collaborative partnership to  
19 develop a community engagement and outreach workshop for  
20 February 2020.

21 This workshop will be designed and facilitated by  
22 the -- by State Lands Commission, CalEPA, the Department  
23 of Conservation, California Department of Public Health,  
24 the California Public Utilities Commission, California  
25 State Water Resources Control Board, and the Leadership



1 Counsel for Justice and Accountability. This high-level  
2 curriculum will help State agencies develop a shared  
3 understanding of community engagement and outreach among  
4 staff.

5 --o0o--

6 MS. ROBINSON-FILIPP: The Commission's internal  
7 environmental justice team has worked diligently to build  
8 on the momentum and framework from the staff -- from these  
9 staff trainings. A vital component has been the  
10 development and use of a worksheet that staff uses at the  
11 initial stages of an application or project review to  
12 conduct a preliminary screening of potential environmental  
13 justice issues. This worksheet will help identify  
14 communities and the relevant area and assess the level and  
15 scope of outreach that may be needed. And this worksheet  
16 will also be applied to all future staff reports.

17 The commission has updated its environmental  
18 justice contact list and has created a simplified E-list  
19 for individuals and organizations to indicate their  
20 specific interest or geographic areas. The Commission  
21 staff has used this list to engage in outreach via letters  
22 and emails to groups on our environmental justice contact  
23 list.

24 These efforts will further be bolstered by our  
25 upcoming community engagement outreach workshop in

1 February, as well as the new Environmental Justice Liaison  
2 position.

3 --o0o--

4 MS. ROBINSON-FILIPP: The Commission received  
5 approval in funding for two new positions, an  
6 Environmental Justice Liaison and environmental justice  
7 support staff. These positions are critical to advancing  
8 the Commission's implementation efforts. The liaison will  
9 have a vital role in identifying and coordinating  
10 meaningful community engagement and outreach. The  
11 Commission is in the process of finalizing the recruitment  
12 packages and expects to post for the liaison position in  
13 January 2020.

14 --o0o--

15 MS. ROBINSON-FILIPP: The Commission has  
16 enthusiastically embraced the challenge to implement our  
17 Environmental Justice Policy that is meaningful to the  
18 communities it serves and to the people of California.

19 As Executive Officer Jennifer Lucchesi has  
20 emphasized, the policy is an opportunity for the  
21 Commission to think broadly, comprehensively, and with  
22 creativity and empathy. We are incredibly thankful for  
23 the work our environmental -- our internal environmental  
24 justice team and Commission staff have invested to  
25 implement the policy and we are excited to continue to

1 build on these efforts.

2 We are especially grateful for the considerable  
3 support from Commission leadership, Madam Chair, and  
4 Commissioners.

5 Thank you. And I'm happy to answer any  
6 questions.

7 CHAIRPERSON KOUNALAKIS: Than you very much for  
8 that great presentation.

9 Do any Commissioners have questions, comments?

10 COMMISSIONER YEE: Just a comment. Yeah. I --  
11 this is just I think a whole body of work we should feel  
12 very proud of. It is a model and I know we're living it  
13 and breathing it. And I think it is going to just make  
14 this Commission just, like I said, just be a very  
15 inclusive model about how we conduct our work. And so I'm  
16 very grateful for the continued refinement of this, and  
17 certainly the community engagement aspect of this is going  
18 to be important going forward.

19 Thank you.

20 CHAIRPERSON KOUNALAKIS: And may I just echo  
21 those comments and say that was really a terrific  
22 presentation.

23 MS. ROBINSON-FILIPP: Thank you.

24 CHAIRPERSON KOUNALAKIS: Thank you.

25 EXECUTIVE OFFICER LUCCHESI: So I just wanted to

1 thank Katie as well. So Katie and Sam, who's also in the  
2 audience, are our two Sea Grant Fellows this year. Their  
3 fellowship will be ending early next year. And so we  
4 always like to have an opportunity for them to present to  
5 the Commission and interact directly. And so I just want  
6 to thank Katie for that wonderful presentation. And I  
7 think you'll be hearing from Sam at one of our first  
8 meetings next year.

9 So they have been amazing Sea Grant Fellows. I  
10 don't know how we can continue to operate without the Sea  
11 Grant Fellowship opportunities that the Fellows bring to  
12 us, and the value added to our work. It's incredible and  
13 we're so grateful to Sam and Katie.

14 CHAIRPERSON KOUNALAKIS: Thank you. Thank you,  
15 Sam. Thank you, Katie, very much.

16 And we will move to the next item. Item 58 is an  
17 informational update on the Commission's participation in  
18 the Government Alliance on Race and Equity Capitol Cohort.

19 (Thereupon an overhead presentation was  
20 presented as follows.)

21 EXTERNAL AFFAIRS DIVISION CHIEF PEMBERTON: Thank  
22 you, Madam Chair and Commissioners. I'm really excited to  
23 be present this informational update to Commission, along  
24 with my co-team lead Lisa Lloyd.

25 The Government Alliance on Race and Equity is

1 known as GARE. It's a national network of governments who  
2 are working to advance racial equity in California.

3 And in 2018 the Health in All Policies Task  
4 Force, which is part of the Strategic Growth Council, and  
5 GARE brought together and created the Capitol Cohort to  
6 advance racial equity in California. The partnership  
7 brought together 12 State agencies to participate in the  
8 first ever Capitol Cohort.

9 --o0o--

10 EXTERNAL AFFAIRS DIVISION CHIEF PEMBERTON: Each  
11 team had about 15 employees representing their departments  
12 and committed to participate in a roughly 50-hour  
13 curriculum about racial equity and contribute to the  
14 development of racial equity plan customized to their  
15 department.

16 The California Department of Education, the  
17 California Department of Public Health, the Department of  
18 Corrections, Coastal Commission, Art Council are among the  
19 different agencies who participated in the 2018 and 2019  
20 cohort sessions.

21 --o0o--

22 EXTERNAL AFFAIRS DIVISION CHIEF PEMBERTON: State  
23 Lands staff also participated in 2018. And this past  
24 November finished its second year, an implementation year,  
25 in 2019. We developed a team of roughly 15 people with

1 staff from each division and at different levels in the  
2 organization. We had homework in between. We met about  
3 once a month for the year, where we got together with all  
4 the other teams. And we also participated in monthly  
5 co-team lead meetings that the Strategic Growth Council  
6 facilitated.

7 I think our team would say that they found this  
8 work to be difficult, important, and profound.

9 --o0o--

10 EXTERNAL AFFAIRS DIVISION CHIEF PEMBERTON:

11 Racial equity is im -- really important. And I  
12 can't underscore that enough and it's also really  
13 difficult to talk about. I think as a staff, we're  
14 more -- an as an agency we're more informed, more  
15 educated, more empathetic, and motivated to prioritize  
16 racial equity and diversity in our work as we move  
17 forward. This was an incredibly enriching and invaluable  
18 opportunity for all of us I think to be part of this  
19 supportive network of colleagues pursuing similar goals  
20 across State government.

21 And now, I want to turn it over to my co-team  
22 lead Lisa Lloyd, who's going to talk more about some of  
23 the challenges, successes, and next steps associated with  
24 GARE.

25 CHAIRPERSON KOUNALAKIS: Thank you.

1 ADMINISTRATIVE SERVICES ASSISTANT DIVISION CHIEF

2 LLOYD: Thank you, Sheri.

3 Will you continue to drive for me?

4 (Laughter.)

5 ADMINISTRATIVE SERVICES ASSISTANT DIVISION CHIEF

6 LLOYD: I can only do one thing at a time.

7 (Laughter.)

8 ADMINISTRATIVE SERVICES ASSISTANT DIVISION CHIEF

9 LLOYD: Thank you, Madam Chair and Commissioners. My name  
10 is Lisa Lloyd.

11 I am the Assistant Chief of the Administrative  
12 Services Division and it is my pleasure to share our  
13 team's successes and next steps with you today.

14 --o0o--

15

16 ADMINISTRATIVE SERVICES ASSISTANT DIVISION CHIEF

17 LLOYD: By the completion of our foundational year in the  
18 GARE Capitol Cohort, the Commission's team had developed  
19 its initial Racial Equity Action Plan. The purpose of  
20 this plan is to guide our team's efforts from late 2018  
21 through mid-2021.

22 The plan is focused on two main outcomes. First,  
23 that the Commission attracts and retains a more racial  
24 diverse workforce, and second, that the Commission's  
25 employees understand and are committed to achieving racial

1 equity.

2           Some of the staff's successes during 2019  
3 include: identifying department-specific classifications  
4 with minimum qualifications that may have unintended  
5 racial equity barriers, developing and distributing our  
6 Equity Matters Newsletter to all Commission staff;  
7 assembling a team to develop a diversity-focused  
8 recruitment plan; and participating in a baseline racial  
9 equity survey.

10                   --o0o--

11           ADMINISTRATIVE SERVICES ASSISTANT DIVISION CHIEF

12 LLOYD: As we look forward to 2020 and beyond, we plan to  
13 continue working on the action items outlined in our  
14 Racial Equity Action Plan. Some of the highlights  
15 include: reviewing the analysis of our baseline racial  
16 equity survey; partnering with our executive office to  
17 determine how to deliver racial equity and implicit bias  
18 training to our staff, and subsequently rolling that  
19 training out; strengthening human resources policy and  
20 practices surrounding recruiting, hiring, and upward  
21 mobility; working with CalHR to remove racial equity  
22 barriers from department-specific classifications;  
23 deploying a pilot mentorship program in conjunction with  
24 the workforce planning team; and promoting the  
25 incorporation of the values of respect, diversity and



1 inclusivity in the upcoming strategic plan revisions.

2           2019 has been a challenging year for our GARE  
3 team. In fact, it has been challenging for each team  
4 involved in the Capitol Cohort implementation year pilot.  
5 Racial equity is an important issue to tackle and one that  
6 many people find uncomfortable to discuss.

7           This last slide illustrates some of our team  
8 members' reflections on their GARE experience. Through  
9 their participation and dedication, team members have  
10 experienced personal growth, frustration, and ultimately  
11 hope and optimism. And perhaps above all, over the last  
12 two years, our team has learned that government must  
13 actively participate in the deconstruction of the remnants  
14 of structural racism, if we want a government that works  
15 for all Californians. We're proud to be a part of that  
16 solution.

17           And we're happy to answer any questions that you  
18 may have. Thank you.

19           CHAIRPERSON KOUNALAKIS: And that's very well  
20 said. Commissioners, do you have any questions or  
21 comments?

22           Thank for this work. It's --

23           ADMINISTRATIVE SERVICES ASSISTANT DIVISION CHIEF  
24 LLOYD: Thank you.

25           CHAIRPERSON KOUNALAKIS: You know, it's I think

1 on the one hand very challenging, very difficult work, but  
2 also very rewarding and very important. Our State is 27  
3 percent foreign born and that makes us the most -- in my  
4 strong opinion, the most successful state in the country.  
5 Our diversity is our strength. We have diversity of  
6 culture, of ideas. We have a very open society in  
7 general.

8 But what we know is that without concerted  
9 effort, and as you say, the concerted effort by  
10 government, to pull back the curtains of discrimination,  
11 and look into the past in order to be able to find some of  
12 the root causes that -- where discrimination continues to  
13 this day, we won't be able to make progress on this issue.

14 So thank you for all the work that you all are  
15 doing. It's very, very important.

16 CHAIRPERSON KOUNALAKIS: Okay. That concludes  
17 the regular calendar. We will now hear any public  
18 comments. I don't believe I have received any slips.

19 No public comment. Okay.

20 Do any Commissioners have any other comments or  
21 questions?

22 No. All right. So we will now adjourn into  
23 closed session. Will the public please clear the room for  
24 us.

25 Thank you.

1 (Off record: 12:01 p.m.)

2 (Thereupon the meeting recessed  
3 into closed session.)

4 (Thereupon the meeting reconvened  
5 open session.)

6 (On record: 12:20 p.m.)

7 CHAIRPERSON KOUNALAKIS: I'll call this meeting  
8 back into session.

9 Ms. Lucchesi, is there anything to report from  
10 closed session?

11 EXECUTIVE OFFICER LUCCHESI: No.

12 CHAIRPERSON KOUNALAKIS: So since this is my last  
13 Commission meeting as Chair for the first time and I am  
14 about to hand the gavel back to Commissioner Yee, I  
15 thought I would go through a list of some of the  
16 accomplishments of this year. And then I thought better  
17 of it when I realized it's four pages long.

18 (Laughter.)

19 CHAIRPERSON KOUNALAKIS: But I do think that it  
20 probably is useful to review some of the things.

21 And first, I'd just like to note that this is the  
22 first year of the Commission's 80-year history that our  
23 Commission is represented entirely by women. And that is  
24 pretty exciting. Now, I am in favor of gender parity.  
25 But every once in a while, you have these circumstances,

1 and it's pretty exciting as well.

2           The Commission has had a very productive year of  
3 being good stewards of Public Trust Lands, many ways, but  
4 especially when it comes to oil and gas activities. And  
5 I'd like to note in particular that this year we managed  
6 the return of over 7,200 acres offshore to the California  
7 Coastal Sanctuary, where these lands can never be used for  
8 oil and gas development again.

9           We know the circumstances of this. And the end  
10 result is that we have a major significant addition to the  
11 California Coastal Sanctuary. And I think that we can all  
12 be proud of this development for the future of our coast  
13 and for our children.

14           We also voted to support proposed federal  
15 legislation to permanently prohibit new oil and gas leases  
16 in the outer continental shelf off the coast of  
17 California. The legislation, HR 279, by Congress Member  
18 Carbajal and HR 310 by Congress Member Huffman are  
19 intended to prevent new offshore oil and gas development  
20 in the Pacific Coast region and signal opposition to the  
21 federal government's misguided efforts to open this  
22 offshore area to new oil and gas development.

23           The People of California are overwhelmingly in  
24 favor of rejecting expanded offshore drilling off our  
25 coast and these are very important steps in order to be

1 able to do that.

2           We have also completed the plugging and  
3 abandonment of the Piers 421 production well offshore  
4 Goleta. This is an incredible accomplishment given the  
5 complexities of this well, the significant teamwork  
6 between State Lands, OSPR, DOGGR, the Coast Guard, the  
7 City of Goleta, and Exxon, and the importance of  
8 completing this effort to the local community.

9           We also have moved forward the Rincon  
10 decommissioning project. Twenty-four of the 50 offshore  
11 wells have been plugged and abandoned. Onshore, 24 of the  
12 25 State wells have been abandoned, and the removal of the  
13 wellheads and concrete well sellers is underway, all ahead  
14 of schedule and under budget.

15           We here at the Commission also sponsored some  
16 legislation AB 585 by Assembly Member Limón, which  
17 minimizes the State's future financial liability for  
18 decommissioning oil and gas infrastructure and ensures all  
19 leasees -- lessees fulfill their decommissioning  
20 obligations. Suffice it to say that this Commission and  
21 staff have learned their lesson. And this is a very, very  
22 important piece of legislation to ensure that as  
23 decommissioning occurs, we are better able to do it with  
24 the responsibility placed on those who operated offshore  
25 for many years and not on the taxpayers of the people of

1 the State of California.

2 In the area of pollution prevention,  
3 infrastructure decommissioning, and debris removal, we  
4 have had many great achievements. The Commission is lead  
5 agency under CEQA for the decommissioning of the San  
6 Onofre Nuclear Generation Station. It is obviously a  
7 watershed moment for this Commission. We approved the  
8 decommissioning of units 2 and 3 earlier this year. And  
9 our work has shown the importance of the federal  
10 government finding solutions to the issue of spent nuclear  
11 fuel.

12 To that end, the Commission supported two federal  
13 bills intended to facilitate the removal of spent nuclear  
14 fuel at the San Onofre Nuclear Generating Station and to  
15 identify a safe, secure, long-term facility for the spent  
16 fuel to be stored. And I might note, participation in the  
17 public was overwhelming. Very helpful raising awareness  
18 around this critical issue to help us find a permanent,  
19 safe location away from the current location.

20 We also adopted and abandoned commercial vessel  
21 removal plan for the five county Sacramento-San Joaquin  
22 Delta. For anyone who travels and recreates along our  
23 Delta, you know there are many elements of debris that  
24 need to be removed. And advancing this goal is very  
25 important for so many who enjoy that part of the state.

1           The Commission has also continued to show its  
2 critical role in addressing the sewage pollution issues in  
3 the Tijuana River Valley. We talked about that a little  
4 bit today as well.

5           The Commission supported two federal bills  
6 intended to address the untreated wastewater, sewage,  
7 trash, and sediment from Mexico that flows into California  
8 through the Tijuana River and its tributaries. And we  
9 again, here in this case, have a lot more work to do, but  
10 are well on our way to some important solutions.

11           We also authorized the removal of 30 abandoned  
12 pilings and two sunken vessels in the Crockett Marina in  
13 Contra Costa County. We saw some of those images today  
14 that are very impressive. This is hard work. And it  
15 falls upon our shoulders to do it. And I think that when  
16 the public sees progress in this area, it just is very  
17 reassuring that the government is working in their  
18 interest.

19           And then finally in the area of pollution  
20 prevention and infrastructure, decommissioning and debris  
21 removal activities, we sponsored and co-sponsored AJR 25  
22 by Friedman, which confirms California's commitment to  
23 protecting its waters from marine invasive species and  
24 memorializes California's objections to federal preemption  
25 of State authority to regulate vessel discharges in

1 California's waters. Again, California has been at the  
2 forefront of engaging on the issue of marine invasive  
3 species. We have been setting the standard for a long  
4 time and we're going to continue to fight to do that.

5           And then finally over public access -- well, not  
6 finally. But in the area of public access, this has been  
7 a very important year. We entered into a landmark  
8 collaboration agreement with the Coastal Commission, State  
9 Parks, and the Coastal Conservancy for the development of  
10 a contemporary Hollister Ranch coastal access program.  
11 Very, very important. Again, an issue that has been on  
12 the books debated and discussed for many, many years. And  
13 along with State action around public access of Hollister  
14 Ranch very hopeful that we are soon going to be able to  
15 ensure that Californians from across the state will have  
16 the ability to see and enjoy this beautiful part of our  
17 coast, again while ensuring that we protect it from  
18 sometimes the unintended consequences of access. We know  
19 that we can do both and this is a very exciting step.

20           We also approved a landmark boundary line and  
21 easement agreement with over 180 property owners along the  
22 shore of Donner Lake that clarifies public-private  
23 property ownership and secures public access rights to the  
24 lake.

25           In the area of public -- customer service for the



1 public, we launched the Commission's new online system  
2 that allows the public to access, submit, and track lease  
3 and permit applications.

4 Welcome to the 21st century.

5 (Laughter.)

6 CHAIRPERSON KOUNALAKIS: We also entered into a  
7 landmark interagency coordination and collaboration  
8 agreement with the Coastal Commission. We launched a new  
9 web mapping application for the State waters offshore San  
10 Diego, which is designed to help users better understand  
11 the dynamic ocean space and ocean-related data offshore  
12 San Diego County.

13 I had the opportunity to visit Scripps just last  
14 week and what a treasure this area is. And the data and  
15 the information being collected is -- has global  
16 importance.

17 And then finally, in the area of the 2019 and  
18 2020 budget. The 2019-2020 State Lands Commission budget  
19 of \$88.8 million continues the trend of heavy special  
20 project funding which nearly outweighs our usual baseline  
21 budget.

22 The oil and gas plug and abandonment activities  
23 of Platform Holly and Rincon Island account for most of  
24 this, \$40 million, along with four million to fund  
25 litigation costs related to those efforts.

1           Other 2019-2020 special projects include 20  
2 million for the -- for one more year of dredging in Bolsa  
3 Chica, two million to continue the new coastal hazards  
4 removal program, and 1.2 million toward maintenance and  
5 operations of the new records management IT project.

6           Again, when we look at these budget items, these  
7 are ways in which the public can truly see the work of the  
8 Commission as it relates to them. So I really want to  
9 commend staff again for their sharp pencil and their focus  
10 on priorities that impact Californians.

11           In addition to special project funding, the  
12 2019-2020 budget also brings a new forestry position to  
13 restart our forested school lands management program, plus  
14 a new Environmental Justice Coordinator, and an  
15 Administrative Liaison to drive this new effort. The  
16 Commission is also gaining two new IT positions to  
17 right-size the Information Services Division and continue  
18 to build a solid technol -- technological foundation for  
19 its strategic goals.

20           Finally, the Natural Resources Agency has  
21 included \$900,000 in an agency-wide budget request for  
22 State Lands continued record preservation and  
23 digitalization. Also important for so many reasons to be  
24 able to catalogue activity in our public lands. But  
25 again, I just want to commend the staff for their hard

1 work. This has been a very gratifying year for me  
2 personally to learn of the incredible work that we do on  
3 behalf of the people of California around our State Lands  
4 portfolio.

5 And I know that I could not have done this  
6 without the incredible support of you, Executive Director  
7 Lucchesi, and your marvelous team, and, of course, of the  
8 other Commissioners.

9 So we have one more point of order for the day.  
10 As we conclude the meeting, on a sad note, but one that is  
11 extremely important for us to recognize, and that is that  
12 we will adjourn today in the memory of three of our  
13 colleagues who we lost this year. And we will adjourn in  
14 their memory, in the memory of Mark LeClair, Raul Valdez,  
15 and Steve Staker.

16 Thank you, everyone.

17 We're adjourned.

18 (Thereupon the California State Lands  
19 Commission meeting adjourned at 12:33 p.m.)  
20  
21  
22  
23  
24  
25

## 1 C E R T I F I C A T E O F R E P O R T E R

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

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

8 That the said proceedings was taken before me, in  
9 shorthand writing, and was thereafter transcribed to the  
10 best of my ability, under my direction, by  
11 computer-assisted transcription.

12 I further certify that I am not of counsel or  
13 attorney for any of the parties to said meeting nor in any  
14 way interested in the outcome of said meeting.

15 IN WITNESS WHEREOF, I have hereunto set my hand  
16 this 14th day of December, 2019.

17  
18  
19 A handwritten signature in blue ink that reads "James F. Peters". The signature is written in a cursive style and is positioned above the typed name.

20  
21  
22 JAMES F. PETERS, CSR  
23 Certified Shorthand Reporter  
24 License No. 10063  
25